



The Council of the City of Cockburn Ordinary Council Meeting **Minutes**

For Thursday, 10 March 2022

These Minutes are confirmed

Presiding Member's signature



Date: 14 April 2022

The Council of the City Of Cockburn

Ordinary Council Meeting Thursday, 10 March 2022

Table Of Contents

	Page
1. Declaration of Meeting.....	5
2. Appointment of Presiding Member (If required)	6
3. Disclaimer (To be read aloud by Presiding Member)	7
4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)	7
5. Apologies and Leave of Absence	7
6. Written Requests for Leave of Absence.....	7
7. Response to Previous Public Questions Taken on Notice	7
8. Public Question Time	7
9. Confirmation of Minutes.....	22
9.1 (2022/MINUTE NO 0021) Minutes of the Ordinary Council Meeting - 10/02/2022	22
10. Deputations	23
11. Business Left Over from Previous Meeting (if adjourned)	23
12. Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting	24
13. Decisions Made at Electors Meeting.....	25
13.1 (2022/MINUTE NO 0022) Annual General Meeting of Electors - Motion - Withholding Approval of Structure Plans and Development Plans in Treeby	25
13.2 (2022/MINUTE NO 0023) Annual General Meeting of Electors – Motion – New Development Street Plans	30
13.3 (2022/MINUTE NO 0024) Annual General Meeting of Electors - Motion - On Street Parking	35
13.4 (2022/MINUTE NO 0025) Annual General Meeting of Electors – Motion – Comment on Cockburn	40
13.5 (2022/MINUTE NO 0026) Annual General Meeting of Electors – Motion – Third Party Appeal Rights	45
13.6 (2022/MINUTE NO 0027) Annual General Meeting of Electors – Motion – Registers.....	52
13.7 (2022/MINUTE NO 0028) Annual General Meeting of Electors - Motion - Basic Infrastructure Support and Intervention	60



13.8	(2022/MINUTE NO 0029) Annual General Meeting of Electors - Motion - Residential Council Rates 2022-2023	66
13.9	(2022/MINUTE NO 0030) Annual General Meeting of Electors – Motion – Corporate Credit Card Reporting.....	69
13.10	(2022/MINUTE NO 0031) Annual General Meeting of Electors – Motion – Coogee Golf Course - Feasibility Study.....	73
13.11	(2022/MINUTE NO 0032) Annual General Meeting of Electors – Motion – Manning Park Ridge.....	75
13.12	(2022/MINUTE NO 0033) Annual General Meeting of Electors – Motion – Reinstatement of On Lead Dog Beach at Ammunition Jetty	79
13.13	(2022/MINUTE NO 0034) Annual General Meeting of Electors – Motion – Resident Groups Draft Capital Budget Submissions	89
13.14	(2022/MINUTE NO 0035) Annual General Meeting of Electors – Motion – Payment of Allowances to Elected Members whilst on Leave of Absence	93
13.15	(2022/MINUTE NO 0036) Annual General Meeting of Electors – Motion – Motions Dealt Separately	101
13.16	(2022/MINUTE NO 0037) Annual General Meeting of Electors – Motion – Ward System	104
13.17	(2022/MINUTE NO 0038) Annual General Meeting of Electors - Motion - Refusal of Requests.....	107
13.18	(2022/MINUTE NO 0039) Annual General Meeting of Electors - Motion - Documents Withheld.....	110
13.19	(2022/MINUTE NO 0040) Annual General Meeting of Electors – Motion – Local Government Act Review	113
13.20	(2022/MINUTE NO 0041) Annual General Meeting of Electors – Motion – Total Employee Cost Review	116
14.	Built and Natural Environment	124
15.	Finance	125
15.1	(2022/MINUTE NO 0042) Payments Made from Municipal Fund and Local Procurement Summary - January 2022.....	125
	(2022/MINUTE NO 0043) Extension of Time.....	147
15.2	(2022/MINUTE NO 0044) Monthly Financial Reports - January 2022.....	147
16.	Operations.....	183
16.1	(2022/MINUTE NO 0045) Cockburn Resource Recovery Precinct	183
17.	Community Services.....	219
18.	Governance and Strategy	220
18.1	(2022/MINUTE NO 0046) Minutes - Delegated Authorities and Policies Committee Meeting - 17 February 2022	220
	(2022/MINUTE NO 0047) Move Item 18.2 to be considered following Item 25.2 TC	387
18.2	(2022/MINUTE NO 0048) Appointment to Standing Committees.....	387



- 18.3 (2022/MINUTE NO 0049) Neighbourhood Watch Reference Group -
Nomination404
- 19. Corporate Affairs406
- 20. Office of the CEO406
- 21. Motions of Which Previous Notice Has Been Given.....407
 - 21.1 (2022/MINUTE NO 0050) Elected Member Leave of Absence407
 - 21.2 (2022/MINUTE NO 0051) Coogee Beach Parking410
 - 21.3 (2022/MINUTE NO 0052) Shark Fishing.....418
- 22. Notices Of Motion Given At The Meeting For Consideration At Next Meeting.....422
- 23. New Business of an Urgent Nature Introduced by Members or Officers422
- 24. Matters to be Noted for Investigation, Without Debate423
 - 24.1 (2022/MINUTE NO 0053) Banjup War Memorial - Restoration of a
Permanent Accessible Pathway and Entrance423
- 25. Confidential Business428
 - (2022/MINUTE NO 0054) Meeting to Proceed Behind Closed Doors428
 - (2022/MINUTE NO 0054) Behind Closed Doors428
 - 25.1 (2022/MINUTE NO 0055) Minutes - Governance Review Steering
Committee Meeting - 8 February 2022428
 - 25.2 (2022/MINUTE NO 0056) Minutes - Governance Review Steering
Committee Meeting - 23 January 2022429
 - 25.3 (2022/MINUTE NO 0057) Minutes - Chief Executive Officer
Performance Review and Key Projects Appraisal Committee Meeting -
17 February 2022430
 - (2022/MINUTE NO 0058) Reopen Meeting to Public.....430
- 26. (2022/MINUTE NO 0059) Resolution of Compliance431
- 27. Closure of Meeting431



The Council Of The City Of Cockburn

Minutes Of Ordinary Council Meeting Thursday, 10 March 2022

Minutes

PRESENT

Elected Members

Mr L Howlett	-	Mayor (Presiding Member)
Mr T Widenbar	-	Deputy Mayor (arrive 7.01pm)
Mr K Allen	-	Councillor (via eMeeting)
Ms P Corke	-	Councillor (via eMeeting)
Mr T Dewan	-	Councillor (via eMeeting)
Mr P Eva	-	Councillor (via eMeeting)
Ms L Kirkwood	-	Councillor (via eMeeting) (via eMeeting)
Mr M Separovich	-	Councillor
Ms C Stone	-	Councillor (via eMeeting)

In Attendance

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

1. Declaration of Meeting

The Presiding Member declared the meeting open at 7pm, welcomed all in attendance at the online meeting, and made the following announcements:

“Given the increasing number of COVID-19 cases and exposure sites in and around Cockburn, and the need to ensure the safety and welfare of the community, staff, and Elected Members, this meeting, the March Ordinary Council Meeting, and all Standing Committee meetings during this time will be conducted online.



Members of the community were advised to submit their questions electronically by 5pm on Wednesday 9 March 2022. Where time permits, public questions and their responses will be read out and the information captured in the meeting Minutes.

7.01pm Deputy Mayor Widenbar entered the meeting.

Several Councillors will be connecting to the meeting from their homes and I advise that where connectivity is lost, at any stage of the meeting, there will be a need for the meeting to wait until connectivity is resumed.

The majority of the Executive are also connecting to the meeting electronically, either from their home or from other parts of the Administration building.

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

I acknowledge the Nyungar People who are the traditional custodians of the land on which this meeting is being held and pay respect to the Elders of the Nyungar Nation, both past and present and emerging, and extended that respect to Aboriginal and Torres Strait Islander Australians who are with us tonight online.

Tonight’s meeting will be electronically recorded and live streamed on the City’s website, except where Council resolves to go behind closed doors. All recordings are retained in accordance with the General Disposal Authority for Local Government Records produce by the State Records office.

A copy of the recorded proceedings will be available on the City’s website within two business days of the Council meeting. This will be easy to find from the front page of the City’s website. Everybody present should be mindful of their conduct during this recorded meeting.

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

As the majority of Councillors will be participating in tonight’s meeting online, I will be notifying Council and the administration of their votes. Elected Members in the Chamber will vote via the electronic voting button, while those online will vote with a show of hands.

Elected Members, raise your hand if they wish to speak, and please ensure your microphone is turned off unless you are speaking.”

2. Appointment of Presiding Member (If required)

N/A



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

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

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

- Mayor L Howlett – Impartiality Interest – Item 25.1
- Cr C Stone – Impartiality Interest – Item 25.1
- Mr S Downing, Chief Financial Officer – Impartiality Interest – Item 25.1
- Mayor L Howlett – Impartiality Interest – Item 25.2
- Cr C Stone – Impartiality Interest – Item 25.2
- Mr S Downing, Chief Financial Officer – Impartiality Interest – Item 25.2
- Mr T Brun, Chief Executive Officer – Direct Financial Interest – item 25.3

5. Apologies and Leave of Absence

Cr C Terblanche - Leave of Absence

6. Written Requests for Leave of Absence

Nil

7. Response to Previous Public Questions Taken on Notice

Nil

8. Public Question Time

Anthony Certoma, Coogee

Item 13.9 - Annual General Meeting of Electors Motion – Corporate Credit Card Reporting

Q1. Per page 52 of 407, can the CEO explain in sufficient detail as to the four sub sections (a) through (d) and particularly “(d) sufficient information to identify the transaction”, how he, as the CEO, complies with Regulation 13 of the Local Government (Financial Management) Regulations 1996 under 13.

(1) “If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each



account since the last such list was prepared- (a) the payee's name (b) the amount of the payment (c) the date of the payment (d) sufficient information to identify the transaction?

In the current December Credit Card Statement when is the actual date of payment and where is it shown in the payments' listings?

- A1. The Chief Financial Officer advised the City believes it is compliant with *Local Government (Financial Management) Regulations 1996* currently in place.

At no stage has the City been subject to either Department or Auditor comments or findings on how it publishes details on credit card expenditures.

- Q2. If we use the first Credit Card holder Adrian Chester as an example, how can the CEO justify that the total amount of \$106.02 gives "sufficient information to identify the transactions" incurred by the card holder?

- A2. The Chief Financial Officer advised all credit cardholders who use Council supplied cards must adhere to the following rules:

- a. Comply with the City's guidelines for use of credit cards
- b. Credit card transactions must be acquitted with invoices and receipts detailing the nature of the expenditure and the budget to which the transaction is to be expensed.
- c. The expending officer then signs off for the expenditure, then forwards it to the line manager to check and counter sign.
- d. Finance Division review of expenditure to ensure compliance.

All credit card expenditure is then subject to annual audit by Councils auditors.

The CEO has sufficient information through the above process to ensure compliance with Council's guidelines.

- Q3. Does the CEO truly believe that the current reporting system offers best practice reporting, gives full accountability and transparency, whilst maintaining the proper level of oversight for the Elected Members and the community for this expenditure item of almost \$1M pa?

- A3. The Chief Financial Officer advised yes, the City is compliant with existing regulations. Furthermore, it is noted that the City's public reporting of credit card expenditures currently materially exceeds that of both the Minister for Local Government and of the City's own regulator, the Department of Local Government, Sports and Cultural Industries.



Joanne Curry

Item 13.12 - Reinstatement of On Lead Dog Beach at Ammunition Jetty

Q1. Where does the most southern point of CY O'Connor Beach start from?

A1. The Chief of Community Services advised CY O'Connor Reserve is defined by Lot 1759 McTaggart Cove North Coogee, however, the beach area historically accessible to dogs extended approximately 230 metres south into Lot 2161 McTaggart Cove, North Coogee.

Q2. Is it not the beach that is located on the north side of the rocks in front of the old Power Station?

A2. The Chief of Community Services referred to her previous response.

Q3. If a beach is defined as a sandy shore between the high and low water marks, then would it not make sense that the southern point of CY O'Connor Beach in fact commences from the north side of those rocks adjacent to the old Power Station?

A3. The Chief of Community Services referred to her previous response.

7.10pm Deputy Mayor Widenbar departed the meeting.

Q4. From the current maps posted, advising of the new dog on-leash only beach, it appears that the shown starting point is not on a beach but in fact inland of the protective rock barrier in front of the old Power Station. Is that correct?

A4. The Chief of Community Services advised the new on-leash dog beach at Chelydra Point Beach will start from the southern end of Lot 2161 McTaggart Cove, North Coogee, adjacent to the Caledonia Loop Road Reserve, and extend to the land boundary of Lot 1759 McTaggart Cove North Coogee.

Page 310 of the February 2022 Ordinary Council Meeting shows a closer image of the area.

The maps provided by the City are to be used as guidance only, and none should be considered to scale.

To ensure there was clear understanding of the proposed beaches, the City incorporated estimated distances of the proposal in all community consultation and the report to Council.

The City is also installing numerous signs to clearly delineate the area where the dog on-leash beach starts.

Q5. Is it not accurate to say that the initial first approximately 130metres of the 400metres of CY O'Connor Beach to be utilised is in fact not on a beach but inland between Chelydra Beach and CY O'Connor Beach through very soft



and often hot sand, which could be difficult to transverse for some potential users?

- A5. The Chief of Community Services advised the City is not aware of any additional access issues to this section of the beach, other than what would be normally considered for any coastal environment.

The new on-leash area provides good and levelled access via North Coogee from the southern end.

- Q6. Will the Chief of Community Services together with a representative from Ranger Services agree to meet with representatives of ROC for the Dogs Inc. onsite at a mutually agreeable day and time to go through the issues onsite, including distances, CCTV coverage, Ranger patrols, signage, and defined barrier between on lead only and dog exercise area at CY O'Connor Beach?

- A6. The Chief of Community Services advised that, subject to the nature and intent of a meeting it will depend on the City's representatives and also whether there was acceptance to attend.

Additionally, the City is not aware of any issues given that the on-leash dog beach has not come into effect.

Over the coming weeks, CCTV and additional signs will be installed and is not likely to leave any confusion as to where dogs can be on a leash or not.

- Q7. Taking into account that there is no point at which the entire stretch of the on lead only dog beach can be seen, how it is anticipated this area will be policed?

- A7. The Chief of Community Services advised City Ranger Services will be policing the area by physical patrols, CCTV and on complaint and reporting, as it does with any other area in the City.

- Q8. How is this policing option easier than policing the currently proposed 800m of Ammunition Jetty Beach, which has a straight line of sight from each end as well as multiple pathways down to the beach along its length?

7.14pm Deputy Mayor Widenbar returned to the meeting.

- A8. The Chief of Community Services advised Council has considered the Ammunition Jetty Beach area on multiple occasions and made the determination it will be dog prohibited.

It is noted that has been clear advice against allowing dog access at Ammunition Jetty Beach from the WA Government via the Department of Local Government, Sports and Cultural Industries and also the Department of Biodiversity, Conservation and Attractions.



Stephen Greenwood, Hammond Park

Item 13.13 Annual General Meeting of Electors – Motion – Resident Group Draft Capital Budget Submission

Q1. With reference to the table on page 72 of 407, regarding Resident Group Draft Capital Budget submissions, why is it that of the 128 projects submitted over the three financial years, only 55 or only 43% were approved?

A1. The Chief of Community Services advised this measure is not an accurate reflection of the program's success to date.

To enhance the likelihood of resident groups accessing the \$30k funding allowance per group under the program, they are asked to submit up to three projects in priority order.

For example, a resident group can submit up to three projects, each up to a value of \$30k.

Should the highest priority project satisfy the City's criteria and be included in the proposed Draft Annual Budget, then the lower priority projects are not considered.

However, if the highest priority project is assessed to be unfeasible, the group still has an opportunity to secure funding with the remaining two projects.

This methodology is designed to increase a group's chance of success in the program, with a better measure being how many of the groups making submissions each year have projects included in the budget (over 90% each year).

It should also be noted that many projects submitted by the groups in the past were able to be accommodated within existing budgets or had already been included in the budget by City officers.

Q2. What were the main reasons for rejection?

A2. The Chief of Community Services advised that, as can be seen in the answer for question 1, the main reason has been the extra projects exceeding the \$30k funding limit per group.

Q3. Is there a need for an information or education program to be run for the individual Residents Associations to help them fully take advantage of this program as over the three year period, on average, only 15 associations submitted projects with only 43% of the projects approved, whilst an average of only 56% of the available funds were utilised?

A3. The Chief of Community Services advised that each year the City's Community Development team works with the Resident Groups to brief and guide them through the submission process.



This year, the City has received submissions from 19 Resident Groups submitting 45 proposals for assessment.

These proposals will be considered by Council as part of the FY23 Budget deliberations.

- Q4. Is there a mechanism in place or a channel to go through for an individual resident association to obtain some ballpark costings for certain types of projects?
- A4. The Chief of Community Services advised that currently there is not a process in place to facilitate this idea, however, it is a good suggestion and the City's Community Development and Operations teams will examine ways that this could be implemented.
- Q5. Is it not correct to say that the Resident Groups Draft Capital Budget Submissions are in fact a subset of the City's Total Draft Capital Budget rather than an incremental budget item?
- A5. The Chief of Community Services advised yes.
- Q6. In other words, is the Total Draft Capital Budget dollar figure set at a high end level and the various components of it, including the Resident Groups Draft Capital Budget Submissions, determines its final make up to that level?
- A6. The Chief of Community Services advised the capital budget is comprised of a number of components including Resident Group projects. The funding is set to enable a range of projects to be completed including asset management plans and other Council adopted strategies and plans.
- Q7. Given the human resources currently available to the City in undertaking major yearly projects to the value of \$30M plus per annum, does it seriously believe that a possible 40 odd projects such as playground shade sails, new footpaths, barbecues, park/reserve signage, solar lighting, exercise equipment, shelters, tables, with a maximum value of \$10,000 each will significantly tax its current resources?
- A7. The Chief of Community Services advised Council approves the funding of resources, including staff, based on an agreed level of services and projects. Additional projects, such as these, require their own additional appropriation by Council over and above the standard services and projects approved for delivery.

James Moore, Spearwood

Subject: Underground Power – Phoenix Road, Spearwood

- Q1. Please provide an update on the progress to complete underground power for Phoenix Road, Spearwood.



- A1. The Chief of Operations advised there is no current program for the undergrounding of power along Phoenix Road, or current WA Government funding programs scheduled. Should the State Government announce a new round of funding, the City will look to nominate the areas within the City that do not currently have underground power, including parts of Spearwood.

Anthony Certoma, Coogee (continued)

Subject: Financial

- Q4. Explain why the average general rates per person, at \$909, is approximately 30% higher than the Cities of Joondalup (\$612), Gosnells (\$559), Stirling (\$621), and Wanneroo (\$633), and even 13.5% higher than Melville (\$786)?
- A4. The Chief Financial Officer advised that local governments raise rates from residential, commercial, industrial, rural, and vacant land properties within its district, and then expend those funds across a range of services for those ratepayers and residents.

Cockburn rates are heavily skewed to commercial and industrial rates, similar to the Kwinana, Perth, and Belmont local governments, and unlike Joondalup, Gosnells, Stirling, Wanneroo, and Melville.

The inference in the question that Cockburn rates each person \$909 is distorted as this is not the case.

A more accurate and relevant statistic is to compare the above local governments using residential rates per person, as this is what the general population pays its local government.

The comparison is as follows, and includes residential waste management charges, as some local governments include these in their rates whilst others do not.

The per capita charge for 2021/22 is as follows:

- **Cockburn** **\$613**
- Melville \$644
- Joondalup \$599
- Stirling \$652
- Gosnells \$604
- Wanneroo \$575*

Cockburn compares favourably with all the above local governments.

The more usual comparison measure is rates per residential property, as the per capita measure is more of a poll tax statistic similar to the UK, not WA.



A6. The Chief Financial Officer advised the FY22 Municipal Budget for payroll for each of the above are:

- **Cockburn** **\$64,100,946**
- Joondalup \$66,183,322
- Gosnells \$51,483,433*

Each local government provides a range of services which makes the comparison difficult without a specific knowledge and costing structure of those services in the local governments mentioned in the question.

In addition, some local governments choose to insource (increased staff numbers and higher payroll costs), versus those local governments that outsource services (reducing staff numbers and payroll costs but leading to higher material and contract costs, resulting from the outsourced service cost).

When payroll costs and material and contract costs are combined as a percentage of total operation revenue:

- **Cockburn** **64%**
- Joondalup 81%
- Gosnell 78%
- Melville 72%
- Wanneroo 74%
- Stirling 78%

Cockburn compares favourably against the other two local governments noted in the questions, and also with the other local governments mentioned in question 1.

Q7. Does the total FTE staff numbers impact this?

A7. The Chief Financial Officer advised the question is not clear.

Q8. Does the City of Cockburn have bigger teams but could review some of its operations?

A8. The Chief Financial Officer advised the City has only enough staff to meet service delivery requirements and reviews each position when a vacancy occurs, as to the necessity to fill that position.

Q9. Why does the City have employee costs of \$62,845,278, whilst Stirling (\$82,021,661) and Wanneroo (\$71,314,624) appear to have significantly lower employee costs, when taking into account that they both have almost twice the population base of Cockburn?

A9. The Chief Financial Officer advised, as noted in my response to question 3, compared to Cockburn, both Stirling and Wanneroo have higher combined payroll and material/contract costs as a percentage of total operating revenue.



It is also worth noting that neither Wanneroo nor Stirling provide equivalent facilities to the Cockburn ARC, a landfill operation, or an ocean marina.

Q10. Explain how the City of Cockburn apparently has different service needs for residents, commerce and industry than the other Cities compared?

A10. The Chief Financial Officer advised that, as noted in the response to question 6, Cockburn provides several unique services which require costs to be incurred, including the Cockburn ARC, a landfill operation at Henderson, and a marina facility at Port Coogee.

It also has significant industrial areas with different transport infrastructure needs to residential areas.

Other services considered unique or more of a focus for the City include:

- Maintenance of a substantial network of natural areas (bushland, possum bridge and surrounding lakes systems)
- Waste management, including six tip passes, four verge collections and three bin systems, including weekly recycling
- Million-dollar community grant program
- Financial counselling services
- Parenting services, individual and family support counselling services
- Cockburn Care Frail Aged Service
- Dedicated Seniors Centre (5 days per week) and Youth Centre 6 days per week)
- Cockburn Integrated Health Centre with GP Super Clinic
- The Wetlands Centre and WA Wildlife
- Waste and Environmental Education programs
- Public jetties and other marine infrastructure (eg: sand bypassing system, groundwater interception drain, shark barrier (netsystem) at Coogee Beach, Omeo Dive Trail, groynes, sea walls, etc.
- Caravan Parks and coastal management and funded plans
- Commercial and industrial road building programs, including multi-million-dollar Jandakot Road, Hammond Road and Spearwood Avenue duplication projects, and including bridge duplication at Spearwood Avenue.

Q11. Why is it that at an average of \$527 per resident, the City of Cockburn's Employee costs are substantially higher than Joondalup (\$379, 28% more), Gosnells (\$393, 25% more), Stirling (\$368, 30% more), and Wanneroo (\$332, 37% more)?

A11. The Chief Financial Officer advised referred to his response to question 6.

Q12. Can the City of Cockburn itemise the list of services that it is providing within the community that apparently the other LGAs aren't providing given lower Employee Costs?



- A12. Please refer to my response to question 6 and 10.
- Q13. Can we responsibly continue to deliver these services on an ongoing basis given the pressure it puts on rate rises even with our yearly growth in the rates base of approximately 1,000 new dwellings per annum?
- A13. The Chief Financial Officer advised that, as noted in his response to question 4, Cockburn has some of the lowest residential rates when compared to the South West Group, Growth Local Governments, and other local governments.

The City's operating budget is balanced (unlike many other local governments) and the City's rate increases have been modest, particularly when compared with State Government increases over the past five years. It is noted the new dwellings come as part of new developments for which the City accrues depreciation of newly built assets such as roads, paths, streetlighting, paths and recreational and park facilities.

The Council has always adopted a prudent practice to fund their future replacement and maintenance costs through placing funds into reserves.

There is no windfall or excess revenue arising from newly rateable properties.

- Q14. Can the City of Cockburn confirm that the following financial year employee turnover rates are correct? 2018/2019 - 5.5%, 2019/2020 - 11.2%, 2020/2021 - 11.8%.
- A14. The Chief Financial Officer advised that turnover rates were: FY19 at 16.18%, FY20 at 12.66%, FY21 at 11.81%.
- Q15. Can the City of Cockburn administration please provide an update on the status of the potential review of the Workforce Plan, including dates when the Workforce Plan is scheduled to be reviewed?
- A15. The Chief Financial Officer advised the Workforce Plan is currently being reviewed and will be released as part of the Annual Budget process.
- Q16. Will the City Administration outline the current status of work progress on a new Workforce Plan given that the current one expires this financial year (2021-2022)?
- A16. The Chief Financial Officer referred to his responses to question 15.
- Q17. How has the City of Cockburn used the review process to review service levels and organisational restructure to ensure continued efficiencies in the future Workforce Plan?
- A17. The Chief Financial Officer advised the City has undertaken a significant organisational restructure over the past 12 months, adopting a contemporary business structure where all service functions and levels were reviewed.



The outcomes are still being progressed and these will lead to better and more efficient services.

7.34pm The Presiding Member advised that, due to time restrictions, which included a large volume of Deputations to be heard, Public Question Time would now be closed and all unheard questions and their responses would be provided in writing and also recorded in the Minutes for the meeting.

Anthony Certoma, Coogee (continued)

Subject: Ordinary Council Meeting Minutes

Responses provided by the Executive, Governance and Strategy

Q18. With reference to the Minutes of the 10/02/2022 Ordinary Council Meeting, in relation to Agenda Item 13.3 Initiation of Proposed Scheme Amendment No.153 – Lot 760 (No.49) Berrigan Drive, South Lake – Additional Uses. On page 67 of 537, it states that the Council Decision on “That the recommendation be adopted, with the exclusion of the Funeral Parlour.” was Lost on the Casting Vote of the Presiding Member 4/4.
Can his worship Mayor Howlett confirm that this is correct?

A18. This is correct.

Q19. Can his worship, Mayor Howlett, explain to confused residents and Elected Members at the time, why he initially voted for the motion and some 20 seconds later, used his casting vote to defeat the Motion?

A19. The Mayor is not required under any legislative framework to explain his voting decisions.

Q20. Did he in fact vote the wrong way initially and used his Casting Vote to correct the error?

A20. Please refer to my response to question 19.

Q21. Why did the Mayor not feel the need to stick to his initial convictions?

A21. Please refer to my response to question 19.

Q22. In the Report of the Inquiry into City of Cockburn on Page13 under the heading “Conduct of Briefing Sessions” in para 75 to 84, a number of key issues are discussed in relation to Briefing Sessions. Para. 77. “Notably, at the time of the Inquiry being held, the briefing sessions were chaired by the CEO, closed to the public and very informal.” Can his worship Mayor Howlett confirm if this is still the case?

A22. Yes.



- Q23. At which monthly meeting can Mayor Howlett confirm that he took over chairing the Agenda Briefing Meetings?
- A23. The review of Committees and Forums form part of the review currently being undertaken by the Governance Review Steering Committee.
- Q24. Are they still closed to the Public?
- A24. Please refer to my response for to question 22.
- Q25. Are they still very informal?
- A25. Please refer to my response for to question 22.
- Q26. In Para. 81. “the Mayor stated he had no authority at the briefing sessions and that because the sessions were chaired by the CEO, he saw himself as “the same as all Elected Members”, unable to exert his authority as Mayor to preside over the briefing sessions and call members to order if they were behaving poorly.” Is this still the case?
- A26. Yes, that is the case.
- Q27. If not, why not or if so why so?
- A27. Elected Members are required to comply with the Code of Conduct for Elected Members which includes their individual behaviour. It should be noted that the City’s Standing Orders do not apply to briefing sessions.

Mike Walker, North Lake

Subject: Roadworks: Intersection of North Lake Road and Farrington Street, North Lake

Responses provided by the Chief of Operations

- Q1. Given the inordinate amount of time it has taken to affect the roadworks at the intersection of North Lake Road and Farrington Road, North Lake, can the Council examine the scope of work, the original budget and the actual costs, with a view to determining whether the project has given the best value for ratepayers, and provide that review to the ratepayers?
- A1. Construction of a second right-turn land on North Lake Road and widening of Farrington Road was approved under the WA State Blackspot program based on crash data.

The Blackspot program contributed \$600,000 to the project.

The project scope identified the most cost-efficient delivery methodology which mitigated the need to close Farrington Road for two months and impact traffic flow on North Lake Road for an extended period.



Cost increases are related to traffic management, Wester Power works, traffic signal amendments and an increase to the number of nights required to deliver the works.

Future crash data will determine the overall success of the project.

Q2. If the answer is no, then why not?

A2. N/A

Q3. Then can I request, the scope of work and initial and final cost information, as it would appear that a project announced to take two weeks and starting in August 2021 has blown out considerably in time and I would imagine cost to review the project?

A3. The project commenced in November 2021 with a four month construction period, which allowed for contingencies and extensions of time. The project is now complete apart from line marking, which is performed by Main Roads WA.

Janette Mouttet, Jandakot

Subject: UDIA Conference

Responses provided by Chief Executive Officer

Q1. Mr Brun, as City of Cockburn CEO, please explain why the UDIA on-line program reflected your participation as a guest speaker at the recent UDIA conference in Bunker Bay, sitting on a panel of four, with the WA Planning Minister, planning to discuss “delivering on infill targets and how to overcome community resistance” when I always understood that City of Cockburn Delegated Officers and Elected Members were there to represent the community and supposed to serve, rather than discuss ways to overcome community resistance?

A1. I was invited alongside the Minister for Planning and the Director General of Communities to be a member of a panel relating to infill and development.

The invitation provided an opportunity, along with the state government, to engage with sectors of industry.

I made the following points with respect to infill and density:

- Community objection to infill generally comes from poor quality infill
- Developers need to focus on providing quality development
- Density should occur generally around public transport nodes, including proposed Tier 2 public transport
- All dwellings should have street frontage or park frontage
- Higher density should come with higher public open space than the standard (or standards updated by the State to achieve this)
- Battle-axe developments should be avoided.



Q2. Mr Brun what takeaways did you get from the UDIA Conference that were helpful regarding the retainment of the Glen Iris Golf Course, first developed in 1964, with 220 homes now directly surrounding the course and many more with secondary views, all paying premium prices?

A2. I had no discussion about the proposed rezoning and the session I attended had no relevance.

Q3. Mr Brun, as CEO, why do you think the City of Cockburn Community Scorecard Survey resulted in such a poor score of just 38, with City of Cockburn's result coming last in the category "The City has a good understanding of the community's needs" as per page 18 of the City of Cockburn Annual Report?

A3. Although 38 percent of community members agreed that "City of Cockburn staff have a good understanding of community needs" and 37 percent of community members agreed that "Elected Members at the City of Cockburn have a good understanding of community needs".

Most of the remaining respondents answered neutral or unsure, with a minority, 15 to 17 percent of community members, disagreeing with these statements.

When ratings are averaged for staff and Elected Members' understanding of community needs, and compared to participating councils in Western Australia, the City of Cockburn is in 12th place out of 42 Councils.

Q4. Mr Brun, having just viewed the footage from the recent UDIA WA large conference you attended and participated in, please can you explain how you were able to attend such a conference, where the footage clearly shows there was absolutely no social distancing, either in the conference room, or the restaurant (masks off), yet the City of Cockburn has denied residents and ratepayers from attending an Ordinary Council Meeting (for the second month), where social distancing can be easily controlled, as was evidenced at the last Annual General Meeting that the City of Cockburn general public/ ratepayers attended?

A4. I only attended the Friday morning session, under two hours indoors, where all the participants were masked.

I did not attend any social events.

With respect to the OCM, as has been responded to at last month's Ordinary Council Meeting Public Question Time, the reason for moving to online meetings relates to the significant risk an exposure event would pose to the entire governance and leadership functions of the Council and the City.



Having online meetings represents effective risk management and mitigation to avoid having a large number of Elected Members and the Executive becoming COVID positive, or close contacts, all at the same time.

It is noted that the online format has not prevented members of the community from presenting their questions to Council and having responses provided on the public record.

This is reflected by the extensive 47 questions and two Deputations at the February OCM and 50 questions presented and seven Deputations at the March OCM.

As such, this clearly indicates the format has not in any way hindered the ability for electors and the members of the public to raise questions and matters.

Further, it is noted, the City's regulator, the Department of Local Government, Sports and Cultural Industries, do not allow members of public to attend their offices at all, unlike the City, which is still providing in person customer service and operational functions across our many diverse service units.

Q5. Have you been notified of any COVID positive cases from the 100+ UDIA WA event that you attended on 2-4 March?

A5. Yes, I understand there has been positive cases.

9. Confirmation of Minutes

9.1 (2022/MINUTE NO 0021) Minutes of the Ordinary Council Meeting - 10/02/2022

Recommendation

That Council confirms the Minutes of the Ordinary Council Meeting held on Thursday, 10 February 2022 as a true and accurate record.

Council Decision

MOVED Cr M Separovich SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0



10. Deputations

The Presiding Member invited the following deputations:

- **Katherine Pritchard**
Item 13.7: Annual General Meeting of Electors – Motion – Basic Infrastructure Support and Intervention
- **Anthony Certoma, Coalition for the Community Inc.**
Item 13.8: Annual General Meeting of Electors – Motion – Residential Council Rates 2022-2023
- **Anthony Certoma, Coalition for the Community Inc.**
Item 13.9: Annual General Meeting of Electors – Motion – Corporate Credit Card Reporting
- **Judy Fogarty**
Item 13.11: Annual General Meeting of Electors – Motion – Manning Park Ridge
- **Joanne Curry, ROC for Dogs Inc.**
Item 13.12: Annual General Meeting of Electors – Motion – Reinstatement of On Lead Dog Beach at Ammunition Jetty

8.19pm Cr Eva departed the meeting and returned at 8.20pm.

8.23pm Deputy Mayor Widenbar left the meeting and returned at 8.25pm.

8.33pm Cr Separovich departed the meeting.

- **Stephen Greenwood, Coalition for the Community Inc.**
Item 13.13 Annual General Meeting of Electors – Motion – Resident Groups Draft Capital Budget Submissions

8.36pm Cr Separovich returned to the meeting.

- **Stephen Greenwood, Coalition for the Community Inc.**
Item 13.14: Annual General Meeting of Electors – Motion – Payment of Allowances to Elected Members whilst on Leave of Absence

The Presiding Member thanked all deputees for their presentations.

11. Business Left Over from Previous Meeting (if adjourned)

Nil



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

Nil

En Bloc Resolutions

8.42pm The following Items were carried by En Bloc Resolution of Council:

13.1	13.11	15.1
13.2	13.12	18.3
13.3	13.14	21.3
13.4	13.15	24.1
13.5	13.16	
13.6	13.17	
13.7	13.18	
13.8	13.19	
13.10	13.20	

En Bloc Resolution – Absolute Majority Items

8.43pm The following items were carried by En Bloc Absolute Majority Resolution of Council:

16.1	18.1
------	------



13. Decisions Made at Electors Meeting

13.1 (2022/MINUTE NO 0022) Annual General Meeting of Electors - Motion - Withholding Approval of Structure Plans and Development Plans in Treeby

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the report; and
- (3) REVIEWS Local Planning Policy (LPP) 5.19 – Structure Plans and Telecommunications Infrastructure, in light of the City’s recent experiences in seeking to implement the Policy under the current Planning Regulations.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

ARRIED UNANIMOUSLY 9/0

Background

At the Annual Electors Meeting conducted on 1 February 2022, the following motion was put to the electors present:

Motion

That the City of Cockburn Council withholds approval on any current or future Structure Plan or Development Plans for Treeby until residents of Treeby, including Calleya Estate residents, have quality and reliable, widespread phone coverage.

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

Submission

N/A



Report

The availability of mobile phone coverage has become an issue in the Treeby area, following rapid urbanisation of the area. Between 2016 and 2022, the resident population of Treeby is forecast to have increased from 971 to 4,298, with the population forecast to reach 8,916 by 2041.

At the 10 November 2021 Ordinary Council Meeting (OCM), Cr Dewan submitted the following Notice of Motion:

'That Council advocate to the Federal Government/Telstra/Optus etc. for an urgent action in finalising a time bound plan to implement the Telecom Tower and associated equipment, servicing the Treeby area.'

A report was presented at the OCM which noted the hesitancy of telecommunication providers to commit to the delivery of new infrastructure, and advice from Telstra that new infrastructure was due to come online in late December 2021.

A resolution was passed that the City write to all major telecommunications companies requesting that they prioritise planning and land acquisition for network expansion purposes.

On 6 January 2022, the City wrote to Telstra, Optus and Vodafone requesting the prioritisation of planning and land acquisition for the expansion of telecommunication services within the City's growth areas.

At the time of writing this report, the City has not received a response from any of the service providers.

Planning Context – Structure Plans

Schedule 2, Part 4 of the *Planning and Development (Local Planning) Schemes 2015* (the Regulations) sets out the responsibilities of local government and the Western Australian Planning Commission (WAPC) in relation to structure plans.

The Regulations set out the responsibility for a local government to advertise and assess a structure plan, however their ultimate determination (ie: approval or refusal) is a WAPC responsibility.

Under Schedule 2, Part 5, clause 16 of the Regulations, a structure plan must address specific matters, unless otherwise agreed by the WAPC. Such matters include information relating to: *'the extent to which the plan provides for the coordination of key transport and other infrastructure.'*

The City's *Local Planning Policy 5.19 – Structure Plans and Telecommunications* (LPP 5.19), requires structure plan proponents to demonstrate that efforts have been made to determine the need for new or upgraded telecommunications infrastructure, and whether providers are planning such infrastructure within the immediate area.



Where a proposal has not addressed the requirements of LPP 5.19, City Officers have sought to use the above requirement to seek additional information addressing this matter, prior to formally accepting the structure plan and/or releasing it for public advertisement.

Such attempts have typically been frustrated by developers, infrastructure providers and ultimately the WAPC, whom have the authority to determine what does and does not need to be addressed within a structure plan, both for advertising and final approval.

Of note, despite the intent of *State Planning Policy 5.2 – Telecommunications Infrastructure* (SPP 5.2) in encouraging early consideration, the specific requirements to accommodate mobile infrastructure is rarely addressed in structure plans elsewhere within the Perth Metropolitan Region (and beyond).

Nor do City officers have delegated authority to independently recommend approval or refusal of any structure plan, aside from 'minor' amendments to existing WAPC approved plans.

Upon completion of advertising, the Regulations require the City to provide its assessment and a recommendation regarding final determination to the WAPC within 60 days, a timeframe that can only be extended with the specific agreement of the WAPC (which is typically only given with the proponent's consent).

In the event that Council defers making a recommendation to the WAPC without such an agreement, the City is then unable to fulfill its obligations under the Regulations, and risks the WAPC making a final decision without the benefit of the City's input (and at its potential further expense).

The Regulations empower the WAPC to provide a written direction to the City to provide a report and supporting information to WAPC, to enable a decision to be made.

Where the City fails to comply with such a direction, the WAPC may take reasonable steps to obtain the requested information, and (with the consent of the Minister for Planning) any costs involved in obtaining the necessary services or information be recovered as a debt due to the Commission.

Planning Context – Development

With respect to Development Approvals, it is important to note the vast majority of development within the Treeby locality involves single residential dwellings, that where consistent with the Residential Design Codes (as augmented by specific Local Planning Policies and/or Local Development Plans), are exempt from the requirement to obtain development approval under the Regulations.

Where development approval is required, Schedule 2, Part 9 of the Regulations allows the City (or Development Assessment Panel) a specific timeframe to determine a development application (60 or 90 days depending on whether advertising is required).



After this time the applicant has the right to 'deem' the application refused, and lodge an application to review that decision with the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act 2005*.

By the time a relevant development application is submitted, it is generally the case that both a structure plan and a subdivision application will have already been approved by the WAPC for the same land.

If the City were to attempt to defer or refuse a development application at this stage, on the basis of inadequate mobile phone coverage, this would effectively penalise subsequent purchasers and it is highly unlikely that the City would be able to defend its position at SAT.

Defending such (or multiple) decision(s), will also have a significant financial implication on the City.

Conclusion

A key issue, which must be considered, is that the responsibility for telecommunications lies exclusively with the Commonwealth Government, as defined under the Australian Constitution.

It is noted that, on being notified of the issues, the City, contrary to claims made at the Annual General Meeting of Electors, has taken considerable steps, including direct engagement with agencies and Telstra, at the highest levels, seeking direct intervention and response.

Those engagements are proving effective, with positive engagement and measures currently being investigated, all within what are usually lengthy period processes.

Whilst the City may take the position that an appropriate level of mobile phone coverage is required prior to structure plans being approved in Treeby, the WA Government Regulations do not provide the City with the authority to withhold processing applications in the manner suggested.

It can, however, raise the matter as a serious concern, and request that the WAPC require modifications necessary to address the intent of SPP5.2, prior to it granting final approval.

In the limited subsequent instances where the City acts as the determining authority, it is not recommended that development approvals be deferred or refused, on the basis of the likely resource and financial impost on the City, with little hope that such action would have any meaningful impact on the concern being raised.

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.



City Growth & 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 & Leading

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

- High quality and effective community engagement and customer service experiences

Budget/Financial Implications

Deferring or refusing to process structure plans may result in the WAPC completing the structure plan process and seeking Ministerial approval to invoice the City for the additional effort involved.

If the matter proceeds to a full SAT hearing, significant costs will be incurred by the City in having to defend a refusal or 'deemed' development application refusal.

Legal Implications

Schedule 2, Part 4, clauses 16 to 23 (inclusive) of the *Planning and Development (Local Planning Schemes) Regulation 2015*.

In the event that the City defers determination of a development application, or refuses a development application on the basis of inadequate mobile phone coverage, the applicant may lodge an application for review with the State Administrative Tribunal, subject to Part 14 of the *Planning and Development Act 2005*.

Community Consultation

This matter was the subject of a resolution of the Annual Electors' Meeting, held on 1 February 2022.

Risk Management Implications

N/A

Advice to Proponent(s)/Submitters

The mover and seconder of the Motion at the Electors' Meeting have been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting

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

Nil



13.2 (2022/MINUTE NO 0023) Annual General Meeting of Electors – Motion – New Development Street Plans

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the motion carried at the 1 February 2022 Annual General Meeting;
- (2) RECEIVES the report; and
- (3) NOTES the suite of existing strategies and documents that support the use of local native species (where appropriate), and the management of species in community gardens.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn ADOPTS and implements a policy requiring all future developments ensure priority for plants and vegetation is focussed on local native Australian plants, shrubs, trees, and vegetation.

That all housing developments provide street trees which support the local native Australian wildlife.

That City of Cockburn review and amend their Verges Policy to include Australian plants native to the local area and that Community Gardens are not permitted to plant or grow nut trees, based on community safety to support inclusion for all, as community gardens are used by early learning centres and schools.

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



Submission

N/A

Report

The City currently has a variety of documents that support the use of local native species in verges, streetscapes, public open space, and new subdivisions. Key ones of relevance to this motion are listed below (and are all available via the City's website).

Urban Forest Plan 2018-2028

Outlines a clear vision for the future management and expansion of Cockburn's urban forest.

The Plan provides a snapshot of the current state of our urban forest and maps a pathway to increasing canopy cover whilst protecting against future vulnerabilities. It builds upon existing policies and is strategically aligned to a suite of existing plans and strategies to support the delivery of its vision and targets.

Local Planning Policy 5.1 – Public Open Space

Supplements Liveable Neighbourhoods (LN), the State Government's operational policy as it relates to the assessment of structure plan and subdivision proposals.

LN requires a comprehensive site analysis to be undertaken to identify areas of natural and cultural significance, and encourages (where practical) the retention of items of significance whilst seeking to achieve a balance between bushland retention, the provision of water management features and active play space.

Subdivision Construction Standard - POS Development Guide

Identifies a set of principles to guide the design, construction and handover of new public open space reserves within the City.

The policy encourages the retention and revegetation of native vegetation where possible, the salvaging and relocating of Grass Trees (*Xanthorrhoea preissii*) and Zamia palms (*Macrozamia reidleyi*) from bushland cleared during the site development process, and the use of local native species that complement the character of the site, although the use of exotic species with low on-going maintenance and water requirements is also permitted.

Local Planning Policy 5.18 – Subdivision and Development – Street Trees

Seeks to increase the number of street trees in the City's road reserves in new and infill areas and provides a framework for their installation and management.

Requires one street tree per property (or roughly one every 10m), of a species (typically chosen from the tree palette included within the City's Street Tree Masterplan) that will mature to a sufficient size and canopy, and be located such as to provide sufficient shading of the street verge area (without conflicting with road infrastructure or services to ensure longevity).



Street Verge Improvement Policy - Verge Improvement Guidelines

Read in conjunction with the City's Verge Guidelines, it details key considerations for the development, improvement, enhancement and maintenance of verges within the City of Cockburn.

Included is a list of waterwise plants suitable for each area. Subsidised native plants and sustainability grants are also made available to City residents on a seasonal basis.

Guideline for Community Gardens

Guides community groups on the steps required to create a sustainable community garden.

The step-by-step methodology enables prospective community groups to clearly comprehend the approval process, consultation requirements and risks with managing a garden. It is incumbent on prospective applicants to detail the plants and trees to be grown and how they intend to mitigate any risks associated with the fruit or vegetable produces.

Whilst the intent of the motion is admirable and broadly supported, there are good reasons why the City does not take a blanket approach to the use of native vegetation on both public and private land.

In particular, whilst often being drought tolerant/waterwise species, local native shrubs and trees do not always suit or take account of the practicalities outlined below:

1. The use of imported fill in most subdivisions (which can be sourced from as far away as Gingin).

The assumption that endemic species from Cockburn will thrive on fill soils from other regions is incorrect.

2. With the state government push for more efficient use of urban land (resulting in smaller lot sizes), many lot frontages (exclusive of the crossover) are between 2.5 – 6m wide.

To facilitate solar passive design considerations for these houses, those orientated northward, require a deciduous tree to allow shade in summer and sun in winter. Very few local trees will provide this.

3. There are also very few local native species that have a suitable growth form, mature size (shade canopy) and root habit to make them suitable for use in street verges.

Currently there are approximately six different natives that could be used, of these only four are technically classed as local, and are all from the same *Myrtaceae* family, which makes them very risky to use extensively (in the event they succumb to a particular disease or insect such as *Phytophthora* dieback and Myrtle rust).



4. University studies on trees which support bird food foraging and nesting habits has shown that many non-native tree species make up a significant portion of the Carnaby's Cockatoo and other priority/vulnerable bird species food source.
The State (non-native) pine plantations is a good example of this.
5. The City actively plants nut trees as these are a good source of Carnaby food replacement trees (to offset the losses experienced in the southern Banksia woodlands), but does so in a considered manner by typically planting them in garden beds such that dropped nuts do not become a projectile when run over by lawn mowers, or become slip and trip hazards on footpaths.
6. Whilst it can encourage certain outcomes through the Development Approval process, the City does not have any authority over the retention or replacement of vegetation on private property.
Equally, landowners hold the liability for any issues created by their choices.
7. Plant contractors are often restricted in the plant and tree choice by the stock that is available from the plant and tree nurseries at that time.
Even the City's choice of plants is constrained by what the nurseries have grown in the years previous as stock.
8. With both street trees and even more so on private land, many people prefer exotic species over the look of natives and are far more likely to ensure their maintenance and long-term survival (in a manner that positively contributes to the City's urban canopy).

Whilst there is no specific policy that encourages the prioritisation of native vegetation on private property (landscaping is discussed more broadly within both the local planning scheme and various local planning policies relating to specific land uses), it is the City's regular practice to do so wherever possible, noting the practical limitations addressed above.

Having regard for the above, there appears no need to adjust the City's policy framework in response to the motion.

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.

- Sustainable resource management including waste, water and energy.
- Address Climate Change.

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

N/A

Risk Management Implications

Without addressing the key practicalities discussed above, elevating the importance of use of native over other vegetation (and other matters), could have a variety of unintended consequences, from unnecessarily adding further red-tape to the regulatory process, to concerns regarding the long-term maintenance and survival of the City's urban canopy.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.3 (2022/MINUTE NO 0024) Annual General Meeting of Electors - Motion - On Street Parking

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council ADOPTS the immediate implementation for all future urban developments, to have provision on every road within an 'estate' to include on street parking which does not interfere with traffic movement, flow or safety of people moving throughout the estate.

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

Submission

N/A

Report

Policy Setting

The hierarchy and function of each road within a proposed new estate is determined by the Western Australian Planning Commission (WAPC) through the Structure Planning and Subdivision phases of development.



Liveable Neighbourhoods (LN) is the state government's operational policy as it relates to the assessment of structure plan and subdivision proposals.

Element 2 – Movement Network, sets out requirements and some design solutions for a standard set of street types (a range of arterial routes or local streets), and some examples of traffic management treatments that satisfy the element objectives.

Responding to the State Sustainability Strategy, a key general principle of this section is for movement networks to involve more land efficient street reserves, including narrower pavement and lane widths that concurrently promote reduced vehicle speeds, reduced kerb radii and increased requirements for footpaths and large street trees to support pedestrians, together with other details to support a more balanced movement system.

The various policy requirements of Element 2 seek to ensure that street reserve and physical road widths are sufficient to cater for all functions that the street is expected to fulfil, including safe and efficient movement of all users (motorised or otherwise), buffering residents against traffic nuisance, and the provision of parking, public utilities and landscaping.

To this end, LN includes cross-sections to demonstrate what the WAPC considers to be an appropriate balance at each level of the road hierarchy.

Whilst local context always needs to be taken into consideration (discussed further below), LN typically encourages the provision of embayed parking only on higher order streets, or on routes adjacent areas of more intense activity, such as local centres, schools or public recreation reserves.

At R52, it identifies on-street parking (causing minor delays), as an acceptable means of achieving the target speed on lower order streets.

Practical Limitations

Due to the competing needs of other infrastructure, to require embayed parking on every access street would almost certainly require a greater amount of land being dedicated to the movement network, contrary to the general principle discussed above.

In this context, it is highly unlikely that land developers will support the resultant loss of saleable land and additional construction costs involved, or that the WAPC will support the impact this may have on the efficient use of urban zoned land.

There are also a number of practical impediments to implementing this approach, such as the limited space typically available in front verges (due to the trend towards increasingly narrower lot frontages), the responding need that would cause to dictate crossover locations, the impact that would then have on purchaser choice (in terms of housing orientation and design), and the damage that would likely occur to the parking infrastructure installed ahead of housing construction.



Another disadvantage of embayed parallel parking is the limited number of vehicles able to be accommodated (given the kerb length is not as high as in angle parking).

A More Focussed Approach

Across the City (and broader metropolitan region), there are many areas of intense residential, commercial, or industrial activity where the demand for parking often exceeds supply. The space made available for parking should be allocated on a priority and case-by-case basis, taking into account other broader societal, economical, environmental, and visual amenity considerations.

In such cases, estimates of the total demand and priorities are allocated to competing interests including the suitability of embayed parking provision to the intended road type/function, traffic flow characteristics and type of road users, visual impact, and the primary frontage activities and land uses along the street.

This supply/demand assessment is typically done through the structure planning process over a sufficiently large area to ensure parking problems are not transferred to adjacent streets.

Broader Considerations

If, as a society, we continue to support the over-provision of car parking, this will encourage the continued use of private vehicles at the expense of improved use and provision of more sustainable modes of transportation, thereby contributing to broader traffic congestion.

This is another reason why contemplating the supply of embayed street parking should be undertaken in a more considered basis, as in some instances the provision of bays may not be justified or required, or could impose an adverse impact on amenity, safety and traffic management in a surrounding locality.

In some circumstances it may even be preferable to minimise the provision of parking bays, to encourage people to use alternative transport modes that are conveniently available in the vicinity.

This is reinforced within Austroads Guide to Traffic Management Part 11: Parking, which states that:

“there needs to be recognition of different user priorities through the introduction of a parking hierarchy. The objectives of the parking hierarchy are to uphold the safety and convenience of all road users, encourage the use of alternative transport modes such as walking, bus, train and cycling, promote equitable and transparent allocation of parking spaces across all user groups, and facilitate consistent decision-making regarding parking infrastructure”.



Conclusion

Given its inconsistency with the States operational policy covering such matters, and its broader objectives of maximising the efficiency of urban zoned land, and encouraging a greater take up of alternative forms of transportation, adjusting the City's subdivision and engineering standards to require embayed parking on every street is unlikely to be supported by the WAPC or achieve the stated intent.

Instead, continued negotiation with the State approval authority on the basis of a more considered, context-specific approach to each site (as encouraged in LN and Austroads Guide to Traffic Management), is recommended.

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.

- Sustainable resource management including waste, water and energy.

City Growth & Moving Around

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

- An integrated, accessible and improved transport network.

Listening & Leading

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

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

If the motion was adopted and subsequently imposed by the WAPC, there would be a likely increase in City expenses for maintaining future expansion of its movement network.

Legal Implications

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Community Consultation

N/A



Risk Management Implications

Adopting a policy requiring all streets to have embayed parking will further complicate future planning of the City's remaining greenfield areas, and (where accepted by the WAPC), result in the City having to participate in defending appeals to the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act 2005*.

Where the City tries to frustrate the structure planning or subdivision processes to accommodate this outcome, the applicant has the right to seek WAPC intervention which, when done with limited justification, may limit the City's influence over other aspects of the proposal.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting

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

Nil



13.4 (2022/MINUTE NO 0025) Annual General Meeting of Electors – Motion – Comment on Cockburn

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That City of Cockburn adhere to their Planning Policies and requirements and ensure no Structure Plan or plans for development are uploaded to Comment on Cockburn, until they meet all the requirements of said policies.

And that where there appears discrepancies or conflicting information, a formal process is ADOPTED to ensure the information is nonbiased and researched prior to making a final decision on development plans.

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

Submission

N/A.



Report

Structure Plans

The structure planning process is a statutory process set out in Schedule 2, Part 4 of the *Planning and Development (Local Planning) Schemes 2015* (Regulations), including requirements for advertising.

The Regulations set out the responsibility for a local government to advertise and assess a structure plan, however, the determination (approval or refusal) is a responsibility of the Western Australian Planning Commission (WAPC).

In terms of what is required for structure plans, Schedule 2, Part 4, clause 15(1) and Part 5, clause 30(1) of the Regulations sets out the following:

A structure plan must —

- a) be prepared in a manner and form approved by the Commission; and*
- b) include any maps, information or other material required by the Commission; and*
- c) unless the Commission otherwise agrees, set out the information required under subclause (1A).*

Subclause (1A) requires the submission of information such as major land uses, zoning or reserves; estimates of future lots; and the extent to which the plan provides for the coordination of key transport and other infrastructure.

In practical terms, these provisions only set out the requirements for adequate information to be provided with a structure plan.

The WAPC Structure Plan Framework (August 2015) provides more guidance on the requirements of the Regulations and constitutes the 'manner and form' for the preparation of structure plans under Schedule 2, Part 4, clause 16(1)(a).

Clause 4.4 of the 'Structure Plan Framework' provides more clarity on the local government's role in reviewing a structure plan for acceptance under Schedule 2, Part 4, clause 16(1) of the Regulations.

It states the local government's role is to determine whether the information submitted with a structure plan:

1. meets the requirements of clause 16 of the Regulations,
2. is sufficient for an assessment of the application to be made,
3. is in a suitable form to be advertised.

The clause also clarifies that the acceptance of a structure plan for advertising does not indicate it is supported by the local government or that the structure plan will be approved by the WAPC.



This makes it clear that the intent is not for a full assessment of the structure plan to occur prior to acceptance for advertising, but rather that sufficient information is provided to enable that assessment to occur.

Clause 4.5 of the Structure Plan Framework provides further guidance, stating that in determining if additional information to that submitted with the structure plan is required, the local government is to consider whether:

- the additional information is required for a planning purpose relevant to the structure plan
- the additional information is required by a State Planning Policy;
- the additional information will be able to be provided in a timely manner
- it is fair and reasonable to request the additional information, in the particular circumstances.

There is no statutory requirement for structure plans to provide information required by a local planning policy (only a State Planning Policy) in order to be accepted for the purposes of advertising.

Therefore, including specific requirements for information to be submitted with structure plans in a local planning policy can only serve to provide guidance on what is expected from the local government.

In the statutory context outlined above, it would ultimately be unreasonable for a local government not to accept a structure plan for the purposes of advertising on the basis of a lack of information as required by a local planning policy, if the information required by the Regulations has been provided.

Should the local government refuse to accept a structure plan for advertising where the information required by the Regulations has been provided, the WAPC have the power to take reasonable steps to ensure that the plan is advertised.

Critically, as outlined in the Structure Plan Framework, acceptance of a structure plan for advertising does not indicate that it is supported by the local government.

This means that subsequent to advertising, the structure plan undergoes a thorough assessment against the state and local planning framework, which includes local planning policies.

Development Applications

The process for accepting, advertising, and determining development applications is set out in Schedule 2, Part 9 of the Regulations.

This requires that development applications be submitted with specific information, such as locations plans, plans, sections, and elevations, etc., in order to be accepted by the local government.



This information is required to enable assessment of the proposal.

The Regulations set out statutory timeframes for determining development applications which must be met by the local government.

The Regulations also specify when a development application is required to be advertised.

This means once an application is submitted with the information required by the Regulations, the local government must promptly proceed with advertising (where it is required) in order to be able to determine the application within the statutory timeframes.

If the statutory timeframe for determination is not met, the applicant has the right to 'deem' the application refused, and lodge an application to review that decision with the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act 2005*.

Conclusion

Whilst the City may adopt local planning policies to provide guidance of what information is expected to be submitted with a structure plan for advertising, the Regulations do not specifically provide for the City to delay acceptance and advertising of the structure plan solely on the basis of those requirements.

For development applications, the Regulations set out the information that is required to be submitted.

Where an application is submitted with the required information, and the Regulations require advertising, the local government is required to proceed with advertising, in order to meet the statutory timeframes.

Strategic Plans/Policy Implications

Listening & Leading

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

- Best practice Governance, partnerships and value for money.
- High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

Deferring or refusing to process structure plans may result in the WAPC completing the structure plan process and seeking Ministerial approval to invoice the City for the additional effort involved.

Regarding development applications, there is the potential for the City to incur legal costs where applications are made to SAT for development applications that are 'deemed refusals', where they are not determined within the statutory timeframes.



Legal Implications

In processing structure plans and development applications the City must adhere to the Regulations.

If the City does not determine development applications within the statutory timeframes the applicant has the right to 'deem' the application refused, and lodge an application to review that decision with the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act 2005*.

Community Consultation

This matter was the subject of a resolution of the Annual Electors' Meeting, held on 1 February 2022.

Risk Management Implications

There is a risk that if the City does not determine development applications within the statutory timeframes the applicant will lodge an application to review a 'deemed refusal' decision with SAT, rather than the City determining the application.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.5 (2022/MINUTE NO 0026) Annual General Meeting of Electors – Motion – Third Party Appeal Rights

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That Council supports WALGA's position in support of the introduction of Third-Party Appeal Rights for decisions made by Development Assessment Panels (only).

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

Submission

N/A

Report

Who is responsible for third-party appeal rights legislation?

Any contemplation of third-party appeal rights is required to involve all local governments, the Western Australian Local Government Association (WALGA), the development industry, and the WA community, and is ultimately to be determined by the state government.



It is not possible for the City of Cockburn to establish any form of third-party appeal rights to the City of Cockburn in isolation.

The legislative framework around development applications and appeals is administered under state government legislation.

As the legislative framework applies to all local governments, there is a mandate that suggests all local governments are required to have the same processes.

The City of Cockburn is required to follow the above processes, framework, and practices in relation to third-party appeal rights.

What has the City of Cockburn done in relation to lobbying for third-party appeal rights in the past?

The City of Cockburn has responded to WALGA in June of 2017, indicating officers would not be in favour of the introduction of third-party appeal rights in WA for the following reasons:

- “The Western Australian planning framework already provides opportunity for stakeholders to participate productively and collaboratively in the decision-making process through advertising of planning applications, workshops and other forms of community engagement.

Third Party Appeals are more likely to incite negative rather than constructive debate on planning applications and issues.

- Statutory and strategic planning documents setting out the framework and requirements for planning applications including Local Planning Schemes, Local Planning Strategies, Local Planning Policies, amendments to these, and Local Development Plans are advertised to the community and other stakeholders, effectively allowing them to influence these requirements.

In light of this, third-party Appeals are not a necessity since decisions on planning applications are based on a framework that is already shaped by the community.

- According to our processes of Westminster democracy, the community vote in Council elections.

If there is a major concern that the planning requirements the community helped to form are not being ‘applied’ by the decision makers, the community has the opportunity to make these concerns clear when the decision makers seek re-election as Councillors.

In this way, decision makers are held accountable by the community and, as the elected representation of the community, are required to make decisions in the community’s best interest.



Third Party Appeals takes the decision making away from local government resulting in a loss of community representation in decision making.

- It seems the driving force behind the review of third-party appeal rights is due to decision making being taken away from community elected representatives and given to State Government appointed 'technical experts' (Development Assessment Panels).

This loss of community representation in decision making is likely to be the reason some DAP decisions have been met with community revolt. Ironically, third-party appeal rights would further exacerbate this issue, with decisions being taken away from local government and given to the State Government.

- With third-party appeal rights, a planning approval from the local government would not provide surety to the applicant that they may proceed with development.

This impacts the entire planning system - when is an approval an actual approval? Even if third-party appeal did not often result in the overturning of a local government's decision to approval a planning application, they would result in delays in the implementation of planning approvals which have been deemed by the local government to comply with the planning framework.

Third-party appeal rights result in greater uncertainty in the planning process and decision making.

- Even if third-party appeals were restricted to appeals based on proper planning grounds, stakeholders could appeal on the guise of genuine planning concerns whilst the real reason for the appeal is not planning related.

For example, the City has experienced fervent opposition to places of worship on the grounds of traffic concerns, when it has become clear that the real concern is opposition to perceived social or religious prejudicial issues.

- Third-party appeals would primarily be against local government decisions, resulting in local government officers being required to attend appeals which would be a drain on Council resources and time.
- The community may have the perception that third-party appeals are influenced by the number of objections made on a planning proposal.

However, the number of objections should not influence a decision on a proposal, particularly if the objections are not valid planning concerns.

Thus, third-party appeals may incite large volumes of irrelevant objections to proposals and result in misguided community expectations.



- The discussion paper feels limited to the built form somewhat rather than discussing reviewable decisions more broadly.

For WALGA to set out a broader perspective, they should also acknowledge:

- Appeals at the SAT are lodged for a variety of reasons, it could be the decision itself or the conditions applied.
- There are other processes set out in local planning schemes and/or deemed provisions other than DAs which may be subject to review – some of these would go to the Court of Appeal (such as DCP cost contribution disputes) and others the SAT (such as valuation disputes for owners of land required under a DCP).

In terms of both of these examples, to allow any third party an appeal right is illogical and would undermine the stability of a development contribution plan.

- For both instances, this dispute resolution comes only as a final straw where the parties are unable to agree outside of the Court or the SAT.

These appeal rights are only triggered at the point where an owner is seeking to fulfil a liability (i.e. they have requested an estimate to be invoiced upon) they are not part of the development approval assessment.

This has the potential to set up a 'second go' at a third-party appeal at a later stage in the development process.

How would this be counteracted if an initial third-party appeal attempt was unsuccessful?

- Local governments are often called upon to clear conditions of subdivision, one of which may be for cash in lieu of public open space. Under the P&D Act, there is a dispute resolution process available to owners which the LG must participate in (also Court of Appeal).

Once again, this has the potential to set up a 'second go' at a third-party appeal at a later stage in the development process. How would this be counteracted if an initial third-party appeal attempt was unsuccessful?

- Local governments are often joined to reviews with WAPC or a JDAP
- The strata plan process – how does this relate?

- Overall, there is a lack of evidence that third-party appeal rights are necessary.
- Noting in this case, City officers are not supportive of third-party appeal rights.



What did WALGA do with the City's 2017 (above) comments?

A total of 35 local governments, including the City of Cockburn, provided responses. In summary: -

- 11 local governments supported the WALGA AGM motions
- 19 local governments did not support the WALGA AGM motions
- 5 local governments do not support any third-party appeal rights being introduced.

The responses indicate that nearly twice as many members do not support the proposed changes.

Therefore, WALGA recommended that the proposed amendments to the preferred Model (Development Assessment Panel applications only) are not supported.

WALGA's final decision was as follows:

'Local Government supports the introduction of third-party appeal rights for decisions made by Development Assessment Panels'

What options does Council have in relation to an alternative position to WALGA?

Should Council disagree with the above WALGA position or that of City of Cockburn officers, Council may wish to consider an alternative position.

It should be noted that the third-party appeal right discussion has (recently) been an ongoing and evolving discussion since 2018.

State government and Department of Planning Lands and Heritage (DPLH) advisers have accordingly to date developed their own views (and potential appetite for change) in relation to the issues.

These decision makers may (or may not) be receptive to any (late) additional information on the topic of third-party appeal rights, particularly given the extensive discussions to date.

Council would need to contemplate to what degree these decision makers might be influenced at this (late) stage in the process.

What is DPLH's March 2021 position on third-party appeal rights for JDAP applications?

DPLH have prepared a document titled Development Assessment Panel Practice Notes: Making Good Planning Decisions. DPLH have indicated:

- 'The right of review is available to the Applicant for approval only. Unlike other jurisdictions, there is no right of review to a third party (for example, a neighbour) if they are unhappy with the approval of an application'.



- ‘Applications for prerogative relief in relation to planning matters are rare. When this type of relief is invoked, it is usually by a third party who has been aggrieved by the decision of a local government to approve development which they think should not have been approved.

This course of action is taken because of the absence of a right to commence an application for review under the SAT Act.

In Western Australia, judicial review is administered by the Supreme Court of Western Australia through the granting of writs of prerogative relief’.

Accordingly, it appears the state government has not, to date, entertained the request for third-party appeal rights for JDAP applications.

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

Third party appeal rights apply in the context of an appeal to the Supreme Court.

The decision on third party appeal rights outside of that framework is a decision that WALGA has provided comment on to DPLH.

It is DPLH advisers and the State government that are able to make any legislative changes.

To date no third-party appeal rights have been instigated or actioned.

Local governments do not have the legal power to enforce such a decision in isolation of the broader state legislative framework.

Community Consultation

N/A

Risk Management Implications

The risks are explained under the above under the ‘What options does Council have in relation to an alternative position to WALGA?’ section of this report.



Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.6 (2022/MINUTE NO 0027) Annual General Meeting of Electors – Motion – Registers

Author(s) D Arndt
Attachments N/A

RECOMMENDATION

That Council:

- 1) NOTES the Motions carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the report; and
- (1) NOTES that public access to records is permitted via the *Freedom of Information Act 1992*.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following two Motions were put forward and carried by Electors present:

Motion 1

That the City of Cockburn Council ADOPTS a Contact Register that reports any and all meetings, whether verbal or written, formal or informal, that Authorised Officers or Elected Members have with a Developer, prospective Developer, or consultant of a Developer, regarding a matter pertaining to any land or infrastructure matter where the project cost is estimated to exceed \$2M, within the City, and could be bought before Council in the future.

Such a record would be publicly available each month at the Council Office Reception.



Motion 2

That:

- (1) public registers must be set up for lobbyists and all meetings with third parties relating to applications to the City of Cockburn,
- (2) all Council resolutions and all existing and new registers be uploaded on the City of Cockburn website within 30 days of each amendment to that particular register,
- (3) all uploaded registers to the City of Cockburn website must be searchable by catchwords.

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

Submission

N/A

Report

City officers note the Motions, which are very similar in intent, and request that Elected Members consider the current mechanisms already in place, which provide an open and transparent Governance Framework, set by current legislation, the City of Cockburn Code of Conduct, and City values in providing good customer service.

The need for a Contact with Developers Register and a Public "Lobbyist" Register may be reconsidered once the Elected Members are aware of these existing mechanisms.

The content of the following Report is concentrated on the "Contact with Developers Register" Motion, as that is the most relevant to operations of the City, and employees are not in a position to meet with "lobbyists" on issues external to the City's standard operational processes. Therefore, the comprehensive information provided below in relation to a "Contact with Developers Register", would apply to any "lobbyists" Register and for the avoidance of any doubt, the related information has purposely not been repeated in that regard.

What is the purpose of a Contact with Developers Register?

Contact with landowners, developers, and any associated consultants, is a regular and necessary function of the role of a City Officer or Elected Member.

Often, the nature and frequency of that contact can sometimes falsely lead to allegations or perceptions of bias, influence or even corruption, being made towards City Officers or Elected Members.



It is noted the Motion relates to 'any land or infrastructure matter where the project cost is estimated to exceed \$2 million', therefore it is assumed the purpose of the Contact with Developers Register is limited to any proposal which is considered to be 'major development'.

Is a Contact with Developers Register necessary?

Numerous factors would need to be considered in order to inform whether a Contact with Developers Register is actually necessary. Keeping of current and accurate records could arguably negate the need for a register of this kind.

'Contact' with a government officer or Elected Member is a 'record'.

A record is information recorded in any form that is created, received and maintained by an organisation in the course of conducting its business activities and kept as evidence of such activity.

This includes, but is not limited to: phone calls, meeting minutes, emails and reports.

Recordkeeping in Western Australia is subject to Legislation and Standards, including:

1. *State Records Act 2000*
2. *Corruption and Crime Commission Act 2003*
3. *Criminal Code Act Compilation Act 1913*
4. *Electronic Transactions Act 2011*
5. *Evidence Act 1906*
6. *Freedom of Information Act 1992*
7. *Interpretation Act 1984*
8. *Local Government Act 1995*
9. *State Records Commission: Principles and Standards*
10. *Australian Standard on Records Management*

In particular, City Officers and Elected Members are required to adhere to the *State Records Act 2000*, which governs legislation around the keeping of records and is the basis for the City of Cockburn's *Records Management Policy* (the Policy).

The Policy provides that:

All employees, contractors and Elected Members will ensure that full and accurate records are created to provide evidence of business transactions and decisions and that these records will be registered in the City of Cockburn's recordkeeping system.

When a developer meets with the City, it is the expectation that Elected Members and Officers record the nature of these interactions within the City's record keeping software.



Record keeping is essential for ensuring probity of decision making and protects the individual from accusations of bias or corruption.

What about making this form of contact available to the public?

Legal mechanisms already exist which make government information accessible to those seeking it.

Pursuant to the *Freedom of Information Act 1992* the public can access any information kept as a record, provided that record is redacted in accordance with the *Privacy Act 1988* (removing the names of businesses and individuals other than employees or officials of the City).

It is preferable that information is shared in accordance with the parameters of the *Freedom of Information Act 1992* (Act).

Requests provide the public with a reasonable degree of detail and access to a variety of government held information including emails, documents, notes, phone calls and meeting minutes.

Further, in accordance with the Act:

- (2) *Subject to this Act, a person's right to be given access is not affected by —*
- (a) *any reasons the person gives for wishing to obtain access; or*
 - (b) *the agency's belief as to what are the person's reasons for wishing to obtain access.*

Providing information via the Act is not subject to discrimination and is open to all who apply.

Further, this method not only ensures the documents are treated in line with privacy legislation, but also provides access to a sufficient degree of detail not shown within a basic register format.

As well as the *Freedom of Information Act 1992*, the public are legally permitted to access government documents pursuant to the *Local Government Act 1995*.

Clause 5.94 provides that the public can inspect certain information as permitted under the Act, including the City's Code of Conduct, complaints, gifts register, annual budget and plans for the future of the district, to name a few.

The legislation is both the *Freedom of Information Act 1992* and the *Local Government Act 1995* provides sufficient and regulated access to government records.

Whose responsibility is it to act in the interests of probity?

All individuals are responsible for acting within the realms of good governance.

A contact with Developers register does not prevent the inherent decision of an individual to act outside of ethical parameters, as the register solely records who met



with whom, about what property, and does not contain a detailed listing of what was discussed.

City policy around the keeping of records (in particular, pre-lodgement meeting minutes) are a current method utilised by officers which provides transparency around contact with developers.

The City of Cockburn *Employee Code of Conduct* (March 2021) requires officers, as public officials, to disclose any conflicts of interest, maintain appropriate records and conduct themselves in a manner which does not undermine the public's confidence in the City to perform its functions.

Failure to do so is a violation of the code which may result in dismissal.

The keeping of a register does not necessarily prevent an officer from acting against the *Code of Conduct* because it does not disclose the detailed nature of discussions had during meetings.

If an officer or Elected Member chooses to meet with developers and in some manner acts outside of the interests of good governance, a register would do nothing more than identify that the meeting occurred.

What are other considerations of note?

Commercial Confidentiality

If the register specifies a property, there are likely to be commercial implications for a developer that has not yet purchased land but is making preliminary investigations.

This could be a deterrent to developers seeking advice and may contribute to additional costs and wasted effort for developers and local government.

It should be noted that a developer may have a legal right to privacy under the *Privacy Act 1988* and decline to enter their details onto a public register, or remain anonymous, as they are not an employee of the organisation or an elected official.

Administration operations

The City of Cockburn operates under several Departments which liaise at different stages with developers.

The motion specifies the parameter of a financial threshold of two million dollars.

The City receives numerous proposals of a minor scale (for example, a single house) which would be over the threshold but garner minimal to no interest to the general public.

Further, the keeping of a single register is likely impractical, as it would be difficult to coordinate across Departments.



By way of example, in 2021, the City received approximately ten development applications, 44 subdivision referrals (four lots or more), 24 building permits, six structure plan proposals and 48 subdivision clearances (four lots or more) with an actual or estimated value of over \$2 million.

That equates to over 100 instances where an applicant could potentially meet with the City to discuss their proposal (if the applicant chooses to do so just once in the life of the application).

Nature of Development

Many planning proposals submitted to the City are for recommendation only and are not the responsibility of the City to approve or refuse.

For example, Joint Development Assessment Panel proposals are the responsibility of the JDAP.

Structure Plans and subdivisions are determined by the Western Australian Planning Commission.

Scheme Amendments are determined by the Minister for Planning and are subject to review by the Environmental Protection Authority prior to public advertising.

These proposals are of a complexity and significance to reasonably warrant the keeping of a register, however, they are subject to numerous 'checks and balances' before being determined by agencies other than the City of Cockburn.

Are there any examples of Contact with Developers Registers elsewhere in Perth?

The City of Vincent maintains a public Contact Register with Developers, based upon their Policy No. 4.2.15 Council Member Contact with Developers.

This register records prescribed contact between developers and Elected Members but does not include employees.

Recommendation

The proponents have not demonstrated any evidence of failure of process, impropriety, or illegal behaviour at the City of Cockburn, to warrant the creation of a uniquely excessive administrative process.

In light of the failure to substantiate any cause, or associated benefit to such excessive bureaucratic oversights, in consideration of the existing mechanisms within current legislation, a Contact with Developers Register is superfluous to the operations of the City.

Further, the register is not recommended as it would unlikely achieve its intended purpose, as individuals are in control of their own probity.



It is considered that given this tool is not employed by other local governments (unless between Developers and Elected Members only) it is not clear what the risks and benefits are of maintaining one.

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

The *Local Government Act 1995* does not require the keeping of a Contact Register with developers or lobbyists. Registers are required to be kept for Gifts, Financial Interest Disclosure and Complaints.

In keeping a Contact with Developers Register, or Lobbyist Register, it is vital to ensure that the information is accurate. Inaccuracy of information could lead to legal challenge.

There are also legal implications for not keeping sufficient records pursuant to the *State Records Act 2000*, in accordance with a government agency's recordkeeping plan. This could result in fines of \$10,000 per offence.

It should be noted that a developer may have a legal right to privacy under the *Privacy Act 1988* and decline to enter their details on a public register, or remain anonymous, as they are not an employee of the organisation or an elected official, and this should be further investigated.

Community Consultation

N/A

Risk Management Implications

Nil. There is no statutory requirement to maintain a Contact with Developers Register or Lobbyist Register.

Further, the City does not have a policy regarding the keeping of registers outside those prescribed by the *Local Government Act 1995*.



Advice to Proponent(s)/Submitters

The mover of the Motions at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.7 (2022/MINUTE NO 0028) Annual General Meeting of Electors - Motion - Basic Infrastructure Support and Intervention

Author D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the motion carried at the 1 February 2022 Annual General Meeting;
- (2) RECEIVES the report; and
- (3) REQUESTS City Officers monitor the Federal Department of Infrastructure, Transport, Regional Development and Communications Mobile Black Spot and Peri-Urban Mobile Programs and as part of its ongoing advocacy approach, encourage providers to apply for grants that facilitate the timely delivery of additional telecommunications infrastructure capable of improving services within Treeby.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present.

Motion

That City of Cockburn provide immediate and urgent intervention to support residents of Treeby by arranging immediate support and solution to the lack of mobile phone reception by providing a temporary phone tower or immediate installation of a mobile phone tower as an extreme health and safety issue.

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

Submission

N/A



Report

The availability of mobile phone coverage has become an increasing issue in the Treeby area, following rapid urbanisation of the area. Between 2016 and 2022, the resident population of Treeby is forecast to have increased from 971 to 4,298, with the population forecast to reach 8,916 by 2041.

On 27 May 2021, Josh Wilson, Federal Member for Fremantle, wrote to Paul Fletcher, Federal Minister for Communications, Urban Infrastructure, Cities and the Arts, regarding phone coverage in Treeby.

In the response dated 31 July 2021, Minister Fletcher advised the provision of mobile phone infrastructure was a commercial decision for the relevant providers and advised that the existing NBN infrastructure could be utilised to improve household phone coverage using wi-fi.

At the 11 November 2021 Ordinary Council Meeting (OCM), Cr Dewan submitted the following Notice of Motion:

'That Council advocate to the Federal Government/Telstra/Optus etc. for an urgent action in finalising a time bound plan to implement the Telecom Tower and associated equipment, servicing the Treeby area.'

A report was presented at the OCM which noted the hesitancy of telecommunication providers to commit to the planning and delivery of new infrastructure, and advice from Telstra that new infrastructure was due to come online in late December 2021.

A recommendation was adopted that the City write to all major telecommunications companies requesting that they prioritise planning and land acquisition for network expansion purposes.

On 6 January 2022, the City wrote to Telstra, Optus and Vodafone to request the prioritisation of planning and land acquisition for the expansion of telecommunication services within the City's growth areas.

At the time of writing this report, the City is yet to receive a response from any of the service providers.

There are two nearby mobile telecommunications towers located in Atwell and Banjup, operated by Telstra and Vodafone respectively.

Telstra previously advised that the Atwell tower would be upgraded/become operational in late 2021 and should provide some improvement to residents in Treeby pending their continued investigations for an additional tower in and around the Jandakot/Treeby area.

It is unknown whether the Vodafone operated tower in Banjup provides mobile coverage to residents in Treeby.



The City has been in active discussions with Aurecon, acting on behalf of Telstra, regarding a range of potential sites to address existing issues and future provision.

Current discussions focus on the potential excision of a site from a Council managed reserve within the Cockburn Central East employment area, for the purpose of Telstra constructing an additional telecommunications tower.

The City has provided qualified in-principle support for the proposal, however landowner (State Government) and development approval are key processes that need to be successfully completed before installation could commence.

Future Opportunities

Aside from the City's role in determining the suitability of a limited range of higher order telecommunications infrastructure via its regulatory processes (planning and building), its influence over the provision of mobile telecommunication services is limited to an advocacy role. The City does not have the technical expertise or means to install, or project manage its own telecommunications infrastructure, temporary or otherwise. Importantly, the City is not a telecommunications carrier under the *Telecommunications Act 1997*.

The Federal Department of Infrastructure, Transport, Regional Development and Communications (the Department) operates the Mobile Black Spot Programme (MBSP), which seeks to extend mobile phone coverage and competition within regional Australia. The program has principally been used to deliver new mobile base stations operated by Telstra, Vodafone and Optus.

The Department's mapping identifies Treeby as an 'Ineligible Area' for funding under the program, however, the program extends into the rural area of Banjup, located on the southern side of Armadale Road.



