



The Council of the City of Cockburn

Ordinary Council Meeting  
**Agenda Paper**

For Thursday, 11 May 2023



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

Cnr Rockingham Road and  
Coleville Crescent, Spearwood

Telephone: (08) 9411 3444  
Facsimile: (08) 9411 3333

### **NOTICE OF MEETING**

Pursuant to Clause 2.4 of Council's Standing Orders, an Ordinary Meeting of Council has been called for Thursday 11 May 2023.

The meeting is to be conducted at 7pm in the City of Cockburn Council Chambers, Administration Building, Coleville Crescent, Spearwood.

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

A handwritten signature in black ink, appearing to be 'D. Arndt', is written over a horizontal line.

Daniel Arndt  
**Acting Chief Executive Officer**

## The Council of the City of Cockburn

### The Ordinary Council Meeting Thursday, 11 May 2023 At 7pm

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## **The Council of the City of Cockburn**

### **The Ordinary Council Meeting Thursday, 11 May 2023 At 7pm**

#### **Agenda**

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- 1. Declaration of Meeting**
- 2. Appointment of Presiding Member (If required)**
- 3. Disclaimer (To be read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position.

Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

- 4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)**
- 5. Apologies & Leave of Absence**
- 6. Response to Previous Public Questions Taken on Notice**  
Nil
- 7. Written Requests for Leave of Absence**  
Nil

**8. Public Question Time**

**9. Confirmation of Minutes**

**9.1 Minutes of the Ordinary Council Meeting - 13/4/2023**

**Recommendation**

That Council confirms the Minutes of the Ordinary Council Meeting held on Thursday, 13 April 2023 as a true and accurate record.

**10. Deputations**

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

Nil

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

**13. Decisions Made at Electors Meeting**

Nil

## 14. Reports - CEO (and Delegates)

### 14.1 Built and Natural Environment

#### 14.1.1 Recommendation on Final Adoption - Scheme Amendment No. 156 to Town Planning Scheme No. 3 (Development Contribution Plans)

<b>Executive</b>	A/Chief of Built and Natural Environment
<b>Author</b>	Strategic Planning Officer
<b>Attachments</b>	1. Advertised Amendment Report <a href="#">↓</a> 2. Schedule of Submissions <a href="#">↓</a>
<b>Location</b>	City of Cockburn
<b>Owner</b>	N/A
<b>Applicant</b>	City of Cockburn
<b>Application Reference</b>	109/156

#### RECOMMENDATION

That Council:

- (1) ADOPTS the Schedule of Submission prepared in respect of Amendment No.156 to the City of Cockburn Town Planning Scheme No.3 (as set out at **Attachment 2**);
- (2) ADOPTS Scheme Amendment No. 156 for final approval for the purposes of:  
  
Amending Table 10 – Development Contribution Plans in the City of Cockburn Town Planning Scheme No. 3 by inserting additional provisions shown in **bold text** below:

Ref No:	DCA 1
Area:	Success North
Provisions:	<p>All landowners within DCA 1 shall make a proportional contribution to the widening and upgrading of Hammond Road between Beeliar Drive and Bartram Road, Success.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land reserved for Hammond Road under the Metropolitan Region Scheme;</li> <li>• Full earthworks;</li> <li>• Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided;</li> <li>• Dual use path (one side only);</li> </ul>

	<ul style="list-style-type: none"> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Drainage;</li> <li>• Costs to administer cost sharing arrangements – preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs;</li> <li>• Servicing infrastructure relocation where necessary.</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Hammond Road between Beeliar Drive and Bartram Road, Success, is to be completed within 1-3 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 1.

<b>Ref No:</b>	<b>DCA 4</b>
<b>Area:</b>	Yangebup West
<b>Provisions:</b>	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>The contribution shall include the following: -</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Spearwood Avenue under the MRS;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a four lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs;</li> </ul>

	<ul style="list-style-type: none"> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of the infrastructure item has been completed.</b>
Participants and contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 4.

<b>Ref No:</b>	<b>DCA 5</b>
Area:	Yangebup East
Provisions:	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue and all landowners within DCA 5 south of Beeliar Drive shall make a proportional contribution of 30.65% of the cost of Spearwood Avenue between Beeliar Drive and Fancote Avenue and all landowners north of Beeliar Drive shall make a proportional contribution to 100% of the cost of closing Yangebup Road at the Railway Line.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the cost contribution schedule. Contributions shall be made towards the following items for Beeliar Drive:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Stock Road;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a four-lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits</li> </ul>

	<p>and administration costs;</p> <ul style="list-style-type: none"> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p> <p>Contributions shall be made towards the following items for Spearwood Avenue:</p> <ul style="list-style-type: none"> <li>• Land requirements for a 25 metre wide road reserve;</li> <li>• Full earthworks;</li> <li>• Construction of a two lane kerbed road with channelisation at intersections;</li> <li>• Dual use path (one side only);</li> <li>• Traffic Management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of all infrastructure items has been completed.</b>
<b>Participants and Contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 5.
<b>Ref No:</b>	<b>DCA 6</b>
<b>Area:</b>	Munster
<b>Provisions:</b>	<p>All landowners within DCA6 shall make a proportional contribution to 23.4% of the cost of widening and upgrading of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Stock Road and Cockburn Road as reserved in the Metropolitan Region Scheme;</li> <li>• Additional land where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> </ul>

	<ul style="list-style-type: none"> <li>• Construction of a two lane kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian Crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits.</li> </ul> <p>Costs for the repayment of any loans raised by the local government for the purchase of any land for the road reserve or any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster, is to be delivered within 10 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 6.
<b>Ref No:</b>	<b>DCA 8</b>
<b>Area:</b>	Solomon Road
<b>Provisions:</b>	<p>Landowners within DCA 8 shall make a proportional contribution to the cost of common infrastructure for the Solomon Road Arterial Drainage System.</p> <p>The proportional contribution is to be determined in accordance with the provisions of Clause 5.3 of TPS 3 and contained on the Development Contribution Plan. The Council in its discretion may exclude properties from the DCA area which it deemed to have no development or subdivision potential.</p> <p>Contributions shall be made towards the following items associated with the proposed Solomon Road Arterial Drainage System –</p> <ul style="list-style-type: none"> <li>(a) Full earthworks;</li> <li>(b) Provision of drainage infrastructure;</li> <li>(c) Supply and boring of a pressure main under the Kwinana Freeway and works associated with the proposed pump station;</li> <li>(d) Servicing infrastructure relocation where necessary;</li> <li>(e) Landscaping works around the drainage basin;</li> </ul>

	(f) Cost of land required for the Arterial Drainage basin; (g) Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>The construction of drainage infrastructure and associated works for the Solomon Road Arterial Drainage System, Jandakot, is to be delivered within 10 years.</b>
Participants and contributions	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 8.

<b>Ref No:</b>	<b>DCA 11</b>
Area:	Muriel Court
Provisions:	<p>All landowners within DCA 11 shall make contribution to land and infrastructure works required as part of the development of the Muriel Court Development Contribution Area.</p> <p>With the exception of existing lots 3 and 21 Verna Court and Lots 52 and 150 Semple Court, the contribution is to be calculated on the potential number of dwellings that can be constructed on each lot or lots and calculated in accordance with the following:</p> <ul style="list-style-type: none"> <li>• R20 lots – 450m<sup>2</sup></li> <li>• R25 lots – 350m<sup>2</sup></li> <li>• R40 lots – 220m<sup>2</sup></li> <li>• R60 lots – 166m<sup>2</sup></li> <li>• R80 lots – 125m<sup>2</sup></li> <li>• R160 lots – calculated by dividing the lot area (m<sup>2</sup>) by 62.5 to give the number of dwellings.</li> </ul> <p>No contribution required in respect to land and lots required for public open space, drainage, the widening and extension of Muriel Court and Kentucky Court and the widening and realignment of Semple Court.</p> <p>Contributions shall be made towards the following items by all landowners within DCA 11.</p> <ul style="list-style-type: none"> <li>• Pro-rata contribution to the upgrading of North Lake Road between Kentucky Court and Semple Court including upgrading the existing carriageway, construction of the future carriageway, drainage, lighting, landscaping and service relocation where necessary.</li> <li>• The cost of land and works for the widening and realignment of Semple Court between Verna Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be</li> </ul>

	<p>a cost to the owners of the adjoining land.</p> <ul style="list-style-type: none"> <li>• The cost of land and works for the realignment of Semple Court shown on the Muriel Court Structure Plan between Berrigan Drive and Verna Court. Works are to include the cost of the carriageways, median landscaping, drainage, lighting and paths.</li> <li>• Traffic management devices along realigned Semple Court and traffic lights at the intersection of Semple Court with Berrigan Drive and North Lake Road.</li> <li>• Modifications to existing Semple Court including closures and pavement modifications shown on the Muriel Court Structure Plan.</li> <li>• Cost of land and works for the realignment of Elderberry Drive between Berrigan Drive and Jindabyne Heights.</li> <li>• The cost of land and works for the widening of Muriel Court and Kentucky Court between realigned Semple Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.</li> <li>• Traffic management devices along Muriel Court and traffic lights at the intersection of Kentucky Court and North Lake Road.</li> <li>• Provision of land for public open space area shown on the Muriel Court Structure Plan and the cost of landscaping and bushland/wetland restoration.</li> <li>• Land and works for internal and off-site groundwater control and drainage infrastructure including detention basins, gross pollutant traps, nutrient stripping and landscaping.</li> <li>• Preliminary professional services including drainage, services, geotechnical, site contamination, traffic and planning.</li> <li>• Further detailed studies and design including design guidelines and engineering design of drainage and major roads.</li> <li>• Costs to administer cost sharing arrangements of the DCA including detailed engineering design of drainage and roads the subject to the DCA provisions, cost estimates and schedules, valuations, annual reviews of land and works, audits and administrative costs.</li> <li>• Cost including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA 11.</li> </ul> <p>The following lots shall make a contribution to the cost to administer cost sharing arrangements of the DCA and a proportional contribution to the road and drainage works listed above unless rezoned to residential in which case all of the above requirements will apply.</p> <ul style="list-style-type: none"> <li>• Lot 52 Semple Court 1.25% of the total cost</li> <li>• Lot 3 Verna Court 7.6% of the total cost</li> <li>• Lot 21 Verna Court 1.5% of the total cost</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>

<b>Timing and priority:</b>	<p><b>Construction of infrastructure completed:</b></p> <ul style="list-style-type: none"> <li>• Upgrading North Lake Road between Kentucky Court &amp; Semple Court</li> <li>• Traffic lights at Kentucky Court &amp; North Lake Road intersection</li> </ul> <p>Depending on the timing of subdivision and development within the area and where practical, the following infrastructure is to be delivered within 10 years:</p> <ul style="list-style-type: none"> <li>• Widening and realignment of Semple Court between Verna Court &amp; North Lake Road</li> <li>• Widening and realignment of Semple Court between Berrigan Drive &amp; Verna Court</li> <li>• Traffic management devices – Muriel Court</li> <li>• Public open space – Land, development &amp; bushland/wetland Restoration</li> <li>• Groundwater control &amp; drainage infrastructure</li> </ul>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 11.

(3) DELEGATES authorisation and submission of the updated amendment documentation to the Western Australian Planning Commission along with a request for the endorsement of final approval by the Hon. Minister for Planning; and

(4) ADVISES those who made a submission of Council's decision accordingly.

## Background

At the 8 December 2022 Ordinary Council Meeting, Council resolved to initiate proposed Amendment No. 156 to Town Planning Scheme No.3 (TPS 3).

The purpose of this report is to consider the submissions made during the advertising period and make a recommendation to the Minister for Planning on final determination.

## Submission

N/A

## Report

### Proposed Scheme Amendment No. 156

The purpose of Amendment No. 156 is to introduce provisions for the 'period of operation' and 'priority and timing' of infrastructure delivery for several existing Development Contributions Plans (DCPs) operating under TPS 3.

Specifically, consistent with the latest requirements of State Planning Policy 3.6 (SPP 3.6) *Infrastructure Contributions*, the proposed changes introduce a ‘*period of operation*’ and ‘*timing and priority for the delivery of infrastructure*’ for six (6) existing DCP’s, as summarised in the table below:

DCP No.	Summary of Proposed Amendment	
	Period of Operation	Timing and Priority of Infrastructure Delivery
<b>DCP 1</b>	30 June 2033	1-3 years
<b>DCP 4</b>	30 June 2033	N/A – Construction of infrastructure has been completed
<b>DCP 5</b>	30 June 2033	N/A – Construction of infrastructure has been completed
<b>DCP 6</b>	30 June 2033	Within 10 years
<b>DCP 8</b>	30 June 2033	Within 10 years
<b>DCP 11</b>	30 June 2033	Depending on the timing of subdivision and development within the area and where practical, infrastructure is to be delivered within 10 years.

A copy of the advertised proposal is included (refer Attachment 1).

#### Submissions

Reflective of the simplistic/mechanical nature of the proposal, only two submissions were received during advertisement, from the Water Corporation and Main Roads WA. Neither objected to the proposal, nor did they raise anything of significance that would warrant modification to the amendment as advertised.

#### **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**

The City’s Long Term Financial Plan will need to reflect anticipated delivery of infrastructure, including those funded in part by DCP.

DCP’s are subject to annual reviews. Should it be identified 1-2 years prior to expiry that the rate of development is slower than anticipated meaning there are still lots that haven’t subdivided, the City should investigate the WAPC’s likely support for (and/or Minister’s likely approval of) a further scheme amendment seeking to extend the lifespan of the relevant DCP.

## **Legal Implications**

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- City of Cockburn Town Planning Scheme No. 3
- State Planning Policy 3.6 (SPP3.6) – *Infrastructure Contributions*

## **Community Consultation**

The proposal was advertised for 60 days in accordance with Part 5, Division 2, Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, from 2 February 2023 until 3 April 2023.

Advertising consisted of an advertisement in the Perth Now (Cockburn) newspaper, a notice on the City's 'Comment on Cockburn' website, letters to relevant State Government agencies and servicing authorities.

A hard copy of the scheme amendment documentation was also available to view during work hours at the City's Administration Building in Spearwood for the duration of the advertising period.

At the end of the advertising period the City received two (2) submissions from State Government agencies and service authorities providing minor comment with no objection to the proposal, as discussed above.

A copy of the Schedule of Submissions, inclusive of officer commentary in response to the individual issues raised is included at Attachment 2.

## **Risk Management Implications**

In addition to the financial risk discussed above, the identification of the 'priority and timing' for infrastructure delivery establishes an expectation that the City will deliver funded infrastructure within the specified timeframes.

The City will need to consider the potential for reputational damage should the timing of DCP infrastructure not align with that specified in TPS 3, as one of the many factors that influence its delivery of capital works projects.

## **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 11 May 2023 Ordinary Council Meeting.

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

Nil



**TOWN PLANNING SCHEME NO. 3**

**AMENDMENT NO. 156**

**December 2022**

**PLANNING AND DEVELOPMENT ACT, 2005  
RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

**CITY OF COCKBURN  
TOWN PLANNING SCHEME NO 3  
AMENDMENT NO. 156**

RESOLVED that the Council amends the City of Cockburn Town Planning Scheme No. 3, pursuant to Section 75 of the Planning and Development Act 2005, by:

1. Amending Table 10 – Development Contribution Plans of the Scheme Text by inserting additional provisions on the 'period of operation' and 'timing and priority for Development Contribution Plans 1, 4, 5, 6, 8 and 11 to align with the requirements of State Planning Policy 3.6, as follows (additional wording shown in **bold text**) –

Ref No:	DCA 1
Area:	Success North
Provisions:	<p>All landowners within DCA 1 shall make a proportional contribution to the widening and upgrading of Hammond Road between Beeliar Drive and Bartram Road, Success.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land reserved for Hammond Road under the Metropolitan Region Scheme;</li> <li>• Full earthworks;</li> <li>• Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided;</li> <li>• Dual use path (one side only);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Drainage;</li> <li>• Costs to administer cost sharing arrangements – preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs;</li> <li>• Servicing infrastructure relocation where necessary.</li> </ul>

<b>Ref No:</b>	<b>DCA 1</b>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Hammond Road between Beeliar Drive and Bartram Road, Success, is to be completed within 1-3 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 1.

<b>Ref No:</b>	<b>DCA 4</b>
<b>Area:</b>	Yangebup West
<b>Provisions:</b>	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>The contribution shall include the following: -</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Spearwood Avenue under the MRS;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a four lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary</li> </ul>

<b>Ref No:</b>	<b>DCA 4</b>
	<p>engineering design and costings, valuations, annual reviews and audits and administration costs;</p> <ul style="list-style-type: none"> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of the infrastructure item has been completed.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 4.

<b>Ref No:</b>	<b>DCA 5</b>
<b>Area:</b>	Yangebup East
<b>Provisions:</b>	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue and all landowners within DCA 5 south of Beeliar Drive shall make a proportional contribution of 30.65% of the cost of Spearwood Avenue between Beeliar Drive and Fancote Avenue and all landowners north of Beeliar Drive shall make a proportional contribution to 100% of the cost of closing Yangebup Road at the Railway Line.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the cost contribution schedule.</p> <p>Contributions shall be made towards the following items for Beeliar Drive:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Stock Road;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road</li> </ul>

<b>Ref No:</b>	<b>DCA 5</b>
	<p>and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</p> <ul style="list-style-type: none"> <li>• Full earthworks;</li> <li>• Construction of a four lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs;</li> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p> <p>Contributions shall be made towards the following items for Spearwood Avenue:</p> <ul style="list-style-type: none"> <li>• Land requirements for a 25 metre wide road reserve;</li> <li>• Full earthworks;</li> <li>• Construction of a two lane kerbed road with channelisation at intersections;</li> <li>• Dual use path (one side only);</li> <li>• Traffic Management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of all infrastructure items has been completed.</b>

<b>Ref No:</b>	<b>DCA 5</b>
<b>Participants and Contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 5.

<b>Ref No:</b>	<b>DCA 6</b>
<b>Area:</b>	Munster
<b>Provisions:</b>	<p>All landowners within DCA6 shall make a proportional contribution to 23.4% of the cost of widening and upgrading of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Stock Road and Cockburn Road as reserved in the Metropolitan Region Scheme;</li> <li>• Additional land where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a two lane kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian Crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits.</li> </ul> <p>Costs for the repayment of any loans raised by the local government for the purchase of any land for the road reserve or any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>

<b>Ref No:</b>	<b>DCA 6</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster, is to be delivered within 10 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 6.

<b>Ref No:</b>	<b>DCA 8</b>
<b>Area:</b>	Solomon Road
<b>Provisions:</b>	<p>Landowners within DCA 8 shall make a proportional contribution to the cost of common infrastructure for the Solomon Road Arterial Drainage System.</p> <p>The proportional contribution is to be determined in accordance with the provisions of Clause 5.3 of TPS 3 and contained on the Development Contribution Plan. The Council in its discretion may exclude properties from the DCA area which it deemed to have no development or subdivision potential.</p> <p>Contributions shall be made towards the following items associated with the proposed Solomon Road Arterial Drainage System –</p> <ul style="list-style-type: none"> <li>(a) Full earthworks;</li> <li>(b) Provision of drainage infrastructure;</li> <li>(c) Supply and boring of a pressure main under the Kwinana Freeway and works associated with the proposed pump station;</li> <li>(d) Servicing infrastructure relocation where necessary;</li> <li>(e) Landscaping works around the drainage basin;</li> <li>(f) Cost of land required for the Arterial Drainage basin;</li> <li>(g) Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>

<b>Ref No:</b>	<b>DCA 8</b>
<b>Timing and priority:</b>	<b>The construction of drainage infrastructure and associated works for the Solomon Road Arterial Drainage System, Jandakot, is to be delivered within 10 years.</b>
<b>Participants and contributions</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 8.

<b>Ref No:</b>	<b>DCA 11</b>
<b>Area:</b>	Muriel Court
<b>Provisions:</b>	<p>All landowners within DCA 11 shall make contribution to land and infrastructure works required as part of the development of the Muriel Court Development Contribution Area.</p> <p>With the exception of existing lots 3 and 21 Verna Court and Lots 52 and 150 Semple Court, the contribution is to be calculated on the potential number of dwellings that can be constructed on each lot or lots and calculated in accordance with the following:</p> <ul style="list-style-type: none"> <li>• R20 lots – 450m<sup>2</sup></li> <li>• R25 lots – 350m<sup>2</sup></li> <li>• R40 lots – 220m<sup>2</sup></li> <li>• R60 lots – 166m<sup>2</sup></li> <li>• R80 lots – 125m<sup>2</sup></li> <li>• R160 lots – calculated by dividing the lot area (m<sup>2</sup>) by 62.5 to give the number of dwellings.</li> </ul> <p>No contribution required in respect to land and lots required for public open space, drainage, the widening and extension of Muriel Court and Kentucky Court and the widening and realignment of Semple Court.</p> <p>Contributions shall be made towards the following items by all landowners within DCA 11.</p> <ul style="list-style-type: none"> <li>• Pro-rata contribution to the upgrading of North Lake Road between Kentucky Court and Semple Court including upgrading the existing carriageway, construction of the future carriageway, drainage, lighting, landscaping and service relocation where necessary.</li> <li>• The cost of land and works for the widening and realignment of Semple Court between</li> </ul>

Ref No:	DCA 11
	<p>Verna Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.</p> <ul style="list-style-type: none"> <li>• The cost of land and works for the realignment of Semple Court shown on the Muriel Court Structure Plan between Berrigan Drive and Verna Court. Works are to include the cost of the carriageways, median landscaping, drainage, lighting and paths.</li> <li>• Traffic management devices along realigned Semple Court and traffic lights at the intersection of Semple Court with Berrigan Drive and North Lake Road.</li> <li>• Modifications to existing Semple Court including closures and pavement modifications shown on the Muriel Court Structure Plan.</li> <li>• Cost of land and works for the realignment of Elderberry Drive between Berrigan Drive and Jindabyne Heights.</li> <li>• The cost of land and works for the widening of Muriel Court and Kentucky Court between realigned Semple Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.</li> <li>• Traffic management devices along Muriel Court and traffic lights at the intersection of Kentucky Court and North Lake Road.</li> <li>• Provision of land for public open space area shown on the Muriel Court Structure Plan and the cost of landscaping and bushland/wetland restoration.</li> <li>• Land and works for internal and off site groundwater control and drainage infrastructure including detention basins, gross pollutant traps, nutrient stripping and landscaping.</li> </ul>

<b>Ref No:</b>	<b>DCA 11</b>
	<ul style="list-style-type: none"> <li>• Preliminary professional services including drainage, services, geotechnical, site contamination, traffic and planning.</li> <li>• Further detailed studies and design including design guidelines and engineering design of drainage and major roads.</li> <li>• Costs to administer cost sharing arrangements of the DCA including detailed engineering design of drainage and roads the subject to the DCA provisions, cost estimates and schedules, valuations, annual reviews of land and works, audits and administrative costs.</li> <li>• Cost including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA 11.</li> </ul> <p>The following lots shall make a contribution to the cost to administer cost sharing arrangements of the DCA and a proportional contribution to the road and drainage works listed above unless rezoned to residential in which case all of the above requirements will apply.</p> <ul style="list-style-type: none"> <li>• Lot 52 Semple Court 1.25% of the total cost</li> <li>• Lot 3 Verna Court 7.6% of the total cost</li> <li>• Lot 21 Verna Court 1.5% of the total cost</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<p><b>Construction of infrastructure completed:</b></p> <ul style="list-style-type: none"> <li>• Upgrading North Lake Road between Kentucky Court &amp; Semple Court</li> <li>• Traffic lights at Kentucky Court &amp; North Lake Road intersection</li> </ul> <p>Depending on the timing of subdivision and development within the area and where practical, the following infrastructure is to be delivered within 10 years:</p> <ul style="list-style-type: none"> <li>• Widening and realignment of Semple Court between Verna Court &amp; North Lake Road</li> <li>• Widening and realignment of Semple Court between Berrigan Drive &amp; Verna Court</li> <li>• Traffic management devices – Muriel Court</li> </ul>

Ref No:	DCA 11
	<ul style="list-style-type: none"><li>• Public open space – Land, development &amp; bushland/wetland Restoration</li><li>• Groundwater control &amp; drainage infrastructure</li></ul>
Participants and contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 11.

The Amendment is complex under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as it proposes to amend a development contribution plan.

Dated this 8th day of December 2022

  
A/ CHIEF EXECUTIVE OFFICER

FILE NO. 109/156

**REPORT**

- |    |   |   |
|----|---|---|
| 1. | LOCAL AUTHORITY                         | City of Cockburn  |
| 2. | DESCRIPTION OF TOWN<br>PLANNING SCHEME: | Town Planning Scheme No. 3                                    |
| 3. | SERIAL NO. OF AMENDMENT:                | Amendment No. 156   |
| 4. | PROPOSAL:                               | Modifications to Table 10 – Development<br>Contribution Plans |

## AMENDMENT REPORT

### 1.0 Introduction

Amendment No. 156 to Town Planning Scheme No. 3 (TPS 3) proposes to introduce provisions for the 'period of operation' and 'priority and timing' of infrastructure delivery for several existing Development Contribution Plans (DCPs) operating under TPS 3.

### 2.0 Background:

There are 12 existing DCPs for development contributions towards infrastructure through the subdivision and development process.

The establishment and operation of a DCP is guided by State Planning Policy, and more recently the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Some of TPS 3's existing DCPs pre-date this framework.

A modified *State Planning Policy 3.6 – Infrastructure Contributions* (SPP 3.6) in April 2021 required DCPs without a lifespan or review period to be amended to include:

1. The anticipated lifespan (period of operation) of the DCP
2. The priority and timing for the delivery of infrastructure.

SPP 3.6 requires this within three years of the modified policy (i.e. by April 2024). The following DCPs do not have a lifespan or review period:

- DCP 1 – Success North
- DCP 4 – Yangebup West
- DCP 5 – Yangebup East
- DCP 6 – Munster
- DCP 8 – Solomon Road
- DCP 11 – Muriel Court.

The provisions are based on guidance provided by SPP 3.6.

### 3.0 Amendment Type

As per Part 5 of the Regulations, there several amendment types: basic, standard and complex. These are defined in Part 5, Division 1, Regulation 34.

Regulation 35(2) requires the local government to specify in their resolutions to prepare or adopt an amendment what type of amendment it is, as well as the explanation for forming that opinion.

This proposed amendment is considered to be a complex amendment, which Regulation 34 describes as:

*complex amendment means any of the following amendments to a local planning scheme —*

- a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- b) an amendment that is not addressed by any local planning strategy;*
- c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;*
- d) an amendment made to comply with an order made by the Minister under section 76 or 77A of the Act;*
- e) an amendment to identify or amend a development contribution area or to prepare or amend a development contribution plan;*

This proposed amendment satisfies e) of the above criteria on the basis that it proposes to amend a development contribution plan.

## **4.0 Town Planning Context:**

### **4.1 City of Cockburn Town Planning Scheme No. 3**

The DCPs subject of this amendment are contained within Table 10 of TPS 3 and reflected on the Scheme Map as a 'Development Contribution Area'. The DCPs form as a Special Control Area pursuant to Part 5 of TPS 3 and operate in accordance with the provisions of clause 5.3.

### **4.2 State Planning Policy 3.6 – Infrastructure Contributions**

SPP 3.6 sets out the principles and requirements that apply to the establishment and collection of infrastructure contributions in new and established areas.

In April 2021, SPP 3.6 was modified and included a new requirement for existing DCPs to be amended. More specifically, it requires DCPs that do not specify a period of operation or review period to be amended to include the anticipated lifespan of the DCP and the priority and timing for the delivery of infrastructure.

## 5.0 Proposal

A summary of the proposed amendment is provided below, with discussion on the key considerations.

DCP No.	Summary of Proposed Amendment	
	Period of Operation	Timing and Priority of Infrastructure Delivery
<b>DCP 1</b>	30 June 2033	1-3 years
<b>DCP 4</b>	30 June 2033	N/A – Construction of infrastructure has been completed
<b>DCP 5</b>	30 June 2033	N/A – Construction of infrastructure has been completed
<b>DCP 6</b>	30 June 2033	Within 10 years
<b>DCP 8</b>	30 June 2033	Within 10 years
<b>DCP 11</b>	30 June 2033	Depending on the timing of subdivision and development within the area and where practical, infrastructure is to be delivered within 10 years.

### Period of Operation (Lifespan)

A DCP is intended to operate for a limited time, or until the redevelopment process is complete, and the funded infrastructure is delivered. The Regulations and SPP 3.6 require the timeframe for a DCP in the local planning scheme, and should the period of operation be extended, a scheme amendment is required.

SPP 3.6 recommends a maximum period of 10 years, however, notes that the selected timeframe should correspond with any related strategic, infrastructure and financial planning. It should also reflect the anticipated growth rates and be some certainty the infrastructure items can be delivered within the timeframes.

The DCPs subject of this amendment pre-date the requirement to specify a period of operation. They were intended to operate for as long as necessary until all the identified infrastructure is funded. The areas subject of the DCPs are characterised by fragmented landownership and land constraints, which has slowed the rate of development and led to payment of contributions over an extended period.

This amendment proposes a period of operation to 30 June 2033, representing an approximate period of 10 years. This timeframe has been proposed based on the following:

- All DCP areas subject of this amendment contain lots that have yet to be developed and therefore contributions have not been paid by every landowner
- Whilst the extent of undeveloped land varies, it is considered unlikely that all contributions will be made in the short to medium term due to various constraints, requirements, and/or landowners' willingness or ability to develop

- Infrastructure funded through DCPs 1, 6, 8 and 11 is yet to be delivered
- A longer period of operation affords additional time for the delivery of infrastructure and/or the collection of contributions as development occurs over time
- The proposed timeframe aligns with SPP 3.6's recommended DCP maximum lifespan of 10 years.

If infrastructure has not been delivered and/or the required contributions paid at or near the end of the lifespan of a DCP, the City may seek to extend the period of operation through a further scheme amendment.

#### Priority and Timing of Infrastructure Delivery

A DCP needs to include a summary of the estimated timing and priority for the delivery of the infrastructure, which should align with the local government's long-term strategic planning.

The proposed priority and timing identified by this amendment reflect existing circumstances, specifically:

- A short timeframe of one to three years for DCP 1 as construction of the funded infrastructure, being the upgrade of Hammond Road, between Beeliar Drive and Bartram Road, commences this financial year
- Infrastructure funded by DCPs 4 and 5, which included construction of Beeliar Drive between Stock Road and Spearwood Avenue, has already been delivered
- A longer timeframe of up to 10 years is proposed for DCP 6, as the extension of Beeliar Drive, from Stock Road to Cockburn Road, is unlikely to be delivered in the short term due to the complexity of the project and other City-wide infrastructure priorities
- A longer timeframe of up to 10 years is proposed for DCP 8 as the drainage upgrades funded for the Solomon Road Arterial Drainage Scheme area are not urgent and the rate of development in the area has been slow with approximately 24 percent of contributions having been collected to date
- For DCP 11, whilst a longer timeframe of 10 years is proposed for infrastructure delivery, the priority and timing of that delivery is wholly dependent on the uptake of development in the area and is therefore beyond the City's control.

Irrespective, SPP 3.6 recognises flexibility is required when estimating the timing and delivery of infrastructure.

A DCP is subject to an annual review process that can identify changes to priority and timing of infrastructure delivery. Notwithstanding, should significant changes be identified, it may be appropriate to adjust TPS 3 through a scheme amendment.

## **6.0 Conclusion**

Amendment No. 156 to TPS 3 proposes amendments to DCPs 1, 4, 5, 6, 8 and 11 to provide compliance with the updated SPP 3.6. More specifically, SPP 3.6 requires DCPs that do not specify a period of operation or review period to be amended to include the anticipated lifespan of the DCP and the priority and timing for the delivery of infrastructure.

This amendment is proposing to apply a period of operation of 10 years to the subject DCPs to reflect the expected delivery timeframes for infrastructure and the payment of contributions, and the proposed priority and timing for infrastructure delivery varies between each DCP.

**PLANNING AND DEVELOPMENT ACT, 2005**

**CITY OF COCKBURN**

**TOWN PLANNING SCHEME NO 3**

**AMENDMENT NO. 156**

The City of Cockburn under and by virtue of the powers conferred upon it by the Planning and Development Act 2005, hereby amend the above Town Planning Scheme for the following purposes:

1. Amending Table 10 – Development Contribution Plans of the Scheme Text by inserting additional provisions on the ‘period of operation’ and ‘timing and priority for Development Contribution Plans 1, 4, 5, 6, 8 and 11 to align with the requirements of State Planning Policy 3.6, as follows (additional wording shown in **bold text**) –

<b>Ref No:</b>	<b>DCA 1</b>
<b>Area:</b>	Success North
<b>Provisions:</b>	<p>All landowners within DCA 1 shall make a proportional contribution to the widening and upgrading of Hammond Road between Beeliar Drive and Bartram Road, Success.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land reserved for Hammond Road under the Metropolitan Region Scheme;</li> <li>• Full earthworks;</li> <li>• Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided;</li> <li>• Dual use path (one side only);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Drainage;</li> <li>• Costs to administer cost sharing arrangements – preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs;</li> <li>• Servicing infrastructure relocation where necessary.</li> </ul>

<b>Ref No:</b>	<b>DCA 1</b>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Hammond Road between Beeliar Drive and Bartram Road, Success, is to be completed within 1-3 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 1.

<b>Ref No:</b>	<b>DCA 4</b>
<b>Area:</b>	Yangebup West
<b>Provisions:</b>	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>The contribution shall include the following: -</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Spearwood Avenue under the MRS;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a four lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary</li> </ul>

<b>Ref No:</b>	<b>DCA 4</b>
	<p>engineering design and costings, valuations, annual reviews and audits and administration costs;</p> <ul style="list-style-type: none"> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of the infrastructure item has been completed.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 4.

<b>Ref No:</b>	<b>DCA 5</b>
<b>Area:</b>	Yangebup East
<b>Provisions:</b>	<p>All landowners within DCA 4 and DCA 5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue and all landowners within DCA 5 south of Beeliar Drive shall make a proportional contribution of 30.65% of the cost of Spearwood Avenue between Beeliar Drive and Fancote Avenue and all landowners north of Beeliar Drive shall make a proportional contribution to 100% of the cost of closing Yangebup Road at the Railway Line.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the cost contribution schedule.</p> <p>Contributions shall be made towards the following items for Beeliar Drive:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Watson Road and Stock Road;</li> <li>• Land requirements for an average 45 metre wide road reserve between Watson Road</li> </ul>

Ref No:	DCA 5
	<p>and Stock Road and where necessary to accommodate channelisation at intersections and drainage;</p> <ul style="list-style-type: none"> <li>• Full earthworks;</li> <li>• Construction of a four lane median divided kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic signals and roundabouts at major intersections;</li> <li>• Drainage</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs;</li> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.</p> <p>Contributions shall be made towards the following items for Spearwood Avenue:</p> <ul style="list-style-type: none"> <li>• Land requirements for a 25 metre wide road reserve;</li> <li>• Full earthworks;</li> <li>• Construction of a two lane kerbed road with channelisation at intersections;</li> <li>• Dual use path (one side only);</li> <li>• Traffic Management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> </ul> <p>Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<b>Construction of all infrastructure items has been completed.</b>

<b>Ref No:</b>	<b>DCA 5</b>
<b>Participants and Contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 5.

<b>Ref No:</b>	<b>DCA 6</b>
<b>Area:</b>	Munster
<b>Provisions:</b>	<p>All landowners within DCA6 shall make a proportional contribution to 23.4% of the cost of widening and upgrading of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster.</p> <p>The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items:</p> <ul style="list-style-type: none"> <li>• Land requirements for the Other Regional Road reservation between Stock Road and Cockburn Road as reserved in the Metropolitan Region Scheme;</li> <li>• Additional land where necessary to accommodate channelisation at intersections and drainage;</li> <li>• Full earthworks;</li> <li>• Construction of a two lane kerbed road;</li> <li>• Dual use path (both sides);</li> <li>• Pedestrian Crossings (where appropriate at the discretion of the local government);</li> <li>• Lighting;</li> <li>• Landscaping;</li> <li>• Traffic management devices;</li> <li>• Drainage;</li> <li>• Servicing infrastructure relocation where necessary;</li> <li>• Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits.</li> </ul> <p>Costs for the repayment of any loans raised by the local government for the purchase of any land for the road reserve or any of the abovementioned works.</p>
<b>Period of operation:</b>	<b>30 June 2033</b>

<b>Ref No:</b>	<b>DCA 6</b>
<b>Timing and priority:</b>	<b>The widening and upgrade of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster, is to be delivered within 10 years.</b>
<b>Participants and contributions:</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 6.

<b>Ref No:</b>	<b>DCA 8</b>
<b>Area:</b>	Solomon Road
<b>Provisions:</b>	<p>Landowners within DCA 8 shall make a proportional contribution to the cost of common infrastructure for the Solomon Road Arterial Drainage System.</p> <p>The proportional contribution is to be determined in accordance with the provisions of Clause 5.3 of TPS 3 and contained on the Development Contribution Plan. The Council in its discretion may exclude properties from the DCA area which it deemed to have no development or subdivision potential.</p> <p>Contributions shall be made towards the following items associated with the proposed Solomon Road Arterial Drainage System –</p> <ul style="list-style-type: none"> <li>(a) Full earthworks;</li> <li>(b) Provision of drainage infrastructure;</li> <li>(c) Supply and boring of a pressure main under the Kwinana Freeway and works associated with the proposed pump station;</li> <li>(d) Servicing infrastructure relocation where necessary;</li> <li>(e) Landscaping works around the drainage basin;</li> <li>(f) Cost of land required for the Arterial Drainage basin;</li> <li>(g) Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>

<b>Ref No:</b>	<b>DCA 8</b>
<b>Timing and priority:</b>	<b>The construction of drainage infrastructure and associated works for the Solomon Road Arterial Drainage System, Jandakot, is to be delivered within 10 years.</b>
<b>Participants and contributions</b>	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 8.

<b>Ref No:</b>	<b>DCA 11</b>
<b>Area:</b>	Muriel Court
<b>Provisions:</b>	<p>All landowners within DCA 11 shall make contribution to land and infrastructure works required as part of the development of the Muriel Court Development Contribution Area.</p> <p>With the exception of existing lots 3 and 21 Verna Court and Lots 52 and 150 Semple Court, the contribution is to be calculated on the potential number of dwellings that can be constructed on each lot or lots and calculated in accordance with the following:</p> <ul style="list-style-type: none"> <li>• R20 lots – 450m<sup>2</sup></li> <li>• R25 lots – 350m<sup>2</sup></li> <li>• R40 lots – 220m<sup>2</sup></li> <li>• R60 lots – 166m<sup>2</sup></li> <li>• R80 lots – 125m<sup>2</sup></li> <li>• R160 lots – calculated by dividing the lot area (m<sup>2</sup>) by 62.5 to give the number of dwellings.</li> </ul> <p>No contribution required in respect to land and lots required for public open space, drainage, the widening and extension of Muriel Court and Kentucky Court and the widening and realignment of Semple Court.</p> <p>Contributions shall be made towards the following items by all landowners within DCA 11.</p> <ul style="list-style-type: none"> <li>• Pro-rata contribution to the upgrading of North Lake Road between Kentucky Court and Semple Court including upgrading the existing carriageway, construction of the future carriageway, drainage, lighting, landscaping and service relocation where necessary.</li> <li>• The cost of land and works for the widening and realignment of Semple Court between</li> </ul>

Ref No:	DCA 11
	<p>Verna Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.</p> <ul style="list-style-type: none"> <li>• The cost of land and works for the realignment of Semple Court shown on the Muriel Court Structure Plan between Berrigan Drive and Verna Court. Works are to include the cost of the carriageways, median landscaping, drainage, lighting and paths.</li> <li>• Traffic management devices along realigned Semple Court and traffic lights at the intersection of Semple Court with Berrigan Drive and North Lake Road.</li> <li>• Modifications to existing Semple Court including closures and pavement modifications shown on the Muriel Court Structure Plan.</li> <li>• Cost of land and works for the realignment of Elderberry Drive between Berrigan Drive and Jindabyne Heights.</li> <li>• The cost of land and works for the widening of Muriel Court and Kentucky Court between realigned Semple Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.</li> <li>• Traffic management devices along Muriel Court and traffic lights at the intersection of Kentucky Court and North Lake Road.</li> <li>• Provision of land for public open space area shown on the Muriel Court Structure Plan and the cost of landscaping and bushland/wetland restoration.</li> <li>• Land and works for internal and off site groundwater control and drainage infrastructure including detention basins, gross pollutant traps, nutrient stripping and landscaping.</li> </ul>

<b>Ref No:</b>	<b>DCA 11</b>
	<ul style="list-style-type: none"> <li>• Preliminary professional services including drainage, services, geotechnical, site contamination, traffic and planning.</li> <li>• Further detailed studies and design including design guidelines and engineering design of drainage and major roads.</li> <li>• Costs to administer cost sharing arrangements of the DCA including detailed engineering design of drainage and roads the subject to the DCA provisions, cost estimates and schedules, valuations, annual reviews of land and works, audits and administrative costs.</li> <li>• Cost including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA 11.</li> </ul> <p>The following lots shall make a contribution to the cost to administer cost sharing arrangements of the DCA and a proportional contribution to the road and drainage works listed above unless rezoned to residential in which case all of the above requirements will apply.</p> <ul style="list-style-type: none"> <li>• Lot 52 Semple Court 1.25% of the total cost</li> <li>• Lot 3 Verna Court 7.6% of the total cost</li> <li>• Lot 21 Verna Court 1.5% of the total cost</li> </ul>
<b>Period of operation:</b>	<b>30 June 2033</b>
<b>Timing and priority:</b>	<p><b>Construction of infrastructure completed:</b></p> <ul style="list-style-type: none"> <li>• Upgrading North Lake Road between Kentucky Court &amp; Semple Court</li> <li>• Traffic lights at Kentucky Court &amp; North Lake Road intersection</li> </ul> <p>Depending on the timing of subdivision and development within the area and where practical, the following infrastructure is to be delivered within 10 years:</p> <ul style="list-style-type: none"> <li>• Widening and realignment of Semple Court between Verna Court &amp; North Lake Road</li> <li>• Widening and realignment of Semple Court between Berrigan Drive &amp; Verna Court</li> <li>• Traffic management devices – Muriel Court</li> </ul>

Ref No:	DCA 11
	<ul style="list-style-type: none"><li>• <b>Public open space – Land, development &amp; bushland/wetland Restoration</b></li><li>• <b>Groundwater control &amp; drainage infrastructure</b></li></ul>
Participants and contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 11.

The Amendment is complex under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as it proposes to amend a development contribution plan.

**ADOPTION**

Adopted by resolution of the Council of the City of Cockburn at the ordinary meeting of the Council held on 8th day of December 2022.

  
MAYOR

  
A/ CHIEF EXECUTIVE OFFICER

**FINAL APPROVAL**

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the ..... day of ..... 20 , and the Common Seal of the City of Cockburn was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
MAYOR

(Seal)

.....  
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....  
DELEGATED UNDER S.16 PLANNING  
AND DEVELOPMENT ACT 2005

DATE.....

Final Approval Granted

.....  
MINISTER FOR PLANNING  
DATE.....