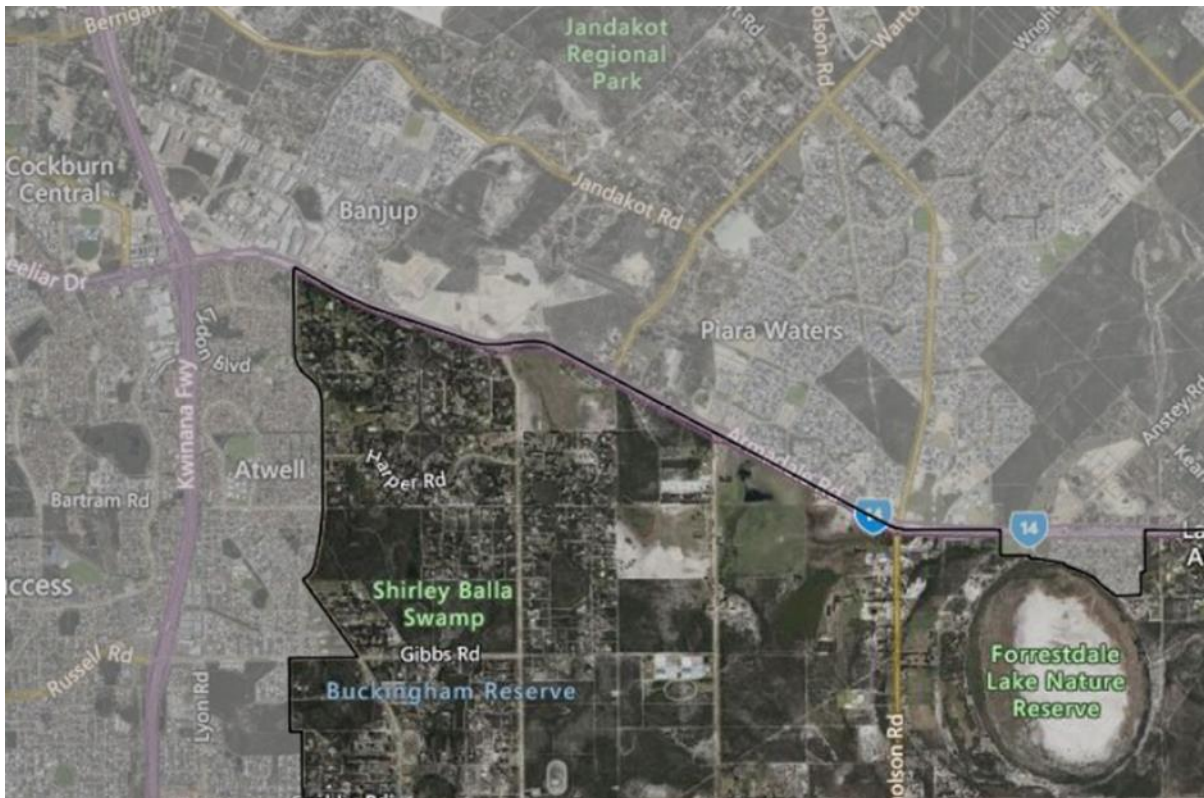


Figure 1 – Extract from Mobile Blackspot Database Mapping
(Source: Department of Infrastructure, Transport, Regional Development and Communications)

Should the City identify any mobile coverage issues that extend into Banjup, there may be a future opportunity for the City to advocate for MBSP funding, which may have the effect of improving mobile coverage in Treeby.

The Department also runs the Peri-Urban Mobile Program (PUMP), which provides grant funding mobile operators and infrastructure providers to deploy new mobile infrastructure for bushfire-prone areas on the edge of major Australian cities.

The majority of the Treeby locality is identified as an eligible area for the PUMP program (see Figure 2 below), however, mobile operators and providers were due to submit applications for the current round of funding by 18 February 2022. It is not known whether any operators or providers have applied for grants relating to mobile infrastructure project in Treeby or the surrounding area.

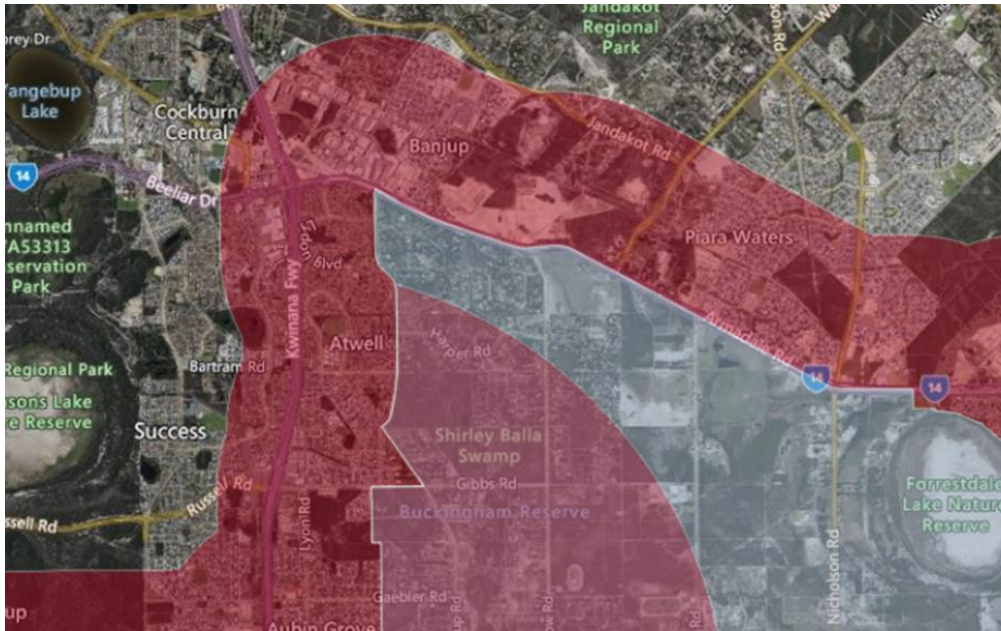


Figure 2 – Extract from Peri-Urban Mobile Program mapping - eligible areas shown in red
(Source: Department of Infrastructure, Transport, Regional Development and Communications)

Should the Department call for a new round of applications for the PUMP program (and the need still exists at that time), this may present an opportunity for the City to advocate for mobile operators and infrastructure providers to apply for a grant to facilitate the timely delivery of additional telecommunications infrastructure capable of improving services within the Treeby locality.

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

Community, Lifestyle & Security

A vibrant healthy, safe, inclusive and connected community.

- A safe and healthy community that is socially connected.

City Growth & 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 & Leading

A community focused, sustainable, accountable and progressive organisation.

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



Budget/Financial Implications

N/A

Legal Implications

The City is not a telecommunications carrier under the *Telecommunications Act 1997* and therefore cannot provide this service itself.

Community Consultation

This matter was the subject of a resolution of the Annual Electors' Meeting, held on 1 February 2022.

Future proposals for mobile telecommunications may be subject to community consultation, where required under Commonwealth communication regulations and the City's Town Planning Scheme No.3.

Risk Management Implications

N/A

Advice to Proponent(s)/Submitters

N/A

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.8 (2022/MINUTE NO 0029) Annual General Meeting of Electors - Motion - Residential Council Rates 2022-2023

Author S Downing

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council adopts a rate setting criteria for the 2022-2023 Budget that caps the residential rate rise to a maximum of 1% for the next financial year.

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

Submission

N/A

Report

The City is required to prepare, and Council to adopt, a Municipal Budget each financial year.

As part of the considerations in preparation of the annual budget, Council assesses a range of increases to rates and fees and charges, together with other income sources.



Council is guided in its consideration by the Long-Term Financial Plan in its aim to meet the expectations of the community, as set by the adopted Strategic Community Plan and Corporate Business Plan.

The assumptions behind the Long-Term Financial Plan are for rates to rise annually by approximately 2 percent.

This is then reviewed each year as part of the budget preparation process, taking into further consideration the economic circumstances at the time of the adoption of the budget, including cost increases from a range of sources.

Council has responded to the economic circumstances by varying the assumed rate increases.

This was evidenced in 2020/21 when the State Government requested that local government freeze both rates and fees and charges.

The Council responded positively by freezing rates at their 2019/20 level in addition to planned increases to fees and charges.

In 2021/21 Council retained a COVID19 Rates concession, believing the economic circumstances justified the retention of the concession.

Council has had modest increases over the last five years as evidenced by the table below:

Financial Year	Rate Increase	State Govt Increases in Essential Services	Perth CPI
2021/22	1.50%	0.6%	5.7%*
2020/21	0.00%	0.0%	4.2%
2019/20	1.90%	2.0%	0.1%
2018/19	1.90%	4.8%	1.6%
2017/18	1.75%	7.7%	0.9%
Total	7.05%	15.1%	12.5%
Average	1.41%	3.02%	2.5%

The source of the State Government increase in essential services (household basket of services) is from the State Government Budget Paper No.1 (Treasurer's Speech) and Budget Papers volumes 1 to 3.

*Perth CPI of 2021/21 is for the December 2020 to December 2021 rather than for the standard financial year period.

The motion from the Annual Electors Meeting held on Tuesday 1 February 2022 "...caps the residential rate rise to a maximum of 1% for the next financial year."



As part of the budget process, City Officers model a range of options and their financial implications, for Elected Members to consider before adopting the Municipal Budget.

The motion request for a 1 percent increase cap to residential rates will be modelled and presented to Elected Members for their consideration and determination.

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

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

The risk in adopting a flat 1 percent increase prior to the completion of the budget preparation process, is that Council may have to absorb costs from rapidly increasing inflation without consideration of passing these costs onto users of Council's services.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.9 (2022/MINUTE NO 0030) Annual General Meeting of Electors – Motion – Corporate Credit Card Reporting

Author S Downing

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Mayor L Howlett SECONDED Cr C Stone

That Council:

- (1) INTRODUCES detailed Monthly Corporate Credit Card and Store Card (fuel cards) Expenditure Reporting for all officers issued with a corporate credit card(s); and
- (2) INITIATES the date of commencement to be from the July 2022 Ordinary Meeting of Council to enable ‘visibility’ and ‘transparency’ of all transactions of each card holder.

CARRIED UNANIMOUSLY 9/0

Reason for Decision

Improving transparency of the detailed use of corporate credit and store (fuel) card expenditure across all business units of the City is a fair request from ratepayers/residents of the City.

Introducing monthly reporting will provide another step to fully informing Elected Members and the community of expenditure incurred on each and every corporate credit card.

The date of commencement being the July 2022 Ordinary Meeting of Council will allow any technical or other requirements to be addressed by the City’s Administration.



Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council ADOPTS the immediate implementation of the Corporate Credit Reporting System that reports each individual purchase made on each credit card on a monthly basis, as it is the current “best practice” reporting method, ensuring that:

- (1) it will comply fully with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* giving greater oversight and in the public interest.
- (2) it will comply fully with the Western Australian Auditor General’s Report 7 May 2018 released by Colin Murphy, Auditor General.
- (3) it will pre-empt the Local Government proposed reform of this very issue which will be legislated later this year.
- (4) it is the “best practice” reporting of this expenditure currently undertaken by at least 10 other significant Local Government areas, that provides substantially greater accountability, transparency and oversight in this area, and could also lead to significant reduction of expenditure of funds.

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

Submission

N/A

Report

The City currently has 77 credit cards on issue to officers.

Over the last three completed financial years, the City has spent the following sums using credit cards:

Financial Year	Amount Spent using Credit Cards	% of Total Expenditure
2018-2019	\$952,294	0.60%
2019-2020	\$924,863	0.58%
2020-2021	\$948,476	0.60%



All credit card transactions are acquitted with appropriate receipts and authorised by the credit card holders' line managers.

All transactions are reviewed by Finance to ensure compliance with Use of Credit Card Guidelines.

With the announcement by the Minister for Local Government on Local Government Reform, all credit card payment details will be published each month when the reform process has been through Parliament.

Currently the City complies with Regulation 13 of the Local Government (Financial Management) Regulations 1996 as noted below:

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name
 - (b) the amount of the payment
 - (c) the date of the payment
 - (d) sufficient information to identify the transaction.

A number of Councils report additional information in relation to what is acquired using credit cards and the amount spent on individual transactions.

Some Councils name officers whilst other councils name positions.

The Department of Local Government has never raised an issued with the City in how information has been disclosed.

It is clear, the Minister in his reform proposals would like to address two issues:

1. Uniformity of disclosure and hence the proposed amendments to the relevant regulations.
2. Reported abuse of credit cards in local governments, where control is vested in a single person. This is not the case in the City of Cockburn's control and approval of credit card expenditure.

However, it is noted that neither the Minister, nor his two Departments, apply the processes he is recommending for Local Government in that they do not disclose to the public their credit card transactions. Their reporting is internal only.

The Auditor General, in her recent audit of Local Government use of credit cards, recommended all credit card expenditure incurred by the Chief Executive Officer (CEO) should be reported to Council on the basis that the CEO has no direct Officer report, and as such the use of the credit card should be noted by Council.

The City supplies full details each month of credit card spending by the CEO.



The City will have the relevant systems in place when and if the Financial Management Regulations are amended, noting however, as per the recommendations made:

Each local authority's internal and external audit protocols exist to protect against the 'agency risk' of inappropriate or improper use of credit cards.

The proposal would work counter to the Department's overall proposals recommendations of 'red tape reduction'.

The proposal would risk fuelling the waste of public question time at Ordinary Council Meetings with petty/vexations/judgemental questions as to what was spent by whom, and where.

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

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

The City is compliant with the Local Government (Financial Management) Regulations, specifically Regulation 13.

Advice to Proponent/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting

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

Nil



13.10 (2022/MINUTE NO 0031) Annual General Meeting of Electors – Motion – Coogee Golf Course - Feasibility Study

Author A Lees

Attachments N/A

RECOMMENDATION

That Council:

1. NOTES the motion carried at the 1 February 2022 Annual General Meeting of Electors; and
2. RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council REQUIRES that the completed Feasibility Study into the proposed 9 Hole Coogee Golf Course be presented by the April Ordinary Council Meeting, 2022.

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

Submission

Nil

Report

In accordance with the program planning for this item, the Draft Feasibility Study was presented to the February 2022 Elected Members Strategic Briefing Forum as part of the normal briefing processes.

The Coogee Golf Complex is currently scheduled for commencement in 2027, as per the adopted Long-Term Financial Plan 2020-21 to 2029-30.



Given the current five-year Council endorsed timeframe for the project delivery, it is expected that further amendments to the study may transpire, resulting in follow up briefings and Council reports, should they be required.

Council may, during the annual budget process or at any time, amend the timing and funding for this or any project, subject to an Absolute Majority decision.

Strategic Plans/Policy Implications

Community, Lifestyle & 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

NA

Legal Implications

NA

Community Consultation

NA

Risk Management Implications

With the Coogee Golf Complex currently listed in the Long-Term Financial Plan 2020-2021 to 2029-2030 for commencement in 2027, there is minimal risk to the City reputation for not receiving the feasibility study at the April 2022 OCM.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.11 (2022/MINUTE NO 0032) Annual General Meeting of Electors – Motion – Manning Park Ridge

Author(s) D Arndt

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That, given the Manning Ridge and Manning Park's high conservation value and significant status, the City of Cockburn:

1. Commissions a comprehensive environmental assessment of the indigenous, conservation and biological significance of Manning Ridge and Manning Lake, which are integral parts of the State Government's Beeliar Regional Park, including a Bushland Forever area, prior to any consideration of future uses and facilities for public recreation.
2. Commits to protecting and enhancing the integrity of the existing Manning Park and Ridge, first and foremost, as a highly significant environmental conservation area, by developing a comprehensive strategy for its enhancement and future management as a part of the Beeliar Regional Park, including reinstatement of the biological connection of the ridge and lake system and rehabilitation of damaged zones.
3. Commits to prohibiting the use of illegal bike trails by mountain bike riders throughout Manning Ridge and reinstates already damaged vegetation areas where illegal trails have already been made.
4. Recognises the unsuitability and unsustainability of Manning Park Ridge to develop as a future destination as a Mountain Bike Venue.



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

Submission

N/A

Report

Motion 1 - Response

The City has already formed a community engagement group who are currently working through several issues in relation to the trail network at Manning Park.

The role of the group is to work collaboratively alongside the independent facilitator to review the issues, opportunities and solutions associated with the future of Manning Park, including potential consideration of the trail network in Manning Park.

While not a decision-making body, the group will provide important insight that will help to advise Council in relation to the potential for any future trail development.

The focus of the group is not to undertake detailed work, assessments, or environmental compliance.

The group has met on four occasions since November and will meet again in early 2022 to finalise their report.

This report will include suggestions on relevant environmental and heritage studies to be undertaken prior to any consideration of future uses and facilities for public recreation at Manning Park.

Motion 2 – Response

The City of Cockburn is committed protecting and enhancing the integrity of Manning Park:

1. The Beeliiar Regional Park Management Plan, to which the City is a signatory, provides broad direction for protection and enhancement of the conservation, recreation, and landscape values of the Beeliiar Regional Park.

It does this by developing strategies aimed at conserving the special features of the park while providing for community requirements.

The Plan helps ensure the park is managed appropriately and is capable of sustaining high nature and cultural values, as well as use by the community.

2. The City of Cockburn Natural Area Management Strategy identifies Manning Park as a high priority reserve.



Reserves are prioritised to ensure that finances and resources are allocated in a manner that will provide the best outcomes for both the community and the natural environment.

3. The Manning Park Master Plan identifies actions (24-26) to enhance and conserve the environmental values of Manning Park.

Manning Park is managed in line with in the above mentioned plans and strategies with the aim of protecting and enhancing the natural values of the park.

This includes the rehabilitation of degraded areas and investigation into the establishment of additional ecological linkages within and external to the park.

Motion 3 Response

The City does not support the construction of unsanctioned mountain bike trails.

Riding bikes in the park is not illegal. Pages 11 and 12 of the Beeliar Regional Park Management Plan identifies Area 30 (upland areas of Manning Park) as suitable for nature trails, cycle tracks and through access ways.

The community engagement group will be meeting again in early 2022 to finalise their report.

The report will provide important insight that will help to advise Council in relation to the potential for the closure and rehabilitation of existing trails.

Motion 4 – Response

Should Council make a decision that supports the establishment of Manning Park as a mountain bike destination or venue, then appropriate investigations will be undertaken to assess the suitability and sustainability of such trails.

Strategic Plans/Policy Implications

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 & Security

A vibrant healthy, safe, inclusive and connected community.

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

Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

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



Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

This matter was the subject of a motion at the 1 February 2022 Annual General Meeting of Electors.

Risk Management Implications

N/A

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.12 (2022/MINUTE NO 0033) Annual General Meeting of Electors – Motion – Reinstatement of On Lead Dog Beach at Ammunition Jetty

Author G Bowman

Attachments 1. Department of Local Government, Sports and Cultural Industries - Response [↓](#)

RECOMMENDATION

That Council NOTES this report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council REVOKES the decision made at the Council Meeting conducted on 10 September, 2020 in relation to item 17.1 (3)(a) and REINSTATES access to the beach, from the section from Ammunition Jetty (extending approximately 800 metres south), to the old fence line, which is approximately 100 metres north of the children's Camp entrance to the beach, for dog walkers and their dogs, and designate the area as "dogs on leash only".

Including that:

- (1) dogs will not be permitted off leash on this beach and will not be permitted on, or within, the primary dune system, unless utilising designated signed official access points provided by the City of Cockburn, along the footpath that cut through the dunes to the beach;
- (2) this will allow the area to be returned to a safe "on leash" space for the community to utilise and enjoy;
- (3) it will also endorse the principal that dog owners who have their dogs "on leash" under their effective control are treated the same as walking along a footpath or park with their dog "on leash" and that they are equal to other members of the public and not treated as second class citizens;
- (4) geo fencing poles be erected in line with the old fence line, to monitor any infringement of dogs going further south past that point.



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

Submission

N/A

Background

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

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

The eventual change of the area to 'dog prohibited' was supported by the Department of Biodiversity, Conservation and Attractions (DBCA), the Woodman Point Community Advisory Committee, and many community members, due to concerns for shore nesting birds that use areas of Woodman Point.

Since September 2020, Council has had several opportunities to consider and revoke its previous decision.

However, in 2021, three alternative on-leash beach proposals were approved, along with another option not to create an additional dog accessible area along the coast.

Report

Chelydra Point Beach

At the February 2022 Ordinary Council meeting, Option A (approximately 200m of Chelydra Point Beach and up to 400m of the southern end of C.Y. O'Connor Beach) was approved to become an on-leash only dog beach.

Since the February 2022 Council decision, the City now provides a dedicated dog on-leash only beach effective from the 14 March 2022.

Coastal Access by Dogs

As a result of the February 2022 Council decision, the City now allows dogs at:

- CY O-Connor (on and off-leash) - approximately 1.5km
- Chelydra Point Beach (on-leash only) - approximately 600 metres
- Jervoise Bay Beach (on and off-leash) - approximately 1.4km.



There is a small pocket of beach located at the Naval Base Shacks Reserve that also allows dogs on-leash by default, however this area is relatively small (75 metres) and accessible only by stairs.

Accordingly, the only beach areas where dogs are not permitted (except for registered assistance dogs) are:

- Ngarkal Beach - approximately 120 metres
- Coogee Beach - approximately 1.8km
- Woodman Point Beach - approximately 2.7km (includes approximately 600m of Wapet Groyne)

Based on the above-estimated distances of available beach space, dogs can now access approximately 43% of the City's available beaches.

Accordingly, the City believes there is a good balance between current community desires for dog accessible beaches and where people can visit the beach without interacting with dogs either on or off-leash.

Stakeholder Consultation

The Woodman Point Regional Park area is managed by the Department of Biodiversity, Conservation and Attractions (DBCA), the Department of Planning Lands and Heritage, and the Department of Local Government Sport and Cultural Industries as per the Woodman Point Regional Park Management Plan.

Accordingly, approval by both of these departments should be provided before Council considers changing the designated dog prohibited areas.

Department of Local Government, Sports and Cultural Industries

Subsequent to this Notice of Motion, the City wrote to the Department of Local Government Sport and Cultural Industries (DLGSCI).

Feedback from DLGSCI was sought, as they are a critical stakeholder in this item, due to the Recreational Camp located at Woodman Point Regional Park.

DLGSCI response (Attachment 1) highlights their position had not changed since previous correspondence, and they **do not support** the creation of this proposed dog on-leash beach.

Department of Biodiversity, Conservation and Attractions

The City did not write to DBCA regarding this motion as previous communication from DBCA is clear that it **does not support** the creation of new dog accessible areas within the Woodman Point Regional Park.



Woodman Point Community Advisory Committee

The City did not write to the Committee because of this motion due to a recent letter provided outlining the Committee's position. In their previous letter, the WPCAC outlined they **do not support** any changes to the dog access within the Woodman Point Regional Park.

In summary, it is very apparent the statutory authorities representing the WA Government are not supportive of the alternate Woodman Point proposal.

Revocation Process

Procedurally, for this previous Council decision to be revoked, as requested by the motion passed at the Annual Electors' Meeting, the section of the Council decision which had the effect of prohibiting dogs from that part of the coastline needs to be revoked by Council before the motion carried at the Annual Electors' Meeting being considered.

The relevant statutory provisions are of the *Local Government Act 1995* S 5.25(1)(e) and Regulation 10 of the *Local Government (Administration) Regulations 1996*.

In practice, this requires a Notice of Motion to be provided, signed by at least four Elected Members, proposing the following resolution:

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

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

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

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

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

1. Woodman Point Beach, Coogee as a dogs on leash only area from south of the Ammunition Jetty (adjacent to John Graham Reserve), extending approximately 800 metres to the south; and



2. Woodman Point Beach, Coogee as a dogs prohibited area 800 metres south of the Ammunition Jetty extending to where it intersects with the current dogs off leash area

The matter can only be initiated per the statutory provisions, and therefore any Notice of Motion requires the signatures of four Elected Members to enable it to proceed.

Dog Accessibility

The overall accessible areas available to dog owners is almost unrestricted. Dogs under effective control are allowed within all public open spaces managed by the City, except for Coogee Beach Reserve and the dog prohibited beaches.

Apart from these areas, dogs can access any other public open space within the City of Cockburn.

In addition to the large land area, the City has, as a result of the Animal Management and Exercise Plan 2020–2025, created more timeshare areas where pet owners can take their dogs off-leash when sporting events are not underway.

The City is one of only a handful of local governments that have created a specific plan to manage the growing needs for pet-owning residents and visitors within the City.

Geo Tagging Technology

The City has explored geo-fencing technology; however, at present, providers cannot reliably demonstrate the technology to a standard where the City considers it is prudent to invest in this technology.

The City always looks to use technology where possible and will continue to monitor advances of geo-tagging and CCTV technology to monitor public open spaces where there are ongoing compliance issues identified.

Strategic Plans/Policy Implications

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.

Budget/Financial Implications

Allowing access to Woodman Point for dogs may trigger a referral to the Department of Agriculture, Water and the Environment for an Environment Protection and Biodiversity Conservation Act (EPBC) Assessment. The initial assessment (application) fee is \$6,577, and further assessment by the Department is based on a fee for service chargeable to the applicant.



Based on indicative figures provided by the Department in 2021 and the need to engage several consultants, a budget allocation of approximately \$120,000 will be required to undertake the EPBC assessment process.

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

Legal Implications

State Legislation:

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

Commonwealth Legislation:

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

Community Consultation

This matter was the subject of a resolution carried at the Annual Electors' Meeting conducted on 1 February 2022.

Risk Management Implications

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

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting

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

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



Hi Mike,

Thank you for your email.

I discussed this with Graham yesterday, sorry for the tardy reply.

The Department's stance has not changed. So please refer to previous communications / correspondence.

In my previous role at the Ern Halliday Recreation Camp in Hillarys, the Hillary's dog beach was extended past where our clientele operate activities such as Surf Skis, Surf Life Saving, Beach Activities and free swims.

This has been problematic for our clientele, so much that we changed our operations to walk 200m south of the Restricted dog zone to eliminate dog nuisance and engagement. Yet even with these restrictions in place some dog owners are still walking past our clientele and get aggressive when confronted.

Thanks Mick, if you need any further clarification please let me know.

Regards

Ben Walton

Acting Manager – Woodman Point

Department of Local Government, Sport and Cultural Industries

D: +61 8 [REDACTED] | P: +61 8 [REDACTED]

74 O'Kane Court, Coogee WA 6166

Web: www.dlgsc.wa.gov.au

Please consider the environment before printing this email.

From: Michael Emery <memery@cockburn.wa.gov.au>

Sent: Thursday, 10 February 2022 4:48 PM

To: Ben Walton <ben.walton@dlgsc.wa.gov.au>

Subject: FW: Woodman Point Annual Electors Meeting Motion (Dog Beach)

Hi Ben,

I have been given your details from Graham, and hoping you could assist me with the below?

Regards,

Mike



Michael Emery

Head of Community Safety and Ranger Services
Community Safety & Ranger Services

52 Wellard St, Bibra Lake WA 6163
PO Box 1215, Bibra Lake DC, WA 6965
P 08 9411 3444

E memery@cockburn.wa.gov.au

www.cockburn.wa.gov.au



Cockburn Nyungar moort Beeljar boodja-k kaadadjiny. Koora, yeyi, benang baalap nidja boodja-k kaadadjiny.

Cockburn acknowledges the Nyungar people of Beeljar boodja. Long ago, now and in the future they care for country.

From: Graham Sharpe [<mailto:Graham.Sharpe@dlgsc.wa.gov.au>]

Sent: Wednesday, 9 February 2022 9:33 AM

To: Michael Emery <memery@cockburn.wa.gov.au>

Subject: RE: Woodman Point Annual Electors Meeting Motion (Dog Beach)



External Email: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Mike,

Thank you for the email. I hope you've had a good start to the year.

I have moved (again), and am now in a senior management role for recreation and camps back in our Leederville Office. I have forwarded your email to the acting camp manager Ben Walton to respond.

Ben can be contacted directly on:

██████████, or

Ben.Walton@dlgsc.wa.gov.au.

Kind Regards,
Graham

Graham Sharpe
Quality Operations Manager – Recreation and Camps
Department of Local Government, Sport and Cultural Industries
0409 852 935

From: Michael Emery <memery@cockburn.wa.gov.au>
Sent: Wednesday, 9 February 2022 12:09 AM
To: Graham Sharpe <Graham.Sharpe@dlgsc.wa.gov.au>
Subject: Woodman Point Annual Electors Meeting Motion (Dog Beach)

Hi Graham,

I hope you are well.

As a result of the Annual Elector's Meeting earlier this month, the City is requesting your department's view of the below motion.

Can you please let me know if the Department would support or not support this option and any additional information provided as to your decision would be valued. I appreciate you department has written to the City a number of times on this item, so if you wish to refer to any previous correspondence that will be understandable too.

It would be greatly appreciated, if you could provide your response by early next week.

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council REVOKES the decision made at the Council Meeting conducted on 10 September, 2020 in relation to item 17.1 (3)(a) and REINSTATES access to the beach, from the section from Ammunition Jetty (extending approximately 800 metres south), to the old fence line, which is approximately 100 metres north of the children's Camp entrance to the beach, for dog walkers and their dogs, and designate the area as "dogs on leash only".

Including that:

- (1) dogs will not be permitted off leash on this beach and will not be permitted on, or within, the primary dune system, unless utilising designated signed official access points provided by the City of Cockburn, along the footpath that cut through the dunes to the beach;
- (2) this will allow the area to be returned to a safe "on leash" space for the community to utilise and enjoy;
- (3) it will also endorse the principal that dog owners who have their dogs "on leash" under their effective control are treated the same as walking along a footpath or park with their dog "on leash" and that they are equal to other members of the public and not treated as second class citizens;
- (4) geo fencing poles be erected in line with the old fence line, to monitor any infringement of dogs going further south past that point.

Regards,

Mike

Michael Emery

Head of Community Safety and Ranger Services
Community Safety & Ranger Services

52 Wellard St, Bibra Lake WA 6163
PO Box 1215, Bibra Lake DC, WA 6965
P 08 9411 3444

E memery@cockburn.wa.gov.au
www.cockburn.wa.gov.au



Cockburn Nyungar moort Beeljar boodja-k kaadadjiny. Koora, yeyi, benang baalap nidja boodja-k kaadadjiny.

Cockburn acknowledges the Nyungar people of Beeljar boodja. Long ago, now and in the future they care for country.

CITY OF COCKBURN – EMAIL DISCLAIMER This email and any attachments are confidential and intended solely for the use of the recipient(s) and therefore any disclosing, copying or distributing is prohibited. If you have received this email in error please notify the City of Cockburn and delete all copies. As the City of Cockburn uses virus-scanning software, the City accepts no liability for any loss or damage arising from the use of this email or attachments caused by any virus transmitted.

13.13 (2022/MINUTE NO 0034) Annual General Meeting of Electors – Motion – Resident Groups Draft Capital Budget Submissions

Author(s) G Bowman and S Downing
Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the report; and
- (3) RECOMMENDS the request be consider as part of the FY24 Budget deliberations.

Council Decision

MOVED Cr L Kirkwood SECONDED Cr M Separovich

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the report; and
- (3) REQUIRES consultation with all Cockburn Resident Groups with feedback to be provided back to council by July 2022.

CARRIED 9/0

Reason for Decision

We cannot keep rates low while also increasing expenditure. This motion was not put forward by all resident groups, some groups have expressed that they were only made aware of the motion after it was brought to Council and didn't feel it was representative of their views. Some resident groups have concerns about increasing rates due to this consideration of expenditure. More consultation with all resident groups at the monthly CCDG meetings should be sought prior to any considerations for the upcoming budget.



Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council ENDORSES that Resident Associations can submit up to five projects to a total value of \$50,000 for consideration in the City's 2023-2024 Draft Capital Works Budget process.

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

Submission

N/A

Report

Budget submissions from Residents Groups has been in place for three years with 2021-2022 being the third year. The program is currently underway for financial year 2022-2023.

The following table demonstrates the program has been well received:

Financial Year	No of Residents Groups submitting Projects	No. of Projects submitted	Projects approved	Funding Provided to undertake the projects
2021-2022	18	44	14	\$308,000
2020-2021	13	31	20	\$400,000
2019-2020	15	53	21	\$357,000

All projects submitted by the Community Residents Groups are assessed using the following project criteria:

- Maximum \$30,000 per resident group
- Maximum three projects per association
- Projects must be in the following areas:
 - Playground Shade sails
 - Playground improvements (if additional equipment will require extensions to the play pit border and additional soft fall material you will need to consider this as part of your submission as it will impact the cost of the project)
 - New footpaths linking other footpaths
 - Verge/median landscaping
 - Small art projects (e.g. murals)
 - Other small community projects (e.g. parklets)



- Park Improvements:
 - Solar lighting along footpaths (consider length and proximity to adjacent houses)
 - Trees in parks
 - Barbecues (assess if there is a shelter, drinking fountain, seating, etc. already in the park as these are essential infrastructure to support a BBQ. If a park doesn't have these elements then you will need to consider the cost of these items in your submission)
 - Shelter, Tables, Seating, bins (consider accessibility issues)
 - Exercise equipment
 - Half-Court Basketball Courts (consider park size and location on park)
 - Sporting infrastructure (liaise with the City prior to submission)
 - Park/Reserve signage (consider sign content and name of park).

Projects meeting the criteria are approved and then go forward in the Draft Capital Works Budget for consideration by Council.

Projects are not assessed for inclusion based on whether:

- Projects exceed value or are too costly
- Projects are already in the current or next year's budget
- Projects are not sufficiently developed to proceed at this stage.

As noted in the table, projects costs are \$300,000 to \$400,000 per annum. If all projects were approved the cost would be projected at \$630,000.

To lift the maximum allocation to \$50,000 per group would now lift the maximum spend to \$1,050,000 based on 21 Residents Groups, an equivalent of approximately just below an additional 0.4 percent rate rise.

However, the City acknowledges that there has been a recent and significant increase in the cost of materials, equipment and products and that the \$30,000 allocation should be increased in light of this to a reasonable amount.

The City has also received feedback from some Residents Groups that the projects they wished to submit met other criteria except the \$30K combined maximum value so they also support an increase in the allocation but do not support an increase in the number of projects.

Another issue is the City not having sufficient existing staff resources to deliver an increased number of projects or works by the City.

If consideration is given to moving the current upper limit of projects from 63 (being 21 X 3 projects) to 105 (being 21 X 5), there would be a need to provide additional staff resources to manage this.

Many of the projects are worthwhile and those that don't make the approved list in the current financial year are encouraged to re-apply in the following year.



The City therefore acknowledges a 33 percent increase to a total combined value of \$40,000 per Resident Association whilst maintaining the number of projects to three may be feasible.

To lift the maximum allocation to \$40,000 per group would now lift the maximum spend to \$840,000 based on 21 Residents Groups.

At this stage the current process works well with three projects and the increased dollar value (\$40,000) per Resident Group will address the recent cost increases in materials and products.

Strategic Plans/Policy Implications

Listening and Leading

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

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

If Council adopts the motion (based on \$50,000 per project) or a variation (based on \$40,000 per project), there will be a potential allocation of up to \$1,050,000 or \$840,000, not inclusive of any overhead costs, in managing the delivery of the program, in the draft Capital Works Budget for FY24 Resident Group submissions.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

This item carries a low reputational risk as it makes a commitment to invite Resident Group project submissions for a higher total financial value than in previous financial years for Council consideration in the draft FY24 budget process.

The proposal from the Motion passed at the Annual Electors Meeting contains a reputational risk from not being able to complete the projects as promised.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.14 (2022/MINUTE NO 0035) Annual General Meeting of Electors – Motion – Payment of Allowances to Elected Members whilst on Leave of Absence

Author	E Milne
Attachments	<ol style="list-style-type: none"> 1. Extract - Elected Members Entitlements - Allowances and Reimbursements Policy ↓ 2. Policy - Elected Members Leave of Absence ↓

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the report; and
- (3) through the Delegated Authority and Policies (DAP) Committee, REVIEWS the “Elected Members Leave of Absence” Policy by considering the statutory implications of withholding payment of meeting allowances to Elected Members for any period of Leave of Absence approved by Council.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council AMENDS the “Elected Members Entitlements – Allowances and Reimbursements Policy” of 9 September 2021, Policy Statement, (9) Policy Administration, 2, Payment of Fees/Allowances (on Page 6) by INSERTING the following sub clause:

- (f) If an Elected Member is granted Leave of Absence by Council for any reason, then all relevant allowances will automatically be suspended for the period of leave granted.

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



Submission

N/A

Report

Section 5.98 of the *Local Government Act, 1995* (the Act) provides for Council to pay all Elected Members fees and allowances associated with their Council related role.

This includes meeting attendance fees for all members and a separate allowance for the Mayor and Deputy Mayor, in recognition of the additional associated functions performed by those roles.

The City's Policy "Elected Members Entitlements – Allowances & Reimbursements" provides for the following allowances to be paid to members:

- Mayoral Allowance
- Deputy Mayoral Allowance (Section 5.98A)
- Annual Meeting Attendance Allowance (Mayor and councillors)

The Meeting Attendance Allowance payment is set by the Salaries and Allowances Tribunal (SAT) under Section 7B of the *Salaries and Allowances Act 1975* and can be paid on either a "per meeting" basis, or an annual basis, in lieu, pursuant to Section 5.99A of the Act.

Council's Policy also states the maximum amount prescribed by SAT determination will be paid to Members for all allowances.

However, this requires an Absolute Majority decision of Council and is therefore reviewed immediately following the elections every two years.

Council's Policy also provides that all such allowances will be paid monthly in arrears, calculated from the beginning of each electoral cycle (ie: third Saturday in October biennially).

Section 2.25 (1) of the Act provides for Council to grant a leave of absence to Elected Members and Section 2.25 (2) restricts the Council's capacity to grant leave to a maximum period encompassing six Ordinary Council Meetings, unless otherwise by Ministerial approval.

Over the past three years Council has granted the maximum leave permitted to members on three occasions.

As referred to in the Motion passed at the Electors' Meeting, there is some concern in the community that some Councillors appear to be utilising this provision in the Act to take extended personal leave and are therefore not available to assist electors during this period of leave.



On the basis that the City's Allowances Policy provides for monthly payment of the allowance entitlements, there is some scope for Council to reconsider its Policy on "Elected Members Leave of Absence" and the potential to include an expectation that members seeking any extended period of Council approved Leave of Absence beyond three months would not be expected to receive the relevant allowance.

Any relevant Policy amendment should consider the inclusion of an expectation that members will acknowledge that taking Council approved periods of absence from their civic responsibilities effectively removes them temporarily from the role for which they were elected and that the ratepayers of the City should not be expected to pay for such periods of absence.

Accordingly, it is recommended that Council accepts that the granting of long term paid absences for Members is seen as an undesirable use of public funds, which requires some affirmative action to address in the future.

The City will consider the receipt of legal advice on the matter and make recommendations based on clarifying the impacts of any Policy changes.

Strategic Plans/Policy Implications

Listening & Leading

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

Budget/Financial Implications

The adopted Municipal Budget contains funding to provide the maximum allowances approved by Council to be paid to all members monthly.

Legal Implications

Given the statutory provisions (Section 5.99A of the Act) which allow Council to pay Meeting allowances on an annual basis (in lieu of a per meeting amount), it is recommended that further advice be considered and provided to Council for determination, through the DAP Committee.

Consequently, it should be acknowledged that paying the meeting allowances for extended periods of absence may raise community concern and there should be some proactivity demonstrated by Council to address the issue.

A policy position provides a clear demonstration of Council's expectation that its members will take their basic responsibilities seriously when considering applying for an extended period of leave from attending to their duties.

In addition, Sections 2.25 (1) and (2), 5.98, 5.98A of the *Local Government Act 1995* and Section 7B of the *Salaries and Allowances Act 1975* refer



Community Consultation

N/A

Risk Management Implications

There is a “Moderate” level of assessed “Financial Impact” Risk associated with this item, based on the Municipal Budget including the total amount of allowances to be routinely paid to members each month.

There is a “Moderate” level of assessed “Brand / Reputation” Risk associated with this item, given that the issue has been recently the subject of print media reports and public concern.

There is a “Moderate” level of assessed “Compliance” Risk associated with this item, given that any recommendation is to be based statutory compliance and legal advice received.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



Title	Elected Members Entitlements - Allowances & Reimbursements
--------------	---



the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995.

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

2. Deputy Mayor and other Councillors:

The Deputy Mayor and other Councillors shall in carrying out their civic duties and responsibilities be entitled to receive, and the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995:

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

(8) Insurance

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

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

(9) Policy Administration

1. Time Limit on Claims and Approval Process

- (a) Elected Members applying to receive reimbursement of expenses in accordance with the provision of this policy must submit the appropriate Reimbursement of Expenses Form to the Chief Executive Officer, together with acceptable supporting documentation.
- (b) Requests for reimbursement must be received within three (3) calendar months after the expenses were incurred.

[5]



Title	Elected Members Entitlements - Allowances & Reimbursements
--------------	---



2. Payment of fees/allowances

- (a) All Allowances will be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that they do not want to claim any or part of the available allowances.
- (b) All allowances will be paid monthly in arrears, except for the ICT allowance which will be paid annually in advance, calculated from each ordinary election and will be provided for in each annual budget.
- (c) Any taxation liability arising from these payments is the individual responsibility of each Elected Member.
- (d) If an Elected Member has previously advised that they do not want all or part of the available allowances that they are entitled to, any subsequent request for full or additional payment will not be back paid, but will accrue from the date of such request.
- (e) If an Elected Member ceases to hold office, payment will only be made up to and including the final day of engagement.

3. Dispute Resolution

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

Strategic Link:	Corporate Governance Charter
Category	Elected Members
Lead Business Unit:	Executive
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	The policy is to be reviewed every two years through consultation with Elected Members to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments require an immediate review.
ECM Doc Set ID: (Governance Purpose Only)	September 2023 8232292



Policy	Elected Members Leave of Absence
---------------	---



Policy Type

Council

Policy Purpose

To provide guidance and criteria for elected members to include in applications for leave of absence from attending to Council related duties and responsibilities, pursuant to Section 2.25 of the Local Government Act 1995.

Policy Statement

- (1) Applications by elected members for formal Leave of Absence from Council commitments are to be provided in writing to the CEO.
- (2) Applications are required to include the following information, as a minimum:
 - 1. Period of Leave sought (dates from beginning to end).
 - 2. Reason for Absence (e.g. Holiday, Health, Work Related).
 - 3. Expected number of Ordinary Council Meetings held during applicable period of leave.
 - 4. Any Meetings, Briefings or other functions conducted by the City during the requested period of leave which the member expressly wishes to attend.
- (3) Where the period of absence is anticipated to be less than three (3) months, members should consider lodging an apology for Ordinary Council Meetings which fall within the related leave of absence period.
- (4) Any application for a period of leave which would result in the relevant member being absent for three (3) or more consecutive Ordinary Council Meetings will be presented to a Council Meeting for consideration, as soon as practicable, to ensure the matter is dealt with in a timely manner.
- (5) All applications will be subject to an officer report and recommendation, on the following basis:
 - 1. The application conforms with the requirements of (1) and (2) above.
 - 2. The details and reasons provided in the application are considered valid.
 - 3. The member is unable to submit an apology on or before an Ordinary Council Meeting, where the period of leave requested is for less than three (3) months.

[1]

Document Set ID: 10789396
Version: 3, Version Date: 01/10/2021



Policy	Elected Members Leave of Absence
---------------	---



4. The member is expected to be absent from all City related commitments during the applicable period, including Ordinary Council Meetings, except for those to which the member has already notified their attendance

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)	9 September 2021
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	10789396

[2]

Document Set ID: 10789396
Version: 3, Version Date: 01/10/2021



13.15 (2022/MINUTE NO 0036) Annual General Meeting of Electors – Motion – Motions Dealt Separately

Author E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the Report; and
- (3) NOTES that the statutory procedure for the consideration by Council of decisions made at an Electors' Meeting is specified in Section 5.33 (2) of the *Local Government Act 1995*.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That each motion brought forward from an Electors' Meeting must be dealt with separately and 'noted' is not an accepted answer from Council.

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

Submission

N/A

Report

Section 5.33 (1) of the *Local Government Act 1995 (the Act)* prescribes that all decisions made at an Electors' Meeting are to be considered by Council at either:



1. The next Ordinary Council Meeting (OCM)
2. The first OCM after that Meeting
3. A Special Council Meeting called for that purpose.

Section 5.33 (2) of *the Act* requires Council decisions made in response to motions passed at Electors' Meetings are to record the reasons for the Council decision in the Minutes of the relevant Council Meeting.

Accordingly, City Officers are responsible for preparing relevant reports in a timely manner to comply with the statutory requirements referred to above.

These are subsequently submitted as separate Officer Reports in accordance with the related subject matters of the Motions passed at the Electors Meeting.

The reports follow the same format as others submitted on the Agenda of the relevant OCM, including a recommendation, however, there may be occasions when a recommendation is simply to "Note" or "Receive" the information.

On these occasions, there may not be an actionable outcome as an outcome of the report, hence it is appropriate that the information be simply noted.

In this instance, there is no specific action which can be recommended for actioning by the City as the legislative imperative overrules any other preference which may be considered more appropriate or acceptable to the community.

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

N/A

Legal Implications

Sections 5.33 (1) and (2) of the *Local Government Act 1995* refers

Community Consultation

N/A

Risk Management Implications

1. There is a "Low" level of assessed "Brand/Reputation" Risk associated with this item, which may be forthcoming as a result of dissatisfaction with the



recommendation from a small sector of the community (ie: attendees at Electors' Meetings).

2. There is a "Low" level of assessed "Compliance" Risk associated with this item, as the procedure for dealing with motions passed at Electors Meetings is regulated by statute, as noted above.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.16 (2022/MINUTE NO 0037) Annual General Meeting of Electors – Motion – Ward System

Author(s) E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) NOTES that the statutory review for the Ward Boundaries and Councillor Representation for the City of Cockburn is required to be undertaken and submitted to the Local Government Advisory Board by no later than 31 March 2025;
- (3) COMMITTS to considering all options, including the abolition of the Ward System, and adopting a whole of district representation model, at the time of the next review.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That City of Cockburn Council REMOVE the ward system for representation of residents, but used for title purposes, that each Elected Member represents residents of Cockburn as a whole community.

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

Submission

N/A



Report

Section 2.2 (1) (c) and Schedule 2.2 (6) of the *Local Government Act 1995* specifies that local governments which operate under a ward system of representation are required to review their systems at least every eight years.

The most recent review of the City’s Ward Boundaries and Member Representation was adopted by Council in February 2017 and was operative in time for the elections held in October 2017.

In accordance with the legislative requirements, a formal review of the current system must be undertaken and submitted for Council consideration no later than February 2025.

One of the primary drivers of any review where wards are in place is that the representation numbers (of Councillors) for each ward are equally proportionate to elector numbers for each ward.

Where there is a percentage deviation of plus or minus 10 percent at any time, this triggers the need for a formal review to take place.

At the most recent elections held in October 2021, the respective ward elector numbers, as confirmed by the WA Electoral Commission, were as follows:

West Ward – 26,069	(33.17%)
Central Ward – 25,618	(32.60%)
East Ward – 26,900	(34.23%)
Total district electors – 78,587	(100.00%)

Each ward currently has three councillor representatives, plus the Mayor, who is elected by all electors.

The ward figures above confirm the number of electors is broadly consistent across the three wards and there is a variation of less than 1 percent in each ward, with the median average number of 26,196 (total number of electors (78,587) divided by three wards).

Given these figures are not likely to vary significantly prior to the next elections in October 2023, it is recommended that any review of the system of representation not be undertaken until 2024, in preparation for the 2025 elections.

Local Government Reform - Implications

Under the current Local Government Reform proposals for stronger local democracy and community engagement, there is a recommendation that wards are abolished for small local governments.



There are no implications for Tiers 1 and 2 local governments in the proposed reforms.

Strategic Plans/Policy Implications

Listening & Leading

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

- Best practice Governance, partnerships and value for money.
- High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

An independent Consultant will be appointed to undertake the statutory review, an amount of circa \$30,000 will be required to be included in the FY25 Municipal budget.

Legal Implications

Section 2.2 (1) (c) and Schedule 2.2 of the *Local Government Act 1995* refer

Community Consultation

As a statutory requirement, public notice advising of the formal review of the Ward Boundaries and Elected Member Representation, calling for submissions, will be undertaken as part of the review process

Risk Management Implications

1. There is a “Moderate” level of assessed “Brand/Reputation” Risk associated with this item, in the event of potential community pressure to adopt one model over another.
2. There is a “Low” level of “Compliance” Risk associated with this item, in the event of the statutory timeframe for the review being overlooked as a result of the Local Government Advisory Board not informing the City of the associated statutory requirements.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



**13.1 (2022/MINUTE NO 0038) Annual General Meeting of Electors -
7 Motion - Refusal of Requests**

Author E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) RECEIVES the Report; and
- (3) NOTES the information provided in relation to public access to information records held by the City of Cockburn.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That any refusal by an Executive of Council for requests for information from electors is to be advised to Council and noted in the next meeting minutes.

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

Submission

N/A

Report

The right to public access of information held by local governments in this State is governed by the *Local Government Act 1995* (Act) and the *Freedom of Information Act 1992*.



Section 5.94 of the Act and Regulation 29 of the *Local Government (Administration) Regulations 1996* (the Regulations) provides an extensive list of information held by local governments which must be provided for public inspection upon request.

Section 5.95 and Regulation 29A limits the right of public access to some information in certain circumstances, mainly where the information is classified as confidential.

The limitations of public access to confidential information discussed behind closed doors at a Council Meeting can be removed by Council resolution, and such information can then be made available for public access from that time.

There is a specific limitation on the provision of any rate record or electoral roll information, unless approved otherwise by the Chief Executive Officer, in specific circumstances.

Furthermore, access to any information and record held by a local government is subject to application pursuant to the provisions of the *Freedom of Information Act, 1992*.

This is a separate statutory procedure and applications are directed and processed through the City's appointed Freedom of Information (FOI) Officer.

Matters which are the subject of FOI requests are not subject to Council consideration.

Given the extensive statutory provisions available for information, documents and other records held by local governments, to be accessed by the public, it is not considered necessary for requests which have been specifically refused by an Executive member of the City, under the relevant statutory provisions, to be reported to Council for the purpose of noting in the Minutes of the Meeting.

In summary the proposed process is inconsistent with the existing detailed legislative and statutory requirements including rights of appeal through the FOI Commissioner.

Further it is noted that the proponents of the motion have failed to identify any failures, breaches in inappropriate behaviour or actions to justify moving outside of the WA Government's mandated statutory processes, meaning any new conditions and requirements would place additional costs and resources without any apparent driver or benefit.

Strategic Plans/Policy Implications

N/A

Budget/Financial Implications

N/A



Legal Implications

Sections 5.94 and 5.95 of the *Local Government Act 1995*, Regulations 29 and 29A of the *Local Government (Administration) Regulations 1996* and the *Freedom of Information Act 1992* refer.

Community Consultation

N/A

Risk Management Implications

There is a "Moderate" level of assessed "Brand/Reputation" Risk associated with this item, with possible complaints received from the public in relation to requests for information being denied

Advice to Proponent(s)/Submitters

The mover of the motion at the Electors Meeting on the proposal has been advised that this matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.18 (2022/MINUTE NO 0039) Annual General Meeting of Electors - Motion - Documents Withheld

Author E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors; and
- (2) RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That:

- (1) no document will be withheld from the electors unless specifically prescribed and approved by Council, at a general meeting of Council,
- (2) no contracts or contracts that are badged as "Commercial in Confidence" will be accepted without that specific approval.

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

Submission

N/A

Report

As mentioned in the previous report related to the refusal of requests for information held by the City to be reported to Council for noting in the Minutes of a Council



Meeting, the statutory provisions for the release of information held by the City is bound by the relevant provisions of the *Local Government Act 1995 (the Act)*.

This report addresses the more specific motion carried at the Electors Meeting related the release of documents and Contracts to electors.

The Motion seeks to have a Meeting of Council specify and approve whether any document (including Contracts) of the City can be withheld from being provided to the public and that all documents and Contracts held as City records should be made available to public, until Council resolves otherwise.

Section 5.96 (6) of the Act and Regulation 29A of the Regulations limits the rights of public access to confidential information held by the City.

However, this limitation may be removed by Council decision to make that information available for public access, as provided by Section 5.96 (7) of the Act.

From a statutory perspective, Section 5.96 (7) of the Act stipulates it is only possible for Council to approve public access to confidential information provided to it, for the purposes of considering a matter at a Council Meeting.

Confidential information is prescribed under Regulation 29A as being:

- information that would reveal a decision of the City in relation to the sale or purchase price of land to or by the City, subject to the sale or purchase proceeding or not taking place
- information which deals with anything which is subject to Council consideration behind closed doors.

Matters which may be considered by Council behind closed doors are specified at 5.23 of the Act and include “*a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at a Meeting*” (Section 5.23 (2) (c)).

Accordingly, it is not appropriate for Council to consider whether information should be deemed confidential or not **prior** to it being provided to Council for consideration in an officer Report.

This is a function of the Chief Executive (CEO), as specified in Section 5.41 (b) of the Act which states, as follows:

“The CEO’s functions are to:

- (b) ensure that advice and information is available to the council so that informed decisions can be made”

Accordingly, it is clearly a task of the administration (under the direction of the CEO) to provide information that is required for Council determination (including information



deemed confidential) to Council Members in advance of any Council Meeting taking place.

Therefore, any confidential documentation must be withheld from public access pending consideration of whether such information should be made available for the public to access and a Council decision is carried to that effect.

Therefore, it is not possible for documents (including Contracts) held by the City and deemed confidential by the CEO, to be released for public access until so resolved by Council resolution.

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

N/A

Legal Implications

Sections 5.23 (2) (c), 5.41 (b), 5.95 (6) and (7) of the *Local Government Act 1995 (the Act)* and Regulation 29A of the *Local Government (Administration) Regulations 1996 (the Regulations)* refer.

Community Consultation

N/A

Risk Management Implications

There is a “Moderate” level of assessed “Compliance” risk associated with this matter should statutory provisions not be adhered with.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.19 (2022/MINUTE NO 0040) Annual General Meeting of Electors – Motion – Local Government Act Review**Author** E Milne**Attachments** N/A**RECOMMENDATION**

That Council:

- (1) NOTES the Motion carried at the 1 February 2022 Annual General Meeting of Electors;
- (2) NOTES that Council considered this matter at the Ordinary Council Meeting in December 2021, adopting Minute Number 0249; and
- (3) NOTES the information which confirms the schedule for the lodging of submissions to the WA Local Government Association (WALGA) in relation to the proposed reform of the *Local Government Act 1995* precludes any further public comment from being considered.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

RRIED UNANIMOUSLY 9/0**Background**

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present.

Motion

That electors require any law reform submission on the Local Government Act, is to be made public and advertised for public comment prior to any submissions being made.

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

Submission

N/A



Report

The State Government (through the Minister for Local Government) is pursuing a rewrite of the *Local Government Act 1995*.

In November 2021 the Minister released a paper of proposed reforms to the legislation for public consultation.

It is noted this consultation undertaken by the Minister occurred primarily over the Christmas and New Year period, which is generally not considered good practice.

Further, given the significance of the proposed reforms the total comment period was relatively short.

On behalf of the sector, WALGA prepared a summary of the proposed reforms, together with its advice and recommendations on the proposals, seeking feedback from individual local governments by 28 January 2022.

In December 2021, the Government confirmed the comment period was extended to 25 February 2022.

As the City of Cockburn does not meet in January, the WALGA paper and recommendations were presented to the Ordinary Council Meeting held on 9 December 2021, at which Council adopted the WALGA Advocacy Position and Recommendations, subject to seeking further clarification on a matter related to "Recording and Live Streaming of all Council Meetings", as shown in the attachment.

This Council decision has been forwarded to WALGA, where the matter has since been considered at all WALGA Zone Meetings and at a Special Meeting of the WALGA State Council to endorse a final submission, which was presented to the State Government in late February 2022.

Accordingly, the capacity for the Council's submission, which largely supports the WALGA recommendations, to be advertised for public comment, is not possible, due to strict timeframes associated with the process, as imposed by the State Government, now having passed.

It is also noted that members of the public and any group is able to submit their submissions directly to the Minister as part of this process.

Strategic Plans/Policy Implications

Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.
- High quality and effective community engagement and customer service experiences.



Budget/Financial Implications

N/A

Legal Implications

There has been no advise provided by the Government as to the likely timeframe the Bill will be drafted or put through Parliament, or as to when the effects (Reforms) are scheduled to take effect.

Community Consultation

The process has been advertised for public comment through the State Government (Department of Local Government) from 10 November 2021, closing on 25 February 2022.

The closing date was extended on 23 November 2021 from the original closing date of 12 January 2022.

Risk Management Implications

There is a "Moderate" level of "Brand/Reputation" Risk associated with this item, as the level and impact of the proposed reforms will not be fully comprehended until the new legislation has been passed and becomes operational.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

Nil



13.20 (2022/MINUTE NO 0041) Annual General Meeting of Electors – Motion – Total Employee Cost Review

Author J Iles

Attachments 1. Seven Year Comparison of Key Metrics for Motion Group of Local Governments [↓](#)

RECOMMENDATION

That Council:

1. NOTES the motion carried at the 1 February 2022 Annual General Meeting of Electors; and
2. RECEIVES the report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 1 February 2022 Annual General Meeting of Electors, the following Motion was put forward and carried by Electors present:

Motion

That the City of Cockburn Council REQUIRES that a review be conducted, and a report be prepared for the July Ordinary Council Meeting, 2022 on the City's current total employee cost base, with particular reference to the following:

- (i) Comparisons with Joondalup, Melville, Gosnells, Stirling, and Wanneroo Local Government areas in total costs and with regards to population,
- (ii) Employee costs versus materials and contracts costs,
- (iii) The proposed Budget for employee costs for 2022-2023 and 2023-2024 Financial Years,
- (iv) Recommendations moving forward to achieve a more efficient delivery of services.

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



Submission

N/A

Report**Motion – Recommendation 1**

The motion passed at the Annual Electors Meeting requires:

Comparisons with Joondalup, Melville, Gosnells, Stirling, and Wanneroo Local Government areas in total costs and with regards to population

Firstly, it is noted that metric comparison by population is not an accepted or effective tool.

Population ignores the reality of local governments such as Cockburn, which have a large non-residential rate base (noting the City's significant commercial areas such as the Australian Maritime Complex, Henderson, Bibra Lake).

These areas all require extensive asset provision and services.

Secondly, it fails to acknowledge diversity of households and the number of residents per household.

The general accepted metric is average rates per dwelling which provides an effective and accurate metric between household impacts of local government charges.

Notwithstanding these key points, the analysis has been provided below.

The first part is a comparison of payroll costs over the last seven years to key metrics including payroll to rates, payroll to total revenue and payroll to total operating expenditure.

The information is sourced from Council adopted budgets 2015-16 to 2021-22 (seven budget years).

The comparison group has been expanded and includes growth Councils (Cockburn, Kwinana, Rockingham, Swan, Gosnells, and Wanneroo).

It further compares with Councils in the South West Group (Cockburn, Melville, Fremantle, Kwinana, and Rockingham – this is the normal comparison group for Cockburn). As the motion requested, Joondalup and Stirling have been added to the broader group below.

A further comparison has been provided in the table below of operating surpluses or deficits (that is total operating revenue less total operating expenditure).



This is an important metric as it allows for cash backing depreciation which funds capital expenditure on assets.

As noted below Cockburn compares favourably with the other local governments in the group as follows:

Ratio	Ranking in 13 LGA Group	Ranking in Motion Group
Payroll to Rates	2	2
Payroll to Total Revenue	5	3
Payroll to Total Expenditure	7	3
Operating Surplus or (Deficit)	2	1

Table 1 – Cockburn’s rankings on a range of ratios

Table 2 below contains a detailed Council by Council analysis to support Table 1.

A detailed Council by Council report for the seven years is attached to this report.

Council	Payroll to Rates %	Rank	Payroll to Total Revenue %	Rank	Payroll to Total Expenditure %	Rank	Operating Surplus or (Deficit)	Rank
Cockburn	56.86%	2	40.07%	5	40.85%	7	\$3,028,491	2
Melville	57.30%	3	44.12%	9	43.95%	9	-\$453,929	3
Fremantle	78.51%	13	50.99%	13	47.71%	13	-\$5,352,069	5
Kwinana	65.38%	7	43.59%	7	37.26%	5	-\$10,862,952	10
Rockingham	67.64%	9	41.07%	6	33.50%	1	-\$35,278,288	13
Canning	77.93%	11	46.51%	11	45.54%	11	-\$2,649,459	4
Armadale	58.90%	4	37.87%	2	35.20%	3	-\$8,724,000	7
Perth	78.27%	12	39.51%	4	37.79%	6	-\$8,912,386	8
Swan	63.30%	5	44.87%	10	47.54%	12	\$10,901,550	1
Joondalup	65.72%	8	43.98%	8	41.01%	8	-\$10,903,866	12
Gosnells	71.59%	10	48.85%	12	44.41%	10	-\$10,544,552	9
Stirling	64.37%	6	37.75%	1	35.40%	2	-\$16,377,397	11
Wanneroo	54.60%	1	38.07%	3	36.64%	4	-\$7,886,833	6
Average	64.91%		41.96%		39.80%		-\$8,001,207	

Table 2 – Comparison Payroll to Rates, Total Revenue & Total Expenditure and Operating Surplus or Deficit for Growth Councils and South West Growth Councils

As can be seen, Cockburn compares favourably with all other Local Governments.



In Table 3, a comparison of Council's spending on items classified under Materials and Contracts in comparison with other local governments.

Council	Material & Contracts Expenditure (MC)	% MC to Total Expenditure
Cockburn	\$38,067,853	24.3%
Melville	\$33,324,216	27.9%
Fremantle	\$27,799,573	33.4%
Kwinana	\$26,127,651	34.9%
Rockingham	\$52,218,384	27.3%
Canning	\$37,696,972	29.8%
Armadale	\$46,401,900	37.5%
Perth	\$57,882,406	28.4%
Swan	\$38,111,890	20.8%
Joondalup	\$55,194,834	34.2%
Gosnells	\$30,941,005	26.7%
Stirling	\$98,166,960	37.3%
Wanneroo	\$73,738,173	35.0%
Average % of the 13 Councils		30.6%

Table 3 – Comparison of material and contracts expenditure to Total Expenditure

As noted in Table 3, Cockburn has a low ratio of expenditure for materials and contracts as a total of operating expenditure.

One reason for this is that Cockburn does not outsource large service delivery functions such as the Cockburn ARC.

Council deliberately resolved to keep the management and operations of the largest service internal rather than outsource.

Other Councils have chosen to outsource.

The final part of the Part 1 was to compare populations of the six named Councils. Table 4 below lists current population and the growth of each Council in population terms over the period 2015/16 to 2021/22 (as forecast).

Cockburn is growing at the same speed as Wanneroo and Gosnells, with Stirling and Joondalup having low population growth.



This statistic is important in that growth adds pressure to current services and assets.

Council	Population	Growth %
Cockburn	121,326	12.03%
Joondalup	163,567	1.60%
Melville	110,657	8.08%
Wanneroo	219,788	12.84%
Gosnells	138,147	13.12%
Stirling	225,000	2.20%

Table 4 – Population growth of Local Governments 2015-16 to 2021-22

As part of the motion, there was a request to review total costs to population.

In Table 5 below, the data has been reviewed using a metric of comparing total revenue to total Payroll & Material and Contracts as a percentage.

It is noted that Cockburn had higher revenues than other councils in the Motion Group it also had higher costs, all on a per capita basis.

However, when compared with other councils, the City had the lowest percentage spend on payroll and materials & contracts.

Council	Population	Total Rev per Capita	Payroll & Materials & Contracts (M&C) per Capita	% of Total Revenue to Pay & M&C
Cockburn	121,326	\$1,318	\$1,293	64%
Melville	110,657	\$1,077	\$1,081	72%
Joondalup	163,567	\$920	\$987	81%
Gosnells	138,147	\$763	\$839	78%
Stirling	225,000	\$1,096	\$1,169	78%
Wanneroo	219,788	\$921	\$957	74%

Table 5 – Total revenue to payroll and materials & contracts on a per capita basis

Motion – Recommendation 2

The second part of the motion is to look at “Employee costs versus materials and contracts costs”.

Table six below aggregates Payroll and Material and Contracts and then compares it as a percentage of the total operating revenue (revenue) for each local government.

It is clear some Councils insource service delivery and others outsource, yet the majority of the Councils in the comparison table provide similar or same services to its residents and ratepayers.



The combination of the two expenditure functions provides a truer comparison when compared with the operating revenue used to fund the services (not just rates).

As noted in Table 6, Cockburn is the highest-ranking service when payroll and materials and contracts are aggregated.

Council	Revenue	Payroll	Materials & Contracts (M&C)	Total Payroll & M&C	% of Revenue	Rank
Cockburn	\$159,958,986	\$64,100,946	\$38,067,853	\$102,168,799	63.9%	1
Melville	\$119,190,268	\$52,587,207	\$33,324,216	\$85,911,423	72.1%	4
Fremantle	\$77,761,075	\$39,649,332	\$27,799,573	\$67,448,905	86.7%	12
Kwinana	\$63,985,739	\$27,892,254	\$26,127,651	\$54,019,905	84.4%	11
Rockingham	\$156,167,706	\$64,133,992	\$52,218,384	\$116,352,376	74.5%	5
Canning	\$123,936,334	\$57,646,788	\$37,696,972	\$95,343,760	76.9%	6
Armadale	\$114,879,500	\$43,509,300	\$46,401,900	\$89,911,200	78.3%	9
Perth	\$194,765,672	\$76,960,603	\$57,882,406	\$134,843,009	69.2%	3
Swan	\$193,724,440	\$86,917,370	\$38,111,890	\$125,029,260	64.5%	2
Joondalup	\$150,487,601	\$66,183,322	\$55,194,834	\$121,378,156	80.7%	10
Gosnells	\$105,382,656	\$51,483,433	\$30,941,005	\$82,424,438	78.2%	8
Stirling	\$246,565,378	\$93,077,383	\$98,166,960	\$191,244,343	77.6%	7
Wanneroo	\$202,511,857	\$77,092,475	\$73,738,173	\$150,830,648	74.5%	5
Average % of the 13 Councils					74.2%	

Table 6 – Comparison of payroll and materials & contracts to revenue

Motion – Recommendation 3

The budget for 2022-2023 is currently being prepared by the City for Council's consideration. At this stage in the preparation cycle, the budget has not been completed.

Motion – Recommendation 4

The City is constantly looking at continuous improvements for efficient delivery of services as a means for keeping rates low.

In summary, Cockburn compares favourably with other local governments in the Growth Council group, South West Group and Other Groups.

It is noted the simplistic metrics around employee numbers or costs fail to understand contemporary business practice and management techniques, especially in light of the need of an organisation to focus on its operating costs which are a function of total expenditure as opposed to employee costs.



A simplistic approach as proposed by the motions would potentially see the City outsource functions such as the ARC and Henderson Waste Recovery Park and Waste Collection Services for example and pay a higher overall cost – all just to achieve an employee metric target.

Notwithstanding these considerations, the evidence provided in this report clearly demonstrates that the City of Cockburn compares extremely favourably to the suggested benchmark local governments.

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

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

This is an information only report in response to a Motion passed at the Annual Electors Meeting. As such there is no risk to the Council with the provision of the information.

Advice to Proponent(s)/Submitters

The mover of the Motion at the Annual General Meeting of Electors has been informed that the matter is to be considered at the 10 March 2022 Ordinary Council Meeting

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

Nil



Seven Year Analysis of Key Metrics for Cockburn, Joondalup, Melville, Gosnells, Stirling and Wanneroo Local Governments													
Joondalup	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$91,535,076	\$141,326,902	\$150,098,482	\$59,888,303	65.43%	42.38%	39.90%	-\$8,771,580	\$52,959,486	35.3%	160,995		
2016/17	\$94,774,221	\$144,243,548	\$155,586,915	\$63,641,713	67.15%	44.12%	40.90%	-\$11,343,367	\$53,713,531	34.5%	161,056	0.04%	
2017/18	\$96,952,818	\$147,669,245	\$154,351,875	\$64,934,762	66.98%	43.97%	42.07%	-\$6,682,630	\$51,846,987	33.6%	161,176	0.07%	
2018/19	\$100,296,743	\$150,523,945	\$156,589,076	\$65,529,623	65.34%	43.53%	41.85%	-\$6,065,131	\$52,554,318	33.6%	161,369	0.12%	
2019/20	\$103,410,513	\$157,395,498	\$157,054,672	\$65,187,584	63.04%	41.42%	41.51%	\$340,826	\$51,053,002	32.5%	162,111	0.46%	
2020/21	\$98,783,930	\$147,411,157	\$156,430,719	\$64,094,975	64.88%	43.48%	40.97%	-\$9,019,562	\$52,096,994	33.3%	162,737	0.39%	
2021/22	\$100,702,304	\$150,487,601	\$161,391,467	\$66,183,322	65.72%	43.98%	41.01%	-\$10,903,866	\$55,194,834	34.2%	163,567	0.51%	
7 Year Avg for % only	\$686,455,605	\$1,039,057,896	\$1,091,503,206	\$449,460,282	65.48%	43.26%	41.18%	-\$52,445,310	\$369,419,152	33.8%			
Cockburn	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$89,031,017	\$130,550,933	\$124,073,032	\$47,543,019	53.40%	36.42%	38.32%	\$6,477,901	\$36,109,194	29.1%	108,302		
2016/17	\$96,000,000	\$135,916,850	\$130,744,453	\$48,872,391	50.91%	35.96%	37.38%	\$5,172,397	\$41,369,671	31.6%	110,110	1.67%	
2017/18	\$99,981,449	\$144,292,534	\$139,311,564	\$53,776,279	53.79%	37.27%	38.60%	\$4,980,970	\$38,835,827	27.9%	112,124	1.83%	
2018/19	\$103,700,000	\$151,616,611	\$148,010,366	\$56,695,329	54.67%	37.39%	38.30%	\$3,606,245	\$42,259,122	28.6%	114,389	2.02%	
2019/20	\$108,321,259	\$152,036,510	\$151,538,617	\$61,163,841	56.47%	40.23%	40.36%	\$497,893	\$36,983,985	24.4%	117,352	2.59%	
2020/21	\$112,725,000	\$159,958,986	\$156,930,495	\$64,100,946	56.86%	40.07%	40.85%	\$3,028,491	\$38,067,853	24.3%	119,149	1.53%	
2021/22	\$112,725,000	\$159,958,986	\$156,930,495	\$64,100,946	56.86%	40.07%	40.85%	\$3,028,491	\$55,194,834	35.2%	121,326	1.83%	
7 Year Avg for % only	\$722,483,725	\$1,034,331,410	\$1,007,539,022	\$396,252,751	54.85%	38.31%	39.33%	\$26,792,388	\$288,820,486	28.7%			
Gosnells	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$60,101,039	\$92,272,665	\$99,734,686	\$40,407,465	67.23%	43.79%	40.51%	-\$7,462,021	\$31,948,064	32.0%	122,128		
2016/17	\$63,223,000	\$96,952,305	\$108,597,175	\$42,871,004	67.81%	44.22%	39.48%	-\$11,644,870	\$33,464,067	30.8%	125,262	2.57%	
2017/18	\$65,337,000	\$100,250,596	\$111,945,433	\$45,110,726	69.04%	45.00%	40.30%	-\$11,694,837	\$33,422,389	29.9%	127,936	2.13%	
2018/19	\$67,354,639	\$104,468,220	\$115,110,365	\$46,909,692	69.65%	44.90%	40.75%	-\$10,642,145	\$36,336,841	31.6%	130,561	2.05%	
2019/20	\$69,224,277	\$106,186,161	\$114,729,989	\$48,143,035	69.55%	45.34%	41.96%	-\$8,543,828	\$34,899,170	30.4%	133,102	1.95%	
2020/21	\$69,401,187	\$105,148,566	\$117,224,626	\$50,008,675	72.06%	47.56%	42.66%	-\$12,076,060	\$32,876,252	28.0%	135,626	1.90%	
2021/22	\$71,912,528	\$105,382,656	\$115,927,208	\$51,483,433	71.59%	48.85%	44.41%	-\$10,544,552	\$30,941,005	26.7%	138,147	1.86%	
7 Year Avg for % only	\$466,553,670	\$710,661,169	\$783,269,482	\$324,934,030	69.65%	45.72%	41.48%	-\$72,608,313	\$233,887,788	29.9%			
Wanneroo	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$130,605,729	\$170,895,888	\$177,620,040	\$75,110,527	57.51%	43.95%	42.29%	-\$6,724,152	\$51,034,077	28.7%	194,778		
2016/17	\$142,127,655	\$183,666,062	\$181,964,226	\$71,299,429	50.17%	38.82%	39.18%	\$1,701,836	\$41,369,671	22.7%	199,074	2.21%	
2017/18	\$151,980,546	\$185,457,019	\$188,547,614	\$70,978,503	46.70%	38.27%	37.64%	-\$3,090,595	\$57,390,934	30.4%	203,104	2.02%	
2018/19	\$131,005,140	\$193,888,292	\$189,022,022	\$72,888,729	55.64%	37.59%	38.56%	\$4,866,270	\$60,390,801	31.9%	207,977	2.40%	
2019/20	\$135,581,907	\$202,572,686	\$201,618,476	\$76,825,787	56.66%	37.93%	38.10%	\$954,210	\$68,528,997	34.0%	212,733	2.29%	
2020/21	\$135,971,516	\$196,986,007	\$204,403,852	\$75,073,152	55.21%	38.11%	36.73%	-\$7,417,845	\$71,049,101	34.8%	216,162	1.61%	
2021/22	\$141,191,680	\$202,511,857	\$210,398,690	\$77,092,475	54.60%	38.07%	36.64%	-\$7,886,833	\$73,738,173	35.0%	219,788	1.68%	
7 Year Avg for % only	\$968,464,173	\$1,335,977,811	\$1,353,574,920	\$519,268,602	53.62%	38.87%	38.36%	-\$17,597,109	\$423,501,754	31.3%			
Melville	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$80,627,651	\$110,224,037	\$101,412,726	\$45,412,958	56.32%	41.20%	44.78%	\$8,811,311	\$29,959,002	29.5%	102,389		
2016/17	\$83,750,798	\$116,106,411	\$101,232,455	\$46,032,349	54.96%	39.65%	45.47%	\$14,873,956	\$28,955,970	28.6%	103,272	0.86%	
2017/18	\$85,374,568	\$115,325,395	\$99,895,144	\$47,032,387	55.09%	40.78%	47.08%	\$15,430,251	\$28,982,452	29.0%	104,327	1.02%	
2018/19	\$87,440,248	\$117,512,585	\$108,727,124	\$48,885,659	55.91%	41.60%	44.96%	\$8,785,461	\$30,587,111	28.1%	105,914	1.52%	
2019/20	\$89,200,956	\$121,396,679	\$114,996,551	\$48,869,405	54.79%	40.26%	42.50%	\$6,400,128	\$32,257,552	28.1%	107,654	1.64%	
2020/21	\$80,655,524	\$101,845,971	\$109,629,595	\$48,749,242	60.44%	47.87%	44.47%	-\$7,783,624	\$32,876,252	30.0%	109,198	1.43%	
2021/22	\$91,775,357	\$119,190,268	\$119,644,197	\$52,587,207	57.30%	44.12%	43.95%	-\$453,929	\$33,287,919	27.8%	110,657	1.34%	
7 Year Avg for % only	\$598,825,102	\$801,601,346	\$755,537,792	\$337,569,207	56.37%	42.11%	44.68%	\$46,063,554	\$216,906,258	28.7%			
Stirling	Rates	Total Op. Revenue	Total Op. Expenditure	Payroll	Payroll to Rates %	Payroll to Total Revenue %	Payroll to Total Expenditure %	Operating Surplus/(Deficit)	Mat & Con	% MC to T.Exp	Population	Growth %	
2015/16	\$125,573,735	\$219,801,937	\$207,186,161	\$98,689,713	78.59%	44.90%	47.63%	\$12,615,776	\$0	0.0%	220,152		
2016/17	\$127,888,219	\$220,573,841	\$210,573,365	\$99,832,703	78.06%	45.26%	47.41%	\$10,000,476	\$115,715,304	55.0%	220,073	-0.04%	
2017/18	\$134,576,223	\$223,652,562	\$219,006,577	\$79,088,895	58.77%	35.36%	36.11%	\$4,645,985	\$98,364,362	44.9%	219,842	-0.10%	
2018/19	\$137,374,048	\$229,037,997	\$236,119,240	\$79,243,579	57.68%	34.60%	33.56%	-\$7,081,243	\$93,738,960	39.7%	221,238	0.64%	
2019/20	\$140,728,413	\$229,887,189	\$237,812,603	\$82,985,223	58.97%	36.10%	34.90%	-\$7,925,414	\$99,920,940	42.0%	223,743	1.13%	
2020/21	\$137,605,072	\$223,222,876	\$244,968,356	\$84,460,448	61.38%	37.84%	34.48%	-\$21,745,480	\$99,920,940	40.8%	224,000	0.11%	
2021/22	\$144,596,849	\$246,565,378	\$262,942,775	\$93,077,383	64.37%	37.75%	35.40%	-\$16,377,397	\$98,166,960	37.3%	225,000	0.45%	
7 Year Avg for % only	\$948,342,559	\$1,592,741,780	\$1,618,609,077	\$617,377,944	65.10%	38.76%	38.14%	-\$25,867,297	\$605,827,466	37.4%			

14. Built and Natural Environment

Nil



15. Finance

15.1 (2022/MINUTE NO 0042) Payments Made from Municipal Fund and Local Procurement Summary - January 2022

Author S Downing

Attachments

1. Monthly Payments Report January 2022 [↓](#)
2. Corporate Credit Cards Expenditure Summary - December 2021 [↓](#)

RECOMMENDATION

That Council RECEIVES the list of payments made from the Municipal Fund during the month of January 2022, as attached to the Agenda.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

Council has delegated its power to make payments from the Municipal or Trust fund to the Chief Executive Officer and other sub-delegates under Delegated Authority 'Local Government Act 1995 - Payment from Municipal and Trust Funds'.

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid under this delegation to be prepared and presented to Council each month.

It should be noted that the City no longer holds any funds within the Trust fund, following legislative amendments requiring public open space (POS) cash in lieu contributions to now be held in Municipal reserves.

Submission

N/A

Report

A listing of payments made from the City's Municipal bank account totalling \$17.35 million is attached to the agenda for review.

This comprises:

- EFT payments (suppliers and sundry creditors) - \$14.09 million (674 payments).
- Payroll payments - \$3.18 million (2 fortnights).
- Corporate credit cards – total of \$72,808 (69 cards); and
- Bank and credit card merchant fees - \$5,922.



The City processes two payment runs each month to ensure its trade suppliers are paid on a timelier basis, particularly local and small businesses.

Also attached is a summary of credit card spending for the month of December, summarised by cardholder.

There were no transactions on the CEO’s credit card for the month.

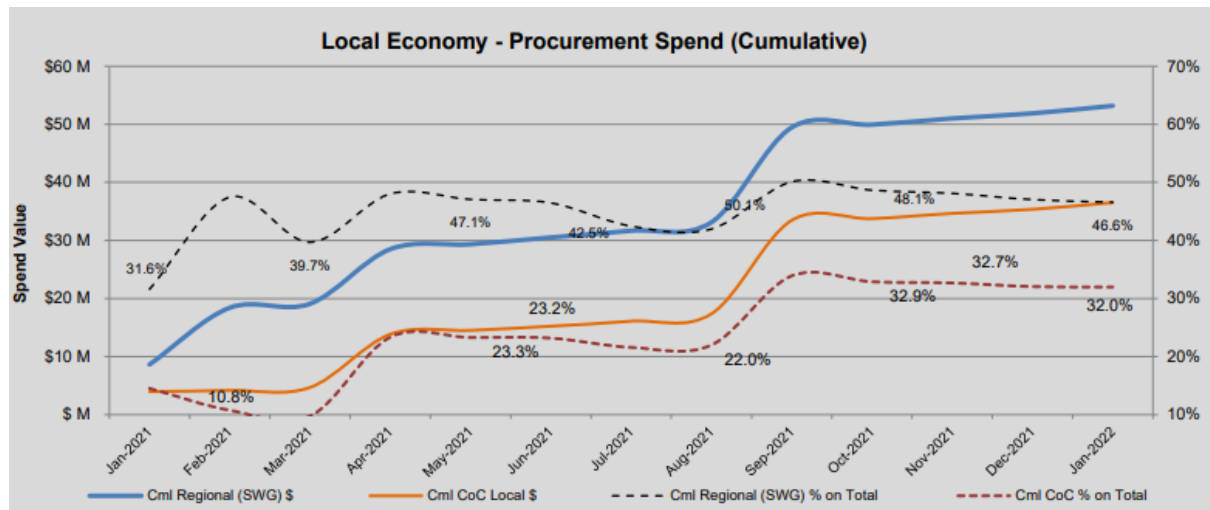
Local Procurement

Monthly statistics on local and regional procurements are summarised below, showing percentage of dollars committed (\$) and percentage of purchase orders (%):

Procurement Report - Monthly Summary & Trends				January	2022
Monthly Statistics	Committed spend	\$3,884,732	Local CoC \$ 29.8%	SWG \$ total	33.5%
	Orders raised	413	Local CoC % 33.0%	SWG % total	37.1%

The following one year rolling chart to January 2022 tracks the City’s procurement spend with businesses located within Cockburn and the South West Group (SWG) region.