File No. 109/156

**SCHEDULE OF SUBMISSIONS  
PROPOSED SCHEME AMENDMENT NO. 156**

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
1	Water Corporation, Leederville WA	<p><b>COMMENT:</b> It should be noted that the Water Corporation has a substantial amount of water sewerage and drainage assets throughout the area of the proposed works that the Development Contribution Plans covers.</p> <p>If our assets are affected by the proposed works, the proponent will be required to fund new assets or the relocation of existing assets and protection of all assets.</p> <p>Including these potential costs that will result, in the Development Contribution Plans should be considered.</p> <p>When the planning \ design process for the proposed works is being undertake it would be advisable to seek advice from the Water Corporation to determine the potential affect (and resulting costs) on our assets.</p> <p>In accordance with Section 90 of the <i>Water Services Act 2012</i> whenever development is proposed near Water Corporation assets the applicant/developer/owner needs approval prior to construction. This should be done by submitting an Approval of Works application. For information about this application please follow this link: <a href="https://www.watercorporation.com.au/home/builders-and-developers/working-near-our-assets/approval-for-works">https://www.watercorporation.com.au/home/builders-and-developers/working-near-our-assets/approval-for-works</a></p>	<p>1. Water Corporation's submission discusses Amendment No. 156 as if it seeks to introduce new Development Contribution Plans (DCPs) throughout the City. However, this is not the case, and Amendment No. 156 seeks only to include 'period of operation' and 'timing and priority' to six (6) of the City's current DCPs.</p> <p>2. Given that Amendment No. 156 does not propose any changes to the provision of infrastructure as set out in the relevant DCPs, there will be no immediate impacts on Water Corporation assets as a result of this scheme amendment.</p> <p>Should any of the City's future capital works projects which are funded by contributions collected by the relevant DCPs which have the ability to impact Water Corporation assets, or require re-location of the asset, appropriate consultation, and relevant approvals will</p>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.	<p>be considered as part of the project-planning phases.</p> <p>3. Relevant DCPs 1, 4, 5, 6, 8 and 11 subject to Amendment No. 156 all currently have provision for contributions to address any requirements for the relocation of servicing infrastructure. This requirement is not proposed to be changes under Scheme Amendment No. 156.</p>
2	Main Roads WA (MRWA), East Perth WA	<p><b>COMMENT:</b> Main Roads has reviewed the supporting information for Amendment No. 156 and has no objections to the proposed amendment.</p> <p>Main Roads understands that the intent of Amendment No. 156 is to introduce provisions to establish the 'period of operation' and 'timing and priority' of infrastructure delivery for several existing Development Contribution Plans in order to align Town Planning Scheme No.3 with the requirements of State Planning Policy 3.6 – Infrastructure Contributions.</p> <p>The proposed changes are not considered to alter or present additional impact to the safety, efficiency or performance of the State road network.</p> <p>Main Roads requests a copy of the City's final determination on this proposal to be sent.</p>	<p>1. Noted.</p> <p>2. The Council resolution of Amendment No. 156 will be provided to MRWA following the Ordinary Council Meeting in which it is presented to Council.</p>

### 14.1.2 Proposed Structure Plan - No. 157 (Lot 28) Barfield Road, Hammond Park

<b>Executive Author</b>	A/Chief of Built and Natural Environment Strategic Planning Officer
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Southern Suburbs DSP Stage 3 Map <a href="#">↓</a></li> <li>2. Proposed Structure Plan Map <a href="#">↓</a></li> <li>3. Proposed Subdivision Concept <a href="#">↓</a></li> <li>4. EPBC Act 1999 Referral Decision <a href="#">↓</a></li> <li>5. Public Open Space Landscape Concept <a href="#">↓</a></li> <li>6. SU23 Easement Land Revegetation Plan <a href="#">↓</a></li> <li>7. SU23 Easement Revegetation Methodology <a href="#">↓</a></li> <li>8. Schedule of Submissions <a href="#">↓</a></li> <li>9. Recommended Modifications <a href="#">↓</a></li> </ol>
<b>Location</b>	No. 157 (Lot 28) Barfield Road, Hammond Park WA 6164
<b>Owner</b>	Condor Nominees Pty Ltd
<b>Applicant</b>	Michael Glendinning Property
<b>Application Reference</b>	110/236

#### RECOMMENDATION

That Council:

- (1) ADOPTS the Schedule of Submissions prepared in response to the proposed Structure Plan as set out in Attachment 8;
- (2) RECOMMENDS pursuant to Schedule 2, Part 4, Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Western Australian Planning Commission approve the proposed Lot 28 Barfield Road Structure Plan subject to the modifications listed in Attachment 9;
- (3) ENDORSES the Bushfire Management Plan (BMP), prepared by Smith Bushfire Consultants (Version 1.4, dated November 2022) as modified in accordance with recommendation (2) (above); and
- (4) ADVISES those who made a submission of Council's decision accordingly.

#### Background

The proposed Structure Plan is presented for a recommendation on final determination by the Western Australian Planning Commission (WAPC).

#### Southern Suburbs District Structure Plan (DSP)

Lot 28 Barfield Road, Hammond Park (the site) is located within the area subject to the Southern Suburbs District Structure Plan (DSP).

Originally approved by Council in 2008, it was modified to its current form in September 2012.

The DSP map provides a broad land use framework including the major road network, neighbourhood structure, commercial, education, community and significant open spaces areas, to guide Local Structure Plans.

The DSP informed Amendment 28 to Town Planning Scheme No.3 (TPS 3) which (in part) introduced two Special Control Areas of direct relevance to this site, being:

- Development Area 26 (Rowley Road) – which formalises the requirement for approval of local structure plans to provide for residential development and compatible land uses; and
- Development Contribution Area 9 (Hammond Park) – which requires developers to pay a proportional cost towards the provision of key infrastructure, such as regional drainage and the widening and upgrade of Hammond Road (between Gaebler and Rowley Roads).

The Southern Suburbs DSP Stage 3 Map is included (refer Attachment 1).

### **Submission**

N/A

### **Report**

#### Subject site and surrounds

Encompassing 4.8166 hectares of land zoned 'Urban' under the Metropolitan Region Scheme (MRS), the parent lot is divided into two zones under TPS 3 (refer Figure 1):

- the western portion is zoned Development (DA26 Special Control Area); and
- the eastern portion is zoned Special Use 23 (SU23), which allows for a limited range of uses (carpark, civic use, community purposes, nursery, public amusement and private recreation) within the easement of a high-voltage transmission powerline running parallel to the Kwinana Freeway.

Historically, the site contained a homestead and associated outbuildings located in the cleared south-western area of the land. Development was removed from the site prior to 2005 and remains vacant (refer Figure 2).



Figure 1 – Composite TPS 3 & Structure Plan Zoning of the site and surrounding area (2023)



Figure 2 – Aerial image of the parent lot (2023)

The subject site is surrounded by the following land use and development:

- East: the site abuts the principal shared pathway (PSP) which runs adjacent to the Kwinana Freeway. The SW Metropolitan Railway Line is located within the Kwinana Freeway reserve
- West: the site is bounded by Barfield Road, an important neighbourhood connector linking Russell Road (via Baker Court) to the north through to Whadjuk Drive and the future Hammond Park Neighbourhood Centre to the west. Its southern extension will ultimately be disconnected from Rowley Road to facilitate its planned upgrade as an important freight connection between Tonkin Highway and Rockingham Road
- South: an approved residential subdivision (Stage 10 of Vivente Estate), the abutting row of lots are currently unable to be titled due to the bushfire threat from existing vegetation on Lot 28
- North: an approved residential subdivision (Lot 29 Barfield Road Structure Plan), similar to Vivente Estate, the abutting row of lots are unable to be titled until the existing bushfire threat on Lot 28 is removed.

As part of this development the adjoining SU23 zoned easement land was mined for sand and converted to a large drainage basin managed by the City. This proposal seeks to use the same basin for its drainage needs.

### Proposed Structure Plan

The proposed Structure Plan (refer Attachment 2) provides:

- a residential coding of R30, delivering an estimated 46 lots;
- an area of POS, measuring 2,410m<sup>2</sup> in size; and
- an internal road network, including lot frontage and two access roads from Barfield Road, and a southern connection to Vivente Estate.

Future subdivision contributes to the hard infrastructure included in DCA9 and the community infrastructure included in DCA13.

### Residential Density

A residential coding of 'R30' is proposed for all Residential land within the Structure Plan area. Under the DSP, an 'R30' coding is accepted as the base coding except where proximity to public transport and areas of high amenity (such as neighbourhood centres and educational facilities) supports higher density.

Based on the estimated lot yield derived from the indicative Subdivision Concept (refer Attachment 3), this will deliver 18.4 dwellings per gross hectare or urban land (exclusive of the power line easement) and a residential site density of 27 dwellings per residential site hectare, just above the targets set in *Perth and Peel @ 3.5million*. On this basis the R30 coding is considered acceptable.

The advertised proposal included reference to R-MD-R30. This is no longer supported by the City, due to the WAPC's February 2023 release of the Medium

Density amendments to its State Planning Policy 7.3 (SPP 7.3) *Residential Design Codes – Volume 1*.

The updated R30 development standards it provides will be sufficient.

### Native Vegetation

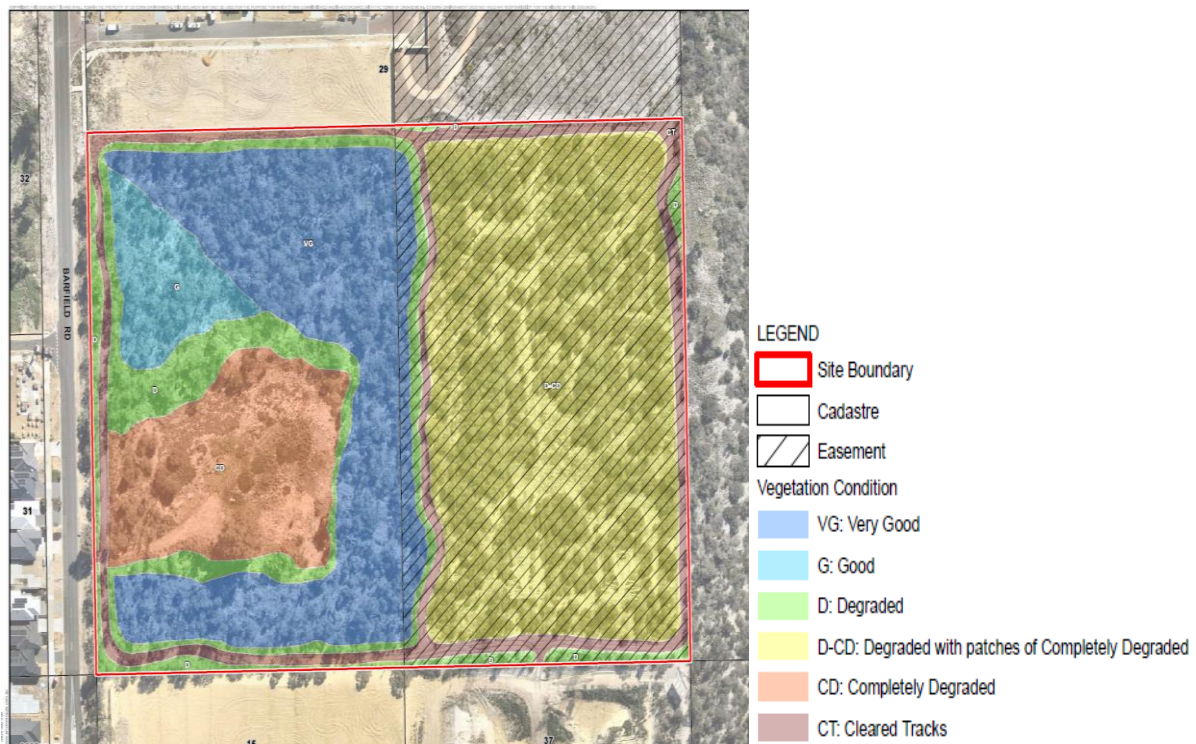
Consistent with adjoining subdivisions, the proposal is contingent upon the removal of a significant remnant vegetation within both the Development and SU23 zones.

Prior to lodgement of the structure plan the proponent sought approval from the Federal Department of Agriculture, Water and the Environment (DAWE) to clear the entire site under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

Despite the land being covered by banksia woodland (a Threatened Ecological Community of high environmental significance) inclusive of large areas mapped as being of 'good' to 'very good quality' (refer Figure 3), in December 2021, DAWE determined the proposal 'not a controlled action', meaning no further approvals are required to remove the vegetation at a federal level.

The DAWE notification of decision is included (refer Attachment 4).

This loss of vegetation formed the subject of the one public objection to the proposal but is reflective of broader concerns regularly raised by the public about the progressive clearing and development of Hammond Park.



**Figure 3 – Vegetation Condition Map (2022)**

Despite this decision, it does not mean that the vegetation does not have local significance or negate the need to obtain a permit for the clearing of native vegetation under the State *Environmental Protection Act 1986* (unless exempted, as sought by the proponent, in the form of a subsequent subdivision approval).

Rather than agree to the proponent's desire to either provide:

- a larger area of turfed open space directly underneath the power lines; or
- cash-in-lieu of land, due to the DSP anticipated public open space (POS – refer Figure 4) for this area having been compromised by the outcomes of adjoining structure plan and subdivisions;

the City has worked with the proponent to balance the competing earthworks, civil design, bushfire management and useability issues to secure preservation of an area of 'very good quality' vegetation within a pocket park that meets their 10% POS obligation.

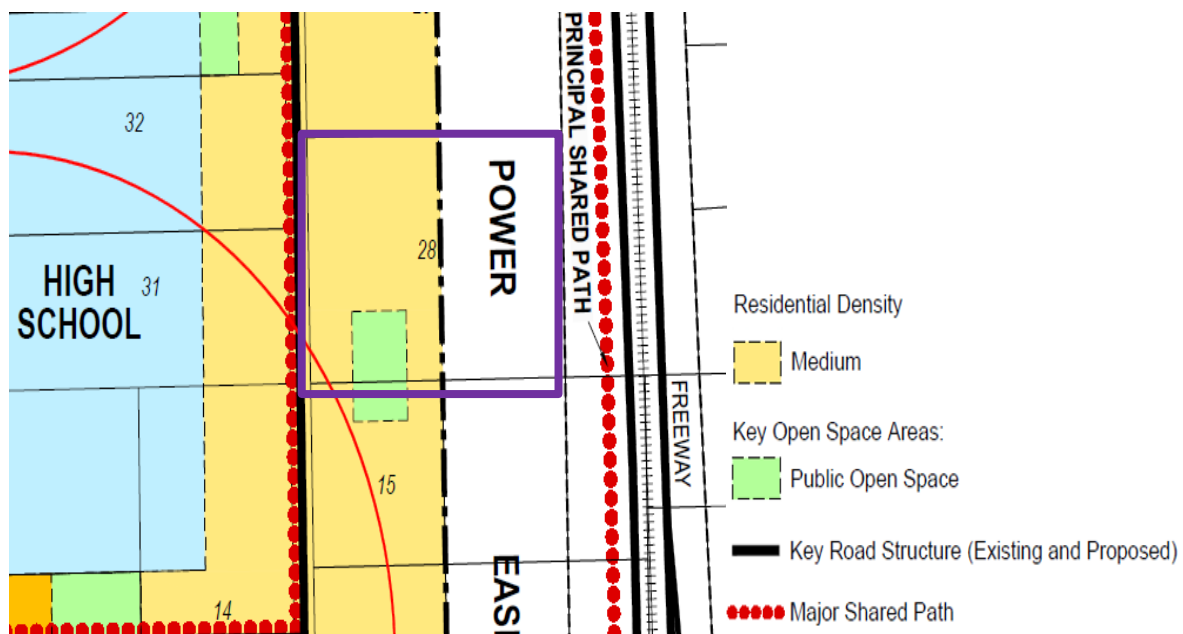


Figure 4 – 2012 DSP extract showing shared POS reserve with Lot 15 Barfield Road

### Public Open Space

The structure plan includes a local park measuring approximately 2,410m<sup>2</sup> in area. Key factors that determined its location and design (refer Figure 5 and Attachment 5) include:

- the protection of a sustainable area of 'very good quality' native vegetation;
- in an area that earthworks can avoid, whilst surrounding roads can still meet the necessary grades for gravity sewer and stormwater flow;
- the provision of appropriate facilities for passive recreational use, including a nature play area created from materials recycled from earlier clearing;

- a manageable bush fire safe interface with lots to the south that directly interface with the reserve (which will be further refined via the adoption of a local development plan for these lots); and
- its proximity to a future ecological corridor within the powerline easement land.



**Figure 5 – POS Landscape Concept**

WAPC Operation Policy *Liveable Neighbourhoods* (LN) requires a minimum 10% of the gross subdivisible area (GSA) is to be developed and ceded as POS. Based on a GSA of 2.4943ha (exclusive of the easement land), this equates to 2,494m<sup>2</sup>.

At present, the Structure Plan Map and Subdivision Concept indicate provision is approximately 84m<sup>2</sup> below the minimum requirement, however this is capable of resolution by slimming the road reserve widths along the northern and western boundaries of the reserve from 15m to 13m (involving a reduced verge on the POS side), as provided for in Element 2 (Movement Network) of LN. This will mean the minimum will be achieved (and slightly exceeded).

A similar approach along the eastern edge of the POS is not supported by the City due to it being encumbered by the SU23 powerline easement land.

### SU23 Zoned Easement Land

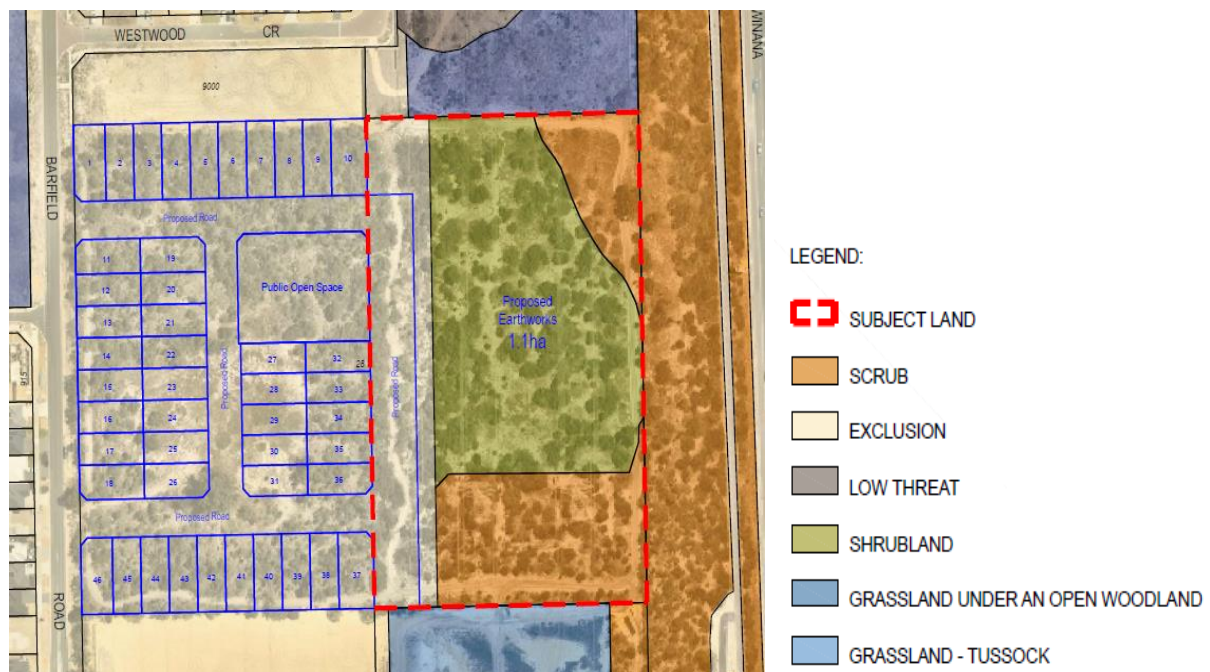
In July 2021, Western Power provided consent for the proponent to undertake earthworks within a large portion of the SU23 easement area for the purpose of extracting fill for use in the western Development zoned portion of the site.

Following excavation, agreement has been reached for the land to be revegetated before being ceded to the City as part of the subdivision process.

Consistent with the requirements of the City's Local Planning Policy 5.1 (LPP 5.1) *Public Open Space*, the land is being provided in excess of the 10% minimum POS requirement.

Furthermore, on the basis that the land is suitably revegetated, the City is satisfied the land will provide community benefit by forming part of an emerging ecological corridor between Russell and Rowley Roads, as recognised in the City's *Natural Area Management Strategy* (2012) and adopted Draft Local Planning Strategy.

In order to demonstrate such an outcome, the proponent prepared a draft revegetation plan and methodology statement for this land (refer Figure 6 and Attachments 6 and 7). The proposed outcome did not meet the City's expectations.



**Figure 6 – Extract of Draft Revegetation Plan for the SU23 zoned easement land**

This was largely due to revegetation of the easement land being heavily constrained by Western Power's *Transmission Easement Notice standard easement conditions* which limits the height of vegetation to a maximum of 1.5m.

Following further negotiation, in recognition that:

- such an outcome would be well below the height of existing vegetation; and
- that the proposed earthworks will increase the separation distance between the transmission lines and future vegetation;

Western Power have now agreed to accept vegetation up to 3m in height, which will allow a broader range of vegetation species to be accommodated and the creation of medium level canopy, more in keeping with the characteristics of the existing vegetation it is replacing.

The City is accepting of this revised outcome, with the final detail to form the subject of an updated revegetation plan and methodology statement, to be submitted and approved by the City prior to its support for any subdivision and/or clearing within the SU23 zoned easement land.

This detail is also critical to informing finalisation (and the City's endorsement) of the Bushfire Management Plan for the site.

### Bushfire

Reflective of its current vegetated state, the entire parent landholding is mapped as a Bushfire Prone Area. State Planning Policy 3.7 (SPP 3.7) *Planning in bushfire prone areas*, provides direction for land use planning in addressing bushfire risk to ensure protection of life and property.

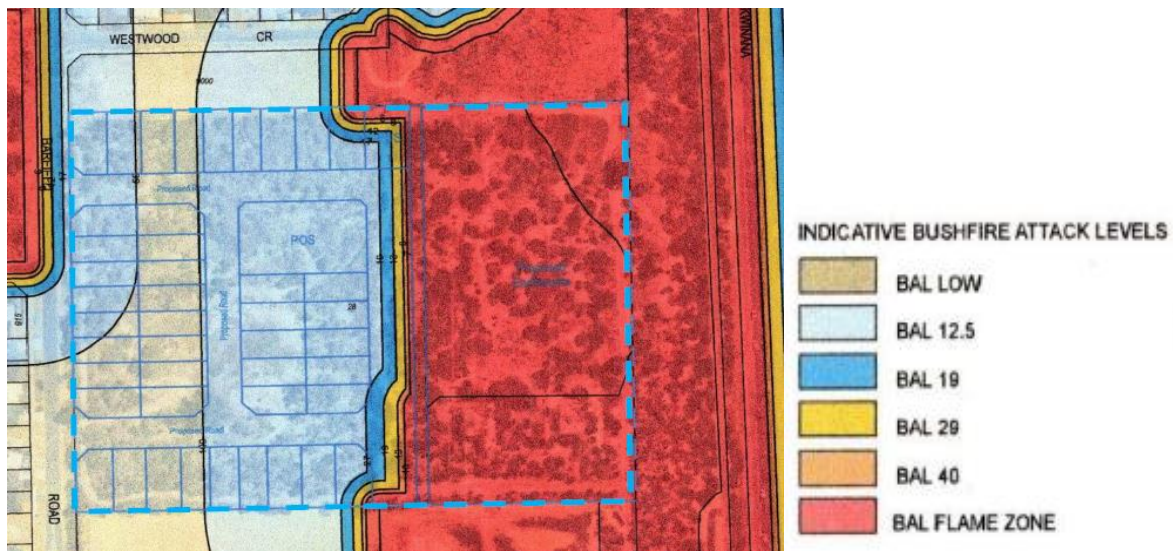
The Department of Fire and Emergency Services (DFES) raised several concerns with the advertised proposal including:

- the application of AS3959 *Construction in Bushfire-prone Areas* vegetation exclusions for the proposed POS and drainage reserve to the north;
- vegetation classifications for the site and surrounding land;
- the resultant predicted Bushfire Attack Level (BAL) contour map for the site and surrounding land (refer Figure 7); and
- acceptable bushfire solutions for location, siting, design and vehicular access for the development as per SPP 3.7.

At the time, DFES did not have the benefit of being able to review the proposed landscaping concept for the POS or the draft revegetation plan for the SU23 easement land to verify the assessed vegetation classification within the BMP.

The applicant's fire consultant is confident on the basis the overstorey canopy is limited to 10% of the total vegetation (which is accepted by the City), it will remain classified as 'Class C Shrubland' under AS3959. This would be consistent with the assumptions that underpin the predicted Bushfire Attack Level (BAL) contour plan that was included in the advertised Bushfire Management Plan (refer Figure 7).

A recommended modification requires this to be tested and confirmed upon provision and City acceptance of the updated revegetation plan and associated methodology.



**Figure 7 – Extract of the Predicted BAL Contour Plan from the Bushfire Management Plan**

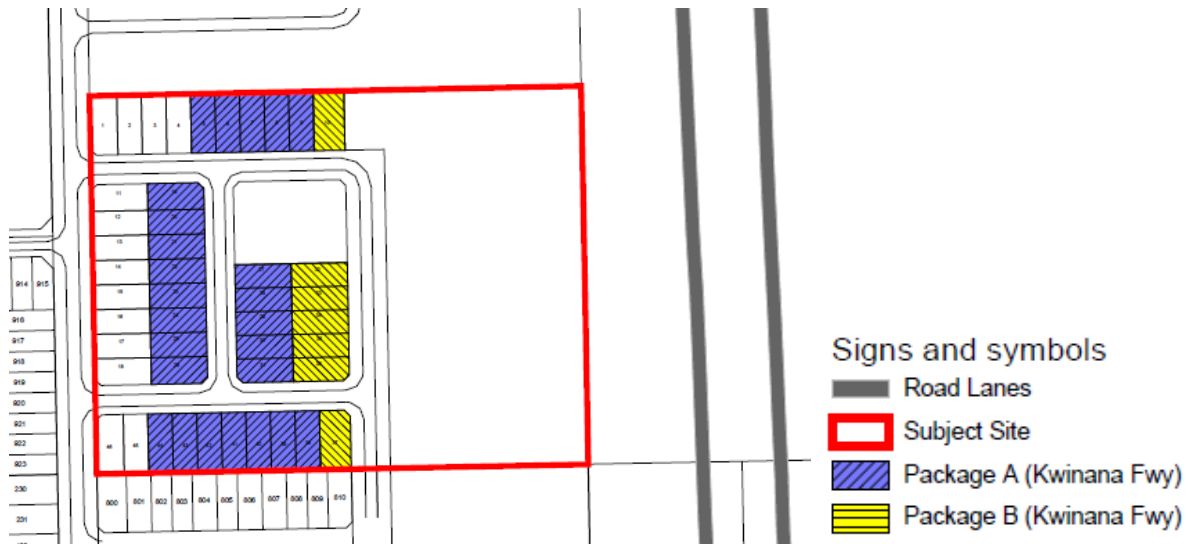
In the interim, the POS landscape concept adequately demonstrates how the local park can be managed by the City in a low threat condition that suitably addresses DFES's concerns.

### Transport Noise

State Planning Policy 5.4 (SPP 5.4) *Road and rail noise*, applies to all levels of planning to address noise impacts on sensitive land uses (including future residential development).

Rather than extend the noise wall along the easement edge (from the north), this proposal involves a combination of maintaining an earthwork bund within the easement area between the site and the Kwinana Freeway, and the use of quiet house design packages for future dwellings (refer Figure 8) to mitigate both road and rail noise.

This is considered a preferable outcome suitable to the overall structure plan design and will be addressed by a Local Development Plan covering the affected lots.



**Figure 8 – Extract of the Transport Noise Assessment – Proposed Noise Mitigation**

### Land Contamination

The Department of Health (DoH) raised public health concerns related to any potential presence of remnant demolition waste, including hazardous materials, from prior demolition on site.

In response to the DoH submission, the proponent provided a preliminary site inspection (PSI), which recommends further assessment work before subdivision works commence. This requirement has been captured as a modification to the structure plan report.

### **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 attractive, socially connected and diverse built environment.

### **Budget/Financial Implications**

The cost of processing the Structure Plan was calculated in accordance with the *Planning and Development Regulations 2009* and has been paid by the proponent.

### **Legal Implications**

N/A

### **Community Consultation**

The proposal was advertised for a period of 42 days, in accordance with Regulation 18 (3A) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, between 5 January 2023 and 16 February 2023.

Advertising consisted of an advertisement in the Perth Now (Cockburn) newspaper, notice on the City's 'Comment on Cockburn' website, letters to surrounding landowners and relevant State Government agencies and servicing authorities.

Hard copies of the documentation were also available to view during work hours at the City's Administration Building, Spearwood for the duration of the advertising period.

As per the requirements of *Local Planning Policy 5.19 – Structure Plans & Telecommunications Infrastructure*, the proposal was forwarded to telecommunication providers.

The City received 14 submissions, including 11 from State Government agencies and servicing authorities and 3 submissions from members of the public.

In summary:

- three submissions supported the proposal;
- nine submissions provided comment or no objection; and
- two submissions objected to the proposal.

A copy of the Schedule of Submissions, including officer responses to the issues raised is included (refer Attachment 8).

### **Risk Management Implications**

The officer recommendation considers the relevant planning matters associated with the proposal.

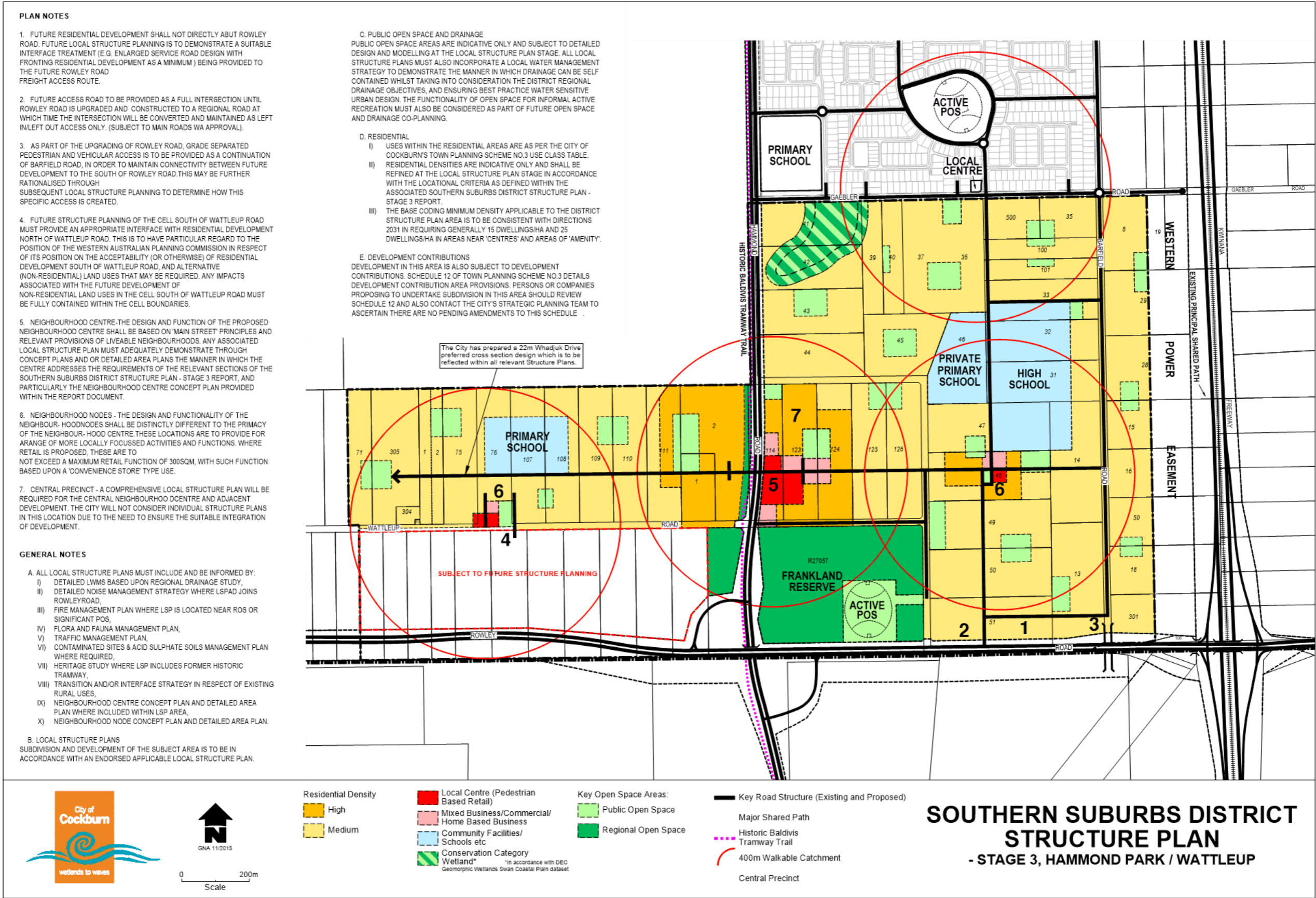
It is considered that the officer recommendation is appropriate.

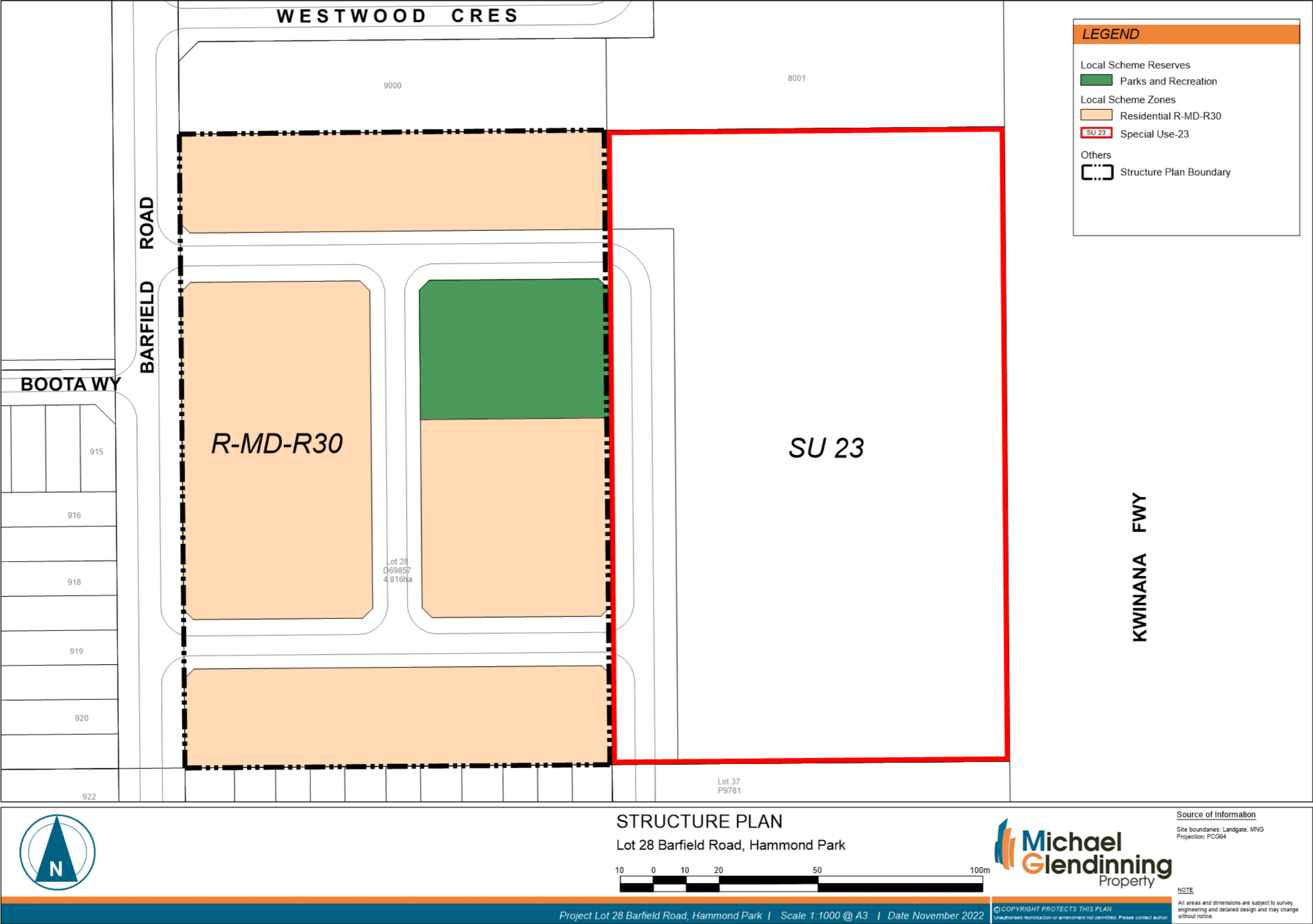
### **Advice to Proponent(s)/Submitters**

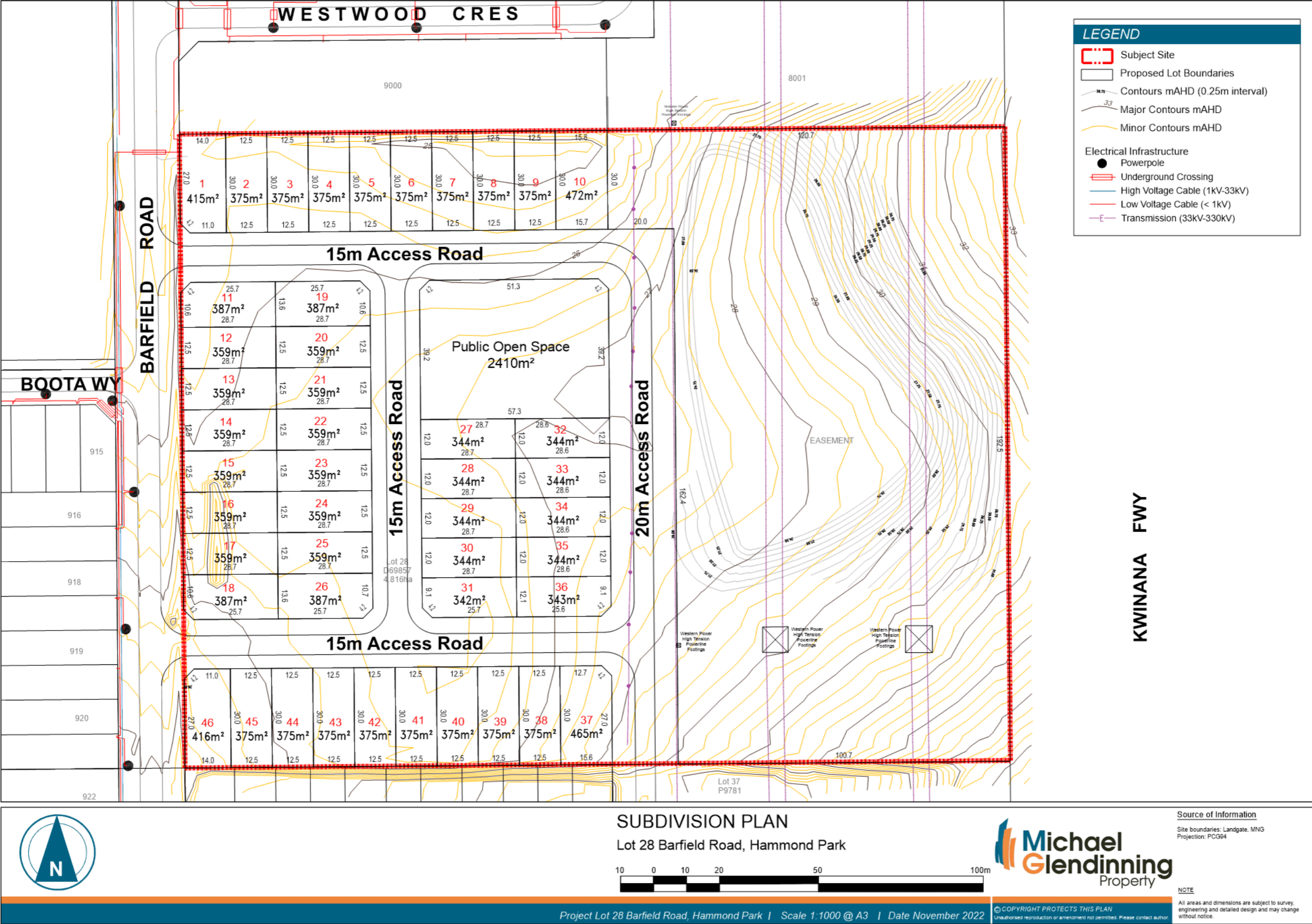
The Proponent and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 May 2023 Ordinary Council Meeting.

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

Nil









Australian Government  
Department of Agriculture,  
Water and the Environment

**Notification of DECISION – not controlled action**

**Lot 28 157 Barfield Road, Hammond Park - Proposed Residential Development, WA  
(EPBC 2021/9063)**

This decision is made under Section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

**Proposed action**

<b>Person proposing to take the action</b>	Condor Nominees Pty Ltd ACN 008898271
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<b>proposed action</b>	To clear vegetation to construct a residential development on Lot 28 157 Barfield Road, Hammond Park, WA; as described in the referral received by the department on 2 November 2021 [See EPBC Act referral 2021/9063].
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**Referral decision: Not a controlled action**

<b>status of proposed action</b>	The proposed action is not a controlled action.
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**Person authorised to make decision**

<b>Name and position</b>	Kylie Calhoun Assistant Secretary Environment Assessments West (WA, SA, NT) Branch
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<b>signature</b>	
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<b>date of decision</b>	1 December 2021
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LOT 28 BARFIELD ROAD HAMMOND PARK

LANDSCAPE CONCEPT PLAN  
MARCH 2023

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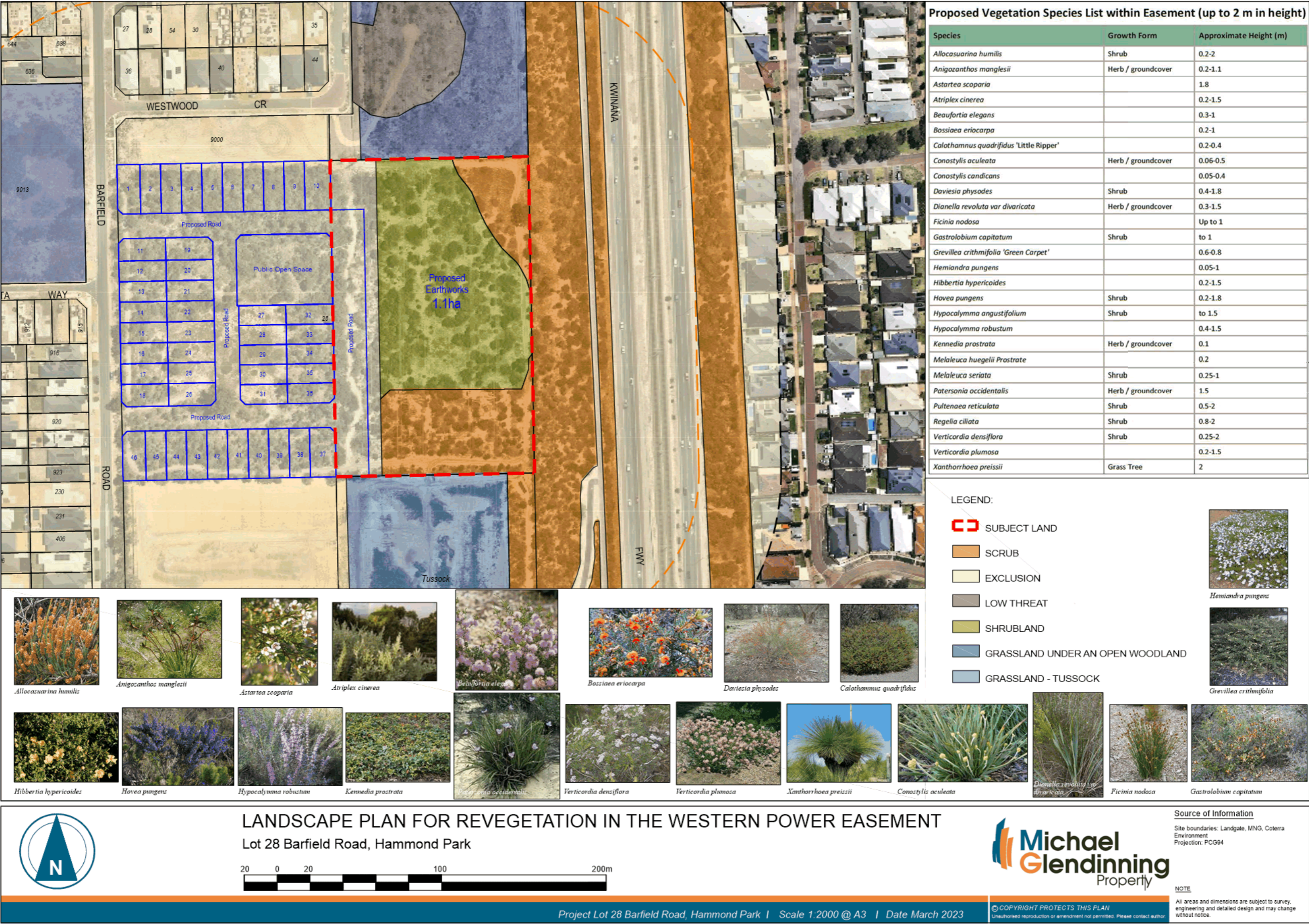
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T: (08) 9388 9566 E: mail@plane.com.au





## Lot 28 (157 Barfield Road) Revegetation Methodology

### Revegetation Areas

It is proposed to undertake revegetation works over a 1.09 hectare area within the easement adjacent to Lot 28.

The area proposed for earthworks will be revegetated by the proponent to the requirements of the City of Cockburn as a condition of subdivision approval for the residential development. These revegetation works must also comply with conditions imposed on revegetation within easements by Western Power.

### Revegetation Strategy and Completion Criteria

#### Baseline Flora and Vegetation Data

The site is historically representative of Beard Vegetation Association 1001, which is described as 'medium very sparse woodland; Jarrah, with low woodland; Banksia or Casuarina' (Beard et al, 2005) and the Bassendean Complex – Central and South (Heddle et al, 1980). The Bassendean Complex – Central and south is described as "woodland of jarrah (*Eucalyptus marginata*), *Allocasuarina fraseriana*, *Banksia attenuata*, *B. grandis* and *B. menziesii* on the sand dunes to low woodland of *Melaleuca preissiana*, *B. ilicifolia* and *B. littoralis* and sedgelands on the low-lying moister sites. This area includes the transition of jarrah to coastal blackbutt (*E. todtiana*) in the Perth vicinity and jarrah to marri (*Corymbia calophylla*) on the moister soils. Other plant species include *Kunzea ericifolia*, *Hypocalymma angustifolium*, *Adenanthos obovatus* and *Verticordia* species (Heddle et al, 1980).

A detailed vegetation and flora survey was undertaken on the site (Coterra, 2017) in accordance with relevant government guidance (EPA, 2016a). Two vegetation types were observed on the site, as follows:

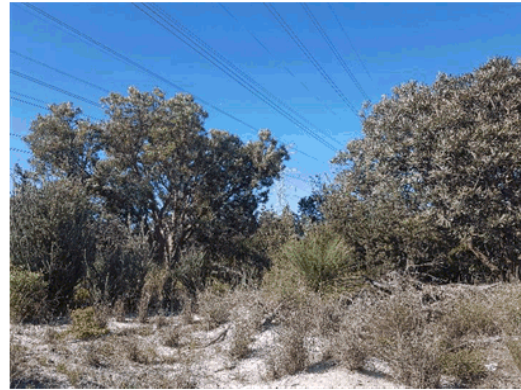
- An Open Low Forest of *Banksia attenuata*, *B. ilicifolia* and *B. menziesii* with scattered *Allocasuarina fraseriana* over Open Tall Shrubland to Tall Shrubland of *Xanthorrhoea preissii*, with occasional pockets of *Kunzea glabrescens* tall shrubs, over Open Shrubland to Shrubland of *Stirlingia latifolia* over Open Low Shrubland of *Hibbertia hypericoides* or *Hypocalymma robustum* and *Bossiaea eriocarpa* or over a mixed Sedgeland/Herbland including *Phlebocarya ciliata*, and/or *Desmocladius flexuosus* and *Lepidosperma squamatum* on midslope flats, on loamy sands, was recorded predominantly in the western portion of the subject area.
- Scattered *Banksia menziesii* and *B. ilicifolia* over Shrubland to tall Shrubland of *Adenanthos cygnorum* over Open Grassland of introduced species *\*Ehrharta calycina* with scattered native low shrubs, on midslope sandy flats was recorded predominantly in the eastern portion of the subject area.

#### Current Site Condition

The proposed revegetation area comprises vegetation in 'Completely Degraded' to 'Degraded' condition, representative of the 'Scattered Banksia Shrubland, detailed above. The proposed revegetation area is not representative of Banksia Woodland.



**Plate 1: Vegetation and weed presence**



**Plate 2: Typical vegetation within easement**

### ***Revegetation Methodology***

The proposed revegetation methodology will generally comprise the following:

#### ***Clearing and Topsoil Removal***

Clearing will be undertaken within the easement to facilitate development on Lot 28.

Clearing activities will be undertaken in accordance with engineering requirements for the site.

Topsoil will be removed and stored on site, for re-use in revegetation areas. It should be noted that topsoil may produce native germinates that grow above the 2 m height limitation, and as such, these may need to be destroyed (pers. comm James Lawton, 7 December 2021).

#### ***Slope and Surface Stabilisation***

Slope and surface stabilisation will be conducted using either of the following:

- collection of in-situ (cleared and felled) mulched vegetation will be undertaken prior to earthworks on the site
- installation of coir netting, if required
- application of a dust suppression product (such as Gluon).

The actual methodology may involve a combination of the above techniques. These actions will be undertaken after clearing.

#### ***Species Selection***

The Transmission Easement Notice, states that no vegetation exceeding 1 m in height from the natural surface of the land should be grown, cultivated or maintained within the easement (Western Power, undated).

Given the easement will be excavated, a proposed revegetation species list is provided based on vegetation within the general location and application of a 2m height restriction within the Western Power easement (Appendix 1).

#### ***Site Preparation***

Soils within the revegetation area will be ripped to 500 mm prior to planting, if possible, depending on slope. If the site has steep batters, ripping may not be possible in these locations, and alternative methods for site preparation will be implemented.



### **Planting Techniques**

Tubestock planting will be undertaken at a rate of 1.6 plants/m<sup>2</sup>.

Tubestock will be sourced from accredited Dieback-free local nurseries. Where possible, local provenance material (within 50 km of the site) will be used.

Where revegetation areas cannot be fenced (below), corflute tree guards will be installed after planting. Tree guards will be removed in the first summer after planting, only if it is determined that the rabbit population will not severely impact planting (pers. comm James Lawton, 7 December 2021).

### **Weed Control**

It is proposed that weed control works be undertaken in areas of retained vegetation to improve the quality and condition of vegetation. Weed control works will be implemented in all areas of retained vegetation as follows pre- and post-planting.

Pre-planting weed control will comprise:

- initial spot-spraying of broad spectrum herbicide application (i.e. Glyphosate) in autumn, 2-4 weeks prior to winter planting.

Post-planting weed control will comprise:

- spot-spraying of broad spectrum herbicide application (i.e. Glyphosate) in late winter/spring following planting to allow for additional removal of weeds prior to flowering and seed propagation
- broad spectrum herbicide application (i.e. Glyphosate) in summer, to coincide with summer active weeds
- annual winter/spring broad spectrum herbicide application (i.e. Glyphosate), as required
- annual summer broad spectrum herbicide application (i.e. Glyphosate), as required.

### **Access and Fencing**

Suitable fencing (1.2 m high with rabbit netting) will be installed around revegetation areas to manage inadvertent access to the areas. In accordance with the Transmission Easement Notice, this fence must be earthed to the satisfaction of Electricity Networks Corporation in the case of a metallic fence or trellis (Western Power, undated). Fencing will not be installed to the detriment of access to Western Power infrastructure.

### **Signage**

Signage will be installed adjacent to revegetation areas to advise "No Entry – Revegetation Area".

### **Completion Criteria**

Completion criteria for the revegetation areas has been determined on the basis of revegetation guidelines developed by the neighbouring City of Cockburn (2017; Table 1).

**Table 1: Success Criteria for Revegetation Works**

Assessment Parameter	Method	Completion Criteria
Seedling survival	5 m x 5 m quadrats Photo points/monitoring	1.6 plants/m <sup>2</sup> for dryland species
Species representation	5 m x 5 m quadrats/transects Photo points/monitoring	75% of dryland species
Weed cover	5 m x 5 m quadrats Photo points/monitoring	5%
Declared weeds	5 m x 5 m quadrats Photo points/monitoring	No declared weeds to be present.

Note: The completion criteria will be assessed via averaging the results from the monitoring locations.



### **Monitoring and Reporting**

Monitoring will be undertaken to assess weed cover and plant survival rates within the revegetation area against completion criteria (Table 1). These monitoring events will occur annually commencing in:

- autumn following the year that planting was undertaken, to measure plant survival. This will inform the need for any infill planting for the upcoming winter
- spring to measure to measure plant density/success.

5 m x 5 m quadrats and photo points will be established within each revegetation area, to allow for consistency of monitoring over time. Exact locations of these quadrats and photo point locations will be provided in the first monitoring report prepared for the revegetation program.

Monitoring is to be ongoing for at least 2 years post-revegetation and shall continue until completion criteria have been met. Monitoring will also make note and include photos of any signs of erosion or storm damage to revegetation areas to enable appropriate management measures.

Once initial revegetation actions have been completed, a report will be prepared and submitted to the City of Cockburn within 30 days.

Thereafter, revegetation monitoring reports, comprising results of revegetation works, monitoring results for autumn and spring and any contingency actions that were implemented, will be prepared, and submitted to the City of Cockburn on an annual basis, and within 30 days after the completion of Spring monitoring events.

### **Contingency Actions**

If monitoring indicates that the success criteria are not being met, contingency actions may be undertaken:

- infill planting (30% infill after Year 1 monitoring, then 15% infill after Year 2 monitoring) to increase plant numbers, plant species, ground coverage and / or replace damaged or dead seedlings
- additional broad spectrum herbicide application, or manual weed control to reduce weed coverage, as required, in winter, spring and autumn
- installation of additional corflute tree guards for protection to exclude pests.

### **References**

City of Cockburn (2017). *Guidelines for Revegetation and Maintenance of Natural Bushland/Wetland Areas*. City of Cockburn, Perth, Western Australia.

Heddl E. M., Loneragan O. W. and Havel J. J. (1980). 'Vegetation of the Darling System'. In: Department of Conservation and Environment (1980). *Atlas of Natural Resources, Darling System, Western Australia*. Department of Conservation and Environment, Perth, Western Australia.

Western Power (undated). *Transmission Easement Notice*. Western Power, Perth, Western Australia.



**Appendix 1      Revegetation Species List**

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### Proposed Vegetation Species List within Easement (up to 2 m in height)

Species	Growth Form	Approximate Height (m)
<i>Allocasuarina humilis</i>	Shrub	0.2-2
<i>Anigozanthos manglesii</i>	Herb / groundcover	0.2-1.1
<i>Astartea scoparia</i>		1.8
<i>Atriplex cinerea</i>		0.2-1.5
<i>Beaufortia elegans</i>		0.3-1
<i>Bossiaea eriocarpa</i>		0.2-1
<i>Calothamnus quadrifidus</i> 'Little Ripper'		0.2-0.4
<i>Conostylis aculeata</i>	Herb / groundcover	0.06-0.5
<i>Conostylis candicans</i>		0.05-0.4
<i>Daviesia physodes</i>	Shrub	0.4-1.8
<i>Dianella revoluta</i> var <i>divaricata</i>	Herb / groundcover	0.3-1.5
<i>Ficinia nodosa</i>		Up to 1
<i>Gastrolobium capitatum</i>	Shrub	to 1
<i>Grevillea crithmifolia</i> 'Green Carpet'		0.6-0.8
<i>Hemiandra pungens</i>		0.05-1
<i>Hibbertia hypericoides</i>		0.2-1.5
<i>Hovea pungens</i>	Shrub	0.2-1.8
<i>Hypocalymma angustifolium</i>	Shrub	to 1.5
<i>Hypocalymma robustum</i>		0.4-1.5
<i>Kennedia prostrata</i>	Herb / groundcover	0.1
<i>Melaleuca huegelii</i> Prostrate		0.2
<i>Melaleuca seriata</i>	Shrub	0.25-1
<i>Patersonia occidentalis</i>	Herb / groundcover	1.5
<i>Pultenaea reticulata</i>	Shrub	0.5-2
<i>Regelia ciliata</i>	Shrub	0.8-2
<i>Verticordia densiflora</i>	Shrub	0.25-2
<i>Verticordia plumosa</i>		0.2-1.5
<i>Xanthorrhoea preissii</i>	Grass Tree	2

Source: Coterra, 2017; City of Cockburn, undated (<https://www.cockburn.wa.gov.au/Street-Trees-Pruning-and-Planting>); Tranen (pers. comm J. Lawton, 2 December, 2021).

File No. 110/236

**SCHEDULE OF SUBMISSIONS**  
**PROPOSED STRUCTURE PLAN: 157 Barfield Rd, Hammond Park**

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
1	Name and Address Withheld, Hammond Park	<b>OBJECT:</b> I believe this area needs less houses and more greenery. It should have a larger area for parks and recreation, that also pays tribute to the natural landscape. The native trees are beautiful, and we shouldn't try and demolish them all. A larger green space that isn't over developed, and keeps many of the trees, will benefit the environment and the residents of the area. We know an area with more trees makes for better air quality and also reduces stress. I moved to this area because I was told there was a commitment to keep it green but many of the green areas are too small or are being overdeveloped. We need natural bushland and native flora.	<ol style="list-style-type: none"> <li>1. The proposed structure plan has addressed the requirements in regard to public open space requirements as per Liveable Neighbourhoods at Element 4 – Public parkland R4.</li> <li>2. Originally, the proposed structure plan had a shortfall of POS, but this has been addressed and will be resolved by modification of the structure plan to ensure that 10% POS is achieved. Given that the development-zoned area of the land is not considered large, the POS is considered as a pocket park, but it will provide benefits to the local residents in this area of Hammond Park.</li> <li>3. As the application has progressed, City officers and the proponent have resolved to include the POS area in a location on the site which seeks to retain some of the identified very good quality vegetation as assessed in the application's Environmental Assessment Report. A copy of the indicative POS plan is included as part of the OCM Report.</li> <li>4. In regard to vegetation removal, it should be noted that the proponent has obtained vegetation clearance approval from the</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
			<p>Federal Department of Agriculture, Water and Environment (DAWE) under the <i>Environmental Biodiversity Protection Act 1999 (EPBC Act 1999)</i>. This consent was given from the Federal department ahead of the structure plan being formally accepted by the City.</p> <p>5. Furthermore, the City has worked with the proponent to ensure suitable revegetation of proposed clearing within the powerline easement land.</p>
2	Department of Biodiversity, Conservation and Attractions (DBCA), Bentley WA	<p><b>NO COMMENT:</b> The Department of Biodiversity Conservation and Attractions - Swan Region Office has no comments on the application.</p>	1. Noted.
3	ATCO Gas Australia, Prinsep Rd, Jandakot	<p><b>NO OBJECTION:</b> ATCO Gas Australia (ATCO) has no objection to the proposed application, based on the information and plan provided.</p> <p>Advice notes:</p> <ol style="list-style-type: none"> <li>1. Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (<a href="http://www.byda.com.au">www.byda.com.au</a>) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&amp;M-PR24- <i>Additional Information for Working Around Gas Infrastructure</i> <a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></li> <li>2. Proposed construction and excavation works need to be managed in accordance with the ATCO document <i>Additional Information for Working Around Gas Infrastructure</i> - AGA-O&amp;M-PR24 <a href="https://www.atco.com/en-">https://www.atco.com/en-</a></li> </ol>	1. Noted.

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<a href="#">au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a>	
4	Symbolise Holdings Pty Ltd, Main Street, Osborne Park	<p><b>SUPPORT:</b> As the owner of Lot 29 Barfield Road, located to the immediate north of Lot 28, we support the advertised Structure Plan for Lot 28 prepared by Michael Glendinning Property, planning consultant for the owner of Lot 28, Condor Nominees Pty Ltd.</p> <p>Through their planning, engineering and environment consultants Condor Nominees have liaised with us during the formation of their Structure Plan for Lot 28 to ensure that our respective developments integrate along our common boundary.</p> <p>The City would be aware that we have been unable to obtain Titles to the residential lots abutting our common boundary with Lot 28 despite these lots being part of our own subdivision approval (WAPC 155626) due to Condor being unable to clear vegetation from their abutting land until their Structure Plan is approved, despite them having submitted EPBC referral for the clearing of vegetation from Lot 28 for development, which the Federal Department for Agriculture, Water and Environment declared "not a controlled action" in December 2021</p> <p>We therefore support the proposed Structure Plan for Lot 28 Barfield Road, the approval of which will pave the way for Condor Nominees to proceed with a subdivision application, the approval of which will facilitate the clearing of their land for development, which will enable us to obtain Titles to our approved lots abutting Lot 28.</p>	<ol style="list-style-type: none"> <li>1. Upon discussion with the proponent, and from previous assessment of the structure plan to the north, the City is aware that land abutting Lot 28 Barfield Road have not been able to be titled due to bushfire risk.</li> <li>2. The City is aware that the proponent for Lot 28 Barfield Road has gained vegetation clearance approval from DAWE.</li> <li>3. In regard to vegetation clearing on the subject site, the City has worked with the proponent to retain some of the very good quality vegetation within the area of public open space (POS) on the land without compromising the ability of this landowner to complete their development.</li> </ol>
5	Department of Water and Environmental	<p><b>COMMENT:</b> The Department has reviewed the LSP and has identified that the proposal has the potential for impact on environmental and water resource values and management.</p>	<ol style="list-style-type: none"> <li>1. Whilst the structure plan was on advertising, the City highlighted the concerns of DWER with the proponent so that they could be addressed accordingly.</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION								
	Regulation (DWER), Mandurah	<p>The Department offers the following advice to address key matters.</p> <p><b>Issue</b></p> <p><i>Better Urban Water Management and State Planning Policy 2.9 – Water Resources</i></p> <p><b>Advice</b></p> <p><i>Consistent with Better Urban Water Management (WAPC, 2008) and State Planning Policy 2.9 – Water Resources</i> a LSP is to be supported by a Local Water Management Strategy (LWMS) to provide proof of concept that the proposed urban configuration can manage water quality and quantity.</p> <p>At this point the LWMS provided requires modification to meet the requirements of the aforementioned policy measures. As such, the Department does not support the proposal in its current form, and it is recommended the report is revised consistent with the advice the Department and the City of Cockburn prior to the adoption of the LSP. The Departments review and recommended amendments are provided in Attachment 1.</p> <p><b>Attachment 1:</b></p> <p><b>Rev 1</b></p> <table border="1"> <thead> <tr> <th>No.</th><th>Page</th><th>Section</th><th>Rev 1 DWER Comments</th></tr> </thead> <tbody> <tr> <td>1</td><td>15</td><td>Section 6: Stormwater Management Strategy</td><td>The urban configuration and the subsequent stormwater management design is reliant on the site discharging to crown land to the north-east, within a Western Power easement.</td></tr> </tbody> </table>	No.	Page	Section	Rev 1 DWER Comments	1	15	Section 6: Stormwater Management Strategy	The urban configuration and the subsequent stormwater management design is reliant on the site discharging to crown land to the north-east, within a Western Power easement.	<p>2. The proponent worked with their engineering drainage consultants to address the concerns as part of the original DWER submission and re-submitted a revised Local Water Management Strategy (LWMS) on 10 February 2023.</p> <p>3. The revised LWMS superseded the previous revision and was considered internally at the City and was re-referred to DWER for further consideration.</p> <p>4. DWER responded to the City on 15 February 2023 to state that <i>all issues have been satisfactorily addressed and the local water management strategy meets requirements of draft State Planning Policy 2.9 – Planning for Water.</i></p>
No.	Page	Section	Rev 1 DWER Comments								
1	15	Section 6: Stormwater Management Strategy	The urban configuration and the subsequent stormwater management design is reliant on the site discharging to crown land to the north-east, within a Western Power easement.								

NO.	NAME/ADDRESS	SUBMISSION				RECOMMENDATION
					<p>Though there is discussion that Western power is amenable to this approach LWMS is required to include the following:</p> <ul style="list-style-type: none"> <li>• Confirmation that Western Power will accept this new drainage in their easement;</li> <li>• Confirmation the City of Cockburn supports this approach as infrastructure managers.</li> </ul> <p>If the above approach is not acceptable to the City or Western Power opportunity may exist to utilise underground storage in the public open space area to retain maximised usability of the reserve.</p>	
		2	17	Section 6.3.3: Streets	<p>Section states <i>The remainder of the 63.2% AEP 1 hour event will be contained within the below ground storage without overflow to any surrounding POS areas.</i></p> <p>Please confirm the location of this below ground infrastructure as it is not depicted in plans.</p>	

NO.	NAME/ADDRESS	SUBMISSION				RECOMMENDATION
		3	17	Section 6.3.3: Streets	<p>Section states <i>Overland flow will be employed in lieu of piped drains where possible. Where roads are constructed adjacent to open space and opportunities for soakage are available,</i></p> <p><i>flush kerbs may be used in conjunction with swale drainage in lieu of a piped drainage system. This is subject to final landscape design details and agreement from the Local Authority at detailed design stage.</i></p> <p>The purpose of the LWMS is to provide proof of concept for the intended water management approach. As such conceptual designs in the LWMS are to identify where this infrastructure is to be sited.</p>	
		4	17	Section 6.3.4: Detention Basins	<p>Section refers to “linear swales”.</p> <p>Please confirm location as no linear swales are detailed in design approach.</p>	
		5	17	Section 6.3.4: Detention Basins	<p>Section should confirm that amended soil used in the</p>	

NO.	NAME/ADDRESS	SUBMISSION				RECOMMENDATION
					<p>biofiltration basin will have a PRI of at least 10.</p> <p>Furthermore, invert level should achieve 300 mm clearance above the maximum groundwater level.</p>	
		6	20	Section 9: Monitoring	<p>Proposed trigger level should be for TN not TKN.</p> <p>The proposed TN trigger value of 6.71 mg/L is not supported. This figure includes an outlier of 6.1 mg/L recorded in October 2018 which should not be included in the trigger values calculation unless there is a valid justification. Given the small number of test results (9) the value of 6.1 mg/L has excessively skewed the trigger value.</p>	
				General	<p>Please amend <i>Department of Water</i> references to <i>Department of Water and Environmental Regulation</i>.</p>	
		<p><b>2<sup>nd</sup> Submission</b></p> <p>Thank you for providing the revised Condor Nominees Pty Ltd, Lot 28 Barfield Road Hammond Park - Local Water Management Strategy (DEC, 2023), received with correspondence dated 10 February 2023.</p>				

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>The revised strategy was in response to the Departments comments raised in correspondence dated 18 January 2023, for the review of the Lot 28 Barfield Road – Local Structure Plan.</p> <p>The Department wishes to advise that all issues have been satisfactorily addressed and the local water management strategy meets requirements of draft State Planning Policy 2.9 – Planning for Water.</p>	
6	Department of Mines, Industry Regulation and Safety (DMIRS), Plain Street, East Perth	<p><b>NO OBJECTION:</b> The Department of Mines, industry Regulation and Safety (DMIRS) has determined this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.</p> <p>DMIRS lodges no objections to the abovementioned proposed Structure Plan</p>	1. Noted.
7	Richard Noble & Company, 1/189 Hay Street, Subiaco East	<p><b>SUPPORT:</b> Richard Noble &amp; Company acts on behalf of Gold Estates Holdings Pty Ltd (GEH) for their project – Vivente in Hammond Park. Vivente in Hammond Park, including Lot 15 Barfield Road, located to the immediate south of Lot 28 (No.157) Barfield Road, Hammond Park (Lot 28).</p> <p>The purpose of this correspondence is to advise the City of Cockburn of GEH's support of the advertised Structure Plan for Lot 28 prepared by Michael Glendinning Property, planning consultant for the owner (Condor Nominees Pty Ltd) (Condor).</p> <p>Representatives of Condor have liaised with GEH during the formation of the Structure Plan to ensure that our respective developments integrate along our common boundary. Primarily this integration relates to post-development ground levels and the connectivity of the adjoining developments via a future road that will be constructed within Special Use zone (SU 23).</p>	<ol style="list-style-type: none"> <li>1. The submission from Richard Noble &amp; Company on behalf of Gold Estates Holdings Pty Ltd (GEH) provides support to the proposed structure plan at Lot 28 Barfield Road.</li> <li>2. The proposed structure plan at Lot 28 Barfield Road allows for consistency of development and connectivity to the land to the south at Lot 15 Barfield Road.</li> <li>3. Most specifically, the proposed road along the eastern side of both developments (within the SU23 zoned land) will connect to provide for a north-south route for local residents moving into these areas following development. This road will</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		We request the City support the Structure Plan, in particular the provision of the future road.	provide for an alternative to using Barfield Road as the main connector route.
8	Main Roads WA, East Perth	<p><b>COMMENT:</b> In response to your correspondence received on 05 January 2023, Main Roads provides the following comments regarding the proposed Structure Plan.</p> <ul style="list-style-type: none"> <li>Rowley Road is a proposed Primary Distributer road within <i>Perth and Peel @ 3.5 Million - The Transport Network</i>. At such time that Main Roads upgrades Rowley Road in future, Barfield Road is proposed to become a cul-de-sac at the junction of Rowley Road.</li> <li>Due to the above, at future subdivision stage Main Roads is likely to recommend that a notification pursuant to Section 70A of the Transfer of Land Act 1893 be placed on the certificates of title of any future proposed lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). Main Roads recommends that the notification states as follows: <i>"The road network connectivity in this area linking Barfield Road to Rowley Road will be permanently closed in the future."</i></li> <li>At subdivision stage notifications on title in the form of a Section 165 of the <i>Planning and Development Act 2005</i>, should be applied to the lots effected by road and rail noise to reflect the requirements of State Planning Policy 5.4.</li> <li>Measures being implemented to mitigate noise impacts on the proposed sensitive development adjacent to Kwinana Freeway, consistent with <i>State Planning Policy 5.4 Road and Rail Noise</i>. The submitted Acoustic Assessment undertaken by Lloyd George Acoustics, Ref: 21056361-02b, dated 01 December 2022 is suitable for the purposes of this structure plan assessment.</li> </ul>	<ol style="list-style-type: none"> <li>Noted.</li> <li>The report presented to Council addresses that the connection of the intersection of Rowley Road and Barfield Road is likely to close in the future. The Traffic Impact Statement prepared by Transcore also notes the future changes expected in the road network relating to the subject site.</li> <li>The modifications listed for the structure plan will include the requirement to add notifications on title for the lots created to ensure that landowners will be aware of the future of the Barfield Road and Rowley Road intersection.</li> <li>Road and rail noise has been considered in response to submission 14 below and within the noise section referencing SPP 5.4 in the OCM report.</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>Main Roads encourages local government in liaising with applicants to promote and capitalise on our pre-lodgement consultation service, prior to lodgement of planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network.</p> <p>Further information on the pre-lodgement consultation process can be found on Main Roads website at <a href="http://mainroads.wa.gov.au">mainroads.wa.gov.au</a> &gt; Technical &amp; Commercial &gt; Planning &amp; Development</p> <p>Should the City disagree with the above advice, Main Roads requests an opportunity to meet and discuss the proposal further, prior to a final determination being made.</p> <p>Main Roads requests a copy of the City's final recommendation regarding this proposal to be sent to <a href="mailto:planninginfo@mainroads.wa.gov.au">planninginfo@mainroads.wa.gov.au</a> quoting the file reference above.</p>	
9	Telstra Australia	<p><b>COMMENT:</b> The proposed development is in close proximity to our mobiles site at Aubin Grove.</p> <p>Therefore, no major issues are expected as part of this development of 46 dwellings on our Wireless network</p>	1. Noted.
10	Department of Transport (DoT), Perth	<p><b>SUPPORT:</b> The Urban Mobility (UM) division of DoT has reviewed and advises that we support the proposed structure plan without comment.</p> <p>The Department notes the intent to provide suitable bicycle access connecting to the Freeway PSP and along Barfield Road and encourages the City to ensure that these connections are provided in the ensuing development.</p>	1. Noted.
11	Department of Health (DoH), East Perth, WA	<p><b>COMMENT:</b> The DoH provides the following comment:</p> <p><b>1. Water Supply and Wastewater Disposal</b></p>	1. As per the servicing report supplied with the application, it is noted that the future

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>The development is required to connect to scheme water and reticulated sewerage and be in accordance with the Government Sewerage Policy 2019. Potable water must be of the quality as specified under the Australian Drinking Water Quality Guidelines 2011.</p> <p><b>2. Public Health Impacts</b></p> <p>DoH has a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist you with planning elements related to this structure plan. A copy is attached or may be downloaded from:  <a href="https://ww2.health.wa.gov.au/Articles/F_1/Health-risk-assessment">https://ww2.health.wa.gov.au/Articles/F_1/Health-risk-assessment</a></p> <p>The site was used as a farmstead comprising a large farmhouse and a collection of smaller barns and workshops. These were all demolished prior to 2003. No details of the demolition and clearance of demolition waste is provided. Therefore, the possible presence of remnant demolition waste, including hazardous materials such as asbestos, cannot be ruled out. DoH recommends that, at a minimum, a desktop study and site inspection are undertaken to determine the presence/absence of hazardous materials, including asbestos, on site.</p> <p><b>3. Increased Density – Public Health Impacts</b></p> <p>The City of Cockburn should also use this opportunity to minimise potential negative impacts of the increased density development such as noise, odour, light and other lifestyle activities. Public health impacts draw attention to those issues, and they should be appropriately and adequately addressed at this stage.</p> <p>To minimise adverse impacts on the residential component, the City of Cockburn could consider incorporation of additional sound proofing/insulation, double glazing on windows, or design</p>	<p>development will be connected to scheme water and reticulated sewerage.</p> <p>2. Following the advertising period, and the lodgement of this submission, the proponent addressed the potential of land contamination as a direct result of the former homestead and ancillary outbuilding being located on the site.</p> <p>An assessment was undertaken which included a site inspection and samples of waste material and soil being tested. It was determined that there were areas of the site which had asbestos materials present. As well, it was stated that it may be possible for the land to have buried fill materials.</p> <p>A further assessment of the land (and if necessary, remediation) will be required ahead of subdivision works commencing on-site. This requirement has been included in the recommended modifications to ensure it occurs.</p> <p>3. A section of the future residential development will be required to include quiet house design for the purposes of road and rail noise mitigation. However, this method will also help alleviate any impacts of surrounding residential development and noise, light, odour, etc. that it may emit.</p> <p>4. The applicant was able to demonstrate that given that the subject site will not</p>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>aspects related to location of air conditioning units and other appropriate building/construction measures such as ensuring adequate ventilation requirements for wet areas.</p> <p><b>4. Medical Entomology</b></p> <p>The subject land is in a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River Virus (RRV) and Barmah Forest Virus (BFV). Human cases of RRV and BFV diseases occur annually in this general locality.</p> <p>The subject land is also within 3km of mosquito dispersal distance from mosquito breeding sites at Thomson's Lake Reserve and Harry Waring Marsupial Reserve. Mosquitoes will disperse from these sites to the subject land under favourable environmental conditions. There may also be seasonal freshwater mosquito breeding habitat within proximity to the subject land. Additionally, there is the potential for mosquitoes to breed in on-site infrastructure and constructed water bodies if they are poorly designed.</p> <p>The above disease risks, as well as the lifestyle impacts of nuisance mosquitoes, will inevitably result in demands for the application of chemicals to control larval and/or adult mosquitoes. Environmental agencies may not automatically approve the use of such measures in and around environmentally significant wetlands. Therefore, it will be important that in-principle approval for effective mosquito control measures in and around these wetlands is obtained from the relevant environmental agencies before planning decisions are finalised.</p> <p>Prior to development, the DoH recommends a mosquito management plan (MMP) be developed and approved by both the Department and the local government in which the proposal</p>	<p>include any static waterways, that the risk of mosquito and midge is minimal and should not require a mosquito management plan (MMP) to be undertaken ahead of subdivision works.</p> <p>5. Notifications on title will be required to be included in the structure plan report as a modification to ensure that landowners are aware of the potential nuisance caused by mosquitoes.</p>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>is based to ensure the risk to the community of exposure to nuisance and/or disease carrying mosquitoes is considered. This MMP is to be approved by the local government and the Department prior to any subdivision.</p> <p>The Department has provided guides and templates for the development of suitable MMP to assist land developers meet these requirements.</p> <p>Please see: Mosquito management (health.wa.gov.au) for additional support.</p> <p>In addition, due to the high-risk nature of the proposed development, the Department requires the following wording to be placed on all land title documents:</p> <p>"This lot is located near extensive mosquito breeding habitat and can experience substantial numbers of nuisance mosquitoes after certain environmental conditions. The mosquito species in the region are known vectors of RRV and other mosquito-borne diseases and the region is subject to annual outbreaks of these diseases."</p> <p><b>5. Land Use Planning for Natural Hazards</b></p> <p>A document 'Land Use Planning for Natural Hazards' can also guide the use of land to effectively reduce risk and enhance sustainability for areas prone to hazards such as flooding (including storm surge), fire, landslide, earthquake, strong wind and erosion. Available for downloading from:</p> <p><a href="https://knowledge.aidr.org.au/resources/land-use-planning-for-natural-hazards-handbook/">https://knowledge.aidr.org.au/resources/land-use-planning-for-natural-hazards-handbook/</a></p>	
12	Department of Fire and Emergency Services (DFES), Perth WA	<p><b>COMMENT:</b> This advice relates only to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)</i> and the <i>Guidelines for Planning in Bushfire Prone Areas (Guidelines)</i>. It is the responsibility of the proponent to ensure the proposal</p>	<p>1. Required modifications to the BMP are listed in the recommendation to ensure that the correct version of the SPP 3.7 Guidelines is referenced.</p>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION						
		<p>complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p><b>Assessment</b></p> <ul style="list-style-type: none"><li>It is noted the BMP has been prepared in accordance with v1.3 of the Guidelines, which has now been rescinded. DFES have assessed the BMP against version 1.4 of the Guidelines.</li></ul> <p><b>1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map</b></p> <table><tr><th>Issue</th><th>Assessment</th><th>Action</th></tr><tr><td><b>Vegetation Exclusion – POS area and road outside of structure plan area</b></td><td><b>Vegetation exclusions</b> The BMP assumes that the area of Public Open Space (POS) shown on Figure 5 of the BMP (in the NE corner of the structure plan area) will be maintained as low threat vegetation as per AS3959. However, no evidence is provided to justify the vegetation exclusion. The BMP and structure plan discuss the POS to the centre of</td><td>Modification required.  Demonstrate how and who will maintain the POS and road area to 'low threat' as per AS3959 (in accordance with the Guidelines Appendix 4, Element 2 and Schedule 1).  This should also be included in</td></tr></table>	Issue	Assessment	Action	<b>Vegetation Exclusion – POS area and road outside of structure plan area</b>	<b>Vegetation exclusions</b> The BMP assumes that the area of Public Open Space (POS) shown on Figure 5 of the BMP (in the NE corner of the structure plan area) will be maintained as low threat vegetation as per AS3959. However, no evidence is provided to justify the vegetation exclusion. The BMP and structure plan discuss the POS to the centre of	Modification required.  Demonstrate how and who will maintain the POS and road area to 'low threat' as per AS3959 (in accordance with the Guidelines Appendix 4, Element 2 and Schedule 1).  This should also be included in	<p>2. In regard to the road outside of the structure plan boundary, this has been proposed and designed to connect to the land to the south and can be supported by the City as a way in which bushfire separation and road connection can be facilitated for the development. Although this road is outside of the structure plan boundary, it will be considered and included, and therefore, required to be constructed as part of the subdivision conditions in the subsequent stages of planning.</p> <p>3. Several modifications are recommended to the BMP that refer to the draft revegetation plan and revegetation methodology for the SU23 easement land. Specifically, it is recommended that Section 6 of the BMP be modified to:</p> <ol style="list-style-type: none"><li>Include that Plot 2 (identified as 20 Westwood Crescent, Hammond Park WA 6164) is maintained by the City as low threat vegetation as per AS3959.</li><li>Include that the 20m wide road reserve along the eastern side of the structure plan, within the SU23 land, is maintained by the City as low threat vegetation as per AS3959.</li><li>Include that the POS within the structure plan proposed for the</li></ol>
Issue	Assessment	Action							
<b>Vegetation Exclusion – POS area and road outside of structure plan area</b>	<b>Vegetation exclusions</b> The BMP assumes that the area of Public Open Space (POS) shown on Figure 5 of the BMP (in the NE corner of the structure plan area) will be maintained as low threat vegetation as per AS3959. However, no evidence is provided to justify the vegetation exclusion. The BMP and structure plan discuss the POS to the centre of	Modification required.  Demonstrate how and who will maintain the POS and road area to 'low threat' as per AS3959 (in accordance with the Guidelines Appendix 4, Element 2 and Schedule 1).  This should also be included in							

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			<p>the site, however do not address the NE area.</p> <p>It is also noted that ongoing management would be required to maintain the POS to a standard excludable under AS3959. DFES recommends that a Landscape Management Plan is required either to support the Structure Plan or at subsequent planning stages to provide an enforceable mechanism to ensure the exclusion is achievable in perpetuity.</p> <p>An additional road is noted in the BMP to the east of the proposed structure plan area, however is not proposed as part of the structure plan. It is unclear how this area can be guaranteed as managed if the road does not form part of the structure plan.</p> <p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation</p>	<p>structure plan, including the portion of retained vegetation, is maintained by the City as low threat vegetation as per AS3959.</p> <p>4. It is recommended that the BMP is amended to include further information regarding how the land at Plot 5, to the north-east of the structure plan site, is currently vegetated and the City's maintenance obligation for this area which is now under the City's management as Crown land.</p> <p>5. It is recommended that the BMP is amended to include a revised table of BAL Contours at subsection 3.2 and Figure 5 of the report to reflect the correct land slopes of the land, and vegetation classifications for Class C Shrubland.</p> <p>6. It is recommended that the BMP is amended at Section 5.1 to provide further discussion in relation to the indicative subdivision plan for the structure plan's future development to better respond to:</p> <ul style="list-style-type: none"> <li>a. Acceptable solution 3.2 for the width and type of access road is to proposed as part of the development as per Liveable Neighbourhoods;</li> <li>b. Acceptable solution 3.3 for cul-de-sacs and lack thereof within the development;</li> </ul>

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
			at maturity as per AS3959, or the resultant BAL ratings may be inaccurate.		c. Acceptable solution 3.4 for battle-axes lot arrangements and lack thereof within the development.
		<b>Vegetation Exclusion – Plot 2</b>	<p>Evidence to support the exclusion of Plot 2 as managed to low threat in accordance with AS3959 is required.</p> <p>Specifically, images provided do not support the classification of 'managed to low threat'. Photo ID 6 details weeds/grasses growing through the area, with the potential for fuel loads to exceed those provided in AS3959 Clause 2.2.3.2.</p> <p>Alternatively, the vegetation should be classified as per AS3959, or the resultant BAL ratings may be inaccurate.</p>	<p>Modification required.</p> <p>Demonstrate how and who will maintain plot 2 to 'low threat' as per AS3959 (in accordance with the Guidelines Appendix 4, Element 2 and Schedule 1).</p> <p>This should also be included in the implementation section of the BMP.</p>	7. As is discussed in the OCM Report, the City and the applicant have worked through addressing the bushfire management concerns raised in the DFES submission by coming to an agreement on the proposed final outcomes for the SU23 easement land and the revegetation which will occur. The BMP will be required to include an Appendix with the Revegetation Plan and Revegetation Methodology which is amended to address vegetation species selection including heights, vegetation classification as per AS3959 and revegetation level in aiming to rehabilitate the land to a Banksia woodland state.
		<b>Vegetation classification</b>	Vegetation plot 5 cannot be substantiated as Class G Grassland with the limited information and photographic	Modification to the BMP is required.	

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
			<p>evidence available. The crown canopy cover appears to exceed 10%, and as such the overstorey vegetation type should be considered.</p> <p>The BMP should detail specifically how the Class G Grassland classification was derived as opposed to Class B Woodland.</p> <p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation at maturity as per AS3959, or the resultant BAL ratings may be inaccurate.</p>		
		<b>BAL Contour Map</b>	<p>The indicative BAL ratings cannot be validated. The inputs (including slope) need to be updated in the BMP to demonstrate the methodology applied to determine the BAL outputs within the Contour Map.</p>	<p>Modification to the BMP is required.</p>	

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
			The contour map provided indicates that plots 5 and 6 are downslope from the site, however this is not reflected in Subsection 3.2: Assessment outputs.		
		<b>2. Policy Measure 6.3 c) Compliance with the bushfire protection criteria</b>			
		<b>Issue</b>	<b>Assessment</b>	<b>Action</b>	
		<b>Location and Siting and design</b>	<b>A1.1 and A2.1 – not demonstrated</b> The BAL ratings cannot be validated, as the vegetation classification inputs require modification as per the above table.	Modification required. Resolve issues in the table above to ensure compliance to Elements 1 & 2.	
		<b>Location and Siting and design</b>	<b>A1.1 and A2.1 – not demonstrated</b> The assessment at this level should inform the design and layout of subdivision and reduce the vulnerability of people and property from the impact of bushfire. The proposal results in two residential scale lots	Modification required. Please demonstrate compliance or provide substantiated evidence of a performance principle based solution.	

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
			<p>retaining some BAL-FZ due to offsite vegetation. The BMP notes that all new residential dwellings can be located with a BAL rating of BAL-29 or less, and that APZs will not be required, However where possible, BAL-40/FZ on residential sized lots should be avoided.</p> <p>Lots should be located in areas with the least possible risk of bushfire to meet the intent of Element 1, which has not been addressed by the submitted BAL contour map.</p>		
		<b>Vehicular Access</b>	<p><b>A3.3 – not demonstrated</b></p> <p>In bushfire prone areas, a cul-de-sac subdivision layout is not favoured because they do not provide access in different directions for residents. The proposal relies upon a road link to the east of the site and extending south, however</p>	<p>Modification required.</p> <p>Further information should be provided to demonstrate compliance; or to justify a performance principle-based solution.</p>	

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
			no detail is provided regarding a mechanism for delivery and connection of this road, noting the road to the east is within the subject lot but not part of the structure plan boundary and the section to the south is outside the subject lot.		<p><b>Recommendation – not supported modification required</b></p> <p>The BMP does not adequately address the policy requirements of SPP 3.7 and the Guidelines.</p> <p>DFES has assessed the Structure Plan and accompanying BMP. Several issues that need to be addressed prior to support of the proposal (refer to the tables above).</p> <p>In addition to the BMP updates, DFES recommends amendments to the proposed Structure Plan, consistent with any future modifications to the BMP. The proposed changes include commitments regarding the location of residential lots entirely in areas of BAL-29 or below; vehicular access and vegetation management to meet the requirements of SPP3.7 and the Guidelines at all stages of the development.</p>
13	Department of Education, East Perth	<p><b>NO OBJECTION:</b> The proposed Structure Plan site falls within the student enrolment intake areas of Hammond Park Primary School and Hammond Park Secondary College. Based on current and future student enrolment and residential growth projections, it is anticipated that the dwelling yield of 46 lots would not significantly impact on the accommodation capacity of the subject schools. Notwithstanding this, the Department will</p>			1. Noted.

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>continue to monitor the student enrolments and residential growth in the broader locality.</p> <p>In view of the above, the Department has no in principle objections to the proposed Structure Plan.</p>	
14	Public Transport Authority, Perth	<p><b>COMMENT:</b> To provide the City with a comprehensive response, the PTA's Third Party Engineering Branch, and Environment Branch have reviewed the structure plan and the supporting documents, with the PTA's consolidated comments set out below:</p> <p><u>Environment Branch</u></p> <ol style="list-style-type: none"> <li>1. The modelling undertaken does not appear to include rail noise. It is noted that the road is closest to the development and would dominate the ambient noise, however, the assessment should state that it has taken an account of this, but it is not explicitly stated.</li> <li>2. 3.1 - Site Measurement – should set out that noise monitoring was undertaken alongside Kwinana Freeway in order to: <ul style="list-style-type: none"> <li>• Quantify the existing noise levels (<b>road and rail</b>);</li> <li>• Determine the differences between different acoustic parameters; and</li> <li>• Calibrate the noise model for existing conditions.</li> </ul> </li> <li>3. The assessment report was based on monitoring data for a subdivision south of Lot 28. The assessment states: <i>this monitoring was undertaken for a subdivision to the south, however is still valid for this site as a point of calibration</i>. The monitoring location was 450m south of the development, near the Rowley Rd turnoff.</li> </ol>	<ol style="list-style-type: none"> <li>1. State Planning Policy 5.4 (SPP 5.4) - <i>Road and rail noise</i> has been considered for the application in response to the concerns raised by the PTA.</li> </ol> <p>Although the Structure Plan is adjacent to the Kwinana Freeway inclusive of the Mandurah passenger railway line, the residential portion of development is not within the trigger distance as per Table 2: <i>Noise exposure forecast</i> in the SPP 5.4 Guidelines for the consideration of railway noise.</p> <ol style="list-style-type: none"> <li>2. The application has been considered in response to rail noise with the guidelines provided in SPP 5.4. The Mandurah railway line has an approximate separation from the future location of residential development of 194.5m (when measured from the mid-line of the railway tracks). Given this distance and point 1 above, there are no further methods required for the development regarding noise mitigation.</li> <li>3. Quiet house design packages A and B will be applied to the land within the development to provide attenuation from the road noise from the Kwinana Freeway.</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>4. The notification on title should be amended advising that the site is <i>"in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise <b>and vibration</b>. Road and rail transport noise <b>and vibration</b> levels may rise or fall over time depending on the type and volume of traffic."</i> Any future Development Applications (including subdivisions) would require an amended notification on title advising of this as a condition.</p> <p><u>Third Party Engineering Branch</u></p> <p>The distance from the railway reserve places the structure plan within the PTA Protection Zone, given the proximity (less than 100m) to the Mandurah Railway Corridor. Given this, DAs lodged to the City or WAPC within the structure plan area will need to comply with the PTA's requirements for works in and around the operating railway reserve. These requirements will be met via conditions set by the PTA through the referral of future DAs to the PTA for consideration.</p> <p>The PTA looks forward to working with the City to ensure transport project and the surrounding area is developed cohesively achieving a positive community outcome.</p>	<p>4. Notifications on title will be required to be included in the structure plan report as a modification to ensure that landowners are aware of the potential nuisance caused by adjacent road and rail noise.</p>

## City of Cockburn Recommended Modifications – 157 Barfield Road Structure Plan

### Executive Summary

1. Clarify in the fifth paragraph, that the 18.4 dwellings per hectare is based on the gross urban zoned area, exclusive of the Special Use Zoned powerline easement land.