The rolling 12 month cumulative regional spend was \$53.2 million, representing 46.6% of the City’s spend, with \$36.5 million or 32.0% within Cockburn:



These results track the City’s performance in achieving Council’s “local and regional economy” principle contained within its Procurement Policy (i.e. a buy local procurement preference).



Strategic Plans/Policy ImplicationsLocal Economy

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

- Thriving local commercial centres, local businesses and tourism industry.

Listening and Leading

A community focused, sustainable, accountable and progressive organisation

- Best practice Governance, partnerships and value for money
- High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

All payments made have been provided for within the City's Annual Budget, as adopted and amended by Council.

Legal Implications

This item ensures compliance with s6.10(d) of the *Local Government Act 1995* and Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996*.

Community Consultation

N/A

Risk Management Implications

Council is receiving the list of payments already made by the City under delegation in meeting its contractual obligations.

This is a statutory requirement and allows Council to review and clarify any payment that has been made.

Advice to Proponents/Submitters

N/A

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

Nil



January 2022 PAYMENT LISTING

MUNICIPAL FUND

PAYMENT No.	ACCOUNT No.	PAYEE	PAYMENT DESCRIPTION	DATE	VALUE \$
EF146290	99997	Chatterbox Public Speaking	Invoice 265 - Deputy Mayor Tom Widenbar	5/01/2022	2,200.00
EF146292	99997	In Home Care Payments	Ihc Payments We 02/01/22	6/01/2022	5,904.93
EF146293	99997	Family Day Care	Fdc Payments We 02/01/22	6/01/2022	40,122.89
EF146294	27492	Superchoice Services Pty Limited	Payroll Deductions	4/01/2022	626,764.83
EF146295	10152	Aust Services Union	Payroll Deductions	10/01/2022	964.20
EF146296	10154	Australian Taxation Office	Payroll Deductions	10/01/2022	518,906.00
EF146297	10305	Child Support Agency	Payroll Deductions	10/01/2022	1,311.25
EF146298	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	10/01/2022	61.50
EF146299	19726	Health Insurance Fund Of Wa	Payroll Deductions	10/01/2022	1,385.50
EF146300	27874	Smartsalary	Salary Packaging/Leasing Administration	10/01/2022	13,281.94
EF146301	28117	Leaseplan Australia Limited	Payroll Deductions - Leaseplan	10/01/2022	822.29
EF146302	10484	Department Of Mines, Industry Regulation And Safety	Building Services Levy	11/01/2022	49,031.58
EF146303	26987	Cti Risk Management	Security - Cash Collection	11/01/2022	2,292.28
EF146304	11741	Western Australian Treasury Corporation	Loan Repayments	1/01/2022	1,435,000.00
EF146308	99996	Maria Antonietta Pracilio	Rates And Property Related Refunds	14/01/2022	10.00
EF146309	99996	Michael Walker	Rates And Property Related Refunds	14/01/2022	51.66
EF146310	99996	Michael Doyle	Rates And Property Related Refunds	14/01/2022	50.00
EF146311	99996	Demi Chui-E Khong	Rates And Property Related Refunds	14/01/2022	50.00
EF146312	99996	Darren Speedie	Rates And Property Related Refunds	14/01/2022	75.00
EF146313	99996	Peter And Nicole Hatch	Rates And Property Related Refunds	14/01/2022	49.00
EF146314	99996	Perth Patio Magic	Rates And Property Related Refunds	14/01/2022	171.65
EF146315	99996	Robert Bewley	Rates And Property Related Refunds	14/01/2022	885.00
EF146316	99996	Aussie Patio Designs	Rates And Property Related Refunds	14/01/2022	147.00
EF146317	99996	Control Pilates & Fitness	Rates And Property Related Refunds	14/01/2022	110.00
EF146318	99996	Bryce & Ivy Brown	Rates And Property Related Refunds	14/01/2022	450.00
EF146319	99996	Michael Evara	Rates And Property Related Refunds	14/01/2022	795.47
EF146320	99996	Eamonn C Healy	Rates And Property Related Refunds	14/01/2022	800.00
EF146321	99996	I & T Cavallaro	Rates And Property Related Refunds	14/01/2022	462.45
EF146322	99996	Rent Choice Pty Ltd	Rates And Property Related Refunds	14/01/2022	1,822.99
EF146323	99996	Rent Choice Pty Ltd	Rates And Property Related Refunds	14/01/2022	1,758.38
EF146324	99996	Bradley G House	Rates And Property Related Refunds	14/01/2022	1,963.41
EF146325	99996	Kasp Holdings Pty Ltd	Rates And Property Related Refunds	14/01/2022	8,536.14
EF146326	99996	Matthew J Gardiner	Rates And Property Related Refunds	14/01/2022	490.10
EF146327	99996	Axia Corporate Property Trust Account No	Rates And Property Related Refunds	14/01/2022	882.00
EF146328	99996	Revenuewa	Rates And Property Related Refunds	14/01/2022	88.64
EF146329	99996	Beeliam Management Pty Ltd	Rates And Property Related Refunds	14/01/2022	3,975.00
EF146330	10091	Aslab Pty Ltd	Asphalting Services/Supplies	14/01/2022	2,442.66

EF146331	10097	Blackwoods Atkins	Engineering Supplies	14/01/2022	271.92
EF146332	10118	Australia Post	Postage Charges	14/01/2022	11,303.01
EF146333	10207	Boc Gases	Gas Supplies	14/01/2022	237.74
EF146334	10221	Bp Australia Pty Ltd	Diesel/Petrol Supplies	14/01/2022	27,432.19
EF146335	10226	Bridgestone Australia Ltd	Tyre Services	14/01/2022	5,071.07
EF146336	10239	Budget Rent A Car - Perth	Motor Vehicle Hire	14/01/2022	2,592.81
EF146337	10244	Building & Const Industry Training Fund	Levy Payment	14/01/2022	21,382.66
EF146338	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	14/01/2022	373.10
EF146339	10255	Cabcharge Australia Pty Ltd	Cabcharges	14/01/2022	424.99
EF146340	10279	Castrol Australia Pty Ltd	Grease/Lubricants	14/01/2022	2,518.70
EF146341	10333	Cjd Equipment Pty Ltd	Hardware Supplies	14/01/2022	5,192.04
EF146342	10359	Cockburn Painting Service	Painting Supplies/Services	14/01/2022	6,985.00
EF146343	10368	Cockburn Wetlands Education Centre	Community Grant	14/01/2022	129.50
EF146344	10375	Veolia Environmental Services	Waste Services	14/01/2022	11,518.75
EF146345	10483	Landgate	Mapping/Land Title Searches	14/01/2022	8,450.53
EF146346	10526	E & Mj Rosher Pty Ltd	Mower Equipment	14/01/2022	2,252.23
EF146347	10528	Easifleet	Vehicle Lease	14/01/2022	507.16
EF146348	10535	Workpower Incorporated	Employment Services - Planting	14/01/2022	1,141.80
EF146349	10589	Fines Enforcement Registry	Fines Enforcement Fees	14/01/2022	3,736.50
EF146350	10597	Flexi Staff Pty Ltd	Employment Services	14/01/2022	15,970.03
EF146351	10611	Forpark Australia	Playground Equipment	14/01/2022	36,726.80
EF146352	10679	Grasstrees Australia	Plants & Planting Services	14/01/2022	902.00
EF146353	10683	Gronbek Security	Locksmith Services	14/01/2022	53,103.54
EF146354	10708	Heavy Automatics Pty Ltd	Equipment Maintenance Services	14/01/2022	6,018.73
EF146355	10768	Institute Of Public Works Engeering Aust - Wa Inc	Membership Fees	14/01/2022	990.00
EF146356	10879	Les Mills Aerobics	Instruction/Training Services	14/01/2022	1,536.48
EF146357	10888	Lj Caterers	Catering Services	14/01/2022	231.00
EF146358	10903	Lovegrove Turf Services Pty Ltd	Turf Maintenance Services	14/01/2022	19,932.00
EF146359	10912	M2 On Hold	Messaging Services	14/01/2022	396.00
EF146360	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	14/01/2022	425.01
EF146361	10938	Mrp Pest Management	Pest & Weed Management	14/01/2022	139.70
EF146362	10944	Mcleods	Legal Services	14/01/2022	4,661.50
EF146363	10968	Miniquip	Hiring Services	14/01/2022	9,625.00
EF146364	10991	Beacon Equipment	Mowing Equipment	14/01/2022	3,353.70
EF146365	11036	Northlake Electrical Pty Ltd	Electrical Services	14/01/2022	67,710.79
EF146366	11182	Premium Brake & Clutch Services Pty Ltd	Brake Services	14/01/2022	2,651.00
EF146367	11247	Richgro Wa	Gardening Supplies	14/01/2022	236.28
EF146368	11248	Ricoh Australia	Office Equipment	14/01/2022	16.45
EF146369	11307	Satellite Security Services Pty Ltd	Security Services	14/01/2022	282.70
EF146370	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	14/01/2022	236.00
EF146371	11334	Shenton Pumps	Pool Equipment/Services	14/01/2022	16,773.11
EF146372	11469	Sports Turf Technology Pty Ltd	Turf Consultancy Services	14/01/2022	495.00
EF146373	11511	Statewide Bearings	Bearing Supplies	14/01/2022	156.86

EF146374	11625	Nutrien Water	Reticulation Supplies	14/01/2022	4,886.42
EF146375	11701	Vibra Industrial Filtration Australasia	Filter Supplies	14/01/2022	118.80
EF146376	11722	Wa Hino Sales & Service	Purchase Of New Trucks / Maintenance	14/01/2022	770.82
EF146377	11787	Department Of Transport	Vehicle Search Fees	14/01/2022	139.20
EF146378	11789	Walga	Advertising/Training Services	14/01/2022	3,634.50
EF146379	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	14/01/2022	6,005.51
EF146380	11806	Westrac Pty Ltd	Repairs/Mtnce - Earthmoving Equipment	14/01/2022	5,381.91
EF146381	11854	Zipform Pty Ltd	Printing Services	14/01/2022	2,450.79
EF146382	12127	Able Westchem	Chemical/Cleaning Supplies	14/01/2022	180.15
EF146383	12153	Hays Personnel Services Pty Ltd	Employment Services	14/01/2022	10,667.37
EF146384	12207	Civica Pty Ltd	Software Support/Licence Fees	14/01/2022	2,105.84
EF146385	12565	Southern Metro Regional Council - Loans	Loan Repayment	14/01/2022	11,175.08
EF146386	12796	Isentia Pty Ltd	Media Monitoring Services	14/01/2022	1,496.00
EF146387	13102	Michael Page International (Australia) Pty Ltd	Employment Services	14/01/2022	2,232.11
EF146388	13558	Engineering Technology Consultants	Consultants Services	14/01/2022	5,820.10
EF146389	13834	Sulo Mgb Australia Pty Ltd	Mobile Garbage Bins	14/01/2022	85,011.26
EF146390	14598	Alf Rebola The Good Guys	Electrical Goods	14/01/2022	499.00
EF146391	15271	Ple Computers Pty Ltd	Computer Hardware	14/01/2022	149.92
EF146392	15850	Ecoscape Australia Pty Ltd	Environmental Consultancy	14/01/2022	5,956.50
EF146393	15868	Cardno (Wa) Pty Ltd	Consultancy Services - Engineering	14/01/2022	12,414.60
EF146394	16107	Wren Oil	Waste Disposal Services	14/01/2022	33.00
EF146395	16396	Mayday Services	Road Construction Machine Hire	14/01/2022	10,450.00
EF146396	16653	Complete Portables Pty Ltd	Supply & Hire Of Modular Buildings	14/01/2022	458.07
EF146397	16985	Wa Premix	Concrete Supplies	14/01/2022	1,089.44
EF146398	17471	Pirtek (Fremantle) Pty Ltd	Hoses & Fittings	14/01/2022	1,625.12
EF146399	17608	Nu-Trac Rural Contracting	Beach Cleaning/Firebreak Construction	14/01/2022	9,835.38
EF146400	17790	Cpa Australia Ltd	Conferences & Seminars	14/01/2022	372.50
EF146401	18126	Dell Australia Pty Ltd	Computer Hardware	14/01/2022	5,929.00
EF146402	18272	Austraclear Limited	Investment Services	14/01/2022	81.94
EF146403	18621	Planning Institute Australia	Registration	14/01/2022	330.00
EF146404	18801	Fremantle Bin Hire	Bin Hire - Skip Bins	14/01/2022	420.00
EF146405	18962	Sealanes (1985) P/L	Catering Supplies	14/01/2022	2,381.09
EF146406	19533	Woolworths Ltd	Groceries	14/01/2022	946.29
EF146407	19856	Western Tree Recyclers	Shredding Services	14/01/2022	36,930.63
EF146408	20321	Riverjet Pty Ltd	Educting-Cleaning Services	14/01/2022	18,249.00
EF146409	21139	Austraffic Wa Pty Ltd	Traffic Surveys	14/01/2022	5,940.00
EF146410	21294	Cat Haven	Animal Services	14/01/2022	1,265.00
EF146411	21371	Ld Total Sanpoint Pty Ltd	Landscaping Works/Services	14/01/2022	24,597.16
EF146412	21627	Manheim Pty Ltd	Impounded Vehicles	14/01/2022	583.00
EF146413	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	14/01/2022	72.57
EF146414	21782	Westcoast Timber Flooring	Flooring Supplies	14/01/2022	21,780.00
EF146415	21798	The Civil Group	Consultancy - Engineering	14/01/2022	3,049.20
EF146416	21946	Ryan's Quality Meats	Meat Supplies	14/01/2022	2,042.09

EF146417	22553	Brownes Food Operations	Catering Supplies	14/01/2022	207.55
EF146418	22624	Aussie Earthworks Pty Ltd	Earthworks	14/01/2022	33,860.31
EF146419	22658	South East Regional Centre For Urban Landcare Inc (Sercul)	Urban Landcare Services	14/01/2022	523.81
EF146420	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	14/01/2022	59,329.48
EF146421	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	14/01/2022	83,697.69
EF146422	22913	Opal Australian Paper	Envelopes	14/01/2022	217.97
EF146423	23457	Totally Workwear Fremantle	Clothing - Uniforms	14/01/2022	1,198.11
EF146424	23579	Daimler Trucks Perth	Purchase Of New Truck	14/01/2022	1,315.03
EF146425	24945	Bridge 42 Pty Ltd	Project Management Services	14/01/2022	10,976.16
EF146426	25121	Imagesource Digital Solutions	Billboards	14/01/2022	13,348.50
EF146427	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	14/01/2022	33,278.05
EF146428	25264	Acurix Networks Pty Ltd	Wifi Access Service	14/01/2022	6,360.20
EF146429	25415	Jandakot Stock & Pet Supplies	Pet Supplies	14/01/2022	274.75
EF146430	25418	Cs Legal	Legal Services	14/01/2022	17,577.87
EF146431	25586	Envirovap Pty Ltd	Hire Of Leachate Units	14/01/2022	50,187.50
EF146432	25733	Miracle Recreation Equipment	Playground Installation / Repairs	14/01/2022	70,054.05
EF146433	25736	Blue Tang (Wa) Pty Ltd T/As Emerge Associates (The Trustee For The Reef Unit Trust) Emerge Associates	Consultancy Services	14/01/2022	8,442.50
EF146434	25822	Fit2work Com.Au Mercury Search And Selection Pty Ltd	Employee Check	14/01/2022	38.39
EF146435	25940	Leaf Bean Machine	Coffee Bean Supply	14/01/2022	440.00
EF146436	26067	Sprayking Wa Pty Ltd	Chemical Weed Control Services	14/01/2022	15,081.00
EF146437	26114	Grace Records Management	Records Management Services	14/01/2022	1,226.99
EF146438	26195	Play Check	Consulting Services	14/01/2022	1,237.50
EF146439	26211	Amcom Pty Ltd	Internet/Data Services	14/01/2022	14,284.26
EF146440	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	14/01/2022	23,574.05
EF146441	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	14/01/2022	207,098.09
EF146442	26314	Cpe Group	Temporary Employment Services	14/01/2022	7,989.34
EF146443	26403	Ches Power Group Pty Ltd	Engineering Solutions / Back Up Generato	14/01/2022	687.30
EF146444	26462	Solarwinds Software Europe Limited	Oracle Licenses	14/01/2022	3,075.00
EF146445	26470	Scp Conservation	Fencing Services	14/01/2022	33,437.80
EF146446	26567	The Hangout Indoor Climbing Centre	Rock Climbing	14/01/2022	245.00
EF146447	26597	West Coast Shade Pty Ltd	Shade Structures	14/01/2022	66,748.00
EF146448	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	14/01/2022	63,468.46
EF146449	26610	Tracc Civil Pty Ltd	Civil Construction	14/01/2022	1,129,974.66
EF146450	26614	Marketforce Pty Ltd	Advertising	14/01/2022	6,342.91
EF146451	26732	Amare Safety	Clothing Uniforms	14/01/2022	1,558.78
EF146452	26735	Shane McMaster Surveys	Survey Services	14/01/2022	5,115.00
EF146453	26736	Ghems Holdings Pty Ltd	Vegetation	14/01/2022	8,925.00
EF146454	26739	Kerb Doctor	Kerb Maintenance	14/01/2022	16,440.88
EF146455	26773	Laser Corps Combat Adventruers	Entry Fees	14/01/2022	1,054.00
EF146456	26778	Robert Walters	Recruitment Services	14/01/2022	4,243.75
EF146457	26791	Monsterball Amusement & Hire	Amusement Hire	14/01/2022	990.00
EF146458	26812	Brooks Choice Removals	Removalists	14/01/2022	286.00

EF146459	26818	Perth's Outback Splash	Amusement	14/01/2022	878.00
EF146460	26846	Visibility Limited	Disabilibility Services	14/01/2022	940.50
EF146461	26909	West Coast Profilers Pty Ltd	Road Planing Cold Services	14/01/2022	11,330.24
EF146462	26923	Woodlands	Rubbish Collection Equipment	14/01/2022	9,308.18
EF146463	26929	Elan Energy Matrix Pty Ltd	Recycling Services	14/01/2022	580.01
EF146464	26938	Majestic Plumbing	Plumbing Services	14/01/2022	220.00
EF146465	26946	Av Truck Services Pty Ltd	Truck Dealership	14/01/2022	4,841.55
EF146466	26952	Focus Promotions	Promotion - Entertainment	14/01/2022	6,490.00
EF146467	26987	Cti Risk Management	Security - Cash Collection	14/01/2022	1,009.80
EF146468	26988	Bladon Wa Pty Ltd	Promotional Products	14/01/2022	2,744.50
EF146469	27002	Cockburn Party Hire	Hire Services	14/01/2022	1,180.00
EF146470	27006	Bibra Lake Iga Xpress	Liquor Supplies	14/01/2022	3,849.87
EF146471	27010	Quantum Building Services Pty Ltd	Building Maintenance	14/01/2022	5,932.87
EF146472	27015	Intelli Trac	Gps Tracking	14/01/2022	4,983.00
EF146473	27028	Technogym Australia Pty Ltd	Fitness Equipment	14/01/2022	3,795.00
EF146474	27031	Downer Edi Works Pty Ltd	Asphalt Services	14/01/2022	75.35
EF146475	27032	Wtp Australia Pty Ltd	Quantity Surveyors	14/01/2022	6,061.00
EF146476	27044	Graffiti Systems Australia	Graffiti Removal & Anti-Graffiti Coating	14/01/2022	970.26
EF146477	27046	Tfh Hire Services Pty Ltd	Hire Fencing	14/01/2022	2,993.37
EF146478	27054	Vocus Pty Ltd	Telecommunications	14/01/2022	2,323.20
EF146479	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	14/01/2022	217.36
EF146480	27065	Westbooks	Books	14/01/2022	1,795.12
EF146481	27069	Hart Sport	Sports Equipment	14/01/2022	302.00
EF146482	27130	Adline Media Pty Ltd	Digital Marketing & Software Service Pro	14/01/2022	709.82
EF146483	27131	West Coast Commercial Industries	Lockers	14/01/2022	300.00
EF146484	27143	Embroidme Success	Embroidery Services	14/01/2022	193.60
EF146485	27154	Suez Recycling & Recovery Pty Ltd	Waste Services	14/01/2022	39,310.56
EF146486	27168	Nightlife Music Pty Ltd	Music Management	14/01/2022	465.53
EF146487	27189	Healthstrong Pty Ltd	Home Care	14/01/2022	440.00
EF146488	27211	Chris Melsom	Urban Planning And Design	14/01/2022	1,048.00
EF146489	27237	Lobel Events	Event Lighting	14/01/2022	1,863.68
EF146490	27241	Landscape Elements	Landscaping Services	14/01/2022	45,517.79
EF146491	27246	Veale Auto Parts	Spare Parts Mechanical	14/01/2022	309.20
EF146492	27269	Integrpay Pty Ltd	Payment Processing	14/01/2022	12,338.92
EF146493	27275	Hospitality Total Services	Hospitality Consultants	14/01/2022	2,486.00
EF146494	27334	Westcare Print	Printing Services	14/01/2022	126.50
EF146495	27377	Accidental Health And Safety - Perth	First Aid Supplies	14/01/2022	306.22
EF146496	27379	Esri Australia Pty Ltd	Gis Software	14/01/2022	4,429.70
EF146497	27401	Emprise Mobility	Mobility Equipment	14/01/2022	1,883.00
EF146498	27405	Combat Clothing Australia P/L	Clothing - Protective	14/01/2022	4,978.00
EF146499	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	14/01/2022	3,078.35
EF146500	27427	Home Chef	Cooking/Food Services	14/01/2022	1,086.18
EF146501	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	14/01/2022	511.50

EF146502	27451	Safeway Building & Renovations Pty Ltd	Roofing	14/01/2022	5,082.00
EF146503	27455	Site Protective Services	Cctv Parts	14/01/2022	3,888.53
EF146504	27456	Securepay Pty Ltd	Payment Solutions	14/01/2022	94.88
EF146505	27499	Hodge Collard Preston Architects	Architects	14/01/2022	19,219.53
EF146506	27507	Facilities First Australia Pty Ltd	Cleaning Services	14/01/2022	55,358.57
EF146507	27512	Agent Sales & Services Pty Ltd	Pool Chemicals	14/01/2022	5,827.80
EF146508	27518	Kyocera Document Solutions Australia Pty Ltd	Photocopying Machines	14/01/2022	3,151.94
EF146509	27523	Robert Lawrence Toohey	High Pressure Cleaning	14/01/2022	2,508.00
EF146510	27534	Ralph Beattie Bosworth	Quantity Survey	14/01/2022	1,650.00
EF146511	27539	Jasmin Carpentry & Maintenance	Carpentry	14/01/2022	1,587.30
EF146512	27548	Standing Fork	Catering	14/01/2022	1,029.60
EF146513	27567	Chorus Australia Limited	Health Care Services	14/01/2022	2,069.10
EF146514	27569	Select Music	Entertainment Agency	14/01/2022	8,937.50
EF146515	27575	Shred X Secure Destruction	Document Destruction	14/01/2022	50.60
EF146516	27581	Bng Ngo Services Online	Computer Software	14/01/2022	1,871.10
EF146517	27587	New Ground Water Services Pty Ltd	Irrigation/Reticulation	14/01/2022	880.55
EF146518	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	14/01/2022	600.00
EF146519	27622	Truegrade Medical Supplies	Medical Supplies	14/01/2022	5,509.96
EF146520	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	14/01/2022	6,586.80
EF146521	27635	Threat Protect	Security	14/01/2022	198.00
EF146522	27641	Office Of The Auditor General	Auditor General	14/01/2022	83,270.00
EF146523	27650	Datacom Systems (Au) Pty Ltd	It Sales, Consulting & Service	14/01/2022	3,225.94
EF146524	27657	Positive Balance Massage	Massage Therapy	14/01/2022	300.00
EF146525	27676	Blue Force Pty Ltd	Security Services	14/01/2022	20.00
EF146526	27695	Qtm Pty Ltd	Traffic Management	14/01/2022	26,144.05
EF146527	27701	Perth Better Homes	Shade Sails	14/01/2022	4,048.00
EF146528	27712	Perth Playground And Rubber Pty Ltd	Playground Softfall/Equipment	14/01/2022	14,553.00
EF146529	27726	Jdsi Consulting Engineers	Consultancy - Engineering	14/01/2022	20,790.00
EF146530	27749	Advisian	Consulting - Enginnering	14/01/2022	6,555.56
EF146531	27767	Altus Group Consulting Pty Ltd	Surveying Services	14/01/2022	2,200.00
EF146532	27779	Sports Circuit Linemarking	Linemarking	14/01/2022	143.00
EF146533	27812	Oceanis International Pty Ltd	Consultancy - Aquatic	14/01/2022	42,790.00
EF146534	27827	Abc Containers	Sea Containers	14/01/2022	238.70
EF146535	27842	Light House Laundry	Laundering	14/01/2022	386.88
EF146536	27850	Dowsing Group Pty Ltd	Concreting Services	14/01/2022	35,014.77
EF146537	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	14/01/2022	47,894.00
EF146538	27865	Pritchard Francis Consulting Pty Ltd	Engineering Services	14/01/2022	8,360.00
EF146539	27882	Eco Action	Environmental Workshops	14/01/2022	50.00
EF146540	27885	Stevens Mcgann Willcock And Copping Pty Ltd	Consultancy - Mechanical Engineering	14/01/2022	5,500.00
EF146541	27894	Homecare Physiotherapy	Healthcare	14/01/2022	9,620.05
EF146542	27917	Go Doors Advanced Automation	Door Maintenance & Repair	14/01/2022	1,244.38
EF146543	27953	Truckline	Spare Parts, Truck/Trailer	14/01/2022	67.43
EF146544	27965	Stantec Australia Pty Ltd	Engineering Services	14/01/2022	4,237.20

EF146545	27986	Daily Living Products	Mobility Equip	14/01/2022	273.00
EF146546	28002	Little Aussie Directories	Advertising	14/01/2022	907.50
EF146547	28009	Classic Hire	Equipment Hire	14/01/2022	638.00
EF146548	28013	Rps Aap Consulting Pty Ltd	Project Management	14/01/2022	4,963.20
EF146549	28015	Imprint Plastic	Badges	14/01/2022	340.45
EF146550	28022	Grafton General Products	Home Safety Modifications	14/01/2022	3,036.79
EF146551	28034	Visual Workwear	Ppe	14/01/2022	131.54
EF146552	28037	Lance Chadd	Artwork	14/01/2022	5,500.00
EF146553	28048	Harvey Norman Av/It O'connor	Household Retail	14/01/2022	198.95
EF146554	28049	Copy Magic	Printing Services	14/01/2022	308.00
EF146555	28058	Sage Consulting Engineers Pty Ltd	Consultancy - Engineering	14/01/2022	15,449.50
EF146556	28097	Bubble Soccer Perth	Amusement Services	14/01/2022	800.00
EF146557	28130	Geoffrey London Architectural Consultant	Architectural Consultant	14/01/2022	840.00
EF146558	28168	Sifting Sands	Sand Cleaning	14/01/2022	1,623.27
EF146559	28174	Central West Refrigeration Pty Ltd	Refrigeration	14/01/2022	506.00
EF146560	28181	Seaview Rentals	Aquarium Servicing	14/01/2022	75.80
EF146561	28184	Spearwood Veterinary Hospital	Veterinary Hospital	14/01/2022	180.00
EF146562	28191	Enviro Sweep	Sweeping Services	14/01/2022	5,779.14
EF146563	28193	Deep Recognition Holdings Limited	Cctv Software	14/01/2022	13,200.00
EF146564	28196	Brightmark Group Pty Ltd	Cleaning Services	14/01/2022	3,374.20
EF146565	28197	Lite N Easy Pty Ltd	Food Supplies	14/01/2022	417.49
EF146566	28202	Carers Plus Australia Pty Ltd	Employment Services	14/01/2022	3,395.88
EF146567	28215	Complete Office Supplies Pty Ltd	Stationery	14/01/2022	2,200.25
EF146568	28218	Laminar Capital Pty Ltd	Financial Services	14/01/2022	1,463.00
EF146569	28227	Profounder Turfmaster Pty Ltd	Turf Services	14/01/2022	74,990.30
EF146570	28230	Cgm Communications Pty Ltd	Public Relations	14/01/2022	2,464.00
EF146571	28231	Typeset Pty Ltd	Editorial And Business Communications Se	14/01/2022	7,700.00
EF146572	28235	Otium Planning Group Pty Ltd	Management Consulting	14/01/2022	17,129.20
EF146573	28241	Swift Flow Pty Ltd	Plumbing	14/01/2022	8,811.14
EF146574	28253	Barry Emerald	Artist	14/01/2022	5,000.00
EF146575	28264	Garden Organics	Organics Processing	14/01/2022	9,071.92
EF146576	11794	Synergy	Electricity Usage/Supplies	14/01/2022	369,676.10
EF146577	12025	Telstra Corporation	Communications Services	14/01/2022	3,443.02
EF146578	88888	Think Childcare Operations Pty Ltd	Bond Refund	14/01/2022	500.00
EF146579	88888	Scarlet Bell	Bond Refund	14/01/2022	150.00
EF146580	88888	Tan Poh Huat	Bond Refund	14/01/2022	436.00
EF146581	99997	N & D Vojkovic	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146582	99997	Susan Day	Compost Bin Rebate - Susan Day	14/01/2022	45.00
EF146583	99997	Emma Youd	Compost Bin Rebate - Emma Youd	14/01/2022	50.00
EF146584	99997	Christian Di Virgillio	Basketball Refund	14/01/2022	71.00
EF146585	99997	Haley Mcmillan	Lgacs2	14/01/2022	200.00
EF146586	99997	Lenard & Tracy Hockley	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146587	99997	Evelyn Wegner	Senior Security Subsidy Scheme	14/01/2022	200.00

EF146588	99997	Paulina Perdec	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146589	99997	Ser Meng Leck	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146590	99997	Tw & Vg Howson	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146591	99997	Thomas O'brien	Senior Security Subsidy Scheme	14/01/2022	100.00
EF146592	99997	John & Yvonne Witheridge	Senior Security Subsidy Scheme	14/01/2022	100.00
EF146593	99997	Pj & Je Van Grootel	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146594	99997	M I Ciccarone	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146595	99997	DI & Rs Grime	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146596	99997	Mrs Sina Bloodworth	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146597	99997	Romeo Alex & Margaret Anne Persic	Senior Security Subsidy Scheme	14/01/2022	140.00
EF146598	99997	Peter Cooper	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146599	99997	Ks & SI Robins	Senior Security Subsidy Scheme	14/01/2022	100.00
EF146600	99997	Valerie M Searies	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146601	99997	Re & Ce Smith	Senior Security Subsidy Scheme	14/01/2022	180.00
EF146602	99997	Hj & KI Miller	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146603	99997	R & M Davies	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146604	99997	M.G. Small	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146605	99997	Donna E Ashwood	Pen Fee Refund-Donna Ashwood	14/01/2022	296.00
EF146606	99997	Mr P R Burgess	Safety Glasses Reimbursement	14/01/2022	300.00
EF146607	99997	Alyce Parker	Crossover Claim 19 Manarola Loop	14/01/2022	300.00
EF146608	99997	Alison Mcaleer	Crossover Contrubition - Alison Mcaleer	14/01/2022	300.00
EF146609	99997	P G Blackmore	Refund Request Arc - Phil Blackmore	14/01/2022	71.00
EF146610	99997	C A Suvaljko	Refund Request Arc Christopher Suvaljko	14/01/2022	71.00
EF146611	99997	Sarah Louise Chapman	Reimbursement Of Fees - S Robinson	14/01/2022	993.00
EF146612	99997	Nicole Farinola	Refund Docket H484105/1	14/01/2022	20.00
EF146613	99997	Marianna Emanuele	Refund - Tip Passes	14/01/2022	60.00
EF146614	99997	Clare Courtauld	Staff Reimbursement For Bin Tagging Vouc	14/01/2022	600.00
EF146615	99997	Ato Direct Credit Account	004007749557752621 - Nicole Jowett	14/01/2022	993.00
EF146616	99997	Heliuss De Almeida Guimaraes Fih	Pen Fee (F206) Heliuss De Almeida	14/01/2022	1,316.00
EF146617	99997	Jay Gable	Refund Request Arc - Jay Gable	14/01/2022	94.00
EF146618	99997	Barbara A Coles	Refund Of Venue Hire - Br1499	14/01/2022	110.00
EF146619	99997	Sarah Baty	Refund Br1060 - Venue Hire	14/01/2022	55.00
EF146620	99997	Alysha Marsh	Compost Bin Rebate - A Marsh	14/01/2022	50.00
EF146621	99997	Julia Evans	Compost Bin Rebate - J Evans	14/01/2022	50.00
EF146622	99997	Cameron John Gordon Rennie	Compost Bin Rebate - C Rennie	14/01/2022	45.00
EF146623	99997	J.A. Coates	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146624	99997	A.G Orifici	Senior Security Subsidy Scheme	14/01/2022	100.00
EF146625	99997	Mb & Ke Hills	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146626	99997	Paul M Nagle	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146627	99997	Anna Sims	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146628	99997	Mark And Doreen Nairn	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146629	99997	Dayle Falconer	Senior Security Subsidy Scheme	14/01/2022	300.00
EF146630	99997	Susan Mary Mcglade	Senior Security Subsidy Scheme	14/01/2022	200.00

EF146631	99997	Robert Kenneth Barton	Senior Security Subsidy Scheme	14/01/2022	200.00
EF146632	99997	South Beach Community Group	Community Grant - Summer Time Events	14/01/2022	3,144.00
EF146633	99997	Family Day Care	Fdc Payments We 09/01/22	14/01/2022	19,743.97
EF146634	10152	Aust Services Union	Payroll Deductions	24/01/2022	964.20
EF146635	10154	Australian Taxation Office	Payroll Deductions	24/01/2022	491,823.00
EF146636	10305	Child Support Agency	Payroll Deductions	24/01/2022	1,329.67
EF146637	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	24/01/2022	61.50
EF146638	19726	Health Insurance Fund Of Wa	Payroll Deductions	24/01/2022	1,385.50
EF146639	27874	Smartsalary	Salary Packaging/Leasing Administration	24/01/2022	12,212.30
EF146640	26987	Cti Risk Management	Security - Cash Collection	25/01/2022	1,366.55
EF146641	99997	Aaron Thomas	Cpa Aust Membership Renewal	25/01/2022	372.50
EF146642	99997	Family Day Care	Fdc Payments We 23/01/22	27/01/2022	48,455.83
EF146643	27277	Department Of Water And Environmental Regulation	Quarterly Land Fill Levy	28/01/2022	2,596,762.45
EF146644	11867	Kevin John Allen	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146645	12740	Logan Howlett	Monthly Elected Member Allowance	31/01/2022	11,439.09
EF146646	25353	Philip Eva	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146647	26696	Chamonix Terblanche	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146648	27326	Michael Separovich	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146649	27327	Chontelle Stone	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146650	27475	Lara Kirkwood	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146651	27871	Tom Widenbar	Monthly Elected Member Allowance	31/01/2022	4,509.66
EF146652	27872	Phoebe Corke	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146653	28238	Tarun Dewan	Monthly Elected Member Allowance	31/01/2022	2,639.83
EF146657	99996	Rph Australia Holding Pty Ltd	Rates And Property Related Refunds	31/01/2022	295.00
EF146658	99996	Matt Wallwork Family Trust	Rates And Property Related Refunds	31/01/2022	960.00
EF146659	99996	Lyndon Smith	Rates And Property Related Refunds	31/01/2022	5,000.00
EF146660	99996	Revenuewa	Rates And Property Related Refunds	31/01/2022	398.65
EF146661	99996	Jandakot Airport Holdings Pty Ltd	Rates And Property Related Refunds	31/01/2022	150,000.00
EF146662	99996	Minh T Nguyen	Rates And Property Related Refunds	31/01/2022	847.14
EF146663	99996	Donna D`Souza	Rates And Property Related Refunds	31/01/2022	30.00
EF146664	99996	Meredith Gardner	Rates And Property Related Refunds	31/01/2022	150.00
EF146665	99996	Dyllan Major	Rates And Property Related Refunds	31/01/2022	50.00
EF146666	99996	Jason De Silveira	Rates And Property Related Refunds	31/01/2022	1,022.66
EF146667	99996	Foundation Housing Ltd	Rates And Property Related Refunds	31/01/2022	861.94
EF146668	99996	Kiang Chuan Lim	Rates And Property Related Refunds	31/01/2022	424.00
EF146669	99996	Nadine Marke	Rates And Property Related Refunds	31/01/2022	422.00
EF146670	99996	Yard Property	Rates And Property Related Refunds	31/01/2022	408.00
EF146671	99996	Colleen Marie Spence	Rates And Property Related Refunds	31/01/2022	1,983.81
EF146672	99996	Foundation Housing Ltd	Rates And Property Related Refunds	31/01/2022	861.92
EF146673	99996	Maria Chukwe-Ike	Rates And Property Related Refunds	31/01/2022	691.82
EF146674	99996	C J Williams	Rates And Property Related Refunds	31/01/2022	1,284.07
EF146675	99996	A Reeves & N Scott	Rates And Property Related Refunds	31/01/2022	978.58
EF146676	99996	Rental Management Australia - South Pert	Rates And Property Related Refunds	31/01/2022	412.04

EF146677	99996	Foundation Housing Ltd	Rates And Property Related Refunds	31/01/2022	861.90
EF146678	99996	Foundation Housing Ltd	Rates And Property Related Refunds	31/01/2022	861.96
EF146679	99996	Rates And Property Related Eft Refunds (Not Bonds)	Rates And Property Related Refunds	31/01/2022	861.94
EF146680	99996	Foley Burge Conveyancing	Rates And Property Related Refunds	31/01/2022	402.00
EF146681	99996	Erica Gundersen	Rates And Property Related Refunds	31/01/2022	33.59
EF146682	88888	Heliuss De Almeida Guimaraes Fiho	Bond Refund	31/01/2022	500.00
EF146683	88888	Vernon Kingman	Bond Refund	31/01/2022	500.00
EF146684	88888	Success Land-Max	Bond Refund	31/01/2022	4,794.50
EF146685	88888	Christopher Jones	Bond Refund	31/01/2022	500.00
EF146686	99997	Wa Temporary Fencing Supplies	Invoice 00017552	31/01/2022	1,650.00
EF146687	99997	Serrica Lee	Refund	31/01/2022	36.00
EF146688	99997	Shanin Ardalani	Refund	31/01/2022	40.00
EF146689	99997	Angela Laverty	Refund - Basketball	31/01/2022	71.00
EF146690	99997	Jandakot Volunteer Bush Fire Brigade	Invoice 340	31/01/2022	450.00
EF146691	99997	Zacary Chedin Savings	Refund Request Arc - Zacary Chedin	31/01/2022	71.00
EF146692	99997	Dewald Vorster	Refund Request Arc - Dewald Vorster	31/01/2022	22.50
EF146693	99997	Jigneshkumar Baldevbhai Patel	Crossover Rebate Jigneshkumar Patel	31/01/2022	300.00
EF146694	99997	Servau Offcl. Departmental Recpts & Paym	Document Number : 180129727	31/01/2022	268.29
EF146695	99997	Yvonne Stampton	Refund - Cancer Backdated	31/01/2022	218.45
EF146696	99997	Irmina Sikora	Funds For Forfetted Game Taken	31/01/2022	71.00
EF146697	99997	Bethany Good	Bird Bath Rebate - Bethany Good	31/01/2022	8.99
EF146698	99997	Tiahn Berechree	Bird Bath Rebate - Tiahn Berechree	31/01/2022	21.99
EF146699	99997	Kelly Prince	Home Bird Bath Rebate - Kelly Prince	31/01/2022	22.99
EF146700	99997	Kristy R Boase	Bird Bath Rebate - A Boase	31/01/2022	29.50
EF146701	99997	Annette Mcgovern	Bird Bath Rebate - Annette Mcgovern	31/01/2022	29.99
EF146702	99997	Grayson Pedersen	Compost Bin Rebate - Grayson Pedersen	31/01/2022	45.00
EF146703	99997	Gemma E Roncevich	Bird Bath Rebate - G Roncevich	31/01/2022	50.00
EF146704	99997	Hayley Fairbrother	Bird Bath Rebate - Hayley Fairbrother	31/01/2022	49.99
EF146705	99997	Pd Lazarz & Cp Dawes	Cloth Nappies Rebate - Cassandra Dawes	31/01/2022	50.00
EF146706	99997	Tatam N Rosato	Refund Br1783 - Dance Inclusion	31/01/2022	30.00
EF146707	99997	Leanne Liley	Paid Twice - Invoice 00071/Corp/11/21	31/01/2022	404.50
EF146708	99997	Mrs Chantelle Richards	Refund Of Overpayment	31/01/2022	72.00
EF146709	99997	Cockburn Gp Super Clinic	Delivery Of The Heal Program	31/01/2022	22,000.00
EF146710	99997	Vernon Kingman	Pen Fee Refund - E171	31/01/2022	1,002.00
EF146711	99997	S & A S Ward	Senior Security Subsidy Scheme	31/01/2022	90.00
EF146712	99997	Jm & Jm White	Senior Security Subsidy Scheme	31/01/2022	200.00
EF146713	99997	J A Jones	Senior Security Subsidy Scheme	31/01/2022	200.00
EF146714	99997	Janice Audrey Cummings	Senior Security Subsidy Scheme	31/01/2022	140.00
EF146715	99997	A & L D'angelo	Senior Security Subsidy Scheme	31/01/2022	200.00
EF146716	99997	Margareta Frey	Senior Security Subsidy Scheme	31/01/2022	180.00
EF146717	99997	Pv & D Pakfah	Senior Security Subsidy Scheme	31/01/2022	300.00
EF146718	99997	Salvatore Colica	Senior Security Subsidy Scheme	31/01/2022	300.00
EF146719	99997	Suada Kalember	Senior Security Subsidy Scheme	31/01/2022	300.00



EF146720	99997	Christopher Tai	Ca Membership Fee Reimbursement	31/01/2022	188.25
EF146721	99997	Rose Irene Obales	Crossover Rebate	31/01/2022	300.00
EF146722	99997	Andrew Neil Taylor	Bird Bath Rebate - Andrew Taylor	31/01/2022	50.00
EF146723	99997	Tahita Kruger	Bird Bath Rebate - Tahita Kruger	31/01/2022	50.00
EF146724	99997	Charlene Nguyen	Bird Bath Rebate - C Nguyen	31/01/2022	29.99
EF146725	99997	Kaylee A Robertson	Cloth Nappies Rebate - Kaylee Robertson	31/01/2022	50.00
EF146726	99997	Jaffles Dog Washing And Grooming Evan Hu	16 X Dog Washes @ \$10 Each	31/01/2022	160.00
EF146727	99997	Kim And Toby Lewis	Junior Sport Travel Assistant Grant	31/01/2022	400.00
EF146728	99997	Stacey Kjellgren-Lewis	Junior Sport Travel Assistant Grant	31/01/2022	400.00
EF146729	99997	St And Sh Kani	Junior Sport Travel Assistant Grant	31/01/2022	400.00
EF146730	99997	Jordan Tumoana	Junior Sport Travel Assistant Grant	31/01/2022	400.00
EF146731	99997	Beth Fisher	Compost Bin Rebate - Beth Fisher	31/01/2022	50.00
EF146732	10047	Alinta Energy	Natural Gas & Electricity Supply	31/01/2022	26,811.70
EF146733	11794	Synergy	Electricity Usage/Supplies	31/01/2022	23,670.47
EF146734	10058	Alsco Pty Ltd	Hygiene Services/Supplies	31/01/2022	527.52
EF146735	10082	Armandos Sports	Sporting Goods	31/01/2022	1,226.75
EF146736	10097	Blackwoods Atkins	Engineering Supplies	31/01/2022	718.67
EF146737	10207	Boc Gases	Gas Supplies	31/01/2022	736.08
EF146738	10212	Boss Bollards	Security Products	31/01/2022	473.00
EF146739	10226	Bridgestone Australia Ltd	Tyre Services	31/01/2022	21,241.55
EF146740	10239	Budget Rent A Car - Perth	Motor Vehicle Hire	31/01/2022	1,402.50
EF146741	10244	Building & Const Industry Training Fund	Levy Payment	31/01/2022	57.75
EF146742	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	31/01/2022	653.75
EF146743	10307	Cbca Wa Branch (Inc)	Childrens Books	31/01/2022	75.00
EF146744	10333	Cjd Equipment Pty Ltd	Hardware Supplies	31/01/2022	2,656.66
EF146745	10338	Cleanaway Pty Ltd	Waste Disposal Services	31/01/2022	1,839.85
EF146746	10353	Cockburn Cement Ltd	Cement And Lime	31/01/2022	674.52
EF146747	10357	Cockburn Ice Arena	Entertainment Services	31/01/2022	420.00
EF146748	10359	Cockburn Painting Service	Painting Supplies/Services	31/01/2022	1,897.50
EF146749	10375	Veolia Environmental Services	Waste Services	31/01/2022	112.64
EF146750	10526	E & Mj Rosher Pty Ltd	Mower Equipment	31/01/2022	15,663.38
EF146751	10528	Easifleet	Vehicle Lease	31/01/2022	368.56
EF146752	10535	Workpower Incorporated	Employment Services - Planting	31/01/2022	17,427.37
EF146753	10597	Flexi Staff Pty Ltd	Employment Services	31/01/2022	28,909.14
EF146754	10641	Galvins Plumbing Supplies	Plumbing Services	31/01/2022	104.06
EF146755	10679	Grasstrees Australia	Plants & Planting Services	31/01/2022	1,848.00
EF146756	10888	Lj Caterers	Catering Services	31/01/2022	3,775.20
EF146757	10938	Mrp Pest Management	Pest & Weed Management	31/01/2022	2,787.90
EF146758	10944	Mcleods	Legal Services	31/01/2022	22,641.21
EF146759	10951	Melville Motors Pty Ltd	Motor Cars	31/01/2022	55.00
EF146760	10968	Miniquip	Hiring Services	31/01/2022	2,332.00
EF146761	10982	Modern Teaching Aids Pty Ltd	Teaching Aids	31/01/2022	3,327.39
EF146762	10991	Beacon Equipment	Mowing Equipment	31/01/2022	1,550.15

EF146763	11028	Neverfail Springwater Ltd	Bottled Water Supplies	31/01/2022	336.30
EF146764	11036	Northlake Electrical Pty Ltd	Electrical Services	31/01/2022	55,066.78
EF146765	11077	P & G Body Builders Pty Ltd	Plant Body Building Services	31/01/2022	176.00
EF146766	11152	Fulton Hogan Industries Pty Ltd	Road Maintenance	31/01/2022	5,561.60
EF146767	11284	The Royal Life Saving Society Wa Inc Pty Ltd	Training Services	31/01/2022	1,381.10
EF146768	11307	Satellite Security Services Pty Ltd	Security Services	31/01/2022	6,361.85
EF146769	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	31/01/2022	87.78
EF146770	11333	Shelford Constructions Pty Ltd	Construction Services	31/01/2022	672,378.88
EF146771	11337	Sheridans For Badges	Name Badges & Engraving	31/01/2022	671.44
EF146772	11387	Bibra Lake Soils	Soil & Limestone Supplies	31/01/2022	260.00
EF146773	11425	Resource Recovery Group	Waste Disposal Gate Fees	31/01/2022	1,440.00
EF146774	11511	Statewide Bearings	Bearing Supplies	31/01/2022	326.74
EF146775	11533	Superbowl Melville	Entertainment Services	31/01/2022	523.90
EF146776	11619	Titan Ford	Purchase Of Vehicles & Servicing	31/01/2022	19,311.41
EF146777	11625	Nutrien Water	Reticulation Supplies	31/01/2022	8,566.83
EF146778	11642	Trailer Parts Pty Ltd	Trailer Parts	31/01/2022	1,852.46
EF146779	11701	Vibra Industrial Filtration Australasia	Filter Supplies	31/01/2022	320.10
EF146780	11702	Villa Dalmacia Association Inc.	Spical Club Activities	31/01/2022	710.00
EF146781	11773	Nutrien Ag Solutions	Chemical Supplies	31/01/2022	2,595.78
EF146782	11787	Department Of Transport	Vehicle Search Fees	31/01/2022	452.95
EF146783	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	31/01/2022	14,687.58
EF146784	11806	Westrac Pty Ltd	Repairs/Mtnce - Earthmoving Equipment	31/01/2022	788.63
EF146785	11828	Worldwide Online Printing - O'connor	Printing Services	31/01/2022	99.00
EF146786	11835	Wurth Australia Pty Ltd	Hardware Supplies	31/01/2022	1,968.37
EF146787	11873	Wattleup Tractors	Hardware Supplies	31/01/2022	1,489.40
EF146788	12153	Hays Personnel Services Pty Ltd	Employment Services	31/01/2022	5,073.85
EF146789	12295	Stewart & Heaton Clothing Co. Pty Ltd	Clothing Supplies	31/01/2022	1,361.36
EF146790	12394	Mp Rogers & Associates	Consultancy Services - Marine	31/01/2022	5,657.81
EF146791	12693	Suffling, Thomas James T/A Rivergods	Outdoor Activities - Rafting	31/01/2022	1,350.00
EF146792	13102	Michael Page International (Australia) Pty Ltd	Employment Services	31/01/2022	7,976.77
EF146793	13393	South West Group	Contributions	31/01/2022	57,749.00
EF146794	13563	Green Skills Inc	Employment Services	31/01/2022	12,100.93
EF146795	13779	Porter Consulting Engineers	Engineering Consultancy Services	31/01/2022	5,445.00
EF146796	13834	Sulo Mgb Australia Pty Ltd	Mobile Garbage Bins	31/01/2022	35,609.29
EF146797	15271	Ple Computers Pty Ltd	Computer Hardware	31/01/2022	29.61
EF146798	15393	Stratagreen	Hardware Supplies	31/01/2022	1,305.74
EF146799	15588	Natural Area Consulting Management Services	Weed Spraying	31/01/2022	7,282.44
EF146800	15746	Western Australia Police Service	Police Clearances	31/01/2022	116.90
EF146801	15868	Cardno (Wa) Pty Ltd	Consultancy Services - Engineering	31/01/2022	39,549.46
EF146802	16064	Cms Engineering	Airconditioning Services	31/01/2022	8,940.26
EF146803	16107	Wren Oil	Waste Disposal Services	31/01/2022	49.50
EF146804	16396	Mayday Services	Road Construction Machine Hire	31/01/2022	8,239.00
EF146805	16846	Action Glass & Aluminium	Glazing Services	31/01/2022	209.00

EF146806	16985	Wa Premix	Concrete Supplies	31/01/2022	1,658.36
EF146807	17343	Rac Businesswise	Membership Subscription	31/01/2022	273.40
EF146808	17471	Pirtek (Fremantle) Pty Ltd	Hoses & Fittings	31/01/2022	183.70
EF146809	18114	Bollig Design Group P/L	Architectural Services	31/01/2022	2,887.50
EF146810	18801	Fremantle Bin Hire	Bin Hire - Skip Bins	31/01/2022	1,260.00
EF146811	18997	Gissa International Pty Ltd	Training Services	31/01/2022	3,730.10
EF146812	19107	Forever Shining	Monument	31/01/2022	620.00
EF146813	19533	Woolworths Ltd	Groceries	31/01/2022	1,501.81
EF146814	20000	Aust West Auto Electrical Pty Ltd	Auto Electrical Services	31/01/2022	20,994.74
EF146815	20535	Home-Grown Theatre	Drama Classes	31/01/2022	3,300.00
EF146816	20546	Pacific Biologics Pty Ltd	Insecticides/Pesticides-Mosquito Control	31/01/2022	4,060.02
EF146817	20885	Tactile Indicators Perth	Tactiles	31/01/2022	1,508.00
EF146818	21469	John Hughes Volkswagon	Purchase Of New Vehicle	31/01/2022	8,363.75
EF146819	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	31/01/2022	23,116.64
EF146820	21744	Jb Hi Fi - Commercial	Electronic Equipment	31/01/2022	1,851.00
EF146821	21782	Westcoast Timber Flooring	Flooring Supplies	31/01/2022	14,190.00
EF146822	22106	Intelife Group	Services - Daip	31/01/2022	17,558.90
EF146823	22404	Cleverpatch Pty Ltd	Arts/Craft Supplies	31/01/2022	1,296.08
EF146824	22541	Surfing Western Australia Inc.	Training Services - Surfing	31/01/2022	1,125.00
EF146825	22553	Brownes Food Operations	Catering Supplies	31/01/2022	669.72
EF146826	22569	Sonic Health Plus Pty Ltd	Medical Services	31/01/2022	1,541.10
EF146827	22613	Vicki Royans	Artistic Services	31/01/2022	150.00
EF146828	22624	Aussie Earthworks Pty Ltd	Earthworks	31/01/2022	21,297.10
EF146829	22639	Shatish Chauhan	Training Services - Yoga	31/01/2022	740.00
EF146830	22658	South East Regional Centre For Urban Landcare Inc (Sercul)	Urban Landcare Services	31/01/2022	21,654.80
EF146831	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	31/01/2022	14,250.93
EF146832	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	31/01/2022	45,996.78
EF146833	22903	Unique International Recoveries Llc	Debt Collectors	31/01/2022	384.00
EF146834	22913	Opal Australian Paper	Envelopes	31/01/2022	127.29
EF146835	23351	Cockburn Gp Super Clinic Limited T/A Cockburn Integrated Health	Leasing Fees	31/01/2022	2,190.66
EF146836	23457	Totally Workwear Fremantle	Clothing - Uniforms	31/01/2022	2,635.56
EF146837	23549	West Oz Wildlife	Amusement Park Entry Fees	31/01/2022	2,898.50
EF146838	23570	A Proud Landmark Pty Ltd	Landscape Contruction Services	31/01/2022	3,080.00
EF146839	23579	Daimler Trucks Perth	Purchase Of New Truck	31/01/2022	8,974.71
EF146840	23600	Ironbark Sustainability	Consultancy Services - Environmental	31/01/2022	17,325.00
EF146841	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	31/01/2022	550.00
EF146842	24506	Amaranti's Personal Training	Personal Training Services	31/01/2022	225.00
EF146843	24655	Automasters Spearwood	Vehicle Servicing	31/01/2022	4,941.10
EF146844	24978	Ambius	Plants Supplies	31/01/2022	869.92
EF146845	25063	Superior Pak Pty Ltd	Vehicle Maintenance	31/01/2022	6,211.27
EF146846	25121	Imagesource Digital Solutions	Billboards	31/01/2022	1,458.60
EF146847	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	31/01/2022	198.00
EF146848	25201	Jtagz Pty Ltd	Wriststraps	31/01/2022	449.90

EF146849	25284	Netball Wa	Rec. Umpire Training	31/01/2022	180.00
EF146850	25418	Cs Legal	Legal Services	31/01/2022	12,694.33
EF146851	25733	Miracle Recreation Equipment	Playground Installation / Repairs	31/01/2022	35,865.50
EF146852	25736	Blue Tang (Wa) Pty Ltd T/As Emerge Associates (The Trustee For The Reef Unit Trust) Emerge Associates	Consultancy Services	31/01/2022	1,375.00
EF146853	25832	Exteria	Street And Park Infrastructure	31/01/2022	8,196.10
EF146854	25940	Leaf Bean Machine	Coffee Bean Supply	31/01/2022	220.00
EF146855	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	31/01/2022	15,348.75
EF146856	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	31/01/2022	49,596.25
EF146857	26314	Cpe Group	Temporary Employment Services	31/01/2022	2,111.92
EF146858	26470	Scp Conservation	Fencing Services	31/01/2022	50,644.00
EF146859	26574	Eva Bellydance	Entertainment - Belly Dancing	31/01/2022	75.00
EF146860	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	31/01/2022	38,967.54
EF146861	26610	Tracc Civil Pty Ltd	Civil Construction	31/01/2022	359,549.09
EF146862	26614	Marketforce Pty Ltd	Advertising	31/01/2022	997.40
EF146863	26625	Andover Detailers	Car Detailing Services	31/01/2022	2,042.57
EF146864	26709	Talis Consultants Pty Ltd	Waste Consultancy	31/01/2022	1,237.50
EF146865	26735	Shane McMaster Surveys	Survey Services	31/01/2022	2,640.00
EF146866	26739	Kerb Doctor	Kerb Maintenance	31/01/2022	2,428.80
EF146867	26754	Insight Call Centre Services	Call Centre Services	31/01/2022	6,031.14
EF146868	26773	Laser Corps Combat Adventruers	Entry Fees	31/01/2022	2,044.00
EF146869	26778	Robert Walters	Recruitment Services	31/01/2022	3,871.21
EF146870	26786	Nuturf	Herbicide Products	31/01/2022	5,225.00
EF146871	26818	Perth's Outback Splash	Amusement	31/01/2022	938.00
EF146872	26888	Media Engine	Graphic Design, Marketing, Video Product	31/01/2022	1,155.00
EF146873	26898	Spandex Asia Pacific Pty Ltd	Signage Supplier	31/01/2022	1,048.66
EF146874	26901	Alyka Pty Ltd	Digital Consultancy And Web Development	31/01/2022	3,657.50
EF146875	26909	West Coast Profilers Pty Ltd	Road Planing Cold Services	31/01/2022	11,074.25
EF146876	26917	Cirrus Networks Pty Ltd	It Network & Telephony Services	31/01/2022	8,751.96
EF146877	26929	Elan Energy Matrix Pty Ltd	Recycling Services	31/01/2022	873.11
EF146878	26938	Majestic Plumbing	Plumbing Services	31/01/2022	5,531.87
EF146879	26946	Av Truck Services Pty Ltd	Truck Dealership	31/01/2022	3,377.72
EF146880	26953	Rock And Roll Mountain Biking	Mountain Bike Tours	31/01/2022	750.00
EF146881	26985	Access Icon Pty Ltd	Drainage Products	31/01/2022	5,082.89
EF146882	27010	Quantum Building Services Pty Ltd	Building Maintenance	31/01/2022	9,475.13
EF146883	27011	Baileys Marine Fuel Australia	Fuel	31/01/2022	1,983.04
EF146884	27031	Downer Edi Works Pty Ltd	Asphalt Services	31/01/2022	717.73
EF146885	27034	Adelby Pty Ltd	Firebreak Construction	31/01/2022	968.00
EF146886	27035	Phenomenon Creative Event Services	Event Management	31/01/2022	8,180.20
EF146887	27044	Graffiti Systems Australia	Graffiti Removal & Anti-Graffiti Coating	31/01/2022	203.50
EF146888	27046	Tfh Hire Services Pty Ltd	Hire Fencing	31/01/2022	1,100.87
EF146889	27053	Readspeaker	Software	31/01/2022	7,440.40



EF146890	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	31/01/2022	337.43
EF146891	27065	Westbooks	Books	31/01/2022	2,835.59
EF146892	27082	Kulbardi Pty Ltd	Stationery Supplies	31/01/2022	272.25
EF146893	27098	Q2 (Q-Squared)	Digital Data Service	31/01/2022	2,227.50
EF146894	27168	Nightlife Music Pty Ltd	Music Management	31/01/2022	465.53
EF146895	27189	Healthstrong Pty Ltd	Home Care	31/01/2022	330.00
EF146896	27210	Urban Design Lab	Landscape Design	31/01/2022	1,560.00
EF146897	27241	Landscape Elements	Landscaping Services	31/01/2022	11,900.38
EF146898	27246	Veale Auto Parts	Spare Parts Mechanical	31/01/2022	466.20
EF146899	27308	Jatu Clothing & Ppe Pty Ltd	Clothing Ppe	31/01/2022	105.93
EF146900	27334	Westcare Print	Printing Services	31/01/2022	358.60
EF146901	27351	Programmed Property Services	Property Maintenance	31/01/2022	3,657.50
EF146902	27361	Christal Clear Training	Training	31/01/2022	2,520.00
EF146903	27374	Southern Cross Cleaning	Commercial Cleaning	31/01/2022	8,051.92
EF146904	27377	Accidental Health And Safety - Perth	First Aid Supplies	31/01/2022	3,059.27
EF146905	27381	Fit For Life Exercise Physiology	Exercise Classes	31/01/2022	1,350.00
EF146906	27385	Programmed Electrical Technologies	Electrical Services	31/01/2022	484.00
EF146907	27392	Axis Maintenance Services Pty Ltd	Maintenance	31/01/2022	3,201.44
EF146908	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	31/01/2022	209.00
EF146909	27427	Home Chef	Cooking/Food Services	31/01/2022	642.99
EF146910	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	31/01/2022	511.50
EF146911	27448	Selectro Services Pty Ltd	Electrical	31/01/2022	2,280.30
EF146912	27450	Aaa Production Services	Hire Pa/Satge Systems	31/01/2022	409.20
EF146913	27455	Site Protective Services	Cctv Parts	31/01/2022	127,435.33
EF146914	27507	Facilities First Australia Pty Ltd	Cleaning Services	31/01/2022	86,859.44
EF146915	27512	Agent Sales & Services Pty Ltd	Pool Chemicals	31/01/2022	7,207.20
EF146916	27539	Jasmin Carpentry & Maintenance	Carpentry	31/01/2022	23,133.00
EF146917	27567	Chorus Australia Limited	Health Care Services	31/01/2022	726.00
EF146918	27568	Ept	Ups Service/Repairs	31/01/2022	73,531.79
EF146919	27579	Travis Hayto Photography	Photography Services	31/01/2022	962.50
EF146920	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	31/01/2022	245.00
EF146921	27617	Galaxy 42 Pty Ltd	Consultancy - It	31/01/2022	31,143.75
EF146922	27622	Truegrade Medical Supplies	Medical Supplies	31/01/2022	10,750.02
EF146923	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	31/01/2022	13,902.90
EF146924	27650	Datacom Systems (Au) Pty Ltd	It Sales, Consulting & Service	31/01/2022	626.64
EF146925	27657	Positive Balance Massage	Massage Therapy	31/01/2022	100.00
EF146926	27695	Qtm Pty Ltd	Traffic Management	31/01/2022	81,937.24
EF146927	27699	Microway	Software	31/01/2022	3,850.09
EF146928	27701	Perth Better Homes	Shade Sails	31/01/2022	440.00
EF146929	27742	Snap Armadale	Printing Services	31/01/2022	277.75
EF146930	27749	Advisian	Consulting - Enginnering	31/01/2022	6,275.26
EF146931	27783	Cadgroup Australia Pty Ltd	Software	31/01/2022	3,779.42
EF146932	27809	Ra-One Pty Ltd	Software	31/01/2022	13,376.00

EF146933	27817	Squashworld Hilton	Hiring Services	31/01/2022	400.00
EF146934	27829	Smec Australia Pty Ltd	Consultancy - Engineering	31/01/2022	26,964.30
EF146935	27831	Butler And Brown	Event Management	31/01/2022	16,500.00
EF146936	27842	Light House Laundry	Laundering	31/01/2022	152.35
EF146937	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	31/01/2022	616.00
EF146938	27856	My Flex Health International	Nursing Services	31/01/2022	609.42
EF146939	27889	Mbl Food Services	Packaging Supplies	31/01/2022	377.25
EF146940	27894	Homecare Physiotherapy	Healthcare	31/01/2022	6,917.60
EF146941	27917	Go Doors Advanced Automation	Door Maintenance & Repair	31/01/2022	6,810.40
EF146942	27965	Stantec Australia Pty Ltd	Engineering Services	31/01/2022	1,494.63
EF146943	27984	Sabrina Fenwick	Excercise Classes	31/01/2022	320.00
EF146944	27992	Learning Horizons	Training/Education	31/01/2022	6,600.00
EF146945	28001	Corsign Wa Pty Ltd	Sign Making Material	31/01/2022	440.00
EF146946	28012	Munster Motor Trimmers	Motor Trimming	31/01/2022	275.00
EF146947	28033	Jakob Wells	Event Management	31/01/2022	1,550.00
EF146948	28047	Mitchell Garlett	Ceremonial Services	31/01/2022	400.00
EF146949	28049	Copy Magic	Printing Services	31/01/2022	2,555.10
EF146950	28102	Community Data Solutions	Financial Services	31/01/2022	396.00
EF146951	28130	Geoffrey London Architectural Consultant	Architectural Consultant	31/01/2022	1,940.00
EF146952	28136	Shore Water Marine Pty Ltd	Inspection Fees	31/01/2022	16,011.60
EF146953	28156	Innovation Culture	Workshop	31/01/2022	12,483.90
EF146954	28171	Smc Marine Pty Ltd	Construction Services	31/01/2022	1,178,735.56
EF146955	28189	Mercury Messengers Pty Ltd	Courier Service	31/01/2022	1,698.15
EF146956	28197	Lite N Easy Pty Ltd	Food Supplies	31/01/2022	603.34
EF146957	28202	Carers Plus Australia Pty Ltd	Employment Services	31/01/2022	1,638.45
EF146958	28204	Water Polo Wa	Sporting Association	31/01/2022	400.00
EF146959	28211	Nordic Fitness Equipment	Fitness Equipment	31/01/2022	2,970.00
EF146960	28215	Complete Office Supplies Pty Ltd	Stationery	31/01/2022	2,332.77
EF146961	28225	Cybercx Pty Ltd	It Services	31/01/2022	16,802.50
EF146962	28233	Western Maze Wa Pty Ltd	Waste Collection Services	31/01/2022	51,642.25
EF146963	28241	Swift Flow Pty Ltd	Plumbing	31/01/2022	15,957.86
EF146964	28242	Innovyze Pty Ltd	Software Application	31/01/2022	8,989.20
EF146965	28247	Fremantle City Centre Podiatry	Consultancy - Heritage	31/01/2022	80.30
EF146966	28251	Kids Just Wanna Have Fun Amusement Hire	Hire Services	31/01/2022	1,400.00
EF146967	28255	Cleanaway Co Pty Ltd	Waste Services	31/01/2022	3,318.70
EF146968	28258	Garden Care West	Gardening Services	31/01/2022	330.00
EF146969	28263	Julia Kay Wallis	Historian	31/01/2022	200.00
EF146970	28267	C-Wise	Composts Manufacturing	31/01/2022	9,614.00
		TOTAL OF 674 EFT PAYMENTS			14,087,025.50



		<u>LESS: CANCELLED EFT PAYMENTS:</u>			
EF145933	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	5/01/2022	-300.00
		TOTAL CANCELLED EFT PAYMENT			-300.00
		TOTAL EFT PAYMENTS (EXCL. CANCELLED PAYMENTS)			14,086,725.50
		<u>ADD: BANK FEES</u>			
		BPAY BATCH FEE			13.65
		MERCHANT FEES COC			1,184.99
		MERCHANT FEES MARINA			-
		MERCHANT FEES ARC			-
		MERCHANT FEES VARIOUS OUT CENTRES			-
		NATIONAL BPAY CHARGE			4,723.20
		RTGS/ACLR FEE			-
		NAB TRANSACT FEE			-
		MERCHANDISE / OTHER FEES			-
					5,921.84
		<u>ADD: CREDIT CARD PAYMENTS</u>			72,808.30
		<u>ADD: PAYROLL PAYMENTS</u>			
		274713412090401001 SuperChoice P/L CITY OF COCKBURN		4/01/2022	978.56
		274713412090401002 SuperChoice P/L CITY OF COCKBURN		4/01/2022	363.11
		COC-14/01/22 Pmt 000198313250 City of Cockburn		19/01/2022	21929.54
		COC-16/01/22 Pmt 000198313422 City of Cockburn		19/01/2022	1540644.35
		COC-20/01/22 Pmt 000198407755 City of Cockburn		20/01/2022	3299.77
		274713412092201002 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1719.98
		274713412092201003 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1126.95
		274713412092201004 SuperChoice P/L CITY OF COCKBURN		24/01/2022	851.5
		274713412092201005 SuperChoice P/L CITY OF COCKBURN		24/01/2022	973.71
		274713412092201006 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1221.15
		274713412092201007 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1645.08
		274713412092201008 SuperChoice P/L CITY OF COCKBURN		24/01/2022	28.95



	274713412092201009 SuperChoice P/L CITY OF COCKBURN		24/01/2022	606.9
	274713412092201010 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1193.5
	274713412092201011 SuperChoice P/L CITY OF COCKBURN		24/01/2022	689.35
	274713412092201012 SuperChoice P/L CITY OF COCKBURN		24/01/2022	439.43
	274713412092201013 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1857.4
	274713412092201014 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1420.45
	274713412092201015 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1588.5
	274713412092201016 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1636.4
	274713412092201017 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1487.35
	274713412092201018 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1193.8
	274713412092201019 SuperChoice P/L CITY OF COCKBURN		24/01/2022	1381.25
	274713412092401002 SuperChoice P/L CITY OF COCKBURN		25/01/2022	366.9
	COC-17/01/22 Pmt 000198734917 City of Cockburn		27/01/2022	1173.67
	COC-18/01/22 Pmt 000198733724 City of Cockburn		27/01/2022	13401.46
	274713412092701001 SuperChoice P/L CITY OF COCKBURN		28/01/2022	359.6
	COC-05/01/22 Pmt 000197902259 City of Cockburn		13/01/2022	6493.41
	COC-10/01/22 Pmt 000197903119 City of Cockburn		13/01/2022	7426.63
	COC-11/01/22 Pmt 000197903843 City of Cockburn		13/01/2022	3283.27
	COC-02/01/22 Pmt 000197485190 City of Cockburn		5/01/2022	1490984
	COC-22/12/21 Pmt 000197485317 City of Cockburn		5/01/2022	1128.87
	COC-24/12/21 Pmt 000197485423 City of Cockburn		5/01/2022	2319.78
	COC-30/12/21 Pmt 000197485527 City of Cockburn		5/01/2022	2630.65
	COC-31/12/21 Pmt 000197485609 City of Cockburn		5/01/2022	56961.52
	COC-07/01/22 Pmt 000197564887 City of Cockburn		5/01/2022	705.53
	COC-03/12/21 Pmt 000197698789 City of Cockburn		7/01/2022	1754.45
	COC-10/01/22 Pmt 000197689327 City of Cockburn		10/01/2022	1570.04
	COC-10/01/22 Pmt 000197699623 City of Cockburn		10/01/2022	1073.11
	COC-10/01/22 Pmt 000197699623 City of Cockburn		10/01/2022	890.2
				3,180,800.07
	TOTAL PAYMENTS MADE FOR THE MONTH			17,346,255.71



Dec Credit Card Statement	
Credit Card Holder	Amount
ADRIAN CHESTER	1,064.02
ADRIANNE VASILE	640.90
ALEXANDRA K MORTON	733.77
ALISON WATERS	1,311.55
ANDREW TOMLINSON	2,222.85
ANTON LEES	228.20
ASANKA VIDANAGE	571.07
BENJAMIN TANOA	49.78
BIANCA BRENTON	1,451.34
BRITTANY COVER	26.67
CASSANDRA COOPER	743.32
CHRISTOPHER BEATON	199.00
COLLEEN MILLER	951.92
COURTNEE THOMSON	747.15
DEAN BURTON	95.70
DEBORAH RIGBY	107.78
FIONA LOGAN	628.74
JANE WILSON	1,884.33
JAYNE MCENIRY	265.13
JOSHUA L GARDNER	640.66
KAREN O'REILLY	308.41
KAROLINE JAMIESON	1,589.44
LINDA SEYMOUR	41.66
LINDA WALKER	849.20
LORENZO SANTORIELLO	302.28
LYNETTE SPEARING	902.75
MARIE LA FREN AIS	568.50
MATTHEW ARG AET	974.73
MICHAEL EMERY	1,098.67
MIJALCE DANILOV	416.35
MISS JESSICA DONALD	1,990.12
MISS KAYLA MALONEY	1,119.20
MISS SARAH J WHITELEY	2,313.18
MR ANTONIO NATALE	10,902.90
MR BRETT FELLOWS	3,733.59
MR C MACMILLAN	552.22
MR CLIVE J CROCKER	46.20
MR DANIEL ARNDT	1,515.00
MR DONALD M GREEN	156.00
MR GLEN WILLIAMSON	495.00
MR JOHN WEST	19.00
MR LYALL DAVIESON	1,221.62
MR NELSON MAURICIO	321.74
MR NICHOLAS JONES	413.37
MR S ATHERTON	1,195.39
MRS GLORIA ASKANDER	877.57
MRS JULIE MCDONALD	2,551.15
MRS KIM HUNTER	1,981.67
MRS S SEYMOUR-EYLES	1,840.97
MRS SANDRA TAYLOR	1,309.20
MRS SARAH KAHLE	1,051.36
MS BARBARA FREEMAN	1,999.33
MS CAROLINE LINDSAY	444.47
MS CLARE COURTAULD	1,992.50
MS E MILNE	26.67
MS GAIL M BOWMAN	29.48
MS JILL ZUMACH	480.04
MS MICHELLE CHAMPION	409.39
MS SAMANTHA STANDISH	13.16
MS SANDRA EDGAR	1,527.42
MS SIMONE SIEBER	431.20
PAUL DANIEL NORLIN	1,252.15
PIETER QUARTERMAINE	758.00
SANDRA SWANN	1,769.24
SHANE PIKE	547.26
STEVEN JOHN ELLIOT	3,079.94
STUART DOWNING	28.61
TERRY GREEN	64.71
WHITI GUY MAIKA	815.73
Total	72,808.30

(2022/MINUTE NO 0043) Extension of Time**Council Decision**

MOVED Deputy Mayor Widenbar SECONDED Cr M Separovich

That Council pursuant to Clause 4.13 of Standing Orders Local Law 2016, extend time for up to one hour, the time being 8.56pm, to enable the business of the meeting which remains unresolved to be considered.

CARRIED UNANIMOUSLY 9/0

15.2 (2022/MINUTE NO 0044) Monthly Financial Reports - January 2022

Author S Downing

Attachments 1. Monthly Financial Report January 2022 [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPTS the Monthly Financial Reports containing the Statements of Financial Activity and other financial information for the month of January 2022, as attached to the Agenda; and
- (2) AMENDS the FY22 Municipal Budget as detailed in the Monthly Financial Reports and summarised below:

Nature	Amount \$	Budget Surplus Impact
Operating Expenses	44,475	Decrease
Capital Expenses	(153,000)	Increase
Transfer from Reserves	163,000	Increase
Net Budget Surplus impact	54,475	Increase

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Council Decision

MOVED Cr C Stone SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

Local Government (Financial Management) Regulations 1996 prescribe that a Local Government is to prepare each month a Statement of Financial Activity.



Regulation 34(2) requires the Statement of Financial Activity to be accompanied by documents containing:

1. Details of the composition of the closing net current assets (less restricted and committed assets);
2. Explanation for each material variance identified between YTD budgets and actuals; and
3. Any other supporting information considered relevant by the Local Government.

Regulation 34(4)(a) prescribes that the Statement of Financial Activity and accompanying documents be presented to Council within two months after the end of the month to which the statement relates.

The regulations require the information reported in the statement to be shown either by nature or type, statutory program, or business unit.

The City has chosen to report the information according to nature or type and its organisational business structure.

Local Government (Financial Management) Regulations 1996 - Regulation 34 (5) states "Each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards, to be used in statements of financial activity for reporting material variances."

This regulation requires Council to annually set a materiality threshold for the purpose of disclosing budget variances within monthly financial reporting.

Council adopted to continue with a materiality threshold of \$300,000 for the FY22 at the August 2021 Ordinary Council Meeting.

This is applied based on relevance to capital works programs, significant projects, and distinct service areas.

Remedial action is sometimes required to address budget variances, including budget cash flow timing adjustments or budget amendments (either submitted to Council each month via this standing agenda item or included in the City's mid-year budget review as legislated).

Submission

N/A



Report

The attached Monthly Financial Report for January 2022 has been prepared in accordance with the Local Government Act and Financial Management Regulations.

This has been reviewed by management, with the following commentary addressing key results contained within the report and the City's budgetary performance to the end of the month.

Note that the budget information does not include the mid-year budget review adopted by Council at its meeting on 10 February.

Opening Surplus

The budgeted opening surplus is showing a value of \$8.34 million, as adopted by Council to fund the City's carry forwards.

The actual opening surplus brought forward is currently reported as \$8.59 million, showing an additional \$0.243 million of unallocated surplus.

This was updated in the mid-year budget review adopted by Council in February and will be reflected in the monthly financial report next month.

Closing Surplus

The City's budgeted end of year closing surplus currently stands at \$37,637, reduced from the originally adopted \$160,114 in June 2021.

To the end of January, the YTD surplus was \$66.67 million, versus a YTD budget of \$37.71 million.

The surplus position is at its largest in July, when annual rates revenue is recognised. This is then progressively reduced throughout the year by the City's net spending.

The YTD budget variance of \$28.95 million in the closing surplus represents all variances across the operating and capital programs, which are separately reviewed in this report.



Operating Revenue

Operating revenue of \$148.20 million for the year to 31 January was \$1.38 million ahead of YTD budget.

The following table summarises the operating revenue budget performance by nature:

Revenue from operating activities	Amended		YTD Actual \$	YTD Variance \$
	Full Year Budget \$	YTD Budget \$		
Rates	112,170,000	111,861,614	112,023,748	162,134
Specified Area Rates	555,000	555,000	584,724	29,724
Operating Grants, Subsidies, Contributions	15,589,466	8,186,015	7,235,133	(950,882)
Fees and Charges	34,480,480	21,709,478	24,313,183	2,603,705
Interest Earnings	1,610,000	1,093,333	1,352,169	258,836
Profit/(Loss) on Asset Disposals	3,628,957	3,413,649	2,691,650	(721,999)
Total	168,033,903	146,819,089	148,200,607	1,381,518

Material variances identified in the City's operating revenue were identified as follows:

- Fees and Charges (\$2.60 million over YTD budget)
 - Revenue from commercial landfill fees ahead of budget by \$1.35 million.
- Operating Grants, Subsidies, Contributions (\$0.95 million under YTD budget)
 - State funding for the Roe 8 land rehabilitation project was \$0.23 million under YTD budget.
 - Childcare subsidies received were \$0.43 million under the YTD budget target.
- Profit/(Loss) on Asset Disposals (\$0.72 million under YTD budget)
 - Land sale related profit was \$0.69 million under the YTD budget.



Operating Expenditure

Operating expenditure to 31 January of \$88.97 million was under YTD budget by \$7.09 million.

The following table summarises the operating expenditure budget variance performance by nature:

Expenditure from operating activities	Amended		YTD Actual \$	YTD Variance \$
	Full Year Budget \$	YTD Budget \$		
Employee costs	(65,286,668)	(38,334,698)	(36,459,007)	1,875,691
Materials and contracts	(39,245,145)	(23,520,816)	(18,823,782)	4,697,034
Utility charges	(6,109,826)	(3,573,101)	(3,288,219)	284,882
Depreciation on non-current assets	(36,429,117)	(21,290,014)	(20,375,474)	914,540
Interest expenses	(542,341)	(286,439)	(246,596)	39,843
Insurance expenses	(1,910,200)	(1,910,200)	(2,307,898)	(397,698)
Other expenditure	(12,492,212)	(7,142,141)	(7,465,627)	(323,486)
Total	(162,015,509)	(96,057,409)	(88,966,603)	7,090,806

Material variances identified in the City's operating expenditure were identified as follows:

- Employee Costs (\$1.87 million under YTD budget)
 - The forecast superannuation guarantee charge (SGC) liability for In Home Care providers has been budgeted at \$0.79 million, with this due to be paid in February now.
 - Other YTD budget variances in the salary budget are from timing in filling vacant positions.
- Materials and Contracts (\$4.69 million under YTD budget):
 - Operations & Maintenance were showing a \$1.07 million underspend of their YTD budget, with the following material items:
 - landfill related contract costs under by \$0.29 million.
 - parks, streetscapes, POS & bushland maintenance collectively under by \$0.67 million.
 - The Community Development business unit was showing a collective underspend of \$0.84 million against YTD budget.
 - Childcare related spending under by \$0.31 million
 - Sustainability & Environment was \$0.85 million under YTD budget,
 - Roe 8 land rehabilitation project under by \$0.36m
 - Port Coogee sand bypassing project under \$0.30 million (timing difference).
 - Recreation Infrastructure & Services was down \$0.51 million against YTD budget
 - Cockburn ARC under by \$0.28 million
- Insurance expenses (\$0.40 million over full year budget).



- Significant performance-based workers compensation adjustments by LGIS (adjusted in mid-year budget review).
- Other Expenditure (\$0.32 million over YTD budget)
 - The waste landfill levy expense was \$0.67 million over YTD budget, in line with extra landfill tonnages and revenue received.
 - Council grants & donations program was \$0.34 million behind YTD budget.
- Depreciation/amortisation on assets was collectively under budget by \$0.91 million, largely representing lower depreciation on building assets resulting from the formal revaluation completed in June 2021.

Capital Expenditure

Council originally adopted a capital expenditure budget of \$36.19 million, which has now increased to \$97.18 million with the inclusion of carry forwards and other budget amendments made this year.

As at 31 January, \$31.78 million (32.7 percent) had been spent on the capital program, representing a YTD underspend of \$16.46 million.

Adjustments were made in the mid-year budget review to defer several projects unable to be delivered this year.

The following table shows the budget performance by asset class:

Capital acquisitions	Amended		YTD Actual \$	YTD Actual Variance \$
	Budget \$	YTD Budget \$		
Land	2,520,000	840,000	840,000	-
Buildings	20,357,871	12,668,131	11,047,801	(1,620,330)
Furniture and equipment	92,000	7,000	-	(7,000)
Plant and equipment	6,897,375	4,122,375	1,836,846	(2,285,529)
Information technology	1,604,890	1,376,557	450,711	(925,846)
Infrastructure - roads	30,262,399	15,332,633	9,957,977	(5,374,656)
Infrastructure - drainage	2,193,416	1,584,249	329,676	(1,254,573)
Infrastructure - footpath	2,913,494	2,411,556	945,576	(1,465,980)
Infrastructure - parks hard	17,568,982	5,597,511	1,940,287	(3,657,224)
Infrastructure - landscaping	2,275,641	1,297,769	1,054,043	(243,726)
Infrastructure - landfill site	3,130,709	165,513	48,314	(117,199)
Infrastructure - marina	6,289,234	2,130,550	3,286,588	1,156,038
Infrastructure - coastal	1,074,987	706,987	45,000	(661,987)
Total	97,180,998	48,240,831	31,782,819	(16,458,012)



The following asset classes contained projects showing material variances:

- Roads infrastructure was showing an overall budget variance of \$5.37 million under YTD budget and included the following project material variances (timing issues):

Project	Amended Annual Budget \$	YTD Amended Budget \$	YTD Actual \$	YTD Variance \$
Rockingham Road and Phoenix Roundabout	1,141,507	1,141,507	68,737	1,072,770
Jandakot Road (Berrigan to Solomon stage 1)	8,361,810	6,300,000	5,407,507	892,493
Hammond Road Branch to Bartram	8,747,007	2,150,000	1,320,827	829,173
Rockingham Rd Hamilton to Bailey	474,069	474,069	25,809	448,260
Rockingham Rd Paulik to Hamilton	407,871	407,871	28,280	379,591

- Buildings construction had a net budget variance of \$1.62 million under YTD budget, with most variances due to timing differences apart from Treeby Community Centre (addressed in the mid-year review):

Project	Amended Annual Budget	YTD Amended Budget	YTD Actual \$	YTD Variance \$
Malabar Park BMX Facility	1,541,369	1,541,369	25,143	1,516,227
Consultancy Services - Health and Fitness Expansion	660,335	430,335	393	429,942
Goodchild Park Upgrades	1,305,493	481,905	69,317	412,588
Beale Park Redevelopment	329,107	329,107	24,252	304,855
Wetland Education Centre	370,369	370,369	679,430	(309,061)
Frankland Park Recreation Centre & Ovals - Design	6,421,561	3,483,545	4,627,763	(1,144,218)
Calleya Estate 'Treeby' Community Centre	3,051,833	1,864,154	3,753,199	(1,889,045)

- Parks hard infrastructure had a YTD budget variance of \$3.66 million, with only the two following projects showing a material variance:

Project	Amended Annual Budget	YTD Amended Budget	YTD Actual \$	YTD Variance \$
Coogee Beach Master Plan	1,443,361	1,443,361	943	1,442,418
Aubin Grove Skate Facility	575,258	575,258	29,436	545,822

- The plant replacement programs for both heavy plant and light fleet have a combined YTD budget variance of \$2.28 million, although \$3.92 million of plant is currently on order and awaiting delivery.
- Marina infrastructure was reporting a \$1.15 million variance to YTD budget, but this is only a timing difference in payments for the marina expansion project.

Non-Operating Grants, Subsidies and Contributions

The City's budget for capital grants and contributions is \$28.99 million, with \$5.63 million accounted for against a YTD budget of \$5.39 million. The recognition of this revenue is tied to the completion of funded capital projects (as per Australian Accounting Standards).

Financial Reserves

A detailed schedule of the City's financial reserves is included in the financial report, showing a balance of \$169.02 million in total reserves held at the end of January.

Council funded reserves make up \$130.37 million of this balance, with the remaining \$38.65 million held for externally restricted purposes (i.e. grant funded, developer contributions, specified area rates).

Transfers into reserves to the end of the month totalled \$15.46 million, including \$8.34 million for last year's carried forward projects, \$2.41 million from sale of land proceeds, and \$4.01 million in developer contribution plan receipts.

YTD transfers out of reserves totalled \$17.92 million, with \$16.81 million of this for funding delivery of capital projects.

Cash and Financial Assets

The City's closing cash and financial assets investment holding at month's end totalled \$233.40 million (down from \$239.17 million last month).

This included financial assets (term deposits and investments) of \$228.41 million, with the balance of \$10.76 million representing cash and cash equivalent holdings.



\$174.38 million of these funds were internally and externally restricted, representing the City's financial reserves and liability for bonds and deposits.

The remaining \$59.03 million represented unrestricted funding for the City's operating activities and liabilities.

Investment Performance, Ratings and Maturity

The City's term deposit portfolio yield continued its increase to an annualised 0.75 percent (up from 0.63% last month and 0.56% the month before).

This outperformed the City's target rate of 0.60 percent (comprising RBA cash rate of 0.10% plus a 0.50% performance margin).

Interest earned on investments to the end of month was \$0.68 million, well on track to achieve the revised full year budget of \$1.1 million (upgraded in mid-year review).

New investments for the month were placed at rates ranging from 0.68 percent for ten months up to 1.91% for three years.

Banks are offering stronger rates for long term fixed deposits on the view the RBA will start lifting rates sometime mid-year.

Although it is acknowledged these rates are still considerably well below the long-term trends achieved in previous years.

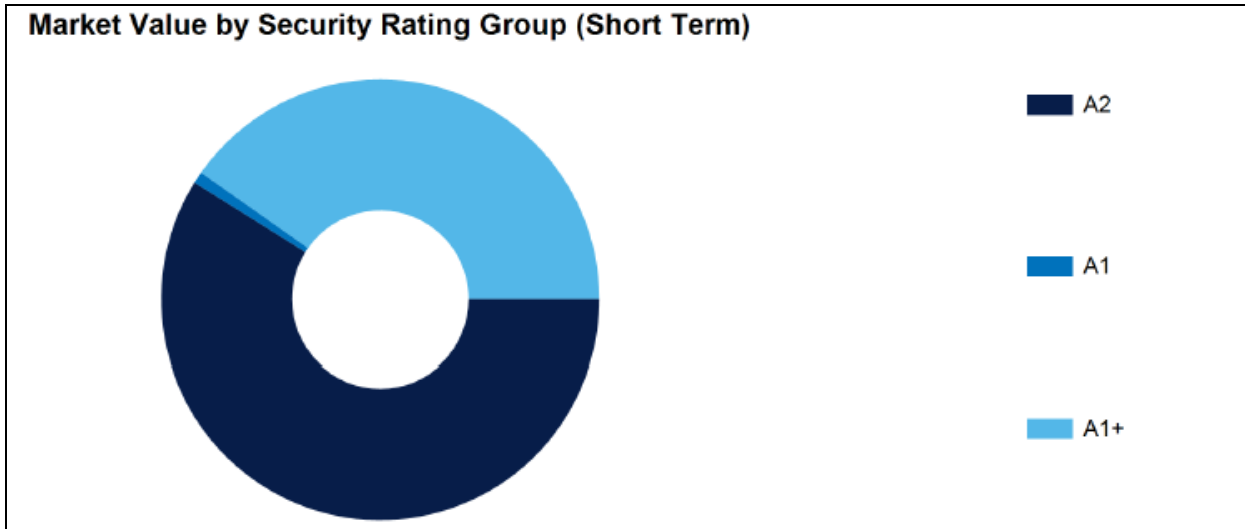
With the City's strong financial position and high level of reserves, this is creating opportunity for the City to lift its investment yield.

Current investments held are fully compliant with Council's Investment Policy, other than several reverse mortgage securities purchased under previous policy and statutory provisions.

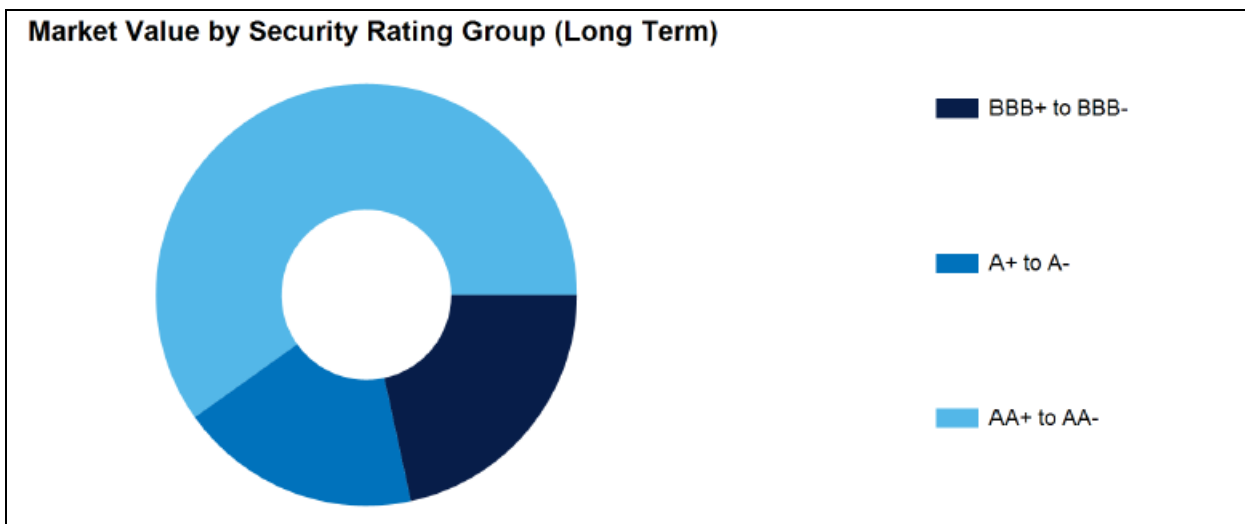
These have a face value of \$2.48 million and market value of \$1.62 million. The City is carrying them at a book value of \$0.91 million (net of a \$1.575 million impairment provision) and continues receiving interest and capital payments, with \$0.515 million returned to date of the original \$3.0 million invested.

The City's short-term deposits (less than 12 months) made up 51.0% (\$115.69 million) of the City's portfolio, down from 69.0% (\$158.3 million) last month. These are classified under the following credit ratings:





Deposits invested between 1 and 3 years made up 49.0 % (\$111.25 million) of the City's portfolio, up from 31.0% (\$71.2 million) last month, and classified under following credit ratings:



The City's portfolio is allocated across the following institutions, showing a good level of diversification:



Issuer	Market Value	% Total Value
AMP Bank Ltd	18,026,617.57	7.94%
Bank of Queensland Ltd	42,565,809.56	18.76%
Commonwealth Bank of Australia Ltd	56,577,746.75	24.93%
Defence Bank Ltd	3,004,142.46	1.32%
Emerald Reverse Mortgage Trust	1,619,272.52	0.71%
Macquarie Bank	11,005,819.18	4.85%
Members Equity Bank Ltd	19,552,969.82	8.62%
MyState Bank Ltd	16,022,810.42	7.06%
National Australia Bank Ltd	30,551,640.01	13.46%
Suncorp Bank	2,003,476.16	0.88%
Westpac Banking Corporation Ltd	26,004,413.72	11.46%
Portfolio Total	226,934,718.16	100.00%



Investment in Fossil Fuel Free Banks

At month end, the City held 18.9% or \$42.98 million of its investment portfolio with banks considered non-funders of fossil fuel related industries (down from 28% last month).

The amount invested with fossil fuel free banks fluctuates month to month, due to the attractiveness of deposit rates being offered and the capacity of fossil fuel free banks to accept funds. These banks have been particularly uncompetitive with their rates in the past few months.

Portfolio Summary by Fossil Fuel Lending ADIs					
ADI Lending Status	% Total	Current Period	% Total	Prior Period	
Fossil Fuel Lending ADIs					
AMP Bank Ltd	7.8%	18,009,768.27	7.9%	18,009,768.27	
Bank of Queensland Ltd	18.3%	42,500,000.00	18.7%	42,500,000.00	
Commonwealth Bank of Australia Ltd	24.3%	56,500,000.00	24.8%	56,500,000.00	
Macquarie Bank	4.7%	11,000,000.00	4.8%	11,000,000.00	
National Australia Bank Ltd	13.1%	30,500,000.00	13.4%	30,500,000.00	
Westpac Banking Corporation Ltd	11.2%	26,000,000.00	11.4%	26,000,000.00	
	79.4%	184,509,768.27	81.1%	184,509,768.27	
Non Fossil Fuel Lending ADIs					
Defence Bank Ltd	1.3%	3,000,000.00	1.3%	3,000,000.00	
Emerald Reverse Mortgage Trust	1.1%	2,485,451.68	1.1%	2,485,451.68	
Members Equity Bank Ltd	8.4%	19,500,000.00	8.6%	19,500,000.00	
MyState Bank Ltd	9.0%	21,000,000.00	7.0%	18,000,000.00	
Suncorp Bank	0.9%	2,000,000.00	0.9%	2,000,000.00	
	20.6%	47,985,451.68	18.9%	42,985,451.68	
Total Portfolio		232,495,219.95		227,495,219.95	

Rates Debt Recovery

The collectible rates and charges for 2021-22 (comprising arrears, annual levies and part year rating) totals \$138.05 million. At the end of January, the City had \$28.56 million (20.7%) of this balance outstanding (excluding rates paid in advance).

In terms of overdue and delinquent rates accounts under formal or legal debt recovery processes, the City had 482 properties owing a total of \$1.70 million (523 properties last month owing \$1.85 million).

Formal debt recovery activities are commenced when ratepayers have not committed to instalment or other payment arrangements or sought relief under the City's Financial Hardship Policy.



Trade and Sundry Debtors

The City had \$3.59 million in outstanding debtors to the end of January.

Those overdue by more than 90 days made up \$531,866 (14.8%) of this balance. The 90-day debtors included State Government related debts totalling \$129k, lease monies owing from naval base tenants totalling \$160k, and debts owing from the Fremantle Football Club of \$101k (paid in February).

Budget Amendments - 2021-22 Budget Year

There are several budget amendments proposed to the 2021-22 Council adopted budget as outlined below:

- Savings in contract project officer role at ARC now absorbed into ARC Transformation budget costs, saving of \$56,475.
- Savings in grounds maintenance costs at the ARC of \$8,000.
- An additional \$100k needed for the internal cladding replacement in the ARC sports stadium, following a tender process (funded from Cockburn ARC Building Maintenance Reserve).
- An additional \$53k needed to complete cabling for the geothermal rectification works at the ARC (funded from the Plant Replacement Reserve).
- Allocation of \$10k needed to appoint a consultant investigating electrical power supply harmonics issue (funded from budget surplus)
- Installation of "No Parking" signs for waste collection purposes along 5 streets that are problematic for drivers, costing \$10k (funded from Waste Collection Reserve).

The following table summarises the effect of these budget changes by classification (as detailed under note 8 of the attached Monthly Financial Report):

Classification	Amount \$	Budget Impact
Expenditure from operating activities	44,475	Decrease
Payments - property, plant & equipment, infrastructure	(153,000)	Increase
Transfers from reserves	163,000	Increase
Net Budget Surplus impact	54,475	Increase

Elected Member Budget Contingency

The 2021-22 Municipal Budget does not currently include a contingency provision.



Strategic Plans/Policy ImplicationsListening and Leading

A community focused, sustainable, accountable and progressive organisation

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

The City's revised budget surplus for FY22 of \$37,637 (as at 31 January) will increase to \$92,112 with the budget amendments proposed in this report.

This further increases to \$224,819 with the changes included in the mid-year budget review adopted by Council at its February meeting.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

Council's adopted budget for revenue, expenditure and the closing financial position could factually misrepresent actual financial outcomes if the recommended budget amendments are not adopted.

Further, some services and projects could be disrupted if budgetary requirements are not appropriately addressed.

Advice to Proponents/Submitters

N/A

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

Nil



CITY OF COCKBURN
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 31 January 2022

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Monthly Summary Information	2
Statement of Financial Activity by Nature or Type	4
Statement of Financial Activity by Business Unit	6
Basis of Preparation	7
Note 1 Statement of Financial Activity Information	8
Note 2 Cash and Financial Assets	9
Note 3 Disposal of Assets	10
Note 4 Capital Acquisitions	11
Note 5 Borrowings	12
Note 6 Cash Reserves	13
Note 7 Other Current Liabilities	15
Note 9 Budget Amendments	16
Note 10 Explanation of Material Variances	17



MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JANUARY 2022

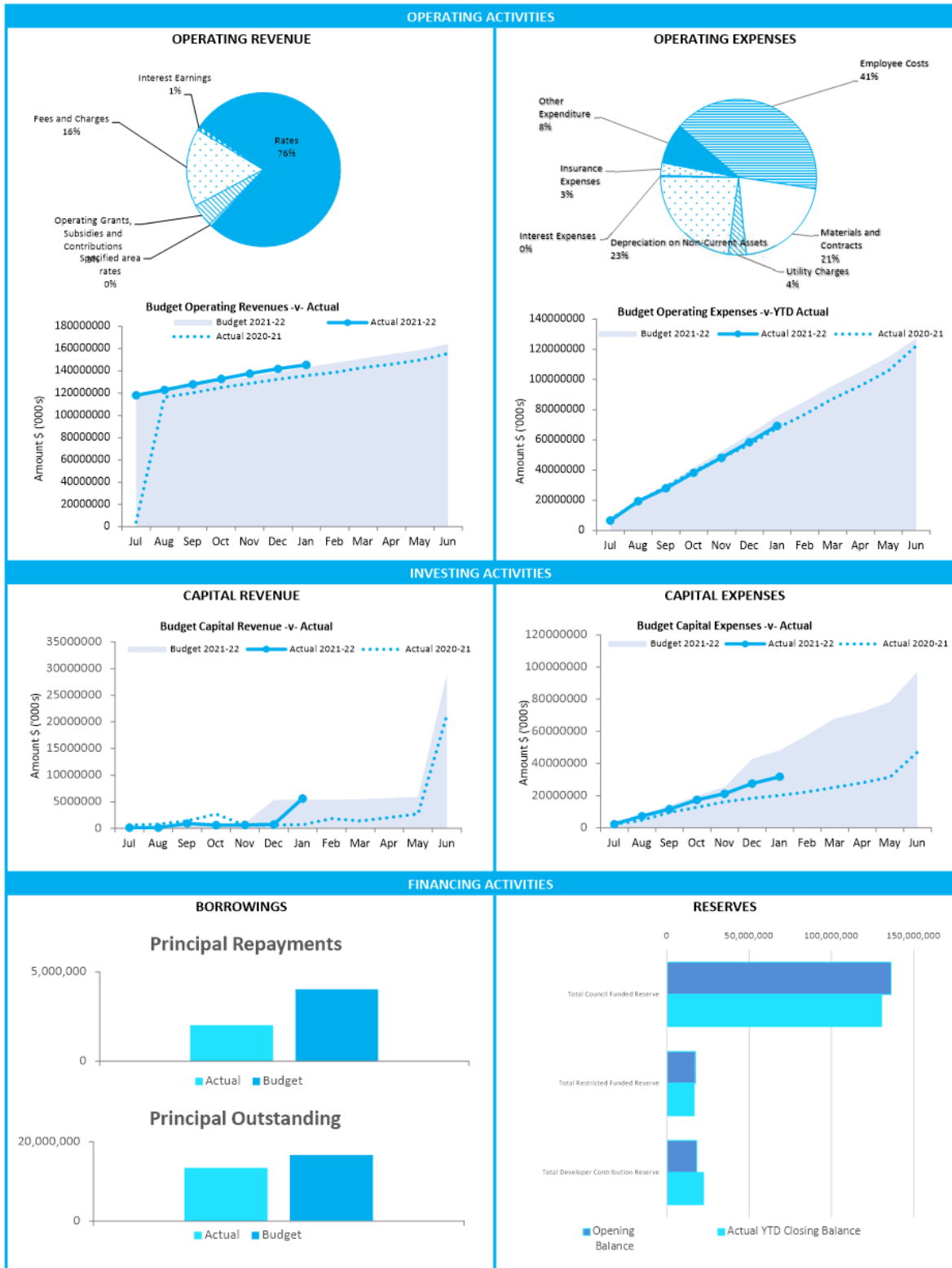
SUMMARY INFORMATION

Funding surplus / (deficit) Components					
Funding surplus / (deficit)					
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	
Opening	\$8.34 M	\$8.34 M	\$8.59 M	\$0.24 M	
Closing	\$0.04 M	\$37.71 M	\$66.67 M	\$28.95 M	
Refer to Statement of Financial Activity					
Cash and financial assets					
	\$233.40 M	% of total			
Unrestricted Cash	\$59.03 M	25.3%			
Restricted Cash	\$174.38 M	74.7%			
Refer to Note 2 - Cash and Financial Assets					
Key Operating Activities					
Amount attributable to operating activities					
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)		
\$39.71 M	\$69.18 M	\$80.88 M	\$11.70 M		
Refer to Statement of Financial Activity					
				Employee Cost	
				YTD Actual (\$36.46 M) % Variance	
				YTD Budget (\$38.33 M) (4.9%)	
				Refer to Statement of Financial Activity	
Rates Revenue		Fees and Charges		Materials & Contracts	
YTD Actual	\$112.61 M % Variance	YTD Actual	\$24.31 M % Variance	YTD Actual	(\$18.82 M) % Variance
YTD Budget	\$112.42 M 0.0%	YTD Budget	\$21.71 M 12.0%	YTD Budget	(\$23.52 M) (20.0%)
Refer to Statement of Financial Activity		Refer to Statement of Financial Activity		Refer to Statement of Financial Activity	
Key Investing Activities					
Amount attributable to investing activities					
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)		
(\$63.70 M)	(\$38.86 M)	(\$23.18 M)	\$15.68 M		
Refer to Statement of Financial Activity					
Proceeds on sale		Asset Acquisition		Capital Grants	
YTD Actual	\$2.96 M %	YTD Actual	\$31.78 M % Spent	YTD Actual	(\$5.63 M) % Received
Amended Budget	\$4.50 M 65.9%	Amended Budget	\$97.18 M 32.7%	Amended Budget	(\$28.99 M) 19.4%
Refer to Note 3 - Disposal of Assets		Refer to Note 4 - Capital Acquisition		Refer to Note 4 - Capital Acquisition	
Key Financing Activities					
Amount attributable to financing activities					
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)		
\$15.68 M	(\$0.95 M)	\$0.38 M	\$1.33 M		
Refer to Statement of Financial Activity					
Borrowings			Reserves		
Principal repayments	\$2.01 M		Reserves balance	\$169.02 M	
Interest expense	\$0.24 M		Interest earned	\$0.06 M	
Principal due	\$13.42 M				
Refer to Note 5 - Borrowings			Refer to Note 6 - Cash Reserves		

This information is to be read in conjunction with the accompanying Financial Statements and notes.

MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JANUARY 2022

SUMMARY INFORMATION - GRAPHS



This information is to be read in conjunction with the accompanying Financial Statements and Notes.



STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

BY NATURE OR TYPE

	Ref Note	Amended Budget \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %	Var.
Opening funding surplus / (deficit)	1(c)	8,344,612	8,344,612	8,588,182	243,570	2.92%	
Revenue from operating activities							
Rates		112,170,000	111,861,614	112,023,748	162,134	0.14%	
Specified area rates		555,000	555,000	584,724	29,724	5.36%	
Operating grants, subsidies and contributions		15,589,466	8,186,015	7,235,133	(950,882)	(11.62%)	▼
Fees and charges		34,480,480	21,709,478	24,313,183	2,603,705	11.99%	▲
Interest earnings		1,610,000	1,093,333	1,352,169	258,836	23.67%	
Profit/(loss) on disposal of assets		3,628,957	3,413,649	2,691,650	(721,999)	(21.15%)	▼
		168,033,903	146,819,089	148,200,607	1,381,518		
Expenditure from operating activities							
Employee costs		(65,286,668)	(38,334,698)	(36,459,007)	1,875,691	4.89%	▲
Materials and contracts		(39,245,145)	(23,520,816)	(18,823,782)	4,697,034	19.97%	▲
Utility charges		(6,109,826)	(3,573,101)	(3,288,219)	284,882	7.97%	
Depreciation on non-current assets		(36,429,117)	(21,290,014)	(20,375,474)	914,540	4.30%	▲
Interest expenses		(542,341)	(286,439)	(246,596)	39,843	13.91%	
Insurance expenses		(1,910,200)	(1,910,200)	(2,307,898)	(397,698)	(20.82%)	▼
Other expenditure		(12,492,212)	(7,142,141)	(7,465,627)	(323,486)	(4.53%)	▼
		(162,015,509)	(96,057,409)	(88,966,603)	7,090,806		
Non-cash amounts excluded from operating activities	1(a)	33,688,100	18,414,900	21,645,765	3,230,865	17.54%	▲
Amount attributable to operating activities		39,706,494	69,176,580	80,879,769	11,703,189		
Investing activities							
Proceeds from non-operating grants, subsidies and contributions		28,985,358	5,386,568	5,634,806	248,238	4.61%	
Proceeds from disposal of assets	3	4,498,033	3,993,033	2,963,023	(1,030,010)	(25.80%)	▼
Payments for property, plant and equipment and infrastructure	4	(97,180,998)	(48,240,831)	(31,782,819)	16,458,012	34.12%	▲
Amount attributable to investing activities		(63,697,607)	(38,861,230)	(23,184,990)	15,676,240		
Financing Activities							
Proceeds from new debentures	5	5,277,400	2,380,520	0	(2,380,520)	(100.00%)	▼
Transfer from reserves	6	59,688,910	8,413,724	17,915,424	9,501,700	112.93%	▲
Repayment of debentures	5	(4,020,624)	(375,270)	(2,009,337)	(1,634,067)	(435.44%)	▼
Transfer to reserves	6	(45,261,547)	(11,365,220)	(15,523,979)	(4,158,759)	(36.59%)	▼
Amount attributable to financing activities		15,684,139	(946,246)	382,108	1,328,354		
Closing funding surplus / (deficit)	1(c)	37,637	37,713,716	66,665,075	28,951,359		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 9 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 JANUARY 2022**

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

STATUTORY REPORTING BY BUSINESS UNIT

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	8,344,612	8,344,612	8,588,182	243,570	2.92%	
Revenue from operating activities							
Governance, Risk & Compliance		800	467	2,397	1,930	413.28%	
Finance		119,328,300	115,113,420	115,830,132	716,712	0.62%	▲
Information & Technology		1,500	875	91	(784)	(89.60%)	
Library & Cultural Services		153,050	77,813	74,189	(3,624)	(4.66%)	
Recreation Infrastructure & Services		13,220,658	8,042,211	8,518,832	476,621	5.93%	▲
Community Development & Services		8,518,247	5,206,572	4,490,715	(715,857)	(13.75%)	▼
Community Safety & Ranger Services		1,050,050	719,902	848,510	128,608	17.86%	
Development Assessment & Compliance		3,333,833	2,103,165	2,291,129	187,864	8.94%	
Planning		176,180	100,906	47,862	(53,044)	(52.57%)	
Sustainability & Environment		888,118	522,410	278,657	(243,753)	(46.66%)	
Operations & Maintenance		14,894,148	9,637,043	10,904,843	1,267,800	13.16%	▲
Projects		80,000	0	76,421	76,421	0.00%	
Property & Assets		6,091,420	5,120,706	4,568,131	(552,575)	(10.79%)	▼
Customer Experience		600	350	0	(350)	(100.00%)	
Human Resources		97,000	56,583	110,296	53,713	94.93%	
Workplace Health & Safety		200,000	116,667	158,400	41,733	35.77%	
		168,033,904	146,819,090	148,200,605	1,381,515		
Expenditure from operating activities							
Executive Support		(3,286,274)	(1,900,964)	(1,667,602)	233,362	12.28%	
Civic Services		(2,009,227)	(1,328,505)	(1,189,093)	139,412	10.49%	
Corporate Strategy		(304,887)	(176,035)	(99,171)	76,864	43.66%	
Governance, Risk & Compliance		(572,053)	(350,522)	(362,985)	(12,463)	(3.56%)	
Finance		(5,929,035)	(4,325,234)	(5,250,037)	(924,803)	(21.38%)	▼
Information & Technology		(7,707,534)	(4,793,241)	(4,807,988)	(14,747)	(0.31%)	
Procurement		(857,135)	(496,336)	(438,364)	57,972	11.68%	
Library & Cultural Services		(5,596,696)	(3,335,784)	(2,966,701)	369,083	11.06%	▲
Recreation Infrastructure & Services		(15,699,839)	(9,180,197)	(7,991,383)	1,188,814	12.95%	▲
Community Development & Services		(13,532,933)	(8,437,338)	(6,369,624)	2,067,714	24.51%	▲
Community Safety & Ranger Services		(5,868,000)	(3,476,559)	(2,947,384)	529,175	15.22%	▲
Development Assessment & Compliance		(6,110,327)	(3,552,441)	(3,441,375)	111,066	3.13%	
Planning		(2,169,235)	(1,215,856)	(954,636)	261,220	21.48%	
Sustainability & Environment		(3,502,478)	(2,223,109)	(1,618,654)	604,455	27.19%	▲
Operations & Maintenance		(69,880,887)	(40,505,117)	(39,800,673)	704,444	1.74%	▲
Projects		(1,716,292)	(1,009,109)	(911,137)	97,972	9.71%	
Property & Assets		(12,079,099)	(6,836,920)	(5,338,733)	1,498,187	21.91%	▲
Stakeholder Management		(647,875)	(291,214)	(318,061)	(26,847)	(9.22%)	
Communications & Marketing		(1,447,171)	(834,832)	(741,980)	92,852	11.12%	
Customer Experience		(1,261,427)	(746,900)	(581,634)	165,266	22.13%	
Business & Economic Development		(387,025)	(206,174)	(132,089)	74,085	35.93%	
Grants & Research		0	0	0	0	0.00%	
Human Resources		(2,133,035)	(1,268,834)	(1,217,288)	51,546	4.06%	
Workplace Health & Safety		(748,922)	(434,838)	(495,341)	(60,503)	(13.91%)	
Transformation, Culture & Innovation		(240,812)	(147,968)	(109,157)	98,811	26.23%	
Internal Recharging		1,672,688	1,016,619	784,488	(232,131)	(22.83%)	
		(162,015,510)	(96,057,408)	(88,966,602)	7,090,806		
Non-cash amounts excluded from operating activities	1(a)	33,688,100	18,414,900	21,645,765	3,230,865	17.54%	▲
Amount attributable to operating activities		39,706,494	69,176,582	80,879,768	11,703,186		
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions		28,985,358	5,386,568	5,634,806	248,238	4.61%	
Proceeds from disposal of assets	3	4,498,033	3,993,033	2,963,023	(1,030,010)	(25.80%)	▼
Payments for property, plant and equipment and infrastructure	4	(97,180,998)	(48,240,831)	(31,782,819)	16,458,012	34.12%	▲
Amount attributable to investing activities		(63,697,607)	(38,861,230)	(23,184,990)	15,676,240		
Financing Activities							
Proceeds from new debentures	5	5,277,400	2,380,520	0	(2,380,520)	(100.00%)	▼
Transfer from reserves	6	59,688,910	8,413,724	17,915,424	9,501,700	112.93%	▲
Repayment of debentures	5	(4,020,624)	(375,270)	(2,009,337)	(1,634,067)	(435.44%)	▼
Transfer to reserves	6	(45,261,547)	(11,365,220)	(15,523,979)	(4,158,759)	(36.59%)	▼
Amount attributable to financing activities		15,684,139	(946,246)	382,108	1,328,354		
Closing funding surplus / (deficit)	1(c)	37,637	37,713,719	66,665,074			

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to threshold. Refer to Note 9 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$300,000 or 0.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 JANUARY 2022**

BASIS OF PREPARATION

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 , Regulation 34* . Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this financial report. This is not in accordance with the requirements of *AASB 1051 Land Under Roads paragraph 15* and *AASB 116 Property, Plant and Equipment paragraph 7*.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 January 2022

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the City controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities				
		\$	\$	\$
Adjustments to operating activities				
Less: (Profit)/loss on asset disposals	3	(3,628,957)	(3,993,033)	(2,691,650)
Less: Movement in liabilities associated with restricted cash		887,940	1,117,919	4,055,032
Less: Movement in leased liabilities			0	(138,336)
Movement in pensioner deferred rates (non-current)		0	0	72,615
Movement in employee benefit provisions (non-current)		0	0	(66,084)
Add: Public Open Space payment (non-current)		0	0	38,714
Add: Depreciation on assets		36,429,117	21,290,014	20,375,474
Total non-cash items excluded from operating activities		33,688,100	18,414,900	21,645,765

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2021	This Time Last Year 31 January 2021	Year to Date 31 January 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	6	(171,410,639)	(152,020,205)	(169,019,194)
Less: Bonds & deposits		(5,720,406)	(4,683,626)	(5,359,466)
Less: POS Payment		0	(5,764,971)	
Add: Borrowings	5	4,020,624	2,864,372	2,011,287
Add: Lease liabilities		218,182	421,881	79,846
Add: Financial assets at amortised cost - non-current	2	941,521	941,521	910,452
Total adjustments to net current assets		(171,950,718)	(158,241,028)	(171,377,075)
Cash and cash equivalents	2	4,606,858	13,872,551	7,493,514
Financial assets at amortised cost	2	197,500,000	204,900,000	225,000,000
Rates receivables		2,153,253	47,015,241	27,054,446
Receivables		4,604,250	5,081,419	6,377,513
Other current assets		5,436,822	741,451	2,723,252
Less: Current liabilities				
Payables		(13,471,132)	(16,153,470)	(12,108,577)
Borrowings	5	(4,020,624)	(2,864,372)	(2,011,287)
Contract liabilities	7	(6,552,672)	(4,403,363)	(7,357,111)
Lease liabilities		(218,182)	(421,881)	(79,846)
Provisions	7	(9,499,673)	(8,972,448)	(9,049,755)
Less: Total adjustments to net current assets	1(b)	(171,950,718)	(158,241,028)	(171,377,075)
Closing funding surplus / (deficit)		8,588,182	80,554,100	66,665,074

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution
		\$	\$	\$	\$	
Cash on hand						
Cash at bank	Cash and cash equivalents	7,467,746	0	7,467,746		NATIONAL AUSTRALIA BANK
Cash on hand	Cash and cash equivalents	25,768	0	25,768		
Term deposits - current	Financial assets at amortised cost	3,500,000	39,000,000	42,500,000		BANK OF QUEENSLAND
Term deposits - current	Financial assets at amortised cost	3,000,000	8,000,000	11,000,000		MACQUARIE BANK
Term deposits - current	Financial assets at amortised cost	500,000	19,000,000	19,500,000		MEMBERS EQUITY BANK
Term deposits - current	Financial assets at amortised cost	12,958,078	17,541,922	30,500,000		NATIONAL AUSTRALIA BANK
Term deposits - current	Financial assets at amortised cost	3,000,000		3,000,000		DEFENCE BANK
Term deposits - current	Financial assets at amortised cost	11,000,000	5,000,000	16,000,000		MYSTATE BANK
Term deposits - current	Financial assets at amortised cost	5,000,000	13,000,000	18,000,000		AMP
Term deposits - current	Financial assets at amortised cost	5,663,262	50,836,738	56,500,000		COMMONWEALTH BANK
Other investment - non current	Financial assets at amortised cost	910,452	0	910,452		BARCLAYS BANK
Term deposits - current	Financial assets at amortised cost	0	2,000,000	2,000,000		SUNCORP
Term deposits - current	Financial assets at amortised cost	6,000,000	20,000,000	26,000,000		WESTPAC
Total		59,025,305	174,378,660	233,403,965	0	

Comprising	Unrestricted	Restricted	Total Cash	Trust
	\$	\$	\$	\$
Cash and cash equivalents	7,493,514	0	7,493,513	0
Financial assets at amortised cost	51,531,792	174,378,660	225,910,452	0
	59,025,306	174,378,660	233,403,965	0

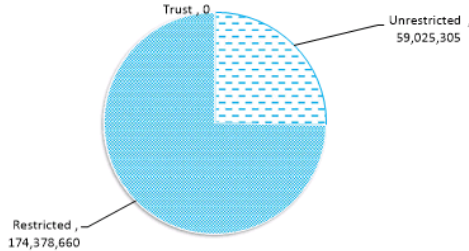
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

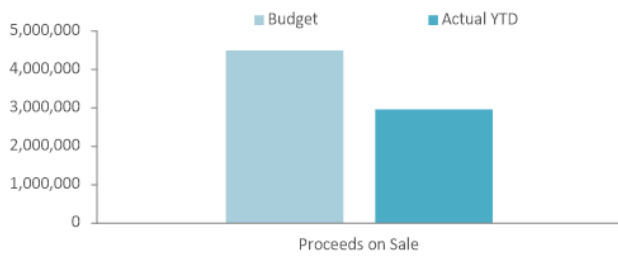
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES
NOTE 3
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment	869,076	1,398,033	528,957	0	271,373	552,463	281,090	0
	Freehold Land	0	3,100,000	3,100,000	0	0	2,410,560	2,410,560	0
		869,076	4,498,033	3,628,957	0	271,373	2,963,023	2,691,650	0



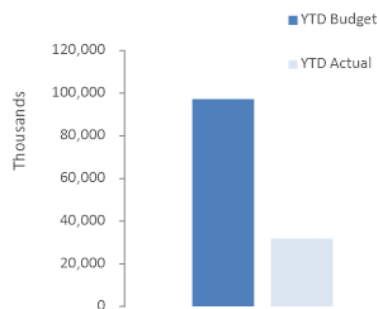
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

INVESTING ACTIVITIES
NOTE 4
CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	2,520,000	840,000	840,000	0
Buildings	20,357,871	12,668,131	11,047,801	(1,620,330)
Furniture and equipment	92,000	7,000	0	(7,000)
Plant and equipment	6,897,375	4,122,375	1,836,846	(2,285,529)
Information technology	1,604,890	1,376,557	450,711	(925,846)
Infrastructure - roads	30,262,399	15,332,633	9,957,977	(5,374,656)
Infrastructure - drainage	2,193,416	1,584,249	329,676	(1,254,573)
Infrastructure - footpath	2,913,494	2,411,556	945,576	(1,465,980)
Infrastructure - parks hard	17,568,982	5,597,511	1,940,287	(3,657,224)
Infrastructure - parks landscaping	2,275,641	1,297,769	1,054,043	(243,726)
Infrastructure - landfill site	3,130,709	165,513	48,314	(117,199)
Infrastructure - marina	6,289,234	2,130,550	3,286,588	1,156,038
Infrastructure - coastal	1,074,987	706,987	45,000	(661,987)
Payments for Capital Acquisitions	97,180,998	48,240,831	31,782,819	(16,458,012)
Total Capital Acquisitions	97,180,998	48,240,831	31,782,819	(16,458,012)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	(28,985,358)	(5,386,568)	(5,634,806)	(248,238)
Borrowings	(5,277,400)	(2,380,520)	0	2,380,520
Other (disposals & C/Fwd)	(4,498,033)	(3,993,033)	(2,963,023)	1,030,010
Cash backed reserves				
Plant & Vehicle Replacement	(4,536,264)	(2,360,355)	(1,179,267)	1,181,088
Information Technology	(285,000)	(255,000)	(96,620)	158,380
Major Building Refurbishment	(834,157)	(378,664)	(333,034)	45,630
Waste & Recycling	(3,590,709)	(165,513)	(48,314)	117,199
Land Development and Investment Fund	(12,346,982)	(4,225,352)	(1,732,980)	2,492,372
Roads & Drainage Infrastructure	(8,344,632)	(1,214,256)	(1,571,772)	(357,516)
Community Infrastructure	(3,990,851)	(3,672,942)	(2,636,203)	1,036,739
Greenhouse Action Fund	(35,300)	(35,300)	0	35,300
Aged and Disabled Asset Replacement	(46,213)	(46,213)	(35,159)	11,054
Port Coogee Special Maintenance - SAR	(37,907)	(37,907)	(4,190)	33,717
Community Surveillance	(220,000)	0	0	0
Bibra Lake Management Plan	(191,882)	(191,882)	(28,748)	163,134
Restricted Grants & Contributions	(34,936)	(21,300)	(34,937)	(13,637)
CIHCF Building Maintenance	(300,000)	0	0	0
Carry Forward Projects	(17,372,231)	(14,232,869)	(9,078,688)	5,154,181
Port Coogee Marina Assets Replacement	(174,000)	(28,000)	0	28,000
Public Open Space - Various	(631,082)	(631,082)	(33,820)	597,262
Contribution - operations	(5,448,061)	(8,984,075)	(6,371,260)	2,612,815
Capital funding total	(97,180,998)	(48,240,831)	(31,782,819)	16,458,012

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

FINANCING ACTIVITIES
NOTE 5
BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
Governance										
To assist fund the stage 2 of Marina infrastructure expansion	9	0	0	5,277,400	0	0	0	5,277,400	0	0
Community amenities										
SMRC		2,929,222	0	0	759,337	1,520,624	2,169,885	1,408,598	59,222	105,000
Recreation and culture										
To assist fund the Cockburn Central West development	8	12,500,000	0	0	1,250,000	2,500,000	11,250,000	10,000,000	185,000	434,500
C/Fwd Balance		15,429,222	0	5,277,400	2,009,337	4,020,624	13,419,885	16,685,998	244,222	539,500
Total		15,429,222	0	5,277,400	2,009,337	4,020,624	13,419,885	16,685,998	244,222	539,500
Current borrowings		3,226,983					2,011,287			
Non-current borrowings		12,202,239					11,408,598			
		15,429,222					13,419,885			

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES
NOTE 6
CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Council Funded									
Staff Payments & Entitlements	1,593,128	0	0	0	0	(831,092)	(67,707)	762,036	1,525,421
Plant & Vehicle Replacement	11,869,994	0	0	2,000,000	0	(4,536,264)	(1,179,267)	9,095,948	10,690,727
Information Technology	926,599	0	0	1,000,000	0	(285,000)	(96,620)	1,732,034	829,979
Major Building Refurbishment	17,341,289	0	0	1,500,000	0	(834,157)	(333,034)	18,954,255	17,008,255
Waste & Recycling	12,523,659	0	0	2,980,000	0	(3,590,709)	(48,314)	9,156,599	12,475,345
Land Development and Investment Fund	12,863,720	0	0	3,368,114	2,588,228	(12,456,982)	(1,732,980)	4,086,350	13,718,969
Roads & Drainage Infrastructure	12,203,545	0	0	3,421,864	0	(8,644,632)	(1,589,334)	6,275,841	10,614,211
Naval Base Shacks	1,242,899	0	0	18,287	18,287	0	0	1,198,213	1,261,186
Community Infrastructure	21,757,381	0	0	12,027,695	0	(3,990,851)	(2,636,203)	26,825,711	19,121,179
Insurance	2,672,674	0	0	300,000	0	0	0	2,959,263	2,672,674
Greenhouse Action Fund	708,938	0	0	200,000	0	(35,300)	0	1,053,734	708,938
HWRP Post Closure Management & Contan	2,915,674	0	0	500,000	0	(70,000)	(14,980)	3,869,276	2,900,694
Municipal Elections	151,420	0	0	150,000	0	(150,000)	(150,000)	151,420	1,420
Community Surveillance	932,870	0	0	200,000	0	(365,000)	(145,000)	789,480	787,870
Waste Collection	6,512,856	0	0	1,073,123	0	0	0	7,246,651	6,512,856
Environmental Offset	248,759	0	0	0	0	0	0	308,011	248,759
Bibra Lake Management Plan	192,968	0	0	0	0	(191,882)	(28,748)	161,243	164,220
CIHCF Building Maintenance	10,688,137	0	0	720,779	420,454	(300,000)	0	10,822,499	11,108,592
Cockburn ARC Building Maintenance	5,218,365	0	0	1,500,000	0	(50,000)	(43,317)	6,668,365	5,175,048
Carry Forward Projects	11,867,222	0	0	8,344,612	8,344,612	(17,573,471)	(9,153,166)	1,553,818	11,058,668
Port Coogee Marina Assets Replacement	1,784,887	0	0	300,000	0	(174,000)	0	1,610,887	1,784,887
Total Council Funded Reserve	136,216,987	0	0	39,604,474	11,371,582	(54,079,340)	(17,218,670)	115,281,634	130,369,899
Restricted Funded									
Aged and Disabled Asset Replacement	422,872	4,257	914	76,596	44,681	(46,213)	(35,159)	452,140	433,309
Welfare Projects Employee Entitlements	1,850,773	18,465	1,109	0	0	0	0	2,308,736	1,851,881



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES
NOTE 6
CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Port Coogee Special Maintenance - SAR	1,980,900	22,245	3,992	360,000	0	(388,380)	(159,976)	1,645,236	1,824,916
Port Coogee Waterways - SAR	146,257	1,291	308	95,000	0	(50,000)	0	149,222	146,564
Family Day Care Accumulation Fund	11,560	0	24	0	0	0	0	11,549	11,584
Naval Base Shack Removal	792,815	7,998	1,709	30,477	30,477	0	0	725,695	825,000
Restricted Grants & Contributions	5,174,134	0	0	0	0	(325,651)	(422,656)	691,434	4,751,478
Public Open Space - Various	5,458,078	0	11,450	0	0	(631,082)	(33,820)	4,886,388	5,435,708
Port Coogee Waterways - WEMP	1,246,537	15,831	2,607	0	0	(234,755)	(34,755)	1,091,612	1,214,389
Cockburn Coast SAR	50,644	465	95	35,000	0	(11,429)	(10,389)	39,043	40,350
Total Restricted Funded Reserve	17,134,568	70,551	22,207	597,073	75,158	(1,687,510)	(696,754)	12,001,055	16,535,179
Developer Contribution Plans									
Community Infrastructure DCP 13	6,832,991	17,282	15,770	3,000,000	2,255,268	(3,189,553)	0	5,440,395	9,104,029
Developer Contribution Plans - Various	11,226,093	162,167	24,366	1,810,000	1,759,628	(732,507)	0	11,993,240	13,010,087
Total Developer Contribution Reserve	18,059,084	179,449	40,136	4,810,000	4,014,896	(3,922,060)	0	17,433,635	22,114,116
Total Cash Reserve	171,410,639	250,000	62,343	45,011,547	15,461,636	(59,688,910)	(17,915,424)	144,716,323	169,019,194

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES
NOTE 7
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2021	Liability Increase	Liability Reduction	Closing Balance 31 January 2022
		\$	\$	\$	\$
Contract liabilities					
Unspent grants, contributions and reimbursements - non-operating		6,552,672	6,348,292	(5,543,853)	7,357,111
Total unspent grants, contributions and reimbursements		6,552,672	6,348,292	(5,543,853)	7,357,111
Provisions					
Annual leave		5,078,573	35,681,318	(36,131,235)	4,628,655
Long service leave		4,421,100	0	0	4,421,100
Total Provisions		9,499,673	35,681,318	(36,131,235)	9,049,755
Total other current assets		16,052,345	42,029,610	(41,675,088)	16,406,866
Amounts shown above include GST (where applicable)					

KEY INFORMATION

Provisions

Provisions are recognised when the City has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the City's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The City's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The City's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The City's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the City does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the City are recognised as a liability until such time as the City satisfies its obligations under the agreement.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption		Opening surplus				160,114
GL 445	Adjustment to grant income	09/09/21 0150	Operating Revenue			(666,212)	(506,098)
GL 445	Adjustment to Home Care Packages due to reduction in grant income	09/09/21 0150	Operating Expenses		8,961		(497,137)
GL 445	Adjustment to transfer to reserve from Home Care Packages due to reduction in grant income	09/09/21 0150	Transfer to Reserve		657,251		160,114
GL 414	Unspent grant carried forward from 20/21	09/09/21 0150	Transfer from Reserve		25,000		185,114
GL 414	Increase in NDIS expenditure from unspent grant	09/09/21 0150	Operating Expenses			(25,000)	160,114
GL 505	Strategic Planning recoup of DCA admin fee	09/09/21 0150	Operating Revenue		153,980		314,094
OP9080/1	Reduction in DCA review fees recouped	09/09/21 0150	Operating Revenue			(97,972)	216,122
OP9080/1	Reduction in DCA review fees	09/09/21 0150	Operating Expenses		97,972		314,094
CW1678	Transfer Executives mobile phones to OP as they are under the capitalisation threshold.	09/09/21 0150	Capital Expenses		40,000		354,094
OP4941	Purchase of Executives mobile phones	09/09/21 0150	Operating Expenses			(40,000)	314,094
CW6128	Release of partial quarantined fund for Santich Park	09/09/21 0150	Transfer from Reserve		100,000		414,094
CW6128	Development at Santich Park	09/09/21 0150	Capital Expenses			(100,000)	314,094
OP4991/2/4	Water and electricity cost at Bibra Lake Scouts, Cockburn						
OP4991/2/4	Wetlands Centre and Native Arc	09/09/21 0150	Operating Expenses			(132,000)	182,094
OP4991/2/4	Reimbursements from community groups for water and electricty costs	09/09/21 0150	Operating Revenue		132,000		314,094
OP4944	WALGA Urban Canopy Grant grant #2	09/09/21 0150	Operating Revenue		18,723		332,817
OP4944	Urban canopy expenditure	09/09/21 0150	Operating Expenses			(18,723)	314,094
OP7696	Lease revenue at Success Fire Station from DFES for 6 months	09/09/21 0150	Operating Revenue		32,010		346,104
OP9503	Volunteer Week Events is a recurrent project	09/09/21 0150	Operating Expenses			(3,000)	343,104
CW4971	Removal of LRCI grant to LED Lighting project	09/09/21 0150	Operating Revenue			(3,723,182)	(3,380,078)
CW4971	LED Lighting project funded from Road Reserve	09/09/21 0150	Transfer from Reserve		3,723,182		343,104
CW3917	Removal Road Reserve funding to Jandakot Road (Berrigan to Solomon)	09/09/21 0150	Transfer from Reserve			(3,723,182)	(3,380,078)
CW3917	Jandakot Road (Berrigan to Solomon) funded from LRCI grant	09/09/21 0150	Operating Revenue		3,723,182		343,104



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
CW4149	Reduce expenditure to fund for Community Engagement salary	09/09/21 0150	Capital Expenses		110,000		453,104
CW4149	Reduce transfer from Land Development Reserve	09/09/21 0150	Transfer from Reserve			(110,000)	343,104
OP4939	Community Engagement salary and on-cost	09/09/21 0150	Operating Expenses			(110,000)	233,104
OP4939	Community Engagement salary funded from Land Development Reserve	09/09/21 0150	Transfer from Reserve		110,000		343,104
OP8190	Works on slip road between Warton & Jandakot Roads	09/09/21 0150	Operating Expenses			(300,000)	43,104
OP8190	Funding works on Warton & Jandakot Roads	09/09/21 0150	Transfer from Reserve		300,000		343,104
OP4942	Works on Woodman Point	09/09/21 0150	Operating Expenses			(24,760)	318,344
OP4942	Fairy Tern grant to fund works on Woodman Point	09/09/21 0150	Operating Revenue		24,760		343,104
OP9576	Mitigation works on CY O'Connor	09/09/21 0150	Operating Expenses			(53,667)	289,437
OP9576	Coastwest grant to fund works on CY O'Connor	09/09/21 0150	Operating Revenue		53,667		343,104
GL 965	DCP 4 Repmt for prefunded cost for Beeliar Drive [Spearwood/Stock]	14/10/21 0173	Transfer to Reserve			(190,000)	153,104
GL 895	Recognising the payment received from developer and reducing the City's liability	14/10/21 0173	Operating Revenue		190,000		343,104
GL 965	DCP5 Repmt for prefunded cost for Beeliar Drive [Spearwood/Stock]	14/10/21 0173	Transfer to Reserve			(231,864)	111,240
GL 896	Recognising the payment received from developer and reducing the City's liability	14/10/21 0173	Operating Revenue		231,864		343,104
GL 485	Waste income and levy adjustment	14/10/21 0173	Operating Revenue		1,480,000		1,823,104
GL 485	Transfer waste income to Waste Reserve	14/10/21 0173	Transfer to Reserve			(1,480,000)	343,104
GL 400	Grant adjustment and indexation	14/10/21 0173	Operating Revenue		4,244		347,348
GL 400	Expenditure adjustments due to increase in grant	14/10/21 0173	Operating Expenses			(4,244)	343,104
GL 330	Grant adjustment	14/10/21 0173	Operating Revenue		3,871		346,975
GL 330	Expenditure adjustments due to increase in grant	14/10/21 0173	Operating Expenses			(3,871)	343,104
CW4937	Jean Willis kitchen refurbishment funded from Reserve	14/10/21 0173	Capital Expenses			(20,000)	323,104
CW4937	Transfer from Asset Replacement Reserve to fund refurbishment at Jean Willis Centre	14/10/21 0173	Transfer from Reserve		20,000		343,104
CW3950	Reducing grant income due to change in funding source	14/10/21 0173	Capital Revenue			(566,403)	(223,299)
CW3950	Transfer from Road Reserve	14/10/21 0173	Transfer from Reserve		566,403		343,104
CW6300	Cockburn ARC temporary carpark funded from surplus	14/10/21 0173	Capital Expenses			(20,000)	323,104



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
OP4940	Bore cleaning at Cockburn ARC	14/10/21 0173	Operating Expenses			(50,000)	273,104
OP4940	Transfer from ARC maintenance reserve to fund bore cleaning Missed from carry forward - Welfare trailer for Jandakot Fire	14/10/21 0173	Transfer from Reserve		50,000		323,104
CW7318	Brigade	11/11/21 0198	Capital Expenses			(7,032)	316,072
CW7318	Welfare trailer for Jandakot FB funded from proceeds of sale	11/11/21 0198	Capital Revenue		6,669		322,741
CW7318	Welfare trailer for Jandakot FB funded from reserve	11/11/21 0198	Transfer from Reserve		363		323,104
CW7710	Missed from carry forward - Refurbish IVECO Compactor Truck Refurbish IVECO Compactor Truck funded from proceeds of	11/11/21 0198	Capital Expenses			(232,943)	90,161
CW7710	sale	11/11/21 0198	Capital Revenue		109,091		199,252
CW7710	Refurbish IVECO Compactor Truck funded from reserve Missed from carry forward - Low Profile Rear Loading Waste	11/11/21 0198	Transfer from Reserve		123,852		323,104
CW7746	Truck	11/11/21 0198	Capital Expenses			(235,866)	87,238
CW7746	Low Profile Rear Loading Waste Truck funded from proceeds of sale	11/11/21 0198	Capital Revenue		59,091		146,329
CW7746	Low Profile Rear Loading Waste Truck funded from reserve	11/11/21 0198	Transfer from Reserve		176,775		323,104
CW7785	Missed from carry forward - Hino Sideload Recycle Truck	11/11/21 0198	Capital Expenses			(345,756)	(22,652)
CW7785	Hino Sideload Recycle Truck funded from proceeds of sale	11/11/21 0198	Capital Revenue		68,182		45,530
CW7785	Hino Sideload Recycle Truck funded from reserve Shelter refurbishment at Omeo North funded from Frazer	11/11/21 0198	Transfer from Reserve		277,574		323,104
CW6301	Development handover funds	11/11/21 0198	Capital Expenses			(41,585)	281,519
CW6301	Frazer Development handover funds	11/11/21 0198	Capital Revenue		41,585		323,104
CW2364	Transfer to OP Project for demolishing Ethel Cooper Kindy	11/11/21 0198	Capital Expenses		20,000		343,104
OP4933	Ethel Cooper Kindy demolition	11/11/21 0198	Operating Expenses			(20,000)	323,104
CW6026	Building accessible playground at Lucretia Park	11/11/21 0198	Capital Expenses			(15,000)	308,104
OP8930	Transfer to CW to build accessible playground at Lucretia Park	11/11/21 0198	Operating Expenses		15,000		323,104



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
OP7966	COVID-19 related expenditure and preparation for Delta variance	11/11/21 0198	Operating Expenses			(20,000)	303,104
OP9775	IAP2 Engagement Essentials training for 20 staff	11/11/21 0198	Operating Expenses			(15,225)	287,879
OP4934	Resourcing costs on administrative review	11/11/21 0198	Operating Expenses			(23,000)	264,879
Various	Balancing budget variances due to restructure	11/11/21 0198	Operating Expenses			(227,242)	37,637
CW4714	Fremantle Football Club contribution to ARC expansion project	11/11/21 0198	Capital Revenue		230,000		267,637
CW4714	ARC Expansion project attached to Kailis Oval	11/11/21 0198	Capital Expenses			(230,000)	37,637
GL 152	Transfer underspent in salaries to fund Advocacy Initiative and Community Engagement projects	to OCM 09/12/21	Operating Expenses		55,000		92,637
GL 518	Transfer underspent in salaries to fund Advocacy Initiative and Community Engagement projects	to OCM 09/12/21	Operating Expenses		55,000		147,637
OP4937	Advocacy Initiative and Community Engagement projects funded by underspent in Stakeholder Management and Business & Economic Development salaries	to OCM 09/12/21	Operating Expenses			(110,000)	37,637
GL 853	Recruiting 2.0 FTE as Community Infrastructure Planners funded by DCA	to OCM 09/12/21	Operating Expenses			(137,816)	(100,179)
Various	Transfer from distributed DCA's to fund 2.0 FTE Community Infrastructure Planners	to OCM 09/12/21	Transfer from Reserve		137,816		37,637
Various	Withdrawal from DCA Reserves to fund 2.0 FTE Community Infrastructure Planners	to OCM 09/12/21	Operating Revenue		137,816		175,453
Various	Reduction in DCA liabilities due to the funding of 2.0 FTE Community Infrastructure Planners	to OCM 09/12/21	Contract Liabilities			(137,816)	37,637
OP4932	Contribution received from WAPC to build footpath on crownland	to OCM 09/12/21	Operating Revenue		50,000		87,637
OP4932	Footpath construction on crownland	to OCM 09/12/21	Operating Expenses			(50,000)	37,637
OP4988	Renaming and repurposing CSRFP Projects to Port Coogee Centre Fit Out Design	to OCM 09/12/21	Non Cash Item				37,637
GL 136	Reallocate white pages cost to OP	to OCM 10/02/22	Operating Expenses		6,600		44,237
OP9702	White pages cost reallocation	to OCM 10/02/22	Operating Expenses			(6,600)	37,637
CW1484	Transfer to fund construction of jump pit at Botany Park	to OCM 10/02/22	Capital Expenses		14,541		52,178



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
CW1705	Construction of Jump Pit Run Ups at Botany Park Project completed. Transfer unspent budget to fund	to OCM 10/02/22	Capital Expenses			(14,541)	37,637
CW5893	construction of youth facility at Radiata Park Project completed. Transfer unspent reserve funding to fund	to OCM 10/02/22	Capital Expenses		12,000		49,637
CW5893	construction of youth facility at Radiata Park	to OCM 10/02/22	Transfer from Reserve			(12,000)	37,637
CW6039	Construction of Youth Facility at Radiata Park Reserve funding to fund the construction of Youth Facility at	to OCM 10/02/22	Capital Expenses			(12,000)	25,637
CW6039	Radiata Park Transfer to fund function space redevelopment at Cockburn	to OCM 10/02/22	Transfer from Reserve		12,000		37,637
CW1484	Bowling and Recreation Club Function space redevelopment at Cockburn Bowling and	to OCM 10/02/22	Capital Expenses		47,730		85,367
CW6289	Recreation Club Transfer unspent capital budget to fund operating cost on	to OCM 10/02/22	Capital Expenses			(47,730)	37,637
CW4938	Quarimor Ave	to OCM 10/02/22	Capital Expenses		6,400		44,037
OP4929	Furniture removal on Quarimor Ave Transfer unspent CCTV budget to fund design cost at	to OCM 10/02/22	Operating Expenses			(6,400)	37,637
CW1664	Frankland Recreation Centre oval Transfer unspent reserve funding to fund design cost at	to OCM 10/02/22	Capital Expenses		45,000		82,637
CW1664	Frankland Recreation Centre oval	to OCM 10/02/22	Transfer from Reserve			(45,000)	37,637
CW4676	Design cost of Frankland Recreation Centre oval Reserve funding to fund the design cost of Frankland	to OCM 10/02/22	Capital Expenses			(45,000)	(7,363)
CW4676	Recreation Centre oval	to OCM 10/02/22	Transfer from Reserve		45,000		37,637
GL230	Transfer from Family Day Care reserve for LSL Pay	to OCM 10/02/22	Transfer from Reserve		29,273		66,910
GL230	Transfer from Family Day Care reserve for LSL Pay	to OCM 10/02/22	Operating Expenses			(29,273)	37,637
CW4824	Internal Cladding Replacement -ARC Sport Stadium	to OCM 10/3/2022	Capital Expenses			(100,000)	(62,363)
CW4824	Internal Cladding Replacement -ARC Sport Stadium	to OCM 10/3/2022	Transfer from Reserve		100,000		37,637
OP4978	Savings in contract project officer role at ARC	to OCM 10/3/2022	Operating Expenses		56,475		94,112
OP8860	Savings Cockburn ARC Grounds Maintenance	to OCM 10/3/2022	Operating Expenses		8,000		102,112
CW4972	complete cabling geothermal rectification work ARC	to OCM 10/3/2022	Capital Expenses			(53,000)	49,112
CW4972	Transfer from Plant Replacement Reserve	to OCM 10/3/2022	Transfer from Reserve		53,000		102,112
NEW OP	Consultant Investigate Power Supply Harmonics	to OCM 10/3/2022	Operating Expenses			(10,000)	92,112
NEW OP	No Parking Signs for Waste Collection Purposes	to OCM 10/3/2022	Operating Expenses			(10,000)	82,112

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 8
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
NEW OP	No Parking Signs for Waste Collection Purposes	to OCM 10/3/2022	Transfer from Reserve	\$	\$ 10,000	\$	\$ 92,112
				0	13,866,904	(13,934,906)	92,112



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 9
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is \$300,000 or 0.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
Revenue from operating activities				
Finance	716,712	0.62%	▲ Timing	Revenue brought forward
Recreation Infrastructure & Services	476,621	5.93%	▲ Timing	Revenue brought forward
Community Development & Services	(715,857)	(13.75%)	▼ Timing	Revenue delayed
Operations & Maintenance	1,267,800	13.16%	▲ Timing	Revenue brought forward
Property & Assets	(552,575)	(10.79%)	▼ Timing	Revenue delayed
Expenditure from operating activities				
Finance	(924,803)	(21.38%)	▼ Timing	Insurance claim reimbursement delayed
Library & Cultural Services	369,083	11.06%	▲ Timing	Expenditure delayed
Recreation Infrastructure & Services	1,188,814	12.95%	▲ Timing	Expenditure delayed
Community Development & Services	2,067,714	24.51%	▲ Timing	Expenditure delayed
Community Safety & Ranger Services	529,175	15.22%	▲ Timing	Expenditure delayed
Sustainability & Environment	604,455	27.19%	▲ Timing	Expenditure delayed
Operations & Maintenance	704,444	1.74%	▲ Timing	Expenditure delayed
Property & Assets	1,498,187	21.91%	▲ Timing	Expenditure delayed
Investing activities				
Proceeds from disposal of assets	(1,030,010)	(25.80%)	▼ Timing	Sale proceeds brought forward
Financing activities				
Transfer from reserves	9,501,700	112.93%	▲ Timing	Expenditure delayed
Transfer to reserves	(4,158,759)	(36.59%)	▼ Timing	Revenue brought forward (DCP13)
Payments for property, plant and equipment and infrastructure	16,458,012	34.12%	▲ Timing	Expenditure brought forward
Proceeds from new debentures	(2,380,520)	(100.00%)	▼ Timing	Revenue delayed
Repayment of debentures	(1,634,067)	(435.44%)	▼ Timing	Expenditure brought forward

16. Operations

16.1 (2022/MINUTE NO 0045) Cockburn Resource Recovery Precinct

Author(s) A Lees

Attachments 1. Cockburn Resource Recovery Park Business Case [↓](#)

RECOMMENDATION

That Council:

- (1) ENDORSES the Cockburn Resource Recovery Park Business Case;
- (2) ENDORSES Option 3 – Relocation and Full Site Development (include leased areas) as outlined in the business case at an estimate cost of \$22.5m;
- (3) INCLUDE funds commencing FY23 budget for Option 3 in accordance with the implementation program; and
- (4) ENDORSE the renaming of the Henderson Waste Recovery Park to Cockburn Resource Recovery Precinct.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Council Decision

MOVED Deputy Mayor Widenbar SECONDED Cr T Dewan

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

Following deferral of the Business Case at the 10 February 2022 Ordinary Council Meeting, officers presented a comprehensive briefing to the Elected Members on Thursday 24 February 2022, and resolved these key areas of interest:

- Waste reserve account balances
- Contaminated material
- Site derived material volumes
- Daily cover material
- Projected future waste tonnages
- Discount rates
- Operational Revenue

Submission

N/A



Report

The Henderson Waste Recovery Park was constructed in 1990 and one of the first landfills to lined waste cells with leachate management infrastructure to mitigate leachate leaking into the ground.

Since commencement the park has received various waste streams at competitive market price to recoup a state imposed a landfill levy and annualised returns to the City.

The park has also provided the additional benefit to property owners in the City with six annual trailer passes included in the rates notice.

The City has actively managed the park by structuring the site with an arrangement of cells to maximise the horizontal and vertical space.

Officers have also diligently and strategically met the annual licence conditions issued by the Department of Water and Environmental Regulations. Cells 1, 2, 3 and 6 have been filled and capped, with Cells 4, 5 and 7 requiring a new direction as maintaining current business practices will result in the park closing in an estimated 5.1 years.

Cell 7 is the current active Cell receiving waste and has a projected economic life of 5.1 years dependant on waste rates. Cells 4 and 5 ceased receiving waste in 2006, however remained uncapped to allow the decomposition and settlement to create additional airspace for future landfill. These two cells now have capacity to receive more waste, with a projected life of 7.1 years based on projected waste receival rates. However, they are constrained by the Domestic Transfer station.

With Cells 4, 5 and 7 available airspace and the requirement to cap the cells post capacity to mitigate leachate accumulation and ground contamination an opportunity to redevelopment the park was proposed in the Waste Strategy 2020-2030.

It is proposed to construct a new Cockburn Resource Recovery Precinct which will maximise the available airspace and release future revenue streams for the City.

This new facility will create a sustainable and long-term community asset. Based on current gate rates and available airspace there is a return on investment of \$45.6m from the leased areas over 40 years and \$61.2m from landfill gate fees.

The business case provides details on the proposed development include opportunities, risks, assumptions, cost implications, revenue streams, post closure costs of the facility and resourcing implication. The key points include the following:

- Removing the domestic transfer station from Cells 4 and 5 to receive 549,440 tonnes of waste
- Cell 7 to receive a further 397,084 tonnes of waste
- Combined potential income of \$61.2M.
- Projected life of the landfill 2034
- Maintaining trailer passes



- Earthworks will create 400,000 tonnes of material to use as daily cover
- Future tonnages in an ever-changing market
- Financial modelling on each option
- Implementation Plan.

Three options have been identified within the business plan:

Option 1 – Business as Usual

Cell 7 will be filled in 5.1 years and then all uncapped cells (Cells 4, 5 and 7) will be capped at a cost of \$16.4M to meet our licence conditions and the park closed. This will result in no residential trailer passes post 2027.

Option 2 – Relocation and Partial Site Development (No Leased Areas)

Construction of new \$16.5m facility on the southern section of the site with access off Dalison Avenue. The facility would see a separate entry point for commercial vehicles and domestic vehicles, weighbridge, staff amenities, administration building, covered recycling and disposal area, reuse shop, education and interpretive centre and green waste decontamination site. This option enables the transfer station to be removed off Cells 4 and 5 releasing available airspace and maintaining trailer passes.

Option 3 – Relocation and Full Site Development (Leased Areas)

Construction of new \$22.5m facility on the southern section of the site with access off Dalison Avenue. The facility would see a separate entry point for commercial vehicles and domestic vehicles, weighbridge, staff amenities, administration building, covered recycling and disposal area, reuse shop, education and interpretive centre and green waste decontamination site. The options also provide for 4 x leased area which will be constructed to facilitate complimentary waste processes to further recover material from the various waste streams. These leased spaces will be incoming generating during the remaining life of the landfill and post closure period. This option also enables the transfer station to be removed off Cells 4 and 5 releasing available airspace and the retention of the trailer passes.

An overview of the costs implications and Net Present Value (NPV) is provided in the table below:

Financial Impact of Options	Option 1	Option 2	Option 3
Development Capex	Nil	\$16,255,012	\$22,509,149
Capping Capex/Opex	\$29,752,698	\$29,752,698	\$29,752,698
Op Revenue Landfill	\$102,543,557	\$218,601,816	\$218,601,816
Op Lease Rental	\$0	\$0	\$45,642,706
NPV	\$7,453,347	\$10,998,880	\$20,136,859



Table note: The current landfill gate rate of \$145.45/t includes the WA State Government's landfill levy of \$70 (2021) leaving a balance of \$75.45. This gate rate will need to be adjusted to remain competitive when the Waste to Energy facilities enter the market, a weighted average of \$64.70 has been used in the financial modelling.

Options 3 has been selected as the most advantageous investment for the City based on maximising the available airspace, returning an economic benefit to the City (highest NPV), enabling the retention of the residential trailer passes and generating future returns post closure of the precinct.

In parallel with the development it was proposed to rename the Henderson Waste Recovery Centre to the Cockburn Resource Recovery Precinct. The renaming provides greater connectivity with the City and the Waste Strategy 2020-2030 vision - To lead and support a community that avoids waste generation, reduces environmental impacts and considers the waste that is produced as a valuable resource to be recovered, reused and recycled utilising the latest technologies available. A detailed marketing campaign will be undertaken during the redevelopment which will coincide with the opening of the new facility.

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.
- Address Climate Change.

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.

Budget/Financial Implications

The Long-Term Financial Plan 2020 -2030 includes a provision for the redevelopment of the precinct subject to endorsement of the business plan. Option 3 has an overall capital investment of \$22.5m which includes buildings (\$4.7m), contingency (\$5.5.m), site development (\$6.8m), external roads (\$0.5m) and developer contributions (\$5m).

The funding model for options 3 is outlined below:

- | | |
|--------------------------------|----------------|
| • Waste and Recycling Reserve | \$12m |
| • Waste Collection Reserve | \$5.5m |
| • <u>Loan and/or land swap</u> | <u>\$5m</u> |
| • Total | \$22.5m |



The projected closing balances as at 30/6/2022 for the two waste reserves are as follows:

- Waste and Recycling Reserve \$15.336M
- Waste Collection Reserve \$8.313M

In addition to these two waste reserve accounts the City has access to the Rehabilitation Reserve - \$3.3m should addition funds be required.

A \$5m loan will furnish the balance of the project should the City be unable to facilitate a land agreement with Development WA for the City's land portfolio in the Latitude 32 Industry Zone development.

Legal Implications

N/A

Community Consultation

No community consultation has been undertaken on the business case, however consultation will be undertaken to inform sensitive receptor premises occupant/ owners in the area.

Risk Management Implications

The business case provides an overview of the projects risks which can be managed in accordance with the City's risk management framework. Should Council not support the business case there is a potential risk to the City's brand and reputation along with a risk to its capacity to finance post closure costs.

Advice to Proponent(s)/Submitters

N/A

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

Nil



Business Case for the Cockburn Resource Recovery Precinct

The Redevelopment of the Henderson
Waste Recovery Park



Table of Content

	Executive Summary	4
1	Introduction	5
2	Alignment with the Strategic Community Plan	7
3	Situational Assessment and Problem Statement	8
4	Assumptions and Constraints	9
	4.1 Assumptions	9
	4.2 Constraints.....	9
5	Target Benefits	11
	5.1 Community.....	11
	5.2 New Assets	11
	5.3 Using Available Assets	12
	5.4 Environment.....	12
	5.5 Landfill Operations	12
6	Assessment of Risks.....	13
	6.1 Operational Risks.....	13
	6.2 Development Risks	14
	6.2.1 Developer Contribution Plan	14
	6.2.2 Hope Valley Wattleup Redevelopment (Latitude 32) MP	14
	6.2.3 Development WA	14
	6.2.4 Revised Development Control Area.....	15
	6.2.5 Voluntary Agreements	15
7	Identification of Stakeholders.....	16
	7.1 Internal.....	16
	7.2 External.....	16
8	Identification, Analysis and Comparison of Options	17
	8.1 Option 1 – Business As Usual	17
	8.2 Option 1 – Partial Site Development (No Leased Areas)	17
	8.3 Option 3 – Full Site Development	17
	8.4 SWOT Analysis.....	17
9	Resources – Financial and Human	19

9.1 Workforce Plan 19

9.2 Financial Considerations..... 19

9.3 Income Potential 20

9.4 Reserve Funding..... 21

9.5 Option 1 – Business as Usual..... 21

9.6 Option 2 – Partial Site Development (No Leased Areas) 22

9.7 Option 3 – Full Site Development (Leased Areas)..... 22

9.8 Whole of Life Cost Model..... 22

9.9 Net Present Value 23

9.10 Rental Sensitivity 23

9.11 Building Maintenance Costs 23

9.12 Relocation Costs..... 23

10 Implementation Strategy 24

11 Peer Review 25

12 Recommended Option 25

13 Executive Endorsement 25

Appendix 1: Cell Layout - Capped and Uncapped 26

Appendix 2..... 27

Available Landfill Airspace and Lifespan..... 27

Appendix 3..... 28

Existing Transfer Station/Community Drop-Off Facility Photo..... 28

Appendix 4..... 29

Locality Plan and Access Route 29

Appendix 5..... 30

Annual Building Maintenance Costs for Options 2 and 3 30

Appendix 6..... 31

Relocation Costs for Options 2 and 3 31



Executive Summary

The Henderson Waste Recovery Park currently has three remaining uncapped cells. Cell 7 is currently receiving commercial and domestic waste and has a predicted economic life of 5.1 years. Cells 4 & 5 have an economic life of 7.1 years resulting in a total landfill life of 12.2 years. However, Cells 4 & 5 are constrained by the current temporary transfer station.

Developing a new state of the art transfer station will enable landfilling to Cells 4 & 5 once the airspace in Cell 7 is fully exhausted. Capping of all three cells will commence following being fully in accordance with the City's licence conditions issued by the Department of Water and Environmental Regulation (DWER).

This Business Case recommends the construction of the Cockburn Resource Recovery Precinct (CRRP – proposed renaming of Henderson Waste Recovery Park) to include:

- Weighbridge, (Existing gatehouse is in a sea container - circa 1990)
- Reuse Shop, (Existing facility circa 2010)
- Covered recycling and general waste disposal areas
- Administration Building (Existing demountable - circa 1998)
- Education Centre and Interpretive Center – currently undertaken in the open air.
- Leased areas for complimentary waste processors

1 Introduction

The City's landfill was constructed in 1990 on Lot 2 Moylan Road, Wattleup. The landfill was the first lined cell with leachate management infrastructure in Western Australia. Since this inception landfill practices and processes have changed significantly in the waste industry.

The Waste Strategy 2020-2030 set out the vision for a sustainable waste future:

To lead and support a community that avoids waste generation, reduces environmental impacts and considers the waste that is produced as a valuable resource to be recovered, reused and recycled utilising the latest technologies available

The strategy has three key objectives with actions identified for delivery over the life of the plan:

1. Avoid: Generate less waste
2. Recover: Recover more value and resources from waste
3. Protect: Protect the environment by managing waste responsibly

One of the key components of the "Recover" objective is the redevelopment of the existing Henderson Waste Recovery Park (HWRP) into a modern Community Resource Recovery Precinct (CRRP). The new precinct will enable customers to recycle waste materials, safely dispose of hazardous materials, access free mulch, divert waste from landfill, learn about waste recovery and purchase recycled goods.

Since 1990, the HWRP has operated under a sustainable financial model resulting in funds for investment in City projects. These funds have been used primarily to fund community infrastructure projects (sporting facilities, parks equipment, libraries and public health care developments). The model also outlined the quarantining of any fund's surplus to expenditure, to be placed into a reserve account for the redevelopment of the HWRP, capital costs associated with cell capping and future land management activities onsite.

From 2016, a significant portion of the City's commercial waste was lost to private waste management companies, particularly with the construction of the North Banister Landfill built by Perth Waste (subsequently purchased by Suez). This reduction in waste has resulted in a significant loss of market share and income, resulting in the need for the financial model to be amended. An initial step to counter this loss of waste volume has resulted in the City recently introduced discounted landfill rates for major customers. However, further adjustments to the fixed costs and operational efficiencies are required to adapt to this changing economic environment.

With the loss of waste tonnes and market share, the City chose not to purchase land to the north of the HWRP for the construction of new landfill cells in 2016. This decision extinguished any opportunity for the creation of new landfill cells to sustain the City's waste management.

Cells 1, 2 and 3 were filled in the first decade and capped. In 2002, Cell 4 was constructed, followed by Cells 5 and 6 in 2004 and 2006 respectively. Cells 4 and 5 were never capped and over time, decomposition resulted in subsidence producing airspace that could be again filled with waste to the finished levels. (Appendix 1)

In 2008 the then Department of Environment and Conservation determined that the only place the City could construct a transfer station was on top of the existing Cells 4 and 5. The construction of the transfer station quarantined Cells 4 and 5 from further landfilling and capping. Cell 7 was constructed and commissioned in 2012, following the cessation of waste filling in Cell 6.

It was decided, at the time, to leave Cell 6 uncapped and allow it to decompose and settle, creating still further airspace for landfill over the ensuing years. Whilst this decision compounded the leachate management problems on site to a total of 16 hectares or 4 uncapped cells, it also created a second opportunity to fill the airspace created by the waste decomposition. Following the filling in Cell 6, it was capped in 2020.

With the available airspace on Cell 4 and 5 of 646,400m³ (or 549,440t) the transfer station needs to be decommissioned to enable the full utilisation of this space. The construction of the new CRRP will enable access to this airspace and release income along with creating a sustainable and long-term community asset. At a gate rate of \$64.70 excluding the waste levy and GST, that additional airspace equates to a potential income of \$35.5m

Cell 7 is the current active cell receiving commercial and domestic waste and uncapped. Assuming consistent landfilling rates continue and the construction of the CRRP proceeds, the airspace available will accommodate 397,084 tonnes of waste. With a gate rate of \$64.70, income of \$ 25.7m can be realised (Refer Appendix 2).

The combined potential income for Cell 4, 5, & 7 is \$61.2M

With the projected landfill life of 2034, the construction of modern community drop-off facility to support current and future generations will be a valuable community resource.

2 Alignment with the Strategic Community Plan

The centerpiece to the recently revised and Council endorsed (October 2020) Waste Strategy 2020 - 2030 is the redevelopment of the Henderson Waste Recovery Park to a modern and sustainable recovery park

These objectives and specifically, the CRRP, are incorporated in the Strategic Community Plan 2020-2030 and the Long-Term Financial Plan 2020-2030. In addition, the State Waste Strategy is based around waste minimisation to landfill and facility improvement. The current transfer station was always planned to be temporary and falls well behind the facilities offered to other local governments and commercial operators. Armadale has just finished a new facility, Canning has a significant facility, Tamala Park has a good, but old, facility and have been looking at upgrading it for years. South Perth has a convenient, compact facility. Community expectation is based on continuous improvement, safety, convenience and range of services.