### Structure Plan Summary Table

2. Update the 'Residential' and 'Parks and Recreation' numbers to reflect the updated Subdivision Concept Plan and compliance with the minimum 10% POS requirement.
3. Update the 'Estimated Residential Site Density' based on the updated Structure Plan Map and Subdivision Concept Plan, which is approximately 27 dwellings per residential site hectare (46 dwellings / amount of Residential zoned land).
4. Update the 'Local Parks' number to reflect the updated Subdivision Concept Plan and compliance with the minimum 10% POS requirement.
5. Delete the second note below the table regarding cash-in-lieu.

### Contents Page

6. Update to match the various modifications that follow.

### Part One (Implementation)

7. Clause 3.0 (Staging) – Replace the final word “access” in the second paragraph with “as part of an emerging ecological corridor between Russell and Rowley Roads.”
8. Clause 4.1 (Applicable Standards) – Remove the second paragraph relating to cash-in-lieu.
9. Clause 4.2 (Residential Density) – Remove reference to the R-MD codes and clarify that the 18.4 dwellings per hectare is based on the gross urban zoned area.
10. Clause 4.4 (Public Open Space) – Remove the reference to an under-provision of POS and cash-in-lieu.
11. Insert New Clause 4.5 (Landscaping and Revegetation) – Include reference to the agreed landscaping/revegetation and ceding of the Special Use 23 zoned Western Power easement land, which is to be imposed as a condition of any subdivision approval that seeks exemption to the requirement for native vegetation clearing permit under the State *Environmental Protection Act 1986*.
12. Insert new Clause 4.6 (Notifications on Title) – Outline the requirement for Notifications to be imposed at the subdivision stage on all lots addressing the future disconnection of Barfield Road, mosquito-borne disease risk in the area, and transport noise as follows:
  - a. For all lots: “*The road network connectivity in this area linking Barfield Road to Rowley Road will be permanently closed in the future.*”
  - b. For all lots: “*This lot is located near extensive mosquito breeding habitat and can experience substantial numbers of nuisance mosquitoes after certain environmental conditions. The mosquito species in the region are known vectors of RRV and other mosquito-borne diseases and the region is subject to annual outbreaks of these diseases.*”

### City of Cockburn Recommended Modifications – 157 Barfield Road Structure Plan

- c. For all lots identified as requiring Quiet House Designs in the Transportation Noise Assessment: *“This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise and vibration. Road and rail transport noise and vibration levels may rise or fall over time depending on the type and volume of traffic.”*
- 13. Clauses 5.1 and 5.2 (Local Development Plans) – Delete the wording in parts (i) and (iii) of both that which refer to laneway lots and bushfire hazard mitigation requirements.
- 14. Clause 6.1 (R-MD Codes) and 6.2 (Local Planning Policy 1.16) – Delete both clauses which have been superseded by the Medium Density updates to the Residential Design Codes – Vol.1.
- 15. Insert new Clause 7.2 (Land Contamination) – Outline the requirements for a further investigation of potential site contamination (uncontrolled fill and/or asbestos associated with former structures) and if necessary remediation, prior to the commencement of subdivisional works on-site.

#### Structure Plan Map

- 16. Update the plan to increase the Parks and Recreation Reserve above the 10% minimum requirement, by slimming the road reserve widths along the northern and western boundaries of the reserve from 15m to 13m (involving a reduced verge on the POS side), as provided for in Element 2 (Movement Network) of the policy and reflected on the POS concept prepared by Plan E Landscape Architects (dated March 2023).
- 17. Re-arrange the POS boundaries (as per recommended modification 16 above) to ensure 10% POS is achieved with 13m wide road reserves surrounding along the northern and western boundaries.
- 18. Replace ‘R-MD-R30’ density coding to show ‘R30’ (on the plan and legend).
- 19. Add 135-degree hatching to the ‘Parks and Recreation’ (on the plan and legend).

#### Part Two (Explanatory)

- 20. Section 1.1 (Introduction and Purpose) – Correct the font size at the end of the end of fifth paragraph.
- 21. Section 1.3.1 (Zoning and Reservations) – Update the Development Contribution Plan 9 reference to relate to hard infrastructure (regional drainage and the widening and upgrade of Hammond Road, between Gaebler and Rowley Roads), not community infrastructure.
- 22. Section 1.3.4 (Planning Policies):
  - a. Remove the reference to Planning Bulletin 112/2016 and the R-MD Codes in the opening paragraph and delete point 5 entirely;
  - b. Update the second dot point to reflect the recent release of the new SPP 7.3 Residential Design Codes Vol.1 and its impact on the structure plan.

### City of Cockburn Recommended Modifications – 157 Barfield Road Structure Plan

23. Section 2.4 (Bushfire Hazard) – Update to reflect the final outcomes of the agreed revegetation plan of the powerline easement land and its impact on the Bushfire Management Plan.
24. Section 2.5 (Heritage) – Update to include reference and information regarding the future obligations of the *Aboriginal Cultural Heritage Act 2021* which comes into effect on 1 July 2023.
25. Section 3.0 (Proposed Structure Plan) – Update Figure 9 (Indicative Subdivision Plan) to reflect the increased POS provision on the Structure Plan and the resultant lot contours from earthworks under the powerline easement.
26. Section 3.2 (Public Open Space) – Update to:
  - a. Reference and include the POS concept prepared by Plan E Landscape Architects (dated March 2023);
  - b. Include a POS Schedule in accordance with Element 4 (Public Parkland) of *Liveable Neighbourhoods*.
  - c. Remove any reference to the under-provision of POS or cash-in-lieu.

### Appendix 3 – Bushfire Management Plan

27. Figure 1 (Structure Plan map) – Update to match the latest plan (including hatching shown on POS area and removal of R-MD reference).
28. Figure 2 (Indicative Subdivision Plan) – Update to reflect the latest plan.
29. Figure 5 (BAL Contour Plan) – Update the plan and supporting information in the BMP, for the structure plan site and the SU23 zoned easement land to reflect the resultant vegetation classification as per AS3959. The BAL levels should ensure correct and consistent slope of the land for Plot 5 and Plot 6 surrounding the subject site.
30. Section 5 (Assessment against the Bushfire Protection Criteria) – Update Method of Compliance Acceptable Solutions:
  - a. A3.2 (Public Road) to include further discussion regarding the road construction of the public roads and a level of detail in relation to the width and types of roads proposed for the structure plan, and shown in the indicative subdivision plan, as per *Liveable Neighbourhoods*.
  - b. A3.3 (Cul-de-sac) to include further discussion regarding the road layout and lack of cul-de-sac design for the proposed for the structure plan as shown in the indicative subdivision plan.
  - c. A3.4 (Battle-axe) to include further discussion regarding the lot layout and absence of battle-axe lots as shown in the indicative subdivision plan.
31. Section 6 (Responsibilities for Implementation and Management of the Bushfire Measures) – Update City Management Actions:
  - a. Update No.2 to state 'Maintain the area of POS in the structure plan as low threat vegetation as per AS3959'.
  - b. Insert new No.4, stating 'Maintain the 20m wide road reserve between the structure plan's development and the SU23 land to low threat vegetation as per AS3959'.

**City of Cockburn Recommended Modifications – 157 Barfield Road Structure Plan**

- c. Insert new No.5, stating 'Maintain the area of land identified as 20 Westwood Crescent, Hammond Park WA 6164 in line with the approved Bushfire Management Plan for the Lot 29 Barfield Road Structure Plan'.
- 32. Appendix 3 (Landscape Concept) – Update to match the latest plan prepared by Plan E Landscape Architects (dated March 2023).
- 33. New Appendix 4 (Revegetation Plan and Methodology Statement) – Amend the latest plan prepared by Coterra Environmental for the easement land (dated March 2023) by:
  - a. Update and address the land directly east abutting the 20m road reserve to be grassed and managed as low threat vegetation as per AS3959.
  - b. Update and address the land directly north abutting the 20m road reserve to be grassed and managed as low threat vegetation as per AS3959.
  - c. Update the vegetation species to be planted in the SU23 zoned easement land for revegetation with a height of up to 3m in line with Western Power consent received on 17 April 2023.
  - d. Update references to the Western Power Transmission Easement Notice Standard Easement Conditions with the consent provided by Western Power on 17 April 2023 regarding increased vegetation heights.
  - e. Include information as per the BMP for the SU23 zoned easement land and reflect the resultant vegetation classification as per AS3959.
  - f. Include discussion regarding the revegetation of the SU23 zoned easement land to be reflective of Banksia woodland TEC.
  - g. Include a requirement that no more than 10% of the overstorey vegetation is accommodated within the SU23 zoned easement land revegetation.

### 14.1.3 Recommendation on Final Adoption - Scheme (Omnibus) Amendment No. 157 to Town Planning Scheme No. 3

<b>Executive</b>	A/Chief of Built and Natural Environment
<b>Author</b>	Strategic Planning Officer
<b>Attachments</b>	1. Advertised Scheme Amendment Report <a href="#">↓</a> 2. Schedule of Submissions <a href="#">↓</a>
<b>Location</b>	City of Cockburn
<b>Owner</b>	N/A
<b>Applicant</b>	City of Cockburn
<b>Application Reference</b>	109/157

#### RECOMMENDATION

That Council:

- (1) ADOPTS the Schedule of Submissions prepared in respect of Amendment No.157 to the City of Cockburn Town Planning Scheme No.3 (as set out at Attachment 2);
- (2) ADOPTS Scheme Amendment No. 157 for final approval for the purposes of:
  - a. Modifying Table 1 – Zoning Table of the Scheme Text to include ‘Motor Vehicle Wash’ as ‘A’ use in the Local Centre Zone.
  - b. Modifying Clause 4.9.2 (e) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state: “There shall be not less than one (1) shade tree planted for every 10 linear metres of verge frontage or for every 50 square metres of the total landscaped area provided on the lot and within the street verge, whichever results in the greater number of trees.”
  - c. Modifying Clause 4.9.2 (f) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state: “There shall be not less than one (1) shade tree planted in the car parking area for every three (3) side-by-side car parking spaces provided on the lot.”
  - d. Modifying Clause 4.10.1 (b) (Rural Uses) of the Scheme Text to be re-worded to state: “Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Zone.”
  - e. Introducing Clause 4.10.1 (d) (Rural Uses) to the Scheme Text to state: “Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (of a size and constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*).”
  - f. Introducing Clause 4.10.11 (f) (Resource Zone) to the Scheme Text to state: “Where reticulated water supply is not provided to a lot the

- landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Resource Zone.”
- g. Introducing Clause 4.10.11 (g) (Resource Zone) to the Scheme Text to state: “Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a rainwater storage tank with a minimum capacity of 90,000 litres in the Resource Zone.”
  - h. Introducing Clause 4.10.11 (h) (Resource Zone) to the Scheme Text to state: “Where it is proposed to use the land for residential uses in the Resource Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (of a size and constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*).”
  - i. Introducing Clause 4.10.12 (k) (Rural Living Zone) to the Scheme Text to state “Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Living Zone.”
  - j. Introducing Clause 4.10.11 (l) (Rural Living Zone) to the Scheme Text to state: “Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a rainwater storage tank with a minimum capacity of 90,000 litres in the Rural Living Zone.”
  - k. Introducing Clause 4.10.12 (m) (Rural Living Zone) to the Scheme Text to state: “Where it is proposed to use the land for residential uses in the Rural Living Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (of a size and constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*).”
- (3) DELEGATES authorisation and submission of the updated amendment documentation to the Western Australian Planning Commission along with a request for the endorsement of final approval by the Hon. Minister for Planning; and
- (4) ADVISES those who made a submission of Council’s decision accordingly.

## Background

At the 8 December 2022 Ordinary Council Meeting, Council resolved to initiate proposed Amendment No. 157 to Town Planning Scheme No. 3 (TPS 3).

The purpose of this report is to consider the submissions made during the advertising period and make a recommendation to the Minister for Planning on final determination.

**Submission**

N/A

**Report**Proposed Scheme Amendment No. 157

The purpose of Amendment No. 157 is to modify, correct, and introduce various controls in the Scheme Text to improve its operation.

Specifically, the proposed changes include:

- Improving the car park landscaping requirements for commercial and industrial development (increasing the number of shade trees to be provided);
- Modifying the land use permissibility table to allow the consideration of 'Motor Vehicle Wash' proposals within the Local Centre Zone (following advertisement);
- Clarifying the requirement for water supply (tanks) for both potable water and firefighting purposes for any new residential development and/or agistment of animals within the Rural, Resource and Rural Living Zones.

A copy of the advertised proposal is included (refer Attachment 1).

Commercial and Industrial Landscaping

One comment was received relating to the refined commercial and industrial landscaping standards came from Main Roads WA (MRWA), who advised it would not accept deep soil planting within regional road reservations as they may interfere with future road widening requirements.

As the development standards of local schemes do not apply to regional reserves (and MRWA are consulted on all applications adjacent to regional roads), no change to the amendment is considered necessary in response to this comment.

Motor Vehicle Wash

The Department of Health (DoH) have advised any Motor Vehicle Wash proposal will need to connect to reticulated sewerage (in accordance with *Government Sewerage Policy 2019*), whilst MRWA have advised that a Transport Impact Statement or Assessment will need to accompany any proposal that involves additional car movements from State Roads.

Both matters are best addressed via reference in an update of Local Planning Policy 3.4 (LPP 3.4), which guides the preparation of applications, and decision maker's use of discretion when determining future Service Stations and/or Motor Vehicle Wash proposals within all approvable zones (not just the Local Centre – the focus of this amendment).

An update to LPP 3.4 was recently advertised between 30 March and 27 April 2023.

These matters will be addressed in the final version of the policy that will be represented to the Governance Committee and Council for consideration later this year.

#### Water Supply

MRWA advised water tanks will not be accepted within land reserved for Regional Roads under the MRS. Again, as the development standards of local schemes do not apply to regional reserves (and MRWA would be consulted on any site-specific application adjacent to, or that would involve the provision of new infrastructure within regional roads), no change to the amendment is considered necessary in response to this comment.

DoH advised that potable water supply meets the quality specified under the *Australian Drinking Water Guidelines (2011)*.

This standard is referenced in the City's Health Local Laws and does not need to be replicated in TPS3. No change is proposed in response to this comment.

The Department of Fire and Emergency Services (DFES) suggested modifications to the wording of the clauses that related to the provision of a separate water supply for firefighting purposes and encouraged the City to liaise with the Department of Planning Lands and Heritage (DPLH) Bushfire team further on this matter.

Based on that investigation, and in recognition that the *Guidelines for Planning in Bushfire Prone Areas* are regularly reviewed, it is recommended that the relevant clauses [4.10.1(d), 4.10.11(h) and 4.10.12(m)] are adjusted to simply reference the guidelines, including removal of the specific 10,000 litre tank size requirement.

This approach will negate the potential need for a further scheme amendment (if the guidelines subsequently change), whilst still achieving the intent of the proposal which was to make landowners aware of the need to provide a separate dedicated water supply for firefighting purposes.

### **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**

N/A

**Legal Implications**

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *City of Cockburn Town Planning Scheme No. 3*
- *Bush Fires Act 1954*

**Community Consultation**

The proposal was advertised for 42 days in accordance with Part 5, Division 2, Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, from 9 February until 23 March 2023.

Advertising consisted of an advertisement in Perth Now (Cockburn) newspaper, notice on the City's 'Comment on Cockburn' website, letters to the owners of undeveloped land within the Rural, Rural Living and Resource Zones, letters to relevant State Government agencies and servicing authorities, and email notification to resident associations in Beeliar, Jandakot, Treeby and Banjup.

A hard copy of the scheme amendment documentation was also available to view during work hours at the City's Administration Building in Spearwood for the duration of the advertising period.

At the end of the advertising period the City had received nine (9) submissions, consisting of:

- one (1) submission from a member of the public supporting the proposal;
- one (1) submission from DFES recommending minor improvements; and
- seven (7) submissions from State Government agencies and service authorities providing minor comment or no objection to the proposal.

A copy of the Schedule of Submissions, inclusive of officer response is included at Attachment 2.

**Risk Management Implications**

Omnibus amendments are a positive practice to ensure the City's planning scheme is constantly improved.

Without this, the City risks a planning scheme which does not reflect best planning practices, current State policy direction, achieve desired outcomes or becomes difficult to enforce.

**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 11 May 2023 Ordinary Council Meeting.

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

Nil



## Town Planning Scheme No.3

### Amendment No.157 (Standard)

#### *Omnibus Amendment*

*including textual modifications relating to landscaping requirements for commercial and industrial developments, adjusting the land use permissibility class for Motor Vehicle Wash in the Local Centre Zone, and clarifying water supply requirements for residential uses and bushfire fighting purposes in the Rural, Resource and Rural Living Zones.*

**DECEMBER 2022**

***Planning and Development Act 2005***  
**RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

***City of Cockburn***  
***Town Planning Scheme No.3***  
***Amendment No.157***

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No.3 by:

1. Modifying Table 1 – Zoning Table of the Scheme Text to reflect an 'A' use for a 'Motor Vehicle Wash' in the Local Centre Zone.
2. Modifying Clause 4.9.2 (e) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state 'There shall be not less than one **(1) shade tree** planted for every **10 linear metres** of verge frontage or not less than one for every **50 square metres** of the total landscaped area provided on the lot and within the street verge, whichever results in the greater number of trees'.
3. Modifying Clause 4.9.2 (f) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state 'There shall be not less than one **(1) shade tree** planted in the car parking area for every three **(3) side-by-side car parking spaces** provided on the lot'.
4. Modifying Clause 4.10.1 (b) (Rural Uses) of the Scheme Text to be re-worded to state 'Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Zone'.
5. Introducing Clause 4.10.1 (d) (Rural Uses) to the Scheme Text to state 'Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used **for firefighting purposes only**'.
6. Introducing Clause 4.10.11 (f) (Resource Zone) to the Scheme Text to state 'Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Resource Zone'.
7. Introducing Clause 4.10.11 (g) (Resource Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a **rainwater storage tank** with a minimum capacity of 90,000 litres in the Resource Zone'.

8. Introducing Clause 4.10.11 (h) (Resource Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses in the Resource Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used for **firefighting purposes only**'.
9. Introducing Clause 4.10.12 (k) (Rural Living Zone) to the Scheme Text to state 'Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Living Zone'.
10. Introducing Clause 4.10.11 (l) (Rural Living Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a **rainwater storage tank** with a minimum capacity of 90,000 litres in the Rural Living Zone'.
11. Introducing Clause 4.10.12 (m) (Rural Living Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses in the Rural Living Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used for **firefighting purposes only**'.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

It is an amendment to the local planning scheme that:

- *would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- *does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- *would not constitute a complex or basic amendment as defined in Part 5 Division 1 Regulation 34.*

Dated this 8<sup>th</sup> day of December 2022

  
A/ CHIEF EXECUTIVE OFFICER

## AMENDMENT REPORT

### 1.0 INTRODUCTION

The purpose of this standard amendment is to:

- Improve the requirement for landscaping in car parking areas detailed at Clause 4.9.2 in the Scheme Text for commercial and industrial development;
- Modify the land use permissibility classification for Motor Vehicle Wash in the Local Centre Zone from an 'X' (not permitted) to an 'A' (discretionary after advertising) use;
- Clarify the requirement for water supply (water tanks) for potable water and for firefighting purposes for residential development in the Rural, Resource and Rural Living Zones.

Full details of the proposed changes to the TPS3, including justification and history are included throughout this report.

### 2.0 BACKGROUND

The most recent Omnibus Scheme Amendment that the City undertook, Amendment No.154 (gazetted on 15 July 2022), made a number of minor changes to the Scheme Text and corrected zone mapping anomalies.

Initiated and processed in parallel, Amendment No.155 (gazetted 13 May 2022), also made minor Scheme Text changes that brought the provisions relating to the 'Resource' Zone into alignment with *State Planning Policy 2.3 – Jandakot Groundwater Protection*.

This Scheme Amendment proposes further changes that were not identified or had not been fully considered through the preparation of the above Amendments.

They have been identified through the daily use of the Scheme by City's planning officers, recent planning enforcement cases, and/or where the need for improvements to the existing Scheme provisions have been highlighted through development applications and conditions.

### 3.0 AMENDMENT TYPE

Part 5, Division 1, Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, identifies different amendment types: basic, standard and complex.

Regulation 35(2) requires the local government to specify in their resolutions to prepare or adopt an amendment what type of amendment it is, as well as the explanation for forming that opinion.

This amendment is considered to be a 'standard' amendment, which Regulation 34 describes as:

*standard amendment means any of the following amendments to a local planning scheme —*

- (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;*
- (b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- (c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;*
- (d) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;*
- (e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;*
- (g) any other amendment that is not a complex or basic amendment.*

This proposed amendment satisfies parts (e), (f) and (g) of the above criteria.

#### **4.0 TOWN PLANNING CONTEXT**

##### **4.1 State Planning Framework**

This amendment does not propose any changes to Town Planning Scheme No.3 (TPS3) which would contravene or be inconsistent with the State Planning Framework or Metropolitan Region Scheme (MRS). State Planning Framework documents of relevance, as referenced in section 5.0 of this report, include:

- *State Planning Policy 2.5 – Rural Planning*
- *DRAFT State Planning Policy 2.9 – Planning for Water*
- *State Planning Policy 3.0 – Urban Growth and Settlement*
- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*
- *Guidelines for Planning for Bushfire Prone Areas*
- *State Planning Policy 4.2 – Activity Centres for Perth and Peel*
- *State Planning Policy 7.0 – Design of the Built Environment*

#### 4.2 City of Cockburn Local Planning and Environmental Framework

City documents are of relevance to the changes proposed by this amendment, as referenced in section 5.0 of this report, include:

- *Strategic Community Plan (2020 – 2030)*
- *Climate Change Strategy (2020 – 2030)*
- *Urban Forrest Plan (2018 – 2028)*
- *Local Planning Policy 3.9 – Industrial Development*
- *Local Planning Policy 5.9 – Rainwater Tanks and Renewable Energy System*
- *Local Planning Policy 5.18 – Subdivision and Development – Street Trees*
- *Commercial Lot Development – Good Practice Guide (2013)*

#### 5.0 PROPOSAL

##### Proposal 1

Proposal 1 seeks to change the land use permissibility of 'Motor Vehicle Wash' from an 'X' (*not permitted*) to an 'A' (*not permitted unless the local government has exercised its discretion and has granted planning approval after advertising the proposal in accordance with Clause 64(3) of the deemed provisions*) use within the Local Centre Zone within the TPS3.

Such an outcome would be consistent with the Council's resolution to accommodate a Motor Vehicle Wash land use via TPS3 Amendment No.153 for Berrigan Quarter, and Amendment No.5 to the Cell 6 Yangebup / Beeliar Local Structure Plan for the Beeliar Hive Shopping Centre. It would also be consistent with the permissibility that relates to Service Stations on Local Centre zoned land.

The proposed change does not mean that the use is suitable or will be recommended or approved on all Local Centre zoned land but will provide the flexibility for it to be more readily considered in appropriate locations across the broad spectrum of Local Centre zoned properties that currently exist within the City.

Should the amendment be successful, a Local Planning Policy will be prepared (for Council's future consideration) to help guide applicants and decision makers in considering appropriate locations and the information required to accompany such proposals.

For example, the use is unlikely to be considered suitable within immediate proximity to residential use and is expected to trigger the requirement for a Traffic Impact Statement, Acoustic Report / Noise Management Plan and/or an Operation Management Plan, that will be advertised for public comment prior to determination.

Tracked changes														Reason for proposed change				
Proposal 1																		
USE CLASS	RESIDENTIAL	REGIONAL CENTRE (See Note 4)		DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	AMD 96 GG 23/6/15		LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
																		AMD 144 GG 17/11/2020
COMMERCIAL USES (Cont'd)																		
Transport	Home Store AMD 96 GG 23/6/15	A	P	P	P	X	X	X	X	A	X						X	X
	Commercial Vehicle Parking	D	P	P	A	P	X	P	P	D	D						X	X
	Motor Vehicle, Boat or Caravan Sales	X	P	P	X	P	X	P	D	X	X						X	A
	Motor Vehicle Hire Premises	X	D	D	X	P	X	P	P	X	X						X	X
	Motor Vehicle Wash	X	D	D	<del>X</del>	P	X	P	P	X	X						X	D
	Petrol Filling Station																	
	Service Station	X	D	D	A	D	X	P	P	X	X						X	D

**Update Table 1 – Zoning Table:**

To provide the flexibility to consider 'Motor Vehicle Wash' in appropriate location within the 'Local Centre' Zone, consistent with:

- the land use and diversity principles set out in *State Planning Policy 4.2 – Activity Centres for Perth and Peel*;
- the permissibility of Service Stations; &
- recent Council decisions within the same zone.

### Proposals 2-3

Current TPS3 development standards are not achieving the expected and desired landscaping outcomes on verges and in car parking areas for commercial and industrial development throughout the City. Proposals 2 and 3 seek to improve these outcomes.

Specifically, Clause 4.9.2 (e), which currently requires one shade tree to be planted for every 50 square metres of total landscaped area (on the lot and within the street verge), is overly simplistic and fails to adequately address scenarios such as narrow verge and/or garden bed depths that often apply in commercial and industrial development sites.

Similarly, Clause 4.9.2 (f), which currently requires only one shade tree to be planted for every 10 car parking spaces, often results in shade tree spacings (trunk to trunk) of up to 25m. This fails to adequately shade expansive paved areas or cars that park on them for extended periods, thereby doing little to improve employee/customer comfort and exacerbates problems associated with the local urban heat island effect.

As landscaping in commercial and industrial areas is largely limited to within or adjacent public verges or involves the provision of shade trees for consolidated car parking areas, a more practical and easily understood arrangement would be to specify tree requirements based on the linear lot width to a public reserve, and spacing between a specific number of adjoining car parking bays, as per the recommended modifications outlined in the table below:

Tracked changes	Reason for proposed change
Proposals 2-3	
<p>4.9.2 Landscaping</p> <p>a) A minimum <b>on-site</b> provision of <b>ten percent (10%)</b> of the total area of the lot or of a defined portion of the lot, the subject of an Application for Planning Approval, shall be set aside, developed and maintained as a landscaped area.</p> <p>b) Despite <b>clause 4.9.2 a)</b> the local government may reduce the minimum <b>on-site</b> provision to not less than <b>five percent (5%)</b> of the total area of the lot to be set aside, developed and maintained as a landscaped area where the owner agrees in writing either as part of the Application for Planning Approval or separately that all of the street verge abutting the lot shall be included in the landscape area in accordance with <b>clause 4.9.2 c)</b>.</p> <p>c) Where the <b>street verge</b> is included in the landscaped area it shall be developed and maintained by the owner as an integral part of the on-site provision referred to in <b>clause 4.9.2 b)</b>.</p> <p>d) The landscaped area provided on the lot shall have a minimum width of not less than <b>1.5 metres</b> and distributed in areas of not less than <b>4.0 square metres</b>.</p> <p>e) There shall be not less than one <b>(1) shade tree</b> planted for every <b>10 linear metres of frontage to a public reserve, or not less than one for every 50 square metres</b> of the total landscaped area provided on the lot and within the street verge, <b>whichever results in the greater number of trees</b>.</p> <p>f) There shall be not less than one <b>(1) shade tree</b> planted in the car parking area for every <b>three (3) side-by-side 4.0 car parking spaces</b> provided on the lot.</p> <p>g) The landscaping is to be <b>confined</b> to the area of the lot between the building or the use of the land and the boundaries of the lot adjoining the public road reserve, or other public reserve, unless the local government agrees otherwise in any special circumstance.</p>	<p><b>Update clause 4.9.2 (e) and (f):</b></p> <p>To improve worker and customer comfort and reduce the urban heat island affect, consistent with the climate change objectives of the City's:</p> <ul style="list-style-type: none"> <li>• <i>Strategic Community Plan (2020-2030);</i></li> <li>• <i>Climate Change Strategy (2020-2030); &amp;</i></li> <li>• <i>Urban Forrest Plan (2018-2028).</i></li> </ul> <p>To improve the landscaping outcome on commercial and industrial zoned land consistent with the Landscape Quality, sustainability and Amenity design principles set out in:</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 7.0 – Design of the Built Environment.</i></li> </ul> <p>To improve consistency with the standards set out in the City's:</p> <ul style="list-style-type: none"> <li>• <i>Local Planning Policy 3.9 – Industrial Development;</i></li> <li>• <i>Local Planning Policy 5.18 – Subdivision and Development – Street Trees); &amp;</i></li> <li>• <i>Commercial Lot Development – Good Practice Guide (2013).</i></li> </ul>

#### Proposals 4-11

Proposals 4-11 seek to clarify the requirements for water tanks for both potable and fire-fighting purposes within the Rural, Resource and Rural Living Zones.

It should be noted that these provisions for both potable and fire-fighting water supply in the Rural, Resource and Rural Living Zones will not be applied retrospectively.

Recent legal advice obtained by the City has cast doubt over its ability to rely on Clauses 4.10.1 (b) and (c) to require that a potable water tank be provided for residential uses / dwellings located in the Resource and Rural Living Zones that aren't capable of connection to a reticulated water supply. To ensure enforceable

measures are included within the Scheme it has been recommended that Clause 4.10.1 (b) be adjusted to specify application to the Rural zone and additional provisions be specifically inserted into Clauses 4.10.11 (Resource Zone) and 4.10.12 (Rural Living Zone) mandating the requirement for a 90,000 litre rainwater tank for any residential use within those zones.

This change also ensures compliance with the City of Cockburn Heath Local Laws 2000, Division 3 which carries penalties if found to be in contravention.

In reviewing the change, it was further identified that in the Explanatory Notes relating to Element 4: Water of the latest *Guidelines for Planning in Bushfire Prone Areas (Version 1.4 – December 2021)*, the use of a combined tank for drinking and fire-fighting purposes is no longer recommended.

Separation in accordance with section 4.2.3 of AS/NZS 3500.1:2018 is necessary, as stagnant water may alter the quality of the drinking water and the emergency services, by law, may not be able to take water from the water supply to suppress a bushfire. The use of household potable drinking water for firefighting purposes is prohibited under the *Bushfires Act 1954*.

To address this limitation and reflect latest best practice, it is proposed that an additional clause inserted to require the provision of a separate water tank with a minimum capacity of 10,000 litres per habitable building, specifically for fire-fighting purposes.

To avoid any uncertainty identically worded provisions are also proposed for the Resource and Rural Living zones as per the recommended modifications outlined in the table below:

Tracked changes	Reason for proposed change
Proposals 4-5	
<p>4.10 Rural Uses</p> <p>4.10.1 Water Supply</p> <p>a) The use and development of land within the Rural Zone shall be in accordance with the provisions of The Statement of Planning Policy No. 2.5 – Agricultural and Rural Land Use Planning.</p> <p>b) Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be <b>responsible</b> for providing a <b>potable water supply</b> where it is proposed to use the land for the agistment of stock or for residential <del>purposes</del><u>uses in the Rural Zone</u>.</p> <p>c) Where it is proposed to use the land for residential purposes and a potable water supply is not available then the landowner shall be responsible for providing a <b>rainwater storage tank</b> with a minimum capacity of 90,000 litres.</p> <p><u>d) Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a separate water storage tank (constructed in accordance with the technical</u></p>	<p><b>Update clause 4.10.1 (b):</b></p> <p>To clarify the requirements for potable water tanks in the Rural Zone where a reticulated water supply is not available, consistent with the principles and requirements of:</p> <ul style="list-style-type: none"> <li>• <i>Draft State Planning Policy 2.9 – Planning for Water;</i></li> <li>• <i>State Planning Policy 2.5 – Rural Planning;</i> &amp;</li> <li>• <i>Development Control Policy 3.4 – Subdivision of Rural Land.</i></li> </ul> <p><b>Introduce clause 4.10.1 (d):</b></p> <p>To introduce the requirement for a separate water tank for fire-fighting purposes consistent with the requirements and guidance provided in</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 3.7 -Planning in Bushfire Prone Areas;</i> &amp;</li> <li>• <i>Guidelines for Planning in Bushfire Prone Areas.</i></li> </ul>

<p><u>requirements of the Guidelines for Planning in Bushfire Prone Areas), with a minimum capacity of 10,000 litres per habitable building to be used for firefighting purposes only.</u></p>	
Tracked changes	Reason for proposed change
Proposals 6-8	
<p>4.10.11 Resource Zone</p> <p>a) The use and development of land within the Resource Zone shall be in accordance with the provisions of -</p> <p>(i) The relevant State Planning Policy for water.</p> <p>(ii) The relevant State Planning Policy for basic raw materials.</p> <p>b) Despite the provisions of clause 4.10.11(a)(i) the Use Classes of Cattery, Dog Kennels and Poultry Farm (housed) are uses not permitted 'X' in the Resource Zone, except that a Cattery and Dog Kennels may be permitted in part of the Resource Zone in accordance with Table 6 - Additional Uses - No. AU7.</p> <p>c) Use Classes of Plant Nursery (wholesale and retail) are to comply with Water Quality Protection Note No. 25: Land use compatibility tables for public drinking water source areas and are not be permitted on lots within the Resource Zone which have an area less than 4 hectares.</p> <p>d) Uses that are identified as 'incompatible' or which are not listed in Water Quality Protection Note No. 25: Land use compatibility tables for public drinking water source areas are 'X' uses in the Resource Zone.</p> <p>e) All uses which are not listed as prohibited ('X') uses in Water Quality Protection Note No. 25: Land use compatibility tables for public drinking water source areas shall be treated as 'D' uses, unless otherwise specified in this Scheme, and shall be referred to the Department of Water and Environmental Regulation for advice and any other authority considered relevant to the application by the local government prior to the local government making its determination.</p> <p><u>f) Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Resource Zone.</u></p> <p><u>g) Where it is proposed to use the land for residential uses and a potable water supply is not available then the landowner shall be responsible for providing a rainwater storage tank with a minimum capacity of 90,000 litres in the Resource Zone.</u></p> <p><u>h) Where it is proposed to use the land for residential uses in the Resource Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a separate water storage tank (constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas), with a minimum capacity of 10,000 litres per habitable building to be used for firefighting purposes only.</u></p>	<p><b>Insert clauses 4.10.11 (f)-(h):</b></p> <p>To clarify the requirements for potable water tanks in the Resource Zone where a reticulated water supply is not available, consistent with the principles and requirements of:</p> <ul style="list-style-type: none"> <li>• <i>Draft State Planning Policy 2.9 – Planning for Water;</i></li> <li>• <i>State Planning Policy 2.5 – Rural Planning; &amp;</i></li> <li>• <i>Development Control Policy 3.4 – Subdivision of Rural Land.</i></li> </ul> <p>To introduce the requirement for a separate water tank for fire-fighting purposes consistent with the requirements and guidance provided in</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 3.7 – Planning in Bushfire Prone Areas; &amp;</i></li> <li>• <i>Guidelines for Planning in Bushfire Prone Areas.</i></li> </ul>

Tracked changes	Reason for proposed change
Proposals 9-11	
<p>4.10.12 Rural Living Zone</p> <p>a) Every lot created in the Rural Living Zone shall have located on it a building envelope.</p> <p>b) Where an existing lot in the Rural Living Zone does not have assigned to it a building envelope then the local government shall prescribe a building envelope in accordance with clause 4.10.12 c).</p> <p>c) Despite clause 4.10.2 d) a building envelope within the Rural Living Zone shall not exceed 50% of the lot area or 2000m<sup>2</sup>, whichever is the lesser, and shall have a primary street setback of not less than 6 metres and a side setback of not less than 2.5 metres.</p> <p>d) DELETED BY AMD 72 GG 07/09/10</p> <p>e) Subject to clause 4.10.12 f), a person shall not clear or cause, permit or suffer to be cleared any existing vegetation except for the construction of a vehicular accessway and for the purpose of complying with the requirements of the Bush Fires Act unless the local government has in its discretion granted planning approval.</p> <p>f) A person shall not clear or cause, permit or suffer to be cleared any existing vegetation nearer to a boundary of a Lot than the minimum Building Setback distances referred to in clause 4.10.2 d) and 4.10.2 e) from any road reserve except for the construction of a vehicular accessway and for the purpose of complying with the requirements of the Bush Fires Act.</p> <p>g) The local government, in considering any application for planning approval to clear existing vegetation outside the building envelope on any Land shall have regard to the effects of the proposed clearing on erosion, water quality and other elements of the physical environment and may refer such applications to the Department of Water and Environmental Regulation or the Department of Primary Industries and Regional Development or both for investigation and recommendation, and shall have due regard to those recommendations in its determination of the application for planning approval.</p> <p>h) The local government may, by notice served upon any Owner or occupier of Land to require the preservation of specified trees or groups of trees whether located within or outside the building envelope and thereafter no Owner or occupier shall cut remove or otherwise destroy or cause or suffer to be cut removed or otherwise destroyed any tree or trees so specified unless the local government rescinds the requirement.</p> <p>i) The local government may by notice served upon any Owner or occupier of Land to require that person within the time limited by the notice to plant trees on that Land where in the opinion of the local government the land has been degraded, neglected or allowed to erode to the extent that the condition of the land detracts from the amenity of the locality.</p> <p>j) The erection of buildings and structures shall be of a design and scale and built of materials which will result in the buildings and structures being, in the opinion of the local government, in harmony with the natural environment or rural surroundings in which they are situated.</p>	<p><b>Insert clauses 4.10.12 (k)-(m):</b></p> <p>To clarify the requirements for potable water tanks in the Rural Living Zone where a reticulated water supply is not available, consistent with the principles and requirements of:</p> <ul style="list-style-type: none"> <li>• <i>Draft State Planning Policy 2.9 – Planning for Water;</i></li> <li>• <i>State Planning Policy 2.5 – Rural Planning; &amp;</i></li> <li>• <i>Development Control Policy 3.4 – Subdivision of Rural Land.</i></li> </ul> <p>To introduce the requirement for a separate water tank for fire-fighting purposes consistent with the requirements and guidance provided in</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 3.7 - Planning in Bushfire Prone Areas; &amp;</i></li> <li>• <i>Guidelines for Planning in Bushfire Prone Areas.</i></li> </ul>

Tracked changes	Reason for proposed change
<p>k) <u>Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Living Zone.</u></p> <p>l) <u>Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a rainwater storage tank for drinking water purposes only with a minimum capacity of 90,000 litres in the Rural Living Zone.</u></p> <p>m) <u>Where it is proposed to use the land for residential uses in the Rural Living Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a separate water storage tank (constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas), with a minimum capacity of 10,000 litres per habitable building to be used for firefighting purposes only.</u></p>	

## 5.0 CONCLUSION

The proposed amendment will provide for corrected and improved planning controls for specific land use and development throughout the City as detailed in the report.

***Planning and Development Act 2005***  
**RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

***City of Cockburn***  
***Town Planning Scheme No.3***  
***Amendment No.157***

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No.3 by:

1. Modifying Table 1 – Zoning Table of the Scheme Text to reflect an ‘A’ use for a ‘Motor Vehicle Wash’ in the Local Centre Zone.
2. Modifying Clause 4.9.2 (e) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state ‘There shall be not less than one **(1) shade tree** planted for every **10 linear metres** of verge frontage or not less than one for every **50 square metres** of the total landscaped area provided on the lot and within the street verge, whichever results in the greater number of trees’.
3. Modifying Clause 4.9.2 (f) (Commercial and Industrial Uses – Landscaping) of the Scheme Text to be re-worded to state ‘There shall be not less than one **(1) shade tree** planted in the car parking area for every three **(3) side-by-side car parking spaces** provided on the lot’.
4. Modifying Clause 4.10.1 (b) (Rural Uses) of the Scheme Text to be re-worded to state ‘Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Zone’.
5. Introducing Clause 4.10.1 (d) (Rural Uses) to the Scheme Text to state ‘Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used **for firefighting purposes only**’.
6. Introducing Clause 4.10.11 (f) (Resource Zone) to the Scheme Text to state ‘Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Resource Zone’.
7. Introducing Clause 4.10.11 (g) (Resource Zone) to the Scheme Text to state ‘Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a

rainwater storage tank with a minimum capacity of 90,000 litres in the Resource Zone'.

8. Introducing Clause 4.10.11 (h) (Resource Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses in the Resource Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used for **firefighting purposes only**'.
9. Introducing Clause 4.10.12 (k) (Rural Living Zone) to the Scheme Text to state 'Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Living Zone'.
10. Introducing Clause 4.10.11 (l) (Rural Living Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a **rainwater storage tank** with a minimum capacity of 90,000 litres in the Rural Living Zone'.
11. Introducing Clause 4.10.12 (m) (Rural Living Zone) to the Scheme Text to state 'Where it is proposed to use the land for residential uses in the Rural Living Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a **separate water storage tank** (constructed in accordance with the technical requirements of the *Guidelines for Planning in Bushfire Prone Areas*), with a minimum capacity of 10,000 litres per habitable building to be used for **firefighting purposes only**'.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

It is an amendment to the local planning scheme that:

- *would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- *does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- *would not constitute a complex or basic amendment as defined in Part 5 Division 1 Regulation 34.*

Dated this 8<sup>th</sup> day of December 2022

  
A/ CHIEF EXECUTIVE OFFICER

**ADOPTION**

Adopted by resolution of the Council of the City of Cockburn at the Meeting of the Council held on 8<sup>th</sup> day of December 2022



MAYOR

  
A/ CHIEF EXECUTIVE OFFICER**FINAL APPROVAL**

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_, and the Common Seal of the City of Cockburn was hereunto affixed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
MAYOR

(Seal)

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

\_\_\_\_\_  
DELEGATED UNDER S.16 OF  
THE P&D ACT 2005

DATE \_\_\_\_\_

Final Approval Granted

\_\_\_\_\_  
MINISTER FOR PLANNING

DATE \_\_\_\_\_

File No. 109/157

**SCHEDULE OF SUBMISSIONS  
PROPOSED SCHEME AMENDMENT NO. 157**

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
1	Name and address withheld, Banjup WA	<b>SUPPORT:</b> We have no hesitation in supporting the proposal.	1. Noted.
2	Department of Biodiversity, Conservation and Attractions (DBCA), Crawley WA	<b>COMMENT:</b> The Department of Biodiversity Conservation and Attractions - Swan Region Office has no comments on the proposed amendment.	1. Noted.
3	Department of Mines, Industry Regulation and Safety (DMIRS), East Perth WA	<b>COMMENT:</b> The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.  DMIRS lodges no objections to the above Town Planning Scheme amendment.	1. Noted.
4	Main Roads WA, East Perth WA	<b>COMMENT:</b> Main Roads provides the following comments:  1. It is recommended that no deep soil planting shall be permitted within verges reserved under the Metropolitan Region Scheme as it may interfere with future widening.	1. Development applications will be assessed in line TPS3 for new commercial and industrial uses which require landscaping to occur. When such development applications will be assessed, the zoning and/or reservation of the verge land as per the Metropolitan Region Scheme (MRS) will be considered.

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>2. Water storage tanks shall not be within land reserved under Metropolitan Region Scheme.</p> <p>3. New motor vehicle washes in local centres located adjacent to State Roads may trigger additional car movements. Main Roads recommends a Transport Impact Statement or Transport Impact Assessment to be conducted to determine the impact upon the road and movement network and identify any necessary works.</p> <p>Main Roads requests a copy of the City's final determination on this proposal to be sent</p>	<p>2. The modification and introduction of the provisions to require potable water tanks or firefighting water tanks for development will only apply to land in the Rural Zone, Rural Living Zone or the Resource Zone as defined under the City of Cockburn Town Planning Scheme No. 3 and should not impact land which is reserved for future road upgrades under the MRS.</p> <p>3. The requirement for a Traffic Impact Assessment to be forwarded to MRWA where a Motor Vehicle Wash is proposed adjacent to State Roads, can be included in the proposed update of the City's Local Planning Policy 3.4 (Service Stations and Motor Vehicle Wash Proposals).</p>
5	Water Corporation, Leederville WA	<b>COMMENT:</b> The proposed changes to the Scheme do not appear to affect Water Corporation assets. If our assets are affected, any future developer may be required to fund new works, or the upgrading of existing works and protection of all works associated with the Water Corporation.	1. Noted.
6	Department of Health (DoH), Perth WA	<p><b>COMMENT:</b> The DoH provides the following comment:</p> <p><b>Potable Water</b> Sufficient potable water supply in Rural, Resource and Rural Living Zones that meets the quality specified under the Australian Drinking Water Guidelines (2011).</p> <p><b>Wastewater</b></p>	<p>1. Noted.</p> <p>2. The requirement for potable water to comply with the Australian Drinking Water Guidelines is routinely applied and is referenced in the City's Health Local Laws.</p>

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		The proposed scheme amendment to modify Table 1 — Zoning Table of Scheme Text to include 'Motor Vehicle Wash' as 'A' use in the Local Centre Zone is required to connect to the reticulated sewerage and be in accordance with the Government Sewerage Policy 2019.	3. The requirement to connect Motor Vehicle Wash facilities to the reticulated sewer network can be applied as a condition of development approval. The Local Planning Policy for this use is currently being updated and a reference to this requirement can be inserted (prior to final adoption) to ensure that this occurs.
7	Department of Fire and Emergency Services (DFES), Cockburn Central WA	<p><b>COMMENT:</b> This advice relates only to <i>State Planning Policy 3.7: Planning in Bushfire Prone Areas</i> (SPP 3.7) and the <i>Guidelines for Planning in Bushfire Prone Areas</i> (Guidelines).</p> <p>It should also be noted that DFES has reviewed only text relating to the Guidelines for Planning in Bushfire Prone Areas.</p> <p><b><u>Recommendation</u></b></p> <p>DFES recommends using language consistent with the intent of the Guidelines particularly Element 4 – Water.</p> <p>The proposed scheme amendment text part 4.10.11 Resource Zone (h) &amp; 4.10 Rural Uses (d): <i>Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a <b>separate water storage tank</b> (constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas), with a minimum capacity of 10,000 litres per habitable building to be used <b>for firefighting purposes only</b>.</i></p>	1. Based on subsequent advice from DPLH, the terminology referencing water tank provision [within clause 4.10.1(d), 4.10.11(h) and 4.10.12(m)] are proposed to be modified to match the first suggestion by DFES, but not the specific site characteristics contained within the bushfire guidelines (which are regularly updated).