The construction of the CRRP off Dalison Avenue will match the City's existing modern and distinctive facilities as well as supporting key objectives in the Strategic Community Plan.

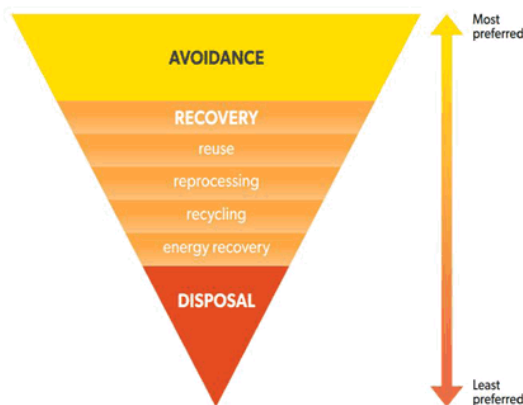
- Local Economy
 1. Increased investment, economic growth and local employment
 2. A City that is: Easy to Do Business With"
- Environmental Responsibility
 1. Sustainable resource management including waste, water and energy

3 Situational Assessment and Problem Statement

The current transfer station was built as a temporary facility in 2009. This facility receives waste from residential and small commercial customers only. It has been designed to separate users from operational plant to reduce risk of injury and incident. Positioned on top of Cells 4 and 5, the tarmac subsides unevenly resulting in the constant creation of potholes and puddles. The facility is totally inadequate and outdated for domestic patrons and staff due to the following:

- Extensive safety management plans to separate plant from patrons,
- Difficult to manage and operate efficiently and effectively
- Strong winds make unloading waste dangerous –corrugated iron
- An elevated site such that litter, odour and noise is not easily contained
- Lacking basic services - drinking water, power and ablution facilities
- Rudimentary and recycled site buildings are dilapidated
- No covered areas resulting in staff and patrons exposed to the elements.
- The existing temporary transfer station quarantines the potential for 646,400 m3 and 549,440t to be landfilled
- Business as usual will result in Cell 7 being filled in 5.1 years and with Cells 4 & 5 by the temporary transfer station the site will close. Cells 4, 5 and 7 will be capped.
-

The new facility has been carefully designed to eliminate all these current issues as well as aligning the traffic movements to improve recycling opportunities to match the State Government’s Waste Strategy Waste Hierarchy.



4 Assumptions and Constraints

This section is included to ensure both assumptions and constraints are identified in project documentation and are to be revisited throughout the project life cycle. Assumptions are considerations that are true based on knowledge, experience, and information provided by the team members or other stakeholders. It is important to document the project assumptions (including those considered when estimating the project's scope, schedule, and costs) so that as the project progresses, the Project Manager is able to verify and validate the accuracy of those assumptions and capture lessons learned. Assumptions also feed into risk management, as each assumption can be tested to make determinations on its potential to be documented as a risk.

Constraints are limitations placed upon the project that the project manager and team must actively manage. Typical constraints are scope, schedule, and cost. In addition, the project may be further constrained by quality requirements, resources and risk tolerances. The constraints are related in that if one constraint changes, there will most likely be an impact on the other constraints. The constraints also dictate the perceived quality of the project.

A summary below of assumptions and constraints provides the context under which the CRRP development would or could proceed.

4.1 Assumptions

- The Department of Water and Environmental Regulations (DWER) approve the Environmental Assessment and Management Plan
- An agreement will be reached on the preferred site levels that compliment Development WA's Structure Plan.
- A Development Application (DA) will be submitted and endorsed.
- The application for a permanent facility will be approved by WAPC on the grounds that it "*does not adversely affect the long-term planning of the area*".
- Negotiation with the adjoining landowners to secure land or address batter slopes will eliminate the need for the construction of expensive retaining walls.
- A package of works to include bulk earthworks, detailed design and construction will be prepared in accordance with the project plan timeline.

4.2 Constraints

- Funds may not be available to complete the leased area.
- A recent geotechnical survey found portions of Lot 235 Dalison Avenue to be contaminated from historical dumping of inert material containing asbestos (potentially 64,000m²)
- The Developer Contribution Plan (DCP) will not prevent the site works required to be undertaken to complete the leased areas

- The DCP charge is not known and is listed as a potential current cost (refer to Section 6)
- Western Australian Planning Commission (WAPC) may refuse the application due to delays in decisions relating to the State's long-term state infrastructure options relating to the intermodal facility and the outer harbour
- The DWER revoke their clearing permit approval due to the delays associated with gaining WAPC consent for the project to proceed
- The CRRP Facility is required to be constructed as soon as possible so that Cells 4 and 5 can be further landfilled and then capped to prevent increased quantities of leachate accumulation on site
- The new facility is needed so that there is a community facility to use if it is decided to remove the existing transfer station, pending the further filling of Cell 4 & 5
- If the new CRRP Facility is not constructed and the transfer station remains, the landfill operation must close as Cell 7 will be filled in 5.1 years and the available airspace currently quarantined by the temporary Transfer Station will remain unavailable



5 Target Benefits

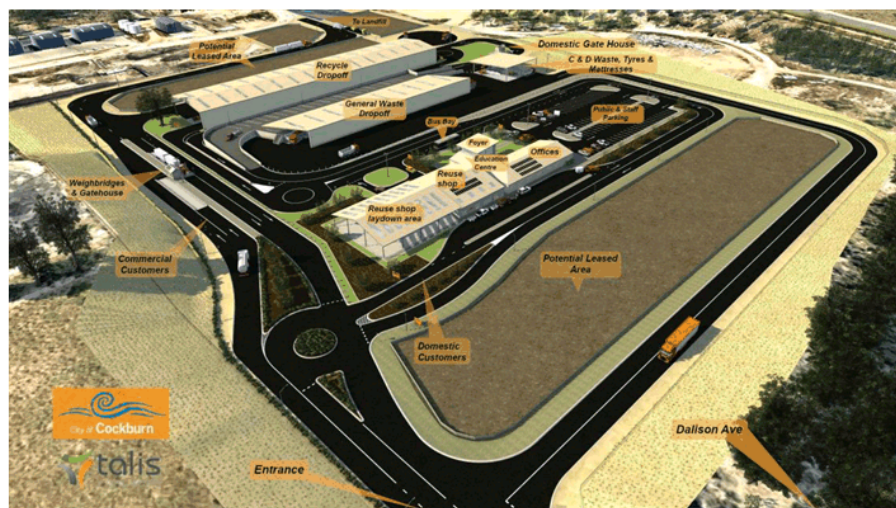
To identify the operational improvements for the City that a new facility would provide and to assist in supporting the significant financial, social and environmental benefits of delivery of this project.

5.1 Community

- A safer environment to successfully separate operational vehicles from patrons,
- Continue to provide a comprehensive location for hazardous and non-hazardous residential and small loads of commercial generated waste
- Provision of a facility for use by the whole of the City's residences and businesses whereby a new, modern facility will encourage increase participation in site utilisation. This may result in a corresponding decrease in verge waste collection required to be undertaken by the City
- A facility that is easier, safer and more intuitive to use for customers
- Sun and rain protection for customers and staff

5.2 New Assets

- Weighbridge, (Existing gatehouse is in a sea container - circa 1990)
- Reuse Shop, (Existing facility circa 2010)
- Covered recycling and general waste disposal areas
- Administration Building (Existing demountable - circa 1998)
- Education Centre and Interpretive Center – currently undertaken in the open air
- Leased areas for complimentary waste processors



5.3 Using Available Assets

- Historically, the site used shredded wood waste blended with “site derived” soil as daily cover. This daily cover ratio was calculated to be 15%. In December 2021, the DWER directed that wood waste must not be stockpiled outside the liner before shredding and must be directed to the lined cell on arrival. This resulted in the use of site derived soil only as the daily cover. The change in this practice has resulted in the inability to calculate accurately the daily cover ratios. If the January 2022 data was used as a predictor, 28,000t of cover material was used to bury 77,634t of waste. (36% daily cover ratio).
- The proposed CRRP earthworks is expected to release 400,000t of cover material, netting a potential 14.3 years of cover. Should the development not proceed 400,000t of material will be required potentially costing \$28m without including State Govt levy adjustments or transport costs
- Should the site run out of “site derived” material, the “Whole of Life HWRP Financial Model documents the costs associated with a switch to an approved landfill spray. The capital cost is \$350,000 with recurrent costs of \$750,000 annually. The spray process will replace an annual outlay of \$3m in purchasing daily cover material if “site derived” material is exhausted. A recent survey identified 97Km3 of daily cover.
- With 12.2 years to closure, the site could require 341,600 tonnes of daily cover. Previously untouched stockpiles are currently being accessed to ensure the site does not import daily cover to compliment the material generated by the bulk earthworks on Lot 235.

5.4 Environment

- Bulk earthworks during site development will render Lot 235 Dalison Avenue usable by the remediating the asbestos contamination through burial in landfill.
- Structures to protect users and staff against the prevailing winds along with controlling litter, dust and odours not escaping beyond the site boundary,
- All domestic operations will be on concrete hardstand to prevent contaminants from polluting natural ground.

5.5 Landfill Operations

- Allows for the utilisation of available airspace in Cell 4 and 5 to optimise available landfill airspace and then to be capped to reduce the leachate load on site and the post closure management costs.
- A facility that is efficient and inexpensive to operate allowing reduced labour costs,
- Improved staff working conditions by providing basic services - running water, power and ablution facilities.

6 Assessment of Risks

6.1 Operational Risks

- Serious injury or incident is more likely in the temporary transfer station if the facility is not upgraded.
- The full income potential of the available landfill space will not be realised if the redevelopment does not proceed.
- Cells 4 and 5 must be capped to prevent ongoing increase to leachate volumes.
- The temporary transfer station will have to be eventually decommissioned for capping to occur over the fully utilised landfill airspace or over the incomplete landfill Cells 4 and 5.
- If an alternative for domestic customers is not constructed, the City will have to discontinue HWRP acceptance of residential waste, or while the landfill is still operational, send customers directly to the landfill active tipping area, which is unacceptable from a safety consideration
- Staff complaints on working conditions continue to escalate.
- Potential for remediation work or “Show Cause” notices issued by the DWER for non-compliance to Licence (leachate spills become more difficult and expensive to contain and complaints relating to litter, dust, odour, noise). Capping consists of placing a DWER approved cap on top of the cell to minimise leachate which is rainfall leaching through the waste in the cell contaminating the ground under the cell. This is a requirement of the HWRP licence issued by DWER. Cell 7 shares a western and northern side with Cells 1, 2 and 3. These cells are proposed to be partially filled over with new waste and then recapped with a more substantial synthetic liner once waste placement has ceased.
- The HWRP’s licence does not require a “heavy duty liner”. The licence only requires 1 m of cover material. This is however not a suitable long-term capping system; hence the City has planned to cap the landfill with a synthetic liner to allow for the placement of solar array, horizontal wind turbines, green hydrogen production and the potential development of the precinct.
- The waste management industry is continually evolving and therefore annual tonnages may vary which will affect the potential lifespan of the Site.
- The City may lose customers to WtE in 2022 when the plants south of Perth are completed. Recently the major contractor is seeking to exit their contact with the WtE operator to which a number of businesses are contracted. This may result in several operators accessing the HWRP.
- Cap rock may be encountered in the bulk earthworks and hard digging may result in additional costs.

6.2 Development Risks

6.2.1 Developer Contribution Plan

The redevelopment of the Henderson Waste Recovery Park and the construction of the new CRRP is a significant capital investment for the City. Lot 235 Dalison Avenue falls in the DA5 Latitude 32 Structure Plan area. Development WA has identified infrastructure improvements in order that the area can be developed, and lots sold. The City's permanent facility on Lot 235 Dalison, according to Development WA, will trigger a DCP charge and to date an exemption for the construction has not been found. Option 1 would be exempt from DCP charges as it no redevelopment would occur on Lot 235 Dalison Avenue.

6.2.2 Hope Valley Wattleup Redevelopment (Latitude 32) MP

Appendix 3 of this Master Plan designates the boundaries of the development contribution areas ('DCA'). The current DCA designations are VIII and VII, which are described as Resource Recovery and Northern Transport respectively.

Development WA are progressively modifying the boundaries with at least a portion of the site now intended to be part of Development Area (DA5) and Development Contributions Area 5 (DCA5). Those amendments, despite being earmarked for many years have not been formally progressed for several reasons.

The provisions specific to the current DCA boundaries are set out in Schedule 12 of the Master Plan. They have been in the Master Plan since its introduction in 2005 and they are reflective of that time in their very simple construction which is not aligned to the current day expectations and principles of infrastructure contributions established under State Planning Policy 3.6 (SPP3.6). It is expected that this simplistic approach will need to be revised along with the DCA boundaries in due course. While the development controls for this area do not emanate from the P&D Act, there is an expectation for this area to 'normalise' back into the local government local planning schemes eventually. With an ongoing control such as a DCA, without general alignment to the SPP6.6 principles, this renders them difficult to rationalise into a future local planning scheme as they fail to meet a few the principles for infrastructure contributions.

6.2.3 Development WA

Development WA do have the ability under clause 6.3.9 of the masterplan to exclude land from DCA, however the intent based on recent discussions seems to be to include the City's land. The proposal primarily relates to Lot 235 Dalison, which is approximately 28% of the City's Facility. At the very most, it would only be this portion of land (~20ha) which is redeveloped which may be considered to have some degree of liability. The remainder of the

land should be disregarded as there is no likelihood of future development to 'trigger' any DCA liability. The nature of the degree of liability should consider the lack of development potential this land has. The Facility, although it is not reserved land and vested as such, is effectively a public purpose. Given the site's history, there are very few potential uses for this land. Utilising clause 6.3.9, Development WA does have the ability to recognise the present use of the land on the structure plan as required for public purposes even though it is not a reserve. The City would consider this to be a reasonable use of this exemption, providing the same benefit as other servicing agencies will be given. This is an avenue that should be explored at an executive level between Development WA and the City. The City could also take the position that the DCP charge is so prohibitive to discourage development and request the State Government DCP charges.

6.2.4 Revised Development Control Area

For many years, there has been an intention to move to a revised DCP framework. It is envisaged this would include Regional items (which all or several DCA may contribute towards) and local items (which arise from the structure plan area). Several years ago, some initial work had commenced on the assessment of the road network items, however this stalled just before a key meeting to workshop the matter with Main Roads and has not progressed since.

6.2.5 Voluntary Agreements

Development WA's approach to permanent approvals (such as contemplated here) has been to require a legal agreement to be entered into to make DCA payment when the liability is known and able to be calculated (following the revision of the DCA framework). Such agreements are generally secured but the matter of most risk is the amount is not quantifiable. In fact, there is not even an estimated rate or the list of infrastructure items available to the City. Signing of such an agreement would commit a future Council to an unknown debt which would need to be paid upon the agreement being called upon. As there are no figures from Development WA available, a crude estimate by City officers has been made below of the potential DCP charge; road construction costs - \$200m divided by 1,100ha = \$181,818 x 20 ha site = \$3,636,363.

This estimate does not include sewer to sites, powerline and transformer upgrades, gas or water infrastructure which could raise the DCP charge to \$5m in total.

7 Identification of Stakeholders

Identifying and liaising with individuals and organizations that are actively involved in the project, or whose interests may be positively or negatively affected because of project execution or successful project completion, is critical to the project's success. Key stakeholders can provide requirements or constraints based on information from their knowledge and experience that are important to understand project constraints and risks. The more stakeholders are engaged, the more project risks are uncovered and reduced.

7.1 Internal

- **Management Accounting** – provide the financial information and scenario predictions for all options considered in this project.
- **Waste Disposal Staff** – Provide practical operational guidance on design and function
- **Executive** – make gateway decisions, the assessment of the total project and recommendations to Elected Members
- **Elected Members** – providing the interface between the City's administration and the community needs, the EM will be the final arbiters on the project's extent (option) and future
- **Assets and Infrastructure Project Team** – Tasked with delivering the project
- **Statutory Planning** – provide the necessary expertise in assessing the project's planning compliance and make recommendation on changes that will result in approval from external regulators.

7.2 External

- **Talis Consultants** – provide the technical information and consultant expertise.
- **Development WA** – have provided their development guidelines for the Latitude 32 area. The City has negotiated with Development WA extensively to agree on a project design and level that will potentially allow the construction of a permanent facility in an area where the structure plan has not yet been developed.
- **WAPC** – the approving agency that will be guided by Development WA's recommendations and an assessment that the CRRP
- **Occupants in sensitive adjoining premises** – local residents will need to know that the CRRP will not adversely affect the enjoyment of their land.
- **Department of Water and Environmental Regulation** - the approval agency for the environmental protection parameters in the design of the CRRP.
- **City's Planning Consultants Allerding and Associates** – planning report for the CRRP and the Development Assessment Document for submission to all agencies.

8 Identification, Analysis and Comparison of Options

8.1 Option 1 – Business As Usual

Cell 7 receives commercial waste and domestic waste from the transfer station until all airspace is consumed ~ 2027. Post closure of Cell 7 will result in the transfer station as the only remaining operational function of the HWRP. Trailer pass waste must then be aggregated and transported to an alternate, approved waste disposal site. Cells 4 and 5 will remain quarantined, uncapped and loss of potential income.

8.2 Option 1 – Partial Site Development (No Leased Areas)

Relocation of the transfer station to the new CRRP on Lot 235 Dallison Avenue would serve to resolve the issues highlighted above in Option 1. This Option would allow the available airspace to be filled which would generate the income required to eventually cap Cells 4 and 5. This option will allow the renewal of the dilapidated and temporary facilities that currently exist on site. This option would also allow the City to claim that the development is a community asset to be exempt from DCA contributions. The Community Drop Off facilities generates only a small external income. Option 2 does however deliver on the long-term vision in the Waste Strategy 2020-2030 by improving resource recovery.

8.3 Option 3 – Full Site Development

Option 3 is a variation to Option 2, with the potential to generate an income through commercial leasing of land. This commercial function delivers on the long-term Waste Strategy 2020-2030 to allow complimentary waste processes to establish on the site to further recover material delivered in the various waste streams. Option 3 further enhances the vision to establish the Cockburn Renewable Energy Park which will provide inexpensive solar and wind power to propel hydrogen or electric waste trucks and other City facilities. The proposed new Community Resource Recovery Precinct will be located on the southern portion of the current lot, see aerial image in Appendix 1.

8.4 SWOT Analysis

The SWOT analysis balances the internal factors (strengths and weaknesses) that will influence the City's ability to take up the advantage that the construction of a new CRRP will deliver. There is risk with any project. On balance, the City cannot continue with Business as Usual in the light of this winter's extreme storm events that resulted 4 leachate spills in July. With the changing climate and resulting extreme weather events, the City must position itself with a significant buffer to avoid an environmental catastrophe. The removal of the temporary transfer station from Cells 4 and 5 and the capping of these cells (filled or underutilised) is an absolute imperative.

	Helpful To achieving the objective	Harmful To achieving the objective
Internal origin (attributes of the organisation)	<ul style="list-style-type: none"> Existing DWER licenced premises. Releases 646,400m3 of unused landfill airspace. Releases the potential for \$51.8m income. Delivers a modern, safe facility that separates plant from patrons. Ensure greater separation of waste streams. Delivers a facility that is efficient and less expensive to operate. Provides improved OH&S facilities and working environment for staff. 	<ul style="list-style-type: none"> Significant financial outlay Inability to fund proposal from the Waste and Recycling Reserve. Cells 4 and 5 are to filled and capped to manage site leachate levels. The operation of the new facility does not cover the operational costs. Executive or Council shelve the project permanently. Internal building, health and planning conditions prohibit construction. Staff disharmony prevents transition to new facility.
External origin (attributes of the environment)	<ul style="list-style-type: none"> Trailer Passes are a highly valued Resident Asset. Offers safe disposal of non-hazardous and hazardous waste alike. Updates existing temporary, rudimentary facilities. Worksafe and the Unions support the improved working conditions. Development WA has provided assistance to ensure the City's DA meets their Latitude 32 strategic levels and goals. 	<ul style="list-style-type: none"> DCP Contribution Charges could add \$5m to the cost of the project. Development WA or WAPC may refuse to approve the construction of this permanent Facility. DWER refuse clearing permit Subdivision of CoC land to swap for batter access into Lot 20 is delayed or refused. Adjoining owners renege on their agreement for the City to batter into their land. The landfill loses customers to W2E that would offset the CW or OP costs of the facility



9 Resources – Financial and Human

9.1 Workforce Plan

Workforce Plan 2016/17-2021/22 will not be affected by the proposed changes as the funding will be sourced through normal operational expenditure and the income from the precinct.

9.2 Financial Considerations

The current landfill gate rate of \$148.18/t (ex GST) includes the WA State Government's waste levy of \$70 (currently in 2022) leaving a net gate fee revenue of \$78.18 (ex GST). Given the gate rate will need to be adjusted to remain competitive when WtE enters the market, a weighted average net gate fee revenue of \$64.70 has been used in the financial modelling to account for the major customers that have a discounted gate rate.

Using estimates developed from actual waste delivery data, an average waste delivery rate of 77,634 tonnes pa is used in the "Whole of Life Model". The site will have a landfill airspace total lifespan up until 2034, with the airspace created from the relocation of the transfer station on Cell 4, 5 and 7.

To utilise the available landfill airspace in all cells within a reasonable operating period and to ensure the cells can be completely capped, a marketing strategy to attract addition waste tonnes was created. The reduced gate fee charges in the table below were adopted in the FY21 Budget and were offered to major waste suppliers. To date Cleanaway, City of Canning, Veolia and Eco Resources have chosen to formalise an agreement with the City to reduce their disposal costs. The discounted matrix is tabled below:

Standard gate fee (ex GST) FY22	Maximum discount rate	% Disc on Gate Rate
Gate Fee for 5,000 tpa	133.81	8%
Gate Fee for 10,000 tpa	128.14	12%
Gate Fee for 20,000 tpa	121.90	16%
Gate Fee for 30,000 tpa	116.90	20%
Gate Fee for 40,000 tpa	112.81	22%
Gate Fee for 50,000 tpa	109.41	25%
Gate Fee for 60,000 tpa	106.53	27%
Gate Fee for 70,000 tpa	104.06	28%
Gate Fee for 80,000 tpa	101.92	30%

This marketing strategy was adopted to increase landfill tonnages because of increased competition in the local landfill industry, the implementation of GO and FOGO services and the of the two WtE facilities that are currently under construction in Kwinana and East Rockingham. The commissioning of both these WtE facilities will further change the Perth Metropolitan area's waste industry significantly. The City has a 20-year contract to deliver the contents of our red lid kerbside bins to the facility in East Rockingham when it commences commissioning operation, in November 2022. The WtE facility gate rates are anticipated to be well under the HWRP's current tonnage rate of \$148.18 ex gst.

The potential for further waste tonnes to be drawn to WtE is a significant and disruptor for landfills. This would result in a potential for the available landfill airspace at the HWRP to remain unutilised for extended periods. The HWRP's gate rate is to be competitive to ensure waste is delivered to site and the airspace is consumed within a reasonable period. There is a substantial cost impact of operating the landfill at low tonnage over a long time due to the plant underutilisation and fixed costs as opposed to the cost of receiving increased tonnage over a shorter timeframe to fill the same landfill airspace. This cost benefit can be seen in the current and projected income generation for the Site since the introduction of a discount rates for major customers.

The construction of the new CRRP will release the 646,400m³ of available airspace to be filled with waste in Cells 4 and 5. This equates to 549,440 tonnes of waste. At a weighted average gate fee of \$64.70, the potential income associated with the currently quarantined airspace in cells 4 and 5 is \$35.5M. Cell 7 is our active cell and is therefore uncapped. By the time the CRRP is constructed by November 2023 and assuming consistent landfilling gate rates continue, the airspace available will accommodate 397,084 tonnes. At a weighted average gate rate of \$64.70, that equates to a potential income of \$25.7m.

9.3 Income Potential

The gate fee on the day the waste arrives at the landfill weighbridge is the only opportunity to plan for the costs associated with daily expenditure and the 30-40 years of post-closure management. There will be no landfill revenue during the post-closure period, as the landfill will be closed. Thus, the City has the Post-Closure Financial Model to guide the accrual of sufficient reserve funds during the landfill operating period to be able to cover the future costs.

Any surplus funds, beyond annual expenditure, have been either been quarantined in the Waste and Recycling Reserve for post closure expenditure or to fund community infrastructure projects, i.e., sporting facilities, parks equipment, libraries, ARC, etc. The Waste and Recycling Reserve is the dedicated reserve for landfill management and post closure funds. Contributions into the Waste and Recycling Reserve are based on the post closure model accrual rate and are treated as a business cost. After this tonnage accrual rate has been paid to the Reserve, the "surplus funds" are calculated and if there are any, these can be put aside for alternate City-wide uses.

Cell	Available Tonnes	Weighted Gate Rate	Potential Income
4 & 5	549,440	\$64.70	\$35.5M
7	397,084	\$64.70	\$ 25.7M
Total	946,524	\$64.70	\$61.2M

9.4 Reserve Funding

The construction of the new Community Resource Recovery Precinct will be funded primarily through the Waste and Recycling Reserve with additional funds obtained through the Waste Collection Reserve or Rehabilitation Reserve or a loan for the balance. The projected closing balances as at 30/6/2022 for the 3 reserves are detailed below:

- Waste and Recycling Reserve. \$15.336m
- Waste Collection Reserve - \$8.313m
- Rehabilitation Reserve - \$3.345m

A Post Closure Financial Model has been developed to ensure that adequate funds are available for the life of the landfill and is updated and externally audited annually to ensure there are no financial liabilities in 2062. The current model outlines the following details:

- Post Closure Capital Expenditure \$17.9M, includes non capping costs relating to the removal of landfill infrastructure, installation of passive gas extraction systems and relining of leachate ponds)
- Post Closure Operational Costs \$11.8M

The Long-Term Financial Plan 2020-2030 refers to the operation of the HWRP and includes provision for the construction of the new Community Recycling Centre. The 3 options are interrogated here to assist in decision making. All financial options carry a contingency component with \$2.4m currently allocated in FY22 for bulk earthworks. The "equipment" costs have been removed in Option 2 and 3, as these will simply be relocated from the existing temporary Transfer Station to the new CRRP.

9.5 Option 1 – Business as Usual

Cell 4, 5 & 7 airspace if fully utilised in accordance with forecast waste receipt predications. The total lineal area required to be cap Cells 4, 5 & 7 will be 200,000m² at today's rate of \$82/m². The cost associated with capping these remaining cells will be \$16.4M.

9.6 Option 2 – Partial Site Development (No Leased Areas)

This Option is similar to Option 3 except for the \$8.3m of site development costs. It differs from Option 3 in that the leased areas are not developed resulting in this lower site development cost. Option 2 also requires \$185,690 of existing infrastructure relocation costs.

9.7 Option 3 – Full Site Development (Leased Areas)

This Option results in an increase to the site development cost to the leased areas to \$9.6m (a \$1.2m difference in Option 2) Option 3 also requires \$185,690 of existing infrastructure relocation costs. When the external roadwork costs of \$0.5M and the DCA contribution cost of \$5M is included, the total cost is \$22.5m.

9.8 Whole of Life Cost Model

In developing the “Whole of Life Cost Model” for the Option 3, the assumptions are;

- Total cost \$22.5M
- Building \$4.7M
- External Roadworks \$0.5M
- Contingency - Building \$2.5M
- Contingency - Site Development \$2.7M
- Site development costs \$9.6M
- Developer Contributions \$5M
- Post Closure Capital costs \$17.9M (until 2062)
- Post Closure Operating costs \$11.8M
- Reserve Funding of \$15M
- Loan \$5M at 3.08% including 0.7% loan tax
- Model life 40 years
- Discount Rate 6.00%
- Inflation 2%
- Income from leased areas \$59.44/m² at 31,041m² increasing by CPI.
- Sale of Recyclable Material - based on the annual average
- Landfill incomes based on 68,335tpa (excluding greenwaste)
- Recycle Shop - No income as operated by social enterprise
- Gas sales remain constant at \$200K
- Internal Disposal Charges - MSW will go to WtE
- City of Canning will contribute 30,000K tonnes in FY 2023 prior to WTE
- Cleanaway remain at CoC with 10,000tpa (Average or most likely case)
- Landfill gate rate of \$64.70 (excl GST and landfill levy) will increase by 2% annually on a weighted average
- Constant landfill levy - assuming the gate rate will increase in line with Levy adjustments
- Tenancy rental occupancy/income

9.9 Net Present Value

Net present value is used to calculate the current total value of a future stream of payments. If the NPV of a project or investment is positive, it means that the discounted present value of all future cash flows related to that project or investment will be positive, and therefore attractive.

Financial Impact	Option 1	Option 2	Option 3
Development CAPEX	Nil	\$16,255,012	\$22,509,149
Capping CAPEX/OPEX	\$29,752,69	\$29,752,698	\$29,752,698
OPEX Revenue Landfill	\$102,543,557	\$218,601816	\$218,601816
OPEX Lease Rental	\$0	\$0	\$45,642,706
NPV	\$7,453,347	\$10,998,880	\$20,136,859

9.10 Rental Sensitivity

The table below explains the benefits of annual rental income to offset the increased development costs. With a relatively small development cost (approx. \$1.2m + \$5m developer's contribution), the annual rentals generated by the leased areas is the significant advantage of Option 3. These funds may be used for the construction loan and DCP costs.

SQM	13,041m2			
RATE	\$59.44	Low	Mid	Upper
Tenancies		80%	90%	100%
	25%	\$155,031	\$174,410	\$193,789
	50%	\$310,063	\$348,821	\$387,579
	75%	\$465,094	\$523,231	\$581,368
	100%	\$620,126	\$697,641	\$775,157

9.11 Building Maintenance Costs

The Building Maintenance Costs for both Option 2 & 3 are the same. The estimated ongoing facility maintenance costs are listed in Appendix 5;

9.12 Relocation Costs

It is anticipated that there will be no interruptions which would cause revenue loss for the Site. Refer to Appendix 6 for Relocation Costs

10 Implementation Strategy

Item	Action	Timeframe	Responsible Officer	Completed or Outstanding
1	An agreement on the preferred site levels that compliments Development WA's Structure Plan	Jan 2021 – Mar 2021	Waste Manager Talis Consultants	Completed
2	Business Case Approval OCM	Mar 2022	Waste Manager Engineering Management Accountant	Outstanding
3	The submission of the DA prepared by the Planning Consultant	Mar 2022	Allerding and Associates	Outstanding
4	Approval from the COC Statutory Planning Department.	Apr 2022	Statutory Planning	Outstanding
5	The application for a permanent facility approved by WAPC on the grounds that it "does not adversely affect the long-term planning of the area".	June 2022	WAPC	Outstanding
6	Negotiation with the adjoining landowners will eliminate the need for the construction of expensive retaining walls.	July 2022	Waste Manager. City's Land Administration Officers	Outstanding
7	Procurement schedules the bulk earthworks, detailed design and construction tenders (Decision gateway)	July 2022	Procurement Waste Manager	Outstanding
8	Bulk earthworks commences	August 2022	Contractors TBA	Outstanding
9	Construction commence	November 2022		
9	DWER commissioning.	June 2023	DWER	Outstanding
10	Trial Facility	August 2023	Waste Manager	Outstanding
10	Open to public	November 2023		Outstanding

11 Peer Review

Ernst Young was commissioned to review the business case and present recommendations. The following points were raised and addressed:

- Intermodel land to be removed. (\$7.2M)
- Cover material generated and used as daily cover from the bulk earthworks be included as cost savings.
- Cost for cover material to end of life – only 400,000m³ from earthworks
- Base case (BAU) scenario created. (changes to salaries and costs)
- Increments of low, medium and high lease rates. (80%, 90% and 100%) be included in sensitivity analysis as below.
- Discount rate set at 6% rather than the COC rate of 2.8% (borrowing rate).

12 Recommended Option

The City of Cockburn continues to direct any organisational benefit to its community. Businesses and visitors can safely dispose of hazardous materials, access free mulch, divert waste from landfill and purchase recycled goods.

The proposed redevelopment of the facilities at the Cockburn Resource Recovery Precinct will provide yet another essential, highly valued and environmentally responsible, facility for the City.

The proposal to construct Option 3, the new Cockburn Resource Recovery Precinct is endorsed.

13 Executive Endorsement

November 2021

Appendix 1: Cell Layout - Capped and Uncapped



Appendix 2
Available Landfill Airspace and Lifespan

Date	Cell No.	Available Airspace M3	Conversion Rate	Available Tonnes	Tonnes/Year	Years Remaining	Model Start Date	Post Closure Commencing
11/01/2022	7	467,158	0.85	397,084	77,634	5.1	2022	2027
6/04/2020	4 & 5	646,400	0.85	549,440	77,634	7.1	2027.1	2034
TOTALS 8/07/2021	Total 1 - 5 & 7	1,113,558	0.85	946,524	77,634	12.2	2022	2034



Appendix 3
Existing Transfer Station/Community Drop-Off Facility Photo



Appendix 4 Locality Plan and Access Route



Appendix 5
Annual Building Maintenance Costs for Options 2 and 3

Maintenance Item	Minimum Cost PA	Maximum Cost PA
Air Conditioning	\$10,000	\$12,000
Cleaning	\$10,000	\$13,000
Fire Compliance Offices	\$3,000	\$5,000
Fire Compliance Covered Drop- off	\$3,000	\$5,000
Electrical	\$3,000	\$5,000
Solar	\$5,000	\$7,000
Security	\$1,800	\$2,000
Roof and Gutter Cleaning	\$1,000	\$1,200
Window Cleaning	\$800	\$1,000
Plumbing & Alternat Treatment Units	\$12,000	\$15,000
Carpark, Drains, Road Sweeping	\$20,000	\$25,000
Roller Door and Boom Gates	\$5,000	\$7,000
Incidental and Incident Repairs	\$25,000	\$30,000
Mowing	\$4,680	\$5,000
Retic 26 hrs pa	\$3,510	\$4,000
Landscape	\$5,850	\$6,000
Bores (bore dosing, pump service)	\$4,000	\$4,500
Total	\$117,640	\$147,700



Appendix 6

Relocation Costs for Options 2 and 3

Communications Plan	\$1,000
Entry statement	\$2,500
Building Signage	\$7,000
Wayfinding signage	\$5,000
30,000 lt fuel tank relocation	\$5,000
Electrical for fuel tank relocation	\$2,000
Removal costs	\$4,000
IT hardware relocation and set up	\$150,000
Office down time (5 staff x \$40x 8.5 hrs)	\$1,750
Variable message board (\$74/day)	\$4,440
MRWA sign relocation	\$ 3,000
Total	\$185,690

17. Community Services

Nil



18. Governance and Strategy

18.1 (2022/MINUTE NO 0046) Minutes - Delegated Authorities and Policies Committee Meeting - 17 February 2022

Author E Milne

Attachments 1. Delegated Authorities and Policies Committee Meeting - Minutes - 17 February 2022 [↓](#)

RECOMMENDATION

That Council:

- (1) RECEIVES the Minutes of the Delegated Authorities and Policies Committee Meeting held on the 17 February 2022;
- (2) ADOPTS Committee recommendation Minute Numbers 0006, 0007, 0008, 0009, 0010, 0012, 0013, 0014, 0015; and
- (3) ADOPTS Delegated Authority 'Structure Plans and Activity Centre Plans.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Council Decision

MOVED Deputy Mayor Widenbar SECONDED Cr T Dewan

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

The Delegated Authorities and Policies (DAP) Committee conducted a meeting on 17 February 2022. The Minutes of the meeting are attached for consideration by the Council.

Submission

N/A

Report

The recommendations of the Committee are contained in the Minutes and are now presented for consideration by the Council.

An Elected Member may withdraw any item from the Committee Minutes for discussion or to propose an alternative recommendation for the Council Meeting. Any such items will be dealt separately, as provided for in Council's Standing Orders.



The focus of the Meeting was to consider those policies that were required to be reviewed and updated as seen necessary, including one delegated authority, as outlined below:

1. Local Planning Policy LPP5.9 'Rainwater Tanks and Renewable Energy Systems'
2. Local Planning Policy LPP3.7 'Signs and Advertising'
3. Local Planning Policy LPP3.6 'Licensed Premises (Liquor)'
4. Local Planning Policy LPP1.8 'Incidental Structures'
5. Local Planning Policy LPP1.12 'Noise Attenuation'
6. Reinstatement of Delegated Authority 'Structure Plans, rezoning applications and Metropolitan Region Scheme Amendments'
7. Elected Members Entitlements – Allowances and Reimbursements' – Childcare costs
8. Access to Legal Services for Elected Members and Employees
9. Appointment of Acting or Temporary Chief Executive Officer
10. Elected Member Access to Bar Procedure

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

N/A

Legal Implications

As referred to in the Minutes

Community Consultation

N/A

Risk Management Implications

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

Advice to Proponent(s)/Submitters

N/A

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

Nil





City of Cockburn
Delegated Authorities & Policies
Committee
Minutes

For Thursday, 17 February 2022

These Minutes are subject to confirmation

Presiding Member's signature

Date: 19 May 2022



DAP 17/02/2022

CITY OF COCKBURN

**Delegated Authorities and Policies Committee
Thursday, 17 February 2022**

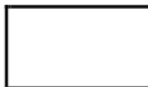
Table of Contents

	Page
1. Declaration of Meeting.....	4
2. Appointment of Presiding Member (If required)	4
3. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member).....	5
4. Apologies and Leave of Absence	5
5. Confirmation of Minutes.....	5
5.1 (2022/MINUTE NO 0001) Minutes of the Delegated Authorities and Policies Committee Meeting - 25/11/2021	5
6. Business Left Over from Previous Meeting (if adjourned)	5
7. Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting	5
(2022/MINUTE NO 0002) Suspend Standing Orders.....	6
(2022/MINUTE NO 0003) Suspend Standing Orders.....	6
(2022/MINUTE NO 0004) Extend Standing Orders TC.....	6
(2022/MINUTE NO 0005) Reinstate Standing Orders.....	6
8. Built and Natural Environment.....	7
8.1 (2022/MINUTE NO 0006) Adoption of Amended Local Planning Policy (LPP) 5.9 - Rainwater Tanks and Renewable Energy Systems	7
8.2 (2022/MINUTE NO 0007) Adoption of Amended Local Planning Policy (LPP) 3.7 - Signs and Advertising.....	21
8.3 (2022/MINUTE NO 0008) Adoption of amended Local Planning Policy (LPP) 3.6 - Licensed Premises (Liquor).....	42
8.4 (2022/MINUTE NO 0009) Local Planning Policy 1.8 - Incidental Structures.....	50
8.5 (2022/MINUTE NO 0010) Local Planning Policy 1.12- Noise Attenuation Review.....	65
8.6 (2022/MINUTE NO 0011) Re-instatement of Delegated Authority 'Structure Plans, rezoning applications and Metropolitan Region Scheme Amendments'.....	119
9. Finance	125
10. Operations.....	125
11. Community Services.....	125
12. Governance and Strategy.....	126



DAP 17/02/2022

12.1	(2022/MINUTE NO 0012) Proposed Amendment to Policy 'Elected Members Entitlements - Allowances and Reimbursements' - Childcare.....	126
12.2	(2022/MINUTE NO 0013) Replacement Policy - Access to Legal Services for Elected Members and Employees.....	137
12.3	(2022/MINUTE NO 0014) Proposed Amendment to Policy 'Appointment of Acting or Temporary Chief Executive Officer'	150
12.4	(2022/MINUTE NO 0015) Elected Member Access to Bar Procedure.....	154
13.	Corporate Affairs	165
14.	Office of the CEO	165
15.	Motions of Which Previous Notice Has Been Given.....	165
16.	Notices Of Motion Given At The Meeting For Consideration At Next Meeting.....	165
17.	New Business of an Urgent Nature Introduced by Members or Officers	165
18.	Matters to be Noted for Investigation, Without Debate	165
19.	Confidential Business	165
20.	Closure of Meeting	165



DAP 17/02/2022

CITY OF COCKBURN

Delegated Authorities and Policies Committee Thursday, 17 February 2022

Minutes

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

Observer

Mayor Howlett	-	Via eMeeting
---------------	---	--------------

IN ATTENDANCE

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

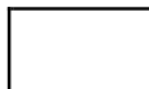
1. Declaration of Meeting

The Presiding Member declared the meeting open at 6.02pm.

2. Appointment of Presiding Member (If required)

Nil

4 of 165



225 of 431

DAP 17/02/2022

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

Nil

4. Apologies and Leave of Absence

Cr C Terblanche - Leave of Absence

5. Confirmation of Minutes

5.1 (2022/MINUTE NO 0001) Minutes of the Delegated Authorities and Policies Committee Meeting - 25/11/2021

Recommendation

That Committee confirms the Minutes of the Delegated Authorities & Policies Committee Meeting held on Thursday, 25 November 2021 as a true and accurate record.

Committee Recommendation

MOVED Cr T Dewan SECONDED Cr M Separovich

That the recommendation be adopted

CARRIED 4/1

For: Presiding Member C Stone, Cr P Corke, Cr T Dewan, Cr M Separovich

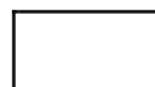
Against: Deputy Mayor T Widenbar.

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



5 of 165

DAP 17/02/2022

(2022/MINUTE NO 0002) Suspension of Standing Orders

Committee Recommendation

MOVED Deputy Mayor T Widenbar SECONDED C M Separovich
That, pursuant to Clause 22.1 of the Standing Orders Local Law, the meeting procedures be suspended for 30 minutes, the time being 6.05pm.

CARRIED UNANIMOUSLY 5/0

(2022/MINUTE NO 0003) Extension of Suspension of Standing Orders

Committee Recommendation

MOVED C T Dewan SECONDED Deputy Mayor T Widenbar
That, pursuant to Clause 22.1 of the Standing Orders Local Law 2016, the meeting procedures be suspended for a further 30 minutes, the time being 6.30pm.

CARRIED UNANIMOUSLY 5/0

(2022/MINUTE NO 0004) Extension of Suspension of Standing Orders

Committee Recommendation

MOVED Cr M Separovich SECONDED Deputy Mayor T Widenbar
That, pursuant to Clause 22.1 of the Standing Orders Local Law, the meeting procedures be suspended for a further five minutes, the time being 6.53pm.

CARRIED 4/1

For: Presiding Member C Stone, Deputy Mayor T Widenbar, Cr P Corke,
Cr M Separovich
Against: Cr T Dewan

(2022/MINUTE NO 0005) Resumption of Standing Orders

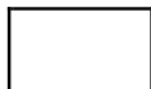
Committee Recommendation

MOVED Cr T Dewan SECONDED Deputy Mayor T Widenbar
That the meeting be resumed, the time being 7.00pm.

CARRIED UNANIMOUSLY 5/0

7.02pm The following items were carried by En Bloc Resolution of Council:

8.1	12.2
8.2	12.3
8.3	
8.4	
8.5	



Item 8.1

DAP 17/02/2022

8. Built and Natural Environment

8.1 (2022/MINUTE NO 0006) Adoption of Amended Local Planning Policy (LPP) 5.9 Rainwater Tanks and Renewable Energy Systems

Author C Wilson

Attachments 1. Amendments to Local Planning Policy 5.9 - Renewable Energy Systems [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPTS the proposed amendments to Local Planning Policy 5.9 Rainwater Tanks and Renewable Energy Systems, in accordance with Clauses 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- (2) ADVISES those who lodged a submission during the public consultation period of the decision.

Committee Recommendation

MOVED Cr P Corke SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 5/0

Background

The proposed amendments to the Local Planning Policy (LPP) 5.9 – Rainwater Tanks and Renewable Energy Systems, were adopted by Council for the purposes of advertising in accordance with Clause 4(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at its DAPPS meeting held on the 26 August 2021.

The Local Planning Policies (LPPs) were subsequently advertised in accordance with Clause 4(1) of the Regulations, with two (2) submissions being received during the consultation period.

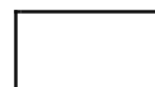
Submission

N/A

Report

The amendments to Local Planning Policy (LPP) 5.9 – Renewable Energy Systems were put forward for consideration at the DAPPS meeting held on 26 August, 2021.

The intent of the policy was proposed to change from one of general guidance to clear pathways to exempt works for renewable development. The policy is aligned with the expectations of the *Planning and Development (Local Planning Schemes)*



7 of 165

DAP 17/02/2022

Item 8.1

Regulations 2015 and gives greater opportunities to promote renewable energy sources. The policy remains largely consistent with the advertised version.

Minor modifications were made for simplicity and grammatical purposes, in addition to the recommendations received as part of the advertising process. This includes:

1. Clarifying which zones are impacted by the proposal
2. Adding a new column to reiterate the specific zones as referenced under the City's Town Planning Scheme No. 3
3. Further explanatory notes to provide clarity on proposed provisions.

Overall, the changes are consistent with the original intent of the amended policy. The LPP is more streamlined and transparent to users, more opportunities are available to install or develop Renewable Energy Systems and the policy adheres to the City's vision to provide for technological advancements and address climate change.

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.
- 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.

- Sustainable resource management including waste, water and energy.
- Address Climate Change.

City Growth & 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 & Leading

A community focused, sustainable, accountable and progressive organisation.

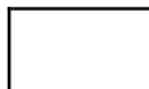
- Best practice Governance, partnerships and value for money.
- Employer of choice focusing on equity, innovation and technology.

Budget/Financial Implications

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

Legal Implications

N/A



Item 8.1

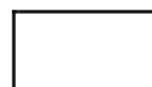
DAP 17/02/2022

Community Consultation

The policy was advertised for public comment from 21 October 2021 to 11 November 2021, for 21 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. The policy was also referred to the Department of Water and Environmental Regulation (DWER), Energy Policy WA and to Western Power for feedback.

A total of three (3) submissions were received during the consultation period. Two (2) submissions were in support for the amendments, with recommendations to improve the policy. The third submission opposed the amendments, subject to changes to the wording of the policy. The submissions are noted below:

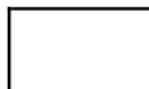
Submission	City Response
<p><i>Element WA:</i></p> <p>We note that the intent of LPP5.9 is to expand the scope and allowances of the policy to further facilitate sustainable developments, minimise unnecessary red tape to small-scaled developments and improve clarity for developers and the community.</p> <p>Upon review, we note that draft LPP5.9 does not contemplate or consider charging stations for electric vehicles.</p> <p>To enhance the City’s ability to facilitate sustainable development and minimise red tape, we recommend that the City amend LPP5.9 to include a provision which states planning approval is not required for the installation of charging stations for electrical vehicles within an existing car park and where there is no net loss of car parking for the overall land use. Noting that electric vehicle car parking bays are still used as parking bays and therefore do not result in a loss of customer car parking bays.</p> <p><u>Recommendation</u></p> <p>Considering the above, we recommend that the provisions of draft LPP5.9 to be modified to:</p> <ul style="list-style-type: none"> • Include provisions permitting the 	<p>The recommendation is noted. The policy provisions for Battery Installations have been expanded to consider Electric Motor Vehicle (EMV) Charging Bays.</p> <p>The conditions for the subject works are as follows:</p> <ul style="list-style-type: none"> • The works are not the predominant use of the lot, • The works are to existing car parking bay(s), approved by the local government and do not reduce the overall number of parking bays available for use, and • The works are determined by the local government, in writing, to be minor works.



DAP 17/02/2022

Item 8.1

<p>installation of electric vehicle charging stations on land zoned 'Regional Centre', without the requirement to obtain planning approval.</p>	
<p><i>Department of Water and Environmental Regulation (DWER):</i></p> <p>Thank you for providing the local planning policy received 12 November 2021 for the Department of Water and Environmental Regulation (Department) to consider.</p> <p>The Department has no comment to offer regarding the development of Local Planning Policy 5.9 – Rainwater Tanks and Renewable Energy.</p>	<p>Noted.</p>
<p><i>Anonymous:</i></p> <p>1) The phrase "not visible from the public realm" needs revision. Most renewable energy sources will be visible from average size residential lots.</p> <p>2) For battery systems and "other renewable sources" - Why should phrase "The works are determined by the local government, in writing, to be minor works;" be included? given the pace of system development this could create unnecessary burden upon the council.</p>	<p>The recommendation is noted. The policy provisions have been reworded based on the comment received. The following provisions have been modified:</p> <ul style="list-style-type: none"> • Where stated "<i>visible from the public realm</i>" for residential works, the provision has been modified to "<i>not forward of the dwelling or building alignment</i>". Further, an explanatory note has been included to further explain the terminology used, and • The general provisions for "<i>works determined by the local government to be minor works</i>" have been redacted. <p>The original intent was to accommodate for future developments to avoid the need for a development approval. However, it is noted that consideration could be given to alternative systems by the avenue of a development approval.</p>



Item 8.1

DAP 17/02/2022

Risk Management Implications

There is no risk to the City in adopting the proposed modifications. The risk of not adopting the proposed modifications may result in opportunities to install renewable energy systems being limited without the requirement of a development approval.

This may be a deterrent for those wanting to consider renewable energy installations. It is contrary to the City's Strategic Plan to address climate change and promote innovation and technology.

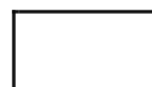
Advice to Proponent(s)/Submitters

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the 17 February 2022 Delegated Authorities & Policies Committee.

Implications of Section 3.18(3) Local Government Act 1995

Nil

.



Item 8.1 Attachment 1

DAP 17/02/2022

Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9



Policy Type

Local Planning Policy ([LPP](#))

Application

This policy applies to all zones under the City's Town Planning Scheme No. 3, with exception to the Development Zone, Special Use Zone or works that are part of a heritage-protected building or within a heritage-protected place.

It is not the intention of this policy to provide more onerous requirements than the requirements for assessment under the City Town Planning Scheme.

Policy Purpose

Recent developments in renewable energy systems and Federal and State Government policy in Australia has seen increased investment in and proliferation of renewable energy systems. The application of these systems has been both for commercial and domestic purposes, namely as a result of government subsidies and rebates.

The City of Cockburn supports the installation of renewable energy systems and welcomes new technologies or solutions to facilitate sustainable development outcomes. With global changes to the world's climate and an increased pressure to local residents and businesses to adopt sustainable development practices, the City needs to ensure that the increased level of interest to and adoption of alternative development options will not result in an adverse impact to the community.

The City of Cockburn has been at the forefront of these developments with the installation of both wind and solar energy systems on Council facilities. New technologies and incentives for renewable energy systems will continue to create increasing levels of interest in the development of renewable energy systems in Cockburn.

Rain water tanks, renewable energy systems and similar developments have the potential to be visually intrusive and therefore may have an impact on the amenity of an area, and of an inappropriate bulk and scale; which, in some circumstances, lead to that impact may be undesirable impact and poor built-form outcomes. Whilst it is important that the City is positioned to manage the development of Solar Energy and Wind Energy Systems incidental development, there is a need to encourage and accommodate these systems to promote sustainable communities, with a clear position on the form and function of these systems within the district.

The purpose of this policy is to provide guidance on the development of rain water tanks, renewable energy systems and similar developments in the City of Cockburn whilst minimising any impacts on the streetscape and the amenity of nearby properties and natural environment.

[1]



DAP 17/02/2022

Item 8.1 Attachment 1

Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9



Therefore a development may be deemed compliant if it conforms to the provisions of this LPP.
Implementation

1. Where a specified development is located in a zone specified in 'Column 2' and meets the conditions found in 'Column 3', a development approval is not required with the City of Cockburn.
2. The policy has effect under Clause 61 (1), Table No. 20 under the *Planning and Development (Local Planning Schemes) Regulations 2015*, as works specified in a Local Planning Policy that do not require development approval.
3. Where a proposal does not meet the provisions of or is not addressed in this policy, a development approval is required, and advertising may be required for, subject to assessment of the impact to adjoining landowners.

[2]



Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9

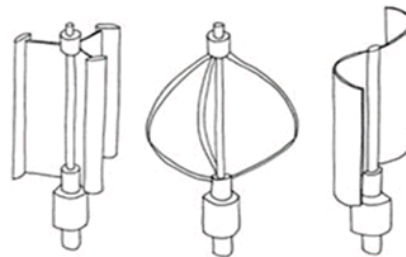


Policy Statement

Figure 1: Horizontal Axis Wind Turbine



Figure 2: Vertical Axis Wind Turbine



(1) Solar Energy Systems Provisions

1. _____

Solar Panels			
	Column 1 Works	Column 2 Applicable Zone	Column 3 Conditions
1.	<u>Roof-mounted solar energy systems</u>	<u>All zones</u>	<ul style="list-style-type: none"> The works are not located on a heritage-protected building or within a heritage-protected place.
2.	<u>Free standing (ground mounted) solar energy systems</u>	<u>Residential, Regional Centre, District Centre and Local Centre Zone</u> <u>The works, if located on a residential zoned lot, aAny</u>	<ul style="list-style-type: none"> The works do not occupy an area greater than 25m² and have a maximum height of 3m as measured from the natural ground level. The works, if located on a residential zoned lot, is setback from side and rear boundaries in accordance with Table 2a

[3]



Title	Rainwater Tanks and Renewable Energy Systems Renewable Energy System
Policy Number (Governance Purpose)	LPP 5.9



		<p><u>system is required to be setback from side and rear boundaries in accordance with Table 2a of the Residential Design Codes (as if it were a wall with no major opening/s). All other provisions of the Residential Design Codes apply.</u></p> <p>Mixed Use, Mixed Business, Light and Service Industry, Industry, Rural Living, Rural and Resource Zone</p>	<p>of the Residential Design Codes (as if it were a wall with no major opening/s),</p> <ul style="list-style-type: none"> The works are not the predominant use of the <u>premiseslot</u>, and The works are not forward of a dwelling or building alignment. <ul style="list-style-type: none"> The works do not occupy an area greater than 50m², The works are not the predominant use of the lot, and The works are not forward of a dwelling or building alignment.
<u>lot</u> Wind Energy Systems			
	<u>Column 1 Works</u>	<u>Column 2 Applicable Zone</u>	<u>Column 3 Conditions</u>
3.	<u>Horizontal Axis Wind Turbine</u>	All zones	<ul style="list-style-type: none"> The works do not exceed the maximum building height requirements applicable to the site, For any lot which is 2000m² or less in area, the maximum blade diameter does not exceed 2m, The works are not the predominant use of the lot, and The works are not forward of the dwelling alignment.
4.	<u>Vertical Axis Wind Turbine</u>	All zones	<ul style="list-style-type: none"> The works, where located on an existing residential building, do not exceed the maximum height requirements applicable to the site by 1m, The works, where not installed on an existing building, are not located on a residential-zoned lot, and The works are not the predominant use of the lot.
5.	<u>Windmills</u>	All zones except Residential	<ul style="list-style-type: none"> For any lot which is 2000m² or less in area, the maximum blade diameter does not exceed 2m, The works are not the predominant use of the lot, and The works, if forward of the dwelling alignment, is appropriately screened from any street with landscape screening and/or vegetation and are

[4]



Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9



			<u>complementary in colours or materials to the premises.</u>
Rain Water Tanks			
	<u>Column 1 Works</u>	<u>Column 2 Applicable Zone</u>	<u>Column 3 Conditions</u>
6.	<u>Rainwater Tanks</u>	<u>Residential</u>	<ul style="list-style-type: none"> <u>The works comply with the requirements of a 'small outbuilding' as defined in the Residential Design Codes, except for the number of outbuildings or rainwater tanks per site, and</u> <u>The works, if forward of the dwelling alignment, is appropriately screened from any street with landscape screening and/or vegetation and are complementary in colours or materials to the premises.</u>
		<u>Rural Living, Rural and Resource</u>	<ul style="list-style-type: none"> <u>The height of the works does not exceed 5m above the natural ground level,</u> <u>The works are located within an approved building envelope OR where the lot does not have an assigned building envelope, the structure complies with Scheme setback requirements for rural properties, and</u> <u>The works, if forward of the dwelling alignment, is appropriately screened from any street with landscape screening and/or vegetation and are complementary in colours and materials to the surrounding environment.</u>
		<u>Regional Centre, District Centre, Local Centre, Mixed Business, Mixed Use, Light and Service Industry and Industry</u>	<ul style="list-style-type: none"> <u>The works, are only for the purposes of rainwater collection and do not include the storage of other liquids, and</u> <u>The works are not visible from the public realm and complementary in colours or materials to the premises.</u>
Battery Installations			
	<u>Column 1 Works</u>	<u>Column 2 Applicable Zone</u>	<u>Column 3 Conditions</u>
7.	<u>Electric Motor Vehicle (EMV) Charging Stations</u>	<u>All zones except Residential</u>	<ul style="list-style-type: none"> <u>The works are not the predominant use of the lot,</u> <u>The works are to an existing car parking bay(s), approved by the local government and do not reduce the overall number of parking bays available, and</u> <u>The works are complementary in colours or materials to the premises.</u>

[5]



Title	Rainwater Tanks and Renewable Energy Systems Renewable Energy System
Policy Number (Governance Purpose)	LPP 5.9

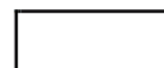


8.	Battery Systems and Installations	All zones	<ul style="list-style-type: none"> The works are not the predominant use of the lot, and The works are screened from view from the public realm.
-----------	--	------------------	--

Additional Requirements:

- ~~For residential developments, free standing (ground mounted) solar energy systems and/or other minor solar energy systems do not attribute to the minimum open space requirements of the Residential Design Codes. Any system is required to be setback from side and rear boundaries in accordance with Table 2a of the Residential Design Codes (as if it were a wall with no major opening/s). All other provisions of the Residential Design Codes apply.~~
 - ~~Grid-connected solar energy systems must comply with the requirements of relevant public and local authorities. Proponents and/or landowners are reminded of their obligation to seek approval for any solar energy system within close proximity to the Jandakot Airport.~~
 - ~~It is the proponent and/or landowner's duty of care to ensure that any solar energy system does not impact on the structural integrity of the building on which it is installed or any other structure.~~
 - ~~Proponents and/or landowners whom wish to develop large-scale solar energy systems should liaise with the City prior to the lodgement of a planning application.~~
- ~~Development approval is not required for domestic solar energy systems located on residential dwellings and structures in accordance with the Residential Design Codes Section 5.4.4 External Fixtures.~~
- ~~2. Development approval is required despite the above clause for the installation of solar energy systems on any listed heritage structure or within a Heritage Area or Precinct or was subject to control under a Scheme Provision, Structure Plan, Policy, or the like.~~
- ~~3. Development approval is required for all free-standing (ground mounted) solar energy systems.~~
- ~~4. Development approval is required for all commercial power generation solar energy systems. A commercial system is a system that is not designed to supplement a primary land use. It is a use on its own generating power to directly supply the integrated power network.~~
- ~~5. Development Approval is not required for roof mounted solar energy systems on Commercial, Industrial and Rural buildings provided that the system does not adversely impact on the streetscape or amenity of the area.~~
- ~~6. A building permit is not required for solar energy systems unless the structure of the building is being altered.~~
- ~~7. It is the property owner's duty of care to ensure that a solar energy system does not impact on the structural integrity of the building on which it is installed or any other structure.~~

[6]



Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9



~~8. Grid-connected solar energy systems must comply with the requirements of relevant public authorities.~~

~~(2) Wind Energy Systems~~

~~1. building under the Residential Design Codes~~

~~The works are not visible from the public realm; wherever the lot is in aggregate (including existing), where the lot does not have an assigned building envelope, the setbacks of the Scheme shall apply. For rural properties with no potable water supply, the landowner is obliged to provide at least one (1) rain water storage tank on-site. If no building envelope is present on the subject lot, the required rain water tank shall be setback in accordance with the City's Town Planning Scheme No. 3.~~

~~A rain water tank for a rural property does not attribute to the maximum permitted floor area for other outbuildings or structures on-site~~

~~Development Approval is required for all wind energy system installations within the City of Cockburn.~~

~~2. Consultation with abutting landowners will generally be undertaken for all wind energy systems. This will comprise written notification to adjoining landowners for domestic and small commercial systems. Larger wind turbines or arrays (including wind farms) may be advertised to a wider area and may include notices on-site and in a locally circulating newspaper.~~

~~3. Wind energy systems shall be set back from a boundary a distance equal to or greater than the total height of the system. The total height of the system is taken from the existing ground level below the system. For example a turbine (including blade height) that has a height of 8m above the existing ground level where it is to be positioned, requires a minimum setback of 8m from a lot boundary.~~

~~4. Wind turbines may be permitted in association with residential dwellings subject to the height of the structure not exceeding 6m. Horizontal axis turbines on lots less than 2000m² will only be considered where the blade diameter is 2m or less. A greater height may be permitted on sites over 2000m².~~

~~5. Wind energy systems will generally not be supported within a street setback of a residential dwelling or commercial building, nor on the planes of a roof structure facing a public street or the like.~~

~~6. A building permit may be required for a wind energy system.~~

~~7. All wind energy system installations must comply with the Environmental Protection (Noise) Regulations 1997. A noise impact assessment shall be submitted with all applications demonstrating the system's compliance with the Regulations.~~

~~8. Non-compliance with the Environmental Protection (Noise) Regulations 1997 or the terms of a Development approval will result in enforcement action being initiated by the City.~~

~~9. Grid-connected wind energy systems must comply with the requirements of relevant public authorities.~~

[7]



Title	Rainwater Tanks and Renewable Energy Systems
Policy Number (Governance Purpose)	LPP 5.9



~~10. Wind energy systems shall be finished using non-reflective materials and colours which complement the context of the immediately surrounding area.~~

~~11. Applications for wind energy systems will provide an assessment of the impact of light flicker on adjoining properties.~~

(32) Other Explanatory Notes Renewable Systems

2.1 Development Approval and/or a Building Permit may be required for other renewable energy system installations within the City of Cockburn. Contact the City of Cockburn for advice prior to the commencement of any works.

~~2.2 Proponents and/or landowners are reminded of their obligation to seek approval for any energy system of substantive height within close proximity to the Jandakot Airport.~~

2.32 The provision for works to be "not forward of a dwelling or building alignment" and "not visible from the public realm" refers to the fixture or building being visually obtrusive as viewed from the street. In the event of any ambiguity, please contact the City of Cockburn for advice prior to the commencement of any works.

2.3 Proponents and/or landowners are reminded of their obligation to All wind energy system installations must comply with the Environmental Protection (Noise) Regulations 1997. Prior to the installation of any system, information should be provided to the City which demonstrates the system's compliance with the Regulations.

2.4 This policy does not prohibit the installation of external fixtures which comply against 5.4.4 of the Residential Design Codes or are otherwise exempt from the requirement of a development approval.

~~2.4 For residential developments, a rain water tank that complies against the requirements for a "small outbuilding" pursuant to the Residential Design Codes will be in addition to any other outbuilding proposed or existing on-site (e.g. a residential site can have one garden shed and one rain water tank on-site, both complying against the "small outbuilding" requirements of the Residential Design Codes).~~

~~2.55 A rain water tank for a rural-zoned property does not contribute attribute to the maximum permitted floor area for other outbuildings or structures on-site.~~

[8]

Item 8.1 Attachment 1

DAP 17/02/2022

Title	<u>Rainwater Tanks and Renewable Energy Systems</u> <u>Renewable Energy System</u>
Policy Number (Governance Purpose)	LPP 5.9



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 December 2019
Next Review Due: (Governance Purpose Only)	December 2021
ECM Doc Set ID: (Governance Purpose Only)	4517385

[9]



Item 8.2

DAP 17/02/2022

8.2 (2022/MINUTE NO 0007) Adoption of Amended Local Planning Policy (LPP) 3.7 Signs and Advertising

Author C Hill

Attachments 1. Amended Local Planning Policy - LPP 3.7 'Signs & Advertising' [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPTS the proposed amendments to Local Planning Policy 3.7 – Signs and Advertising – in accordance with Clauses 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- (2) ADVISES those who lodged a submission during the public consultation period of the decision.

Committee Recommendation

MOVED Cr P Corke SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 5/0

Background

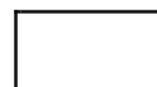
The proposed amendments to the Local Planning Policy (LPP) 3.7 – Signs and Advertising, were adopted by Council for the purposes of advertising in accordance with Clause 4(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at its Delegated Authorities and Policies Committee Meeting held on 26 August 2021.

Submission

N/A

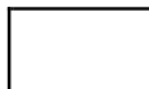
Report

The initially proposed amendments to LPP 3.7 included clarification on the types of signage that would require development approval and those that would be exempt, by splitting the signage types into two separate tables. One new signage type ('Entry Estate Signage') was also introduced.



21 of 165

Submission	City's Response
<p><i>From: Element</i></p> <p><i>Comment:</i> We note that the intent of the proposed amendments to LPP3.7 seek to improve clarity on the types of signage that require development approval and those that are exempt.</p> <p>Upon review, we consider that opportunity remains for the City to further improve its development approval processes.</p> <p>Draft LPP3.7 prescribes that planning approval is not required where there is a maximum of one (1) pylon sign per frontage. In the context of land zoned 'Regional Centre', (i.e. Cockburn Gateway, which has a frontage >300m), it is reasonable for more than one pylon sign per frontage to be provided.</p> <p>By way of illustration, if Cockburn Gateway was subdivided into numerous smaller lots with 20 metre frontages, containing fewer overall tenancies than currently exist on the site, 17 pylon signs could be located along the northern lot boundary, between Kwinana Freeway and Midgegooroo Avenue. However, as the site is consolidated, only one pylon sign is exempt from planning approval for the portion of the site fronting Beeliar Drive.</p> <p>Considering the above, it is requested that the draft policy be amended to acknowledge that more than one (1) pylon sign may be appropriate on a lot which has multiple tenancies/units, where they are separated by a minimum of 50 metres on land zoned 'Regional Centre'. It is acknowledged that this does not necessarily need to be exempt from planning approval.</p> <p>To further improve the City's efficiencies and assessment processes, we also recommend amending draft LPP3.7 to include provisions which facilitate the preparation of a signage</p>	<p>It is acknowledged that it may be appropriate for there to be more than one pylon sign located on the frontage of a larger site. However, such a proposal would need to be assessed by the City through a planning application. There are few sites within the City where this requirement could be exempted.</p> <p>'Pylon Sign' is proposed to be located under Part Three (3) of the amended LPP, which clarifies the standards that signs can meet to be <u>exempt</u> from requiring planning approval.</p> <p>Noting the submission, it is recommended to modify the policy to include the following provision;</p> <p><i>c) On any one lot, a maximum of one sign per street frontage, or one sign per 100m of frontage; whichever is the greater.</i></p> <p>It is considered that 100m, rather than 50m, is a reasonable length to trigger exemption. In the event where more than one pylon is proposed within the 100m frontage, it is the expectation of the City that a planning application should be required in order to control over-proliferation of signage along street frontages.</p> <p>Further to the above, the recommendation for requiring a Signage Strategy is supported. The amended policy has been revised to include the following provision in Part One (1):</p> <p><i>"Where assessing an application for development approval the City may, at its discretion, request the provision of a Signage Strategy detailing how signage is to be integrated into the overall development on the site."</i></p>



Item 8.2

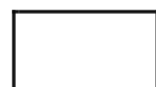
DAP 17/02/2022

<p>strategy on sites which do not have typical signage requirements (i.e. Cockburn Gateway). This reflects the approval recently granted by the Western Australian Planning Commission (WAPC) for Cockburn Quarter and previous conditions prepared by the City on other applications.</p> <p>Recommendation:</p> <p>Considering the above, we request that the provisions of draft LPP3.7 be modified to:</p> <ul style="list-style-type: none"> - Acknowledge that more than one (1) pylon sign on a lot which has numerous tenancies/units, where the pylon signs are separated by a minimum distance of 50 metres may be appropriate within the 'Regional Centre' zone - Include provisions facilitating the preparation of a signage strategy on large sites which do not have typical signage requirements. 	<p>Rather than mandating the types of properties to which this requirement would apply, the need for a Signage Strategy would be at the discretion of the assessing officer. This will ensure smaller-scale signage proposals are not unnecessarily burdened by this requirement.</p>
<p><i>Name withheld</i> <i>Objection.</i></p>	<p>Whilst the submission is noted, no further details were provided surrounding the reasoning behind the objection, and therefore it was determined that amendments to address the objection were not required.</p>

Summary

The modifications to LPP 3.7 ensure the standards for different types of signage are clearly identified, and it is clear when development approval is (and is not) required. In response to submissions received during the advertising period, the policy has been further revised to acknowledge that assessing officers may request that a Signage Strategy be provided at the development application stage, detailing how signage integrates into the overall development on the site. Exemptions for pylon signs were also amended.

This remains consistent with the intent of the policy, which is to ensure that signage does not adversely impact on the amenity of the area in which it is located.



DAP 17/02/2022

Item 8.2

Strategic Plans/Policy ImplicationsLocal Economy

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

- Thriving local commercial centres, local businesses and tourism industry.

Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.
- High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

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

Legal Implications

N/A

Community Consultation

Advertising of LPP 3.7 was undertaken in accordance with Clause 4(1) of the Regulations, from 21 October to 11 November 2021. Two (2) submissions were received during the consultation period. The submissions, and the City' response, are provided in the table below.

Risk Management Implications

There is no risk to the City in adopting the proposed modifications. The risk of not adopting the proposed modifications is that the standards for signage may remain unclear to prospective applicants and businesses, and this may result in inefficiencies determining where signage is, and is not, exempt from requiring planning approval.

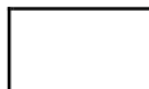
Advice to Proponent(s)/Submitters

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the 17 February 2022 Delegated Authorities & Policies Committee.

Implications of Section 3.18(3) Local Government Act 1995

Nil

24 of 165



245 of 431

DAP 17/02/2022

Item 8.2 Attachment 1

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



Policy Type

Local Planning Policy

Policy Purpose

This policy should be read in conjunction with the City of Cockburn's Town Planning Scheme No. 3 (TPS 3), any of the City's specific Design Guidelines and Signage Local Laws.

The purpose of this policy is to ensure that the display of signs and advertisements on properties does not adversely impact upon the amenity of the area while providing appropriate exposure of activities or services. The objectives of the policy are:

- (1) To ensure that signage and advertising does not detract from the streetscape or amenity of the area.
- (2) To avoid the proliferation of signage in commercial areas.
- (3) To avoid an abundance of signs on individual sites and buildings.
- (4) To ensure that signs only relate to the services and products on the site.
- (5) To encourage the rationalisation of advertising signs on individual premises.
- (6) To encourage the incorporation of advertising signs into the design consideration of buildings.

Policy Statement

(1) Application

a) This policy applies to all advertisements as defined within *Planning and Development (Local Planning Schemes) Regulations 2015*. All references here within to the words 'sign' or 'signage' shall also be read as advertisement.

b) In accordance with Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, development approval is not required where signage meets all of the following:

a. Meets the criteria of the 'General Development Provisions' in Part (2) below;

b. Meets the definition and provisions of the 'Permissible Signs and Standards' table in Part (3) below;

[1]

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



- c. Is not erected or installed within 1.5m of any part of a crossover or street truncation;
- d. Is erected within the boundaries of a freehold lot;
- e. Is not proposed on land reserved (partially or wholly) under the MRS;
- f. The works are not located within a heritage-protected place.

c) Where signage does not meet the criteria set out in Part 1b above, development approval is required. Development applications shall be determined in accordance with clause 67 of Planning and Development (Local Planning Schemes) Regulations 2015.

d) Development approval is required for all signage which meets the expectations of the table 'Signage that Requires Development Approval' in Part (4) below. The 'expectations' column of the table provides guidance on what the City would generally accept in relation to each type of sign, however an assessment against clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 is still required.

e) Where assessing an application for development approval the City may, at its discretion, request the provision of a Signage Strategy detailing how signage is to be integrated into the overall development on the site.

~~1. Where variations to the provisions of this policy are sought, the proposal shall be determined in accordance with the objectives of this policy (above) and the general development provisions of TPS 3 and may be subject to neighbour consultation.~~

~~2. f) Where a property is subject to specific Design Guidelines which contain provisions inconsistent with this policy, the Design Guidelines shall prevail.~~

~~3. g) Signs proposed on land reserved (partially or wholly) under the MRS shall be referred to the relevant Public Authority in accordance with the relevant WAPC Instrument of Delegation.~~

~~4. h) The maximum signage area contained in the policy refers to an aggregate of signage.~~

(2) General Development Provisions

- 1. All Signs shall:
 - a) Not pose a threat to public safety or health.
 - b) Only relate to services and products on the subject site.
 - c) Not consist of inappropriate or offensive language or material.

[2]



DAP 17/02/2022

Item 8.2 Attachment 1

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



- d) ~~Not protrude over Council property, including footpaths (unless allowed under a verandah or attached to a fascia) or neighbour's property.~~
- e) ~~Be in accordance with the requirements of Australian Standard AS 4282 - 2019 "Control of the Obtrusive Effects of Outdoor Lighting";~~
- f) ~~Not comprise flashing, intermittent or running lights;~~
- g) ~~Have any boxing or casing in which it is enclosed, constructed of incombustible material;~~
- h) ~~Have its electrical installation constructed and maintained to the satisfaction of Western Power Corporation or the appropriate electricity supply authority and in accordance with the S.A.A. Code 3000-1991;~~
- i) ~~Be maintained to operate as an illuminated sign where proposed as such.~~
- d)
2. ~~Illuminated Signs shall:~~
- a) ~~Not cause a nuisance, by way of light spillage, to abutting sites.~~
- b) ~~Not comprise flashing, intermittent or running lights.~~
- c) ~~Not interfere with or be likely to be confused with, traffic control signals.~~
- d) ~~Have a minimum clearance of 2.75m from finished ground level to the lowest part of the sign.~~
- e) ~~Have any boxing or casing in which it is enclosed constructed of incombustible material.~~
- f) ~~Have its electrical installation constructed and maintained to the satisfaction of Western Power Corporation or the appropriate electricity supply authority and in accordance with the S.A.A. Code 3000-1991.~~
- g) ~~Be maintained to operate as an illuminated sign.~~
- h) ~~Not have a light of such intensity as to cause annoyance to the public.~~
3. ~~Signs on Residential Properties (including Home Occupation) shall:~~
- a) ~~Not exceed 0.2m² in area and only for the purpose of identifying the name of the dwelling and/or nature of an approved home occupation operating from the dwelling.~~
- b) ~~Not exceed 0.5m in height where they are of a single line of letters fixed to the facade of a building.~~
4. ~~Signs on Heritage Buildings shall:~~
- a) ~~Contribute to the significance of a Heritage Place and existing signs should be retained and maintained.~~
- b) ~~Not dominate a Heritage Place. Instead, new signs should be placed where they would have traditionally been placed, and should be limited to a level consistent with traditional coverage.~~

[3]

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



- ~~c) Not be located where they would obscure or detract from a feature of the building.~~
- ~~d) Be located so as to ensure views to individually significant signs are maintained.~~
- ~~e) Not result in physical damage to any significant fabric. Signage should be readily removable, with careful consideration given in regards to the method of installation, in order to ensure that the original material can be reinstated.~~
- ~~f) If included on the State Heritage Register, be referred to the Heritage Council of Western Australia for comment.~~
- ~~g) Not require reproduction of historic advertising styles. Rather, respectful but clearly modern design is preferred for new signs.~~
- ~~h) Colours should be appropriate to the Heritage Place and in some instances which may require departure from standard company advertising colours.~~

~~5. Temporary Signs (for events) shall:~~

- ~~a) Require planning approval if greater than 4m².~~
- ~~b) Not be exhibited more than 4 weeks prior to the event advertised and must be removed by the end of the day following the event.~~
- ~~c) Be located on the site of an event or the property of the organisation holding the event.~~

~~6. Safety/Warning Signs shall~~

- ~~a) Not require planning approval if deemed necessary to comply with occupational, health and safety requirements.~~

[4]



Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



(3) Specific Permissible Signs and Development Standards

Sign-Type	Definition	Standards
<p>1. 3D Replica Model or Shape / Object</p>	<p>A three dimensional replica object or shape used as an advertising device and designated to replicate or copy a real world object or shape. The replica may be freestanding or attached to a building or other sign.</p>	<p>a) Planning approval is required for all 3D replica model or shape/object signs. b) Maximum volume of 4m³. c) Maximum height of 3m. d) Must not be erected for more than 4 weeks in any 12 month period.</p>
<p>2. Advisory Sign</p>	<p>A sign erected on land which has been approved for subdivision, advertising the lots for sale.</p>	<p>a) Planning approval is required for all advisory signs greater than 6m². b) Erected at the ratio of 1m² of area per hectare with no individual sign exceeding 20m². c) Shall be removed from the site within two years or when 80% of the lots in the subdivision have been sold, whichever comes first. d) The City may condition a bond to cover any costs associated to the removal of Advisory signage (particularly where signage includes lighting and any water features).</p>
<p>3. Awning Sign (Above)</p>	<p>A sign located above the outer fascia of a verandah, balcony or awning.</p>	<p>a) Planning approval is required for all awning signs (above). b) Lettering shall not exceed 1m in height. c) Maximum area of 6m².</p>
<p>4. Awning Sign (Below)</p>	<p>A sign fixed to or suspended from the underside of a verandah, balcony or awning.</p>	<p>a) Planning approval is required for awning signs (below) that propose a minimum headway of less than 2.75m and are 4m² in area or greater.</p>

[5]

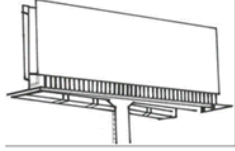
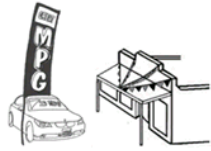
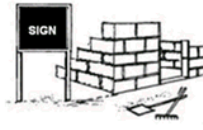
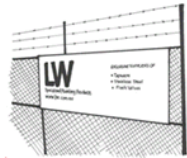


Item 8.2 Attachment 1

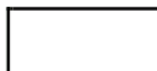
DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



Sign Type	Definition	Standards
<p>5. Billboard Sign</p> 	A sign fixed to a free-standing structure that is not a building and has one or more supports.	<p>a) Planning approval is required for all billboard signs.</p> <p>b) Billboard signs are generally not supported unless the City deems that the sign has a public/community purpose.</p>
<p>6. Bunting / Flag / Tethered</p> 	A single or group of flags or material that may be freestanding or attached to a rope or line stretched between two or more points.	<p>a) Planning approval is required for all bunting, flags or tethered advertising signs.</p> <p>b) Bunting, flags and tethered signs are generally not supported unless the City deems the sign has a public/community purpose.</p>
<p>7. Construction Sign</p> 	A sign which is displayed for the duration of the construction period which displays the project or contractors details relating to the site.	<p>a) Planning approval is required for construction signs that exceed 6m² for single/grouped dwellings, 10m² for multiple dwellings, commercial and industrial development or 20m² for shopping centre development.</p> <p>b) Construction signs shall only be in place for the duration of construction/development works.</p>
<p>8. Fence Sign</p> 	Any sign attached to a fence.	<p>a) Planning approval is required for fence signs greater than 6m² per street frontage.</p> <p>b) Maximum of one sign per street frontage on any one lot.</p> <p>c) Not permitted on lots located on district distributor roads.</p>
<p>9. Ground-Based Sign</p>	A sign which is not attached or	

[6]



Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



	Sign-Type	Definition	Standards
		otherwise affixed to a building and no portion of which is higher than 1.2m above natural ground level.	a) Planning approval is required for ground-based signs exceeding 4m ² . b) Maximum of one sign per tenancy on a lot unless incorporated in a barrier that distinguishes an outdoor dining area.
10.	Product Display Sign	An object which is displayed for the purposes of advertisement, or an advertisement sign which is attached to or placed on a vehicle (car, truck, boat, trailer, caravan, machinery, whether moveable or not).	a) Planning approval is required for all product display signs. b) Product display signs are generally not supported within the City unless the sign has a public/community purpose.
11.	Projecting Sign	A sign which projects more than 300mm from a wall of the building below the eaves or ceiling height.	a) Planning approval is required for projecting signs that propose a minimum headway of less than 2.75m and are 4m ² or less. b) Shall not project more than 4m from the wall.
12.	Pylon Sign	A sign supported by one or more piers and not attached to a building.	a) Planning approval is required for all pylon signs greater than 3m in height or 4m ² . b) Maximum area of 20m ² on any face. c) Maximum of one sign per street frontage. d) Setback at a minimum distance of its own overall height to street or right of way. e) Setback 6m from any other sign erected on the same lot. f) Maximum height of 6m above natural ground level.
13.	Real Estate Sign	A sign advertising the display, sale or	


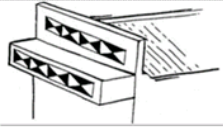
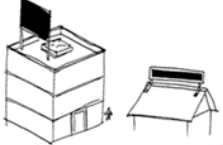


[7]

Item 8.2 Attachment 1

DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



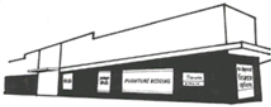

	Sign-Type	Definition	Standards
		lease-of-the property-	a) Planning approval required for real-estate signs greater than 6m ² . b) Limited to one sign per lot.
14.	Roof Sign 	A sign which is affixed to the fascia or parapet, or forms part of a projection above the eaves of the building.	a) Planning approval is required for roof signs greater than 6m ² . b) Not be within 0.5m of either end of the external walls of the building. c) Not permitted if there is a roof sign (above) on the same lot. d) Complements the architectural style of the building.
15.	Roof Sign (Above) 	A sign erected on or attached to the roof of a building.	a) Planning approval is required for all roof signs. b) Not permitted if there is a roof sign on the same lot. c) Shall not project higher than 2m above the roof or 50% of the height of the building to which it is attached (whichever is higher).
16.	Tower Sign 	A sign affixed to, or placed on an open structural mast or tower.	a) Planning approval is required for all tower signs. b) Maximum height and width of the sign shall not exceed the height or width of the structure to which it is attached. c) Maximum area of 6m ² .
17.	Variable Message Sign 	A sign which is permanent or portable and displays electronically generated variable messages.	a) Planning approval is not required for public authorities to use variable message signs. b) Variable message signs are not supported within the City unless used by public authorities for public purposes. c) Planning approval is required for all Variable Message Signs.