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
		<p>DFES recommends using language the is closer to the intent of Element 4, for example replace; '<b>separate water storage tank</b>' with '<b>a water tank(s) dedicated for firefighting purposes</b>', and replace '<b>used for firefighting purposes only</b>' with '<b>sited considering surrounding vegetation and avoiding locations where the tank will be situated underneath existing vegetation, positioned and/or shielded from the bushfire hazard to allow access by emergency services and be within four metres of a hardstand area</b>'.</p> <p>DFES notes that DPLH should be consulted to ensure consistency with any new versions with the Guidelines in draft.</p>	
8	Department of Education (DoE), East Perth WA	<p><b>COMMENT:</b> The proposed amendments are minor nature it is anticipated that they will have a minimal impact on school sites within the City of Cockburn.</p> <p>In view of the above, the Department has no in principle objections to the proposed amendment.</p>	1. Noted.
9	Department of Water and Environmental Regulation (DWER), Mandurah WA	<p><b>NO OBJECTION:</b> The Department does not object to the proposed scheme amendment and has no comments.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	1. Noted.

## 14.1 Finance

### 14.2.1 Monthly Financial Reports - March 2023

**Executive** A/Chief Financial Officer

**Author** A/Head of Finance

**Attachments** 1. Monthly Financial Report March 2023 [↓](#)

#### RECOMMENDATION

That Council:

- (1) ADOPTS the Monthly Financial Report containing the Statement of Financial Activity and other financial information for the month of March 2023, as attached to the Agenda.

#### 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 year to date (YTD) budgets and actuals
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.

The materiality threshold has been set by Council at \$300,000 for the 2022-23 financial year (FY23).

Detailed analysis of budget variances is an ongoing exercise, with necessary budget amendments either submitted for Council approval through the Expenditure Review Committee or included in the City's mid-year budget review required by legislation.

### **Submission**

N/A

### **Report**

The attached Monthly Financial Report for March 2023 has been prepared in accordance with the Local Government Act and the associated Financial Management Regulations.

This was reviewed by management, with the following commentary addressing key financial results and the City's budgetary performance to the end of the month.

#### Opening Surplus

The amended budget opening surplus is now \$11.93 million which includes the \$3.86 million mid-year budget review adjustment adopted by Council in February, \$2.50 million original budget surplus and \$5.56 million municipal funding for the City's carry forward projects.

#### Closing Surplus

The City's YTD closing surplus to the end of March was \$69.52 million, versus a YTD budget of \$64.96 million.

This represents a favourable variance of \$4.56 million, inclusive of variances across the FY23 operating and capital budget reported in the following sections.

Operating Revenue

Operating revenue of \$164.42 million was \$0.60 million behind YTD budget for March.

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	118,200,126	118,125,126	117,912,442	(212,684)
Specified Area Rates	624,000	624,000	614,413	(9,587)
Operating Grants, Subsidies, Contributions	11,863,320	8,583,266	7,796,131	(787,135)
Fees and Charges	40,972,049	32,216,924	32,189,607	(27,317)
Interest Earnings	6,425,280	5,100,645	5,458,924	358,279
Profit/(Loss) Asset Sale	1,444,042	376,620	451,086	74,466
<b>Total</b>	<b>179,528,817</b>	<b>165,026,581</b>	<b>164,422,603</b>	<b>(603,978)</b>

Material variances identified in the City's operating revenue were identified as follows:

- Operating grants, subsidies, contributions (\$0.79 million under YTD budget); \$0.41 million of this is due to insurance reimbursement not received
- Interest earnings (\$0.36 million over YTD budget). The City's investment strategy continues to deliver higher interest earnings than allowed for in the YTD budget.

Operating Expenditure

Operating expenditure to the end of March of \$122.51 million was under YTD budget by \$10.20 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	69,593,027	52,112,343	47,188,006	(3,323,073)
Materials & Contracts	44,751,678	31,225,106	27,289,607	(5,536,763)
Utility charges	6,209,122	4,728,421	4,515,513	(212,908)
Depreciation/Amortisation	42,461,606	30,663,710	30,083,744	(579,966)
Interest/Finance Costs	500,921	224,387	216,865	(7,522)
Insurance expenses	2,275,300	2,275,300	2,345,078	69,778
Other expenditure	15,013,811	10,884,916	10,874,725	10,191
<b>Total</b>	<b>180,805,465</b>	<b>132,114,183</b>	<b>122,513,538</b>	<b>(9,600,645)</b>

Significant variances identified in the City's operating expenditure were identified as follows:

- Employee Costs (\$3.32 million under YTD budget):
  - There are salary budget variances across all business units totalling \$2.90 million, due to the remaining Enterprise Agreement increase factored into the budget not yet paid and above average staff vacancies from a tight labour market still impacting
  - Leave entitlement reductions contributed a net \$0.62 million to the variance, reflecting the positive impact of leave management strategies
  - Indirect employee costs also had an underspend of \$0.42 million (training, recruitment, conferences etc.)
- Materials and Contracts (\$5.54 million under YTD budget):
  - Operations & maintenance had \$1.16 million underspend; \$1.12 million of it was due to the underspend in parks and streetscapes maintenance (a timing issue as expenditure increases at the end of the financial year)
  - Community Development & Services were collectively \$0.90 million behind YTD budget, with underspending across Family & Community, Childcare, Cockburn Care, Seniors, and Youth Services
  - Sustainability & Environment had \$0.89 million underspend, due to timing issues in the spending of the Rehabilitating Roe 8 project, and general project underspending across the Sustainability & Climate Change, Coastal Management and Planning and Environmental Management, Policy and Planning service units

- Recreation Services Service Unit had a \$0.37 million YTD underspend (considered a timing issue).

### Capital Expenditure

Council adopted a capital works program of \$50.9 million in the FY23 annual budget, that is now \$69.11 million following carry forwards and the mid-year budget review adopted by Council.

The City had spent \$28.43 million on its capital program to the end of March, representing an underspend of \$7.43 million against YTD budget (timing variances).

The following table shows the budget performance by asset class:

Capital acquisitions	Amended		YTD Actual \$	YTD Actual Variance \$
	Budget \$	YTD Budget \$		
Land	1,680,000	1,680,000	1,680,000	0
Buildings	8,815,920	6,111,592	3,695,210	(2,416,382)
Furniture & Equipment	77,000	77,000	20,000	(57,000)
Plant and equipment	10,304,992	2,316,612	2,526,488	209,876
Capital acquisitions	Amended		YTD Actual \$	YTD Actual Variance \$
	Budget \$	YTD Budget \$		
Information Technology	4,022,732	535,412	298,980	(236,432)
Infrastructure - Roads	25,175,682	14,151,661	13,966,397	(185,264)
Infrastructure - Drainage	3,070,903	2,604,567	870,300	(1,734,267)
Infrastructure - Footpath	1,989,439	1,423,114	796,600	(626,514)
Infrastructure - Parks hard	3,950,935	3,032,266	2,524,144	(508,122)
Infrastructure - Landscaping	1,742,132	1,162,657	678,057	(484,600)
Infrastructure - Landfill site	4,922,172	548,586	472,285	(76,301)
Infrastructure - Marina	2,254,348	1,474,823	802,258	(672,565)
Infrastructure - Coastal	1,099,933	741,376	102,855	(638,521)
<b>Total</b>	<b>69,106,188</b>	<b>35,859,665</b>	<b>28,433,574</b>	<b>(7,426,091)</b>

Significant variances identified in the City's capital expenditure were identified as follows:

- Building construction had a net budget variance of \$2.42 million under YTD budget due to timing issues. This variance comprises many projects, with the following the more significant:
  - Internal Cladding ARC Sports Stadium - \$299K under YTD budget (no spending).
  - Wally Hagen Recreation Centre Redevelopment - \$250K under YTD budget (no spending).
  - Civic & Community Buildings Keys and Padlock replacement - \$161K under YTD budget.
  - Aboriginal Cultural Centre \$128K under YTD budget.
- Drainage infrastructure had a net budget variance of \$1.73 million under YTD budget due to timing issues. The following are the more significant variances:
  - Edeline Street Sump \$284K under YTD budget (design stage).
  - Stratton Street Upgrade \$276K Under YTD budget (design stage).
  - Spearwood & Doolette Drainage stages 1&2 \$217K under YTD budget (13% spent).
  - Sump Investigations and Design \$185K under YTD budget.
  - Collis Road new sump \$176K under YTD budget (4% spent).
- Marina infrastructure had \$0.67 million underspend mainly due to a couple of projects behind YTD budget:
  - Othello/Mariboo Island anti climb structures \$385K under YTD budget (5% spent).
  - Marina Expansion \$326K under YTD budget.
- Coastal infrastructure had \$0.64 million underspend with several projects having not yet commenced:
  - Port Coogee Revetment Renewals \$300K under YTD budget (no spending).
  - Coogee Beach boardwalk access \$140K under YTD budget (no spending).

#### Non-Operating Grants, Subsidies and Contributions

The City's budget for capital grants and contributions is a net \$20.77 million. This includes \$24.74 million in funding to be received, less an outgoing contribution of \$3.97 million to the State Government for underground power in South Lake.

Non-operating revenue of \$10.12 million was recognised to the end of March, \$0.67 million over YTD budget.

#### Financial Reserves

A detailed schedule of the City's financial reserves is included in the financial report, showing a balance of \$179.91 million held at the end of March (\$180.68 million last month).

Council funded reserves made up \$150.56 million of the balance, \$12.09 million for restricted and legislated purposes, and another \$17.26 million for developer contribution plans.

Transfers in and out of financial reserves are made in accordance with budgetary requirements.

#### Cash and Financial Assets

The City's closing cash and financial assets investment holding at month's end totalled \$251.44 million (down from \$263.33 million last month).

This balance included financial assets (term deposits and investments) of \$237.36 million, and cash and cash equivalent holdings (cash at bank and at call deposits) of \$14.08 million.

\$183.73 million of these funds were internally and externally restricted, representing the City's financial reserves and liability for bonds and deposits held.

The remaining \$67.72 million represented unrestricted municipal funds for the City's operating activities and liabilities.

#### Investment Performance, Ratings and Maturity

The City's term deposit portfolio running yield has continued increasing to an annualised 2.97 percent as of 31 March (up from 2.89 percent last month and 2.87 percent the month before).

This underperformed the City's KPI target rate of 4.10 percent, comprising RBA cash rate of 3.60 percent (end of March) plus a 0.50 percent performance margin.

The swiftness of back-to-back increases made to the official cash rate by the Reserve Bank of Australia (RBA), has meant many of the City's existing term deposits are yielding well under the City's current KPI target.

The City is in the process of breaking some longer dated term deposits placed with various institutions to address this issue and improve performance.

Performance against the KPI target continues improving each month with the City's new deposits being placed at relatively higher rates.

New investments placed during the month were at rates ranging between 4.61 and 5.05 percent over various durations.

There was no rate increase at the last RBA meeting in April and the latest three cash rate increases have been for 0.25 percent (rather than 0.50 percent), indicating the RBA may be nearing the top of this tightening cycle.

Current term deposit investments are fully compliant with Council's Investment Policy requirements, as indicated below:

Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

The portfolio also includes several reverse mortgage securities purchased under previous policy and statutory provisions.

These have a face value of \$2.435 million and market value of \$1.591 million, although the City currently carries them at a book value of \$0.86 million (net of a \$1.575 million impairment provision made several years ago).

The City continues receiving interest and capital payments, with \$0.565 million returned to date of the original \$3.0 million invested.

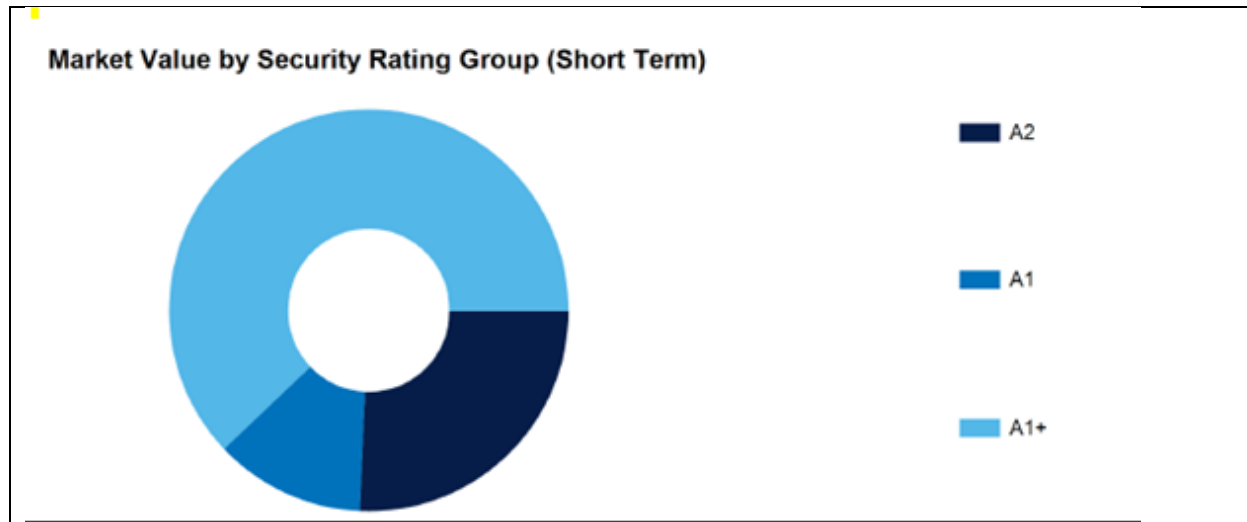
The City's investments were held with the following financial institutions as at 31 March (inclusive of accrued interest):

Issuer	Market Value	% Total Value
AMP Bank Ltd	13,689,667.91	5.69%
Australian Unity Bank	2,054,356.16	0.85%
Auswide Bank Limited	2,001,041.10	0.83%
Bank of Queensland Ltd	21,968,928.04	9.13%
Commonwealth Bank of Australia Ltd	82,783,142.93	34.41%
Credit Union Australia Ltd t/as Great Southern Bank	5,033,322.18	2.09%
Defence Bank Ltd	5,079,780.80	2.11%
Emerald Reverse Mortgage Trust	1,595,230.19	0.66%
Macquarie Bank	0.01	0.00%
MyState Bank Ltd	15,703,070.98	6.53%
National Australia Bank Ltd	25,712,726.05	10.69%
Suncorp-Metway Ltd	24,817,299.24	10.32%
Westpac Banking Corporation Ltd	40,121,314.25	16.68%
Portfolio Total	240,559,879.82	100.00%

The City's short-term deposits (less than 12 months) made up 84.7 percent (\$203.75 million) of the City's portfolio, compared to 76.0 percent (\$186.60 million) last month.

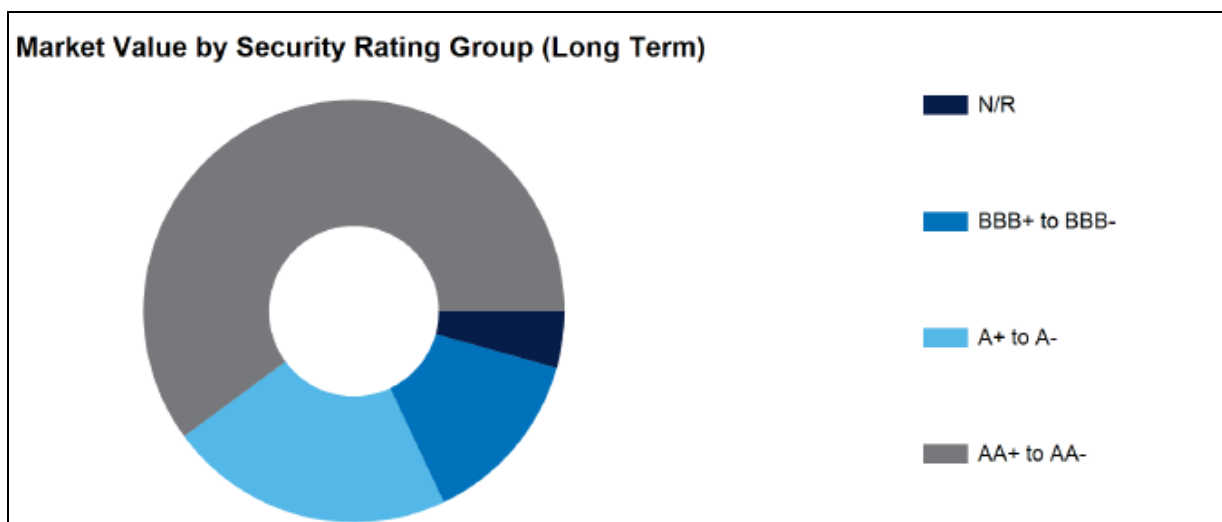
This has risen over recent months as there has been no value in placing longer term deposits in a rising interest rate environment.

These were classified under the following credit ratings:



Deposits invested between 1 and 3 years made up 15.3 percent (\$36.8 million) of the City's portfolio, compared to 23.8 percent (\$58.5 million) last month.

These were classified under following credit ratings:



Investment in Fossil Fuel Free Banks

At month end, the City held \$56.4 million (23.6 percent) of its investment portfolio with banks considered non-funders of fossil fuel related industries (down from \$60.4 million or 24.8 percent last month).

The amount invested with fossil fuel free banks fluctuates depending on the competitiveness of deposit rates being offered and the capacity of fossil fuel free banks to accept funds.

The City will always endeavour to preference a fossil fuel free investment, given a similar deposit rate.

Rates Debt Recovery

The collectible rates and charges for 2022-23 (comprising arrears, annual levies, and part year rating) totals \$142.93 million.

To the end of March, the City had collected \$132.30 million (92.56 percent), leaving a balance outstanding of \$10.63 million (7.44 percent).

The City has also received \$1.57 million in prepayments for future year's rates.

In terms of overdue and delinquent rates accounts under formal or legal debt recovery processes, the City had 232 properties owing a total of \$1.07 million in combined rates and legal fees (down from 244 properties last month owing \$1.04 million).

Given the size of the City's ratepayer base (around 53,000 properties), this reflects the City's effective processes in controlling and managing overdue rates accounts.

Formal debt recovery activities are commenced when ratepayers have overdue rates and 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 \$3.18 million in outstanding trade and sundry debtors to the end of March (\$2.99 million last month).

Those debts overdue by more than 90 days made up \$204k or 6.42 percent of total debts outstanding (\$613k or 20.5 percent last month).

The 90-day debtors included lease monies owed by naval base tenants totalling \$177k (on payment plans).

**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**

Budget amendments are referred to Council's Expenditure Review Committee for recommendation. Recommended changes were adopted by Council at its April meeting and will be included in the April monthly financial report.

Council's adopted budget surplus for FY23 of \$360,899 has reduced over the year to \$278,954 due to various Council decisions (including the mid-year budget review).

These budget surplus changes are listed at Note 8 in the financial report.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

It is important that Council reviews the performance of its adopted budget each month for revenue, expenditure, and the closing financial position.

This enables it to be informed on and identify any potential financial risks.

**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 Ended 31 March 2023****LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996****TABLE OF CONTENTS**

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**MONTHLY FINANCIAL REPORT**  
**FOR THE PERIOD ENDED 31 MARCH 2023**

**SUMMARY INFORMATION**

**Funding surplus / (deficit) Components**

	Funding surplus / (deficit)			
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$11.93 M	\$11.93 M	\$11.93 M	(\$0.00 M)
Closing	\$0.28 M	\$64.36 M	\$69.52 M	\$5.16 M
Refer to Statement of Financial Activity				

Cash and financial assets		
	\$251.45 M	% of total
Unrestricted Cash	\$67.72 M	26.9%
Restricted Cash	\$183.73 M	73.1%
Refer to Note 2 - Cash and Financial Assets		

**Key Operating Activities**

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$36.43 M	\$64.38 M	\$75.45 M	\$11.08 M
Refer to Statement of Financial Activity			

Employee Cost		
YTD Actual	(\$47.19 M)	% Variance
YTD Budget	(\$50.51 M)	(6.6%)
Refer to Statement of Financial Activity		

Rates Revenue		
YTD Actual	\$118.53 M	% Variance
YTD Budget	\$118.75 M	0.0%
Refer to Statement of Financial Activity		

Fees and Charges		
YTD Actual	\$32.19 M	% Variance
YTD Budget	\$32.22 M	(0.1%)
Refer to Statement of Financial Activity		

Materials & Contracts		
YTD Actual	(\$27.29 M)	% Variance
YTD Budget	(\$32.83 M)	(16.9%)
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)
(\$46.16 M)	(\$25.42 M)	(\$16.64 M)	\$8.78 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$1.67 M	%
Amended Budget	\$2.18 M	76.7%
Refer to Note 3 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$28.43 M	% Spent
Amended Budget	\$69.11 M	41.1%
Refer to Note 4 - Capital Acquisition		

Capital Grants		
YTD Actual	(\$10.12 M)	% Received
Amended Budget	(\$20.77 M)	48.7%
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)
(\$1.92 M)	\$13.47 M	(\$1.22 M)	(\$14.70 M)
Refer to Statement of Financial Activity			

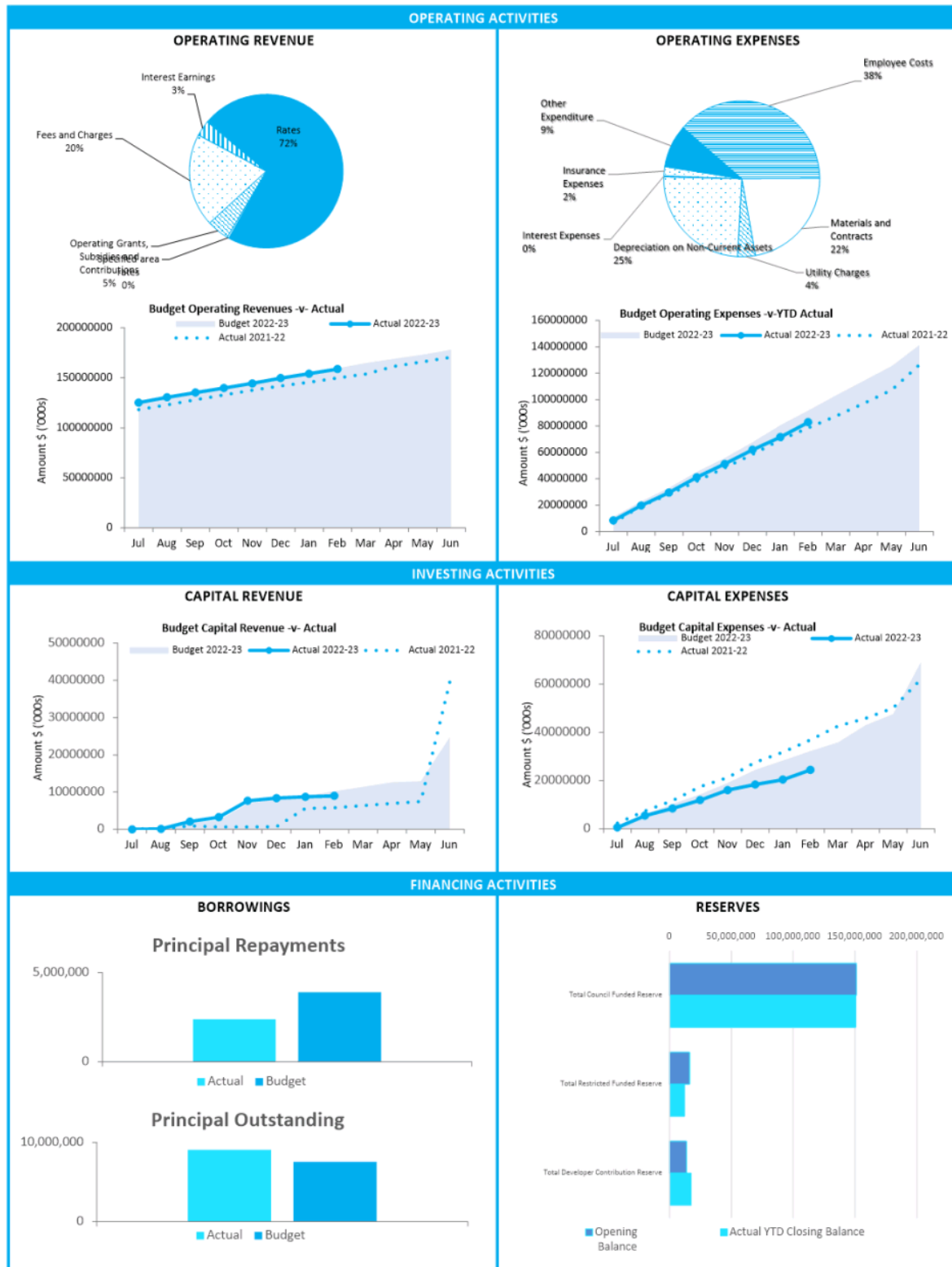
Borrowings	
Principal repayments	\$2.38 M
Interest expense	\$0.22 M
Principal due	\$9.05 M
Refer to Note 5 - Borrowings	

Reserves	
Reserves balance	\$179.91 M
Interest earned	\$0.37 M
Refer to Note 6 - Cash Reserves	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 MARCH 2023**

**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 MARCH 2023

BY NATURE OR TYPE

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	11,927,765	11,927,765	<b>11,927,765</b>	0	0.00%	
<b>Revenue from operating activities</b>							
Rates		118,200,126	118,125,126	<b>117,912,442</b>	(212,684)	(0.18%)	
Specified area rates		624,000	624,000	<b>614,413</b>	(9,587)	(1.54%)	
Operating grants, subsidies and contributions		11,863,320	8,583,266	<b>7,796,131</b>	(787,135)	(9.17%)	▼
Fees and charges		40,972,049	32,216,924	<b>32,189,607</b>	(27,317)	(0.08%)	
Interest earnings		6,425,280	5,100,645	<b>5,458,924</b>	358,279	7.02%	▲
Profit/(loss) on disposal of assets		1,444,042	376,620	<b>451,086</b>	74,466	19.77%	
		<b>179,528,817</b>	<b>165,026,581</b>	<b>164,422,603</b>	(603,978)		
<b>Expenditure from operating activities</b>							
Employee costs		(69,593,027)	(50,511,079)	<b>(47,188,006)</b>	3,323,073	6.58%	▲
Materials and contracts		(44,751,678)	(32,826,370)	<b>(27,289,607)</b>	5,536,763	16.87%	▲
Utility charges		(6,209,122)	(4,728,421)	<b>(4,515,513)</b>	212,908	4.50%	
Depreciation on non-current assets		(42,461,606)	(30,663,710)	<b>(30,083,744)</b>	579,966	1.89%	▲
Interest expenses		(500,921)	(224,387)	<b>(216,865)</b>	7,522	3.35%	
Insurance expenses		(2,275,300)	(2,275,300)	<b>(2,345,078)</b>	(69,778)	(3.07%)	
Other expenditure		(15,013,811)	(10,884,916)	<b>(10,874,725)</b>	10,191	0.09%	
		<b>(180,805,465)</b>	<b>(132,114,183)</b>	<b>(122,513,538)</b>	9,600,645		
Non-cash amounts excluded from operating activities							
	1(a)	37,706,729	32,068,011	<b>33,545,128</b>	1,477,117	4.61%	▲
<b>Amount attributable to operating activities</b>		<b>36,430,081</b>	<b>64,980,409</b>	<b>75,454,193</b>	10,473,784		
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions		20,765,807	9,454,022	<b>10,119,654</b>	665,632	7.04%	▲
Proceeds from disposal of assets	3	2,179,894	983,486	<b>1,672,706</b>	689,220	70.08%	▲
Payments for property, plant and equipment and infrastructure	4	(69,106,188)	(35,859,665)	<b>(28,433,574)</b>	7,426,091	20.71%	▲
<b>Amount attributable to investing activities</b>		<b>(46,160,487)</b>	<b>(25,422,157)</b>	<b>(16,641,214)</b>	8,780,943		
<b>Financing Activities</b>							
Transfer from reserves	6	49,018,225	21,836,423	<b>14,625,365</b>	(7,211,058)	(33.02%)	▼
Repayment of debentures	5	(3,900,000)	(2,300,000)	<b>(2,381,916)</b>	(81,916)	(3.56%)	
Transfer to reserves	6	(47,036,630)	(6,063,428)	<b>(13,468,352)</b>	(7,404,924)	(122.12%)	▼
<b>Amount attributable to financing activities</b>		<b>(1,918,405)</b>	<b>13,472,995</b>	<b>(1,224,903)</b>	(14,697,898)		
<b>Closing funding surplus / (deficit)</b>	1(c)	<b>278,954</b>	<b>64,959,012</b>	<b>69,515,841</b>	4,556,829		

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 MARCH 2023**

**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 MARCH 2023

STATUTORY REPORTING BY BUSINESS UNIT

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	11,927,765	11,927,765	<b>11,927,765</b>	(0)	(0.00%)	
<b>Revenue from operating activities</b>							
Office of the CEO		0	0	<b>715</b>	715	0.00%	
Corporate Strategy		0	0	<b>2,158</b>	2,158	0.00%	
Governance, Risk & Compliance		1,653	1,240	<b>954</b>	(286)	(23.06%)	
Finance		127,872,961	125,845,433	<b>125,566,589</b>	(278,844)	(0.22%)	
Information & Technology		0	0	<b>916</b>	916	0.00%	
Procurement		1,927	1,927	<b>1,927</b>	0	0.00%	
Library & Cultural Services		279,324	211,828	<b>120,959</b>	(90,869)	(42.90%)	
Recreation Infrastructure & Services		14,001,313	10,884,250	<b>11,057,446</b>	173,196	1.59%	
Community Development & Services		8,024,815	5,779,556	<b>5,289,575</b>	(489,981)	(8.48%)	▼
Community Safety & Ranger Services		1,206,960	927,082	<b>1,100,946</b>	173,864	18.75%	
Development Assessment & Compliance		3,577,282	2,855,806	<b>2,420,098</b>	(435,708)	(15.26%)	▼
Planning		148,702	(13,410)	<b>19,867</b>	33,277	(248.15%)	
Sustainability & Environment		847,076	619,015	<b>418,720</b>	(200,295)	(32.36%)	
Operations & Maintenance		20,335,073	15,365,412	<b>15,662,118</b>	296,706	1.93%	
Projects		0	0	<b>85,138</b>	85,138	0.00%	
Property & Assets		2,934,730	2,325,693	<b>2,266,626</b>	(59,067)	(2.54%)	
Business & Economic Development		0	0	<b>1,760</b>	1,760	0.00%	
People Experience		297,000	222,750	<b>406,089</b>	183,339	82.31%	
		<b>179,528,816</b>	<b>165,026,582</b>	<b>164,422,601</b>	(603,981)		
<b>Expenditure from operating activities</b>							
Executive Support		(3,423,979)	(2,492,387)	<b>(2,305,917)</b>	186,470	7.48%	
Corporate Strategy		(389,536)	(279,925)	<b>(183,933)</b>	95,992	34.29%	
Governance, Risk & Compliance		(1,825,480)	(1,400,221)	<b>(1,248,208)</b>	152,013	10.86%	
Finance		(7,538,565)	(5,704,615)	<b>(5,207,269)</b>	497,346	8.72%	▲
Information & Technology		(8,418,881)	(6,442,495)	<b>(6,446,544)</b>	(4,049)	(0.06%)	
Procurement		(936,248)	(650,648)	<b>(622,788)</b>	27,860	4.28%	
Library & Cultural Services		(7,161,584)	(5,471,468)	<b>(5,083,927)</b>	387,541	7.08%	▲
Recreation Infrastructure & Services		(15,733,866)	(11,514,010)	<b>(10,669,694)</b>	844,316	7.33%	▲
Community Development & Services		(13,137,407)	(9,911,554)	<b>(7,924,552)</b>	1,987,002	20.05%	▲
Community Safety & Ranger Services		(6,666,132)	(4,596,199)	<b>(3,734,931)</b>	861,268	18.74%	▲
Development Assessment & Compliance		(6,735,280)	(4,736,855)	<b>(3,903,055)</b>	833,800	17.60%	▲
Planning		(3,134,073)	(1,870,747)	<b>(1,788,392)</b>	82,355	4.40%	
Sustainability & Environment		(4,244,605)	(3,167,626)	<b>(2,335,877)</b>	831,749	26.26%	▲
Operations & Maintenance		(81,456,920)	(58,787,669)	<b>(57,845,596)</b>	942,073	1.60%	▲
Projects		(1,093,167)	(776,254)	<b>(586,668)</b>	189,586	24.42%	
Property & Assets		(11,253,097)	(8,265,032)	<b>(7,595,500)</b>	669,532	8.10%	▲
Stakeholder Management		(1,067,949)	(792,617)	<b>(718,026)</b>	74,591	9.41%	
Communications & Marketing		(1,780,180)	(1,285,095)	<b>(1,227,615)</b>	57,480	4.47%	
Customer Experience		(1,248,337)	(905,374)	<b>(732,654)</b>	172,720	19.08%	
Business & Economic Development		(607,806)	(481,247)	<b>(400,286)</b>	80,961	16.82%	
People Experience		(3,268,578)	(2,387,416)	<b>(2,401,552)</b>	(14,136)	(0.59%)	
Transformation, Culture & Innovation		(612,800)	(455,163)	<b>(249,965)</b>	205,198	45.08%	
Internal Recharging		929,007	(343,480)	<b>699,410</b>	1,042,890	303.62%	▲
		<b>(180,805,463)</b>	<b>(132,718,097)</b>	<b>(122,513,539)</b>	10,204,558		
Non-cash amounts excluded from operating activities	1(a)	37,706,729	32,068,011	<b>33,545,128</b>	1,477,117	4.61%	▲
<b>Amount attributable to operating activities</b>		<b>36,430,082</b>	<b>64,376,496</b>	<b>75,454,190</b>	11,077,694		
<b>Investing Activities</b>							
Proceeds from non-operating grants, subsidies and contributions		20,765,807	9,454,022	<b>10,119,654</b>	665,632	7.04%	▲
Proceeds from disposal of assets	3	2,179,894	983,486	<b>1,672,706</b>	689,220	70.08%	▲
Payments for property, plant and equipment and infrastructure	4	(69,106,188)	(35,859,665)	<b>(28,433,574)</b>	7,426,091	20.71%	▲
<b>Amount attributable to investing activities</b>		<b>(46,160,487)</b>	<b>(25,422,157)</b>	<b>(16,641,214)</b>	8,780,943		
<b>Financing Activities</b>							
Transfer from reserves	6	49,018,225	21,836,423	<b>14,625,365</b>	(7,211,058)	(33.02%)	▼
Repayment of debentures	5	(3,900,000)	(2,300,000)	<b>(2,381,916)</b>	(81,916)	(3.56%)	
Transfer to reserves	6	(47,036,630)	(6,063,428)	<b>(13,468,352)</b>	(7,404,924)	(122.12%)	▼
<b>Amount attributable to financing activities</b>		<b>(1,918,405)</b>	<b>13,472,995</b>	<b>(1,224,903)</b>	(14,697,898)		
<b>Closing funding surplus / (deficit)</b>	1(c)	<b>278,954</b>	<b>64,355,099</b>	<b>69,515,841</b>			

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 2022-23 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 MARCH 2023**

**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 March 2023

**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 MARCH 2023**

**NOTE 1  
STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

**(a) Non-cash items excluded from operating activities**

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: (Profit)/loss on asset disposals	3	(1,444,042)	(376,620)	(451,086)
Less: Movement in liabilities associated with restricted cash		(3,410,835)	1,780,921	3,559,922
Less: Movement in leased liabilities		0	0	(7,975)
Less: Movement in other liabilities		100,000	0	72,978
Movement in employee benefit provisions (non-current)		0	0	214,224
Add: Public Open Space payment (non-current)		0	0	73,321
Add: Depreciation on assets		42,461,606	30,663,710	30,083,744
<b>Total non-cash items excluded from operating activities</b>		<b>37,706,729</b>	<b>32,068,011</b>	<b>33,545,128</b>

**(b) Adjustments to net current assets in the Statement of Financial Activity**

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2022	This Time Last Year 31 March 2022	Year to Date 31 March 2023
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	6	(181,064,488)	(167,538,372)	(179,907,475)
Less: Bonds & deposits		(4,303,373)	(5,377,172)	(3,819,287)
Add: Borrowings	5	3,934,065	3,261,287	1,552,149
Add: Lease liabilities		114,651	79,579	106,676
Add: Financial assets at amortised cost - non-current	2	101,900,141	910,452	35,860,774
<b>Total adjustments to net current assets</b>		<b>(79,419,004)</b>	<b>(168,664,226)</b>	<b>(146,207,163)</b>
Cash and cash equivalents	2	20,777,520	10,764,601	14,087,240
Financial assets at amortised cost	2	92,800,000	227,500,000	201,500,000
Rates receivables		2,204,257	34,796,268	9,741,512
Receivables		5,731,365	7,221,455	8,029,298
Other current assets		4,773,962	2,717,843	4,332,486
<b>Less: Current liabilities</b>				
Payables		(16,710,475)	(14,012,028)	(9,041,995)
Borrowings	5	(3,934,065)	(3,261,287)	(1,552,149)
Contract liabilities	7	(4,994,711)	(11,819,741)	(2,585,860)
Lease liabilities		(114,651)	(79,579)	(106,676)
Provisions	7	(9,186,433)	(9,642,377)	(8,680,849)
<b>Less: Total adjustments to net current assets</b>	1(b)	<b>(79,419,004)</b>	<b>(168,664,226)</b>	<b>(146,207,163)</b>
<b>Closing funding surplus / (deficit)</b>		<b>11,927,765</b>	<b>75,520,924</b>	<b>69,515,841</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

OPERATING ACTIVITIES  
NOTE 2  
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Institution
		\$	\$	\$	
<b>Cash on hand</b>					
Cash at bank	Cash and cash equivalents	4,063,380	0	4,063,380	NATIONAL AUSTRALIA BANK
Cash on hand	Cash and cash equivalents	23,860	0	23,860	
Term deposits - current	Cash and cash equivalents	0	10,000,000	10,000,000	NATIONAL AUSTRALIA BANK
Term deposits - current	Financial assets at amortised cost	10,000,000	3,700,000	13,700,000	BANK OF QUEENSLAND
Term deposits - current	Financial assets at amortised cost	0	77,800,000	77,800,000	COMMONWEALTH BANK
Term deposits - current	Financial assets at amortised cost	0	2,000,000	2,000,000	ASIA UNITED BANK
Term deposits - current	Financial assets at amortised cost	0	2,000,000	2,000,000	AUSWIDE BANK
Term deposits - current	Financial assets at amortised cost	0	31,000,000	31,000,000	WESTPAC
Term deposits - current	Financial assets at amortised cost	0	16,500,000	16,500,000	NATIONAL AUSTRALIA BANK
Term deposits - current	Financial assets at amortised cost	19,634,012	4,865,988	24,500,000	SUNCORP
Term deposits - current	Financial assets at amortised cost	5,000,000		5,000,000	CREDIT UNION AUSTRALIA
Term deposits - current	Financial assets at amortised cost	5,000,000		5,000,000	DEFENCE BANK
Term deposits - current	Financial assets at amortised cost	8,500,000		8,500,000	AMP
Term deposits - current	Financial assets at amortised cost	15,500,000		15,500,000	MYSTATE BANK
Other investment - non current	Financial assets at amortised cost	0	860,774	860,774	BARCLAYS BANK
Other investment - non current	Financial assets at amortised cost	0	8,000,000	8,000,000	BANK OF QUEENSLAND
Other investment - non current	Financial assets at amortised cost	0	4,000,000	4,000,000	COMMONWEALTH BANK
Other investment - non current	Financial assets at amortised cost	0	9,000,000	9,000,000	WESTPAC
Other investment - non current	Financial assets at amortised cost	0	9,000,000	9,000,000	NATIONAL AUSTRALIA BANK
Other investment - non current	Financial assets at amortised cost	0	5,000,000	5,000,000	AMP
<b>Total</b>		<b>67,721,252</b>	<b>183,726,762</b>	<b>251,448,014</b>	
<b>Comprising</b>		<b>Unrestricted</b>	<b>Restricted</b>	<b>Total Cash</b>	
		\$	\$	\$	
Cash and cash equivalents		4,087,240	10,000,000	14,087,240	
Financial assets at amortised cost		53,634,012	183,726,762	237,360,774	
		<b>57,721,252</b>	<b>193,726,762</b>	<b>251,448,014</b>	

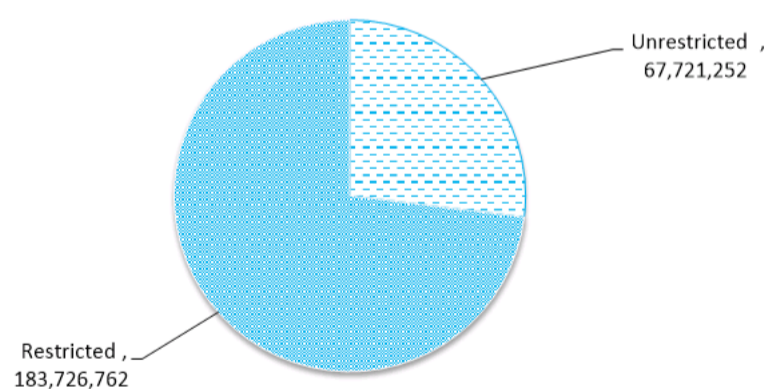
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

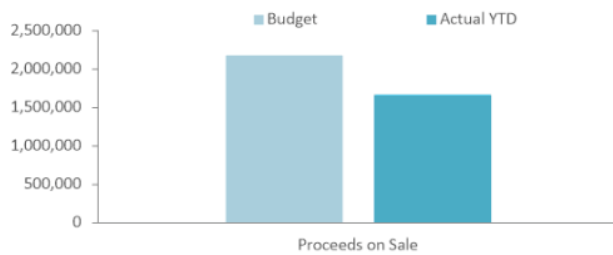
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

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	735,852	2,179,894	1,444,042	0	1,221,620	1,672,706	451,086	0
		<b>735,852</b>	<b>2,179,894</b>	<b>1,444,042</b>	<b>0</b>	<b>1,221,620</b>	<b>1,672,706</b>	<b>451,086</b>	<b>0</b>



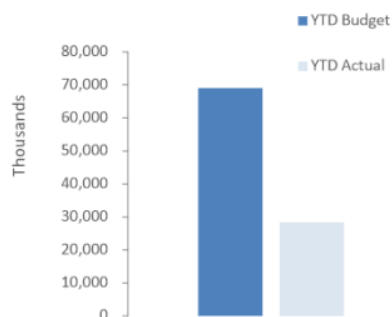
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