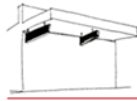
[8]



Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



Sign Type	Definition	Standards
<p>18. Wall Sign</p> 	<p>A sign which is affixed to the external part of a wall of the building but does not project above the lowest point of the eaves or ceiling of the building.</p>	<p>that display Service Station fuel prices in a variable/LED Format. Advertised fuel prices are restricted to change only once in a 24-hour period.</p> <p>a) Planning approval is required for wall signs greater than 6m².</p> <p>b) Shall not exceed 10% in area on any one wall.</p> <p>c) If the background colour of the sign matches the balance of the colour of the wall on which it is located, then the area of the sign shall be determined by measuring around the words of the sign. If the background colour of the sign does not match the balance of the colour of the wall on which it is located, the area of the sign is to be measured around the borders of the entire sign.</p>
<p>19. Window Sign</p> 	<p>Sign which is affixed to either the interior or exterior of the glazed area of a window.</p>	<p>a) Planning approval required for any window signs greater than 6m².</p> <p>b) Not to exceed more than 25% of the window panel (which is calculated as the window shopfront).</p> <p>c) Lettering shall not exceed 1m in height.</p>



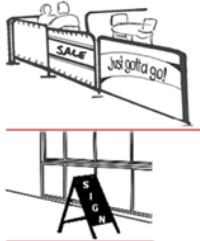
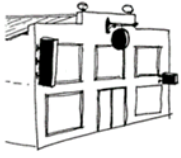
Sign Type	Definition	Provisions
<p>1. Awning Sign (Below)</p> 	<p>A sign fixed to or suspended from the underside of a verandah, balcony or awning.</p>	<p>a) Maximum size of 6m².</p> <p>b) Minimum headway/clearance of 2.75m.</p>
<p>2. Construction Sign</p>	<p>A sign which is displayed for the duration of the construction period which</p>	<p>a) Maximum size of 6m² for single/grouped dwellings.</p> <p>b) Maximum size of 12m² for multiple dwellings, commercial development not</p>

Item 8.2 Attachment 1

DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7






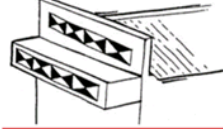
		<u>displays the project or contractors details relating to the site.</u>	<u>within centre zoned land and industrial development.</u> <u>c) Maximum size of 20m² for centre zoned development.</u> <u>d) In place for the duration of construction/development works only.</u>
<u>3.</u>	<u>Fence Sign</u> 	<u>Any sign attached to a fence.</u>	<u>a) Maximum size of 6m² per street frontage.</u> <u>b) Maximum of one sign per street frontage on any one lot.</u>
<u>4.</u>	<u>Ground Based Sign</u> 	<u>A sign which is not attached or otherwise affixed to a building and no portion of which is higher than 1.2m above natural ground level.</u>	<u>a) Maximum size of 6m².</u> <u>b) Maximum of one sign per tenancy on a lot.</u> <u>c) Where incorporated in a barrier that distinguishes an outdoor dining area, clause b above is varied to allow up to three signs per tenancy on a lot.</u>
<u>5.</u>	<u>Projecting Sign</u> 	<u>A sign which projects from a wall of the building below the eaves or ceiling height.</u>	<u>a) Maximum size of 6m².</u> <u>b) Minimum headway/clearance of 2.75m.</u> <u>c) Shall not project more than 1m from the wall.</u>
<u>6.</u>	<u>Pylon Sign</u>	<u>A sign supported by one or more piers and not attached to a building.</u>	<u>a) Maximum size of 6m² per street frontage.</u> <u>b) Maximum height of 3m.</u> <u>c) On any one lot, maximum of one sign per frontage, or</u>

[10]



Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



			<p><u>one sign per 100 metres of frontage; whichever is the greater.</u></p> <p><u>d) Setback a minimum distance of half its own overall height to the front property boundary.</u></p> <p><u>e) Setback 6m from any other sign erected on the same lot.</u></p>
7.	<p>Real Estate Sign</p> 	<p>A sign <u>advertising the display, sale or lease of the property.</u></p>	<p><u>a) Maximum size of 6m².</u></p> <p><u>b) Limited to one sign per lot.</u></p>
8.	<p>Residential Property Sign</p> 	<p>A sign <u>affixed to, or located on, a Residential property, and includes signs relating to Home Occupations and approved Home Businesses.</u></p>	<p><u>a) Maximum size of 0.2m².</u></p> <p><u>b) Maximum height of 0.5m where the sign is a single line of letters fixed to the facade of a building.</u></p> <p><u>c) Only used for the purpose of identifying the name of the dwelling and/or nature of a Home Occupation or approved Home Business operating from the dwelling.</u></p>
9.	<p>Roof Sign</p> 	<p>A sign which is <u>affixed to the fascia or parapet, or forms part of a projection above the eaves of the building.</u></p>	<p><u>a) Maximum size of 6m².</u></p> <p><u>b) Not located within 0.5m of either end of the external walls of the building.</u></p>




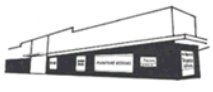


Item 8.2 Attachment 1

DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



<p><u>10.</u></p>	<p><u>Safety/Warning Signs</u></p> 	<p>A sign which displays safety or warning messages relating to a potential hazard on or around a site.</p>	<p>a) Necessary to comply with occupational, health and safety requirements.</p>
<p><u>11.</u></p>	<p><u>Temporary Signs (for events)</u></p> 	<p>A sign which advertises an upcoming event.</p>	<p>a) Maximum size of 6m². b) Exhibited up to a maximum of four (4) weeks prior to the event advertised and removed by the end of the day following the event.</p>
<p><u>12.</u></p>	<p><u>Variable Message Sign</u></p> 	<p>A sign which is permanent or portable and displays electronically generated variable messages.</p>	<p>a) Used by public authorities for public purposes only.</p>
<p><u>13.</u></p>	<p><u>Wall Sign</u></p> 	<p>A sign which is affixed to the external part of a wall of the building but does not project above the lowest point of the eaves or ceiling of the building.</p>	<p>a) Maximum size of 6m². b) Not exceeding 10% in area on any one wall. Note: If the background colour of the sign matches the balance of the colour of the wall on which it is located, then the area of the sign shall be determined by measuring around the words of the sign.</p>
<p><u>14.</u></p>	<p><u>Window Sign</u></p>	<p>Sign which is affixed to either the interior or exterior of the glazed area of a window.</p>	<p>a) Maximum size of 6m². b) Not exceeding more than 25% of the overall area of glazing of the individual façade.</p>

[12]



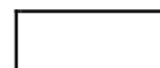
Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



	<p><u>c) Lettering shall not exceed 1m in height.</u></p>
--	---

(4) Signage that Requires Development Approval

	<u>Sign type</u>	<u>Definition</u>	<u>Expectations</u>
1.	<p><u>3D Replica Model or Shape / Object</u></p>	<p>A three dimensional replica object or shape used as an advertising device and designated to replicate or copy a real world object or shape. The replica may be freestanding or attached to a building or other sign.</p>	<p>a) Maximum volume of 4m³.</p> <p>b) Maximum height of 5m.</p> <p>c) Must not be erected for more than 4 weeks in any 12 month period.</p>
2.	<p><u>Advisory Sign</u></p>	<p>A sign erected on land which has been approved for subdivision, advertising the lots for sale.</p>	<p>a) Does not exceed 20m².</p> <p>b) One sign per subdivision.</p> <p>c) Shall be removed from the site within two years or when 80% of the lots in the subdivision have been sold, whichever comes first.</p> <p>d) A bond received by the City to cover any costs associated to the removal of Advisory signage (particularly where signage</p>



Item 8.2 Attachment 1

DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



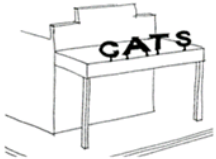
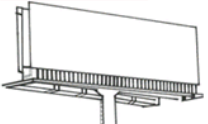
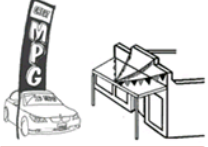

			includes lighting and any water features).
3.	<u>Any sign on a Heritage Place</u>	<u>Any sign located in a heritage-protected place.</u>	<p>a) Shall contribute to the significance of a Heritage Place and existing signs should be retained and maintained.</p> <p>b) Shall not dominate a Heritage Place. Instead, new signs should be placed where they would have traditionally been placed, and should be limited to a level consistent with traditional coverage.</p> <p>c) Shall not be located where they would obscure or detract from a feature of the building.</p> <p>d) Shall be located so as to ensure views to individually significant signs are maintained.</p> <p>e) Shall not result in physical damage to any significant fabric. Signage should be readily removable, with careful consideration given in regards to the method of installation, in order to ensure that the original material can be reinstated.</p> <p>f) If included on the State Heritage Register, shall be referred to the Heritage Council of Western Australia for comment.</p> <p>g) Shall not require reproduction of historic advertising styles. Rather, respectful but clearly modern design is preferred for new signs.</p>

[14]



Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



			h) Colours should be appropriate to the Heritage Place and in some instances which may require departure from standard company advertising colours.
4.	<p>Awning Sign (Above)</p> 	A sign located above the outer fascia of a verandah, balcony or awning.	<p>a) Maximum area of 6m².</p> <p>b) Lettering shall not exceed 1m in height.</p>
5.	<p>Billboard Sign</p> 	A sign fixed to a free-standing structure that is not a building and has one or more supports.	a) Billboard signs are generally not supported unless the City deems that the sign has a public/community purpose
6.	<p>Bunting / Flag / Tethered</p> 	A single or group of flags or material that may be freestanding or attached to a rope or line stretched between two or more points.	a) Bunting, flags and tethered signs are generally not supported unless the City deems the sign has a public/community purpose
7.	<p>Estate Entry Signage</p> 	A sign which serves to announce the entry to an estate or new residential development.	<p>a) Temporary only.</p> <p>b) A bond being received, where the estate entry signage is located on land vested to the Crown and/or the City, to cover any costs associated to the removal of the signage (particularly where signage includes lighting and any water features).</p>

[15]


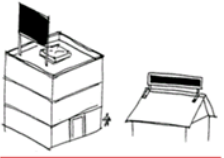



Item 8.2 Attachment 1

DAP 17/02/2022

Title	Signs & Advertising
Policy Number (Governance Purpose)	LPP 3.7



<p>8.</p>	<p>Product Display Sign</p> 	<p>An object which is displayed for the purposes of advertisement; or an advertisement sign which is attached to or placed on a vehicle (car, truck, boat, trailer, caravan, machinery, whether moveable or not).</p>	<p>a) Product display signs are generally not supported within the City unless the sign has a public/community purpose.</p>
<p>9.</p>	<p>Roof Sign (Above)</p> 	<p>A sign erected on or attached to the roof of a building.</p>	<p>a) Not permitted if there is a roof sign on the same lot. b) Shall not project higher than 2m above the roof or 50% of the height of the building to which it is attached (whichever is higher).</p>
<p>10.</p>	<p>Tower Sign</p> 	<p>A sign affixed to, or placed on an open structural mast or tower.</p>	<p>a) Maximum area of 6m². b) Where applicable a minimum headway/clearance of 2.75m.</p>

[16]



Title	Signs & Advertising
Policy Number <small>(Governance Purpose)</small>	LPP 3.7



Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: <small>(Yes or No)</small>	Yes
Adoption Date: <small>(Governance Purpose Only)</small>	12-December-2019
Next Review Due: <small>(Governance Purpose Only)</small>	December-2021
ECM Doc Set ID: <small>(Governance Purpose Only)</small>	4518397

[17]

DAP 17/02/2022

Item 8.3

8.3 (2022/MINUTE NO 0008) Adoption of Amended Local Planning Policy (LPP) 3.6 - Licensed Premises (Liquor)

Author D King

Attachments 1. Local Planning Policy 3.6 - Licensed Premises (Liquor) - Track Changes [↕](#)

RECOMMENDATION	
That Council:	
(1)	ADOPTS the proposed amendments to Local Planning Policy 3.6 – Licensed Premises (Liquor) – in accordance with Clause 5 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ; and
(2)	ADVISES those who lodged a submission during the public consultation period of the decision.
Committee Recommendation	
MOVED CR P Corke SECONDED Cr M Separovich	
That the recommendation be adopted.	
<u>CARRIED UNANIMOUSLY 5/0</u>	

Background

The proposed amendments to Local Planning Policy 3.6 Licensed Premises (Liquor) (LPP 3.6), were adopted by Council for the purposes of advertising in accordance with Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at the DAPPS meeting held on 26 August 2021.

LPP 3.6 was subsequently advertised in accordance with Clause 4 of the Regulations, with one (1) submission being received during the consultation period.

Submission

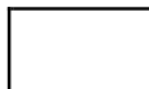
N/A

Report

The following amendments are recommended to the version of LPP 3.6 which was advertised:

Part of Local Planning Policy	Change summary
Application	The format of the policy has changed slightly with the 'Application' section now being ahead of the Policy Purpose and Policy Statement. The application section includes the following uses

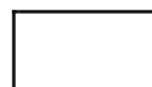
42 of 165



Item 8.3

DAP 17/02/2022

	<p>which were not previously listed:</p> <ul style="list-style-type: none"> • Liquor Store – Large • Liquor Store – Small • Brewery • Winery. <p>The above uses are defined within the Regulations, however they are not yet within the land use definitions or zoning table of the City’s Town Planning Scheme No. 3.</p> <p>The City is currently undertaking a drafting of the new Local Planning Scheme, which will introduce these land uses to the local planning framework, consistent with the Regulations.</p>
Provisions	<p>The title ‘Provisions’ now has its own heading and the three (3) subsequent provisions are numbered 1 – 3, rather than a-c.</p>
Provision 2 – ‘requirement for Operational Management Plan’	<p>Previous:</p> <p><i>The City may require an Operational Management Plan for Licensed Premises (Liquor) to be submitted with the planning application, in order to ensure the proposal will be managed in a way that limits potential negative impacts upon the community in which it is located.</i></p> <p>Proposed:</p> <p><i>The City may require an Operational Management Plan to be submitted with a planning application or conditioned on an approval for high profile Liquor License uses such as Tavern, Small Bar, Night Club, Liquor Store, Hotel, Brewery and Winery.</i></p> <p>The proposed change provides additional clarity as to which applications may require an Operational Management Plan and flexibility as to when it can be provided.</p>
Provision 2 ‘details required in an operational management plan’	<p>The following details previously required within an Operational Management Plan are proposed to be deleted:</p> <ol style="list-style-type: none"> a. Marketing and Pricing of Liquor b. External advertising and signage c. Accessibility d. Safety procedures



DAP 17/02/2022

Item 8.3

	<p>e. Harm minimisation (identification and controlling of intoxicated persons, managing of service of juveniles)</p> <p>f. Refusal of service.</p> <p>The above requirements are recommended to be removed as they are required to be complied with under the <i>Liquor Control Act 1988</i> or are not considered valid planning considerations.</p> <p>Noting, the external advertising and signage will be assessed under Local Planning Policy 3.7 – ‘Signs and Advertising’.</p>
--	--

Officer Recommendation

The intent of the policy remains predominantly the same and seeks to ensure some level of controls regarding Licensed Premises (Liquor) is considered at the planning stage. The key change remains the shift from a Public Interest Assessment Report to an Operational Management Plan and identifying the types of applications which will require such a document.

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 & Security

A vibrant healthy, safe, inclusive and connected community.

- A safe and healthy community that is socially connected.

City Growth & 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 & Leading

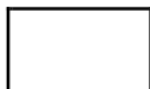
A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.
- High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

N/A

44 of 165



Item 8.3

DAP 17/02/2022

Legal Implications

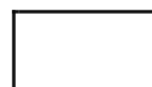
N/A

Community Consultation

The policy was advertised for public comment from 21 October 2021 to 11 November 2021, for 21 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

One submission was received during the consultation period. The submission is detailed below:

Submission	City Response
<p>We note that the intent of the proposed amendments to LPP 3.8 (sic) seek to improve clarity of how applications for licensed premises are assessed under the planning framework.</p> <p>Upon review, it is noted that the required Operational Management Plan is to include information which will often not be known by the applicant until detailed leasing considerations have been agreed with the respective operators. As such, it is not appropriate for an Operational Management Plan to be prepared and submitted at the time an application for development approval is lodged with the City.</p> <p>Further, land uses which often require liquor licensing (i.e restaurant, tavern and small bar) are all permitted 'P' uses under the City's Town Planning Scheme No.3 (TPS 3) and are therefore considered to be highly appropriate land uses on land zoned 'Regional Centre'.</p> <p>The information to be supplied in an Operational Management Plan must also be addressed in any liquor license application.</p> <p>As such, the requirement to provide an Operational Management Plan as part of a development application is an unnecessary duplication of process. If some items of information outside of typical planning requirements are sought by the City, a condition can accompany any approval</p>	<p>The recommendation is noted.</p> <p>The submission makes two (2) recommendations:</p> <ol style="list-style-type: none"> 1. To delete the requirement for an Operational Management Plan (OMP) in its entirety 2. Retain, but modify, the requirement to advertise 'higher profile' Licensed Premises (Liquor) applications. <p>The recommendation to delete the requirement for a OMP is not supported as the majority of details requested within the OMP are relevant to planning legislation, regardless of whether they are a duplication to the subsequent requirement for a Public Interest Assessment Report.</p> <p>Notwithstanding the above, the City acknowledges that some applications may not have finer details regarding the proposed operator and therefore the requirement for an OMP may be conditioned on a planning approval rather than considered upfront.</p> <p>The submission recommendation to retain, and modify, the</p>



DAP 17/02/2022

Item 8.3

<p>requiring them prior to the issue of a building or occupation permit.</p> <p>In addition to the above, it is noted that draft LPP 3.8 (sic) has removed the requirement for 'higher profile' premises to be advertised. We recommend that this be reinserted into LPP 3.8 (sic), subject to a minor modification to the current wording, so that the policy states –</p> <p>“Higher profile Liquor Licenses will be advertised for community comment to enable the City to consult with the owner/occupiers of nearby premises. High profile licensed premises include hotels, taverns, nightclubs and bottle shops”</p> <p>This is considered to be consistent with the recent amendment to the Regulations which prioritised public advertising of development applications.</p> <p><u>Recommendation</u> Considering the above, we recommend that the provisions of draft LPP 3.8 be modified to:</p> <ul style="list-style-type: none"> • <i>Remove the requirement for an Operational Management Plan</i> • <i>Re-insert provisions, with modifications, requiring the public advertising of 'higher profile Liquor Licenses'.</i> 	<p>statement regarding advertising of high-profile Licensed Premises (Liquor) is recommended to be deleted. The City’s Town Planning Scheme No. 3 designates the requirements for advertising within the Zoning Table (relating to ‘A’ Advertising land uses), however the City maintains discretion to advertise proposals if they are deemed to have an amenity impact.</p>
--	---

Risk Management Implications

If the modifications to LPP 3.6 is not adopted and therefore not progressed, some inconsistencies will occur in relating to the policy and existing practices. This practice needs to be formalised for consistency, reliability, good governance and transparency.

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 17 February 2022 Delegated Authorities & Policies Committee.

Implications of Section 3.18(3) Local Government Act 1995

Nil



DAP 17/02/2022

Item 8.3 Attachment 1

Title	Licensed Premises (Liquor)
Policy Number (Governance Purpose)	LPP 3.6



Policy Type

Local Planning Policy

Application

This policy applies to all land uses that may require a Liquor License, which can include the following;

- a. Hotel;
- b. Liquor Store – Large
- c. Liquor Store – Small
- d. Motel;
- e. Brewery
- f. Night Club;
- g. Restaurant;
- h. Small Bar;
- i. Tavern;
- j. Recreation-Private;
- k. Bed and Breakfast;
- l. Reception Centre;
- m. Amusement Parlour;
- n. Winery.

Policy Purpose

The Department of Health and the ~~Liquor Licensing Authority~~ Department of Racing, Gaming and Liquor have expressed the view that the impact of some licensed premises, that serve to increase the availability of liquor in a high risk manner, can contribute to alcohol related harm in the community. Research suggests that alcohol availability has the potential to contribute to harm in the community. The issue of whether there is a public impact should be taken into consideration when determining planning applications for liquor licensed premises.

The purpose of this policy is to provide guidance in the decision making process by the Council in relation to the location of all existing and proposed liquor licensed premises within the City, including modifications to existing premises. In this respect, information about the public impact of liquor licensed premises is required to be provided with an application in order for the potential for adverse public impact to be assessed and determined in the decision making process.

Policy Statement

This policy arises from the provisions of the City's Town Planning Scheme No. 3 (TPS 3) where the aims of TPS 3 are to ensure development complies with accepted standards and practices for public amenity and convenience. Also, to ensure that the quality of life enjoyed by the City's inhabitants is not jeopardised by poor planning, unacceptable

[1]

Item 8.3 Attachment 1

DAP 17/02/2022

Title	Licensed Premises (Liquor)
Policy Number (Governance Purpose)	LPP 3.6



development and incompatible use of land. Inappropriate distribution and function of liquor licensed premises is considered to have a significant potential to conflict with these town planning objectives.

Provisions

1. The policy is to be read in conjunction with the following documents;
 - a. City's Town Planning Scheme No.3, in particular the objectives of the zone in which the Liquor License is proposed;
 - b. Operational Policy 2.4 – Planning for School Sites
 - i. As school sites (public and private) are 'sensitive uses', the location within *proximity* of school sites are undesirable next to school sites due to actual and perceived impacts upon health, amenity and safety.
2. Council will take into consideration the public interest when assessing applications for planning approvals for liquor licensed premises. In this respect the potential for adverse public impact is to be considered alongside other matters such as community and economic development.
3. The City may require some of the information contained in a Public Interest Assessment Report (PIAR) an Operational Management Plan to be submitted prior to determination of any planning application for liquor licensed premises, in order to inform the community about how the proposal will be in the best interest of the community with a planning application or conditioned on an approval for high profile Liquor License uses such as Tavern, Small Bar, Night Club, Liquor Store, Hotel, Brewery and Winery. Specifically, the information required includes:
 - a. How the licensed premises will operate Operational details of the licensed premises;
 - b. Hours of operation;
 - c. Marketing and pricing of liquor;
 - d. External advertising and signage;
 - e. Information about the cumulative impact of nearby licensed premises
 - f. Information about sensitive land uses in the vicinity Proximity to sensitive land uses (e.g. schools, youth centres, health care facilities etc);
 - g. Maximum capacity;
 - h. Staffing details;
 - i. Parking and traffic management;
 - j. Complaints procedure
 - k. Control of Noise.
4. Operational procedures will be prepared and contained within the Statutory Planning Department's procedure manual for the assessment of liquor licensed premises applications.
5. Higher profile Liquor Licenses will be advertised to enable the City to consult with the owners/occupiers of nearby premises. Advertising/consultation will involve a letter drop to all premises within 400m of the proposed licensed premises. High profile licensed premises include Hotels, Taverns, Nightclubs and bottle shops.

[2]



DAP 17/02/2022

Item 8.3 Attachment 1

Title	Licensed Premises (Liquor)
Policy Number <small>(Governance Purpose)</small>	LPP 3.6



- 6. The Operational Management Plan does not replace the need for a Public Interest Assessment Report where it may be required by the Department of Racing, Gaming and Liquor.

Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: <small>(Yes or No)</small>	Yes
Adoption Date: <small>(Governance Purpose Only)</small>	12 December 2019
Next Review Due: <small>(Governance Purpose Only)</small>	
ECM Doc Set ID: <small>(Governance Purpose Only)</small>	

Revised policy - Tracked changes

[3]



DAP 17/02/2022

Item 8.4

8.4 (2022/MINUTE NO 0009) Local Planning Policy 1.8 - Incidental Structures

Author L De Carvalho

- Attachments**
1. Local Planning Policy 1.8 Incidental Structures [↓](#)
 2. Proposed Deletion - Local Planning Policy 1.9 Domestic Satellite Dishes [↓](#)

<p>RECOMMENDATION That Council:</p> <ol style="list-style-type: none"> (1) DELETES Local Planning Policy 1.9 'Domestic Satellite Dishes' in accordance with Clause 6(a) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (2) ADOPTS the proposed amendments to Local Planning Policy 1.8 'Incidental Structures' in accordance with Clauses 5 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; and (3) ADVISES those who lodged a submission during the public consultation period of the decision. 	
<p>Committee Recommendation MOVED Cr P Corke SECONDED Cr M Separovich</p> <p>That the recommendation be adopted.</p> <p style="text-align: right;"><u>CARRIED UNANIMOUSLY 5/0</u></p>	

Background

The proposed amendments to the Local Planning Policy (LPP) 1.8 'Incidental Structures' (refer Attachment 1) were adopted by Council for the purposes of advertising in accordance with Clause 4(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at its DAPPS meeting held on the 26th of August 2021.

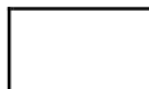
The LPP was subsequently advertised in accordance with Clause 4(1) of the Regulations, with one (1) submission being received during the consultation period.

Submission

N/A

Report

The proposed modifications to the existing LPP 1.8 - 'Flagpoles and Camera Poles' are summarised as follows:



Item 8.4

DAP 17/02/2022

1. The Policy shall be renamed to 'Incidental Structures' to reflect the intent of the policy
2. Amendments to the 'Policy Purpose', 'Application' and 'Definitions sections of the policy.

The proposed amendments to LPP 1.8 'Incidental Structures' include requirements for satellite dishes. This therefore makes the existing LPP 1.9 'Satellite Dishes' (Attachment 2) redundant. In accordance with Clause 6(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this policy is recommended to be revoked.

The modifications are detailed further in the table below:

Part of Local Planning Policy	Change Summary
Policy Purpose	Amended to reflect incidental structures to align with Clause 61 of the Amendment Regulations.
Part (1) 'Scope'	Rename section: 'Application' To reflect that this policy shall be applied throughout the City.
Part (2) 'Definitions'	Add section: To include all different types of structures that are covered by the policy.
Part (3) 'Exemptions from Planning Approval – Flagpoles'	Rename section: 'Cubby Houses' To align with Clause 61 of the Amendment Regulations which have introduced regulations for cubby houses into the planning framework. Where cubby houses comply with requirements specified in the Local Planning Policy, it is exempt from requiring development approval.
Part (4) 'Exemptions from Planning Approval - Camera Poles'	Rename section: 'Shade Sails' To align with Clause 61 of the Amendment Regulations which have introduced regulations for shade sails into the planning framework. Where shade sails comply with requirements specified in the Local Planning Policy, it is exempt from requiring development approval.
Part (5)	Insert section: 'Flagpoles' To align with Clause 61 of the Amendment Regulations which have introduced different conditions to current LPP 1.8. Where flagpoles comply with the requirements specified in a Local Planning Policy, it is exempt from requiring development approval.
Part (6) 'Exemptions from Planning Approval -	Rename section: 'Camera Poles' Where camera poles comply with requirements specified in a Local Planning Policy, it is exempt from requiring development approval.

 51 of 165

DAP 17/02/2022

Item 8.4

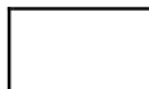
Part of Local Planning Policy	Change Summary
Camera Poles'	
Part (7) 'Exemptions from Planning Approval - Camera Poles'	Insert section: ' <i>Satellite Dishes</i> ' To incorporate satellite dishes into this policy. Where signage complies with requirements specified in a Local Planning Policy, it is exempt from requiring development approval.
Part (8) 'Exemptions from Planning Approval - Camera Poles'	Insert section: ' <i>Pergolas/Vergolas</i> ' To align with Clause 61 of the Amendment Regulations which have introduced regulations for pergolas into the planning framework. Where pergolas and vergolas comply with requirements specified in a Local Planning Policy, it is exempt from requiring development approval.
Part (7) 'Exemptions from Planning Approval - Camera Poles'	Insert section: ' <i>Other minor works</i> ' To encapsulate all other forms of minor works into the policy, allowing the City to formally assess and determine on a case by case basis when minor development is exempt from requiring development approval.

Consultation

Consultation was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and one (1) submission was received during the consultation period.

The one submission received was in support for the amendments, with recommendations proposed to further improve the policy. The submission is noted below:

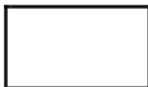
Submission	City Response
<p>We note that the intent of draft LPP1.8 is to combine two existing policies into one new policy and to incorporate the new requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) to provide clarity for proponents. Notwithstanding, we consider that opportunity remains for the City of Cockburn (the City) to further improve its processes by reducing red tape.</p> <p><i>Shade Sails</i></p> <p>Draft LPP1.8 prescribes that planning approval is not required for shade sails on land zoned 'Mixed</p>	<p>The recommendation is noted.</p> <p>The policy provisions for Shade Sails have been expanded to include the Local Centre, District Centre, Regional Centre zones.</p> <p>The policy provisions for Camera Poles have been expanded to permit more than one (1) camera pole on lots greater than 2,000m² in</p>



Item 8.4

DAP 17/02/2022

<p>Business', 'Light and Service Industry' and 'Industry and Strategic Industry', subject to specific criteria being met. In addition to the abovementioned zones, it is requested that planning approval not be required for shade sails on land zoned 'Regional Centre'.</p> <p>The installation of shade sails in activity centres is becoming common practice throughout the Perth metropolitan region as it allows for enhanced user benefit through the provision of additional shade (supplementary to landscaping requirements).</p> <p>Exempting shade sails (a structure which is becoming increasingly incidental to activity centres), on land zoned 'Regional Centre' from the requirement to obtain planning approval will improve the City's productivity and increase its opportunity to plan for and implement the broader strategic vision and objectives for the Cockburn Central Activity Centre.</p> <p><i>Camera Poles</i></p> <p>Draft LPP1.8 prescribes that planning approval is not required where only one (1) camera pole is proposed per lot. In the context of land zoned 'Regional Centre', (i.e. Cockburn Gateway which measures 21.407 hectares), it is reasonable that more than one (1) camera pole be installed across the subject site to better provide for the safety and security of its users and the broader community.</p> <p>Considering the above, it is recommended that the number of camera poles on land zoned 'Regional Centre' be limited based on overall lot area rather than on a 'per lot basis. It is requested that one camera pole per 2,000m² of land area be permitted without the requirement for planning approval within the 'Regional Centre' zone.</p> <p>This will further improve the City's productivity and increase its opportunity to plan for and implement the broader strategic vision and objectives for all activity centres and commercial nodes in the City.</p> <p><i>Recommendation</i></p> <p>Considering the above, we recommend that the provisions of draft LPP1.8 be modified to:</p>	<p>the Regional Centre Zone to allow for one (1) camera pole per 2,000m² of land area.</p>
---	---



DAP 17/02/2022

Item 8.4

<ul style="list-style-type: none"> • Allow for an exemption to obtain planning approval for the installation of shade sails on land zoned 'Regional Centre' • Allow for exemption to obtain planning approval for camera poles based on a 'per lot ratio of one camera pole for 2,000m2 of land area for land zoned 'Regional Centre'. 	
--	--

In summary, it the majority of the policy remains the same as advertised with two additional exemptions included for the Local Centre, District Centre and Regional Centre zones in line with the comments received from consultation.

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'.

City Growth & 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 & Leading

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

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

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

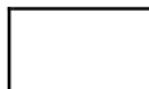
Legal Implications

N/A

Risk Management Implications

There is no risk to the City in adopting the proposed modifications. The purpose of the modifications is to add further to the existing LPP and introduce provisions to encourage renewable development.

The policy is aligned with the sound town planning principles and addresses the need to encourage and accommodate for sustainable development. Cutting red tape and streamlining planning processes will reduce application costs for homeowners and alleviate the administrative and regulatory burden for minor development proposals.



Item 8.4

DAP 17/02/2022

The policy can be amended at a later date, if the outcome created is contrary to the City's Strategic Plan and objectives of the policy, or if further allowances are required.

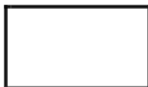
The risk of not adopting the modifications is that the opportunities to install renewable energy systems are limited without the requirement of a development approval. This may be a deterrent for those wanting to consider renewable energy installations. It is contrary to the City's Strategic Plan to address climate change and promote innovation and technology.

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 17 February 2022 Delegated Authorities & Policies Committee.

Implications of Section 3.18(3) Local Government Act 1995

Nil



Item 8.4 Attachment 1

DAP 17/02/2022

Title	Incidental Structures
Policy Number (Governance Purpose)	LPP1.8



Policy Type

Local Planning Policy.

Policy Purpose

In February 2021 amendments were made to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) which introduced multiple criteria for incidental development into the planning framework.

The purpose of this policy is to allow for greater flexibility than the Regulations, by identifying structures of an incidental nature and establish criteria specific to the City of Cockburn to exempt development from the requirement to obtain planning approval.

Incidental structures are structures which are considered minor or incidental in nature to established development.

Policy Statement

(1) Application

This policy applies to the development of land within all land zoned under the City of Cockburn Town Planning Scheme No. 3 (TPS 3).

(2) Definitions

Cubby house: Means an enclosed structure, such as a small-scale replica of a dwelling, and includes tree houses, which is usually of simple construction and used primarily by children for the purposes of play, but excludes unenclosed platforms. A cubby house may also be commonly referred to by other names, such as an outdoor fort or children's den.

Flagpole: A structure designed to support a flag and containing nothing other than a flag.

Camera pole: A structure designed to support security cameras.

Pergola/Vergola: An open-framed structure covered in water permeable material, or operable louvered roofing, which may or may not be attached to a dwelling

(3) Cubby Houses

Resource and Rural Zones:

- 3.1 Planning Approval is not required for any cubby houses, except if located in a heritage-protected place.

[1]



DAP 17/02/2022

Item 8.4 Attachment 1

Title	Incidental Structures
Policy Number (Governance Purpose)	LPP1.8



Rural Living Zone:

3.2 Planning Approval is not required for any cubby house where the development complies with the following criteria:

- a) Located a minimum 6m from the primary street;
- b) Located a minimum 2.5m from any other boundary; and
- c) Is not located within a heritage-protected place.

All Other Zones:

3.3 Planning Approval is not required for the development of a cubby house where the development complies with the following criteria:

- a) The lot is subject to the Residential Design Codes of WA;
- b) The lot is deemed a Single House or Grouped Dwelling;
- c) There is only one cubby on the lot;
- d) Located behind the primary street setback area;
- e) Does not have a footprint or floor area of greater than 10m²;
- f) Is not located within a heritage-protected place; and
- g) Does not exceed a building height of 3 metres measured from the existing natural ground level.

3.4 In all other instances, a cubby houses is required to obtain Planning Approval.

(4) Shade Sails

Local Centre, District Centre, Regional Centre, Mixed Business, Light and Service Industry, Industry and Strategic Industry Zones:

4.1 Planning Approval is not required for shade sails where the development complies with the following criteria:

- a) Located a minimum 15m from the primary street lot boundary;
- b) Located a minimum 3m from any other boundary;
- c) Where a lot has frontages to two streets (excluding the secondary street) then both street setbacks shall be 15m; and
- d) Is not located within a heritage-protected place.
- e) Are not obstructing landscaping, vehicle parking and vehicle access, to the satisfaction of the City.

All Other Zones

4.2 Planning Approval is not required for the development of shade sails where the development complies with the following criteria:

[2]

Item 8.4 Attachment 1

DAP 17/02/2022

Title	Incidental Structures
Policy Number (Governance Purpose)	LPP1.8



- a) The lot is subject to the Residential Design Codes of WA;
- b) The lot is deemed a Single House or Grouped Dwelling; and
- c) Is not located within a heritage-protected place.

4.3 In all other instances, shade sails are required to obtain Planning Approval.

(5) Flagpoles

5.1 The erection of a flagpole is considered exempt from requiring planning approval where the proposed flagpole is in accordance with CI 61 of the Planning and Development (Local Planning Scheme) Regulations 2015.

(6) Camera Poles

Resource and Rural Zones

6.1 Planning Approval is not required for any camera poles where the development complies with the following criteria:

- a) Located a minimum 20 m from the primary street;
- b) Located a minimum 10 m from any other boundary; and
- c) Is not located within a heritage-protected place.

Rural Living Zone

6.2 Planning Approval is not required for any camera poles where the development complies with the following criteria:

- a) Located a minimum 6m from the primary street;
- b) Located a minimum 2.5m from any other boundary; and
- c) Is not located within a heritage-protected place.

Regional Centre Zone

6.3 Planning Approval is not required for any camera poles where the development complies with the following criteria:

- a) Located a minimum 15m from any boundary that adjoins residential zoned land;
- b) Is not located within a heritage-protected place; and
- c) Where there is not more than one (1) camera pole per 2,000m² of lot area.

All Other Zones

6.3 Planning Approval is not required for any camera poles where the development complies with the following criteria:

- a) Where the height of the structure does not exceed the wall height of the existing/proposed dwelling on-site, to a maximum height of 6m;

[3]



DAP 17/02/2022

Item 8.4 Attachment 1

Title	Incidental Structures
Policy Number (Governance Purpose)	LPP1.8



- b) Where the structure is located behind the alignment of the existing/proposed dwelling;
- c) Where only one (1) camera pole is proposed per lot;
- d) Where the structure is setback from lot boundaries as if they were treated as a wall with no major openings in accordance with table 2a of the R-codes;
- e) Where the structure is not proposed on a lot on the Heritage List identified under TPS 3;
- f) Where no more than two (2) security cameras are fixed to the structure and the security cameras are directed towards the subject site and/or the street, not adjoining properties; and
- g) Is not located within a heritage-protected place.

6.4 In all other instances, camera poles are required to obtain Planning Approval. The development application must be advertised to potentially affected adjoining and nearby properties for comment.

6.5 Camera poles are not encouraged in residential areas and security cameras (if required) should be fixed to the existing/proposed dwelling.

(7) Satellite Dishes

All Zones

7.1 Planning Approval is not required for any satellite dishes where the development complies with the following criteria:

- a) Less than 1.2m in diameter on land zoned Residential or Local Centre;
- b) Less than 3m in diameter on land zoned Regional Centre, District Centre, Mixed Business, Rural, Rural Living, Resource, Light and Service Industry or Industry;
- c) Where two or more dishes, including those for which approval is not required, are located within the one lot.
- d) Planning Approval is not required for Dishes associated with:-
 - i. Temporary mobile communication facilities; located at any one specific place for a period not exceeding one week; or
 - ii. State Emergency Services Communication Equipment; or
 - iii. Any other public authority communications infrastructure; and
- e) Is not located within a heritage-protected place.

7.2 In all other instances, camera poles are required to obtain Planning Approval and the General Guidelines below are to be addressed:

General Guidelines

- a) Dishes must be located to minimise their visual impact from neighbouring properties, the street or other public areas.
- b) Dishes must be ground mounted with a maximum diameter of 3m.

[4]

Item 8.4 Attachment 1

DAP 17/02/2022

Title	Incidental Structures
Policy Number (Governance Purpose)	LPP1.8



- c) Dishes should be erected below the height of fences where practicable and are to be adequately screened at ground level from view of neighbouring properties.
- d) Screening measures include the following:
 - i. Establishment of mature fast growing plantings;
 - ii. Construction of standalone lattice screening (or similar) inside the property boundary i.e. in close proximity to the dish itself;
 - iii. Planting of fast growing creepers to cover the lattice or screening device; and
 - iv. Painting the dish and/or lattice structure to 'colour match' its background.

(8) Pergolas/Vergolas

Mixed Business, Light and Service Industry, Industry and Strategic Industry Zones

8.1 Planning Approval is not required for pergolas/vergolas where the development complies with the following criteria:

- a) Located a minimum 15m from the primary street lot boundary;
- b) Located a minimum 3m from any other boundary;
- c) Where a lot has frontages to two streets (excluding the secondary street) then both street setbacks shall be 15m; and
- d) Is not located within a heritage-protected place.

All Other Zones

8.2 Planning Approval is not required for the development of pergolas where the development complies with the following criteria:

- a) The lot is subject to the Residential Design Codes of WA; and
- b) Is not located within a heritage-protected place.

8.3 In all other instances, pergolas are required to obtain Planning Approval.

(9) Other minor works:

9.1 Any other minor works require Written Planning Advice and shall be determined on a case by case basis by the Local Government.

Strategic Link:	City of Cockburn Town Planning Scheme No. 3
Category	Planning – Town Planning and Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	
Adoption Date: (Governance Purpose Only)	

[5]



DAP 17/02/2022

Item 8.4 Attachment 2

Title	Domestic Satellite Dishes
Policy Number (Governance Purpose)	LPP 1.9



Policy Type

Local Planning Policy

Policy Purpose

Large satellite dishes have the potential to affect the visual amenity and character of residential and other areas.

The Telecommunications (Low-impact Facilities) Determination 2018 specifies that development approval is not required for subscriber connection radio dishes (domestic satellite dish) less than 1.2m in diameter. This ruling applies to residential, commercial, industrial and rural areas. For dishes larger than this, it is open to local government to require development approval.

Satellite dishes typically associated with receiving Pay TV service signals are 90cm in diameter. In residential areas these dishes are commonly affixed to the roof. In rural areas, dishes are 1.2 or 1.5m in diameter and are capable of receiving free to air and Pay TV signals. Dishes 3m in diameter are available for receiving international signals.

3m dishes are popular in the City of Cockburn, providing non English speaking residents or residents with English as a second language access to European TV channels for news, sports and information. These dishes, however, are large and can have an adverse effect on local amenity and character. The purpose is:

- To establish guidelines dealing with the installation of larger satellite dishes with the intention of minimising their visual impact; and
- To detail the procedure for considering and determining applications.

Policy Statement

(1) General Guidelines

1. Dishes must be located to minimise their visual impact from neighbouring properties, the street or other public areas.
2. Dishes must be ground mounted with a maximum diameter of 3m.
3. Dishes should be erected below the height of fences where practicable and are to be adequately screened at ground level from view of neighbouring properties.

Screening measures include the following:

- (a) establishment of mature fast growing plantings;

[1]

Item 8.4 Attachment 2

DAP 17/02/2022

Title	Domestic Satellite Dishes
Policy Number (Governance Purpose)	LPP 1.9



- (b) construction of standalone lattice screening (or similar) inside the property boundary i.e. in close proximity to the dish itself;
- (c) planting of fast growing creepers to cover the lattice or screening device; and
- (d) painting the dish and/or lattice structure to 'colour match' its background.

(2) Planning Approval

1. Planning Approval is required for:

- (a) any dish in greater than 1.2m in diameter on land zoned Residential.
- (b) any dish greater than 1.5m in diameter on land zoned Regional Centre, District Centre, Local Centre or Mixed Business.
- (c) any dish greater than 1.8m in diameter on land zoned Rural Living, Rural, Resource, Light and Service Industry or Industry.
- (d) where two or more dishes, including those for which approval is not required, are proposed on one property.

Development applications for satellite dishes in a Development Zone will be required based on the above requirements and the content of any Structure Plan that applies i.e. in terms of land use identified in the Structure Plan. In the event a Structure Plan does not apply, a Development Application will be required and will be determined on its merits taking into account the above and of the requirements under Town Planning Scheme No. 3 (TPS 3).

In those instances where development approval is not required, the General Guidelines mentioned above are to be addressed.

2. Planning Approval is not required for:

Dishes associated with:-

- (a) Temporary mobile communication facilities; located at any one specific place for a period not exceeding one week; or
- (b) State Emergency Services Communication Equipment; or
- (c) Any other public authority communications infrastructure.

3. Exemption from the requirement to obtain planning approval as set out in this Policy will not apply in the following instances:

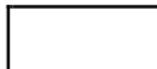
- (a) Properties listed on the State Register of Heritage Places.

(3) Application Procedure

1. Each application shall include the following information:

- (a) Application for Development Approval;

[2]



DAP 17/02/2022

Item 8.4 Attachment 2

Title	Domestic Satellite Dishes
Policy Number (Governance Purpose)	LPP 1.9



- (b) One (1) set of plans including:
- (i) A site plan showing the location of the satellite dish on the subject property, and in relation to the street and adjoining property/ies;
 - (ii) the height and elevation of the satellite dish in relation to the natural ground level;
 - (iii) dimensions of the satellite dish and supporting posts etc;
- (c) Details of any screening to be provided and any neighbours comments.

The City will be primarily concerned with the location and height of any proposed dish. In this regard, the City will look closely at any potential impact on the visual amenity of adjoining property(s), and the likely effectiveness of proposed screening measures.

2. The City, at its discretion, may notify neighbours and invite comment on a proposal in accordance the requirements of TPS 3, prior to making a determination of the application.
3. If objections from neighbours are received regarding potential visual impact, a satellite dish shall not protrude above the boundary fence or screening measures unless otherwise agreed with adjoining owners or determined by the City.
4. An application for a Building Permit may be required dependant on the nature of a proposal. The City's Building Services should be consulted to determine if a Permit is required.

(4) Extraordinary Circumstances:

1. Where a satellite dish does not comply with the criteria outlined in this Policy, justification in relation to the following is to be met by the applicant:
 - (a) the functional necessity for a satellite dish greater than the required diameter to be roof mounted; and
 - (b) the aesthetic impact such a satellite dish may have on the amenity of the area in relation to:
 - (i) how the proposed satellite dish respects the amenity of the area;
 - (ii) how the site and impact of the proposed satellite dish responds to the size of the premises on which the satellite dish is to be installed and the scale of the surrounding buildings;
 - (iii) how the proposed satellite dish does not negatively impact on the appearance and efficiency of a road or other public way in terms of colour, brightness and location; and
 - (iv) how the proposed satellite dish responds to any objects of scenic, historic, architectural, scientific or cultural interest.

[3]

Item 8.4 Attachment 2

DAP 17/02/2022

Title	Domestic Satellite Dishes
Policy Number (Governance Purpose)	LPP 1.9



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 December 2019
Next Review Due: (Governance Purpose Only)	December 2021
ECM Doc Set ID: (Governance Purpose Only)	4514502

To be deleted

[4]



Item 8.5

DAP 17/02/2022

8.5 (2022/MINUTE NO 0010) Local Planning Policy 1.12- Noise Attenuation Review

Author A Pinto

Attachments

1. Local Planning Policy 1.12- Noise Attenuation Guidelines Rev. 2022 [↓](#)
2. Local Planning Policy 1.12- Noise Attenuation Policy Rev. 2022 [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPTS the proposed changes to Local Planning Policy 1.12 'Noise Attenuation' for the purposes of advertising, 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 P Corke SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 5/0

Background

The proposed modification to Local Planning Policy 1.12 'Noise Attenuation' (LPP 1.12) has been drafted to correct inconsistencies and to clarify the process for developers and the community. These modifications are administrative in nature.

The intent of the LPP1.12 remains the same, to protect the long term health and amenity of residents from road, rail and aircraft noise, noise from non-residential land uses and other sources, and provide a framework for the installation and management of noise attenuation requirements.

Submission

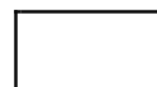
N/A

Report

The modifications to LPP1.12 can be listed and explained as follows:

Modification 1 – External References

The policy currently references State Planning Policies, Local Planning Policies, Guidelines and Australian Standards of which are to be read in conjunction with the policy for better understanding.



65 of 165

DAP 17/02/2022

Item 8.5

The modification relates to changes in technical information and updates to align with amendments to State Planning Policy (SPP 5.4) Road and Rail Noise. Some corrections relate to an update of names or policy/guidelines reference numbers too.

Currently, by including such items, the reader maybe misled as to the intent of the policy or maybe misinformed. It is therefore recommended that such items are removed and/or modified to align with the intent of the Policy.

Modification 2 - Structure

The policy has been changed into a table structure. The table structure allows for easier comprehension and understanding by external and internal users of the Policy. Many lengthy paragraphs have been reduced in unnecessary detail and dot pointed for further ease of use.

The Guidelines that are referenced by the Policy have been reduced greatly in length. The intent is to allow ease of use, access to information easier and more legible.

The modification of the policy looks to remove the single part structure. Instead, the new structure is proposed as follows:

- Part 1: Policy
- Part 2: Guidelines
- Part 3: Information Fact Sheet

This proposed structure allows for a better reading of the Policy and guidelines as its parameters are much more defined, and greatly improves navigation for users of such a large amount of information.

An Information Fact Sheet is being created to provide users with a quick and easy way of viewing information, to point them in the direction of where to look for further detail on their query.

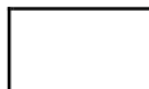
Modification 3 – Requirements

Currently, the Policy outlines requirements in an overly descriptive and difficult to follow manner. It is difficult for users of the Policy to understand at which stage of development an Acoustic Report would be required.

As a result of this, the Policy has been amended into a table format, with clear headings for different stages of development. This will allow users to more easily identify the requirements of the Policy that may pertain to their context.

The requirements under the Local Planning Policy have not been amended to be more onerous or less onerous on applicants and developers, just reorganised into a more legible format for external and internal users of the Policy. This same idea applies to the guidelines.

66 of 165



287 of 431

Item 8.5

DAP 17/02/2022

Summary

These changes will ensure the City of Cockburn provides clear guidance and practice for developers and the community. It will strengthen the forming basis for the City to meet its objective and intent, to protect the long term health and amenity of residents from road, rail and aircraft noise, noise from non-residential land uses and other sources, and provide a framework for the installation and management of noise attenuation requirements.

Strategic Plans/Policy ImplicationsCommunity, Lifestyle and Security

A vibrant healthy, safe, inclusive, and connected community

- A safe and healthy community that is socially connected.

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 was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and no submissions were received during this time.

Risk Management Implications

If the modification to LPP1.12 is not adopted and therefore not progressed, some inconsistencies would occur in relation to existing practices.

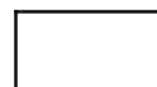
This practice needs to be formalised for consistency, reliability, good governance, and transparency.

Advice to Proponent(s)/Submitters

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 17 February 2022 Delegated Authorities & Policies Committee.

Implications of Section 3.18(3) Local Government Act 1995

Nil



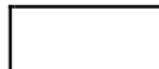
67 of 165



CITY OF COCKBURN

NOISE ATTENUATION GUIDELINES

Disclaimer: This document is a guide only. It does not replace professional specialised acoustic advice by a suitably qualified and experienced acoustic consultant. For full details of legislative requirements refer to the Environmental Protection Act 1986, the Environmental Protection (Noise) Regulations 1997, the Liquor Act 1988, the Planning and Development Act 2005, the Building Act 2011, State Planning Policy 4.1 "State Industrial Buffers", State Planning Policy 5.3 "Land Use Planning in the Vicinity of Jandakot Airport", State Planning Policy 5.4 "Road and Rail Noise" and the Road and Rail Noise Guidelines.





City of Cockburn Noise Attenuation Guidelines

Table of Contents

1.0 Introduction43

2.0 Acoustic Reports43

 2.1 Who can help me with preparing an Acoustic Report?43

 2.2 When must I submit an Acoustic Report?54

 2.3 What must the Acoustic Report contain?54

 2.4 Table 1: Acoustic Reporting Requirements During Development75

3.0 What criteria should the Acoustic Report address?108

 3.1 Noise Intrusion (Noise Sensitive Development)108

 3.2 Noise Emissions (All Developments)128

 3.3 What will happen if the Acoustic Report submitted does not follow these Guidelines?129

4.0 Noise Source Identification139

 4.1 Noise from Road, Rail and Freight Infrastructure139

 4.2 Breakout and Street Noise Vibration from Rail and Freight Infrastructure1610

 4.3 Mechanical Plant and Equipment1812

 4.4 Co-existing Land Uses1912

 4.5 Noise Sensitive Developments in Proximity to Jandakot Airport2013

 4.6 Breakout and Street Noise Vibration from Rail and Freight Infrastructure2214

5.0 Noise Treatment Solutions2715

 5.1 Development Planning and Design2715

 5.2 Construction Methods and Materials2816

6.0 Related Legislation and Documents3618

7.0 Definitions3719

8.0 Appendix A – Transport Noise Source Identification Map4221

9.0 Appendix B – “Noise Exposure Forecast Worksheet”4423

~~1.0 Introduction3~~

~~2.0 Acoustic Reports3~~

~~2.1 Who can help me with preparing an Acoustic Report?3~~

~~2.2 When must I submit an Acoustic Report?4~~

~~2.3 What must the Acoustic Report contain?4~~



City of Cockburn Noise Attenuation Guidelines

[3.0 — What criteria should the Acoustic Report address?](#)10

[3.1 — Noise Intrusion \(Noise Sensitive Development\)](#).....10

[3.2 — Noise Emissions \(All Developments\)](#).....10

[3.3 — What will happen if the Acoustic Report submitted does not follow these Guidelines?](#).....11

[4.0 — Noise Source Identification](#)11

[4.1 — Noise from Road, Rail and Freight Infrastructure](#).....11

[4.2 — Breakout and Street Noise](#).....13

[4.3 — Mechanical Plant and Equipment](#)14

[4.4 — Co-existing Land Uses](#).....15

[4.5 — Noise Sensitive Developments in Proximity to Jandakot Airport](#).....15

[5.0 — Noise Treatment Solutions](#).....16

[5.1 — Development Planning and Design](#).....17

[5.2 — Construction Methods and Materials](#)18

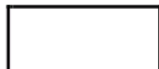
[6.0 — Document Requirements for Acoustic Compliance](#).....20

[7.0 — Related Legislation and Documents](#)24

[8.0 — Definitions](#)25

[9.0 — Appendix A — Transport Noise Source Identification Map](#).....28

[10.0 — Appendix B — Forecasting Noise Exposure for SPP 5.4“Road and Rail Noise”](#).....30





1.0 Introduction

Mixed land use areas, with residential and commercial land uses in close proximity, are actively encouraged by the City of Cockburn in town centre and intense mixed use community areas. A mix of residential and commercial activities provides residents and visitors to an area with access to places of employment, shops and cafes, and can contribute to the vibrancy of a community.

Locating residential land uses close to main roads, marina's, other transport infrastructure and non-residential areas, assists in maintaining the sustainability of the City and encourages active transport within the locality. However this mix of non-residential and residential land uses, and proximity to transport infrastructure, can result in an increase in ambient noise levels to residential areas ~~from sources such as vehicle and pedestrian traffic, mechanical equipment and people.~~

It is therefore necessary to consider potential noise and amenity impacts throughout the planning process ~~so as~~ to ensure that appropriate noise attenuation measures are incorporated into the design and construction of developments within the City. —

2.0 Acoustic Reports

The purpose of an Acoustic Report is to assess the noise environment either affecting ~~a proposed development~~, or affected by, a ~~proposed~~ development. It ~~may also demonstrate~~ how the proposed development will be designed, constructed or otherwise managed, ~~so as~~ to minimise ~~the effects of~~ noise emissions from a development ~~and/or and/or~~ noise intrusion upon a development.

2.1 Who can help me with preparing an Acoustic Report?

The ~~acoustic~~ report must be prepared by ~~a recognised an~~ Acoustic Consultant with ~~relevant qualifications and experiences~~ suitable qualifications, appropriate expertise and local experience in the assessment of transport and environmental noise. They or their organisation must be:

- eligible to hold membership of the Australian Acoustical Society (AAS) in the grade of Member or Fellow (designated by the post-nominal letters M.A.A.S. or F.A.A.S. respectively); and/or

Item 8.5 Attachment 1

DAP 17/02/2022



City of Cockburn Noise Attenuation Guidelines

- ~~represent a company holding current corporate membership to the Australian Association of Acoustical Consultants (AAAC); and or~~
- ~~an acoustics engineer, defined as a person eligible for professional membership to the Institute of Engineers Australia (MIEAust).~~

~~They or their organisation should be a member of one of the following professional bodies:-~~

- ~~Australian Acoustical Society – refer to the webpage: www.acoustics.asn.au; or~~
- ~~Association of Australian Acoustical Consultants – refer to the webpage: www.aaac.org.au/.~~

~~An Acoustic Report may not be accepted in the absence of proof of membership, at the City's discretion.~~

2.2 When must I submit an Acoustic Report?

~~The An~~ acoustic report must be submitted at the earliest [practicable](#) planning stage for a development, in accordance with the City of Cockburn's Noise Attenuation Policy. Notwithstanding this, an Acoustic Report may be requested after initial assessment of a proposal by the City's Officers.

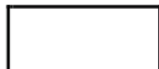
~~Applicants may contact the City's Environmental Health Service for assistance for further clarification in determining whether an Acoustic Report is required, prior to the submission of a Development Application.~~

~~Further Acoustic Reports may be required as a condition of Development Approval to ensure that appropriate noise mitigation measures are implemented as the development proceeds, including prior to the submission of the Building Permit Application. Further supporting information may also be required to demonstrate that the completed development complies with the requirements of the Acoustic Report, with the Building Permit Application, the BA7 Building Completion Form or the BA15 Building Approval Certificate Strata.~~

~~Applicants may contact the City for further clarification in determining whether an Acoustic Report is required, prior to the submission of a Development Application.~~

2.3 What must the Acoustic Report contain?

The Acoustic Report must address all matters necessary to demonstrate that the outcomes for reporting have been achieved as detailed by these Guidelines, to the City's satisfaction.





City of Cockburn Noise Attenuation Guidelines

The Acoustic Report should identify the name and qualification/experience of the person preparing the report and include a description of the project with a suitably detailed [plansite map](#).

Details of noise measurements and predictions, as well as the criteria of the assessment and the assessed sources of noise should be clearly identified in the Acoustic Report. Proposed treatment solutions should be clearly identified. [Clear calculations and information demonstrating how the assigned noise levels required under the EPNRs have been determined must also be provided.](#)

[A summary of the City's Acoustic Reporting Requirements is described in Table 1 overleaf.](#)



2.4 Table 1: Acoustic Reporting Requirements during the Development Process

Development Stage	Acoustic Reporting Requirements
--------------------------	--

Structure Planning Stage

At Structure Planning stage, the proponent must demonstrate that the proposed development can be made to comply with the relevant requirements. Suitable modelling of existing and/or future noise levels may be required, as well as detail of the anticipated noise mitigation measures.

Subdivision Application

At Subdivision stage, the proponent must demonstrate mitigation strategies to achieve compliance with the relevant criteria. Suitable modelling of future noise levels is required at this stage.

- *For noise sensitive development within the trigger distance of road or rail infrastructure under SPP 5.4, either a Noise Exposure Forecast Worksheet (see Appendix B) or a preliminary Acoustic Report is required.*
- *For noise sensitive development within the Frame Area for Jandakot Airport, a preliminary Acoustic Report as described in Section 3 of these Guidelines is required.*
- *Where noise sensitive development is proposed in proximity to existing commercial or industrial activities, an Acoustic Report as identified in Section 3 of these Guidelines is required.*
- *For commercial or industrial development, an Acoustic Report is required to demonstrate that the requirements of the EPNRs can be achieved and demonstrate that there will be no adverse amenity impact upon nearby noise sensitive premises in accordance with Section 4 is required.*

Where a previous Acoustic Report has been provided during the Structure Planning stage, the Subdivision Application must be supported by a further Acoustic Report demonstrating design solutions to protect the noise sensitive premises from excessive noise and identifying finished lot levels.

Conditions appropriate for the implementation of the Noise Exposure Forecast Worksheet or Acoustic Report will be recommended by the City to the WAPC. Where it is not possible for modelling to reference the final lot levels, the City may recommend requirements be confirmed by a final Acoustic Report prior to Subdivision Clearance.

Table continues overleaf





City of Cockburn Noise Attenuation Guidelines

<p><u>Local Development Plan</u></p>	<p><u>Where appropriate, the Local Development Plan must implement the requirements of the Noise Exposure Forecast Worksheet or Acoustic Report.</u></p> <p><u>Wording of the noise management requirements of a Local Development Plan must be in plain language that is suitably clear for prospective purchasers to understand.</u></p>
<p><u>Subdivision (Clearance)</u></p>	<p><u>All noise mitigation requirements of the Noise Exposure Forecast Worksheet or Acoustic Report must be implemented for subdivision conditions to be cleared.</u></p> <p><u>Where Quiet House Design packages are recommended, all design requirements (including the provision of fresh air where relevant), must be implemented by a Local Development Plan. Any noise mitigation walls or barriers are to have been constructed prior to clearance being sought. Notifications on title must be suitably demonstrated prior to clearance being sought.</u></p>
<p><u>Development Application – including Joint Development Assessment Panel Applications</u></p>	<p><u>Development Applications must demonstrate that compliance with the identified criteria can be achieved. The proponent must detail how mitigation strategies will be implemented to achieve compliance with the relevant noise criteria. Suitable modelling of existing and/or future noise levels is required at this stage.</u></p> <ul style="list-style-type: none"> <u>• For noise sensitive development within the trigger distance of road or rail infrastructure under SPP 5.4, either a Noise Exposure Forecast Worksheet (see Appendix B) or Acoustic Report is required.</u> <u>• For noise sensitive development within the Frame Area for Jandakot Airport, an Acoustic Report as described in Section 3 of these Guidelines is required.</u> <u>• Where noise sensitive development is proposed in proximity to existing commercial or industrial activities, an Acoustic Report demonstrating how compliance with the noise criteria described in Section 3 of these Guidelines is required.</u> <u>• For commercial or industrial development, an Acoustic Report is required to demonstrate that the requirements of the EPNRs can be achieved and that there will be no adverse amenity impact upon any nearby noise sensitive premises.</u> <p><u>Conditions appropriate for the implementation of the requirements of the Noise Exposure Forecast Worksheet or Acoustic Report will be applied to the Development Approval issued by the City or recommended to the JDAP, as described below.</u></p> <p><u>Where relevant, a condition may be applied requiring Notification on the Certificate of Title in accordance with the relevant SPP and/or the City's LPP 1.12 and this Guideline.</u></p>

Table continues overleaf

Item 8.5 Attachment 1

DAP 17/02/2022



City of Cockburn Noise Attenuation Guidelines

<p><u>Prior to the submission of the Building Permit Application (as condition of DA)</u></p>	<p>Final development design must achieve compliance with the identified noise criteria and suitably implement any noise mitigation requirements.</p> <p>In accordance with the conditions of Development Approval for a development:</p> <p>An Acoustic Report is to be submitted to the City for approval PRIOR to submission of the Building Permit Application. <i>This Acoustic Report is to detail final design specifications and construction methods with which the proposed development will ensure compliance with the relevant noise criteria.</i></p>
<p><u>Building Permit Application</u></p>	<p>Building Permit Applications must clearly demonstrate compliance with all relevant Planning requirements.</p> <ul style="list-style-type: none"> Where a Building Permit Application is required to comply with a Local Development Plan, the plans must clearly demonstrate that all Noise Management requirements will be incorporated into the structure of the dwelling (for instance specific window suite construction and glazing). Where air conditioning or mechanical ventilation is required, installation details suitable to demonstrate compliance with the noise mitigation requirements must be included on the Building Permit plans. Where a Building Permit Application is required to comply with conditions of Development Approval, all relevant documents specified by those condition(s) must be submitted and all relevant conditions complied with. <i>This may include a requirement for written confirmation from a recognised acoustic consultant to that the plans have been checked and confirmed as compliant with the requirements of the relevant Acoustic Reports.</i>
<p><u>Building Occupancy or Strata Approval Certificates</u></p>	<p>Upon completion of construction and in accordance with conditions of Development Approval, a Form BA7 Notice of Completion or Form BA15 Building Approval Certificate Strata must be accompanied by written confirmation from the Builder to demonstrate that all requirements of the relevant Acoustic Report(s) were incorporated into the completed development.</p> <p>Where deemed appropriate, the City may require the builder to provide with the FormBA7 Notice of Completion written confirmation from an acoustic consultant that the building complies with the requirements of the acoustic report or that a final acoustic assessment of the finished development has been undertaken.</p>
<p><u>Important note: All buildings and structures are to comply with the relevant fire rating, safety, BAL and National Construction Code requirements. Noise attenuation methods shall not compromise the safety or structural integrity of the development.</u></p>	



3.0 What criteria should the Acoustic Report address?

The following minimum standards shall be applied as the relevant reference criteria upon which the Acoustic Report is to be prepared:

3.1 Noise Intrusion (Noise Sensitive Development)

Noise sensitive developments are to be designed to achieve the following sound levels:

- a) L_{eq} 35 dB_(A) in sleeping areas (bedrooms); and
- b) L_{eq} 40 dB_(A) in living/work areas and other habitable rooms.

Important Note:

The L_{eq} level should not be unduly biased toward the lower frequencies of the octave band spectrum. If lower frequencies are dominant in sound levels taken during the sampling phase of reporting (below 200Hz or a 15-20dB difference between L_A and L_C levels), the Acoustic Consultant shall discuss the findings with the City in developing appropriate solutions to ensure that low frequency noise is appropriately attenuated, prior to the submission of the final Acoustic Report.

For all other developments, noise intrusion is to be controlled to achieve the indoor design sound levels for buildings as set out in Australian Standard AS/NZS2107: "Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors".

~~For all other developments, noise intrusion is to be controlled to achieve the indoor design sound levels for buildings as set out in Australian Standard AS/NZS2107: "Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors".~~

For noise sensitive developments in close proximity to within the trigger distance of future or existing road and rail infrastructure, the report must address the requirements of SPP 5.4, including the requirement for a reasonable degree of acoustic amenity in at least one outdoor living area.

~~For noise sensitive developments in close proximity to freight rail infrastructure or other sources of vibration, the Acoustic Report should also address ground-borne vibration levels to ensure that occupants of the development are not exposed to an unacceptable level of vibration.~~

~~The report should make reference to:~~



City of Cockburn Noise Attenuation Guidelines

- ~~a) Australian Standard 2670.2-1990 "Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock induced vibration in buildings (1 to 80 Hz)"~~
- ~~b) ISO 2631-2:2003 "Evaluation of human exposure to whole-body vibration Part 2: Vibration in buildings (1 Hz to 80 Hz)";~~
- ~~e) British Standard BS6472-2008: "Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)".~~

~~Residential developments are to be constructed to meet the requirements of the National Construction Code (as amended) and the Building Code of Australia Part F5 (as amended).~~

Important note about low frequency noise:

The L_{eq} level should not be unduly biased toward the lower frequencies of the octave band spectrum. If lower frequencies are dominant in sound levels taken during the sampling phase of reporting (below 200Hz or a 15-20dB difference between L_A and L_C levels), the Acoustic Consultant shall discuss the findings with the City in developing appropriate solutions to ensure that low frequency noise is appropriately attenuated, prior to the submission of the final Acoustic Report.

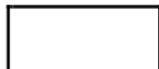
3.2 Vibration Intrusion (Noise Sensitive Development)

For noise sensitive developments in close proximity to rail infrastructure or other sources of vibration, the Acoustic Report must address ground-borne vibration levels to ensure that occupants of the development are not exposed to an unacceptable level of vibration.

Noise sensitive developments are to be designed to achieve the following vibration levels, as described in Table 2 of Appendix A of AS 2670.2-1990 "Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock-induced vibration in buildings (1 to 80 Hz)":

1:

- a) Infill development of existing residential zoned areas: 1.4 - 2.0 times the base curve (or the equivalent), for infill development of existing residential zoned areas; or
- b) North Coogee (including South Beach, Port Coogee and Cockburn Coast) as well as other new rezoning or subdivision of noise sensitive development: 1.4 times the base curve (or the equivalent) in North Coogee (including the South Beach, Port Coogee and Cockburn Coast development areas) as well as other new rezoning or subdivision of noise sensitive development in proximity to the freight rail line;





City of Cockburn Noise Attenuation Guidelines

3.23.3 Noise Emissions (All Developments)

Noise emissions from all developments including freight handling facilities and new infrastructure, are is to comply with the "Assigned Levels" as detailed in the EPNRs.

New road or rail infrastructure ~~or proposed freight handling facilities subject to a Planning Approval by the City~~, must also address the relevant requirements of SPP 5.4.

3.33.4 What will happen if the Acoustic Report submitted does not follow these Guidelines?

It is likely that delays will result in the Application Process (Development Application or Building Permit Application) until an amended report or supplementary information addressing the City's concerns is submitted to the City's satisfaction has been submitted, or the City may refuse your a Development or Building Permit Application.

~~New road or rail infrastructure or proposed freight handling facilities subject to a Planning Approval by the City, must also address the relevant requirements of SPP 5.4.~~

Important note:
Acoustic Reports may be submitted by the City to the Department of Water and Environmental Regulation Department of Environment Regulation's Noise Branch for comment or to another Acoustic Consultant for peer review, at the City's discretion.

4.0

=====





5.04.0 Noise Source Identification

Acoustic reports must identify all noise sources relevant to a development, including those which may require detailed assessment at a later stage. [Ambient Appendix A of this Guideline contains a map to assist proponents in identifying noise sources that may affect different areas of the City. These noise sources may include major roads and rail-lines, areas affected by current and future aircraft noise as well as intense mixed use community areas where higher ambient noise levels may be present, now or in the future.](#)

Environmental noise sources that are relevant within the City of Cockburn include the following:

5.14.1 Noise from Road, and Rail and Freight Infrastructure

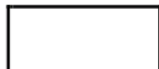
Major roads and railways contribute to the ambient environmental noise of an area, and can cause health and amenity impacts to noise sensitive receivers. [The City can provide road traffic forecast information for major roads within the City as well as providing advice on future roads that may be proposed in the vicinity of a proposed development.](#)

[Under SPP 5.4 Road and Rail Noise \(September 2019\), a proponent may choose to submit either a Noise Exposure Forecast Worksheet or an Acoustic Report with their subdivision or development application. Appendix B of this Guideline includes a Noise Exposure Forecast Worksheet template based on the requirements of SPP 5.4, which may be completed by a person other than an acoustic consultant using information from the City's Intramaps website as well as using the Department of Planning Lands and Heritage Plan WA website.](#)

[In relation to Acoustic Reports for freight rail, the report must describe a representative sample of trains. The Applicant is to ensure that the Acoustic Report accompanying the Development Application demonstrates compliance with the requirements of SPP 5.4 and the associated Implementation Guidelines.](#)

[Appendix A shows some of the Major Roads \(identified as Primary, District and Regional Distributor Roads in accordance with the Main Road WA's road hierarchy\) and freight rail lines within the City of Cockburn. This may assist Applicants to identify roads in the vicinity of their development which may be a source of noise. Applicants should seek advice on future traffic counts of nearby major roads as well as seeking advice on future roads which may be proposed in the vicinity of the proposed development.](#)

[Acoustic reports must address the projected future traffic counts and freight rail movements under SPP 5.4. Future traffic counts for many of the City's Major Roads may be obtained from the City's Engineering Section or from Main Roads WA.](#)





City of Cockburn Noise Attenuation Guidelines

important note:

In relation to noise from freight rail lines, State Planning Policy 5.4 requires compliance with a $L_{Aeq(night)}$ target of 50dB(A) for the 8 hours period between 10pm and 6am. It is however strongly recommended that a L_{Aeq} noise emission of a single train pass (for instance a $L_{Aeq(120sec)}$ or similar) be used to determine noise attenuation requirements, in order to ensure that residential amenity is adequately protected, particularly with regard to sleeping areas.

Where ground borne vibration or low frequency noise are identified as a concern (such as in association with the freight rail lines) the Acoustic Report must clearly identify low frequency noise, ground borne and air borne vibration levels (see Section 4.6) must clearly identify low frequency noise, ground borne vibration and air borne vibration levels.

Final details of proposed noise and vibration attenuation measures must be provided to the satisfaction of the City either:

- a) PRIOR to the submission of the Building Permit Application for Development Applications; or
- b) PRIOR to the determination of the Structure Plan, Subdivision Application or Subdivision Clearance.

Where ground borne vibration or low frequency noise are identified as a concern (such as in association with the freight rail lines) the Acoustic Report must clearly identify low frequency noise, ground borne vibration and air borne vibration levels.

important note:

Where a noise sensitive development is subject to the noise levels exceeding the Target, noise attenuation measures must be implemented to provide suitably attenuated indoor and outdoor living areas. SPP 5.4 identifies that the design of a development proposal should aim for external noise levels to achieve compliance with the target, and that a reasonable degree of acoustic amenity should be provided to at least one outdoor living area on each lot.

The City would further suggest that where land is found to be exposed to a noise level in excess of L_{Aeq} 65dB, consideration should be given to the use of non-noise sensitive land uses, multiple dwellings or apartment developments to screen any noise sensitive development beyond. A combination of external noise mitigation such as screening developments, noise walls, earth berms and other development design solutions, may be necessary to ensure that external noise levels are effectively reduced.



City of Cockburn Noise Attenuation Guidelines

~~An absence of external noise mitigation, where noise levels significantly exceed the Noise Limit imposed by SPP 5.4, can result in a significant cost burden to prospective home purchasers where Quiet House Design Treatment Packages are necessary to achieve compliance with the internal noise levels for noise sensitive areas. For noise sensitive developments in close proximity to freight rail infrastructure or other sources of vibration, the Acoustic Report should also address ground-borne vibration levels to ensure that occupants of the development are not exposed to an unacceptable level of vibration. To protect the residential amenity of noise sensitive development in the vicinity of the Spearwood Crossing Loop, noise sensitive development in this area must be designed to attenuate received noise levels from the idling train, to achieve indoor compliance with the EPNRs.~~

~~Notifications on title will be required as a condition of development or subdivision approval (including strata subdivision) to inform future residents of the existence of future ambient noise levels that may affect amenity of residential premises. A Notification under Section Section 165 of the Planning and Development Act 2005 is to be placed on the Certificate(s) of Title of the proposed lot(s) / subject lot(s) [DELETE AS APPLICABLE]. Notice of this Notification is to be included on the diagram or plan of survey (Deposited Plan).~~

~~The Notification is to state words to the effect:~~

~~'This lot or dwelling is in the vicinity of an operating freight rail line servicing the Ports and industrial areas of Fremantle and Kwinana and operates 24 hours a day, 7 days a week. Residential amenity may be affected by noise and vibration and other impacts from freight rail traffic using the rail line'~~

~~The report should make reference to:~~

~~— Australian Standard 2670.2-1990 "Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock induced vibration in buildings (1 to 80 Hz)"~~

~~— ISO 2631-2:2003 "Evaluation of human exposure to whole-body vibration Part 2: Vibration in buildings (1 Hz to 80 Hz)";~~

~~British Standard BS6472-2008: "Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)";~~

IMPORTANT NOTE:

~~In relation to noise from freight rail lines, State Planning Policy 5.4 requires compliance with a $L_{Aeq(night)}$ target of 50dB(A) for the 8 hours period between 10pm and 6am. It is however strongly recommended that a more conservative assessment method be considered, such as the $L_{Aeq(night)}$ noise emission of a single representative train pass ($L_{Aeq(120sec)}$ or similar) or~~





[consideration of the \$L_{Amax}\$ levels as proposed by the Freight and Logistics Council's Bulletin No 7 \(dated October 2015\) to ensure that residential amenity is adequately protected, particularly with regard to sleeping areas.](#)

4.2 Vibration from Rail and Freight Infrastructure

For noise sensitive developments in close proximity (within 80m) of rail infrastructure or other sources of vibration, an Acoustic Report should also assess ground-borne vibration levels to ensure that occupants of the development are not exposed to an adverse amenity impact.

An Acoustic Report assessing vibration should make reference to the criteria described in Section 3.2 based on monitoring of trains over a three to four day period necessary to ensure a 'representative' number of train movements have been observed. The number of trains observed must be sufficient to obtain an acceptable level of repeatability, particularly during periods of low traffic and may require the monitoring equipment to be left for a longer period.

The Acoustic Report is to address the vibration levels of each train during the monitoring period and address compliance with either:

- a) Australian Standard 2670.2-1990 "Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock induced vibration in buildings (1 to 80 Hz)";
- b) ISO 2631-2:2003 "Evaluation of human exposure to whole-body vibration Part 2: Vibration in buildings (1 Hz to 80 Hz)"; or
- c) British Standard BS6472-2008: "Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)".

5.2 Breakout and Street Noise

Developments in the vicinity of that accommodate or are in close proximity to lifestyle uses such as marinas, cafes, restaurants, shops, hotels and entertainment venues such as small bars, nightclubs, are integral to the vitality and enjoyment of town centre and intense mixed use community areas. Outdoor eating areas associated with hotels, cafes and restaurants can also be a major source of breakout noise.

Urban locations containing a mix of lifestyle uses contribute to the vitality of an area and are characterised by increased levels of pedestrian activity. This noise may include movement to and from different establishments, persons getting into and out of parked cars, and occasional anti-social behaviour, and can contribute significantly to general ambient



City of Cockburn Noise Attenuation Guidelines

~~environmental noise (particularly when this occurs late at night), impacting on the amenity of residential premises.~~

~~The Applicant is to ensure that the Acoustic Report:~~

- ~~a) Identifies all breakout noise sources that are likely to impact on sound levels received at the subject property, and in particular those noise sources within a 100m radius;~~
- ~~b) Provides comment on the likely amenity impact of all localised street noise sources (factors such as proximity to local business districts, late night venues, setbacks from footpaths and proximity to schools which may be adversely affected by noise emissions shall be considered); and~~
- ~~c) Specifies sound levels recorded at the property during representative time periods that (corresponding to with related breakout noise sources or peak periods of street noise; for example):~~
 - ~~— Nightclubs to be monitored during hours of operation after 10.00pm at night on a Friday or Saturday;~~
 - ~~— Cafes and Outdoor Eating Areas to be monitored during peak trade periods;~~
 - ~~— Street and Background Noise to be monitored during peak periods; or~~
 - ~~— Locations near sports grounds and stadiums are to be monitored during periods of normal use; particularly when used at capacity (where practicable);~~
- ~~d) Nightclubs to be monitored during hours of operation after 10.00pm at night on a Friday or Saturday;~~
- ~~e) Cafes and Outdoor Eating Areas to be monitored during peak trade periods;~~
- ~~f) Street and Background Noise to be monitored during peak periods;~~
- ~~g) Locations near sports grounds and stadiums are to be monitored during periods of normal use; particularly when used at capacity (where practicable).~~
- ~~h) Addresses the character of noise sources in terms of frequency analysis, and in particular identifies whether low frequency noise is present (minimum of octave bands to be provided); and~~
- ~~i) Thereafter, provides comment on practical building design solutions to minimise the impact of such noise sources.~~

~~For noise sensitive land uses, mixed use or multistorey residential developments within intense mixed use community areas such as Cockburn Coast, Port Coogee, Muriel Court, Cockburn Central Town Centre and Cockburn Central West (as identified in Appendix A), where potential sources of break out noise are not yet present, the applicant is to liaise with the City for guidance on determining potential noise sources, potential street and break out noise levels for the modelling of potential noise impacts.~~

~~Notifications on title will be required as a condition of development or subdivision approval (including strata subdivision) to inform future residents of the existence of future~~





City of Cockburn Noise Attenuation Guidelines

~~ambient noise levels that may affect amenity of residential premises. A Notification under Section 70A of the Transfer of Land Act with wording to the effect:~~

~~"This land is located within the <insert description here> town centre. The vision for this town centre is that of a vibrant mixed use area. Residential amenity, therefore, may be affected by the mixed use nature of the location, including noise and other impacts. Further information is available on request from the City of Cockburn."~~

IMPORTANT NOTE:

~~Standardised theoretical sound level limits should not be used for calculation purposes, unless such use is absolutely necessary due to noise sources (to be modelled) occurring so infrequently that performing measurements on-site is impractical, or where potential noise sources are not yet present.~~

5.34.3 Mechanical Plant and Equipment

~~Applicants for activities which may be a source of noise, are to detail anticipated noise levels from increased vehicular traffic as a result of the development (truck movements, loading activities, car doors slamming etc) as part of the development application. Where noise from an activity exceeds, or significantly contributes to, a noise level that exceeds the assigned levels, an Acoustic Report must be provided demonstrating how noise levels will be suitably attenuated and any potential amenity impact minimised.~~

~~The mechanical plant associated with a development will vary widely from development to development.~~

~~The~~With relation to Mechanical Plant and Equipment noise, the Acoustic Report is to comment on:

- a) the likely impact of mechanical plant and equipment noise sources (such as air conditioners, traffic gates, exhaust systems);
- b) practical building design solutions that could be implemented to minimise the impact of existing mechanical plant and equipment noise sources; and
- c) the proposed location of all mechanical plant and equipment at the development site; and provide details of how noise emissions from these sources will be contained, so as not to create unwanted sound at nearby properties.