INVESTING ACTIVITIES  
NOTE 4  
CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	1,680,000	1,680,000	1,680,000	0
Buildings	8,815,920	6,111,592	3,695,210	(2,416,382)
Furniture and equipment	77,000	77,000	20,000	(57,000)
Plant and equipment	10,304,992	2,316,612	2,526,488	209,876
Information technology	4,022,732	535,412	298,980	(236,432)
Infrastructure - roads	25,175,682	14,151,661	13,966,397	(185,264)
Infrastructure - drainage	3,070,903	2,604,567	870,300	(1,734,267)
Infrastructure - footpath	1,989,439	1,423,114	796,600	(626,514)
Infrastructure - parks hard	3,950,935	3,032,266	2,524,144	(508,122)
Infrastructure - parks landscaping	1,742,132	1,162,657	678,057	(484,600)
Infrastructure - landfill site	4,922,172	548,586	472,285	(76,301)
Infrastructure - marina	2,254,348	1,474,823	802,258	(672,565)
Infrastructure - coastal	1,099,933	741,376	102,855	(638,521)
<b>Payments for Capital Acquisitions</b>	<b>69,106,188</b>	<b>35,859,665</b>	<b>28,433,574</b>	<b>(7,426,091)</b>
<b>Total Capital Acquisitions</b>	<b>69,106,188</b>	<b>35,859,665</b>	<b>28,433,574</b>	<b>(7,426,091)</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	(20,765,807)	(9,454,022)	(10,119,654)	(665,632)
Other (disposals & C/Fwd)	(2,179,894)	(983,486)	(1,672,706)	(689,220)
Cash backed reserves				
Plant & Vehicle Replacement	(6,615,861)	(1,575,256)	(1,292,318)	282,938
Information Technology	(26,794)	(20,097)	(26,794)	(6,697)
Major Building Refurbishment	(171,568)	(171,568)	(79,418)	92,150
Waste & Recycling	(5,554,676)	(3,280,447)	(415,635)	2,864,812
Land Development and Investment Fund	(5,959,291)	(4,299,484)	(3,834,885)	464,599
Roads & Drainage Infrastructure	(880,162)	(295,277)	(163,768)	131,510
Community Infrastructure	(1,661,307)	(1,111,348)	(261,313)	850,036
Port Coogee Special Maintenance - SAR	(393,666)	(227,750)	(113,666)	114,084
Community Surveillance	(200,250)	(104,985)	0	104,985
Restricted Grants & Contributions	(4,554)	(4,554)	(4,555)	(1)
CIHCF Building Maintenance	(100,000)	(100,000)	(121,031)	(21,031)
Cockburn ARC Building Maintenance	(150,000)	(100,000)	0	100,000
Carry Forward Projects	(7,719,724)	(4,878,957)	(2,932,084)	1,946,873
Port Coogee Marina Assets Replacement	(487,816)	(20,997)	(60,666)	(39,669)
Port Coogee Waterways - WEMP	(345,000)	(150,000)	0	150,000
Public Open Space - Various	(125,693)	(94,266)	(125,693)	(31,427)
Contribution - operations	(15,764,125)	(8,987,171)	(7,209,389)	1,777,782
<b>Capital funding total</b>	<b>(69,106,188)</b>	<b>(35,859,665)</b>	<b>(28,433,574)</b>	<b>7,426,091</b>

**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

## FINANCING ACTIVITIES

## NOTE 5

## BORROWINGS

## Repayments - borrowings

Information on borrowings		1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Community amenities</b>										
SMRC		1,434,065	0	0	1,131,916	1,400,000	302,149	34,065	33,673	50,020
<b>Recreation and culture</b>										
To assist fund the Cockburn Central West development	8	10,000,000	0	0	1,250,000	2,500,000	8,750,000	7,500,000	183,192	350,000
<b>C/Fwd Balance</b>		11,434,065	0	0	2,381,916	3,900,000	9,052,149	7,534,065	216,865	400,020
<b>Total</b>		11,434,065	0	0	2,381,916	3,900,000	9,052,149	7,534,065	216,865	400,020
Current borrowings		3,226,983					1,552,149			
Non-current borrowings		8,207,082					7,500,000			
		11,434,065					9,052,149			

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 MARCH 2023

## OPERATING ACTIVITIES

## NOTE 6

## CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Council Funded</b>									
Staff Payments & Entitlements	762,036	0	0	1,000,000	0	(41,475)	0	1,720,561	762,036
Plant & Vehicle Replacement	12,190,360	0	0	1,320,000	572,574	(6,615,861)	(1,292,318)	6,894,499	11,470,616
Information Technology	1,674,702	0	0	1,500,000	0	(26,794)	(26,794)	3,147,908	1,647,908
Major Building Refurbishment	18,113,555	0	0	2,350,000	0	(171,568)	(79,418)	20,291,987	18,034,137
Waste & Recycling	16,226,330	0	0	6,133,456	0	(5,634,676)	(458,454)	16,725,110	15,767,876
Land Development and Investment Fund	8,173,172	0	0	963,272	0	(9,135,291)	(3,834,885)	1,153	4,338,287
Roads & Drainage Infrastructure	11,747,017	0	0	5,500,000	0	(974,818)	(163,768)	16,272,199	11,583,249
Naval Base Shacks	1,261,186	0	0	30,000	30,000	0	0	1,291,186	1,291,186
Community Infrastructure	31,702,223	0	0	10,000,000	0	(2,513,549)	(263,681)	39,188,674	31,438,542
Insurance	2,391,204	0	0	0	0	(558,840)	(21,597)	1,832,364	2,369,607
Greenhouse Action Fund	908,938	0	0	200,000	0	0	0	1,108,938	908,938
HWRP Post Closure Management & Contan	3,385,769	0	0	1,500,000	0	(60,000)	(287)	4,825,769	3,385,482
Municipal Elections	151,420	0	0	150,000	0	0	0	301,420	151,420
Community Surveillance	987,870	0	0	200,000	0	(450,250)	(155,120)	737,620	832,751
Waste Collection	8,312,856	0	0	1,607,149	2,000,000	(852,500)	0	9,067,505	10,312,856
Environmental Offset	248,759	0	0	0	0	0	0	248,759	248,759
Bibra Lake Management Plan	15,267	0	0	0	0	0	0	15,267	15,267
CIHCF Building Maintenance	11,706,747	0	0	800,000	565,221	(100,000)	(121,031)	12,406,747	12,150,937
Cockburn ARC Building Maintenance	6,675,048	0	0	1,500,000	0	(150,000)	0	8,025,048	6,675,048
Carry Forward Projects	12,322,168	0	0	7,414,128	5,563,428	(8,512,208)	(3,149,662)	11,224,088	14,735,935
Port Coogee Marina Assets Replacement	2,084,887	0	0	300,000	300,000	(487,816)	(60,666)	1,897,071	2,324,221
Coogee Beach Foreshore Management	0	0	1,258	0	116,165	0	0	0	117,423
<b>Total Council Funded Reserve</b>	<b>151,041,516</b>	<b>0</b>	<b>1,258</b>	<b>42,468,005</b>	<b>9,147,388</b>	<b>(36,285,646)</b>	<b>(9,627,680)</b>	<b>157,223,875</b>	<b>150,562,481</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

OPERATING ACTIVITIES

NOTE 6

CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted Funded</b>									
Aged and Disabled Asset Replacement	465,834	0	7,368	0	0	0	0	465,834	473,202
Welfare Projects Employee Entitlements	1,053,457	0	7,904	0	0	0	0	1,053,457	1,061,361
Port Coogee Special Maintenance - SAR	2,040,979	0	31,650	400,000	396,708	(663,123)	(332,368)	1,777,856	2,136,969
Port Coogee Waterways - SAR	194,765	0	4,506	105,000	105,245	0	0	299,765	304,516
Family Day Care Accumulation Fund	11,600	0	183	0	0	0	0	11,600	11,783
Naval Base Shack Removal	826,130	0	13,300	35,000	35,000	0	0	861,130	874,430
Restricted Grants & Contributions	5,388,608	0	0	3,625	0	(4,068,649)	(4,460,168)	1,323,584	928,440
Public Open Space - Various	5,182,134	0	77,721	0	0	(125,693)	(125,693)	5,056,441	5,134,162
Port Coogee Waterways - WEMP	1,075,185	0	17,462	0	0	(482,231)	(55,676)	592,954	1,036,970
Cockburn Coast SAR	85,406	0	1,540	55,000	48,426	(12,048)	(11,008)	128,358	124,364
<b>Total Restricted Funded Reserve</b>	<b>16,324,097</b>	<b>0</b>	<b>161,635</b>	<b>598,625</b>	<b>585,378</b>	<b>(5,351,744)</b>	<b>(4,984,914)</b>	<b>11,570,978</b>	<b>12,086,197</b>
<b>Developer Contribution Plans</b>									
Community Infrastructure (DCA 13)	783,582	0	24,620	3,000,000	2,087,896	(2,979,783)	(12,771)	803,799	2,883,327
Developer Contribution Plans - Various	12,915,294	0	187,395	970,000	1,272,782	(4,401,052)	0	9,484,242	14,375,471
<b>Total Developer Contribution Reserve</b>	<b>13,698,876</b>	<b>0</b>	<b>212,016</b>	<b>3,970,000</b>	<b>3,360,678</b>	<b>(7,380,835)</b>	<b>(12,771)</b>	<b>10,288,041</b>	<b>17,258,798</b>
<b>Total Cash Reserve</b>	<b>181,064,488</b>	<b>0</b>	<b>374,908</b>	<b>47,036,630</b>	<b>13,093,444</b>	<b>(49,018,225)</b>	<b>(14,625,365)</b>	<b>179,082,893</b>	<b>179,907,475</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023

OPERATING ACTIVITIES  
NOTE 7  
OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2022	Liability Increase	Liability Reduction	Closing Balance 31 March 2023
Other current liabilities		\$	\$	\$	\$
<b>Contract liabilities</b>					
Unspent grants, contributions and reimbursements - non-operating		4,994,711	6,513,264	(8,922,115)	2,585,860
<b>Total unspent grants, contributions and reimbursements</b>		4,994,711	6,513,264	(8,922,115)	2,585,860
<b>Provisions</b>					
Annual leave		4,812,649	44,682,926	(45,188,510)	4,307,065
Long service leave		4,373,784	0	0	4,373,784
<b>Total Provisions</b>		9,186,433	44,682,926	(45,188,510)	8,680,849
<b>Total other current assets</b>		<b>14,181,144</b>	<b>51,196,190</b>	<b>(54,110,625)</b>	<b>11,266,709</b>
Amounts shown above include GST (where applicable)					

KEY INFORMATION

**Provisions**

Provisions are recognised when the City has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee benefits**

**Short-term employee benefits**

Provision is made for the City's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The City's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

**Other long-term employee benefits**

The City's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The City's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the City does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**Contract liabilities**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the City are recognised as a liability until such time as the City satisfies its obligations under the agreement.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023**

**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
				\$	\$	\$	\$
	<b>Budget adoption</b>						360,899
OP4908	Expenditure Review Committee May 2022 - Womens Shed investigation	OCM 09/06/22 #18.1 OCM 14/07/22 #0142-0152	Operating Expenses			(20,000)	340,899
OP7965	Recruitment expenses. Confidential item.		Operating Expenses			(100,000)	240,899
CW6268	Marina boardwalk refurbishment funded from Reserves and budget surplus	OCM 11/08/22 #18.1	Capital Expenses			(98,000)	142,899
CW6268	Transfer from Marina Reserves to fund marina boardwalk refurbishment	OCM 11/08/22 #18.1	Transfer from Reserve		65,332		208,231
Various	Amendments as per 8 Sept 22 OCM	OCM 08/09/22				(120,000)	88,231
Various	Amendments as per 9 June 22 OCM to the Events Calendar	OCM 09/06/22 #18.1	Operating Expenses			(19,000)	69,231
GL 531	External grant from Department of Communities	OCM 13/10/22 #18.1	Operating Revenue		39,922		109,153
CW7577	Expenditure reduction - budget unspent	OCM 13/10/22 #18.1	Capital Expenses		10,000		119,153
CW7664	Missed from carry forward - increased in expenditure	OCM 13/10/22 #18.1	Capital Expenses			(26,000)	93,153
CW7664	Reserve funding for purchasing animal capsule	OCM 13/10/22 #18.1	Transfer from Reserve		26,000		119,153
	Increased muni funding required to fund traffic officer on casual contract	OCM 13/10/22 #18.1	Operating Expenses			(50,000)	69,153
OP9851	Cost of demolishing at Lot 147 Mopsa Way, Coolbellup	OCM 13/10/22 #18.1	Operating Expenses			(80,000)	(10,847)
OP9851	Waste Reserve to fund cost of demolition	OCM 13/10/22 #18.1	Transfer from Reserve		80,000		69,153
OP4905	Muni fund required for traffic study in Banjup	OCM 13/10/22 #18.1	Operating Expenses			(80,000)	(10,847)
OP4900	Indonesian delegation visit	OCM 08/12/22 #0283	Operating Expenses			(20,298)	(31,145)
Various	Amendments as per Expenditure Review Committee November 2022	OCM 08/12/22 #0284	Capital Expenses		96,000		64,855
Various	Amendments as per Expenditure Review Committee November 2022	OCM 08/12/22 #0284	Transfer to Reserve			(3,275,000)	(3,210,145)
Various	Amendments as per Expenditure Review Committee November 2022	OCM 08/12/22 #0284	Operating Revenue		6,240,740		3,030,595
Various	Amendments as per Expenditure Review Committee November 2022	OCM 08/12/22 #0284	Operating Expenses			(4,221,994)	(1,191,399)
Various	Amendments as per Expenditure Review Committee November 2022	OCM 08/12/22 #0284	Transfer from Reserve		1,192,815		1,416
Various	Mid-year budget review	OCM 09/02/23 #0010			296,538		297,954
OP6297	Public consultation at Omeo Dive Trail	OCM 09/06/22 #0118	Operating Expenses			(15,000)	282,954
OP4897	Setting up Multicultural Reference Group	OCM 09/03/23 #0060	Operating Expenses			(4,000)	278,954

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023**

**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
				\$	\$	\$	\$
				0	8,047,347	(8,129,292)	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MARCH 2023**

**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 2022-23 year is \$300,000 or 0.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
<b>Revenue from operating activities</b>				
Community Development & Services	(489,981)	(8.48%)	▼ Timing	Revenue delayed
Development Assessment & Compliance	(435,708)	(15.26%)	▼ Timing	Revenue brought forward
<b>Expenditure from operating activities</b>				
Library & Cultural Services	387,541	7.08%	▲ Timing	Expenditure delayed
Recreation Infrastructure & Services	844,316	7.33%	▲ Timing	Expenditure delayed
Community Development & Services	1,987,002	20.05%	▲ Timing	Expenditure delayed
Finance	497,346	8.72%	▲ Timing	Insurance claim reimbursement delayed
Community Safety & Ranger Services	861,268	18.74%	▲ Timing	Expenditure delayed
Sustainability & Environment	831,749	26.26%	▲ Timing	Expenditure delayed
Operations & Maintenance	942,073	1.60%	▲ Timing	Expenditure brought forward
Development Assessment & Compliance	833,800	17.60%	▲ Timing	Expenditure delayed
Property & Assets	669,532	8.10%	▲ Timing	Expenditure delayed
Payments for property, plant and equipment and infrastructure	7,426,091	20.71%	▲ Timing	Expenditure delayed
Proceeds from non-operating grants, subsidies and contributions	665,632	7.04%	▲ Timing	Revenue brought forward
Transfer to reserves	(7,404,924)	(122.12%)	▼ Timing	Revenue brought forward (DCP13)
<b>Investing activities</b>				
Proceeds from disposal of assets	689,220	70.08%	▲ Timing	Sale proceeds brought forward
Transfer from reserves	(7,211,058)	(33.02%)	▼ Timing	Expenditure brought forward

### 14.2.2 Payments Made from Municipal Fund and Local Procurement Summary - March 2023

**Author(s)** A/Head of Finance

**Attachments** 1. Payment Listing - March 2023 [↓](#)  
2. Credit Card Expenses Report - March 2023 [↓](#)

#### RECOMMENDATION

That Council:

- (1) RECEIVES the list of payments from the Municipal Fund during the month of March 2023, as attached to the Agenda.

#### 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

Payments made under delegation during the month of March totalled \$21.730 million, and a listing of these is attached to the agenda for review by Council.

These comprise:

- EFT payments (suppliers and sundry creditors) - \$16.604 million (844 payments)
- Payroll payments - \$4.980 million (3 fortnights)
- Corporate credit cards – total of \$131,982 (64 cards used)
- Bank transactional fees (BPay and merchant fees) - \$13,878.

The City has several payment runs each month to ensure its trade suppliers are paid on a timely basis, particularly local and small businesses.

Also attached is the monthly credit card payments report, showing February transactions (paid in March) by cardholder position. This month's total spend on credit card is higher than usual due to a number of travel and accommodation related transaction costs, as well as training and professional development costs.

There was only one transaction made on the Acting CEO's credit card for \$250 relating to a seminar.

### Local Procurement

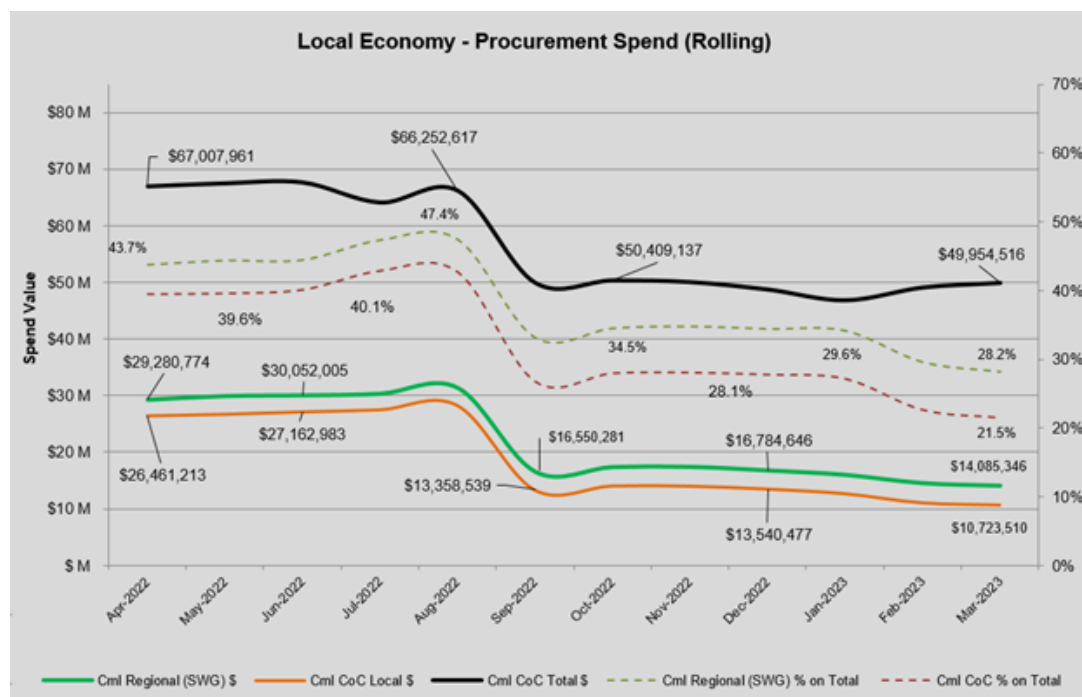
Monthly statistics on local and regional procurement spend are summarised below, showing the spend amounts and percentages against total spend:

Procurement Report - Local Buy Summary & Trends					March 2023
Monthly Statistics	Total SWG Spend	\$975,523	CoC Local \$	17.1%	Local/Regional \$ 21.4%
	CoC Local Spend	\$781,158	CoC Local %	30.5%	Local/Regional % 38.9%

In March, local spending within Cockburn made up 17.1 percent of the City's monthly spend, comprising 30.5 percent of all procurement transactions made for the month.

Within the Perth South West region, this increased to 21.4 percent of monthly spend from 38.9 percent of transactions.

The following one year rolling chart to March 2023 tracks the City's procurement spend with businesses located within Cockburn and the Perth South West region (the chart has been altered from previous reports to remove the cumulative effect and provide improved analysis):



The 12-month rolling local Cockburn spend was \$10.72 million, representing 21.5 percent of the City's total spend, with \$14.09 million or 28.2 percent of total spend within the Perth South West regional area.

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 Implications**

#### Local 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

## March 2023 PAYMENT LISTING

## MUNICIPAL FUND

PAYMENT No.	ACCOUNT No.	PAYEE	PAYMENT DESCRIPTION	DATE	VALUE \$
EF157098	10152	Aust Services Union	Payroll Deductions	7/03/2023	854.60
EF157099	10154	Australian Taxation Office	Payroll Deductions	7/03/2023	517,816.00
EF157100	10305	Child Support Agency	Payroll Deductions	7/03/2023	1,239.98
EF157101	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	7/03/2023	44.00
EF157102	19726	Health Insurance Fund Of Wa	Payroll Deductions	7/03/2023	1,066.80
EF157103	27874	Smartsalary	Salary Packaging/Leasing Administration	7/03/2023	10,923.32
EF157104	28458	Easi Group	Novated Leasing	7/03/2023	3,875.15
EF157105	19533	Woolworths Ltd	Groceries	7/03/2023	321.02
EF157106	26987	Cti Risk Management	Security - Cash Collection	7/03/2023	1,944.13
EF157107	27381	Fit For Life Exercise Physiology	Exercise Classes	7/03/2023	2,160.00
EF157108	27455	Site Protective Services	Cctv Parts	7/03/2023	228,745.44
EF157109	99997	Family Day Care	Fdc Payment W/E 05/03/23	9/03/2023	53,316.26
EF157110	26987	Cti Risk Management	Security - Cash Collection	14/03/2023	752.95
EF157111	27872	Phoebe Corke	Elected Member Sitting Fees & Allowances	15/03/2023	928.44
EF157112	99996	Donna Cordina	Rates and Property related refunds	15/03/2023	30.00
EF157113	99996	Claire Ledlie	Rates And Property Related Refunds	15/03/2023	150.00
EF157114	99996	Serena Kipling	Rates And Property Related Refunds	15/03/2023	100.00
EF157115	99996	Christopher Batten	Rates And Property Related Refunds	15/03/2023	150.00
EF157116	99996	Katica Donjerkovich	Rates And Property Related Refunds	15/03/2023	56.65
EF157117	99996	Rates And Property Related Eft Refunds (Not Bonds)	Rates And Property Related Refunds	15/03/2023	803.96
EF157118	99996	Housing Authority	Rates And Property Related Refunds	15/03/2023	2,898.24
EF157119	99996	Elaine Hussey	Rates And Property Related Refunds	15/03/2023	321.78
EF157120	99996	Kristine Northey	Rates And Property Related Refunds	15/03/2023	593.66
EF157121	99996	Kylie M De Florenca	Rates And Property Related Refunds	15/03/2023	520.00
EF157122	99996	Huu Duc Le	Rates And Property Related Refunds	15/03/2023	1,060.00
EF157123	99996	Lavinia 12 Pty Ltd	Rates And Property Related Refunds	15/03/2023	1,182.81
EF157124	99996	Heuer Holdings Pty Ltd	Rates And Property Related Refunds	15/03/2023	25.12
EF157125	99996	Dianne Press	Rates And Property Related Refunds	15/03/2023	194.08
EF157126	88888	Sundry Creditor Eft	Bond Refund	15/03/2023	20,369.00
EF157127	88888	Mark Sayers-Streetin	Bond Refund	15/03/2023	500.00
EF157128	88888	Raymond C Bamkin	Bond Refund	15/03/2023	150.00
EF157129	88888	Raymond C Bamkin	Bond Refund	15/03/2023	150.00
EF157130	88888	John Purcell	Bond Refund	15/03/2023	500.00
EF157131	88888	Sail Ningaloo	Bond Refund	15/03/2023	100.00
EF157132	88888	Sundry Creditor Eft	Bond Refund	15/03/2023	500.00
EF157133	99997	Lynne A Willett	Senior Security Subsidy Scheme	15/03/2023	300.00
EF157134	99997	P.Firkin	Grants, Donations & Refunds	15/03/2023	600.00

EF157135	99997	Peter Traine	Prescription Safety Glasses Claim	15/03/2023	400.00
EF157136	99997	Pieter Quartermaine	Reimbursemt For Personal Card Purchase	15/03/2023	349.00
EF157137	99997	Benjamin Jacklyn	Crossover Rebate	15/03/2023	300.00
EF157138	99997	Rodney Bonser	Crossover Rebate	15/03/2023	300.00
EF157139	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	15/03/2023	300.00
EF157140	99997	Hamish Magee	Crossover Rebate	15/03/2023	150.00
EF157141	99997	Jacqueline Wright	Crossover Rebate	15/03/2023	300.00
EF157142	99997	Cr & Pd Seeber	Clifford Seeber	15/03/2023	165.00
EF157143	99997	Rohan Blee	Catering For Community Consultation Work	15/03/2023	29.73
EF157144	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	15/03/2023	26.26
EF157145	99997	Yangebup Family Centre	Donation To Yangebup Family Centre	15/03/2023	1,037.40
EF157146	99997	Shayne Savic	5 Piece Band	15/03/2023	1,750.00
EF157147	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	15/03/2023	100.00
EF157148	99997	Coral Frances Wood	Bird Bath Rebate	15/03/2023	26.39
EF157149	99997	Katharine Longley	Bird Bath Rebate	15/03/2023	50.00
EF157150	99997	Alex Ke Summers	Bird Bath Rebate	15/03/2023	17.39
EF157151	99997	Sharon Sammons	Bird Bath Rebate	15/03/2023	50.00
EF157152	99997	Christine Brookes	Bird Bath Rebate	15/03/2023	35.99
EF157153	99997	Gavin Dobson	Bird Bath Rebate	15/03/2023	50.00
EF157154	99997	Laurence Bruce	Bird Bath Rebate	15/03/2023	50.00
EF157155	99997	Anne Velasquez	Bird Bath Rebate	15/03/2023	49.99
EF157156	99997	Vignesh Kandalu Ekanathan	Bird Bath Rebate	15/03/2023	34.50
EF157157	99997	Sheryll Samorong	Bird Bath Rebate	15/03/2023	31.80
EF157158	99997	Arthur F Bishop	Senior Security Subsidy Scheme	15/03/2023	200.00
EF157159	99997	Kj & Lr Blakemore	Senior Security Subsidy Scheme	15/03/2023	300.00
EF157160	99997	S & N Kwok	Senior Security Subsidy Scheme	15/03/2023	100.00
EF157161	99997	Amanda Bourgeois	Senior Security Subsidy Scheme	15/03/2023	300.00
EF157162	99997	S & N Kwok	Senior Security Subsidy Scheme	15/03/2023	100.00
EF157163	99997	Vaughan Elphick	Senior Security Subsidy Scheme	15/03/2023	200.00
EF157164	99997	Alison May Applegate	Senior Security Subsidy Scheme	15/03/2023	300.00
EF157165	99997	Mr Tome Radic And Mrs Joan Heather Radic	Senior Security Subsidy Scheme	15/03/2023	200.00
EF157166	99997	J And M De Pinho	Senior Security Subsidy Scheme	15/03/2023	300.00
EF157167	99997	Natalia Morzenti	Bird Bath Rebate	15/03/2023	35.99
EF157168	99997	H P And D F Gibson	Bird Bath Rebate	15/03/2023	22.99
EF157169	99997	Victoria Elizabeth Green	Indonesian Delegation Trip - Work Attire	15/03/2023	749.96
EF157170	99997	Cj & Sa Martinovich	Pen Fee Refund	15/03/2023	78.21
EF157171	99997	Shane Webster	Grants, Donations & Refunds	15/03/2023	72.00
EF157172	99997	Heather & Andrew Waugh	Grants, Donations & Refunds	15/03/2023	300.00
EF157173	99997	Victoria Elizabeth Green	Reimbursement For Function Expenses	15/03/2023	749.96
EF157174	99997	Marie Jordan	Grants, Donations & Refunds	15/03/2023	260.35
EF157175	99997	Mark Sayers-Streetin	J245 Pen Fee Refund	15/03/2023	453.00
EF157176	99997	Natalie Gregson	Invoice 001/2023	15/03/2023	566.50
EF157177	99997	The Play Factory Playgroup Inc	Communit Grant-Sept 22 Bike Track	15/03/2023	5,000.00

EF157178	99997	The Wetlands Centre	Inv 1858	15/03/2023	56,111.00
EF157179	99997	Paul Kruining	Bird Bath Rebate	15/03/2023	50.00
EF157180	99997	C D Maloney	Crossover Rebate	15/03/2023	300.00
EF157181	99997	Leah Durack	Crossover Rebate	15/03/2023	300.00
EF157182	99997	Kathryn Falconer	Crossover Rebate	15/03/2023	300.00
EF157183	99997	Christopher Batten	Crossover Rebate	15/03/2023	300.00
EF157184	99997	Alicia Wilton And Jacqueline Wilton	Crossover Rebate	15/03/2023	150.00
EF157185	99997	Coolbellup Amateur Football Club	Sports Equipment Grant Inv 23002	15/03/2023	501.62
EF157186	99997	Rohan Blee	R.Blee Petty Cash 10.03.23	15/03/2023	16.27
EF157187	99997	Ridge Adamson	Crossover Rebate	15/03/2023	300.00
EF157188	10010	Aac Id Solutions	Security & Promotional Products	15/03/2023	6,136.06
EF157189	10170	Macri Partners	Auditing Services	15/03/2023	2,585.00
EF157190	10207	Boc Gases	Gas Supplies	15/03/2023	893.18
EF157191	10219	Bousfields Menswear	Clothing Supplies	15/03/2023	1,510.00
EF157192	10221	Bp Australia Pty Ltd	Diesel/Petrol Supplies	15/03/2023	28,106.49
EF157193	10226	Bridgestone Australia Ltd	Tyre Services	15/03/2023	19,633.45
EF157194	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	15/03/2023	1,264.53
EF157195	10247	Bunzl Australia Ltd	Paper/Plastic/Cleaning Supplies	15/03/2023	233.87
EF157196	10287	Centreline Markings	Linemarking Services	15/03/2023	2,365.00
EF157197	10333	Cjd Equipment Pty Ltd	Hardware Supplies	15/03/2023	1,963.50
EF157198	10344	Business Foundations Incorporated	Donation	15/03/2023	1,650.00
EF157199	10359	Cockburn Painting Service	Painting Supplies/Services	15/03/2023	12,256.20
EF157200	10459	David Gray & Co Pty Ltd	Mobile Garbage Bins	15/03/2023	1,232.00
EF157201	10526	E & Mj Rosher Pty Ltd	Mower Equipment	15/03/2023	3,032.02
EF157202	10535	Workpower Incorporated	Employment Services - Planting	15/03/2023	24,007.62
EF157203	10589	Fines Enforcement Registry	Fines Enforcement Fees	15/03/2023	5,844.90
EF157204	10590	Department Of Fire And Emergency Services	Esl Levy & Related Costs	15/03/2023	1,337.00
EF157205	10683	Gronbek Security	Locksmith Services	15/03/2023	8,774.62
EF157206	10783	Jandakot Metal Industries Pty Ltd	Metal Supplies	15/03/2023	17,158.90
EF157207	10888	Lj Caterers	Catering Services	15/03/2023	9,117.46
EF157208	10892	Local Government Professionals Australia Wa	Subscription	15/03/2023	5,905.00
EF157209	10913	Bucher Municipal Pty Ltd	Purchase Of New Plant / Repair Services	15/03/2023	737.45
EF157210	10918	Main Roads Wa	Repairs/Maintenance/Funding Contribution	15/03/2023	29,732.32
EF157211	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	15/03/2023	79.94
EF157212	10944	Mcleods	Legal Services	15/03/2023	36,662.06
EF157213	10991	Beacon Equipment	Mowing Equipment	15/03/2023	714.90
EF157214	11028	Neverfail Springwater Ltd	Bottled Water Supplies	15/03/2023	418.75
EF157215	11036	Northlake Electrical Pty Ltd	Electrical Services	15/03/2023	126,703.10
EF157216	11182	Premium Brake & Clutch Services Pty Ltd	Brake Services	15/03/2023	1,242.12
EF157217	11235	Reinforced Concrete Pipes Pty Ltd	Concrete Pipe Supplies	15/03/2023	33,315.31
EF157218	11307	Satellite Security Services Pty Ltd	Security Services	15/03/2023	11,998.23
EF157219	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	15/03/2023	1,846.16
EF157220	11334	Shenton Pumps	Pool Equipment/Services	15/03/2023	26,872.09

EF157221	11361	Sigma Chemicals Pty Ltd	Chemical Supplies	15/03/2023	14,974.52
EF157222	11533	Superbowl Melville	Entertainment Services	15/03/2023	391.60
EF157223	11619	Titan Ford	Purchase Of Vehicles & Servicing	15/03/2023	14,943.04
EF157224	11625	Nutrien Water	Reticulation Supplies	15/03/2023	35,653.23
EF157225	11636	Town Of Victoria Park	Lost Library Book	15/03/2023	3,566.58
EF157226	11651	Tree Watering Services	Tree Watering Services	15/03/2023	2,493.00
EF157227	11701	Vibra Industrial Filtration Australasia	Filter Supplies	15/03/2023	1,021.79
EF157228	11702	Villa Dalmacia Association Inc.	Spical Club Activities	15/03/2023	390.00
EF157229	11722	Wa Hino Sales & Service	Purchase Of New Trucks / Maintenance	15/03/2023	1,583.86
EF157230	11749	Warren's Earthmoving Contractors	Earthmoving Services	15/03/2023	4,004.00
EF157231	11773	Nutrien Ag Solutions	Chemical Supplies	15/03/2023	18,965.82
EF157232	11787	Department Of Transport	Vehicle Search Fees	15/03/2023	9,403.98
EF157233	11789	Walga	Advertising/Training Services	15/03/2023	1,419.00
EF157234	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	15/03/2023	15,739.05
EF157235	11795	Western Power	Street Lighting Installation & Service	15/03/2023	296.00
EF157236	11835	Wurth Australia Pty Ltd	Hardware Supplies	15/03/2023	570.67
EF157237	11854	Zipform Pty Ltd	Printing Services	15/03/2023	1,848.28
EF157238	12014	Tutt Bryant Equipment Bt Equipment Pty Ltd T/As	Excavating/Earthmoving Equipment	15/03/2023	728.40
EF157239	12018	O'connor Lawnmower & Chainsaw Centre	Mowing Equipment/Parts/Services	15/03/2023	134.30
EF157240	12153	Hays Personnel Services Pty Ltd	Employment Services	15/03/2023	1,813.90
EF157241	12207	Civica Pty Ltd	Software Support/Licence Fees	15/03/2023	1,898.86
EF157242	12295	Stewart & Heaton Clothing Co. Pty Ltd	Clothing Supplies	15/03/2023	183.68
EF157243	12589	Australian Institute Of Management	Training Services	15/03/2023	1,497.00
EF157244	12796	Isentia Pty Ltd	Media Monitoring Services	15/03/2023	4,488.00
EF157245	13102	Michael Page International (Australia) Pty Ltd	Employment Services	15/03/2023	6,174.33
EF157246	13558	Etc Solutions	Consultants Services	15/03/2023	874.50
EF157247	13825	Jackson Mcdonald	Legal Services	15/03/2023	9,909.90
EF157248	13834	Sulo Mgb Australia Pty Ltd	Mobile Garbage Bins	15/03/2023	8,164.49
EF157249	14307	Beilby Downing Teal Pty Ltd	Hr Consultancy Services	15/03/2023	16,818.49
EF157250	14350	Baileys Fertiliser	Fertiliser Supplies	15/03/2023	9,380.80
EF157251	15393	Stratagreen	Hardware Supplies	15/03/2023	1,409.86
EF157252	15550	Apac Aid Inc	Plants & Landscaping Services	15/03/2023	473.00
EF157253	15588	Natural Area Consulting Management Services	Weed Spraying	15/03/2023	25,551.19
EF157254	15746	Western Australia Police Service	Police Clearances	15/03/2023	51.00
EF157255	16064	Cms Engineering	Airconditioning Services	15/03/2023	35,139.40
EF157256	16107	Wren Oil	Waste Disposal Services	15/03/2023	82.50
EF157257	16396	Mayday Rental	Road Construction Machine Hire	15/03/2023	7,656.00
EF157258	16706	Council On The Ageing (Wa) Inc	Education Services	15/03/2023	1,500.00
EF157259	16846	Action Glass & Aluminium	Glazing Services	15/03/2023	1,953.05
EF157260	16894	Treblex Industrial Pty Ltd	Chemicals - Automotive	15/03/2023	14,074.50
EF157261	16985	Wa Premix	Concrete Supplies	15/03/2023	2,673.00
EF157262	17471	Pirtek (Fremantle) Pty Ltd	Hoses & Fittings	15/03/2023	10,391.65
EF157263	17600	Lightforce Asset Pty Ltd (Erections!)	Guard Rails	15/03/2023	1,727.00

EF157264	17608	Nu-Trac Rural Contracting	Beach Cleaning/Firebreak Construction	15/03/2023	8,781.76
EF157265	18126	Dell Australia Pty Ltd	Computer Hardware	15/03/2023	4,719.00
EF157266	18203	Natsync Environmental	Pest Control	15/03/2023	940.00
EF157267	18286	Iw Projects Pty Ltd	Consultancy Services - Civil Engineering	15/03/2023	23,206.15
EF157268	18621	Planning Institute Australia	Registration	15/03/2023	360.00
EF157269	18763	Local Community Insurance Services (Part Of Jlt Group)	Community Insurance Policies	15/03/2023	737.66
EF157270	19107	Forever Shining	Monument	15/03/2023	1,089.00
EF157271	19776	Josh Byrne & Associates	Environmental Consultant	15/03/2023	6,718.80
EF157272	19856	Western Tree Recyclers	Shredding Services	15/03/2023	60,766.54
EF157273	20146	Data#3 Limited	Contract It Personnel & Software	15/03/2023	245.73
EF157274	20321	Riverjet Pty Ltd	Educting-Cleaning Services	15/03/2023	19,932.00
EF157275	20535	Home-Grown Theatre	Drama Classes	15/03/2023	2,970.00
EF157276	20546	Pacific Biologics Pty Ltd	Insecticides/Pesticides-Mosquito Control	15/03/2023	4,153.30
EF157277	20885	Tactile Indicators Perth	Tactiles	15/03/2023	7,896.00
EF157278	21139	Austraffic Wa Pty Ltd	Traffic Surveys	15/03/2023	3,850.00
EF157279	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	15/03/2023	1,240.82
EF157280	21744	Jb Hi Fi - Commercial	Electronic Equipment	15/03/2023	3,961.28
EF157281	21747	Unicare Health	Wheelchair Hire	15/03/2023	217.00
EF157282	21946	Ryan's Quality Meats	Meat Supplies	15/03/2023	126.35
EF157283	22106	Intelife Group	Services - Daip	15/03/2023	13,132.13
EF157284	22388	Carrington's Traffic Services	Traffic Management Services	15/03/2023	12,940.71
EF157285	22553	Brownes Food Operations	Catering Supplies	15/03/2023	818.96
EF157286	22569	Sonic Health Plus Pty Ltd	Medical Services	15/03/2023	2,920.50
EF157287	22658	South East Regional Centre For Urban Landcare Inc (Sercul)	Urban Landcare Services	15/03/2023	9,362.74
EF157288	22752	Elgas Limited	Gas Supplies	15/03/2023	1,081.75
EF157289	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	15/03/2023	58,286.42
EF157290	22859	Top Of The Ladder	Gutter Cleaning Services	15/03/2023	13,387.00
EF157291	22903	Unique International Recoveries Llc	Debt Collectors	15/03/2023	691.20
EF157292	22913	Opal Australian Paper	Envelopes	15/03/2023	104.31
EF157293	23351	Cockburn Gp Super Clinic Limited T/A Cockburn Integrated Health	Leasing Fees	15/03/2023	2,071.50
EF157294	23457	Totally Workwear Fremantle	Clothing - Uniforms	15/03/2023	1,925.66
EF157295	23579	Daimler Trucks Perth	Purchase Of New Truck	15/03/2023	170.49
EF157296	23685	Astro Synthetic Turf Pty Ltd	Site Inspections	15/03/2023	40,881.50
EF157297	23849	Construction Equipment Australia	Plant/Machinery Purchase & Maintenance	15/03/2023	471.17
EF157298	23971	Find Wise Location Services	Locating Services - Underground	15/03/2023	1,155.00
EF157299	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	15/03/2023	3,773.12
EF157300	24655	Automasters Spearwood	Vehicle Servicing	15/03/2023	1,245.20
EF157301	24816	Consolidated Training Services	Training Services	15/03/2023	1,058.00
EF157302	24978	Ambius	Plants Supplies	15/03/2023	58.96
EF157303	25063	Superior Pak Pty Ltd	Vehicle Maintenance	15/03/2023	2,057.14
EF157304	25121	Imagesource Digital Solutions	Billboards	15/03/2023	2,516.80
EF157305	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	15/03/2023	34,953.85
EF157306	25418	Cs Legal	Legal Services	15/03/2023	31,586.19

EF157307	25586	Envirovap Pty Ltd	Hire Of Leachate Units	15/03/2023	29,232.50
EF157308	25589	Engtech (Aust) Pty Ltd	Dangerous Goods Assessment & Consultancy	15/03/2023	9,787.44
EF157309	25664	Getty Images	Visual Content - Creative And Editorial	15/03/2023	16,500.00
EF157310	25822	Fit2work.Com.Au Mercury Search And Selection Pty Ltd	Employee Check	15/03/2023	115.17
EF157311	26211	Amcom Pty Ltd	Internet/Data Services	15/03/2023	9,078.30
EF157312	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	15/03/2023	18,055.00
EF157313	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	15/03/2023	88,984.86
EF157314	26314	Cpe Group	Temporary Employment Services	15/03/2023	3,548.27
EF157315	26354	Electrofen	Repair Services - Security Fences	15/03/2023	440.00
EF157316	26403	Ches Power Group Pty Ltd	Engineering Solutions / Back Up Generato	15/03/2023	2,636.75
EF157317	26470	Scp Conservation	Fencing Services	15/03/2023	4,191.00
EF157318	26516	Ultimate Limestone	Construction Services	15/03/2023	4,400.00
EF157319	26549	Sharon Gregory (Koort-Kadak Consultancy)	Consultancy Services	15/03/2023	1,000.00
EF157320	26574	Eva Bellydance	Entertainment - Belly Dancing	15/03/2023	375.00
EF157321	26614	Marketforce Pty Ltd	Advertising	15/03/2023	34,340.56
EF157322	26625	Andover Detailers	Car Detailing Services	15/03/2023	1,136.96
EF157323	26709	Talis Consultants Pty Ltd	Waste Consultancy	15/03/2023	2,684.00
EF157324	26735	Shane McMaster Surveys	Survey Services	15/03/2023	6,380.00
EF157325	26739	Kerb Doctor	Kerb Maintenance	15/03/2023	1,350.76
EF157326	26743	Statewide Turf Services	Turf Renovation	15/03/2023	5,775.00
EF157327	26754	Connect Call Centre Services	Call Centre Services	15/03/2023	5,361.29
EF157328	26791	Monsterball Amusement & Hire	Amusement Hire	15/03/2023	4,780.00
EF157329	26800	The Goods	Retail	15/03/2023	35.95
EF157330	26811	Romeri Motor Trimmers	Upholstery Repair	15/03/2023	300.00
EF157331	26818	Perth's Outback Splash	Amusement	15/03/2023	1,182.00
EF157332	26832	Cooling Brothers Glazing	Glazing Services	15/03/2023	1,853.50
EF157333	26888	Media Engine	Graphic Design, Marketing, Video Product	15/03/2023	3,590.00
EF157334	26929	Elan Energy Matrix Pty Ltd	Recycling Services	15/03/2023	2,769.42
EF157335	26946	Av Truck Services Pty Ltd	Truck Dealership	15/03/2023	491.28
EF157336	26983	Hitech Sports Pty Ltd	Sporting Equipment	15/03/2023	12,384.90
EF157337	27006	Bibra Lake Iga Xpress	Liquor Supplies	15/03/2023	683.56
EF157338	27010	Quantum Building Services Pty Ltd	Building Maintenance	15/03/2023	31,922.95
EF157339	27015	Intelli Trac	Gps Tracking	15/03/2023	2,685.10
EF157340	27031	Downer Edi Works Pty Ltd	Asphalt Services	15/03/2023	462,471.04
EF157341	27034	Adelby Pty Ltd	Firebreak Construction	15/03/2023	1,369.50
EF157342	27054	Vocus Pty Ltd	Telecommunications	15/03/2023	5,181.49
EF157343	27065	Westbooks	Books	15/03/2023	1,112.10
EF157344	27082	Kulbardi Pty Ltd	Stationery Supplies	15/03/2023	564.19
EF157345	27130	Motio Play Pty Ltd	Digital Marketing & Software Service Pro	15/03/2023	645.29
EF157346	27143	Embroidme Success	Embroidery Services	15/03/2023	128.70
EF157347	27154	Suez Recycling & Recovery Pty Ltd	Waste Services	15/03/2023	3,636.38
EF157348	27174	Perth Geotechnics	Engineering And Geotechnical Consultant	15/03/2023	16,797.00
EF157349	27177	Initial Hygiene	Hygiene	15/03/2023	4,042.23

EF157350	27189	Healthstrong Pty Ltd	Home Care	15/03/2023	495.00
EF157351	27198	Green Promotions Pty Ltd	Promotional Supplies	15/03/2023	2,191.25
EF157352	27241	Landscape Elements	Landscaping Services	15/03/2023	45,221.33
EF157353	27246	Veale Auto Parts	Spare Parts Mechanical	15/03/2023	412.30
EF157354	27269	Payrix Australia	Payment Processing	15/03/2023	13,995.96
EF157355	27275	Hospitality Total Services	Hospitality Consultants	15/03/2023	1,853.50
EF157356	27308	Jatu Clothing & Ppe Pty Ltd	Clothing Ppe	15/03/2023	745.56
EF157357	27334	Westcare Print	Printing Services	15/03/2023	2,090.00
EF157358	27346	Office Line	Furniture Office	15/03/2023	2,107.60
EF157359	27348	Message Media	Telecommunications	15/03/2023	917.97
EF157360	27351	Programmed Property Services	Property Maintenance	15/03/2023	11,880.00
EF157361	27355	Playmaster	Playground Equipment	15/03/2023	10,230.00
EF157362	27366	The Henna Leaf	Artistic - Henna	15/03/2023	540.00
EF157363	27386	Gc Sales (Wa)	Garden Supplies	15/03/2023	925.65
EF157364	27401	Emprise Mobility	Mobility Equipment	15/03/2023	10,235.60
EF157365	27403	Freedom Fairies Pty Ltd	Amusement	15/03/2023	616.00
EF157366	27422	Little Hawk Freo	Catering	15/03/2023	430.00
EF157367	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	15/03/2023	18,957.15
EF157368	27427	Home Chef	Cooking/Food Services	15/03/2023	708.93
EF157369	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	15/03/2023	425.48
EF157370	27499	Hodge Collard Preston Architects	Architects	15/03/2023	15,810.30
EF157371	27507	Serco Facilities Management Pty Ltd	Cleaning Services	15/03/2023	118,462.03
EF157372	27539	Jasmin Carpentry & Maintenance	Carpentry	15/03/2023	32,874.22
EF157373	27551	Incognito Catering	Catering Services	15/03/2023	1,430.00
EF157374	27566	Thuroona Services	Asbestos Removal	15/03/2023	836.00
EF157375	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	15/03/2023	1,069.00
EF157376	27599	Dockpro Pty Ltd	Sales, Servicing & Installation Of Dry D	15/03/2023	12,918.00
EF157377	27610	Rockwater Pty Ltd	Hydrogeological Consultancy	15/03/2023	643.50
EF157378	27622	Truegrade Medical Supplies	Medical Supplies	15/03/2023	1,301.38
EF157379	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	15/03/2023	3,449.37
EF157380	27635	Mammoth Security	Security	15/03/2023	100.18
EF157381	27650	Datacom Systems (Au) Pty Ltd	It Sales, Consulting & Service	15/03/2023	183.37
EF157382	27657	Positive Balance Massage	Massage Therapy	15/03/2023	300.00
EF157383	27676	Blue Force Pty Ltd	Security Services	15/03/2023	5,229.77
EF157384	27695	Qtm Pty Ltd	Traffic Management	15/03/2023	222,881.00
EF157385	27722	Metra Australia	Software	15/03/2023	276.74
EF157386	27734	Ecocene	Environmental Management Information Sys	15/03/2023	7,700.00
EF157387	27788	Direct Office And Commercial Furniture	Office Furniture	15/03/2023	8,324.80
EF157388	27797	City Lift Services Pty Ltd	Lift Maintenance	15/03/2023	2,266.00
EF157389	27804	Redfish Technologies	Audio Visual Systems	15/03/2023	11,427.90
EF157390	27827	Abc Containers	Sea Containers	15/03/2023	1,553.75
EF157391	27850	Dowsing Group Pty Ltd	Concreting Services	15/03/2023	280,926.97
EF157392	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	15/03/2023	70,871.90

EF157393	27861	Collaborative World Consultants	Consultancy - Engineering	15/03/2023	5,280.00
EF157394	27865	Pritchard Francis Consulting Pty Ltd	Engineering Services	15/03/2023	19,182.90
EF157395	27894	Homecare Physiotherapy	Healthcare	15/03/2023	9,977.81
EF157396	27896	Rmc Rail Services Pty Ltd	Rail Traffic Management	15/03/2023	1,073.22
EF157397	27917	Go Doors Advanced Automation	Door Maintenance & Repair	15/03/2023	11,403.27
EF157398	27953	Truckline	Spare Parts, Truck/Trailer	15/03/2023	317.77
EF157399	27965	Stantec Australia Pty Ltd	Engineering Services	15/03/2023	660.00
EF157400	27969	Perfect Gym Solutions	Software For Gym's	15/03/2023	756.69
EF157401	27970	Forksafe	Servcie - Fork Lift	15/03/2023	431.67
EF157402	27984	Sabrina Fenwick	Excercise Classes	15/03/2023	640.00
EF157403	27986	Daily Living Products	Mobility Equip	15/03/2023	273.00
EF157404	28003	Taylor Made Design	Graphic Design	15/03/2023	1,001.00
EF157405	28013	Rps Aap Consulting Pty Ltd	Project Management	15/03/2023	2,942.50
EF157406	28015	Imprint Plastic	Badges	15/03/2023	420.75
EF157407	28031	Brandon's Shredding Boxes	Recycling	15/03/2023	20.00
EF157408	28036	Noddy The Waterman	Water Supplies	15/03/2023	42,735.00
EF157409	28049	Copy Magic	Printing Services	15/03/2023	760.00
EF157410	28078	Crayon Australia Pty Ltd	Licensing	15/03/2023	9.70
EF157411	28139	Advance Scanning Services	Locating Services - Cables/Pipes Etc.	15/03/2023	9,273.00
EF157412	28189	Mercury Messengers Pty Ltd	Courier Service	15/03/2023	2,244.80
EF157413	28196	Brightmark Group Pty Ltd	Cleaning Services	15/03/2023	13,088.53
EF157414	28197	Lite N Easy Pty Ltd	Food Supplies	15/03/2023	2,462.20
EF157415	28215	Complete Office Supplies Pty Ltd	Stationery	15/03/2023	785.16
EF157416	28231	Typeset Pty Ltd	Editorial And Business Communications Se	15/03/2023	3,245.00
EF157417	28241	Swift Flow Pty Ltd	Plumbing	15/03/2023	38,904.82
EF157418	28246	Hendercare	Nursing Services	15/03/2023	1,210.63
EF157419	28254	Cleantex Pty Ltd	Laundry Service	15/03/2023	518.98
EF157420	28264	Garden Organics	Organics Processing	15/03/2023	7,870.32
EF157421	28265	Tree Care Wa	Vegetation Maintenance Services	15/03/2023	7,801.20
EF157422	28270	Volunteer Home Support	Aged Care	15/03/2023	272.80
EF157423	28273	Ae Hoskins Building Services	Construction Services	15/03/2023	1,758.63
EF157424	28275	Farrington Dry Cleaners	Dry Cleaning	15/03/2023	495.00
EF157425	28277	Gesha Coffee Co	Coffee Supplies	15/03/2023	384.00
EF157426	28285	Port Catherine Developments Pty Ltd	Land Developer	15/03/2023	90,538.89
EF157427	28287	All Lines	Linemarking	15/03/2023	2,772.00
EF157428	28289	Grafton General Products	Mobility Equipment	15/03/2023	642.40
EF157429	28292	Emerg Solutions Pty. Ltd.	Emergency Management	15/03/2023	2,560.00
EF157430	28302	Ohura Group Pty Ltd	Industrial Relations Consulting	15/03/2023	6,279.00
EF157431	28303	Miracle Recreation Equipment	Playground Equipment	15/03/2023	561.00
EF157432	28371	Flexi Staff	Employment Services	15/03/2023	32,725.01
EF157433	28377	Cabcharge Payments Pty Ltd	Cab Charge	15/03/2023	106.79
EF157434	28385	Marina Focus Pty Ltd	Software	15/03/2023	5,280.00
EF157435	28409	Sanpoint Pty Ltd (Ld Total)	Landscape Services	15/03/2023	60,266.04

EF157436	28423	Jordies Garden Bags	Waste Services	15/03/2023	3,712.50
EF157437	28426	Power Paving Pty Ltd	Paving Services	15/03/2023	2,640.00
EF157438	28437	Building & Industrial Cleaning Services	Clenaing Services	15/03/2023	59,394.35
EF157439	28439	Gambara Pty Ltd	Watering Services	15/03/2023	10,956.00
EF157440	28454	Aussie Natural Spring Water	Water Supplies	15/03/2023	103.32
EF157441	28461	Carealert	Entertainment	15/03/2023	6.49
EF157442	28463	Antree Dnh Pty Ltd	Gardening	15/03/2023	772.20
EF157443	28481	Ink Strategy Pty Ltd	Strategic Planning	15/03/2023	15,598.00
EF157444	28484	Eds Environmental Visus Group Pty Ltd	Environmental Approvals	15/03/2023	1,320.00
EF157445	28489	Wjs Training Saunders, Wayne John	First aid training	15/03/2023	2,625.00
EF157446	28503	Christal Clear Training	Training and Assessment	15/03/2023	520.00
EF157447	28505	Maltia Caffè The Trustee For Caruana Family Trust	Cafe And Catering Services	15/03/2023	212.50
EF157448	10047	Alinta Energy	Natural Gas & Electrcity Supply	15/03/2023	14,011.75
EF157449	11794	Synergy	Electricity Usage/Supplies	15/03/2023	98,080.50
EF157450	12025	Telstra Corporation	Communications Services	15/03/2023	180.39
EF157451	11758	Water Corp Utility Account Only - Please Refer To 11760 When Raising	Water Usage / Sundry Charges	15/03/2023	12,194.50
EF157452	10152	Aust Services Union	Payroll Deductions	17/03/2023	854.60
EF157453	10154	Australian Taxation Office	Payroll Deductions	17/03/2023	525,302.00
EF157454	10305	Child Support Agency	Payroll Deductions	17/03/2023	1,239.98
EF157455	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	17/03/2023	44.00
EF157456	19726	Health Insurance Fund Of Wa	Payroll Deductions	17/03/2023	1,066.80
EF157457	27874	Smartsalary	Salary Packaging/Leasing Administration	17/03/2023	10,923.34
EF157458	28458	Easi Group	Novated Leasing	17/03/2023	3,875.15
EF157459	10231	Brooks Hire	Hire Services - Equipment	21/03/2023	8,791.20
EF157460	10484	Department Of Mines, Industry Regulation And Safety	Building Services Levy	21/03/2023	32,628.58
EF157461	10590	Department Of Fire And Emergency Services	Esl Levy & Related Costs	21/03/2023	5,865,881.00
EF157462	12153	Hays Personnel Services Pty Ltd	Employment Services	21/03/2023	36,373.47
EF157463	13825	Jackson Mcdonald	Legal Services	21/03/2023	1,143.45
EF157464	17553	Altus Traffic Pty Ltd	Traffic Control Services	21/03/2023	1,476.02
EF157465	18114	Bollig Design Group P/L	Architectural Services	21/03/2023	37,466.00
EF157466	24655	Automasters Spearwood	Vehicle Servicing	21/03/2023	5,799.90
EF157467	25645	Yelakitj Moort Nyungar Association Inc	Welcome To The Country Performances	21/03/2023	400.00
EF157468	26987	Cti Risk Management	Security - Cash Collection	21/03/2023	1,378.05
EF157469	27082	Kulbardi Pty Ltd	Stationery Supplies	21/03/2023	245.16
EF157470	28437	Building & Industrial Cleaning Services	Clenaing Services	21/03/2023	3,750.05
EF157471	88888	Wayne Stewart	Bond Refund	21/03/2023	500.00
EF157472	88888	Hj Pulling	Bond Refund	21/03/2023	100.00
EF157473	99997	Wayne Stewart	Pen Fee Refund_D142	21/03/2023	5,040.00
EF157474	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	21/03/2023	100.00
EF157475	99997	Family Day Care	Fdc Payment W/E 19/03/23	23/03/2023	53,316.26
EF157476	99997	Family Day Care	Fdc Payment W/E 19/03/23	23/03/2023	86.89
EF157477	27492	Superchoice Services Pty Limited	Payroll Deductions	24/03/2023	650,228.42
EF157478	11274	Rottnest Express	Transport Services	28/03/2023	2,181.76

EF157479	25110	Toyota Material Handling Pty Ltd	Spare Parts	28/03/2023	834.90
EF157480	26987	Cti Risk Management	Security - Cash Collection	28/03/2023	1,014.35
EF157481	27198	Green Promotions Pty Ltd	Promotional Supplies	28/03/2023	3,956.70
EF157482	28047	Mitchell Garlett	Ceremonial Services	28/03/2023	400.00
EF157483	11867	Kevin John Allen	Elected Member Sitting Fees & Allowances	31/03/2023	2,850.17
EF157484	12740	Logan Howlett	Elected Member Sitting Fees & Allowances	31/03/2023	11,924.99
EF157485	19059	Carol Reeve-Fowkes	Elected Member Sitting Fees & Allowances	31/03/2023	2,776.26
EF157486	25353	Philip Eva	Elected Member Sitting Fees & Allowances	31/03/2023	3,263.29
EF157487	27326	Michael Separovich	Elected Member Sitting Fees & Allowances	31/03/2023	2,820.21
EF157488	27327	Chontelle Stone	Elected Member Sitting Fees & Allowances	31/03/2023	2,705.83
EF157489	27475	Lara Kirkwood	Elected Member Sitting Fees & Allowances	31/03/2023	357.56
EF157490	27871	Tom Widenbar	Elected Member Sitting Fees & Allowances	31/03/2023	5,193.63
EF157491	27872	Phoebe Corke	Elected Member Sitting Fees & Allowances	31/03/2023	2,833.76
EF157492	28238	Tarun Dewan	Elected Member Sitting Fees & Allowances	31/03/2023	3,392.51
EF157493	10747	linet Limited	Internet Services	31/03/2023	1,009.88
EF157494	11758	Water Corp Utility Account Only - Please Refer To 11760 When Raising	Water Usage / Sundry Charges	31/03/2023	91,246.88
EF157495	11760	Water Corporation	Sewer Easement	31/03/2023	353,509.64
EF157496	99996	Kelly A Prosser	Rates And Property Related Refunds	31/03/2023	30.00
EF157497	99996	Lachlan Galbraith	Rates And Property Related Refunds	31/03/2023	51.66
EF157498	99996	Mark Irvine	Rates And Property Related Refunds	31/03/2023	50.00
EF157499	99996	Julio Goncalves	Rates And Property Related Refunds	31/03/2023	75.00
EF157500	99996	Richard De Gracie	Rates And Property Related Refunds	31/03/2023	113.23
EF157501	99996	Great Aussie Patios	Rates And Property Related Refunds	31/03/2023	147.00
EF157502	99996	Summit Projects T/As Tangent Nominees Pt	Rates And Property Related Refunds	31/03/2023	1,169.54
EF157503	99996	Belinda Mason	Rates And Property Related Refunds	31/03/2023	803.96
EF157504	99996	Gwendoline Manders	Rates And Property Related Refunds	31/03/2023	1,241.34
EF157505	99996	Roslyn Blake	Rates And Property Related Refunds	31/03/2023	934.14
EF157506	99996	J Primo	Rates And Property Related Refunds	31/03/2023	411.50
EF157507	99996	El' Raghy Kriewaldt Pty Ltd	Rates And Property Related Refunds	31/03/2023	3,293.83
EF157508	99996	Ines Babic	Rates And Property Related Refunds	31/03/2023	243.06
EF157509	99996	V Battisla	Rates And Property Related Refunds	31/03/2023	1,500.00
EF157510	99996	Blackwood Trading Co Pty Ltd	Rates And Property Related Refunds	31/03/2023	2,959.50
EF157511	99996	Benedetto Mangano	Rates And Property Related Refunds	31/03/2023	563.12
EF157512	99996	Kevin L Minett	Rates And Property Related Refunds	31/03/2023	408.30
EF157513	99996	Revenuewa	Rates And Property Related Refunds	31/03/2023	183.25
EF157514	99996	A.T Perna Pty Ltd	Rates And Property Related Refunds	31/03/2023	523.00
EF157515	99996	Darren Joy	Rates And Property Related Refunds	31/03/2023	1,022.23
EF157516	99996	Christopher Boase	Rates And Property Related Refunds	31/03/2023	407.00
EF157517	99996	Annette Castro	Rates And Property Related Refunds	31/03/2023	403.00
EF157518	99996	Vivid Property Perth	Rates And Property Related Refunds	31/03/2023	783.00
EF157519	99996	Christopher Cording	Rates And Property Related Refunds	31/03/2023	411.00
EF157520	99996	Antonio Sarmento	Rates And Property Related Refunds	31/03/2023	1,004.00
EF157521	99996	Prd Perth Real Estate	Rates And Property Related Refunds	31/03/2023	826.45

EF157522	99996	Joshua Anthony	Rates And Property Related Refunds	31/03/2023	405.00
EF157523	99996	Ashley Wilson	Rates And Property Related Refunds	31/03/2023	409.00
EF157524	99996	Michelle Hawkins Real Estate	Rates And Property Related Refunds	31/03/2023	507.08
EF157525	99996	Joshua M Amato	Rates And Property Related Refunds	31/03/2023	2,132.67
EF157526	99996	Mark Rees And Brian Leedman	Rates And Property Related Refunds	31/03/2023	954.86
EF157527	10058	Alsco Pty Ltd	Hygiene Services/Supplies	31/03/2023	289.42
EF157528	10082	Armandos Sports	Sporting Goods	31/03/2023	562.68
EF157529	10086	Arteil Wa Pty Ltd	Ergonomic Chairs	31/03/2023	653.40
EF157530	10091	Aslab Pty Ltd	Asphalting Services/Supplies	31/03/2023	20,850.94
EF157531	10097	Blackwoods Atkins	Engineering Supplies	31/03/2023	1,552.28
EF157532	10118	Australia Post	Postage Charges	31/03/2023	23,615.70
EF157533	10170	Macri Partners	Auditing Services	31/03/2023	1,211.10
EF157534	10226	Bridgestone Australia Ltd	Tyre Services	31/03/2023	56,161.73
EF157535	10231	Brooks Hire	Hire Services - Equipment	31/03/2023	814.00
EF157536	10239	Budget Rent A Car - Perth	Motor Vehicle Hire	31/03/2023	3,885.82
EF157537	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	31/03/2023	3,547.71
EF157538	10279	Castrol Australia Pty Ltd	Grease/Lubricants	31/03/2023	379.32
EF157539	10287	Centreline Markings	Linemarking Services	31/03/2023	495.00
EF157540	10333	Cjd Equipment Pty Ltd	Hardware Supplies	31/03/2023	352,669.59
EF157541	10359	Cockburn Painting Service	Painting Supplies/Services	31/03/2023	3,657.50
EF157542	10368	Cockburn Wetlands Education Centre	Community Grant	31/03/2023	660.00
EF157543	10483	Landgate	Mapping/Land Title Searches	31/03/2023	8,317.18
EF157544	10526	E & Mj Rosher Pty Ltd	Mower Equipment	31/03/2023	4,014.19
EF157545	10528	Easifleet	Vehicle Lease	31/03/2023	506.25
EF157546	10535	Workpower Incorporated	Employment Services - Planting	31/03/2023	9,568.90
EF157547	10589	Fines Enforcement Registry	Fines Enforcement Fees	31/03/2023	891.00
EF157548	10683	Gronbek Security	Locksmith Services	31/03/2023	3,158.33
EF157549	10708	Heavy Automatics Pty Ltd	Equipment Maintenance Services	31/03/2023	15,378.00
EF157550	10783	Jandakot Metal Industries Pty Ltd	Metal Supplies	31/03/2023	383.90
EF157551	10787	Jandakot Accident Repair Centre	Panel Beating Services	31/03/2023	2,975.74
EF157552	10879	Les Mills Aerobics	Instruction/Training Services	31/03/2023	1,598.47
EF157553	10888	Lj Caterers	Catering Services	31/03/2023	2,566.30
EF157554	10912	M2 On Hold	Messaging Services	31/03/2023	396.00
EF157555	10913	Bucher Municipal Pty Ltd	Purchase Of New Plant / Repair Services	31/03/2023	3,160.24
EF157556	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	31/03/2023	70,510.94
EF157557	10938	Mrp Pest Management	Pest & Weed Management	31/03/2023	3,781.88
EF157558	10944	Mcleods	Legal Services	31/03/2023	5,152.15
EF157559	10951	Melville Motors Pty Ltd	Motor Cars	31/03/2023	1,198.77
EF157560	10991	Beacon Equipment	Mowing Equipment	31/03/2023	2,068.55
EF157561	11028	Neverfail Springwater Ltd	Bottled Water Supplies	31/03/2023	131.05
EF157562	11036	Northlake Electrical Pty Ltd	Electrical Services	31/03/2023	120,925.40
EF157563	11182	Premium Brake & Clutch Services Pty Ltd	Brake Services	31/03/2023	359.70
EF157564	11235	Reinforced Concrete Pipes Pty Ltd	Concrete Pipe Supplies	31/03/2023	2,800.05

EF157565	11244	Research Solutions Pty Ltd	Research Services	31/03/2023	10,463.02
EF157566	11284	The Royal Life Saving Society Wa Inc Pty Ltd	Training Services	31/03/2023	2,310.00
EF157567	11307	Satellite Security Services Pty Ltd	Security Services	31/03/2023	5,962.09
EF157568	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	31/03/2023	4,032.00
EF157569	11361	Sigma Chemicals Pty Ltd	Chemical Supplies	31/03/2023	6,906.42
EF157570	11364	Silver Chain Group Limited	Home Care/Respite Services	31/03/2023	88.00
EF157571	11387	Bibra Lake Soils	Soil & Limestone Supplies	31/03/2023	315.00
EF157572	11425	Resource Recovery Group	Waste Disposal Gate Fees	31/03/2023	1,110.00
EF157573	11483	St John Ambulance Aust Wa Operations	First Aid Courses	31/03/2023	700.00
EF157574	11502	State Law Publisher	Advertising Services	31/03/2023	93.60
EF157575	11511	Statewide Bearings	Bearing Supplies	31/03/2023	608.96
EF157576	11531	Sunny Industrial Brushware Pty Ltd	Brush/Road Broom Supplies	31/03/2023	605.00
EF157577	11625	Nutrien Water	Reticulation Supplies	31/03/2023	663.03
EF157578	11636	Town Of Victoria Park	Lost Library Book	31/03/2023	6,985.00
EF157579	11651	Tree Watering Services	Tree Watering Services	31/03/2023	4,258.50
EF157580	11701	Vibra Industrial Filtration Australasia	Filter Supplies	31/03/2023	374.44
EF157581	11702	Villa Dalmacia Association Inc.	Spical Club Activities	31/03/2023	260.00
EF157582	11739	Wa Spit Roast Company	Catering Services	31/03/2023	8,495.40
EF157583	11773	Nutrien Ag Solutions	Chemical Supplies	31/03/2023	7,200.60
EF157584	11787	Department Of Transport	Vehicle Search Fees	31/03/2023	43.70
EF157585	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	31/03/2023	6,074.72
EF157586	11806	Westrac Pty Ltd	Repairs/Mtnce - Earthmoving Equipment	31/03/2023	876.27
EF157587	11828	Worldwide Online Printing - O'connor	Printing Services	31/03/2023	1,399.73
EF157588	11835	Wurth Australia Pty Ltd	Hardware Supplies	31/03/2023	1,019.26
EF157589	11873	Wattleup Tractors	Hardware Supplies	31/03/2023	1,937.00
EF157590	12018	O'connor Lawnmower & Chainsaw Centre	Mowing Equipment/Parts/Services	31/03/2023	120.00
EF157591	12153	Hays Personnel Services Pty Ltd	Employment Services	31/03/2023	13,673.40
EF157592	12207	Civica Pty Ltd	Software Support/Licence Fees	31/03/2023	1,677.50
EF157593	12219	Parks & Leisure Australia	Subscription Renewal	31/03/2023	1,650.00
EF157594	12295	Stewart & Heaton Clothing Co. Pty Ltd	Clothing Supplies	31/03/2023	477.13
EF157595	13102	Michael Page International (Australia) Pty Ltd	Employment Services	31/03/2023	9,641.54
EF157596	13563	Green Skills Inc	Employment Services	31/03/2023	6,931.08
EF157597	13779	Porter Consulting Engineers	Engineering Consultancy Services	31/03/2023	9,680.00
EF157598	13825	Jackson Mcdonald	Legal Services	31/03/2023	4,950.00
EF157599	13834	Sulo Mgb Australia Pty Ltd	Mobile Garbage Bins	31/03/2023	67,117.67
EF157600	14350	Baileys Fertiliser	Fertiliser Supplies	31/03/2023	10,120.00
EF157601	14530	Donald Veal Consultants Pty Ltd	Consultancy Services	31/03/2023	58,429.25
EF157602	14700	Kingman Visual	Signwriting/Signmaking	31/03/2023	791.58
EF157603	15393	Stratagreen	Hardware Supplies	31/03/2023	1,001.69
EF157604	15550	Apac Aid Inc	Plants & Landscaping Services	31/03/2023	473.00
EF157605	15588	Natural Area Consulting Management Services	Weed Spraying	31/03/2023	7,561.10
EF157606	16064	Cms Engineering	Airconditioning Services	31/03/2023	7,055.05
EF157607	16107	Wren Oil	Waste Disposal Services	31/03/2023	517.00

EF157608	16648	Youth Affairs Council Of Wa Inc	Youth Affairs	31/03/2023	300.00
EF157609	16653	Complete Portables Pty Ltd	Supply & Hire Of Modular Buildings	31/03/2023	944.80
EF157610	16979	Japanese Truck And Bus Spares Pty Ltd	Spare Parts - Automotive	31/03/2023	686.60
EF157611	16985	Wa Premix	Concrete Supplies	31/03/2023	1,641.64
EF157612	17345	Kennards Hire - Myaree	Equipment Hire	31/03/2023	306.24
EF157613	17624	Allsports Linemarking	Linemarking Services	31/03/2023	154.00
EF157614	17927	Sharyn Egan	Artistic Services	31/03/2023	660.00
EF157615	18126	Dell Australia Pty Ltd	Computer Hardware	31/03/2023	11,429.00
EF157616	18203	Natsync Environmental	Pest Control	31/03/2023	1,288.00
EF157617	18272	Austraclear Limited	Investment Services	31/03/2023	60.45
EF157618	18286	Iw Projects Pty Ltd	Consultancy Services - Civil Engineering	31/03/2023	8,967.75
EF157619	18494	Dept Of Biodiversity, Conservation And Attractions	Licence Renewal	31/03/2023	275.50
EF157620	18533	Friends Of The Community Inc.	Donation	31/03/2023	915.00
EF157621	18621	Planning Institute Australia	Registration	31/03/2023	1,155.00
EF157622	18799	Down To Earth Training & Assessing	Training Services	31/03/2023	870.00
EF157623	18962	Sealanes (1985) P/L	Catering Supplies	31/03/2023	2,553.77
EF157624	19446	Envisionware Pty Ltd	Software	31/03/2023	6,036.79
EF157625	19533	Woolworths Ltd	Groceries	31/03/2023	3,756.83
EF157626	20000	Aust West Auto Electrical Pty Ltd	Auto Electrical Services	31/03/2023	16,278.01
EF157627	20321	Riverjet Pty Ltd	Educting-Cleaning Services	31/03/2023	21,813.00
EF157628	20547	Garrards Pty Ltd	Insecticides / Pesticides	31/03/2023	136.50
EF157629	20549	A1 Carpet, Tile & Grout Cleaning	Cleaning Services - Tiles/Carpet	31/03/2023	3,300.00
EF157630	20763	Jecoda Concrete	Concrete Supply	31/03/2023	1,452.00
EF157631	20864	Paragon Corporate Training	Training/ Instruction	31/03/2023	2,350.00
EF157632	21139	Austraffic Wa Pty Ltd	Traffic Surveys	31/03/2023	3,822.50
EF157633	21294	Cat Haven	Animal Services	31/03/2023	3,917.38
EF157634	21529	Brand Success	Promotional Products	31/03/2023	2,520.10
EF157635	21577	Lavan	Legal Services	31/03/2023	28,050.00
EF157636	21627	Manheim Pty Ltd	Impounded Vehicles	31/03/2023	968.00
EF157637	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	31/03/2023	7,849.56
EF157638	21672	Mega Music Australia Pty Ltd	Musical Instruments/Sound Equipment	31/03/2023	393.00
EF157639	21744	Jb Hi Fi - Commercial	Electronic Equipment	31/03/2023	9,863.70
EF157640	21747	Unicare Health	Wheelchair Hire	31/03/2023	2,646.00
EF157641	21877	Wellness On Wheels	Workplace And Event Remedial Massage	31/03/2023	900.00
EF157642	21946	Ryan's Quality Meats	Meat Supplies	31/03/2023	2,958.39
EF157643	22106	Intelife Group	Services - Daip	31/03/2023	20,610.94
EF157644	22388	Carrington's Traffic Services	Traffic Management Services	31/03/2023	1,056.00
EF157645	22553	Brownes Food Operations	Catering Supplies	31/03/2023	1,359.06
EF157646	22569	Sonic Health Plus Pty Ltd	Medical Services	31/03/2023	4,448.95
EF157647	22623	Landmark Products Ltd	Landscape Infrastructure	31/03/2023	32,362.00
EF157648	22639	Shatish Chauhan	Training Services - Yoga	31/03/2023	1,860.00
EF157649	22681	Abbey Blinds & Curtains	Blinds	31/03/2023	2,703.80
EF157650	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	31/03/2023	52,342.28

EF157651	22859	Top Of The Ladder	Gutter Cleaning Services	31/03/2023	495.00
EF157652	23457	Totally Workwear Fremantle	Clothing - Uniforms	31/03/2023	7,718.82
EF157653	23570	A Proud Landmark Pty Ltd	Landscape Contruction Services	31/03/2023	12,688.50
EF157654	23579	Daimler Trucks Perth	Purchase Of New Truck	31/03/2023	294.78
EF157655	23685	Astro Synthetic Turf Pty Ltd	Site Inspections	31/03/2023	1,650.00
EF157656	23808	Quik Corp Pty Ltd	Controller Boom Kits	31/03/2023	18,002.05
EF157657	23971	Find Wise Location Services	Locating Services - Underground	31/03/2023	4,390.10
EF157658	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	31/03/2023	895.90
EF157659	24506	Amaranti's Personal Training	Personal Training Services	31/03/2023	525.00
EF157660	24527	Australian Association For Environmental Education (Wa Chapt	Course Registration	31/03/2023	175.00
EF157661	24610	All Flags Signs & Banners	Signs, Flags, Banners	31/03/2023	2,051.50
EF157662	24643	Bibliotheca Rfid Library Systems Australia Pty Ltd	Purchase Of Library Tags	31/03/2023	980.85
EF157663	24655	Automasters Spearwood	Vehicle Servicing	31/03/2023	4,873.80
EF157664	24736	Zenien	Cctv Camera Licences	31/03/2023	77,916.09
EF157665	25063	Superior Pak Pty Ltd	Vehicle Maintenance	31/03/2023	3,781.69
EF157666	25121	Imagesource Digital Solutions	Billboards	31/03/2023	3,293.40
EF157667	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	31/03/2023	40,396.70
EF157668	25264	Acurix Networks Pty Ltd	Wifi Access Service	31/03/2023	6,360.20
EF157669	25586	Envirovap Pty Ltd	Hire Of Leachate Units	31/03/2023	24,172.50
EF157670	25645	Yelakitj Moort Nyungar Association Inc	Welcome To The Country Performances	31/03/2023	400.00
EF157671	25813	Lg Connect Pty Ltd	Erp Systems Development	31/03/2023	3,960.00
EF157672	26114	Grace Records Management	Records Management Services	31/03/2023	1,403.14
EF157673	26195	Play Check	Consulting Services	31/03/2023	330.00
EF157674	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	31/03/2023	8,045.00
EF157675	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	31/03/2023	213,557.13
EF157676	26314	Cpe Group	Temporary Employment Services	31/03/2023	12,940.47
EF157677	26399	Paperscout The Trustee For Peters Morrison Family Trust	Graphic Design Services	31/03/2023	3,399.00
EF157678	26403	Ches Power Group Pty Ltd	Engineering Solutions / Back Up Generato	31/03/2023	834.70
EF157679	26419	Equifax Australasia Credit Ratings Pty Ltd	Credit Reference Checks	31/03/2023	603.90
EF157680	26470	Scp Conservation	Fencing Services	31/03/2023	3,047.00
EF157681	26516	Ultimate Limestone	Construction Services	31/03/2023	550.00
EF157682	26533	Curtin University Of Technology	Program Assessments	31/03/2023	88.00
EF157683	26574	Eva Bellydance	Entertainment - Belly Dancing	31/03/2023	300.00
EF157684	26576	Wizard Training Solutions	Training Services	31/03/2023	4,950.00
EF157685	26588	Source Separation Systems P/L	Providing Waste And Recycling Bins	31/03/2023	2,621.58
EF157686	26610	Tracc Civil Pty Ltd	Civil Construction	31/03/2023	917,062.38
EF157687	26614	Marketforce Pty Ltd	Advertising	31/03/2023	5,780.55
EF157688	26656	Environmental Health Australia (Western Australia) Inc.	Membership, Conferences And Training Fo	31/03/2023	700.00
EF157689	26679	La Mint Events & Catering	Catering	31/03/2023	567.60
EF157690	26705	Creative Adm	Marketing Services	31/03/2023	17,930.00
EF157691	26735	Shane McMaster Surveys	Survey Services	31/03/2023	4,543.00
EF157692	26739	Kerb Doctor	Kerb Maintenance	31/03/2023	3,898.13
EF157693	26743	Statewide Turf Services	Turf Renovation	31/03/2023	22,414.70

EF157694	26745	Embroidme Myaree	Embroidery	31/03/2023	594.00
EF157695	26754	Connect Call Centre Services	Call Centre Services	31/03/2023	17,143.39
EF157696	26771	Instant Products Hire	Portable Toilet Hire	31/03/2023	5,545.14
EF157697	26778	Robert Walters	Recruitment Services	31/03/2023	14,120.56
EF157698	26782	Soft Landing	Recycling Services	31/03/2023	48,318.60
EF157699	26800	The Goods	Retail	31/03/2023	443.78
EF157700	26811	Romeri Motor Trimmers	Upholstery Repair	31/03/2023	165.00
EF157701	26814	Circus Enterprises	Entertainment	31/03/2023	960.00
EF157702	26846	Visibility Limited	Disabilibilty Services	31/03/2023	806.30
EF157703	26888	Media Engine	Graphic Design, Marketing, Video Product	31/03/2023	2,706.80
EF157704	26898	Spandex Asia Pacific Pty Ltd	Signage Supplier	31/03/2023	9,804.19
EF157705	26901	Alyka Pty Ltd	Digital Consultancy And Web Development	31/03/2023	9,267.50
EF157706	26929	Elan Energy Matrix Pty Ltd	Recycling Services	31/03/2023	5,316.14
EF157707	26940	Floorwest Pty Ltd	Floor Coverings	31/03/2023	6,875.00
EF157708	26946	Av Truck Services Pty Ltd	Truck Dealership	31/03/2023	230.96
EF157709	26952	Focus Promotions	Promotion - Etertainment	31/03/2023	1,452.00
EF157710	26957	Jbs & G Australia Pty Ltd	Consultancy - Enviromental	31/03/2023	1,732.50
EF157711	26972	Les Mills Asia Pacific Industries	Excercise Equipment	31/03/2023	1,614.91
EF157712	26986	Ahal Consulting	Consultancy	31/03/2023	8,954.00
EF157713	27002	Cockburn Party Hire	Hire Services	31/03/2023	9,130.85
EF157714	27006	Bibra Lake Iga Xpress	Liquor Supplies	31/03/2023	1,143.43
EF157715	27010	Quantum Building Services Pty Ltd	Building Maintenance	31/03/2023	19,703.80
EF157716	27011	Baileys Marine Fuel Australia	Fuel	31/03/2023	2,055.35
EF157717	27028	Technogym Australia Pty Ltd	Fitness Equipment	31/03/2023	12,804.00
EF157718	27031	Downer Edi Works Pty Ltd	Asphalt Services	31/03/2023	298,717.38
EF157719	27034	Adelby Pty Ltd	Firebreak Construction	31/03/2023	2,386.00
EF157720	27044	Graffiti Systems Australia	Graffiti Removal & Anti-Graffiti Coating	31/03/2023	24,405.04
EF157721	27054	Vocus Pty Ltd	Telecommunications	31/03/2023	2,323.20
EF157722	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	31/03/2023	242.00
EF157723	27063	Nature Play Solutions	Playground Design/Consultancy	31/03/2023	5,065.50
EF157724	27065	Westbooks	Books	31/03/2023	3,091.36
EF157725	27082	Kulbardi Pty Ltd	Stationery Supplies	31/03/2023	7,975.53
EF157726	27085	Savills Project Management Pty Ltd	Project Management	31/03/2023	8,844.00
EF157727	27098	Q2 (Q-Squared)	Digital Data Service	31/03/2023	1,980.00
EF157728	27130	Motio Play Pty Ltd	Digital Marketing & Software Service Pro	31/03/2023	709.82
EF157729	27154	Suez Recycling & Recovery Pty Ltd	Waste Services	31/03/2023	130,281.53
EF157730	27165	Lypa	Nature Play Style Equipment	31/03/2023	2,574.00
EF157731	27177	Initial Hygiene	Hygiene	31/03/2023	3,524.05
EF157732	27179	Plunge & Co Cafe	Catering Services	31/03/2023	395.50
EF157733	27189	Healthstrong Pty Ltd	Home Care	31/03/2023	396.00
EF157734	27195	Allflow Industrial	Oil Water Separators	31/03/2023	978.95
EF157735	27241	Landscape Elements	Landscaping Services	31/03/2023	4,331.81
EF157736	27243	Arjohuntleigh Pty Ltd	Supply, Repairs Health Equipemnt	31/03/2023	247.50

EF157737	27246	Veale Auto Parts	Spare Parts Mechanical	31/03/2023	1,010.20
EF157738	27269	Payrix Australia	Payment Processing	31/03/2023	1,862.31
EF157739	27334	Westcare Print	Printing Services	31/03/2023	814.00
EF157740	27346	Office Line	Furniture Office	31/03/2023	1,256.20
EF157741	27352	Bikewise	Transport Promotions	31/03/2023	1,001.00
EF157742	27374	Southern Cross Cleaning	Commercial Cleaning	31/03/2023	8,554.73
EF157743	27377	Accidental Health And Safety - Perth	First Aid Supplies	31/03/2023	1,044.69
EF157744	27379	Esri Australia Pty Ltd	Gis Software	31/03/2023	136,323.00
EF157745	27381	Fit For Life Exercise Physiology	Exercise Classes	31/03/2023	2,160.00
EF157746	27396	Ankeet Mehta Spearwood Newspaper Round Delivery	Newspaper Delivery	31/03/2023	822.25
EF157747	27401	Emprise Mobility	Mobility Equipment	31/03/2023	25,617.50
EF157748	27402	Messages On Hold Australia Pty Ltd	Telephone Marketing	31/03/2023	3,955.80
EF157749	27403	Freedom Fairies Pty Ltd	Amusement	31/03/2023	3,492.50
EF157750	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	31/03/2023	17,446.74
EF157751	27427	Home Chef	Cooking/Food Services	31/03/2023	567.54
EF157752	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	31/03/2023	2,803.90
EF157753	27448	Selectro Services Pty Ltd	Electrical	31/03/2023	453.75
EF157754	27450	Aaa Production Services	Hire Pa/Satge Systems	31/03/2023	3,992.40
EF157755	27455	Site Protective Services	Cctv Parts	31/03/2023	22,785.97
EF157756	27499	Hodge Collard Preston Architects	Architects	31/03/2023	3,300.00
EF157757	27507	Serco Facilities Management Pty Ltd	Cleaning Services	31/03/2023	99,805.31
EF157758	27518	Kyocera Document Solutions Australia Pty Ltd	Photocopying Machines	31/03/2023	2,875.81
EF157759	27523	Robert Lawrence Toohey	High Pressure Cleaning	31/03/2023	2,260.00
EF157760	27534	Ralph Beattie Bosworth	Quantity Survey	31/03/2023	1,237.50
EF157761	27539	Jasmin Carpentry & Maintenance	Carpentry	31/03/2023	371.80
EF157762	27551	Incognito Catering	Catering Services	31/03/2023	891.00
EF157763	27566	Thuroona Services	Asbestos Removal	31/03/2023	1,507.00
EF157764	27579	Soco Studios	Photography Services	31/03/2023	1,435.01
EF157765	27581	Bng Ngo Services Online	Computer Software	31/03/2023	2,019.60
EF157766	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	31/03/2023	1,810.00
EF157767	27617	Atturra Business Applications	Consultancy - It	31/03/2023	16,500.00
EF157768	27622	Truegrade Medical Supplies	Medical Supplies	31/03/2023	2,951.27
EF157769	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	31/03/2023	51,505.16
EF157770	27637	Aqua Research And Monitoring Services	Marine Services	31/03/2023	3,000.00
EF157771	27639	Pause Rewind Play	Training Services	31/03/2023	450.00
EF157772	27650	Datacom Systems (Au) Pty Ltd	It Sales, Consulting & Service	31/03/2023	326.00
EF157773	27652	Area 5 Football Pty Ltd	Training - Football	31/03/2023	5,880.00
EF157774	27657	Positive Balance Massage	Massage Therapy	31/03/2023	600.00
EF157775	27675	Wgawa Pty Ltd	Consultancy Engineering	31/03/2023	8,068.50
EF157776	27676	Blue Force Pty Ltd	Security Services	31/03/2023	1,117.38
EF157777	27684	Jani Murphy Pty Ltd	Training	31/03/2023	3,432.00
EF157778	27695	Qtm Pty Ltd	Traffic Management	31/03/2023	57,286.62
EF157779	27701	Perth Better Homes	Shade Sails	31/03/2023	660.00

EF157780	27717	Moore Stephens (Wa) Pty Ltd	Accounting Services	31/03/2023	11,000.00
EF157781	27720	Bj Systems	Security Services	31/03/2023	2,288.00
EF157782	27722	Metra Australia	Software	31/03/2023	2,418.26
EF157783	27725	Universal Marina Systems Wa Pty Ltd	Marina Construction	31/03/2023	1,166.40
EF157784	27749	Advisian	Consulting - Engineering	31/03/2023	8,762.14
EF157785	27751	Es2 Pty Ltd	Cyber Space Security	31/03/2023	112,200.00
EF157786	27809	Ra-One Pty Ltd	Software	31/03/2023	30,855.00
EF157787	27829	Smec Australia Pty Ltd	Consultancy - Engineering	31/03/2023	27,782.09
EF157788	27850	Dowsing Group Pty Ltd	Concreting Services	31/03/2023	209,964.88
EF157789	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	31/03/2023	8,096.00
EF157790	27865	Pritchard Francis Consulting Pty Ltd	Engineering Services	31/03/2023	1,738.00
EF157791	27868	The Basketball Man	Basketball Equipment	31/03/2023	1,210.00
EF157792	27873	Playground Safety Inspectors Australia Pty Ltd (Psia)	Training	31/03/2023	4,510.00
EF157793	27894	Homecare Physiotherapy	Healthcare	31/03/2023	16,907.78
EF157794	27917	Go Doors Advanced Automation	Door Maintenance & Repair	31/03/2023	41,708.72
EF157795	27926	Sine Group Pty Ltd	Computer Software	31/03/2023	1,976.70
EF157796	27953	Truckline	Spare Parts, Truck/Trailer	31/03/2023	563.58
EF157797	27965	Stantec Australia Pty Ltd	Engineering Services	31/03/2023	14,763.65
EF157798	27969	Perfect Gym Solutions	Software For Gym's	31/03/2023	4,278.78
EF157799	28002	Little Aussie Directories	Advertising	31/03/2023	1,265.00
EF157800	28015	Imprint Plastic	Badges	31/03/2023	985.05
EF157801	28043	Veris Australia Pty Ltd	Survey Services	31/03/2023	5,294.06
EF157802	28049	Copy Magic	Printing Services	31/03/2023	10,417.00
EF157803	28058	Sage Consulting Engineers Pty Ltd	Consultancy - Engineering	31/03/2023	4,587.00
EF157804	28061	Go2cup	Paper Cups	31/03/2023	16,505.50
EF157805	28088	Ut Consulting	Technology Consulting	31/03/2023	3,960.00
EF157806	28092	Livepro Australia Pty Ltd	Customer Knowledge Management	31/03/2023	12,936.00
EF157807	28127	Storytime Pods Pty Ltd	Kids Digital Products	31/03/2023	1,980.00
EF157808	28130	Geoffrey London Architectural Consultant	Architectural Consultant	31/03/2023	2,337.50
EF157809	28139	Advance Scanning Services	Locating Services - Cables/Pipes Etc.	31/03/2023	5,571.50
EF157810	28152	Mack 1 Motorcycles	Motorcycle Sales And Service	31/03/2023	652.72
EF157811	28162	Lift Equipt Pty Ltd	Forklift Hire, Sales & Services	31/03/2023	405.09
EF157812	28171	Smc Marine Pty Ltd	Construction Services	31/03/2023	460.24
EF157813	28174	Central West Refrigeration Pty Ltd	Refrigeration	31/03/2023	396.00
EF157814	28180	Ecocycle Pty Ltd	Recycling Services	31/03/2023	222.17
EF157815	28181	Seaview Rentals	Aquarium Servicing	31/03/2023	98.00
EF157816	28184	Spearwood Veterinary Hospital	Veterinary Hospital	31/03/2023	35.00
EF157817	28190	People On Bicycles Pty Ltd	Bicycle Education	31/03/2023	1,470.00
EF157818	28191	Enviro Sweep	Sweeping Services	31/03/2023	7,062.84
EF157819	28196	Brightmark Group Pty Ltd	Cleaning Services	31/03/2023	19,597.89
EF157820	28197	Lite N Easy Pty Ltd	Food Supplies	31/03/2023	3,153.52
EF157821	28201	Select Fresh	Food Supplies	31/03/2023	591.97
EF157822	28214	Beyond Skateboarding	Skateboarding Clinics	31/03/2023	6,160.00