~~c) — Applicants for activities which may be a source of noise, are to detail anticipated noise levels from increased vehicular traffic as a result of the development (truck movements, loading activities, car doors slamming etc) as part of the development application. Where~~



~~noise from an activity exceeds, or significantly contributes to, a noise level that exceeds the assigned levels, an Acoustic Report must be provided demonstrating how noise levels will be suitably attenuated and any potential amenity impact minimised.~~

IMPORTANT NOTE:

Noise from mechanical equipment used in emergency situations which are an integral part of the development (for instance fire pumps, smoke exhaust fans and the like) must comply with the assigned levels for routine testing and maintenance purposes. ~~However, where regular testing of emergency plant is necessary in close proximity to noise sensitive developments, noise emissions associated with these testing requirements must comply with the relevant standards.~~

Where it is determined that compliance may not be achieved, the Acoustic Consultant shall discuss the findings with the City in-developing-to develop appropriate solutions and must be able to demonstrate that all practicable and reasonable measures will be implemented to minimise the noise impact onto nearby receivers to ensure that the noise is appropriately attenuated, prior to the submission of the final Acoustic Report. ~~However, where regular testing of emergency plant is necessary in close proximity to noise sensitive developments, noise emissions associated with these testing requirements must comply with the relevant standards.~~

~~Applicants for activities which may be a source of noise, are to detail anticipated noise levels from increased vehicular traffic as a result of the development (truck movements, reversing beepers, car doors slamming etc) as part of the development application. Where noise from an activity exceeds, or significantly contributes to, a noise level that exceeds the assigned levels, a Noise Management Plan must be provided demonstrating how noise levels will be suitably attenuated and any potential amenity impact minimised.~~

5.44.4 Co-existing Land Uses

Whilst it is important to ensure that a proposed development is designed to reasonably negate external/existing noise sources from impacting on noise sensitive areas within the proposed development, it is equally important that a development is designed to ensure that internal noise sources do not impact on surrounding existing or future land uses.

In some instances, pre-existing non-conforming uses may remain in close proximity to proposed noise sensitive development. Where a noise sensitive development is proposed in the vicinity of a pre-existing commercial or industrial land use, the Applicant must provide an Acoustic Report demonstrating noise attenuation suitable address any adverse amenity impact in to achieve compliance accordance with these Guidelines.





5.54.5 Noise Sensitive Developments in Proximity to Jandakot Airport

The Jandakot Airport is the principal general aviation airport in Western Australia. Aircraft training movements can have a substantial effect on the amenity of surrounding noise sensitive land uses, due to the frequency of noise events and the inability to screen aircraft noise emissions from reaching affected parties on the ground.

Development in the 20ANEF and 25 ANEF Contours for Jandakot Airport (as identified by the Jandakot Airport Master Plan)

Applications for noise sensitive development or subdivision will require:

- Support by an Acoustic Report demonstrating compliance within SPP 5.3 and AS2021:2015 "Acoustics – Aircraft Noise Intrusion - Building Siting and Construction".

Applications for other development will require:

- Support by an Acoustic Report demonstrating compliance with the Indoor Design Sound Levels identified in Appendix 2 of SPP 5.3

Applications for noise sensitive development or subdivision within the 20 ANEF and 25 ANEF contours for Jandakot Airport (as identified by the Jandakot Airport Master Plan) are to be supported by an Acoustic Report demonstrating compliance within SPP 5.3 and AS 2021:2015 "Acoustics – Aircraft Noise Intrusion - Building Siting and Construction". Applications for other development within the 20 ANEF and 25 ANEF contours for Jandakot Airport are to be supported by an Acoustic Report demonstrating compliance with the Indoor Design Sound Levels identified in Appendix 2 of SPP 5.3

Appendix A of this Guideline shows the **Frame Area** within the City of Cockburn, identified by SPP 5.3. Applications for noise sensitive development or subdivision within the Frame Area for Jandakot Airport are required to provide 6.38mm laminated glass to all habitable rooms (including kitchens), in accordance with the requirements of the Western Australian Planning Commission publication "Aircraft Noise Insulation for Residential Development in the Vicinity of Perth Airport" 2004.

Appropriate conditions of approval will be applied or recommended to ensure that noise management requirements within the 20 ANEF and 25 ANEF contours and Frame areas. For subdivision this may necessitate a Local Development Plan to implement façade treatment to future noise sensitive development.

A condition requiring the Applicant to place a Notification under Section 165 of the Planning and Development Act on the Certificate of Title will be required for all noise sensitive development sites subject of a subdivision or development application within the 20 ANEF



City of Cockburn Noise Attenuation Guidelines

and 25 ANEF contours and Frame areas. The wording of the Notification must be consistent with the wording provided in SPP 5.3.

The Jandakot Airport is the principal general aviation airport in Western Australia. Aircraft training movements can have a substantial effect on the amenity of surrounding noise sensitive land uses, due to the frequency of noise events and the inability to screen aircraft noise emissions from reaching affected parties on the ground.

SPP 4.1, SPP 5.3 and Draft SPP 5.3 aim to address the amenity impacts associated with noise sensitive development in the vicinity of the Jandakot Airport and to protect the Airport from encroachment by incompatible development. Applicants for noise sensitive development within both the Core Area and Frame Area for Jandakot Airport (as identified in Appendix A), are to provide an Acoustic Report to the City addressing noise intrusion to residential developments.

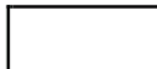
In particular, the Acoustic Report is to address compliance with SPP 5.3 and Draft SPP 5.3. The Report should also address noise attenuation measures necessary to ensure that noise sensitive development complies with the requirements of the Western Australian Planning Commission publication "Aircraft Noise Insulation for Residential Development in the Vicinity of Perth Airport" 2004.

A condition requiring the Applicant to place a Notification under Section 165 of the Planning and Development Act on the Certificate of Title will be required for all noise sensitive development sites subject of a subdivision or development application within the Core and Frame areas. The wording of the Notification must be consistent with the wording provided in Draft SPP 5.3.

Important note:

In relation to noise from general aviation aircraft movements from Jandakot Airport, much of the Frame area identified by State Planning Policy 5.3 falls within the area identified by the "Noise Above Contours" identified by the Jandakot Airport Master Plan corresponding with:

- a. 20 or more daily events greater than 70 dB(A);*
- b. 50 or more daily events of greater than 65 dB(A);*
- c. 100 events or more daily events of greater than 60 dB(A); or*
- d. 6 or more events of greater than 60 dB(A) between the hours of 11pm and 6am.*





4.6 Breakout and Street Noise

Developments in the vicinity of lifestyle uses such as marinas, cafes, restaurants, hotels and entertainment venues such as small bars, are integral to the vitality and enjoyment of town centre and intense mixed use community areas. Outdoor eating areas associated with hotels, cafés and restaurants can also be a source of breakout noise.

Urban locations containing a mix of lifestyle uses contribute to the vitality of an area and are characterised by increased levels of pedestrian activity.

Noise associated with these uses may include:

- Movement to and from different establishments,
- Persons getting into and out of parked cars, and
- Occasional anti-social behaviour.

The above can contribute significantly to general ambient environmental noise (particularly when this occurs late at night), impacting on the amenity of residential premises.

The Applicant is to ensure that the Acoustic Report:

- a) Identifies breakout noise sources that impact on sound levels received at the subject property, and in particular those noise sources within a 100m radius;
- b) Provides comment on the likely amenity impact of all localised street noise sources (factors such as proximity to local business districts, late night venues, setbacks from footpaths and proximity to schools which may be adversely affected by noise emissions shall be considered); and
- c) Specifies sound levels recorded at the property during representative time periods (corresponding with related breakout noise sources or peak periods of street noise; for example):
 - i. Nightclubs to be monitored during hours of operation after 10.00pm at night on a Friday or Saturday;
 - ii. Cafes and Outdoor Eating Areas to be monitored during peak trade periods;
 - iii. Street and Background Noise to be monitored during peak periods; or
 - iv. Locations near sports grounds and stadiums are to be monitored during periods of normal use; particularly when used at capacity (where practicable);
- d) Addresses the character of noise sources in terms of frequency analysis, and in particular identifies whether low frequency noise is present (minimum of octave bands to be provided); and
- e) Thereafter, provides comment on practical building design solutions to minimise the impact of such noise sources.



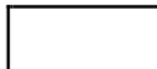
City of Cockburn Noise Attenuation Guidelines

For noise sensitive land uses, mixed use or multistorey residential developments within intense mixed use community areas such as Cockburn Coast, Port Coogee, Muriel Court, Cockburn Central Town Centre and Cockburn Central West (as identified in Appendix A), where potential sources of break out noise are not yet present, the applicant is to liaise with the City for guidance on determining potential noise sources, potential street and break out noise levels for the modelling of potential noise impacts.

Notifications on title will be required as a condition of development or subdivision approval (including strata subdivision) to inform future residents of the existence of future ambient noise levels that may affect amenity of residential premises. A Notification under Section 70A of the Transfer of Land Act with wording to the effect:

"This land is located within the <insert description here> town centre. The vision for this town centre is that of a vibrant mixed use area. Residential amenity, therefore, may be affected by the mixed use nature of the location, including noise and other impacts. Further information is available on request from the City of Cockburn."

IMPORTANT NOTE:
Standardised theoretical sound level limits should not be used for calculation purposes, unless such use is absolutely necessary due to noise sources (to be modelled) occurring so infrequently that performing measurements on-site is impractical, or where potential noise sources are not yet present.



Vibration from Rail and Freight Infrastructure

For noise sensitive developments in close proximity (within 80m) of rail infrastructure or other sources of vibration, an Acoustic Report should also assess ground-borne vibration levels to ensure that occupants of the development are not exposed to an adverse amenity impact.

An Acoustic Report assessing vibration should make reference to the criteria described in Section 3.2 based on monitoring of trains over a three to four day period necessary to ensure a 'representative' number of train movements have been observed. The number of trains observed must be sufficient to obtain an acceptable level of repeatability, particularly during periods of low traffic and may require the monitoring equipment to be left for a longer period.

The Acoustic Report is to address the vibration levels of each train during the monitoring period and address compliance with either:

Australian Standard 2670.2-1990 "Evaluation of human exposure to whole-body vibration; Part 2: Continuous and shock induced vibration in buildings (1 to 80 Hz)";

ISO 2631-2:2003 "Evaluation of human exposure to whole-body vibration Part 2: Vibration in buildings (1 Hz to 80 Hz)"; or

British Standard BS6472-2008: "Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz)".

Table 2: Acceptable Vibration Treatment Options

<u>Development Area</u>	<u>Vibration Level</u>	<u>Potential Treatment Responses</u>
<u>North Coogee and future rezoning or subdivision of noise sensitive</u>	<u>Curve 1.4 and below</u>	<u>No vibration treatment or notification required.</u>



City of Cockburn Noise Attenuation Guidelines

<u>development in proximity to the freight rail line</u>	<u>Above Curve 1.4</u>	<p><u>Notification on Title as described in Section 4.2.</u></p> <p><u>Acoustic treatment to mitigate vibration to be incorporated into the development based upon development specific acoustic advice.</u></p> <p><u>Proposed mitigation strategies (for instance mitigation trenches, vibration isolation of the building structure or slab) based on specialised acoustic advice, are to be identified as early as possible during development process.</u></p>
	<u>Curve 1.4 and below</u>	<p><u>No vibration treatment or notification required.</u></p>
<u>infill development of existing residential zoned areas</u>	<u>Between Curve 1.4 and Curve 2.</u>	<p><u>Notification on Title as described in Section 4.2.</u></p> <p><u>No vibration treatment required.</u></p>
	<u>Above Curve 2</u>	<p><u>Notification on Title as described in Section 4.2.</u></p> <p><u>Acoustic treatment to mitigate vibration to be incorporated into the development based upon development specific acoustic advice. Proposed mitigation strategies (for instance mitigation trenches, vibration isolation of the building structure or slab) based on specialised acoustic advice, are to be identified as early as possible during development process.</u></p>





City of Cockburn Noise Attenuation Guidelines

Final details of proposed vibration attenuation measures must be provided to the satisfaction of the City either:

- a) PRIOR to the submission of the Building Permit Application for Development Applications; or
- b) PRIOR to the determination of the Structure Plan or Subdivision Clearance.

Where ground borne vibration or low frequency noise are identified as a concern Acoustic Report must clearly identify low frequency noise, ground borne vibration and air borne vibration levels.

=====
=====



City of Cockburn Noise Attenuation Guidelines

~~Consideration of the noise impacts based on the Noise Above Contours is consistent with the Federal Department of Infrastructure and Regional Development's National Airports Safeguarding Framework.~~

~~Consideration should be given to noise attenuation for noise sensitive premises within the Frame area corresponding to the requirements of Western Australian Planning Commission publication "Aircraft Noise Insulation for Residential Development in the Vicinity of Perth Airport" 2004 (such as the installation of 6.38mm laminated glazing), in order to ensure that residential amenity is adequately protected within noise sensitive developments.~~

6.05.0 Noise Treatment Solutions

The ~~aim of applying intent of~~ noise treatments is to provide appropriate opportunities for rest and respite within noise sensitive premises (where people rest and sleep) and to allow a multitude of diverse land uses to co-exist.

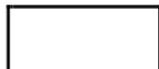
6.15.1 Development Planning and Design

~~After having identified Once all of the relevant noise sources outlined in Section 4.0 have been identified, it will now be possible for the design team to informatively consider the use of development design techniques to attenuate the noise sources identified minimise noise intrusion and emission. Seeking the advice of an acoustic consultant at the earliest planning stage provides greater opportunityies to consider for the applicant to accommodate a variety of potential noise solutions. The consideration of noise attenuation options, which during design of a development can minimise or reduce the construction costs associated with the application of noise attenuation methods.~~

When considering the land use planning strategies, the following hierarchy of controls is suggested:

- a)1. Increasing the distance between noise sources and noises sensitive premises;
- b)2. Using zoning mechanisms to limit the potential for land use conflict;
- c)3. The use of buildings, barriers, walls and bunds as shields or similar acoustic design principals;
- d)4. The use of quiet house design.

~~Obtaining suitable advice at the design stage can combine these strategies to take site specific features and characteristics into account at the initial design phase.~~





City of Cockburn Noise Attenuation Guidelines

Where final lot levels have not been determined at the time of a Subdivision Application, a draft ~~Noise Management Plan~~ Acoustic Report based on estimated or existing lot levels must be provided to demonstrate that compliance with the relevant requirements can be achieved.

To effectively implement ~~a Noise Management Plan~~ an Acoustic Report, a Local Development Plan may be necessary to control construction materials and methods for individual lots. Arrangements should be made to ensure that prospective purchasers are made aware of noise attenuation requirements. ~~The use of a Notification under Section 165 of the Planning and Development Act on the Certificate of Title may also be necessary to inform prospective purchasers of noise requirements and potential amenity impacts.~~

~~It is suggested that the following factors to be considered in the design of a development:~~

- ~~a) the noise sources identified in Section 4;~~
- ~~b) development orientation and layout, considering existing/potential noise sources;~~
- ~~c) the location where practicable of bedrooms, habitable rooms, balconies and windows away from external noise sources;~~
- ~~d) the location and size of windows - all windows must comply with the requirements of the National Construction Code and the Building Code of Australia (as amended) by being a minimum of 10% of the floor area of the room, with 5% floor area for ventilation, or other methods accepted under the National Construction Code);~~
- ~~e) the use of building design elements to reduce the noise impact on windows;~~
- ~~f) Fire Management Plan requirements - Consider whether the development is subject to Bushfire Management requirements under the National Construction Code, local planning or other legislation. Design requirements imposed under AS 3959-2009 for the appropriate Bushfire Attack Level should also be considered in the development design.~~

The Applicant is to ensure that the Acoustic Consultant's recommendations have been incorporated into the development design and documentation.

6.25.2 Construction Methods and Materials

Prior to submission of the Building Permit Application, ~~the an~~ Acoustic Report detailing all relevant sources of noise, and ~~the~~ final design specifications and structural methods by which noise will be attenuated ~~to comply with the relevant standards~~ must be submitted to the City.

IMPORTANT NOTE:



City of Cockburn Noise Attenuation Guidelines

All buildings and structures are to comply with the relevant fire rating and noise attenuation requirements as set out in the National Construction Code (as amended) and the Building Code of Australia (as amended). Acoustic attenuation methods shall not compromise the safety or structural integrity of the development.

Noise Insulation (Protection against noise intrusion)

- a. **Windows:** consider window size and location; selection of fixed panels or operable windows; use of heavyweight or thicker glass, double glazing and laminated glazing; window frame type and window seal construction; and specific acoustic performance requirements.
- b. **Walls:** consider construction/product detail for walls requiring higher acoustic performance (brick, stud, concrete tilt panel, rammed earth); acoustic attenuation for exhaust vents, conduits and piping through walls; and requirements for external doors, including the door construction (solid timber, laminated glazing or double glazing), frame construction and application of door seals.

b.

IMPORTANT NOTE:

Where stud wall construction is proposed, evidence should be provided to demonstrate that low frequency sound, regenerated noise, airborne and ground borne vibration will be suitably attenuated. Detail of the recommended construction façade is to demonstrate suitable attenuation where these characteristics are identified, by favouring solutions with high $Rw+Ctr$ acoustic rating in lieu of construction with high Rw only

- c. **Roof and Ceiling:** consider the selection of roof; specific acoustic requirements for sealing of roof (such as use of sark or anticon insulation); upgraded acoustic performance for ceilings; closing, sealing or elimination of eaves; and insulation of ceiling voids.
- d. **Ventilation:** consider the potential for noise intrusion from ventilation services (such as service ducts or commercial exhaust systems) to enter into noise sensitive areas through walls and ceilings; attenuation of service ducts and all air paths, such as through ducts to the exterior, suitably attenuate low frequency noise and vibration.





City of Cockburn Noise Attenuation Guidelines

Noise Emission Mitigation Measures

- a. The “assigned levels” detailed in the EPRs must be complied with in relation to noise generated/emitted from the premises. Applicants are encouraged to consider design and construction measures that are tailored specific to the problematic noise characteristics source for identified with that development.



City of Cockburn Noise Attenuation Guidelines

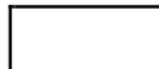
7.0 Document Requirements for Acoustic Compliance-

IMPORTANT NOTE:

The earlier in the development process that sound attenuation/treatment solutions are considered, the better the outcomes will likely be, from a cost and effectiveness perspective.

Where a planning application is received for which there has been no prior Noise Impact Assessment conducted, it should be supported by an acoustic report which also addresses the requirements of the preceding stage. Similarly, where a Noise Impact Assessment of sufficient detail has been provided at an earlier stage, it may be used at the stages following until a Noise Management Plan is required in the final subdivision and development application stages.

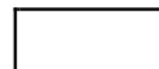
Development Stage	Type of Acoustic Report
STRUCTURE PLANNING	
District Structure Plan or Local Structure Plan	<ul style="list-style-type: none"> A Structure Plan must be supported by either a Screening Assessment or a detailed Noise Impact Assessment where it is affected by proximity to road or rail infrastructure, Jandakot Airport or an existing commercial or industrial zoning, as identified in Section 3 of these Guidelines. The Noise Impact Assessment should include sufficient detail to demonstrate that the design of the proposed development can comply with the relevant requirements to protect proposed noise sensitive premises from excessive noise. Modelling of existing and/or future noise levels is required with detail of the anticipated noise management measures.
SUBDIVISION	





City of Cockburn Noise Attenuation Guidelines

<p>Subdivision Application</p>	<ul style="list-style-type: none"> ▪ Where a previous Noise Impact Assessment has been approved by the City: The Subdivision Application must be supported by a Noise Management Plan demonstrating how the design of the proposed development will protect the proposed noise sensitive premises from excessive noise. <p>or</p> <ul style="list-style-type: none"> ▪ Where there has been no prior Noise Impact Assessment approved by the City: The Subdivision Application should be supported by either a Screening Noise Assessment (to demonstrate compliance with the Target levels imposed under SPP 5.4) or a Noise Impact Assessment including a Noise Management Plan. ▪ Where it is not possible for modelling to reference the final lot levels, the City would request that a draft Noise Management Plan be provided (or included within the Noise Impact Assessment) referencing the existing or estimated ground levels. This must then be confirmed by a final Noise Management Plan addressing finished lot levels and confirming final noise attenuation requirements for the development.
<p>Local Development Plan</p>	<ul style="list-style-type: none"> ▪ This should implement the requirements of the Noise Management Plan for the development.
<p>Subdivision (Clearance)</p>	<ul style="list-style-type: none"> ▪ Compliance with all recommendations of the Noise Management Plan must be demonstrated and measures implemented to enable the City to apply requirements to future land holders, for a condition requiring compliance with a Noise Management Plan to be cleared by the City.
<p>DEVELOPMENT</p>	





City of Cockburn Noise Attenuation Guidelines

<p>Development Application – including Joint-Development-Assessment Panels</p>	<ul style="list-style-type: none"> ▪ Development Applications for which there are concerns regarding potential noise impacts as a result of proximity to road or rail infrastructure, Jandakot Airport or an existing commercial or industrial zoning as identified in Section 3 of these Guidelines, must be supported by a Noise Management Plan. <p>or</p> <ul style="list-style-type: none"> ▪ Where a Development Application is required within a subdivision for which there was an earlier Acoustic Report and the Development Application proposes to either: <ul style="list-style-type: none"> ▪ Vary the requirements of the preceding Acoustic Report; or ▪ The preceding Acoustic Report was/is not suitably detailed; the Development Application must be accompanied by a new Noise Management Plan for that development.
<p>NOTE: All buildings and structures are to comply with the relevant fire rating and Building Code of Australia requirements. Acoustic attenuation methods shall not compromise the safety or structural integrity of the development.</p>	
<p>CONSTRUCTION</p>	
<p>Prior to the Building-Permit Application being submitted (as a condition of Development-Approval)</p>	<ul style="list-style-type: none"> ▪ Where required by the Development Approval, an Acoustic Report is to be provided PRIOR to submission of the Building Permit Application. The Acoustic Report is to detail final design specifications and structural methods by which noise will be attenuated to comply with the relevant requirements.





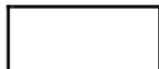
City of Cockburn Noise Attenuation Guidelines

<p>Building Permit-Application</p>	<ul style="list-style-type: none"> • The Building Permit Application is to be accompanied by written confirmation that the plans and supporting documents comply with the relevant Acoustic Report(s). <p>Building Permit Application (subject to compliance with a DAP)</p> <ul style="list-style-type: none"> • The Plans accompanying the Building Permit Application are to clearly demonstrate that all Noise Management requirements imposed by the Local Development Plan have been included in the structure of the dwelling, including the provision of mechanical ventilation/air conditioning where required.
<p>Building Occupancy or Strata Approval Certificates</p>	<ul style="list-style-type: none"> • The Form BA7 Notice of Completion or Form BA15 Building Approval Certificate Strata should be accompanied by written confirmation from the Builder to demonstrate that all requirements of the relevant Acoustic Report(s) were incorporated into the completed development. <p>or</p> <ul style="list-style-type: none"> • Where required by a Condition of Development Approval, the City may require the builder to provide with the Form BA7 Notice of Completion written confirmation from an acoustic consultant that the building complies with the requirements of the acoustic report or that a final assessment of the completed development has been completed.





City of Cockburn Noise Attenuation Guidelines





8.06.0 Related Legislation and Documents

List of empowering and related legislative documents:-Related legislation:

- The *Environmental Protection Act 1986 (EPA)* and the *Environmental Protection (Noise) Regulations 1997 (EPNRs)* – [this legislation](#) provides powers for officers of the Department of Environment Regulation, WA Police Service and authorised Environmental Health Officers from Local Governments to deal with noise.
- The *Liquor Act 1988* – under Section 117 of this legislation the Director Liquor Licensing Division has the power to deal with noise issues and anti-social behaviour.
- The *Planning and Development Act 2005 (P&D Act)* - this legislation provides the determining authority with the power to impose conditions on Development Approvals that protect the amenity of an area.
- The *Building Act 2011* - this legislation provides the authority to set building standards and ensure that they are met through the issue of building and occupancy permits to protect the health and safety of [the a](#) buildings inhabitants.

In addition to the above listed legislation, reference is made in these Guidelines to the following State Planning documents prepared and adopted under the P&D Act:

- State Planning Policy 4.1 "State Industrial Buffer Policy", Gazetted May 1997 (SPP 4.1);
- Draft State Planning Policy 4.1 "State Industrial Buffer", November 2017 (Draft SPP 4.1);
- State Planning Policy 5.3 "Land Use Planning in the Vicinity of Jandakot Airport", 2006 (SPP 5.3);
- State Planning Policy 5.4 "Road and Rail Noise", dated September 2019 (SPP 5.4);
- Road and Rail Noise Guidelines, dated September 2019 (the Guidelines);
- Western Australian Planning Commission publication "Aircraft Noise Insulation for Residential Development in the Vicinity of Perth Airport" 2004.

In relation to Federal Aviation requirements, reference is [also](#) made to the following [Federal](#) documents prepared [and](#) in accordance with the requirements of the Federal Department of Infrastructure and Regional Development:

- National Airports Safeguarding Framework;
- Jandakot Airport Master Plan and references to the "Noise Above Contours" identified by the Master Plan.

Disclaimer: This document is a guide only. It does not replace professional specialised acoustic advice by a suitably qualified and experienced acoustic consultant. For full details of legislative requirements refer to the *Environmental Protection Act 1986*, the *Environmental Protection (Noise) Regulations 1997*, the *Liquor Act 1988*, the *Planning and Development Act 2005*, the *Building Act 2011*, *State Planning Policy 4.1 "State Industrial Buffer"*, *State Planning Policy 5.3 "Land Use Planning in the Vicinity of Jandakot Airport"*, *State Planning Policy 5.4 "Road and Rail Noise"* and the *Road and Rail Noise Guidelines*.



9.07.0 Definitions

“Acoustic Consultant” is the term used to describe a specialist consultant with expertise in the science of acoustics, noise, and/or vibration. This highly technical field is further divided into broad areas of expertise. [See also Section 2.1 - Who can help me with preparing an Acoustic Report?](#)

IMPORTANT NOTE:

An appropriately qualified and experienced acoustic consultant can assist a developer by providing technical advice and guidance on noise and vibration as well as how to manage their impact, assisting in the design and construction of a development.

See also Section XXX - Who can help me with preparing an Acoustic Report?

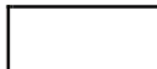
“Acoustic Report” a specialist report prepared by an Acoustic Consultant addressing noise and vibration emissions from or received by a development or site.

An Acoustic Report may take [a number of the](#) form [ofs](#):

- **A “~~Noise Impact Assessment~~Noise Impact Assessment”**- a detailed Acoustic Report that shows [a report that assesses the noise impacts of a](#) how a noise sensitive development [with regard to noise emissions or received](#) will be affected by nearby noise sources. This information is then used in designing a development to ensure that potential noise impacts are suitably attenuated to protect the amenity of occupants and ensure compliance with legislative standards. A Noise Impact Assessment may make recommendations on what measures could be considered for inclusion in a Noise Management Plan.
- **A “~~Noise Management Plan~~Noise Management Plan”**- a [n](#) Acoustic Report that demonstrates how the noise levels will be attenuated or otherwise managed for a development to comply with the relevant [criteria](#) standards. The Noise Management Plans may address noise emissions from the development, noise levels received by the development or both. A Noise Management Plan may either include a Noise Impact Assessment, or refer to a preceding Noise Impact Assessment.

“Screening Assessment” is a brief initial assessment conducted under SPP 5.4 to demonstrate whether outdoor noise levels from a transport source, when received at a development site, will comply with the Target Noise Levels. Where a screening assessment determines the Target Level for outdoor noise is likely to be exceeded, a detailed Noise Impact Assessment and Noise Management Plan are required.

“Ambient Environmental Noise” is sound emitted from the full complement of activities and land uses within an area that is not easily discernible and includes a combination of





City of Cockburn Noise Attenuation Guidelines

~~sound from sources such as traffic, wind, rustling trees, wildlife, pets, mechanical equipment and people, including break out noise.~~

~~"Ambient Noise" is sound emitted from the full complement of activities and land uses within an area that is not easily discernible and includes a combination of sound from sources such as traffic, wind, rustling trees, wildlife, pets, mechanical equipment and people.~~

~~"Assigned Level" has that same meaning given to it under the EPNRs.~~

~~"Breakout Noise" is a clearly distinguishable sound emitted from local land use activities such as outdoor eating areas, public gathering areas and pedestrian routes, pubs, nightclubs and the like.~~

~~"Core Area" for Jandakot Airport has the same meaning as under SPP 5.3, being the area within the 20 ANEF Contour for Jandakot Airport, which may have a reduced level of residential amenity due to aircraft noise.~~

~~"Development" has the same meaning given to it under the P&D Act being: "the development or use of any land, including —~~

- ~~1. any demolition, erection, construction, alteration of or addition to any building or structure on the land;~~
- ~~2. the carrying out on the land of any excavation or other works..."~~

~~"Development Application" has the same meaning given to it under the P&D Act being: "an application under a planning scheme, or under an interim development order, for approval of development.~~

~~"Environmental Noise" in this guideline refers to a combination of all noise that exists and fluctuates within a location at any given time and it includes both ambient and breakout noise.~~

~~"Essential Infrastructure" has that same meaning given to it under Draft SPP 4.1.~~

~~"Frame Area" for Jandakot Airport has the same meaning as under SPP 5.3, being the area between the 20ANEF contour and Roe Highway, Ranford Road, Warton Road, Armadale Road and Kwinana Freeway, which may have a reduced level of residential amenity due to aircraft noise. The Frame Area is shown in Appendix A.~~

~~"Limit Noise Level" is the level of outdoor noise identified in SPP 5.4 as exceeding that appropriate for noise sensitive development.~~

IMPORTANT NOTE:

~~Where a noise sensitive development is subject to the Limit Noise Level, noise mitigation measures must be implemented to provide suitable noise levels to indoor and outdoor living areas. SPP 5.4 states: "In most situations in which either the noise-sensitive land use or the~~



City of Cockburn Noise Attenuation Guidelines

~~major road or railway already exists, it should be practicable to achieve outdoor noise levels within this acceptable margin. In relation to greenfield sites, however, there is an expectation that the design of the proposal will be consistent with the target ultimately being achieved.~~

~~“Margin” the margin for compliance between the Target and the Limit under SPP 5.4. Within the Margin, noise mitigation measures are necessary to protect indoor and outdoor amenity, but the area is recognised as suitable for noise sensitive development.~~

~~“Noise” is defined as unwanted sound or vibration.~~

~~“Noise Exposure Forecast” is a brief initial assessment conducted under SPP 5.4 to demonstrate whether outdoor noise levels from a transport source, , will comply with the Target Noise Levels when received at a development site.~~

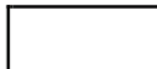
~~“Noise-Sensitive Land Use” and “Noise-Sensitive Development” have the same meaning as under SPP 5.4 and the EPNRs, being premises occupied solely or mainly for residential or accommodation purposes, rural premises and premises including (but not limited to):~~

- ~~(a) a caravan park or camping ground, a tavern, hotel or other premises that provide accommodation for the public;~~
- ~~(b) a hospital, aged care facility, home or institution for the care of persons;~~
- ~~(c) an education facility;~~
- ~~(d) child care facility; and~~
- ~~(e) places of worship.~~

~~“Noise Target” is the level of noise set by Table 2 in SPP 5.4 as an acceptable level of noise for development in proximity to road and rail infrastructure. If a development takes place in an area where outdoor noise levels meet the Noise Target, no attenuation measures are required.~~

~~“Residential development” has the same meaning as in the Residential Design Codes, being development of permanent accommodation for people, and may include all dwellings, the residential component of mixed-use development, and residential buildings proposing permanent accommodation.~~

~~“Target Noise Level” is the level of noise set by the SPP 5.4 as an acceptable level of outdoor noise for noise sensitive development in proximity to road and rail infrastructure. If a noise-sensitive development takes place in an area where outdoor noise levels meet the Noise Target, no attenuation measures are required.~~





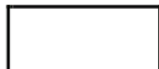
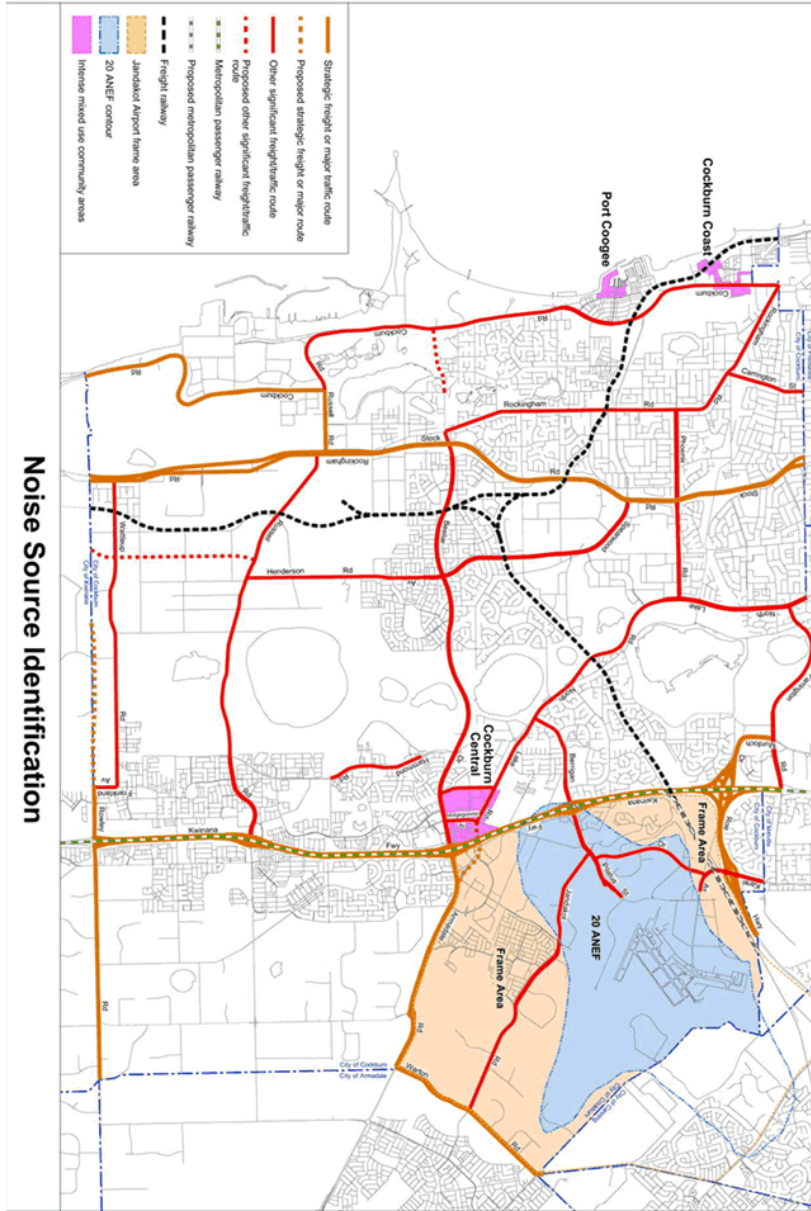
City of Cockburn Noise Attenuation Guidelines

8.0 Appendix A – Transport Noise Source Identification Map

10.0



City of Cockburn Noise Attenuation Guidelines





City of Cockburn Noise Attenuation Guidelines

11.09.0 Appendix B – Forecasting Noise Exposure for SPP 5.4 “Road and Rail” Noise Exposure Forecast Worksheet” -



SPP 5.4 "Road and Rail Noise" (September 2019) is intended to protect noise sensitive land uses from the adverse health and amenity impacts of road and rail noise. An assessment against SPP 5.4 is required where any part of the lot is within the specified trigger distance. This assessment may be in the form of a Noise Exposure Forecast, as described in the Road and Rail Noise Guidelines (the Guidelines).

The City has prepared a **Noise Exposure Forecast Worksheet** to assist developers of noise sensitive development within the trigger distances to provide the information required by the City to assess the application and to assist applicants to determine whether a development specific acoustic report is required.

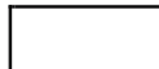
Applicant's Details:		
Applicant's Name:		Phone:
Contact Person:		Mobile:
Email:		ABN:
Mail Address:	Street address	
	Suburb	Post code

Development Details:		
Property Address:	Street address	
	Suburb	Post code
Description of development:		

To complete the Worksheet overleaf, you will need to consider all road and rail corridors within 200-300 metre of the development site. You can determine whether the road or rail corridor needs to be considered by reviewing the property location on the:

1. Department of Planning, Lands and Heritage's Plan WA website at www.planning.wa.gov.au – use the SPP theme and select the 5.4 layer to view the strategic road and rail corridor trigger distances; and
2. the City of Cockburn's Intramaps Online Mapping System at www.cockburn.wa.gov.au - use the Planning-Zoning Module to locate other significant transport routes in the vicinity of the proposed development.

This information is used to complete the Noise Exposure Forecast Summary overleaf.





Part A: Noise Exposure Level

Complete a screening assessment of noise levels for the proposed development below using Table 2 of the Guidelines:

List below the relevant road transport corridor(s)	Distance between development and transport corridor	Number of lanes on road (both directions)	Noise level
	metres	Lanes	dB
	metres	Lanes	dB
Adjustment up where multiple roads:			
<ul style="list-style-type: none"> Where dB levels for each road is equal to or within 1dB of one another, add 3dB to the highest noise level Where there is a 2 or 3dB difference between noise levels, add 2 dB to the highest noise level 			dB
Adjustment down for shielded single storey development:			
<ul style="list-style-type: none"> Where screening development of a similar height / scale covers more than 50% of the noise exposed frontage, reduce the noise level by 4dB 			dB
Final Noise Level			dB

Part B: Noise Exposure Category

tick appropriate box

Package A Package B Package C
 Package A + (freight rail only) Package B + (freight rail only) Package C + (freight rail only)

NOTE:

- Where the Exposure Category is D or E, noise-sensitive land-use or development is not recommended under SPP 5.4.
- Larger or more complex developments, or noise sensitive subdivisions directly abutting a strategic road and rail corridors, may require a development specific acoustic report to be prepared.
- This assessment does not address noise mitigation for emissions associated with the development. These will need to be subject of a development specific acoustic report.

Declaration:

I, the person completing this Noise Exposure Forecast Worksheet understand that:

- Quiet House Design treatments, noise barriers and other controls identified in the Road and Rail Noise Guidelines for this Noise Exposure Category will be applied as Conditions of Approval for this development; and
- Implementation of the relevant Quiet House Design treatments for a subdivision application will necessitate a Local Development Plan to implement the requirements of SPP 5.4.

Signature of applicant: _____ Date: _____

In the case of a company, the signing officer must state position in the company.

Contact details:

City of Cockburn | 9 Coleville Crescent Spearwood | PO BOX 1215, Bibra Lake DC WA 6965 | T: 08 9411 3444

Item 8.5 Attachment 2

DAP 17/02/2022

Title	Noise Attenuation
Policy Number (Governance Purpose)	LPP 1.12



Policy Type

Local Planning Policy

Policy Purpose

Increasingly, residential development within the City of Cockburn is occurring within town centres and intense mixed use community areas, with a mix of residential and non-residential land uses. Maintaining the sustainability of the City and encouraging ~~the~~ vibrant communities with residential land uses close to transport corridors, places of employment, shops and cafes, requires buildings to be designed and constructed with appropriate noise attenuation measures ~~to protect the amenity of residents.~~

~~In order to protect the long term health and amenity of residents from road, rail and aircraft noise, noise from non-residential land uses and other sources, t~~he City of Cockburn requires noise attenuation of residential and other noise-sensitive land uses to protect the long term health and amenity of residents from road, rail and aircraft noise, as well as noise from non-residential land uses and other sources. ~~This is to~~ Appropriate noise attenuation must be demonstrated and implemented through the development process to achieving compliance with appropriate noise legislation, standards and policies.

The purpose of the Noise Attenuation Policy and associated Guidelines is to:

- (1) Detail the noise attenuation and noise management reporting process when undertaking development within the City of Cockburn.
- (2) Provide details of the City's requirements for the different types of acoustic reports.
- (3) Provide guidance to applicants as to when an acoustic consultant should be engaged and provide information on the type of assistance an acoustic consultant might provide.

[1]



DAP 17/02/2022

Item 8.5 Attachment 2

Title	Noise Attenuation
Policy Number (Governance Purpose)	LPP 1.12



Policy Statement

1. Acoustic Reports, Noise Management Plans and/or Noise Exposure Forecast Worksheets will be required as per the below Acoustic Reporting Requirements Table:

(1) ~~An Acoustic Report must accompany a Structure Plan, variations to a Structure Plan that materially alter the Plans intent, or a Local Development Plan. The Acoustic Report shall be prepared in accordance with the attached City of Cockburn Noise Attenuation Guidelines where:~~

- ~~1. Noise sensitive development is proposed in the vicinity of an existing or future major road, rail infrastructure or a freight handling facility as required by SPP 5.4;~~
- ~~2. The land is located within either the Core Area or Frame Area for Jandakot Airport as identified by SPP 5.3; or~~
- ~~3. Noise sensitive development and commercial, industrial or light industry land uses or essential infrastructure facilities are proposed in close proximity.~~

(2) ~~An Acoustic Report must accompany a Development Application, in accordance with the attached City of Cockburn Noise Attenuation Guidelines where:~~

- ~~1. Non-residential development which that includes plant and equipment which is likely to be a source of noise (such as air conditioning systems, compressors, public address systems, amplified music, musical instruments) within 100m of noise sensitive land uses; or~~
- ~~2. A change of use is proposed that may involve noise emitting activity such as entertainment or amplified music; or~~
- ~~3. A L land uses which cause large numbers of people to congregate (such as hotels, sporting clubs, taverns and other licensed/non-licensed premises) are is proposed, including accommodation premises (such as lodging houses and backpacker establishments); or~~

[2]

Item 8.5 Attachment 2

DAP 17/02/2022

Title	Noise Attenuation
Policy Number (Governance Purpose)	LPP 1.12



- 4. ~~Noise sensitive developments are proposed in the vicinity of an existing or future major road or rail infrastructure as required by SPP 5.4; or~~
 - 5. ~~A freight handling facility is proposed in the vicinity of noise sensitive land uses as required by SPP 5.4; or~~
 - 6. ~~Noise sensitive developments within the Core Area or Frame Area for Jandakot Airport as identified by SPP 5.3; or~~
 - 7. ~~Noise sensitive land uses, mixed use or multistorey residential developments are proposed within intense mixed use community areas such as Cockburn Coast, Port Coogee, Muriel Court, Cockburn Central Town Centre and Cockburn Central West; or~~
 - 8. ~~An application is deemed likely to contribute to, or be exposed to, heightened ambient noise, at the discretion of the City.~~
- (3) ~~At the Subdivision stage the City will request the preparation of either a Noise Exposure Forecast Worksheet OR a suitable Noise Management Plan as a condition of consent as well as appropriate conditions to implement noise requirements through the development process as described in the City of Cockburn Noise Attenuation Guidelines, as detailed in Clause 1.~~
- (4) ~~Further Acoustic Reports prepared in accordance with the attached City of Cockburn Noise Attenuation Guidelines may be required as a condition of Development Approval, to ensure that appropriate noise mitigation measures are implemented as the development proceeds, including prior to the submission of the Building Permit Application.~~
- (5) ~~Further supporting information may also be required to demonstrate that the completed development complies with the requirements of the Acoustic Report, with the Building Permit Application, the BA7 Building Completion Form or the BA15 Building Approval Certificate Strata.~~
- (5) ~~Where an Acoustic Report prepared for noise sensitive land uses, mixed use or multistorey residential developments within an intense mixed use community area demonstrates future ambient noise levels exceeding the City of Cockburn Noise~~

[3]



DAP 17/02/2022

Item 8.5 Attachment 2

Title	Noise Attenuation
Policy Number (Governance Purpose)	LPP 1.12



Attenuation Guidelines, notification on title will be required to adequately inform future purchasers of the potential impact on residential amenity.

<u>Development Stage</u>	<u>Acoustic Reporting Requirements</u>
<u>Structure Planning Stage</u>	<p>At Structure Planning stage, the proponent must demonstrate that the proposed development can be made to comply with the relevant requirements. <i>Suitable modelling of existing and/or future noise levels may be required, as well as detail of the anticipated noise mitigation measures.</i></p> <p>An Acoustic Report must accompany a Structure Plan, variations to a Structure Plan that materially alter the Plans intent, or a Local Development Plan. The Acoustic Report shall be prepared in accordance with the City of Cockburn Noise Attenuation Guidelines where:</p> <ol style="list-style-type: none"> 1. Noise sensitive development is proposed in the vicinity of an existing or future major road, rail infrastructure or a freight handling facility as required by SPP 5.4; 2. The land is located within either the Core Area or Frame Area for Jandakot Airport as identified by SPP 5.3; or 3. Noise sensitive development and commercial, industrial or light industry land uses or infrastructure facilities are proposed in close proximity.
<u>Subdivision Application</u>	At Subdivision stage the City will request the preparation of either a Noise Exposure Forecast Worksheet OR a suitable Noise Management Plan as a condition of consent, as well as appropriate conditions to implement noise requirements through the development process as described in the City of Cockburn Noise Attenuation Guidelines, as detailed in Clause 1.
<u>Local Development Plan</u>	<p>Where appropriate, the Local Development Plan must implement the requirements of the Noise Exposure Forecast Worksheet or Acoustic Report.</p> <p>Wording of the noise management requirements of a Local Development Plan must be in plain language that is suitably clear for prospective purchasers to understand.</p>
<u>Subdivision (Clearance)</u>	All noise mitigation requirements of the Noise Exposure Forecast Worksheet or Acoustic Report must be implemented for subdivision conditions to be cleared.

[4]

Item 8.5 Attachment 2

DAP 17/02/2022

Title	Noise Attenuation
Policy Number <small>(Governance Purpose)</small>	LPP 1.12



[Where Quiet House Design packages are recommended, all design requirements \(including the provision of fresh air where relevant\), must be implemented by a Local Development Plan. Any noise mitigation walls or barriers are to have been constructed prior to clearance being sought. Notifications on title must be suitably demonstrated prior to clearance being sought.](#)

[Development Application – including Joint Development Assessment Panel Applications](#)

An Acoustic Report must accompany a Development Application, in accordance with the City of Cockburn Noise Attenuation Guidelines where:

1. [Non-residential development that includes plant and equipment which is likely to be a source of noise \(such as air conditioning systems, compressors, public address systems, amplified music, musical instruments\) within 100m of noise sensitive land uses; or](#)
2. [A change of use is proposed that may involve noise emitting activity such as entertainment or amplified music; or](#)
3. [A land use which cause large numbers of people to congregate \(such as hotels, sporting clubs, taverns and other licensed/non-licensed premises\) is proposed, including accommodation premises \(such as lodging houses and backpacker establishments\); or](#)
4. [Noise sensitive developments are proposed in the vicinity of an existing or future major road or rail infrastructure as required by SPP 5.4; or](#)
5. [A freight handling facility is proposed in the vicinity of noise sensitive land uses; or](#)
6. [Noise sensitive developments within the Core Area or Frame Area for Jandakot Airport as identified by SPP 5.3; or](#)
7. [Noise sensitive land uses, mixed use or multistorey residential developments are proposed within intense mixed use community areas such as Cockburn Coast, Port Coogee, Muriel Court, Cockburn Central Town Centre and Cockburn Central West; or](#)
8. [An application is deemed likely to contribute to, or be exposed to, heightened ambient noise, at the discretion of the City.](#)

[5]



DAP 17/02/2022

Item 8.5 Attachment 2

Title	Noise Attenuation
Policy Number <small>(Governance Purpose)</small>	LPP 1.12



<u>Prior to the submission of the Building Permit Application (as condition of DA)</u>	<p>Final development design must achieve compliance with the identified noise criteria and suitably implement any noise mitigation requirements.</p> <p>In accordance with the conditions of Development Approval for a development:</p> <p>An Acoustic Report is to be submitted to the City for approval PRIOR to submission of the Building Permit Application. This Acoustic Report is to detail final design specifications and construction methods with which the proposed development will ensure compliance with the relevant noise criteria.</p>
<u>Building Permit Application</u>	<p>Building Permit Applications must clearly demonstrate compliance with all relevant Planning requirements.</p> <ul style="list-style-type: none"> Where a Building Permit Application is required to comply with a Local Development Plan, the plans must clearly demonstrate that all Noise Management requirements will be incorporated into the structure of the dwelling (for instance specific window suite construction and glazing). Where air conditioning or mechanical ventilation is required, installation details suitable to demonstrate compliance with the noise mitigation requirements must be included on the Building Permit plans. Where a Building Permit Application is required to comply with conditions of Development Approval, all relevant documents specified by those condition(s) must be submitted and all relevant conditions complied with. This may include a requirement for written confirmation from a recognised acoustic consultant to that the plans have been checked and confirmed as compliant with the requirements of the relevant Acoustic Reports.
<u>Building Occupancy or Strata Approval Certificates</u>	<p>Upon completion of construction and in accordance with conditions of Development Approval, a Form BA7 Notice of Completion or Form BA15 Building Approval Certificate Strata must be accompanied by written confirmation from the Builder to demonstrate that all requirements of the relevant Acoustic Report(s) were incorporated into the completed development.</p> <p>Where deemed appropriate, the City may require the builder to provide with the FormBA7 Notice of Completion written confirmation from an acoustic consultant that the building complies with the requirements of the acoustic report or that a final acoustic assessment of the finished development has been undertaken.</p>
<u>Important note: All buildings and structures are to comply with the relevant fire rating, safety, BAL and National Construction Code requirements. Noise attenuation methods shall not compromise the safety or structural integrity of the development.</u>	

[6]



Item 8.5 Attachment 2

DAP 17/02/2022

Title	Noise Attenuation
Policy Number (Governance Purpose)	LPP 1.12



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-December-2019 XXX
Next Review Due: (Governance Purpose Only)	December-2021 XXX
ECM Doc Set ID: (Governance Purpose Only)	4518974

[8]



Item 8.6

DAP 17/02/2022

8.6 (2022/MINUTE NO 0011) Re-instatement of Delegated Authority 'Structure Plans, rezoning applications and Metropolitan Region Scheme Amendments'

Author C Catherwood

Attachments 1. Delegated Authority -Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments - with minor corrections [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPTS Delegated Authority 'Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments' with minor corrections, as attached to the Agenda.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Committee Recommendation

MOVED Cr P Corke SECONDED Cr T Dewan

That Council adopts the recommendation subject to the title of the Policy being amended to 'Structure Plans and Activity Centre Plans'.

CARRIED BY ABSOLUTE MAJORITY 5/0

Reason

As the delegated authority refers to Structure Plans and does not directly relate to the Metropolitan Regional Scheme, the title has been amended as above.

Background

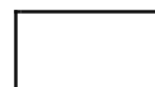
At the 25 November 2021 Delegated Authorities and Policies Committee Meeting, Item 12.2 considered a Review of Delegated Authorities.

One of the delegations deleted as part of that item was 'Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments'.

This delegation is still required to enable administration of the *Planning and Development (Local Planning Schemes) Regulations 2015* to occur within the statutory time frames assigned to local government responsibilities. These would be impractical to adhere to with the current Council agenda cycle, creating a compliance issue for the City.

Submission

N/A



119 of 165

DAP 17/02/2022

Item 8.6

Report

The basis of the deletion was that the delegation was ‘replaced by Local Planning Policy’, which was incorrect and not in line with the consultant report analysis which suggested follow up clarification was needed (extract below):

Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments	Policy made under the City’s LPS. 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? Check if Planning Regs allow delegation direct to an employee other than the CEO.
--	---

The delegation is not a Local Planning Policy (LPP) and there is no current LPP which covers such matters.

The Planning and Development (Local Planning Schemes) Regulations 2015 (the LPS Regs) makes the following provision for delegation:

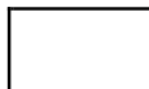
82. Delegations by local government

- (1) *The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government’s powers or the discharge of any of the local government’s duties under this Scheme other than this power of delegation.*
- (2) *A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.*
- (3) *The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.*

The LPS Regs have numerous references to local government throughout. However, the delegated authority delegated specific tasks (in relation to both structure plans and activity centre plans), which are largely administrative in nature, such as:

- Whether information has been provided as per the LPS Regs requirements
- Whether further information is needed to meet the LPS Regs
- Estimation of the application fee based on the level of assessment required
- Whether a proposal is ready to advertise
- Determining whether a proposed amendment meets the definition of ‘minor’ and if so the ability to report direct to the WAPC.

The undertaking of these tasks is limited to senior officers and the exercise of the delegation is recorded.



Item 8.6DAP 17/02/2022

The delegation is required to be reinstated to enable continuing compliance with the statutory time frames applicable under the LPS Regs.

Small corrections to the positions listed in the delegation are also needed to reflect the current organisation structure correctly.

Strategic Plans/Policy ImplicationsLocal Economy

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

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

Listening & Leading

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

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

Budget/Financial Implications

Nil

Legal Implications

Without the delegation being reinstated, officers will need to submit reports to Council to deal with basic administrative style tasks and will not be compliant with the statutory time frames prescribed in the LPS regs.

Applicants are likely to exercise the right to approach the WA Planning Commission directly in order for the matter to be dealt with within the statutory timeframes, which limits the City's ability to ensure the applications have been fully assessed against the City's requirements.

Community Consultation

N/A

Risk Management Implications

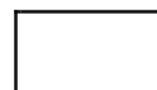
If the delegation is not re-instated the City will not be compliant with the statutory time frames prescribed in the LPS Regs.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil



121 of 165

DA	STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS
----	---

DIRECTORATE:	Planning & Development Built and Natural Environment
BUSINESS UNIT:	Strategic Planning
SERVICE UNIT:	Strategic Planning
RESPONSIBLE OFFICER:	Head of Manager, Strategic Planning
FILE NO.:	086/003
DATE FIRST ADOPTED:	1997
DATE LAST REVIEWED:	10 September 2020
ATTACHMENTS:	N/A
VERSION NO.	7

Dates of Amendments / Reviews:		
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]



DAP 17/02/2022

Item 8.6 Attachment 1

DA	STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS
----	---

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 Proposed Activity Centre Plan complies with Clause 32(1) of the Deemed Provisions; or
 - 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:
- To request further information from a person who prepared a Proposed Activity Centre Plan and;
 - 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:
- Does not materially alter the purpose and intent of the structure plan;
 - Does not change the intended lot / dwelling yield by more than 10 per cent;
 - Does not adversely impact upon the amenity of adjoining landowners and occupiers;
 - Does not restrict the use and development of adjoining land;
 - Does not significantly impact on infrastructure provision;
 - Does not impact upon the environment;

[2]

123 of 165

DA	STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS
----	---

- 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

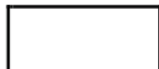
DELEGATE:

Nil.

DELEGATE/S AUTHORISED:

~~Director, Planning and Development
 Manager, Strategic Planning
 Chief of Built and Natural Environment
 Head of Planning~~
 Coordinator, Strategic Planning
 Senior Strategic Planning Officers

[3]



DAP 17/02/2022

9. Finance

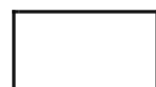
Nil

10. Operations

Nil

11. Community Services

Nil



125 of 165



DAP 17/02/2022

Item 12.1

12. Governance and Strategy

12.1 (2022/MINUTE NO 0012) Proposed Amendment to Policy 'Elected Members Entitlements - Allowances and Reimbursements' - Childcare

Author B Pinto

- Attachments**
1. Policy - Proposed Amendment - Elected Member Entitlements - Allowances and Reimbursements [↓](#)
 2. Elected Member Childcare Services - Reimbursement Claim Form [↓](#)

RECOMMENDATION

That Council ADOPTS proposed amendments to Policy 'Elected Members Entitlements – Allowances and Reimbursements', as attached to the Agenda.

Committee Recommendation

MOVED Deputy Mayor T Widenbar SECONDED Cr P Corke

That Council adopts the recommendation subject to the following amendments:

- (1) amend Clause (2), (2) paragraph 3, 'Childcare Costs', to include the wording 'or other proof of expenditure'; and
- (2) amend Clause (9) (b) 'Policy Administration' to read 'Requests for reimbursement must be received within six calendar months after the expense is incurred.'

CARRIED 4/1

For: Deputy Mayor T Widenbar, Cr T Dewan, Cr M Separovich, Cr P Corke

Against: Cr C Stone

Reason

To allow for bank statements to be used as a claim.

Cr Corke is of the view that alternate ways of providing proof of expenditure should be included when a claim is made, such as bank statements to be used as a claim.

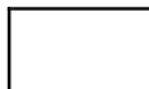
Cr Dewan advised that three months to submit a claim was too short a timeframe and onerous of the individual. Instead of claims being made four times a year, now it can be done twice a year. This reduces the time taken in collating the supporting information when submitting a claim.

Background

In accordance with Regulation 31(1)(b) of the Local government (Administration) Regulation 1996, Elected Members are entitled to claim childcare expenses while attending Council and Committee Meetings and other Council business.

Submission

126 of 165



Item 12.1

DAP 17/02/2022

N/A

Report

As part of the City's transformational journey, as we review policies, we are benchmarking them with other local governments to test for reasonableness. This ensures accountability by the City and its Elected Members and contributes to building trust with the community.

The current policy does not clearly outline details for childcare service entitlements and the *Local Government Act 1995* is silent on this matter with very limited information in this area.

Policies of other local governments clarify how and when childcare services are to be applied. WALGA have advised best practice for the City is to have a clearly documented position so that the policy can be applied consistently.

Considering the above, the policy has been reviewed and updated to include:

1. What circumstances childcare can be claimed for
2. How the process works
3. Clarification regarding accessing a service for childcare by a person/persons who do not reside at the same premise as the Elected Member.

Strategic Plans/Policy ImplicationsListening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

As contained the Municipal Budget.

Legal Implications

Local Government (Administration) Regulations 1996 Part 8 - Local government payments and gifts to members r. 31

Community Consultation

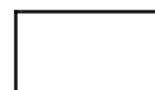
N/A

Risk Management Implications

There is a 'low' level of risk.

Advice to Proponent(s)/Submitters

N/A



127 of 165

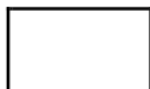
DAP 17/02/2022

Item 12.1

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

Nil.

128 of 165



349 of 431



DAP 17/02/2022

Item 12.1 Attachment 1

Title	Elected Members Entitlements - Allowances & Reimbursements
-------	--



Policy Type

Council

Policy Purpose

The objectives of this policy are:

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

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

Policy Statement

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

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

(1) Prescribed allowances

1. Mayoral Allowance

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

2. Deputy Mayoral Annual Allowance

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

[1]

129 of 165

Title	Elected Members Entitlements - Allowances & Reimbursements
-------	--



3. Annual Meeting Attendance Allowance

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

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

1. Travel expenses

Elected members who attend Council, Committee, Council appointed Reference Groups or other formally arranged meetings, briefings, civic functions, seminars or training on behalf of the Council, are entitled to be reimbursed travel expenses. Councillors will be automatically paid the prescribed mileage, allowance for attendance at formal Council meetings and Standing Committee meetings, in accordance with Clause (9) 2(a) of this Policy.

2. Childcare costs

Elected members are entitled to be reimbursed childcare costs, while attending Council ~~and~~ Committee ~~Meetings and~~ other meetings. ~~Council appointed Reference Groups or other formally arranged meetings, briefings, civic functions, seminars or training on behalf of the Council.~~

In accordance with Regulation 31(1) (b) of the Local Government (Administration) Regulations 1996, childcare costs will be paid, to the maximum allowance as determined ~~by~~under the Salaries and Allowances Tribunal annual determination, or the actual cost per hour, whichever the lesser amount is.

The expense incurred for childcare costs can be reimbursed using the claim form and substantiated with details of date(s), the provider's name and address, meeting/event attended and number of hours, together with original receipts attached to the claim form.

Childcare costs will not be paid for where the care is provided by a family member living in the same premises as the Elected Member.

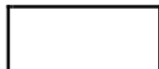
(3) Discretionary expense reimbursements (Administration Regulation 32(1))

1. Parking

Car-parking fees:

(a) Incurred attending an event in their capacity as a Council member; or

[2]



DAP 17/02/2022

Item 12.1 Attachment 1

Title	Elected Members Entitlements - Allowances & Reimbursements
-------	--



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

2. Minor hospitality

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

3. Consumable Office supplies

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

4. Other approved expenses

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

- (a) Dry cleaning specifically incurred ~~as a result of~~ ~~because of~~ attending recognised Council related functions referred to elsewhere in this Policy
- (b) Hire of clothing when attending a recognised Council related function that requires formal attire as stipulated on the invitation, but not otherwise
- (c) Permissible personal expenses not otherwise paid in advance by the City incurred as a result of attending a conference, seminar or training as a delegate of Council in accordance with Council Policy "Attendance at Conferences, Seminars and Training".
- (d) Reimbursement of legal representation costs incurred in accordance with Council Policy "Legal Representation & Costs Indemnification – Elected Members & Employees".
- (e) Reimbursement of one(1) Membership of a Professional Association per year, subject to the purpose of the Association being related to the role or function of an elected member, up to a maximum value of \$1,000.

(4) Prescribed allowances paid in lieu of reimbursements

1. Information and Communication Technology (ICT) Allowance

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

[3]

131 of 165

Item 12.1 Attachment 1

DAP 17/02/2022

Title	Elected Members Entitlements - Allowances & Reimbursements
--------------	---



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

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

1. Equipment and stationery

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

- (a) Elected Members will be provided with a mobile computer, compatible with the City's security and other systems.
- (b) Elected Members will be provided with access to a computer for their use within the City's Administration Centre.
- (c) Elected Members will be supplied, as reasonably required to undertake the functions of an Elected Member, with:
 - i. Business cards, and
 - ii. Letterhead template.
- (d) Elected Members will be supplied with a name badge at the commencement of their term of office. Replacement name badges will be supplied, upon request, if lost, stolen, damaged or worn.

(6) Mayoral Vehicle Provision

- 1. The position of Mayor shall, for the purpose of carrying out the recognised functions of the Mayoral office, be entitled to receive the provision of a fully maintained local government owned vehicle to the equivalent standard of that provided to the Senior Employees. The Mayor of the day may elect to choose a vehicle of a lesser standard at his/her discretion, subject to the City's Light Fleet Purchasing Guidelines.
- 2. All costs associated with the private use of the Mayoral vehicle are to be reimbursed to the City of Cockburn by the Mayor in accordance with the "Mayoral Motor Vehicle Agreement" detailed in (6) 3 below.
- 3. Details of the arrangement for the provision, use and responsibilities for the vehicle in (6) 2 above is included in a Deed of Agreement between the City of Cockburn and the Mayor.
- 4. The calculation of the reimbursement for the private use is by way of a [Log Book/Logbook](#) in accordance with the requirements of the Australian Taxation Office

[4]



DAP 17/02/2022

Item 12.1 Attachment 1

Title	Elected Members Entitlements - Allowances & Reimbursements
-------	--



5. All disputes in regard to this policy will be referred to the Chief Financial Officer in the first instance. In the event that the Member and the Director cannot reach an agreement, the matter will be submitted to Council for resolution.
- (7) Provision of Support
1. Mayor
- The Mayor shall, in carrying out the Mayoral duties and responsibilities, be entitled to receive, the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995.
- the use of an office.
 - a City employee or other employee resource to the extent considered appropriate by the CEO.
 - all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO; and
 - access to the Elected Member's Lounge and refreshments
2. Deputy Mayor and other Councillors:
- The Deputy Mayor and other Councillors shall in carrying out their civic duties and responsibilities be entitled to receive, , and the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995:
- Access to the Elected Member's Lounge and refreshments.
 - Access to a suitably equipped shared office, reading room, meeting and conference rooms within the Administration Centre with photocopying, printing, facsimile, internet and telephone facilities, as deemed necessary by the CEO to fulfil their Council related functions.
 - Some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage.
- (8) Insurance
- The City will insure or provide insurance cover for Elected Members for:
- Accidental injury whilst engaged in the performance of the official duties of their office, including direct travel to and from activity.
 - Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the policy of cover/insurance
 - Spouses/partners of Elected Members when the spouse/partner is accompanying the Member in an official (non – personal) capacity.

[5]

	133 of 165
--	------------

Item 12.1 Attachment 1

DAP 17/02/2022

Title	Elected Members Entitlements - Allowances & Reimbursements
--------------	---



(9) Policy Administration

1. Time Limit on Claims and Approval Process

- (a) Elected Members applying to receive reimbursement of expenses in accordance with the provision of this policy must submit the appropriate Reimbursement of Expenses Form to the Chief Executive Officer, together with acceptable supporting documentation.
- (b) Requests for reimbursement must be received within three (3) calendar months after the expenses were ~~is~~ incurred.

2. Payment of fees/allowances

- (a) All Allowances will be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that they do not want to claim any or part of the available allowances.
- (b) All allowances will be paid monthly in arrears, except for the ICT allowance which will be paid annually in advance, calculated from each ordinary election and will be provided for in each annual budget.
- (c) Any taxation liability arising from these payments is the individual responsibility of each Elected Member.
- (d) If an Elected Member has previously advised that they do not want all or part of the available allowances that they are entitled to, any subsequent request for full or additional payment will not be back paid, but will accrue from the date of such request.
- (e) If an Elected Member ceases to hold office, payment will only be made up to and including the final day of engagement.

3. Dispute Resolution

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

Strategic Link:	Corporate Governance <u>Charter Framework</u>
Category	Elected Members
Lead Business Unit:	Governance, Risk and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	The policy is to be reviewed every two years through consultation with Elected Members to ensure that it meets its objective and provides clear accountability

[6]



DAP 17/02/2022

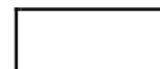
Item 12.1 Attachment 1

Title	Elected Members Entitlements - Allowances & Reimbursements
-------	--



	requirements unless legislative amendments require an immediate review. September 2023
ECM Doc Set ID: (Governance Purpose Only)	8232292

[7]



135 of 165





ELECTED MEMBER CHILDCARE EXPENSES – REIMBURSEMENT CLAIM FORM

- 1. **\$30** per hour as per the Local Government (Administration) Regulations 1996 – Reg.31 (1) (b)
- 2. **\$30** per hour for attendance to the appointed Reference Groups, other formally arranged meetings, briefings, civic functions, seminars and training

<u>Date</u>	<u>Provider's Name and Address</u>	<u>Name of Council/Committee Meeting/Event</u>	<u>No. of Hours</u>	<u>Amount</u> \$

Name: _____

Signature: _____

Date: _____

Note: Receipts from Childcare Services must also accompany this claim. Once completed please submit to PAMayorCrs@cockburn.wa.gov.au



Item 12.2

DAP 17/02/2022

12.2 (2022/MINUTE NO 0013) Replacement Policy - Access to Legal Services for Elected Members and Employees

Author E Milne

Attachments

1. Legal Representation and Costs Indemnification – Elected Members and Employees [↓](#)
2. Access to Legal Services for Elected Members and Employees [↓](#)

RECOMMENDATION

That Council:

- (1) ACCEPTS the new policy Access to Legal Services for Elected Members and Employees; and
- (2) RESCINDS the current policy Legal Representation and Costs Indemnification – Elected Members and Employees

Committee Recommendation

MOVED Cr P Corke SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 5/0

Background

There is a general increased risk of legal action being taken or threatened against individual Elected Members and Employees. Council members and employees may require legal advice and representation and expect their local government to provide financial assistance to meet the cost of the advice or representation.

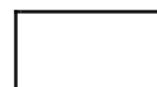
Council members and employees may feel inhibited in undertaking their roles in a full, frank and impartial manner if they do not have an assurance that they are protected from threats and will be given proper legal representation if any legal action is taken against them.

Local governments have a legislative duty of care to their employees to provide a safe working environment and morally have the same duty to council members.

Accordingly, it is appropriate and prudent for local governments to assist council members and employees by adopting a policy to fund or partly fund the cost of providing legal representation in appropriate circumstances.

Submission

N/A



137 of 165

DAP 17/02/2022

Item 12.2

Report

Section 9.56 of the *Local Government Act 1995 (the Act)* provides protection from actions of tort for anything a council member or employee has, in good faith, done in the performance or purported performance of a function under the Act or under any other written law. However, the legislation does not preclude people taking action against individual council members or employees if they believe that the council member or employee has not acted in good faith.

Section 3.1 of *the Act* provides that the general function of a local government is to provide for the good government of persons in its district. Section 6.7(2) provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law.

Under these provisions, a council can expend funds to provide legal representation for Elected Members and Employees, if it believes that the expenditure falls within the scope of the local government's function.

It is recommended that the Legal Representation & Costs Indemnification – Elected Members & Employees Policy is replaced with a new Legal Services for Elected Members and Employees Policy which includes the following changes:

1. An Elected Member or Employee is to make a written application requesting Legal Services to the Executive Governance and Strategy who will make the determination in consultation with the CEO and Mayor.
2. Where there is a conflict in the application, the CEO replaces Executive Governance and Strategy, Executive Corporate Affairs replaces the CEO, and the Deputy Mayor replaces the Mayor.
3. Without limitation, the City may provide financial assistance for Standards Panel and State Administrative Tribunal (SAT) appeals application fees.
4. The Executive Governance and Strategy is to report all Legal Services obtained by Elected Members and Employees including details of the action and payments made under this Policy by confidential memo, or email (also to be uploaded on the Hub) at as soon as practical, or within a month of the expenditure.
5. The new policy does not apply to former Elected Members and Employees.

Strategic Plans/Policy ImplicationsListening & Leading

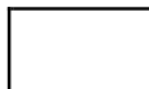
A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

FY23 budget will be required.

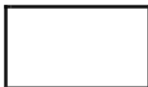
138 of 165



359 of 431

Item 12.2

DAP 17/02/2022



139 of 165



DAP 17/02/2022

Item 12.2

Legal Implications

Section 9.56 of the *Local Government Act 1995 (the Act)*

Community Consultation

N/A

Risk Management Implications

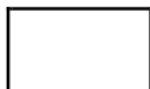
Medium level risk implications if the legal support is not available for Elected Members and Employees who may feel inhibited in undertaking their roles in a full, frank and impartial manner.

Advice to Proponent(s)/Submitters

N/A

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

Nil



DAP 17/02/2022

Item 12.2 Attachment 1

Title	Legal Representation & Costs Indemnification – Elected Members & Employees
--------------	---



Policy Type

Council

Policy Purpose

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

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

Policy Statement

(1) Key Terms

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

[1]

Document Set ID: 4133527
Version: 7, Version Date: 18/03/2021

141 of 165

Item 12.2 Attachment 1

DAP 17/02/2022

Title	Legal Representation & Costs Indemnification – Elected Members & Employees
--------------	---



7. Legal services include advice, representation or documentation provided by an approved lawyer.
 8. Payment by the City of legal representation costs may be made by:-
 - (a) a direct payment to the approved lawyer (or the relevant firm); or
 - (b) a reimbursement to the Council member or employee.
- (2) General Principles
1. The City may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the City or otherwise in bad faith.
 2. The City may provide such assistance in the following types of legal proceedings:
 - (a) proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
 - (b) proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (eg refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defamation actions)]; and
 - (c) statutory or other inquiries where representation of members or employees required or justified.
 3. The City of Cockburn will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles.
 4. The legal services the subject of assistance under this policy will be provided by an approved lawyer, unless otherwise determined as being appropriate in the circumstances.
- (3) Applications for Financial Assistance
1. Subject to clause (4) below, decisions for financial assistance under this policy are to be made by the Council.
 2. A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
 3. An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).

[2]

Document Set ID: 4133527
Version: 7, Version Date: 18/03/2021



Title	Legal Representation & Costs Indemnification – Elected Members & Employees
--------------	---



4. A member or employee requesting financial support for legal services, should ensure compliance with the financial interest provisions of the Local Government Act 1995.
 5. Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$10,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
 6. Where it is the CEO who is seeking urgent financial support for legal services, the Council shall deal with the application.
 7. This Policy may address the situation where council members and employees are interviewed during, or are required to give evidence to, an inquiry into the City. Determining whether financial assistance is given in these situations is one that will relate to the circumstances and reasons for the inquiry.
- (4) Repayment of Assistance
1. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be offset against any monies paid or payable by the City.
 2. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
 3. Where assistance is so withdrawn, the person who obtained financial support is to repay any monies already provided. The local government may take action to recover any such monies in a court of competent jurisdiction.

Strategic Link:	Governance Framework
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	11 March 2021
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	4133527

[3]

Document Set ID: 4133527
Version: 7, Version Date: 18/03/2021



Policy	Access to Legal Services for Elected Members and Employees
--------	--



Policy Type

Administration

Policy Purpose

The local government environment is highly regulated and from time to time, it can be complex. Section 9.56 of the *Local Government Act 1995* (the **Act**) provides protection from actions of tort for anything an Elected Member or Employee has done in good faith, in the performance of a function under the Act or any other written law. The Act further provides that the general function of a local government is to provide for good government of persons in its district and that money held in the municipal fund may be applied towards the performance of the functions and the exercise of powers conferred on the local government by the Act.

Usually, seeking Legal Services would be facilitated by the Executive Governance and Strategy in the course of their administrative role and this Policy does not apply to Legal Services obtained by the City of Cockburn (the **City**) in relation to the day-to-day management of the City's affairs.

However, there may be occasion when individual Elected Members or Employees require Legal Services arising from the course of their lawful functions and duties. The City is committed to protecting the interests of Elected Members and Employees and the objective of this Policy is to provide a framework for the:

- i. provision of financial assistance by the City to an Elected Member or Employee for Legal Services. The Policy principle is that an Elected Member or Employee including the CEO, should not incur legal expenses for Legal Services arising because of performing and discharging their official functions and duties; and
- ii. process for obtaining legal advice where it has been declined by the Executive Governance and Strategy

Policy Statement

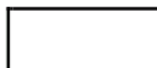
Where an Elected Member or Employee requires Legal Services arising from carrying out their lawful functions and duties, the City may assist them in meeting reasonable legal fees and expenses arising in relation to those Legal Services.

In each case it will be necessary to determine whether assistance with legal fees and expenses are justified for the good government of persons in the City's district. This Policy seeks to provide the parameters in which an Elected Member or Employee can seek Legal Services where the City will meet the reasonable costs arising from those Legal Services.

The City **will not** provide financial assistance to an Elected Member or Employee with Legal Services in relation to:

- i. Personal matters outside the scope of their role as an Elected Member or Employee; or

[1]



DAP 17/02/2022

Item 12.2 Attachment 2

Policy	Access to Legal Services for Elected Members and Employees
---------------	---



- ii. Criminal matters; or
- iii. Responding to or defending Legal Proceedings alleging breaches of their obligations under the Code of Conduct, the Act, Health and Safety Legislation or the FW Act and any relevant subsidiary legislation; or
- iv. The initiation of defamation proceedings by an Elected Member or Employee without approval of the Executive Governance and Strategy, in consultation with the CEO and Mayor; or
- v. A complaint of serious or minor misconduct under the *Corruption, Crime and Misconduct Act 2003*.

For the avoidance of doubt, the exclusion in clause 2.iii does not apply where the conduct which led to the allegation of a breach, was in the course of the relevant Elected Member or Employee carrying out in good faith, their lawful functions and duties.

Criteria

- a) The City may provide financial assistance for Legal Services of an Elected Member or Employee based on the following criteria:
 - i. the requirement for Legal Services arises from and assists the performance and/or discharge by a Member or Employee of their lawful functions and duties; or
 - ii. arises from an individual conflict of interest; or
 - iii. the Legal Services' costs in respect of Legal Proceedings must be for Legal Proceedings that have been, or may be, commenced; or
 - iv. the Elected Member or Employee must have acted reasonably, in good faith, and in accordance with the requirements of the Code of Conduct, Act, any relevant subsidiary legislation, Health and Safety Legislation, FW Act and other written laws applicable to the Elected Member or Employee; and
 - v. any monies that the Elected Member or Employee is paid by way of costs, damages, or settlement, if successful in Legal Proceedings in respect of a matter for which the City has covered the costs of Legal Services, the City will require the Elected Member or Employee to reimburse the City for the costs for the Legal Services incurred by the City.
- b) The above criteria are indicative only and do not preclude matters outside these criteria being referred to Council for consideration.

Types of costs that may be approved

- a) Without limitation, the City may provide financial assistance for the following types of Legal Services:
 - i. If not previously obtained, legal advice required by an Elected Member or Employee to assist the Elected Member or Employee in performing or discharging their official functions and duties; or
 - ii. Legal Proceedings brought by Elected Members and Employees to enable them to carry out their functions under the Act and subsidiary legislation (e.g. where a Member or Employee seeks a banning order or a misconduct or violence

[2]

	145 of 165
--	------------

Policy	Access to Legal Services for Elected Members and Employees
---------------	---



- restraining order against a person who has used threatening or inappropriate language or behaviour); or
- iii. Legal Proceedings brought against Elected Members or Employees in their personal capacity but by reason of a decision made either by Council or its delegate and which has caused an aggrieved person to commence legal action (e.g. refusing a development application); or
- iv. Legal Proceedings brought against Elected Members or Employees where their conduct in carrying out their function is considered detrimental to a third party (e.g. defending defamation actions); or
- v. Statutory or other inquiries where representation or attendance of an Elected Member or employee is either compulsory or justified; or
- vi. Attendance at Legal Proceedings as a witness in circumstances like those described above.
- vii. Standards Panel and State Administrative Tribunal (SAT) appeals application fees.

b) Notwithstanding the above point 2(iv), the City in its absolute discretion, may provide access to Legal Services and/or reimburse legal fees for Legal Proceedings taken by Elected Members or Employees for substantial, unwarranted and ongoing comments or criticisms levelled at their conduct in their respective roles. Such Legal Proceedings may include action in defamation and/or steps taken to stop bullying.

Examples include:

- i. Where a person or organisation is potentially lessening the confidence of the community in the City by publicly making adverse personal comments about Elected Members or Employees; or
- ii. Where the adverse personal comments by a person or organisation about Elected Members or Employees are resulting in an unsafe workplace.

Application for Legal Services and Payment

- a) An Elected Member or Employee is to make a written application requesting Legal Services to the Executive Governance and Strategy who will make the determination in consultation with the CEO and Mayor.
- b) If a request is to be made, it is to be lodged with the Executive Governance and Strategy as soon as possible and it must give details of:
 - i. the matter for which Legal Services are sought.
 - ii. how the matter relates to the functions of the Elected Member or Employee making the application.
 - iii. the nature of the Legal Services sought (e.g., advice, preparation of a document or Legal Proceedings); and
 - iv. why it is in the interests of the City for the Legal Services to be obtained and why the City should pay for the Legal Services.
- c) If the Legal Services are instigated prior to approval being obtained from the Executive Governance and Strategy, the City will require the Elected Member or Employee to provide to the City copies of all documents created prior to the Executive Governance and Strategy's approval including any legal advice obtained. In the case of Elected

[3]



Policy	Access to Legal Services for Elected Members and Employees
---------------	---



Members, approval will be required by Council for the reimbursement of expenses incurred without the Executive Governance and Strategy's prior approval.

- d) The City will determine the law firm to whom the Legal Services are to be directed and will manage the instructions to that law firm and retain ownership of any legal advice provided.
- e) Where the legal advice obtained relates to an individual Elected Member or Employee, the advice will not be distributed to all Elected Members to maintain legal professional privilege over that advice. Where the legal advice pertains to a matter before Council it will be provided in confidence to Elected Members or if it contains information that the Executive Governance and Strategy considers is highly sensitive, the advice will be made available for Elected Members to view at the City's office.
- f) The City will not fund 'forum shopping' for further Legal Services in the event the Elected Member or Employee does not accept or agree with the legal advice provided, including legal advice previously sought on the same subject matter.

Extent of Executive Governance and Strategy's Authority

- a) The Executive Governance and Strategy is to receive, assess and decide any requests for financial assistance for Legal Services by an Elected Member or Employee which may include a cap on the financial assistance to be provided and will make the determination in consultation with the CEO and Mayor.
- b) Financial assistance may include reimbursing legal costs, or SAT appeal lodgement fees incurred by an Elected Member or Employee or taking action on their behalf.
- c) The payment of Legal Services' costs to an Elected Member or Employee, in respect of each application, is not to exceed \$25,000 without the approval of Council.
- d) When considering the request for Legal Services, the Executive Governance and Strategy at their discretion, may consider the following:
 - i. whether alternate actions/means are available to resolve the matter.
 - ii. whether prior legal advice has been received on the matter.
 - iii. the seriousness of the matter; and
 - iv. any history relevant to the matter.
- e) In the event an Elected Member's request for financial assistance to obtain Legal Services is declined by the Executive Governance and Strategy, the Elected Member may take the request to Council in the form of a notice of motion for it to determine the request for Legal Services and financial payment by the City for those services.
- f) Where there is a conflict in the application, the CEO replaces Executive Governance and Strategy, Executive Corporate Affairs replaces the CEO, and the Deputy Mayor replaces the Mayor.
- g) The Executive Governance and Strategy is to report all Legal Services obtained by Elected Members and Employees including details of the action and payments made under this Policy by confidential memo, or email (also to be uploaded on the Hub) at as soon as practical, or within a month of the expenditure.

[4]

Policy	Access to Legal Services for Elected Members and Employees
--------	--



Insured Risk

- a) In assessing an application, the Executive Governance and Strategy is to have regard to whether the claim is an insured risk and must be first referred to the City's insurer.
- b) It will be at the Executive Governance and Strategy's discretion as to whether to take any action to either grant or decline financial assistance until the matter has been reviewed by the City's insurer.

Repayment of Cost for Legal Services

Assistance to an Elected Member or an Employee will be withdrawn, and that Elected Member or Employee will be required to repay any costs for Legal Services incurred by the City where the Council determines, upon legal advice, that the Elected Member or Employee has:

- i. not acted reasonably, in good faith, and in accordance with the Code of Conduct, the Act, any relevant subsidiary legislation, Health and Safety Legislation, the FW Act and other applicable written laws; and/or
- ii. given false or misleading information in respect of the application for financial assistance from the City.

DEFINED TERMS

Act means the *Local Government Act 1995* (WA) as amended from time to time.

Administration Regulations means the *Local Government (Administration) Regulations 1996* (WA).

CEO means the Chief Executive Officer of the City of Cockburn.

City means the City of Cockburn.

Code of Conduct means the City's code of conduct as amended from time to time.

Elected Member means a current or former elected member of the City of Cockburn.

Employee means a current or former employee of the City of Cockburn.

FW Act means the *Fair Work Act 2009* (Cth) as amended from time to time.

Legal Proceedings means civil, criminal, or investigative proceedings brought in a court, tribunal, or authorised body within the jurisdiction of Western Australia.

Legal Services includes advice, required attendance at Legal Proceedings or inquiries, Legal Proceedings representation or documentation provided to an Elected Member or Employee, the cost of which may or has been covered by the City of Cockburn.

Policy means POL-C-044 Access to Legal Services for Elected Members and Employees.

Rules of Conduct means the *Local Government (Rules of Conduct) Regulations 2007* (WA) as amended from time to time.

Subsidiary legislation means any subsidiary legislation made under the Act and as amended from time to time, including but not limited to the Rules of Conduct and the Administration Regulations.

Strategic Link:	Governance Framework
-----------------	----------------------

[5]



DAP 17/02/2022

Item 12.2 Attachment 2

Policy	Access to Legal Services for Elected Members and Employees
---------------	---



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

[6]

DAP 17/02/2022

Item 12.3

12.3 (2022/MINUTE NO 0014) Proposed Amendment to Policy 'Appointment of Acting or Temporary Chief Executive Officer'

Author E Milne

Attachments 1. Proposed Amendments to Policy 'Appointment of Acting Chief Executive Officer' [↓](#)

<p>RECOMMENDATION That Council ACCEPTS the changes made to Policy 'Appointment of Acting or Temporary Chief Executive Officer', as attached to the Agenda.</p>
<p>Committee Recommendation MOVED Cr P Corke SECONDED Cr M Separovich</p> <p>That the recommendation be adopted.</p> <p style="text-align: right;"><u>CARRIED UNANIMOUSLY 5/0</u></p>

Background

A review of the Appointment of the Acting or Temporary Chief Executive Officer Policy has been undertaken and is presented for consideration.

This policy outlines the process by which Council appoints an Acting Chief Executive Officer, as required by Section 5.39C(1)(a) and (b) of the *Local Government Act 1995*.

Submission

N/A

Report

The policy has been amended to include the following changes:

1. Succession planning for the City.
2. Streamlining the process - the CEO may directly confirm, from the Council approved Acting CEO candidates, the Acting CEO for periods of absence up to six months (for example annual leave).
3. Remuneration - for any period of absence less than three months continuous duration, an Acting CEO is to be paid a cash component salary rate being the lesser of:
 - i. the mid-point for a Level 1 Local Government CEO as determined by the Salaries and Allowances Tribunal at the time of appointment, or
 - ii. 90% of the current CEO cash component of salary.



Item 12.3

DAP 17/02/2022

Strategic Plans/Policy Implications

Listening & 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

Salary requirement as determined by period of acting.

Legal Implications

s5.39C(1) (a) and (b) of the *Local Government Act 1995*.

Community Consultation

N/A

Risk Management Implications

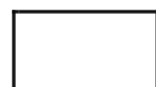
There is a 'moderate' level of risk if an appointment to act in the role does not occur.

Advice to Proponent(s)/Submitters

N/A

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

Nil



Item 12.3 Attachment 1

DAP 17/02/2022

Title	Appointment of Acting or Temporary Chief Executive Officer
--------------	---



Policy Type

Council

Policy Purpose

This policy outlines the process by which Council appoints an Acting Chief Executive Officer, as required by Section 5.39C(1)(a) and (b) of the Local Government Act 1995.

Policy Statement

Council is responsible for the appointment of its CEO and the appointment of an Acting CEO. To ensure clarity around functions and delegated authority, the following process occurs for appointment of an Acting CEO.

(1) Periods up to six months

There are periods in each year when the Chief Executive Officer (CEO) is unavailable for short term periods including during leave and travel.

At the December Ordinary Council Meeting each year, Council will endorse the position of Acting CEO, for the following period of 1 January to 31 December.

(2) Periods expected to be six months or longer, up to 12 months:

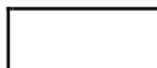
1. In cases where the CEO position is expected to be vacant for six months or longer, up to 12 months maximum, Council is not bound by any decision made in regard to periods up to six months. This is because short periods of Acting CEO may be shared by two or more senior employees. However, for longer periods, it is preferable to appoint one employee as Acting CEO to provide stability and consistency, in these circumstances a separate report will be presented to Council for a decision; and
2. Alternatively, Council may wish to temporarily employ a person who is not a current City of Cockburn employee in the position of CEO for a term not exceeding 12 months.

(3) Process

Regardless of the expected period, the Chief Executive Officer's Performance Review and Key Projects Appraisal Committee (CEOPRKPA) will make a recommendation to Council regarding the appointment taking into account:

1. ~~Make a recommendation to Council regarding the Appointment;~~
2. ~~Take into account~~ the "principles affecting employment by local governments", specified in s5.40 of the Local Government Act 1995 (WA) when making its recommendation; ~~and-~~

[1]



Title	Appointment of Acting or Temporary Chief Executive Officer
-------	--



2. Succession planning for the City.

(4) Appointment

The CEO may directly confirm, from the Council approved Acting CEO candidates made in accordance with Clause (1) above, the Acting CEO for periods of absence up to six months (for example, annual leave).

(45) Remuneration

For any period of absence of the CEO of less than three months continuous duration, an Acting CEO is to be paid a cash component salary rate being the lesser of:

1. the mid-point for Level 1 Local Government CEO as determined by the Salaries and Allowances Tribunal at the time of the appointment; or

2. at 90% of the current CEO cash component of salary.

For the temporary employment of a person who is not a current City of Cockburn employee in the position of CEO for a period not exceeding 12 months, the Council will determine a remuneration package payable to the appointed person.

Strategic Link:	<u>Corporate Governance Framework Charter</u>
Category	Governance
Lead Business Unit:	Governance and <u>Risk Strategy</u>
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<u>11 March 2021</u>
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	4134002

[2]

DAP 17/02/2022

Item 12.4

12.4 (2022/MINUTE NO 0015) Elected Member Access to Bar Procedure

- Author** E Milne
Attachments 1. Proposed Amendments to Policy 'Civic Hospitality and Gifts' [↓](#)
 2. NEW - Elected Members Use of Council Bar Procedure [↓](#)

RECOMMENDATION
 That Council:

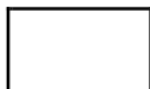
- (1) ACCEPTS the amended Civic Hospitality and Gifts Policy; and
- (2) ACCEPTS the new Elected Members Use of Council Bar Procedure, as attached to the Agenda.

Committee Recommendation
 MOVED Deputy Mayor T Widenbar SECONDED Cr M Separovich
 That Council:

- (1) ADOPTS the Civic Hospitality and Gifts Policy, as attached to the Minutes; and
- (2) ADOPTS the new Elected Members Use of Council Bar Procedure subject to the following amendments:
 1. Point 2.4 to read "Elected Members are expected to refrain from consuming alcohol prior to, or during, any council meeting, electors meeting, committee meeting or elected member briefing session";
 2. Point 4.2 to read "Elected Members will be provided with a key to the bar upon request, consistent with the Elected Member Communications Policy. The Elected member will be required to provide a current Responsible Service of Alcohol (RSA) certificate if they serve alcohol to anybody other than themselves";
 3. Deletes point 4.3;
 4. Point 4.8 to read "An elected member with an RSA and key to the bar must remain present whilst the bar is open, alcohol is being served and members of the public, guests or external parties are present. The Elected Member is responsible for all parties present.";
 5. Amends point 4.9 to read "Consistent with the requirements of the *Liquor Control Act 1988*, the Elected Member, whilst they are responsible for the bar and the service of alcohol to others, must not consume any alcohol.";
 6. Adds a point to Section 4. Procedure to read "Where the bar is accessed by an Elected Member with no members of the public present, and the Elected Member accesses the bar to serve only themselves alcohol, no RSA requirements apply. Once the elected member has consumed alcohol, they cannot serve alcohol to others."; and
 7. Point 4.12 to be amended to include the wording 'Elected Members' lounge'.

CARRIED 4/1

For: Presiding Member C Stone, Deputy Mayor T Widenbar, Cr P Corke, Cr M Separovich
Against: Cr T Dewan



Item 12.4

DAP 17/02/2022

Reason

The Elected Members Access to Bar Procedure was amended by this Committee in November and endorsed in December. This procedure is now before us, proposing to materially change the original decision of Council. The amendments I have submitted in this alternative look to correct this procedure in line with the previous position. I have yet to be given a satisfactory justification as to why we are undertaking continued work on a seemingly simple issue.

Officer Comment

For clarification, the Procedure is to supplement the Policy Amendments made at the December OCM meeting and relate to the operational requirements to give effect to that decision. Importantly, given the high risk associated with alcohol in the workplace, and the fact that current contemporary private and public sector practice is to minimise or even completely prevent alcohol in the workplace, it is essential that the City has in place appropriate protections and procedures to mitigate that risk.

It is also noting the high level of media and public interest to the consumption of alcohol at the City, implementing procedures that apply standards and transparency will provide protection for any reputational impacts to the Council and City as an organisation.

On clause 2.4, whilst this is a matter for Council to determine, it would be difficult to see under what circumstances drinking prior to or during partaking in official Council functions would be deemed acceptable contemporary practice.

The reference to clause 2.5, is an operational matter and reflects a directive already implemented by the CEO, banning alcohol in the workplace outside of a formal function or event. This directive reflects contemporary practice and expectations, and workplace, health and safety obligations. Irrespective of the potential deletion, or otherwise of the that clause, the CEO will maintain the alcohol ban in general and including drinking with Elected Members at City facilities (outside of formal functions and events) consistent with his legal responsibilities under the workplace, health and safety legislation and sole discretionary oversight of all City employees.

Clauses 4.3, 4.4. and 4.5 relate to the requirement for an officer to be present in the building. Elected Members are not employees of the City and have no operational basis to operate in any City facility outside of their functions as an Elected Member. This covers the access and use of the building, in addition to ensuring safety within and around the building whenever members are present onsite.

Background

In the Delegated Authorities and Policies Committee Meeting on 25 November 2021, it was recommended that the "Administration Building Access" policy be amended to clearly define the areas accessible by Elected Members in the Administration building. This was supported at the 10 December 2021, Ordinary Council Meeting.



155 of 165

DAP 17/02/2022

Item 12.4

This amendment proposed to allow access to the bar area by Elected Members and place the onus of responsibility for this access onto the Elected Members through the Model Code of Conduct.

Submission

N/A

Report

In relation to the amendment, 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, 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 in the Inquiry into the City of Cockburn Report undertaken in 2020, specially clause 76 relating to the consumption of alcohol.

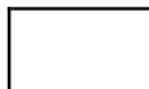
Further, the City has been subject to increasing media scrutiny in relation to expenditure of alcohol.

The Procedure outlines good governance of access to the Mayoral Office, Function Room Bar and Elected Members Lounge by Elected Members and ensures the safety and wellbeing of the Elected Members, City employees and members of the public in attendance, in line with the relevant Workplace Health and Safety legislation

Key points to note:

1. Keys to the bar will be given to Elected Members who request to have access to the bar and can provide evidence of a current Responsible Service of Alcohol (RSA) certificate.
2. An Elected Member with an RSA and key to the bar must remain present while the bar is open, and alcohol is being served and are personally responsible for anyone present.
3. Consistent with the requirements for an RSA holder, this Elected Member must not consume any alcohol.
4. An Elected Member is obligated under law to apply their RSA and refuse the supply of alcohol to anyone who appears intoxicated.
5. The Amenity Officers shall keep a log of the consumption of alcoholic beverages from the Mayoral Office, Function Room Bar and the Elected Members Lounge for stocktake, costing (to the Elected Member entertainment account) and reporting purposes.
6. Additional hours booked for the CAO or Guards will be booked to the Elected Member entertainment account.

156 of 165



377 of 431

Item 12.4

DAP 17/02/2022

Strategic Plans/Policy ImplicationsListening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

A record of all alcohol, food consumed, and any additional staff time required to support the new "Elected Members Access to Bar" procedure will be maintained.

Legal Implications

The service of alcohol must comply with the *Liquor Control Act 1988*. Any reported incidents or breaches of this Act will be subject to investigation and may result in individual fines of up to \$2,000 or personal litigation.

Community Consultation

N/A

Risk Management Implications

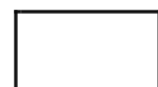
Responsible service of and access to alcohol will minimise reputational and OSH risk.

Advice to Proponent(s)/Submitters

N/A

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

Nil



157 of 165

Title	Civic Hospitality & Gifts
--------------	--------------------------------------



Policy Type

Council

Policy Purpose

This policy provides the authority and guidance for civic hospitality including functions, entertainment and gifts.

Policy Statement

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.

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.

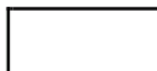
(2) Annual Civic Function:

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 (40th 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;
5. Minister and/or Director General of state government portfolios/Departments, as considered appropriate;

[1]



DAP 17/02/2022

Item 12.4 Attachment 1

Title	Civic Hospitality & Gifts
-------	---------------------------



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.

Should an invited person be unable to attend, an Elected Member shall be notified and given the opportunity to invite a replacement guest.

(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, as per the Elected Members Use of Council Bar Procedures and/or Chief Executive Officer may offer hospitality including refreshments, within the confines of the Function Room, Dining Room and Elected Members area of the Administration Building.

The Chief Executive Officer may also 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 relevant to the City of Cockburn.

[2]

159 of 165

Item 12.4 Attachment 1

DAP 17/02/2022

Title	Civic Hospitality & Gifts
-------	---------------------------



The Mayor and/or Chief Executive Officer may also offer hospitality to recognise a milestone achieved or notable civic act performed by a community member.

(5) Promotional Gifts and Mementos

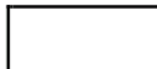
The Mayor and/or Chief Executive Officer may make gifts of promotional items or small items to guests at civic functions or if visiting or attending functions at other organisations whether local, interstate or overseas. Councillors may request such items through the Chief Executive Officer. A budget is to be provided for such items.

Related Legislation and Documents

1. [Liquor Control Act 1988](#)
2. [Consumption of Alcohol in the Workplace Guideline](#)
3. [Elected Members Use of Council Bar Procedure](#)

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)	9 December 2021
Next Review Due: (Governance Purpose Only)	December 2023
ECM Doc Set ID: (Governance Purpose Only)	8030117

[3]





Elected Members Use of Council Bar

1. Purpose

- 1.1. To provide clear procedures to ensure good governance of access to the Mayoral Office, Function Room Bar and Elected Members Lounge by Elected Members and ensure the safety and wellbeing of the Elected Members, City employees and members of the public in attendance, in line with the relevant Workplace Health and Safety legislation

2. Scope

- 2.1. To provide Elected Members with access to the Mayoral Office, Function Room Bar and the Elected Members Lounge while ensuring the safe service of alcohol, minimising risk to property and persons while maintaining the security of the Administration Building.
- 2.2. Elected Members and City staff are expected to set a standard and show responsible attitudes to alcohol to prevent the risk of inappropriate or unsafe behaviour that can occur when alcohol is consumed.
- 2.3. Elected Members are required to be aware of the risk of reputational damage to the City when members of the public are present, and alcohol is consumed.
- 2.4. Elected Members will refrain from drinking alcohol prior to, or during, any Council Meeting, Electors Meeting, Committee meeting or Elected Member Briefing Session.
- 2.5. All City employees are strictly prohibited from having any alcohol at a City workplace, unless as part of a CEO approved function or event.

3. Information

- 3.1. The Council bar is stocked with a range of alcoholic beverages and soft drinks for use at approved Civic and Administration events.
- 3.2. Access to the Function Room Bar is not permitted if there is a pre-existing commitment or use of the facility either for City operational purposes or for any function or event.
- 3.3. Except for the Mayor, Elected Members have restricted access to the Administration Building.

Item 12.4 Attachment 2

DAP 17/02/2022



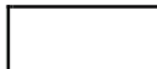
City of Cockburn Procedure

4. Procedure

- 4.1. Elected Members access cards are restricted to Function Room, Dining Room, Chambers, Committee Rooms, Function Room Bar area, Elected Members Lounge, Elected Members office and the Mayoral Office reception area.
- 4.2. Keys to the bar will be given to Elected Members who request to have access to the bar and can provide evidence of a current Responsible Service of Alcohol (RSA) certificate.
- 4.3. Elected Members must request the key through the Civic Services Coordinator (CSC).
- 4.4. A Civic Administration Officer (CAO) must be always present within the building any bar is accessed and alcohol is served.
- 4.5. The CAO is not responsible for serving alcohol or food.
- 4.6. If any facility is accessed, with or without members of the public, outside of normal office hours or outside of the completion of a meeting or event, there must be a City guard on duty until such time as all people have left the building and the premises (including the car park).
- 4.7. Additional costs may be incurred by the City if a guard, or CAO, is on duty whilst the bar is open. Security guard shifts include 4 hours of guard attendance and additional costs are incurred after 4 hours. Such costs will be recorded pursuant to point 6.2.
- 4.8. An Elected Member with an RSA and key to the bar must remain present while the bar is open, and alcohol is being served and are personally responsible for anyone present.
- 4.9. Consistent with the requirements for an RSA holder, this Elected Member must not consume any alcohol.
- 4.10. An Elected Member is obligated under law to apply their RSA and refuse the supply of alcohol to anyone who appears intoxicated.
- 4.11. Elected Members must leave all empty bottles and cans in the bar area for stocktake by the CAO the next business day.
- 4.12. At no time shall bottles or cans of alcoholic beverages be taken from the bar, or the adjoining dining or function rooms at the Administration Building, whether unopened, partially consumed, or empty.
- 4.13. An Elected Member with an RSA and key to the bar, must ensure the bar is locked prior to leaving.

Page 2

162 of 165



383 of 431





- 4.14. The CAO is required to log the date and quantity of liquor consumed each time alcohol is served from the Council Bar.

5. Compliance, Monitoring and Review

- 5.1. The service of alcohol must comply with the *Liquor Control Act 1988 (the Act)*. *The Act* states that consuming alcohol on an unlicensed premise requires consent by the owner or group in control of those premises. The Act also states that free water must be supplied where alcohol is provided.
- 5.2. When required, security vision from CCTV cameras located in the Administration Building's function or dining rooms may be viewed.
- 5.3. Any reported incidents or breaches of *the Act* will be subject to investigation and may result in individual fines of up to \$2,000 or personal litigation.

6. Records Management

- 6.1. The Amenity Officers shall keep a log of the consumption of alcoholic beverages from the Mayoral Office, Function Room Bar and the Elected Members Lounge for stocktake, costing (to the Elected Member entertainment account) and reporting purposes.
- 6.2. Additional hours booked for the CAO or Guards will be booked to the Elected Member entertainment account.

7. Related Legislation and Documents

- *Liquor Control Act 1988*
- *Occupational Safety and Health Act 1984 and other relevant Workplace Health and Safety legislation*
- *Local Government Act 1995*
- Civic Hospitality and Gifts Policy
- Administration Building Access Policy
- Consumption of Alcohol in the Workplace Guideline

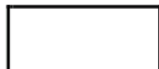


City of Cockburn Procedure

8. Approval and Review Details

Approval and Review	Details
Approval Authority	Executive Governance and Strategy
Approval By	Governance and Strategy
Procedure Owner Unit	Civic Services
Originator (TITLE)	NEW
Next Review Date	

Approval and Amendment History	Details
Original Approval Date	
Amendment Date	
Notes	



DAP 17/02/2022

13. Corporate Affairs

Nil

14. Office of the CEO

Nil

15. Motions of Which Previous Notice Has Been Given

Nil

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

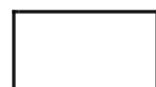
Nil

19. Confidential Business

Nil

20. Closure of Meeting

The meeting closed at 7.25pm.



165 of 165



(2022/MINUTE NO 0047) Order of Business - Consideration of Item 18.2**Council Decision**

MOVED Cr M Separovich SECONDED C Stone

That Item 18.2 'Appointment of Standing Committees' be considered following consideration of Item 25.2.

CARRIED UNANIMOUSLY 9/0

Item 18.2 was considered after Item 25.2 at 9.39pm

18.2 (2022/MINUTE NO 0048) Appointment to Standing Committees

Author E Milne

Attachments

1. Extract Committee Appointments Policy [↓](#)
2. Draft Terms of Reference - OP Co [↓](#)
3. Draft Terms of Reference - GOV Co [↓](#)
4. Draft Terms of Reference - ERC [↓](#)
5. Draft Terms of Reference - ARC [↓](#)

RECOMMENDATION

That Council, pursuant to Section 5.10 (1) of the Act:

- (1) DISBANDS the following Committees:
 - a. Audit and Strategic Finance Committee
 - b. Chief Executive Officer Performance Review and Key Projects Appraisal Committee
 - c. Cockburn Community Events Committee
 - d. Delegated Authorities and Policies Committee
 - e. Grants and Donations Committee
- (2) ESTABLISHES the following Committees:
 - a. Audit, Risk and Compliance Committee (ARC)
 - b. Organisational Performance Committee (OpCo)
 - c. Governance Committee (GovCo)
 - d. Expenditure Review Committee (ERC)
- (3) ADOPTS the Terms of Reference (ToR) for each of the new Committees as per the attached Schedule;
- (4) APPOINTS the following Members to each of the Committees established by Council:
 1. Audit Risk and Compliance Committee (ARC):



(Minimum of four Elected Members)

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____

2. Organisational Performance Committee (OP Co):
(Minimum of four Elected Members)

- i. Mayor Howlett
- ii. _____
- iii. _____
- iv. _____
- v. _____

3. Governance Committee (Gov Co):
(Minimum of four Elected Members)

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____

4. Expenditure Review Committee (ERC):
(Minimum of four Elected Members)

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Council Decision
 MOVED Cr C Stone SECONDED Deputy Mayor T Widenbar
 That , pursuant to Section 5.10 (1) of the Act:

(1) DISBANDS the following Committees:

- a. Audit and Strategic Finance Committee
- b. Chief Executive Officer Performance Review and Key Projects Appraisal Committee
- c. Cockburn Community Events Committee
- d. Delegated Authorities and Policies Committee
- e. Grants and Donations Committee;

(2) ESTABLISHES the following Committees:

- a. Audit, Risk and Compliance Committee (ARC)
- b. Organisational Performance Committee (OpCo)
- c. Governance Committee (GovCo)



d. Expenditure Review Committee (ERC);

- (3) ADOPTS the Terms of Reference (ToR) for each of the new Committees as per the attached Schedule but NOTES the requirement for the review of each ToR at the next Committee meeting;
- (4) REFERS the Terms of Reference from the former Grants and Donations and the Community Events Committees to the Expenditure Review Committee for review of their Terms of Reference to ensure continuity of the roles under each former committee;
- (5) AMENDS the Corporate Strategic Budget and Planning Policy section (1) 4 to reflect the functions of the Grants and Donations Committee, and section (1) 5 to reflect the Community Events Committee functions are both now implemented by the Expenditure Review committee; and
- (6) APPOINTS the following Members to each of the Committees established by Council:
 1. Audit Risk and Compliance Committee (ARC):
(Minimum of four Elected Members)
 - i. Glyn Geen, Independent Member
 - ii. Mayor Howlett
 - iii. Deputy Mayor Widenbar
 - iv. Cr Allen
 - v. Cr Dewan
 2. Organisational Performance Committee (OP Co):
(Minimum of four Elected Members)
 - i. Mayor Howlett
 - ii. Cr Corke
 - iii. Cr Dewan
 - iv. Cr Eva
 - v. Cr Separovich
 - vi. Cr Stone
 3. Governance Committee (Gov Co):
(Minimum of four Elected Members)
 - i. Deputy Mayor Widenbar
 - ii. Cr Corke
 - iii. Cr Eva
 - iv. Cr Kirkwood
 - v. Cr Separovich
 - vi. Cr Stone
 4. Expenditure Review Committee (ERC):
(Minimum of four Elected Members)
 - i. Deputy Mayor Widenbar
 - ii. Cr Corke

- iii. Cr Dewan
- iv. Cr Separovich
- v. Cr Stone.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Reason for Decision

To deal with the Appointment to Standing Committees as per the Order of Business and remove the title of Councillor to be replaced with Elected Member.

The Governance Review Steering Committee held on 23 February 2022 included points 4 and 5 (of this recommendation) in the first Alternate Recommendation which was lost on voting. These recommendations were then not included in any further recommendations of the meeting.

Background

At the inaugural meeting of the City's Governance Review Steering Committee (GRSC), recommendations were made relating to the Governance Review Report (the Cole Report) prepared by Steven Cole, of Cole Corporate, and subsequently adopted by Council at its December 2021 Ordinary Council Meeting.

The decision was to group the Cole Report recommendations into similar themes which could then be considered at separate GRSC meetings prior to being presented for Council consideration shortly thereafter.

Theme 2 - "Council Committees" was considered at the GRSC Meeting held on 23 February 2022.

The Cole Report recommended that Council review the structure, terms of reference and composition of each of its standing/core Council Committees having due regard to improvement opportunities for core content and functions, meeting frequency, core competencies of Council members, equity of workload and presiding member capabilities.

At the 23 February 2022 GRSC Meeting, the following Motion was passed:

That Council REFERS the appointment of membership to all Committees (listed below) to the 10 March Ordinary Council Meeting.

1. Audit, Risk and Compliance (ARC) Committee
2. Governance Committee (Gov Co)
3. Organisational Performance Committee (OP Co)
4. Expenditure Review Committee (ERC).



Submission

N/A

Report

A key part of the GRSC Meeting conducted on the 23 February 2022 was to disband all currently established Standing Committees and to establish four new Committees, to assist the Council undertake the functions of the current five Committees and to include other functions, as relevant to each of the new Committees.

The Draft Terms of Reference (TOR) (attached) for each of the proposed new Committees were also presented to the GRSC Meeting of 23 February 2022, which recommended that the relevant Committees review the proposed TORs at the inaugural meeting held for each.

Accordingly, the TORs, once reviewed by each new Committee, will be referred to Council for final adoption as part of the initial meeting minutes for each new Committee.

The next requirement to enable the Committees to function is to appoint membership to each of the Committees.

The GRSC recommends a minimum of four (4) elected members be appointed to each Committee.

The procedure for lodging nominations is contained within the relevant City Policy "Elected Members Appointments".

An extract of the applicable Clause of the Policy is shown in the attachment for the guidance of members wishing to nominate as a member (or deputy member) of any Committee.

Council will subsequently consider the nominations received from elected members in accordance with the Policy at the appropriate point of the Meeting.

Strategic Plans/Policy ImplicationsListening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

Policy "Elected Member Appointments – Standing Committees, Reference Groups, Boards & External Organisations" refers.



Budget/Financial Implications

N/A

Legal Implications

Sections 5.10 and 5.11A of the *Local Government Act 1995* refer in relation to the appointment of members to Committees established by Council.

Community Consultation

N/A

Risk Management Implications

There is a “Low” level of assessed “Compliance” risk associated with this item, as all appointments for membership of formally established Committees are required to be resolved by an absolute majority at a Council Meeting.

Advice to Proponent(s)/Submitters

N/A

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

Nil



Title	Elected Members Appointments – Standing Committees, Reference Groups, Boards & External Organisations
--------------	--



Policy Type

Council

Policy Purpose

This policy is to provide the guidance for Council to establish Standing Committees, Reference Groups and to appoint delegates to external committees/groups. It outlines the membership and requirements of such groups. Additionally it covers the broad principles around participation in external committees/groups.

Policy Statement

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

For all appointments, the Chief Executive Officer, or another officer allocated by the CEO for this purpose, is to seek expressions of interest from Elected Members. In seeking expressions of interest, the Chief Executive Officer is to provide as much information as possible, including frequency / timing of meetings and whether remuneration to members is applicable. The following process for nominations and appointments is to be applied:

(1) Standing Committees

The Local Government Act 1995, Section 5.8, states that a local government may establish committees to assist the Council and exercise the powers and discharge the duties of the local government that can be delegated to committees. Section 5 of the Act refers.

Elected Member appointments will be considered at the first Ordinary Council Meeting following the elections, unless there is a time imposed requirement for any related Committee Meeting to be held prior, in order to facilitate the business of that Committee. In those circumstances, a Special Meeting of Council will consider the appointment of members to the Committee/s.

The Terms of Reference (TOR) for each Standing Committee will be provided to all elected members with the relevant Agenda for the Meeting at which the appointments are to be considered.

Elected Members wishing to be considered for membership of any Standing Committee are to nominate their intent to the CEO, or another officer nominated by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made. It is allowable for Elected Members to nominate as either a Member, or Deputy Member, of a Committee

[1]

Document Set ID: 8232349
Version: 4, Version Date: 18/06/2021



Title	Elected Members Appointments – Standing Committees, Reference Groups, Boards & External Organisations
--------------	--



PROCEDURE

Nominations from Elected Members for appointment to any Standing Committees will be administratively recorded to verify the time each nomination is received by the City.

At 10.00am on the day of the Council Meeting at which the appointments are to be considered, the CEO will ensure that all nominations from Elected Members are documented in the order which they were received.

At the point of the Meeting where nominations are to be considered, the Presiding Member will advise the Meeting of the name/s of the Elected Member/s and, if necessary, order the nominations for each Committee to be considered and put in the form of several motions, pursuant to Standing Orders Clause 10.5.

The sequence of the motions will be put in the order that they were received from each Elected Member and will be voted upon until each nomination is considered, or withdrawn.

(2) Reference Groups

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

A Terms of Reference is to be established for each group. The Terms of Reference is to include:

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

Elected Member appointments to Reference Groups will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to a Reference Group and whose tenure remains unaffected by the election cycle will be automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a member of the Reference Group, until the next ordinary elections are held.

Any other Elected Member wishing to be considered for membership of any Reference Group is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

[2]

ORGANISATIONAL PERFORMANCE COMMITTEE (OP Co)**TERMS OF REFERENCE****1 Background**

- 1.1 The Organisational Performance Committee is a formally appointed Committee of Council.
- 1.2 Section 5.38 of the Local Government Act 1995 (The Act) and Regulation 18D of the Local Government (Administration) Regulations 1996 (The Regulations) require that the local government (Council) undertake a review of the performance of the Chief Executive Officer (CEO) on at least an annual basis.
- 1.3 Section 5.56 of the Act and Regulation 19C of the Regulations require that the local government (Council) must adopt and apply strategic performance indicators as a measure of its organisational planning framework
- 1.4 Sections 5.42, 5.43 and 5.44 provides Council with the power to delegate some of its functions and powers to the CEO and for the CEO to sub delegate some functions and powers to other officers

2 Objectives and Duties

- 2.1 The OP Co is responsible for recommending the Key Performance Indicators (KPIs) related to the CEO role and for monitoring the progress of achieving the KPIs. In determining the extent and ongoing status of the KPIs, the Committee may resource the assistance of external expertise to monitor and make recommendations to the Committee on the performance of the CEO.
- 2.2 The Op Co will also assist in setting and monitoring Strategic KPIs for measuring Organisational Performance.
- 2.3 The OP Co will also assist the CEO in recommending a Succession Planning Framework for the roles of CEO and the seven (7) Executive Officers
- 2.4 The OP Co will also be responsible for overseeing the regular (at least annual) review of the delegations of functions and power to the CEO.
- 2.5 The OP Co will be responsible for recommending the endorsement and oversight of the City's Remuneration Policy in relation to the CEO, Executive, Senior Leadership Team and the Enterprise Agreement principles.

3 Membership

~~3.1~~ The OP Co will comprise of a minimum of four Elected Members, who shall be appointed by Council~~the Mayor and four (4) councillors who shall be appointed by Council.~~

3.1

3.2 City staff, under the direction of the CEO, shall provide secretarial and administrative support to the Committee

4 Meetings

4.1 The Committee shall meet five (5) times each year, on the third Thursday in February, April, June, August and October and on other occasions as may be required to consider the functions of the Committee.

~~4.2 The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the other 3 Committees as determined in advance by the City for the calendar year.~~

~~4.2 The Committee shall be held between 5:00pm and 7:00pm and followed by dinner.~~

~~4.3 The Committee may continue past 7:00pm, following an adjournment for dinner, if the business of the Committee is not finished, but not continuing beyond 9:00pm.~~

4.4.3 Any external Consultant or officer of the City of Cockburn may be invited to attend any Meeting of the Committee to address a particular item of business on the Agenda

4.5.4 The CEO and / or any City Officers in attendance at the Committee Meetings may be required to leave the Meeting upon a motion to that effect being carried at the Meeting. In addition, the CEO and any officer in attendance will be required to declare a Financial Interest in any item to be considered at the Committee Meeting which impacts on their Employment Contract

5 Delegation

5.1 Nil

6 Reporting

6.1 The Committee shall ensure that the Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered.

6.2 The Report to Council accompanying the Minutes shall provide a summary of the matters considered at the relevant Committee meeting.

GOVERNANCE COMMITTEE (Gov Co)**TERMS OF REFERENCE****1 Background**

- 1.1 The Governance Committee (Gov Co) is a formally appointed Committee of Council
- 1.2 Section 2.7 (2) (b) of the Local Government Act 1995 (The Act) stipulates that it is the role of the Council to “determine the local government’s policies”.
- 1.3 Section 3.11 of the Act provides for the making of Local Laws under the Act and other Acts of State Parliament, as well as the procedures for doing so
- 1.4 Section 5.56 of the Act and Regulation 19DA of the Local Government (Administration) Regulations 1996 requires Council to develop a Corporate Business Plan, consistent with the priorities set out in its Strategic Community Plan, for the organisational operations related to asset management, workforce planning and long term financial planning.

2 Objectives and Duties

- 2.1 The Gov Co will be responsible for the regular and timely review of the Council Policy documents. This includes the consideration of new Policy statements, as appropriate, but does not incorporate Policies of an Administrative nature, which are the responsibility of the Chief Executive Officer (CEO) to consider and authorise.
- 2.2 The Gov Co will be responsible for overseeing the development and review of Local Laws for consideration by Council.
- 2.3 The Gov Co will be responsible for the review of the Corporate Business Plan and associated Key Performance Indicators and subsequent recommendations to Council
- 2.4 The Gov Co will review nominations of Council delegates for appointment to Reference Groups and other external organisations and make recommendations to Council

3 Membership

- ~~3.1~~ The Gov Co will comprise of a minimum of four Elected Members, who shall be appointed by Council. ~~five (5) elected members who shall be appointed by Council.~~
- 3.1
- 3.2 The CEO, Executive and administrative staff, under the direction of the CEO, shall attend each Meeting the Committee to provide the necessary advisory, administrative and secretarial support to the Committee

4 Meetings

4.1 The Gov Co shall meet five (5) times each year, on the third Thursday in February, April, June, August and October and on any other occasions as may be required to undertake the functions of the Committee.

~~4.2 The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the other 3 Committees as determined in advance by the City for the calendar year.~~

~~4.2 The Committee shall be held between 5:00pm and 7:00pm and followed by dinner.~~

~~4.3 The Committee may continue past 7:00pm, following an adjournment for dinner, if the business of the Committee is not finished, but not continuing beyond 9:00pm.~~

4.4.3 Any external Consultant or other officer of the Council may be invited to attend any Meeting of the Committee to address any specific item of business on the Agenda

5 **Delegation**

5.1 Nil

6 **Reporting**

6.1 The Committee shall ensure that the Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered.

6.2 The Report to Council accompanying the Minutes shall provide a summary of the matters considered at the Committee meeting and any relevant clarifying commentary

EXPENDITURE REVIEW COMMITTEE (ERC)**TERMS OF REFERENCE****1. Background**

- 1.1 The Expenditure Review Committee (ERC) is a formally appointed Committee of Council
- 1.2 The ERC will review each Service Level Plan produced for all Business and Service Units established in accordance with the City's adopted organisation structure to ensure the need, standards, resourcing and benchmarking for each Plan is warranted
- 1.3 Section 6.8 of the Local Government Act 1995 stipulates the requirements for authorising expenditure proposals to be incurred in addition to the adopted Budget
- 1.4 Council Policy "Budget and Business Planning" states that "*Provisional allocation for Grants and Donations is to up to a maximum of 2.0% of Rates Revenue (excluding waste management and community surveillance Service Charges and Interim Rates). Council established Committee to make recommendations regarding individual Grants, Donations and Sponsorships*".

2. Objectives and Duties

- 2.1 The ERC will review each Service Level Plan produced for all Units established in accordance with the City's adopted organisation Structure to ensure that each Plan contains sufficient information related to need, standards, resourcing and benchmarking.
- 2.2 The ERC will assess all expenditure proposals not otherwise allocated in the City's adopted annual budget and make recommendations to Council on whether the proposals should be accepted.
- 2.3 The ERC will monitor the expenditure of funds from the annual allocation of funds to the Grants, Donations and Sponsorship Budget
- 2.4 The ERC will be responsible for reviewing the Community Funding Guidelines and recommending any proposed amendments, as considered appropriate.

3. Membership

- 3.1 The ERC will comprise of ~~five (5) councillors who shall be appointed by Council.~~ a minimum of four Elected Members, who shall be appointed by Council.
- 3.2 Relevant City staff shall attend each Meeting of the Committee to provide the necessary advisory, administrative and secretarial support to the Committee

4. Meetings

- 4.1 The Committee shall meet five (5) times each year, on the third Thursday in March, May, July, September and November and may meet on other

occasions to consider any urgent matters related to the functions of the Committee.

~~4.14.2 The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the other 3 Committees as determined in advance by the City for the calendar year.~~

~~4.2 The Committee shall be held between 5:00pm and 7:00pm and followed by dinner.~~

~~4.3 The Committee may continue past 7:00pm, following an adjournment for dinner, if the business of the Committee is not finished, but not continuing beyond 9:00pm.~~

5. Delegation

5.1 Nil

6. Reporting

5.1 The Committee shall ensure that that Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered.

5.2 The Report to Council accompanying the Minutes shall provide a summary of the matters considered at the Committee meeting and any relevant clarifying commentary

AUDIT, RISK AND COMPLIANCE (ARC) COMMITTEE

TERMS OF REFERENCE

1. Background

- 1.1 The Audit, Risk and Compliance (ARC) Committee is a formally appointed Committee of Council.
- 1.2 The ARC does not have executive powers or authority to implement actions in areas over which the administration (management) has responsibility and remains independent of the administration.

2. Objectives and Duties

- 2.1 As part of the Council's obligations, the ARC facilitates:
 - i. External financial audit reporting
 - ii. The examination of an Annual Financial Audit Report received and follow up of any matters raised in the Report and subsequent management letter, to ensure appropriate action is taken in respect of those matters
 - iii. Vetting and responding to Office of the Auditor General (OAG) Local Government performance audits, whether the City is directly involved or not
 - iv. Compliance with the Council functions under Part 6 of the Local government act 1995 (the Act) in relation to the City's financial management
 - v. Compliance with the Council functions under Part 7 of the Act in relation to Audit requirements
 - vi. An appropriate internal audit program endorsed by Council
 - vii. The review of the CEO's Report provided under:
 - a. Regulation 17 (3) of the Local Government (Audit) regulations 1996, and
 - b. Regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996
 - viii. Compliance with Regulation 17 of the Local Government (Audit) Regulations 1996 in relation to –
 - a. Risk management
 - b. Internal control and
 - c. Legislative compliance
 and to review the appropriateness and effectiveness of the systems and procedures in relation to these matters on a triennial basis every three (3) financial years
 - ix. Effective communication between the external auditor, internal auditor, administration (management) and the Council
 - x. Effective management of financial and other risks to the City through a comprehensive risk management framework,
 - xi. The protection of City assets, and

- xii. Review of the annual Compliance Audit Return required under Regulation 14 of the Local government (Audit) Regulations 1996

2.2 The ARC performs any other function conferred on it by the Act, Regulations, or any other written law.

3. Membership

- 3.1 The Committee will comprise of ~~a minimum of four Elected Members, who shall be appointed by Council the five (5) elected members~~ and one (1) independent appropriately qualified appointed member
- 3.2 The CEO and the officers responsible for the external and internal audit functions, risk management and legislative compliance will attend meetings to advise and provide information, as required.
- 3.3 Other City officers shall attend as required to provide administrative and secretarial support
- 3.4 Representatives of the OAG and the contracted external and internal auditor shall be invited to attend the meetings as appropriate but must attend the meetings where the draft annual financial report and results of the external audit are to be considered.

4. Meetings

- 4.1 The Committee shall meet on the third Thursday in March, May, July, September, and November and on any other occasion necessitating the consideration of any function of the Committee.
- ~~4.2 The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the other 3 Committees as determined in advance by the City for the calendar year.~~
- ~~4.2 The Committee shall be held between 5:00pm and 7:00pm and followed by dinner.~~
- ~~4.3 The Committee may continue past 7:00pm, following an adjournment for dinner, if the business of the Committee is not finished, but not continuing beyond 9:00pm.~~
- 4.4.3 An Audit Committee Calendar will be produced as guidance for the matters to be included on each regular meeting agenda and will be arranged to coincide with legislative timeframes where necessary

5. Delegation

- 5.1 The ARC will be delegated the authority to meet with the appointed external auditor, as required by section 7.12A of the Act.

6. Reporting

|

- 6.1 The Committee shall ensure the preparation of meeting minutes to be forwarded to the next practicable ordinary Council Meeting for consideration by Council.
- 6.2 The accompanying officer report will include all specific recommendations and a summary of the items considered at the relevant Committee meeting.

DRAFT



18.3 (2022/MINUTE NO 0049) Neighbourhood Watch Reference Group - Nomination

Author E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the nomination by Cr Kirkwood for membership to the Neighbourhood Watch Reference Group (NHW); and
- (2) APPOINTS Cr Kirkwood as a member of NHW in line with the Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

The following nomination was received from Cr Kirkwood on 28 February 2022.

I would like to nominate for the Neighbourhood Watch Group as an Elected Member.

Reason

I am already a Neighbourhood Watch Member as a community member, and I would like to re-join the group as an Elected Member following my leave of absence.

Submission

N/A

Report

Cr Kirkwood took a leave of absence as the Standing Committees, Reference Groups, Boards & External Organisations appointments were being made post Council election in 2021.

In line with the Policy 'Elected Members Appointment – Standing Committees, Reference Groups, Boards and External Organisations', appointments and



membership changes can be made to Reference Groups outside of the biennial post Council election appointments.

Currently the Council is represented by Cr Dewan and Cr Stone, although Cr Stone has taken a leave of absence.

It is open for the Council to support this request.

Strategic Plans/Policy Implications

Community, Lifestyle & Security

A vibrant healthy, safe, inclusive and connected community.

- A safe and healthy community that is socially connected.

Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

N/A

Advice to Proponent(s)/Submitters

The Proponent who lodged a submission on the proposal have been advised that this matter is to be considered at the 10 March 2022 Ordinary Council Meeting.

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

N/A



19. Corporate Affairs

Nil

20. Office of the CEO

Nil



Note: Item 21.1 was considered after Item 25.2 and Item 18.2 at 9.47pm.

21. Motions of Which Previous Notice Has Been Given

21.1 (2022/MINUTE NO 0050) Elected Member Leave of Absence

Author E Milne

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTES the Notice of Motion submitted by Cr Dewan; and
- (2) REFERS the relevant Policy "Elected Members' Leave of Absence" to the Governance Committee of the implications of imposing the conditions, as recommended in the Notice of Motion, on future applications for Leave of Absence by Elected Members.

Council Decision

MOVED Cr L Kirkwood SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED 8/1

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

Against: Cr K Allen

Background

The following Notice of Motion was submitted by Cr Dewan, via email, on 8 February 2022 and amended on 23 February 2022:

That Council:

1. Notes that Under the *Local Government Act 1995*, Elected Members have a right to avail leave subject to Council Approval. The absence of an Elected Member from any ward impacts the serviceability to the residents of the ward (reasons for absence could be genuine and compassionate).
2. Notes that the absence of Elected Members also prevents an additional resource for debates and decision making in Council meetings and other groups.
3. Agrees on a ceiling on the leave period for Elected Members to be 60 days maximum per block of two years, except for maternity or paternity leave, which can be for 90 days subject to Council approval.



4. Agrees application for leave must be given to Elected Members at least four weeks in advance, with the background of previous leave availed by the Elected Member.
5. Agrees that in a block of two years, a maximum of 60 days leave may be permitted to Elected members, subject to Council approval.
6. Agrees that allowances be suspended for the duration of the leave exceeding 30 days per calendar year, except during maternity leave and paternity leave (maximum of 90 days), when all allowances are payable.

Reason

The typical number of residents in any ward is around approximately 30,000. The residents not only feel a sense of neglect but also disappointment on long absence.

The absence also puts an additional load on the remaining Elected Members for the Ward.

The debates cannot get the benefit of inputs from the absent Elected Member in the Council and other meetings.

As every Elected Member has greater understanding of their respective ward's residents and concerns as compared to the other Elected Member's from other wards.

Submission

N/A

Report

This matter was also raised at the Annual Electors Meeting on 1 February 2022 as a Motion and was passed at the Meeting.

Given that Motions passed at Electors Meetings are required to be considered by Council, a separate Report on this matter has been prepared and considered earlier at this Meeting.

It is recommended that the relevant Policy "Elected Members Leave of Absence" be referred to the DAP Committee for review of the proposals as submitted by Cr Dewan, in addition to considering the statutory implications of adopting the Motion.

Legal advice on the matter has been received and should also be referred to the Committee as part of Council's consideration.



Strategic Plans/Policy ImplicationsListening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

Funding is made available in the City's adopted Municipal Budget for Meeting allowances to be paid for the 2021/22 Financial Year of the Annual "in lieu" amount for all Elected Members.

Legal Implications

Sections 2.25 (1) and (2), 5.98, 5.98A of the *Local Government Act 1995* and Section 7B of the *Salaries and Allowances Act 1975* refer

Community Consultation

N/A

Risk Management Implications

There is a "Moderate" level of assessed "Brand / Reputation" Risk associated with this item, given that the issue has been recently the subject of print media reporting and public concern.

Advice to Proponent(s)/Submitters

N/A

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

Nil



21.2 (2022/MINUTE NO 0051) Coogee Beach Parking

Author E Milne and G Bowman

Attachments 1. Proposed Parking Layout (South) [↓](#)
2. Proposed Parking Layout (North) [↓](#)

RECOMMENDATION

That Council:

- (1) RECEIVES the report;
- (2) APPROVES all regulatory signage and line markings within the attached parking layout designs; and
- (3) NOTES that any resolution reached by Council will commence from the date the decision is made, not the commencement of the calendar year.

Council Decision

MOVED Cr K Allen SECONDED Cr T Dewan

That Council:

- (1) RECEIVES the report;
- (2) APPROVES all regulatory signage and line markings within the attached parking layout designs;
- (3) APPROVES those motorcycle infringements issued post 1 January 2022 up to the date of implementation of the changes approved in this resolution, in contravention to the Parking and Parking Facilities Local Laws 2007, to be written off and refunded to those who have paid the amounts imposed;
- (4) AMENDS the 2021/2022 Municipal budget to reflect reimbursement repaid up to \$200 to affected parties with funds to come from Parking Infringement Revenue; and
- (5) AMENDS the Parking and Parking Facilities Local Law 2007 to reflect that the marked bus bays be made available during school holidays.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Reason

People have been doing the right thing with their motorcycles by not parking in vehicle bays and taking up bays that have been allocated to vehicles.

The City doesn't provide parking for motorcycles.

The bus bays will be heavily utilised during the school holidays, especially during summer holidays, where parking is required and therefore should be clearly marked for such use.



Background

Cr Allen submitted the following Notice of Motion on 10 February 2022:

That Council:

- (1) Create motorbike parking at Coogee Beach,
- (2) Amend bus parking only times to, school days only up to midday,
- (3) Backdate commencement to 1st January 2022.

Reason

The City is increasing in size yet parking at Coogee Beach is being reduced. During peak times, summer and very hot days, parking is at a premium. On the very hot days, parking is full by 7.30am.

Officers created bus parking at the end of 2021 that has further created parking issues. Parking in this bay should be allowed on weekends and out of school times.

Officers have issued tickets to motorbike riders who have done the right and thoughtful thing on these hot days by parking on the verge to allow vehicles to park rather than one bike taking up a vehicle bay as Coogee Beach doesn't have parking bays for bikes.

Submission

N/A

Report

Strategic Context

There are pressures on the coastal zones of the state for land use and development for a variety of purposes including a mix of recreational, residential, industrial, and commercial uses.

To provide guidance on these matters, the state government sets out policy and guidelines known as *State Planning Policy 2.6 Coastal Planning* (SPP2.6).

In terms of some key aspects impacting local governments, SPP2.6 provides:

- Obligations when undertaking its planning functions and land custodian roles
- A hierarchy of coastal nodes (where differing levels of management or uses would apply)
- The need to sustainably balance the use of the coast and provision of infrastructure with respect for natural processes, including sea level rise and foreshore change over time.



To respond to some of the obligations of SPP2.6, the Council adopted the *Coogee Beach Foreshore Management Plan (FMP)* in 2020.

The FMP aims to guide management of the coastal reserve over the coming 50 years to 2070, in a manner that ensures the preservation of ecological, cultural and social values of the area, whilst enabling use of the foreshore in a sustainable manner in the short to medium term.

The FMP however is not a master planning document. Planning for capital works and redevelopment of the foreshore should be undertaken separately but should be consistent with and guided by the recommended actions and controls specified within this report.

Part of the implementation phases recommended in the FMP is a review of the previous 2018 landscape masterplan, building upon that earlier work.

The primary trigger for this review relates to potential change in tenure of the former rail reserve land (east of the Coogee Beach caravan park) and the need to upgrade Cockburn Road, to improve pedestrian and vehicle access in the area.

There has also been a number of critical changes in recent years which warrant this broader strategic master planning being undertaken for the Coogee Beach precinct.

This will ensure that the various projects which comprise the precinct all work together toward a cohesive vision for Coogee Beach, while responding to the needs to plan and respect coastal planning processes and enhance the both the user experience and ensure the implementation phasing of the key aspects of the vision occur in a structured and logical way.

In line with this, a new project to update the Coogee Beach Management Plan will be proposed as part of the next budget review process.

Local Area Traffic Management (LATM) policy assessment

Traffic requests are reviewed and prioritised according to the above policy and where reviewed the assessment applies for a number of years (unless there is a critical change in that period). The request was last assessed 14 months ago.

The outcome of the initial Traffic Management Warrant analysis resulted in the following finding: *“A site with low safety and amenity concerns - no further action required”*.

Given this, the warrants for immediate installation of any additional parking bays are not met under the adopted policy.

To provide for additional bays would be outside the policy guidance and therefore should be based on a Council decision.



The current markings for the bus bays are to accommodate buses who are accessing the area.

There are currently no bus parking areas at Poore Grove, Coogee Beach or Omeo Beach.

The area is currently being used by buses and commercial vehicles but lacks any marking of bays.

The request was considered with regard to traffic safety and approved 18 May 2021.

Operational context

As a result of the motion, the City has prepared a draft parking redesign plan incorporating four new motorcycle bays and amending the existing bus bay location.

The draft design continues to utilise the two-way traffic flow, given conversion to a one-way arrangement would require a more significant redesign in order to comply with applicable Australian Standards.

This type of option would need to be a recommendation following the review of the Coogee Beach Masterplan.

The amended bus bay will allow for a dedicated bus zone (seven days per week) and an additional space for two buses between Monday and Friday.

On the weekends, the two additional bus bays would by default revert to parallel car parking, capable of parking four vehicles.

The remaining dedicated bus bay would continue to be available seven days per week.

The City recommends that the amended bus bays do not change usage at midday as it may inadvertently conflict with buses staying after 12pm.

As a result of this, the buses would be committing an offence as per the *Parking and Parking Facilities Local Law 2007* for parking over multiple parking bays within a parking station.

In addition to the amended parking plan, the draft parking redesign plan has incorporated all regulatory signage within the Coogee Beach Parking Station.

Many of these signs have been previously installed per officer delegation, which is non-conforming to the amended *Parking and Parking Facilities Local Law 2007*.

Accordingly, Council's approval of these changes should incorporate the wider area's regulatory signs.



Backdating approval to 1 January 2022

Since 1 January 2022, the City's officers have infringed 26 vehicles for parking within the bus bay, and two motorcycles for parking on verges, footpaths, or other non-parking areas.

The total value of the infringements equates to \$2,600 in revenue.

All incidents occurred in well signposted areas with very clear delineating line marking in place.

Whilst not recommended for any potential precedence that may be created, Council does have the ability (by resolution) to refund these offenders, however, the review of infringements is generally considered an operational matter with delegated authority provided to the City's administration.

Procedurally, any resolution reached by Council will commence from the date the decision is made, not the commencement of the calendar year.

Accordingly, should Council wish to acknowledge the circumstances which led to the parking irregularities and subsequent infringements being issued, it will need to include further sub recommendations (4) and (5) to the Recommendations as follows:

- (4) APPROVES those infringements issued, post 1 January 2022 up to the date of implementation of the changes approved in this resolution, for contravention of the *Parking and Parking Facilities Local Law 2007* to be written off and refunded to those who have paid the amounts imposed; and
- (5) AMENDS the 2021-2022 Municipal Budget to reflect the reimbursement, where paid of up to \$2,600 to affected parties. The funds to come from Parking Infringement Revenue.

To Be Carried by An Absolute Majority

Conclusion

While there are no critical safety warrants under the LATM Policy, it is open to Council to approve for a revised car parking design to be undertaken.

Such an approach should be carried out with the knowledge this diverts budget and resources from projects which do meet the policy needs as being a higher priority.

Strategic Plans/Policy ImplicationsCity Growth & 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.



Budget/Financial Implications

No additional funds are required to enact this recommendation, as the installation of the amended signs would come from existing operational budget.

In the event Council wish to refund the owners of the illegally parked vehicles, the City will be required to refund \$2,600 income.

This figure is assuming all infringements have been paid.

The City may be liable to several hundred dollars in Fines Enforcement Registry fees if owners have elected to pay their infringements by instalments.

Legal Implications

Per clause 8 of the City's *Parking and Parking Facilities Local Law 2007*, Council is required, by resolution to approve the installation of signs to regulate parking on land managed by the City.

Community Consultation

The report is a response to a Notice of Motion; accordingly, no consultation has been undertaken.

Risk Management Implications

Actioning this proposal would be outside the guidance of the adopted LATM Policy. It is prudent this is noted as being a decision made not on traffic safety grounds.

There is a low safety and amenity need for this proposal to be made given the LATM assessment.

Given the minor cost of adding signage and line markings in accordance with the proposed design there is a low risk associated with this item.

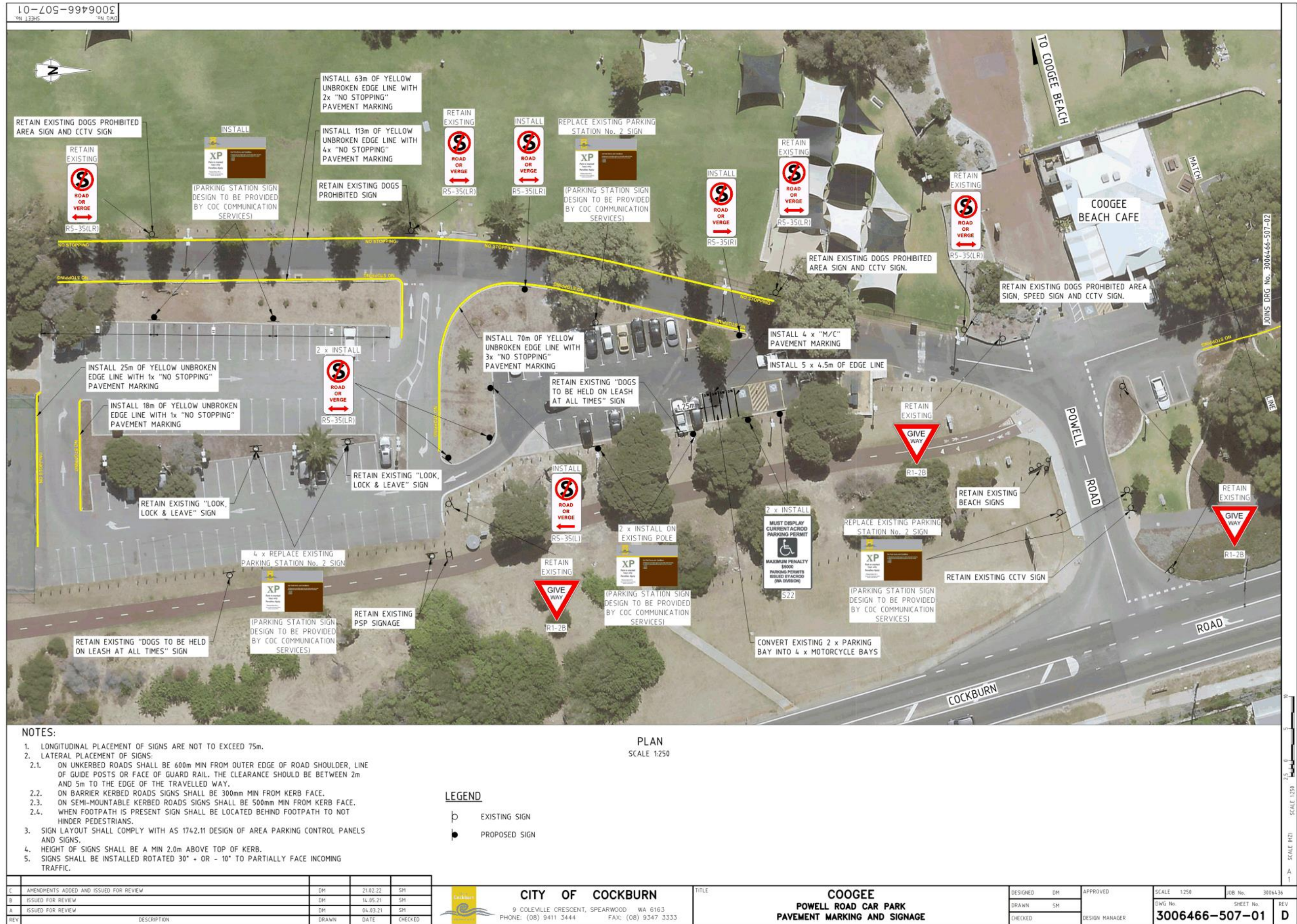
Advice to Proponent(s)/Submitters

N/A

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

Nil







- NOTES:**
- LONGITUDINAL PLACEMENT OF SIGNS ARE NOT TO EXCEED 75m.
 - LATERAL PLACEMENT OF SIGNS:
 - ON UNKERBED ROADS SHALL BE 600mm MIN FROM OUTER EDGE OF ROAD SHOULDER, LINE OF GUIDE POSTS OR FACE OF GUARD RAIL. THE CLEARANCE SHOULD BE BETWEEN 2m AND 5m TO THE EDGE OF THE TRAVELLED WAY.
 - ON BARRIER KERBED ROADS SIGNS SHALL BE 300mm MIN FROM KERB FACE.
 - ON SEMI-MOUNTABLE KERBED ROADS SIGNS SHALL BE 500mm MIN FROM KERB FACE.
 - WHEN FOOTPATH IS PRESENT SIGN SHALL BE LOCATED BEHIND FOOTPATH TO NOT HINDER PEDESTRIANS.
 - SIGN LAYOUT SHALL COMPLY WITH AS 1742.11 DESIGN OF AREA PARKING CONTROL PANELS AND SIGNS.
 - HEIGHT OF SIGNS SHALL BE A MIN 2.0m ABOVE TOP OF KERB.
 - SIGNS SHALL BE INSTALLED ROTATED 30° + OR - 10° TO PARTIALLY FACE INCOMING TRAFFIC.

LEGEND

	EXISTING SIGN
	PROPOSED SIGN

<p>AMENDMENTS ADDED AND ISSUED FOR REVIEW</p> <table border="1"> <thead> <tr> <th>REV</th> <th>DESCRIPTION</th> <th>DRAWN</th> <th>DATE</th> <th>CHECKED</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>AMENDMENTS ADDED AND ISSUED FOR REVIEW</td> <td>DM</td> <td>21.02.22</td> <td>SM</td> </tr> <tr> <td>B</td> <td>ISSUED FOR REVIEW</td> <td>DM</td> <td>14.05.21</td> <td>SM</td> </tr> <tr> <td>A</td> <td>ISSUED FOR REVIEW</td> <td>DM</td> <td>04.03.21</td> <td>SM</td> </tr> </tbody> </table>		REV	DESCRIPTION	DRAWN	DATE	CHECKED	C	AMENDMENTS ADDED AND ISSUED FOR REVIEW	DM	21.02.22	SM	B	ISSUED FOR REVIEW	DM	14.05.21	SM	A	ISSUED FOR REVIEW	DM	04.03.21	SM	<p>CITY OF COCKBURN 9 COLEVILLE CRESCENT, SPEARWOOD WA 6163 PHONE: (08) 9411 3444 FAX: (08) 9347 3333</p>		<p>COOGEE POWELL ROAD CARPARK PAVEMENT MARKING AND SIGNAGE</p>		<p>DESIGNED: DM DRAWN: SM CHECKED: []</p>		<p>APPROVED: [] DESIGN MANAGER</p>		<p>SCALE: 1:250 DWG No: 3006466-507-02 SHEET No: 02 REV: C</p>		<p>JOB No: 3004436</p>	
REV	DESCRIPTION	DRAWN	DATE	CHECKED																													
C	AMENDMENTS ADDED AND ISSUED FOR REVIEW	DM	21.02.22	SM																													
B	ISSUED FOR REVIEW	DM	14.05.21	SM																													
A	ISSUED FOR REVIEW	DM	04.03.21	SM																													

21.3 (2022/MINUTE NO 0052) Shark Fishing**Author(s)** G Bowman**Attachments** N/A**RECOMMENDATION**

That Council:

- (1) NOTES this Report;
- (2) FORMALLY REQUESTS that the Hon. Don Punch, Minister for Fisheries, includes the entire City of Cockburn coastline in additional shark fishing regulations, under the *Fish Resources Management Act 1994*; and
- (3) DEFERS the proposed amendment to the Local Law until such time the Minister advises of the *Fish Management Act 1994* reviews the process.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0**Background**

On 21 February 2022, Cr Corke submitted the following Notice of Motion:

Local Government Act Local Law 3.3 (d) to read:

3.3 Prohibited Activities

A person shall not on a reserve, foreshore or beach, fish for sharks by use of:

- wire trace or a monofilament trace exceeding 1mm in diameter
- hooks that exceed a shank length greater than 56mm and a gape greater than 23mm
- a combination or gang of hooks that are joined by threading the point of one through the eye of another
- balloon fishing.

The following must not be used for berley or baiting:

- blood
- bone
- meat
- offal
- animal skin.



If the shark or ray is hooked inside the mouth and will not be retained, the line must be cut as close as is safely possible to the hook and immediately released.

Any person found to be in contravention of this local law will be subject to a fine of up to \$1,000.

Additionally, the use of non-stainless steel circle hooks, wire cutters and suitable gloves is recommended.

The proposed amendments are to be advertised for a period of six weeks.

Referencing throughout the Local Law be updated to match the amendments.

Reason

While shark fishing is banned in Cockburn there is no penalty attached and, as such, we have constant reports that it is occurring on a regular basis.

Fishing for sharks where there are swimmers/water users should not happen and not just for public safety, important as this is. There is also the issue of cruelty to sharks and rays. Therefore, the use of any fishing gear intended to entice or catch sharks should be prohibited on our much used and increasingly popular beaches. As such, a substantial fine should act as a deterrent.

And, while shark fishing is banned, fishers who are doing the right thing do still catch sharks inadvertently and therefore, by implementing best practice gear and handling procedures it is possible to ensure the ethical and humane treatment of captured animals. This is vital to the survival, sustainable management and conservation of sharks and rays, which play important roles in our aquatic ecosystem.

Balloon fishing is a concern because whilst it is claimed that fishing balloons are bio-degradable, this does not mean they are harmless to marine life.

From the Keep Australia Beautiful website: "Claims that balloons are bio-degradable are misleading. While natural latex may be biodegradable, the addition of chemicals and dyes in balloon manufacture can make balloons persist for many months in the environment.

Balloons that are released into the environment, even for a short time can cause harm. Similarly, degraded remnants of balloon can be harmful to animals that ingest them."

Finally, the use of blood, bone, meat, offal or animal skin for berley or bait is a substantial risk to water users as it may attract sharks even if this is not the fisher's intention.



Submission

N/A

Report

The City's Consolidated Local Laws 2000 list activities such as *fish for sharks by use of set or buoyed lines or use blood or any other lure for the purpose of attracting sharks* as a prohibited activity per Clause 3.3 of the local law.

The City is not unique in restricting this activity, and several other Perth Metropolitan local governments prohibit shark attracting activities.

An offence under a local law can be punishable on conviction by a penalty not exceeding a fine of \$5,000. Within the City's current local law, there is no modified penalty for those violating this law. However, nothing withholds the City from commencing prosecution action in the event there has been a significant offence.

In addition to the City's current provision of prohibiting shark attracting activities, the State *Fish Resources Management Act 1994* provides the Department of Primary Industries and Regional Development authority to regulate fishing activities more generally across the State.

It is understood the State government are working on amending legislation to restrict shark fishing in metropolitan areas of Perth. In any event, this State legislation will override existing local laws and prevent the City from making a new local law if it is inconstant with State legislation.

The City has requested the Department of Primary Industries and Regional Development consider adding the City's coastal areas into their proposed additional shark fishing restrictions under the *Fish Resources Management Act 1994*. The City is currently awaiting a response from the Department.

Procedurally to amend a local law, the process is outlined in the *Local Government Act 1995* (WA) S. 3.16. The process will require (in summary);

1. The local government give local public notice stating that;
 - a. the local government proposes to review the local law;
 - b. a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - c. submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
2. After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to Council.



3. When Council has considered the report, the local government may determine whether or not it considers that the local law should be repealed or amended. An absolute majority of Council is required for this decision.

Given that the process to amend the existing local law requires similar input and resources consistent to creating a new local law, it is recommended that adding a penalty amount to the modified penalty table should be considered as part the current wider review of the City's local laws.

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.

Community, Lifestyle & 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

N/A

Legal Implications

The process of amending a local law is outlined by the *Local Government Act 1995* (WA) S. 3.16.

Community Consultation

No community consultation has been completed for this Notice of Motion.

In the event that Council does amend a local law there is a statutory requirement for the City to advertise any proposed amendments for six weeks and write to the relevant ministers, in this case the Minister of Local Government and the Minister for Fisheries.

Risk Management Implications

There is a "moderate" risk of brand and reputational risk associated to this item.

Advice to Proponent(s)/Submitters

N/A

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

Nil



22. Notices Of Motion Given At The Meeting For Consideration At Next Meeting

Nil

23. New Business of an Urgent Nature Introduced by Members or Officers

Nil



24. Matters to be Noted for Investigation, Without Debate

24.1 (2022/MINUTE NO 0053) Banjup War Memorial - Restoration of a Permanent Accessible Pathway and Entrance

Author A Lees

Attachments N/A

RECOMMENDATION

That Council RECEIVES the Officer's report.

Council Decision

MOVED Cr M Separovich SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

Background

At the 11 November 2021 Ordinary Council Meeting, Mayor Howlett requested a report be presented to a future Council Meeting on the following:

Restoration of a permanent accessible pathway and entrance to the Banjup War Memorial.

Reason

24/7 public access was lost following the Main Roads WA upgrade to Armadale Road.

Submission

NA

Report

Banjup Memorial Park, Armadale Road, Banjup is listed on the City of Cockburn Heritage list and local government inventory list of places.

Banjup Memorial Park is associated with men from the district who enlisted in World War I and has social significance for their descendants along with the RSL.

The Banjup Memorial Park was established after World War I with a gum tree planted for each of the fourteen men from the district who enlisted in the war.



A plaque naming each man is displayed at the park with another plaque held at the Azelia Ley Homestead. The plaque details the men who returned safely as well as those who were wounded or killed.

The Banjup Memorial Park aesthetic value has been framed by Armadale Road and set within a natural bushland environment.

A white post and rail fence frame its oblong shape covering an area of approximately 100m² along with 14 gum trees and bench seat for visitors.

Informal parking on the adjacent Armadale Road Reservation was available up until 2021, when Armadale Road was upgraded by Main Roads WA.

Cockburn RSL maintains Banjup Memorial Park with support from the City.

The Armadale Road works included construction of a dual carriageway, new and upgraded lighting along with a new Principle Shared Path (PSP).

The works extended to the road reservation boundary resulting in the loss of the informal parking area to access the park.

During detailed design revisions with MRWA, the City raised concerns over the loss of this informal parking, however due to safety consideration and design constraints, an access road or new parking embayment area was not supported.

Since commencement of the roadworks, vehicular access to the park is only possible through a locked service gate to Rose Shanks Reserve via Warton Road and only with prior authorisation from the City.

The Banjup Memorial Park is located directly adjacent to the Rose Shanks Conservation Reserve.

The City has committed significant resources to rehabilitate this conservation reserve.

Proposed access changes have been developed with a high priority on maintaining a clear separation of the environmental re-vegetation areas from the proposed access tracks and parking areas, ensuring vehicular and pedestrian movements are contained within the designated parking areas.

To allow for safe movement and parking of vehicles, access to the park will be via Warton Road, just north of Armadale Road.

As the park is accessed through Rose Shanks Reserve and in a secluded location with limited passive surveillance, a gate has been installed at the entry.

This gate restricts access to this extremely isolated location and minimises anti-social activities transpiring.

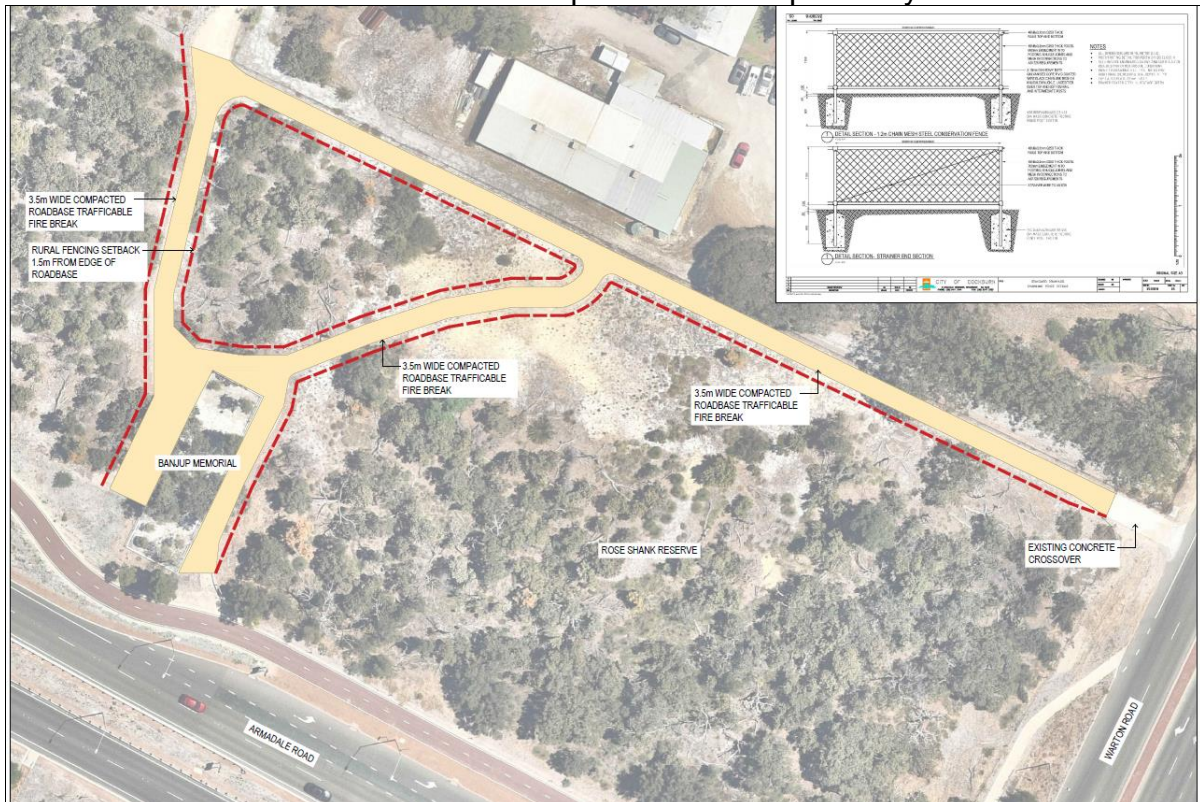


Access is available seven days a week between 7am and 5pm, by calling the City's contact centre during business hours.

A sign outlining this process will be installed on the gate.

Pedestrian access remains available from Armadale Road for pedestrians and cyclists travelling along the PSP on Armadale Road, with a small opening adjacent the memorial.

Works are scheduled to commence in April and be completed by June



Strategic Plans/Policy Implications

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.

City Growth & Moving Around

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

- An integrated, accessible and improved transport network.



Budget/Financial Implications

Funds have been allocated in the FY22 Capex budget for upgrades to the Banjup War Memorial.

Legal Implications

NA

Community Consultation

NA

Risk Management Implications

The risk of failing to provide safe and accessible measures to ensure the public have access to an important historical site, and the resultant harm to the City's brand and reputation if access is not provided.

Advice to Proponent(s)/Submitters

N/A

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

Nil



24.2 Bartram Road Pedestrian Bridge

Cr Dewan has requested a report be prepared on the current status of this project, the study outcomes and a forecast for it's progress to construction.

Reason

In the past (2017) there has been a petition filed with the City to consider bringing forward the Construction of a Pedestrian Bridge over Bartram Road.

The bridge was to connect the Atwell with Success and promote inclusivity between the two largest Suburbs of Cockburn.

It specified potential advantages, namely: bike riding, walking and safety for the school children crossing between Success to Atwell College, Harmony Primary School, and Atwell Primary School.

Subsequently a study was conducted by the City.

I am aware that the traffic situation and flow would have undergone changes following a number of infrastructure development around the two suburbs.

This would enable the latest status on the subject. If however you have any queries or suggestions please let us know.



25. Confidential Business

(2022/MINUTE NO 0054) Meeting to Proceed Behind Closed Doors

Council Decision

MOVED Cr C Stone SECONDED Cr M Separovich

That, pursuant to Clause 7.2 of the City of Cockburn Standing Orders Local Law 2016, the meeting proceed behind closed doors, the time being 9.29pm

CARRIED UNANIMOUSLY 9/0

9.29pm Cr Stone departed the meeting and returned at 9.30pm.

Declaration of Interest

Mayor Howlett submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.1.
Nature of Interest: Mayor Howlett was referred to in the Authorised Inquiry into the City of Cockburn.

Cr Stone submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.1.
Nature of Interest: Cr Stone was referred to in the Findings of the Inquiry Report into the City of Cockburn.

Mr Stuart Downing, Chief Financial Officer, submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.1.
Nature of Interest: Mr Downing was referenced in the Department of Local Government Inquiry into the City of Cockburn.

25.1 (2022/MINUTE NO 0055) Minutes - Governance Review Steering Committee Meeting - 8 February 2022

This report and its attachments are **CONFIDENTIAL** in accordance with Section 5.23(2) (d) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

Council Decision

MOVED Cr L Kirkwood SECONDED Deputy Mayor T Widenbar

The Committee recommends that Council adopts the actions agreed as specified in the Confidential Resolution made behind closed doors.

CARRIED UNANIMOUSLY 9/0



Declarations of Interest

Mayor Howlett submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.2.
Nature of Interest: Mayor Howlett was referred to in the Authorised Inquiry into the City of Cockburn.

Cr Stone submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.2.
Nature of Interest: Cr Stone was referred to in the Findings of the Inquiry Report into the City of Cockburn.

Mr Stuart Downing, Chief Financial Officer, submitted a Declaration of Impartiality Interest, pursuant to r22 of Local Government (Model Code of Conduct) Regulations 2021 for Item 25.2.
Nature of Interest: Mr Downing was referenced in the Department of Local Government Inquiry into the City of Cockburn.

25.2 (2022/MINUTE NO 0056) Minutes - Governance Review Steering Committee Meeting - 23 February 2022

This report and its attachments are **CONFIDENTIAL** in accordance with Section 5.23(2) (d) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Council Decision

MOVED Cr C Stone SECONDED Cr M Separovich

That Council adopts the actions agreed as specified in the Confidential Resolution made behind closed doors.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL 9/0



Declarations of Interest

Mr Tony Brun, Chief Executive Officer, submitted a Declaration of Financial Interest, pursuant to Section 5.71A of the Local Government Act 1995 for Item 25.3.

Nature of Interest: Mr Brun is the CEO and this item relates to his employment at the City of Cockburn.

25.3 (2022/MINUTE NO 0057) Minutes - Chief Executive Officer Performance Review and Key Projects Appraisal Committee Meeting - 17 February 2022

This report and its attachments are **CONFIDENTIAL** in accordance with Section 5.23(2) (e)(iii) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(e)(iii) a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

Council Decision

MOVED Deputy Mayor T Widenbar SECONDED Cr C Stone

That Council adopts the actions agreed as specified in the Confidential Resolution made behind closed doors.

CARRIED UNANIMOUSLY 9/0

(2022/MINUTE NO 0058) REOPEN MEETING TO PUBLIC**COUNCIL DECISION**

MOVED CR L KIRKWOOD SECONDED CR P CORKE

THAT THE MEETING RESUME WITH OPEN DOORS, THE TIME BEING 9.39PM

CARRIED UNANIMOUSLY 9/0

MAYOR HOWLETT ADVISED THE MEETING THAT THE OFFICER RECOMMENDATIONS WERE ADOPTED BY COUNCIL WHILST BEHIND CLOSED DOORS.

9.39PM ITEM 18.2 AND ITEM 21.1 WERE CONSIDERED AND THE CONCLUSION OF CONSIDERATION OF THE CONFIDENTIAL ITEMS.



26. (2022/MINUTE NO 0059) RESOLUTION OF COMPLIANCE**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

Council Decision

MOVED Cr C Stone SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 9/0

27. Closure of Meeting

The meeting closed at 9.50pm.