EF157823	28215	Complete Office Supplies Pty Ltd	Stationery	31/03/2023	2,495.63
EF157824	28218	Laminar Capital Pty Ltd	Financial Services	31/03/2023	2,948.00
EF157825	28228	Delta Roofing Pty Ltd	Roofing Services	31/03/2023	1,298.00
EF157826	28229	Reino International Pty Ltd	Parking Software	31/03/2023	23,243.00
EF157827	28230	Cgm Communications Pty Ltd	Public Relations	31/03/2023	9,570.00
EF157828	28233	Western Maze Wa Pty Ltd	Waste Collection Services	31/03/2023	14,762.00
EF157829	28241	Swift Flow Pty Ltd	Plumbing	31/03/2023	39,130.76
EF157830	28246	Hendercare	Nursing Services	31/03/2023	906.59
EF157831	28254	Cleantex Pty Ltd	Laundry Service	31/03/2023	1,042.65
EF157832	28258	Garden Care West	Gardening Services	31/03/2023	2,681.25
EF157833	28264	Garden Organics	Organics Processing	31/03/2023	39,586.67
EF157834	28265	Tree Care Wa	Vegetation Maintenance Services	31/03/2023	106,286.93
EF157835	28275	Farrington Dry Cleaners	Dry Cleaning	31/03/2023	320.00
EF157836	28277	Gesha Coffee Co	Coffee Supplies	31/03/2023	1,200.00
EF157837	28282	Birds Eye Media	Media	31/03/2023	3,927.00
EF157838	28283	Mills Recruitment	Recruitment Services	31/03/2023	4,838.79
EF157839	28293	Well Strategic	Virtual Tours, Video, Photography, Drone	31/03/2023	3,875.30
EF157840	28297	Techbrain	It Consultancy	31/03/2023	1,324.40
EF157841	28301	Bondin All Metals	Marine Welding, Fabrication	31/03/2023	4,136.00
EF157842	28303	Miracle Recreation Equipment	Playground Equipment	31/03/2023	1,815.00
EF157843	28306	Business News Pty Ltd	Newspaper Publisher	31/03/2023	2,500.00
EF157844	28312	Catch Music Inc	Music Lessons	31/03/2023	320.00
EF157845	28318	Ati-Mirage	Training	31/03/2023	3,630.00
EF157846	28354	Sauna And Steam Wa	Carpentry Services	31/03/2023	2,751.32
EF157847	28361	Indoor Gardens Pty Ltd	Hiring Indoor Plants	31/03/2023	765.60
EF157848	28371	Flexi Staff	Employment Services	31/03/2023	30,437.79
EF157849	28373	Bos Civil	Civil Construction & Landscaping	31/03/2023	38,808.57
EF157850	28388	Professional Search Group Pty Ltd	Recruitment Services	31/03/2023	235.05
EF157851	28390	Logo Appointments	Employment Services	31/03/2023	4,594.49
EF157852	28393	Sage Copywriting	Marketing/Copywriting	31/03/2023	1,559.25
EF157853	28409	Sanpoint Pty Ltd (Ld Total)	Landscape Services	31/03/2023	1,551.00
EF157854	28414	Jaye Lee Snowden	Aboriginal Engagement Consulting	31/03/2023	1,700.00
EF157855	28423	Jordies Garden Bags	Waste Services	31/03/2023	1,485.00
EF157856	28437	Building & Industrial Cleaning Services	Clenaing Services	31/03/2023	26,466.66
EF157857	28439	Gambara Pty Ltd	Watering Services	31/03/2023	3,657.50
EF157858	28441	Karena Consulting	Translating	31/03/2023	6,000.00
EF157859	28454	Aussie Natural Spring Water	Water Supplies	31/03/2023	154.98
EF157860	28463	Antree Dnh Pty Ltd	Gardening	31/03/2023	831.60
EF157861	28486	Taktics4 Davis, Gregory Richard	Retail Market Consultant	31/03/2023	3,850.00
EF157862	28491	Amc Jakovich Function Centre T/As Development Wa (Amc Jakovich Fu	Function Centre	31/03/2023	1,010.00
EF157863	28493	Heat Exchangers Wa Pty Ltd	Parts And Service	31/03/2023	1,845.98
EF157864	28494	Joanna Brown	Function Centre	31/03/2023	1,540.00
EF157865	28500	Fieldey Art Fieldes, Haylee Ann (Fieldey Art)	Art Murals And Workshops	31/03/2023	16,500.00

EF157866	28504	Diversity Council Australia Limited	Non Profit	31/03/2023	5,245.00
EF157867	28505	Maltia Caffè The Trustee For Caruana Family Trust	Cafe And Catering Services	31/03/2023	918.50
EF157868	28508	T C Waste (Wa) Pty Ltd (D & M Waste Management) D & M Waste Man	Waste Management	31/03/2023	38,115.00
EF157869	28509	Therapeutic Equine Experience Rideout, Felicity	Equine Therapy	31/03/2023	1,350.00
EF157870	28518	Ibis Furniture Pty Ltd	Office Furniture	31/03/2023	4,036.00
EF157871	28521	Inspired Development Solutions	Organisational Development	31/03/2023	660.00
EF157872	28531	Little Miss Squeezebox	Music and Entertainment	31/03/2023	450.00
EF157873	11794	Synergy	Electricity Usage/Supplies	31/03/2023	95,579.11
EF157874	12025	Telstra Corporation	Communications Services	31/03/2023	30,284.49
EF157875	88888	Mr & Mrs M Dropulich	Bond Refund	31/03/2023	20,369.00
EF157876	88888	Jon Fahie	Bond Refund	31/03/2023	500.00
EF157877	88888	Yannick Hardy	Bond Refund	31/03/2023	2,687.50
EF157878	88888	Marnie Does	Bond Refund	31/03/2023	56.65
EF157879	88888	Mr C Johnson	Bond Refund	31/03/2023	100.00
EF157880	88888	Ck And Tl Earnshaw	Bond Refund	31/03/2023	500.00
EF157881	99997	Pc Munro	Crossover Rebate	31/03/2023	300.00
EF157882	99997	Vj Hartill & Gl Maker	Grants, Donations & Refunds	31/03/2023	26.26
EF157883	99997	Mr Simon Voges	Mr Simon Voges	31/03/2023	100.00
EF157884	99997	Mr Simon Voges	Pen Fees - Mr Simon Voges	31/03/2023	100.00
EF157885	99997	Maria De Mouilpied	Seniors Security Rebate	31/03/2023	200.00
EF157886	99997	J & R Anderson	Bird Bath Rebate	31/03/2023	27.60
EF157887	99997	Tanya Nicole Pow	Bird Bath Rebate	31/03/2023	47.50
EF157888	99997	Kylie Suzanne Shreeve	Bird Bath Rebate	31/03/2023	14.49
EF157889	99997	Jennifer Mckenna	Bird Bath Rebate	31/03/2023	39.99
EF157890	99997	Ross Porter	Bird Bath Rebate	31/03/2023	49.99
EF157891	99997	A K Da Luz	Bird Bath Rebate	31/03/2023	25.00
EF157892	99997	Tr & Rg Spencer	Bird Bath Rebate	31/03/2023	50.00
EF157893	99997	Narelle Brunalli	Ndis Application Fee - Paid Employment	31/03/2023	145.00
EF157894	99997	Pamela Sesay	Mella Hair Braiding And African Products	31/03/2023	352.00
EF157895	99997	Kevin Muir	Good Guys Microwave Reimbursement	31/03/2023	304.00
EF157896	99997	Australian Agribusiness (Holdings) Pty L	Invoice 291800	31/03/2023	5,500.00
EF157897	99997	Cj & Sa Martinovich	Electricity Refund - Pen C089	31/03/2023	78.21
EF157898	99997	Nada Jevtic	Refund Cockburn Arc	31/03/2023	260.00
EF157899	99997	Civiclegal	Ceo Employment Contract	31/03/2023	11,486.97
EF157900	99997	Nigel Coutts	Grants, Donations & Refunds	31/03/2023	110.00
EF157901	99997	Paul G Trefry	Refund Of Medical For Ptd	31/03/2023	75.00
EF157902	99997	Amelia Mcivor	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157903	99997	Oran Campbell	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157904	99997	Macey Hehir	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157905	99997	Bianca Selesnew	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157906	99997	Bobby Fitzgerald	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157907	99997	Ollie Fitzgerald	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157908	99997	Jordan Berryman	Junior Sport Travel Assistant Grant	31/03/2023	400.00

EF157909	99997	Liljana De Boni	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157910	99997	Isys Irwin - Brown	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157911	99997	Tahlia Kitson	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157912	99997	Josie Wilson	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157913	99997	Alexander Sillitoe	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157914	99997	Kianah Davey	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157915	99997	BI & SI Pink	Senior Security Subsidy Scheme	31/03/2023	300.00
EF157916	99997	Mrs L.J Edwards	Senior Security Subsidy Scheme	31/03/2023	300.00
EF157917	99997	Diana Ihle	Senior Security Subsidy Scheme	31/03/2023	85.00
EF157918	99997	I.P And V.B Jones	Senior Security Subsidy Scheme	31/03/2023	80.00
EF157919	99997	Mrs Joan Elizabeth Sutton	Senior Security Subsidy Scheme	31/03/2023	120.00
EF157920	99997	Julie Lockley	Senior Security Subsidy Scheme	31/03/2023	300.00
EF157921	99997	Mara Sostaric	Senior Security Subsidy Scheme	31/03/2023	100.00
EF157922	99997	Maria De Mouilpied	Senior Security Subsidy Scheme	31/03/2023	200.00
EF157923	99997	Port Coogee Community Association	Spring/Summer 2022.23 Newsletter	31/03/2023	952.82
EF157924	99997	Helen Wilkinson	Bird Bath Rebate	31/03/2023	26.39
EF157925	99997	A Peck And A Warne	Telescopic Pole	31/03/2023	275.00
EF157926	99997	Coogee Beach Progress Association	December 2022 Newsletter	31/03/2023	572.00
EF157927	99997	Paul Maj	Pen E172 - Refund Fee J233	31/03/2023	60.00
EF157928	99997	Mark Daviot	J233 Pen Fee Refund	31/03/2023	840.00
EF157929	99997	South Lake Dolphin Swimming Club	Bus Subsidy	31/03/2023	100.00
EF157930	99997	David Kursar	Grants, Donations & Refunds	31/03/2023	100.80
EF157931	99997	Cockburn Hawks Ice Hockey Club	Sports Equipment Grant 2022 2023	31/03/2023	1,100.00
EF157932	99997	Perth Athletic Fc Inc.	Sports Equipment Grant 2022 2023	31/03/2023	637.04
EF157933	99997	Carmen Chua	Junior Sport Travel Assistant Grant	31/03/2023	400.00
EF157934	99997	Rollin With The Punches	Guest Speaker At Jsta Night	31/03/2023	1,000.00
EF157935	99997	Mahmoud Tayba	Crossover Rebate - Mahmoud Tayba	31/03/2023	300.00
EF157936	99997	Emmanuel Catholic College	Grants, Donations & Refunds	31/03/2023	200.00
EF157937	99997	Maryline Cassou	Petty Cash Reimbursement 01.03.23	31/03/2023	83.53
EF157938	99997	Jandakot Bushfire Brigade	Operation Efficiency Payment	31/03/2023	3,500.00
EF157939	99997	Roberta Bunce	Volunteer Lunch Reimbursement	31/03/2023	73.26
EF157940	99997	Coolbellup Amateur Football Club	Small Events Grant	31/03/2023	550.00
EF157941	99997	Atwell Community Association	Grants, Donations & Refunds	31/03/2023	4,157.00
<b>TOTAL OF 844 EFT PAYMENTS</b>					<b>17,308,025.38</b>
<b>LESS: CANCELLED EFT PAYMENTS</b>					
EF155983	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	13/03/2023	- 4,246.50
EF156040	88888	Sundry Creditor Eft	Bond Refund	17/03/2023	- 500.00
EF156081	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	17/03/2023	- 5,040.00
EF156827	88888	Sundry Creditor Eft	Bond Refund	8/03/2023	- 20,369.00
EF156828	88888	Sundry Creditor Eft	Bond Refund	15/03/2023	- 100.00
EF156847	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	9/03/2023	- 300.00

EF156911	11399	South Coogee Volunteer Bushfire Brigade	Expense Reimbursements	2/03/2023	-	1,289.71
EF157117	99996	Rates And Property Related Eft Refunds (Not Bonds)	Rates And Property Related Refunds	27/03/2023	-	803.96
EF157126	88888	Sundry Creditor Eft	Bond Refund	27/03/2023	-	20,369.00
EF157132	88888	Sundry Creditor Eft	Bond Refund	28/03/2023	-	500.00
EF157139	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	27/03/2023	-	300.00
EF157144	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	21/03/2023	-	26.26
EF157147	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	28/03/2023	-	100.00
EF157474	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	30/03/2023	-	100.00
EF157477	27492	Superchoice Services Pty Limited	Payroll Deductions	28/03/2023	-	650,228.42
		<b>TOTAL CANCELLED EFT PAYMENT</b>			-	<b>704,272.85</b>
		<b>TOTAL EFT PAYMENTS ( EXCL. CANCELLED PAYMENTS)</b>				<b>16,603,752.53</b>
		<b><u>ADD: BANK FEES</u></b>				
		BPAY BATCH FEE				23.52
		MERCHANT FEES COC				3,366.96
		MERCHANT FEES MARINA				319.87
		MERCHANT FEES ARC				2,990.74
		MERCHANT FEES VARIOUS OUT CENTRES				5,811.20
		NATIONAL BPAY CHARGE				-
		RTGS/ACLR FEE				68.40
		NAB TRANSACT FEE				1,297.80
		MERCHANDISE / OTHER FEES				-
						<b>13,878.49</b>
		<b><u>ADD: CREDIT CARD PAYMENTS</u></b>				<b>131,982.10</b>
		<b><u>ADD: PAYROLL PAYMENTS</u></b>				
		COC-02/03/23 Pmt 000227161729 City of Cockburn		9/03/2023		3,849.24
		COC-03/03/23 Pmt 000226770783 City of Cockburn		3/03/2023		3,568.77
		COC-03/03/23 Pmt 000227162604 City of Cockburn		9/03/2023		661.31
		COC-07/03/23 Pmt 000226978872 City of Cockburn		7/03/2023		103.32
		COC-10/02/23 Pmt 000226491516 City of Cockburn		1/03/2023		4,893.36
		COC-12/03/23 Pmt 000227553384 City of Cockburn		15/03/2023		1,659,538.27
		COC-16/03/23 Pmt 000227684787 City of Cockburn		16/03/2023		1,962.53

	COC-17/03/23 Pmt 000227779222 City of Cockburn	17/03/2023	922.42
	COC-20/03/23 Pmt 000227789400 City of Cockburn	20/03/2023	524.63
	COC-21/03/23 Pmt 000227958352 City of Cockburn	21/03/2023	7,235.59
	COC-24/03/23 Pmt 000228491236 City of Cockburn	29/03/2023	3,693.09
	COC-26/02/23 Pmt 000226552311 City of Cockburn	1/03/2023	1,640,084.21
	COC-26/03/23 Pmt 000228538707 City of Cockburn	29/03/2023	1,649,364.50
	COC-30/03/23 Pmt 000228682405 City of Cockburn	30/03/2023	265.89
	319248806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	1,750.66
	830348806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	178.91
	830948806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	6.79
	832448806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	13.24
	833348806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	38.10
	834048806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	26.84
	863248806450012403 SuperChoice P/L CITY OF COCKBURN	24/03/2023	463.75
	COC-31/03/23 Pmt 000228765820 City of Cockburn	31/03/2023	920.40
			<b>4,980,065.82</b>
	<b>TOTAL PAYMENTS MADE FOR THE MONTH</b>		<b>21,729,678.94</b>

## City of Cockburn

## Credit Card Transactions Report

Transactions Post Date Between 31-Jan-2023 and 28-Feb-2023

Reference	Date	Service Provider	Card Liability	Description
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## Acting CEO

000431	20/02/2023	BUSINESS NEWS PTY LT	250.00	Conferences and Seminars
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## Acting CFO

2,613.00

CC80654	2/02/2023	MOORE AUSTRALIA WA PL	1,155.00	Training & Professional Development
CC80719	9/02/2023	MOORE AUSTRALIA WA PL	1,155.00	Training & Professional Development
CC80424	22/02/2023	PLUNGE	303.00	Consumables

## Adult Services Coordinator

403.30

000419	8/02/2023	COOGEECOMMON230207NB	107.50	Supplies and Materials purchases
000419	13/02/2023	MISS MAUD	155.05	Consumables
000419	17/02/2023	COLES 0490	2.95	Consumables
000419	17/02/2023	WOOLWORTHS 4367	108.85	Consumables
000419	21/02/2023	BIG W 0444	17.95	Supplies and Materials purchases
000419	23/02/2023	WOOLWORTHS 4367	11.00	Consumables

## Art and Culture Coordinator

1,371.24

CC80752	31/01/2023	ADH GOLF & UTILITY V	1,166.55	Supplies and Materials purchases
CC80711	1/02/2023	SPOTLIGHT BUSLTON	40.00	Supplies and Materials purchases
CC80647	2/02/2023	SEC*WHOLESALE WEDDING	72.09	Supplies and Materials purchases
CC80514	20/02/2023	COLES 0494	28.60	Consumables
CC80457	21/02/2023	SQ *YANGEBUP FAMILY CE	64.00	

## Branch Manager - Spearwood Library

1,188.22

000407	31/01/2023	OFFICEWORKS	67.48	Supplies and Materials purchases
000407	2/02/2023	MYO*GREEN WORLD INDOOR	198.00	Professional Services

000407	2/02/2023	PHOENIX NEWSAGENCY	9.95	Supplies and Materials purchases
000407	7/02/2023	BIG W 0455	45.00	Supplies and Materials purchases
000407	7/02/2023	NEVERFAIL SPRINGWTR	46.20	Supplies and Materials purchases
000407	9/02/2023	SECURE PARKING BARRA	8.18	Parking Expenses
000407	10/02/2023	WANEWSDTI	650.41	Subscriptions and Memberships
000407	13/02/2023	RED DOT STORES	40.00	Supplies and Materials purchases
000407	14/02/2023	Priceless Discounts P	7.00	Consumables
000407	27/02/2023	SP FLOWER SHOP PTY L	116.00	Consumables

**Branch Manager Coolbellup Library****746.67**

000386	2/02/2023	WOOLWORTHS 4703	5.80	Supplies and Materials purchases
000386	3/02/2023	AP COOLBELLUP LPO	25.99	Supplies and Materials purchases
000386	3/02/2023	BIG W 0455	111.50	Supplies and Materials purchases
000386	7/02/2023	MK ESPRESSO	100.00	Supplies and Materials purchases
000386	7/02/2023	WOOLWORTHS 4703	28.00	Supplies and Materials purchases
000386	8/02/2023	Booktopia Pty Ltd	62.11	Supplies and Materials purchases
000386	8/02/2023	WOOLWORTHS 4703	10.20	Supplies and Materials purchases
000386	9/02/2023	LEGO AUSTRALIA PTY LTD	89.94	Supplies and Materials purchases
000386	10/02/2023	LEGO AUSTRALIA PTY LTD	59.90	Supplies and Materials purchases
000386	13/02/2023	SP JB HI-FI ONLINE	65.94	Supplies and Materials purchases
000386	22/02/2023	WOOLWORTHS 4703	60.00	Supplies and Materials purchases
000386	23/02/2023	Booktopia Pty Ltd	119.79	Supplies and Materials purchases
000386	28/02/2023	WOOLWORTHS 4703	7.50	Supplies and Materials purchases

**Branch Support Librarian****993.11**

000405	2/02/2023	Yellow Raven Café	3.20	Consumables
000405	6/02/2023	Booktopia Pty Ltd	260.59	Supplies and Materials purchases
000405	6/02/2023	SP JB HI-FI Online	59.95	Supplies and Materials purchases
000405	8/02/2023	SP p*346*Gameology	156.85	Supplies and Materials purchases
000405	13/02/2023	News Limited	56.00	Supplies and Materials purchases
000405	16/02/2023	FAIRFAX SUBSCRIPTIONS	99.00	Supplies and Materials purchases
000405	20/02/2023	Booktopia Pty Ltd	201.59	Supplies and Materials purchases
000405	20/02/2023	KMART	55.00	Supplies and Materials purchases

000405	20/02/2023	SP JB HI-FI	100.93	Supplies and Materials purchases
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**Chief of Built and Natural Environment****760.05**

CC80753	31/01/2023	LGPA	65.00	Subscriptions and Memberships
CC80756	31/01/2023	LGPA	100.00	Subscriptions and Memberships
CC80323	7/02/2023	Coogee Common	195.50	Meeting/Workshop Catering
CC80776	8/02/2023	CROWN PERTH PARKING	25.21	Parking Expenses
CC80595	13/02/2023	CROWN PERTH PARKING	20.17	Parking Expenses
CC80543	20/02/2023	CROWN PERTH PARKING	20.17	Parking Expenses
CC80379	23/02/2023	UNIVERSITY OF WESTER	4.00	Parking Expenses
CC80288	28/02/2023	PLANNING INSTITUTE OF	330.00	Training & Professional Development

**Child Care Services Manager****995.00**

000434	8/02/2023	MYO*Harmony Kids	995.00	Subscriptions and Memberships
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**Citizenship and Civic Services Superviso****21.33**

CC80698	1/02/2023	ANNUAL FEE	21.33	Bank and other fees
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**City Facilities Coordinator****1,756.78**

000428	1/02/2023	ANNUAL FEE	21.33	Bank and other fees
000428	21/02/2023	Harvey Norman Online	64.95	Supplies and Materials purchases
000428	21/02/2023	KMART 1362	70.00	Equipment purchases
000424	23/02/2023	HAVERFORD & CATNETS	1,600.50	Supplies and Materials purchases

**City Facilities Manager****1,603.90**

000410	6/02/2023	Pear Tree	14.15	Meeting/Workshop Catering
000410	7/02/2023	THE BISTROT	17.40	Meeting/Workshop Catering
000410	14/02/2023	PARKER BLACK FORREST	1,074.40	Supplies and Materials purchases
000410	15/02/2023	OFFICEWORKS	497.95	Supplies and Materials purchases

**Cockburn ARC Manager****1,442.64**

000396	10/02/2023	SETON	982.43	Equipment purchases
000396	20/02/2023	Dominos Estore South L	394.21	Meeting/Workshop Catering
000396	28/02/2023	Parks and Leisure Aust	66.00	Conferences and Seminars

**Cockburn Care Manager****59.00**

CC80623	13/02/2023	XERO AU INV-26394091	59.00	Supplies and Materials purchases
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**Cockburn Parenting Services Coordinator****387.69**

000383	14/02/2023	SPOTLIGHT COCKBURN	111.14	Supplies and Materials purchases
000383	15/02/2023	WOOLWORTHS 4703	55.75	Consumables
000383	27/02/2023	BOOK DEPOSITORY	110.80	Supplies and Materials purchases
000383	27/02/2023	SPACETOCO VENUE HIRE	110.00	Hire of equipment and facilities

**Collection Development Librarian****1,845.95**

000427	1/02/2023	Booktopia Pty Ltd	172.00	Supplies and Materials purchases
000427	3/02/2023	BOLINDA PUBLISHING	1,186.38	Supplies and Materials purchases
000427	6/02/2023	BOFFINS BOOKSHOP PTY L	92.83	Supplies and Materials purchases
000427	21/02/2023	Booktopia Pty Ltd	394.74	Supplies and Materials purchases

**Communications and Marketing Manager****4,583.17**

CC80765	31/01/2023	DROPBOX*QPYZQ1XSBV4Z	18.69	Subscriptions and Memberships
CC80657	10/02/2023	SP YETIAU	52.95	Subscriptions and Memberships
CC80659	10/02/2023	FACEBK *44AEKMB9H2	1,375.00	Advertising
CC80660	10/02/2023	ANACONDA PTY LTD	47.98	Supplies and Materials purchases
CC80436	14/02/2023	FAIRFAX SUBSCRIPTIONS	59.00	Subscriptions and Memberships
CC80642	15/02/2023	ASANA.COM	404.58	Subscriptions and Memberships
CC80461	21/02/2023	FACEBK *C7T5HRF8P2	14.73	Advertising
CC80489	21/02/2023	NETREGISTRY	20.75	Subscriptions and Memberships
CC80419	22/02/2023	COCKBURN ICE ARENA PTY	92.00	Events and Functions
CC80302	27/02/2023	OFFICEWORKS	10.94	Supplies and Materials purchases
CC80308	27/02/2023	FACEBK *N5DJ3NB9H2	1,375.00	Advertising
CC80314	27/02/2023	iStock.com	176.00	Subscriptions and Memberships
CC80315	27/02/2023	LNK.BIO	1.47	Subscriptions and Memberships
CC80316	27/02/2023	BITLY.COM	52.10	Subscriptions and Memberships
CC80321	27/02/2023	INTNL TRANSACTION FEE	0.04	Bank and other fees
CC80322	27/02/2023	INTNL TRANSACTION FEE	1.30	Bank and other fees

CC80330	27/02/2023	Mailchimp	880.64	Subscriptions and Memberships
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**Community Development Coordinator****2,566.40**

000415	31/01/2023	WOOLWORTHS 4367	200.00	Supplies and Materials purchases
000415	1/02/2023	SEC*CITY OF COCKBURN	41.00	Hire of equipment and facilities
000415	2/02/2023	SEC*CITY OF COCKBURN	78.00	Hire of equipment and facilities
000415	2/02/2023	SEC*CITY OF COCKBURN	38.00	Hire of equipment and facilities
000415	2/02/2023	SEC*CITY OF COCKBURN	21.00	Hire of equipment and facilities
000415	2/02/2023	SEC*CITY OF COCKBURN	8.50	Hire of equipment and facilities
000415	8/02/2023	AUSPOST PO BOX	153.00	Bank and other fees
000415	8/02/2023	AUSPOST PO BOX	148.00	Bank and other fees
000415	9/02/2023	WOOLWORTHS 4367	63.96	Meeting/Workshop Catering
000415	10/02/2023	AUSPOST PO BOX	153.00	Bank and other fees
000415	15/02/2023	AUSPOST PO BOX	153.00	Bank and other fees
000415	15/02/2023	GREEN BUILDING COUNCIL	209.00	Conferences and Seminars
000415	15/02/2023	SPACETOCO VENUE HIRE	33.00	Hire of equipment and facilities
000415	17/02/2023	AUSPOST PO BOX	148.00	Bank and other fees
000445	20/02/2023	REFUGEE COUNCIL OF AUS	20.00	Equipment purchases
000415	21/02/2023	AUSPOST PO BOX	153.00	Bank and other fees
000415	22/02/2023	Games World Claremont	74.99	Supplies and Materials purchases
000415	23/02/2023	INDIAN MIRCHI	237.60	Meeting/Workshop Catering
000415	23/02/2023	REBEL CLAREMONT	12.45	Supplies and Materials purchases
000415	23/02/2023	WOOLWORTHS 4703	32.55	Meeting/Workshop Catering
000415	24/02/2023	IVE DISTRIBUTION PTY	173.54	Professional Services
000415	24/02/2023	IVE DISTRIBUTION PTY	168.31	Professional Services
000415	28/02/2023	EMBROIDME SUCCESS	154.00	Equipment purchases
000415	28/02/2023	LOCAL GOVERNMENT MANA	92.50	Subscriptions and Memberships

**Community Safety Manager****1,858.14**

CC80538	3/02/2023	PETSTOCK PTY LTD	25.63	Supplies and Materials purchases
CC80541	3/02/2023	PETSTOCK PTY LTD	120.40	Supplies and Materials purchases
CC80702	9/02/2023	CARTLEE GROUP PTY LT	680.90	Supplies and Materials purchases
CC80618	13/02/2023	JB HI FI COCKBURN	29.00	Supplies and Materials purchases

CC80616	16/02/2023	OFFICEWORKS 0620	64.21	Supplies and Materials purchases
CC80406	23/02/2023	MISTER MAGNETSMISTER P	938.00	Supplies and Materials purchases

**Customer Experience and Marketing Lead****1,785.98**

CC80609	3/02/2023	BUFFER PLAN	34.12	Supplies and Materials purchases
CC80628	3/02/2023	INTNL TRANSACTION FEE	0.85	Bank and other fees
CC80469	6/02/2023	TARGET 5036	4.50	Supplies and Materials purchases
CC80706	9/02/2023	RED DOT STORES	157.99	Supplies and Materials purchases
CC80708	9/02/2023	RED DOT STORES	39.00	Supplies and Materials purchases
CC80759	9/02/2023	BIG W 0444	10.00	Supplies and Materials purchases
CC80761	9/02/2023	OFFICEWORKS 0620 JAND	171.00	Supplies and Materials purchases
CC80684	10/02/2023	OFFICEWORKS 0620 JAND	128.64	Supplies and Materials purchases
CC80685	10/02/2023	BUNNINGS GROUP LTD	95.83	Supplies and Materials purchases
CC80691	10/02/2023	KMART 1362	16.00	Supplies and Materials purchases
CC80582	13/02/2023	CRICUT	13.99	Supplies and Materials purchases
CC80632	13/02/2023	BUNNINGS 303000	94.00	Supplies and Materials purchases
CC80490	14/02/2023	FACEBK 55KPNMBDE2	261.34	Advertising
CC80350	15/02/2023	Limepay*DiscPartySupp	63.89	Supplies and Materials purchases
CC80357	15/02/2023	CATCH	153.60	Supplies and Materials purchases
CC80363	15/02/2023	CATCH	178.60	Supplies and Materials purchases
CC80576	17/02/2023	BUNNINGS 729000	142.78	Supplies and Materials purchases
CC80496	20/02/2023	AMAZON MARKETPLACE AU	82.95	Supplies and Materials purchases
CC80510	20/02/2023	SOCIAL CLUB GROUP PTY	53.90	Supplies and Materials purchases
CC80437	22/02/2023	JEM FLORAL DESIGN STUD	63.00	Supplies and Materials purchases
CC80320	27/02/2023	COLES 0490	20.00	Consumables

**Customer Experience Coordinator - ARC****3,776.35**

CC80721	1/02/2023	FITNESS EDUCATION ONLI	497.00	Training & Professional Development
CC80738	1/02/2023	INTNL TRANSACTION FEE	0.67	Bank and other fees
CC80741	1/02/2023	ZUBTITLE.COM	26.90	Subscriptions and Memberships
CC80651	2/02/2023	BIG W 0444	33.00	Supplies and Materials purchases
CC80688	2/02/2023	FACEBK *E8RBAKXC52	82.71	Advertising
CC80354	7/02/2023	INTNL TRANSACTION FEE	4.15	Bank and other fees

CC80359	7/02/2023	OUTGROW	165.89	Subscriptions and Memberships
CC80777	8/02/2023	FITNESS.EDU.AU	179.40	Training & Professional Development
CC80778	8/02/2023	FITNESS.EDU.AU	179.40	Training & Professional Development
CC80779	8/02/2023	FITNESS.EDU.AU	179.40	Training & Professional Development
CC80780	8/02/2023	FACEBK *LDTXMMX5Z2	44.00	Advertising
CC80806	8/02/2023	FITNESS.EDU.AU	179.40	Training & Professional Development
CC80715	9/02/2023	Hart Sport Pty Ltd	377.00	Supplies and Materials purchases
CC80662	10/02/2023	COLES 0490	84.45	Consumables
CC80558	13/02/2023	INTNL TRANSACTION FEE	12.92	Bank and other fees
CC80572	13/02/2023	KEEPME PTE LTD	516.70	Subscriptions and Memberships
CC80643	13/02/2023	Subway Beeliar	118.00	Consumables
CC80442	14/02/2023	FITNESS EDUCATION ONLI	497.00	Training & Professional Development
CC80313	15/02/2023	SP PRESETSBYHAYLSA	99.00	Supplies and Materials purchases
CC80606	16/02/2023	FACEBK *RZR22MB6Z2	44.00	Advertising
CC80463	21/02/2023	FACEBK *J77AANT5Z2	25.00	Advertising
CC80331	27/02/2023	BIGW ONLINE	134.60	Supplies and Materials purchases
CC80334	27/02/2023	SP SLEEP TIGHT BABIE	100.45	Supplies and Materials purchases
CC80300	28/02/2023	INTNL TRANSACTION FEE	4.76	Bank and other fees
CC80301	28/02/2023	QUICKTAPSURVEY	190.55	Subscriptions and Memberships

**Events and Culture Manager****150.00**

CC80336	15/02/2023	SPACETOCO VENUE HIRE	150.00	Hire of equipment and facilities
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**Events Officer****505.74**

000420	3/02/2023	BIG W 0455	17.50	Events and Functions
000420	7/02/2023	SQ *FRIENDS OF THE COM	1.14	Consumables
000420	7/02/2023	SQ *LITTLE BULL ESPRES	42.50	Events and Functions
000420	8/02/2023	BIG W 0455	33.99	Events and Functions
000420	9/02/2023	SQ *FRIENDS OF THE CO	112.86	Consumables
000420	13/02/2023	BIG W 0455	32.00	Events and Functions
000420	13/02/2023	WOOLWORTHS 4367	150.00	Events and Functions
000420	27/02/2023	BUNNINGS 303000	115.75	Events and Functions

**Executive Corporate Affairs • Corporate****5,387.80**

000430	6/02/2023	JB HI FI MYAREE HOME	1,899.00	Equipment purchases
000430	16/02/2023	AUSTRALIAN LOCAL GOV	895.00	Conferences and Seminars
000430	17/02/2023	QANTAS	1,392.02	Travel and Accommodation
000430	21/02/2023	QANTAS	460.59	Travel and Accommodation
000430	21/02/2023	QANTAS	460.59	Travel and Accommodation
000430	24/02/2023	QANTAS	140.30	Travel and Accommodation
000430	24/02/2023	QANTAS	140.30	Travel and Accommodation

**Executive Officer****1,559.98**

CC80670	10/02/2023	Flight on Booking.com	158.96	Travel and Accommodation
000382	10/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000382	10/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000382	10/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
CC80464	14/02/2023	BIG W 0455	17.40	Supplies and Materials purchases
000440	14/02/2023	WOOLWORTHS 4367	16.00	Meeting/Workshop Catering
000440	15/02/2023	SQ *CAFFISSIMO PHOENIX	48.90	Consumables
CC80518	20/02/2023	Coogee Continental	74.33	Consumables
CC80520	20/02/2023	NEWS LIMITED	20.00	Subscriptions and Memberships
CC80521	20/02/2023	NEWS LIMITED	20.00	Subscriptions and Memberships
CC80546	20/02/2023	CITY OF PERTH PARKING-	4.54	Parking Expenses
CC80305	27/02/2023	CONSULATE GENERAL OF T	660.00	Travel and Accommodation
CC80310	27/02/2023	WANEWSDTI	28.00	Advertising
CC80311	27/02/2023	WANEWSDTI	12.40	Advertising
CC80292	28/02/2023	CITY OF PERTH PARKING-	4.54	Parking Expenses

**Executive officer to the Mayor and Counc****4,952.88**

000416	3/02/2023	Rumbles Cafe	120.00	Consumables
000416	6/02/2023	YOUTH FOCUS INC.	75.00	Events and Functions
000416	7/02/2023	MARRIOTT	1,970.00	Travel and Accommodation
000416	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000416	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000416	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation

000416	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000416	20/02/2023	THE GOOD GUYS	500.00	Supplies and Materials purchases
000416	23/02/2023	CORPORATE SHERPAS	1,628.00	Training & Professional Development

**Family & Community Development Manager****285.41**

CC80749	31/01/2023	EB *The Art of Tour Gu	185.00	Training & Professional Development
CC80804	8/02/2023	THE GROCER AND THE CHE	29.43	Consumables
CC80411	14/02/2023	OFFICEWORKS 0616	61.93	Supplies and Materials purchases
CC80418	22/02/2023	HAMILTON HILL IGA	9.05	Consumables

**Fleet Manager****816.23**

000429	24/02/2023	MagshopOnline	99.00	Subscriptions and Memberships
000429	24/02/2023	OIL/ENERGY PTY LTD	168.23	Motor vehicle expenses
000429	28/02/2023	KG TRAINING	549.00	Training & Professional Development

**Head of Community Safety & Ranger Svcs****912.64**

CC80376	6/02/2023	Lucid Software Inc.	15.40	Subscriptions and Memberships
CC80564	13/02/2023	INTNL TRANSACTION FEE	1.09	Bank and other fees
CC80575	13/02/2023	SYNTHESIA LIMITED	43.42	Subscriptions and Memberships
CC80501	20/02/2023	VENNGAGE.COM	27.90	Subscriptions and Memberships
CC80505	20/02/2023	INTNL TRANSACTION FEE	0.70	Bank and other fees
CC80516	20/02/2023	Starlink Internet	139.00	Subscriptions and Memberships
CC80422	22/02/2023	VISUAL WORK WEAR	319.78	Supplies and Materials purchases
CC80388	23/02/2023	COLES 0494	51.00	Consumables
CC80389	23/02/2023	VISUAL WORK WEAR	130.00	Supplies and Materials purchases
CC80391	23/02/2023	BUNNINGS 303000	158.85	Supplies and Materials purchases
CC80335	27/02/2023	Jessie's Cafe	25.50	Consumables

**Head of Develop Assessment & Compliance****2,976.93**

CC80690	2/02/2023	ASIC	9.00	Subscriptions and Memberships
CC80347	7/02/2023	TOTALLY WORK WEAR FR	619.98	Supplies and Materials purchases
CC80666	10/02/2023	PLANNING INSTITUTE OF	335.00	Subscriptions and Memberships
CC80578	13/02/2023	HARVEY NORMAN AV/IT	386.00	Supplies and Materials purchases

CC80594	16/02/2023	OFFICEWORKS LTD	1,125.95	Supplies and Materials purchases
CC80502	20/02/2023	LGPA	85.00	Subscriptions and Memberships
CC80504	20/02/2023	LGPA	85.00	Subscriptions and Memberships
CC80470	21/02/2023	LGPA	85.00	Subscriptions and Memberships
CC80471	21/02/2023	LGPA	170.00	Subscriptions and Memberships
CC80474	21/02/2023	LGPA	85.00	Subscriptions and Memberships
CC80381	23/02/2023	UNIVERSITY OF WESTER	6.00	Parking Expenses
CC80397	23/02/2023	LGPA	-85.00	Subscriptions and Memberships
CC80399	23/02/2023	WA LOCAL GOVERNMENT AS	70.00	Subscriptions and Memberships

**Head of Information & Technology****2,298.15**

CC80807	8/02/2023	INTNL TRANSACTION FEE	8.75	Bank and other fees
CC80810	8/02/2023	CLOUDFLARE	4.17	Subscriptions and Memberships
CC80811	8/02/2023	CLOUDFLARE	350.15	Subscriptions and Memberships
CC80812	8/02/2023	INTNL TRANSACTION FEE	0.10	Bank and other fees
CC80754	9/02/2023	OFFICEWORKS 0620	162.21	Supplies and Materials purchases
CC80503	14/02/2023	IINET BATCH	1,009.88	Consumables
CC80602	16/02/2023	WILSON PARKING PER057	12.15	Parking Expenses
CC80515	20/02/2023	APPLE.COM/BILL	19.99	Subscriptions and Memberships
CC80535	20/02/2023	4Cabling	730.75	Equipment purchases

**Head of Library and Cultural Services****3,996.91**

CC80601	3/02/2023	GOOD READING	114.95	Subscriptions and Memberships
CC80404	6/02/2023	INTNL TRANSACTION FEE	4.61	Bank and other fees
CC80428	6/02/2023	iSubscribe Pty Ltd	59.00	Subscriptions and Memberships
CC80432	6/02/2023	iSubscribe Pty Ltd	229.95	Subscriptions and Memberships
CC80438	6/02/2023	iSubscribe Pty Ltd	134.97	Subscriptions and Memberships
CC80440	6/02/2023	iSubscribe Pty Ltd	198.00	Subscriptions and Memberships
CC80444	6/02/2023	iSubscribe Pty Ltd	45.00	Subscriptions and Memberships
CC80448	6/02/2023	Yaffa Media Pty Ltd	72.00	Subscriptions and Memberships
CC80450	6/02/2023	WMA*ROLLING STONE	184.52	Subscriptions and Memberships
CC80454	6/02/2023	Wheels Media	99.00	Subscriptions and Memberships
CC80491	6/02/2023	INTNL TRANSACTION FEE	3.46	Bank and other fees

CC80494	6/02/2023	INTNL TRANSACTION FEE	3.46	Bank and other fees
CC80506	6/02/2023	WWW.CONDENAST.CO.UK	138.20	Subscriptions and Memberships
CC80513	6/02/2023	WWW.CONDENAST.CO.UK	138.20	Subscriptions and Memberships
CC80517	6/02/2023	MagshopOnline	74.99	Subscriptions and Memberships
CC80523	6/02/2023	MagshopOnline	84.99	Subscriptions and Memberships
CC80527	6/02/2023	MagshopOnline	74.99	Subscriptions and Memberships
CC80533	6/02/2023	PAYPAL *WESTERNANGL	90.00	Subscriptions and Memberships
CC80816	7/02/2023	IPG MEDIA PTY LIMITED	335.00	Subscriptions and Memberships
CC80808	8/02/2023	MagshopOnline	-84.99	Subscriptions and Memberships
CC80809	8/02/2023	NEW SCIENTIST	1,008.00	Subscriptions and Memberships
CC80767	9/02/2023	INTNL TRANSACTION FEE	3.44	Bank and other fees
CC80770	9/02/2023	MagshopOnline	149.98	Subscriptions and Memberships
CC80771	9/02/2023	WWW.TANDYMEDIA.COM	137.76	Subscriptions and Memberships
CC80680	10/02/2023	RHSKHANNAN	53.50	Subscriptions and Memberships
CC80509	20/02/2023	FACEBK 5U39LN39H2	522.27	Advertising
CC80492	21/02/2023	WWW.ARCHAEOLOGY.ORG	66.04	Subscriptions and Memberships
CC80493	21/02/2023	INTNL TRANSACTION FEE	1.65	Bank and other fees
CC80353	24/02/2023	KALAMUNDA IGA	53.97	Consumables

**Head of Planning****468.95**

000389	24/02/2023	OFFICEWORKS	468.95	Equipment purchases
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**Head of Projects****2,811.55**

000441	6/02/2023	INSTITUTE OF PUBLIC WO	1,106.35	Conferences and Seminars
000441	9/02/2023	INSTITUTE OF PUBLIC WO	852.60	Conferences and Seminars
000441	9/02/2023	INSTITUTE OF PUBLIC WO	852.60	Conferences and Seminars

**Head of Sustainability and Environment****1,663.90**

000394	1/02/2023	eBay O*21-09643-09327	40.69	Supplies and Materials purchases
000394	7/02/2023	WA LOCAL GOVERNMENT AS	220.00	Conferences and Seminars
000394	8/02/2023	SP DK STAINLESS	390.89	Equipment purchases
000394	14/02/2023	Timbecon Pty Ltd	77.32	Supplies and Materials purchases
000394	16/02/2023	CLIMATECLEVER	935.00	Subscriptions and Memberships

**Health Promotion Officer****1,591.98**

000399	8/02/2023	WORD OF MOUTH TECHNO	1,447.00	Supplies and Materials purchases
000399	13/02/2023	WOOLWORTHS 4367	50.00	Supplies and Materials purchases
000399	15/02/2023	KMART 1362	5.00	Supplies and Materials purchases
000399	17/02/2023	EB *Injury Prevention	50.00	Conferences and Seminars
000399	27/02/2023	REBEL MELVILLE	39.98	Supplies and Materials purchases

**Infrastructure & Operations Coordinator****1,330.89**

CC80686	2/02/2023	INTNL TRANSACTION FEE	7.04	Bank and other fees
CC80693	2/02/2023	GECKOBOARD	281.72	Supplies and Materials purchases
CC80613	3/02/2023	Canva* 03684-4991471	17.99	Supplies and Materials purchases
CC80400	6/02/2023	NAAVI PTY LTD	25.00	Supplies and Materials purchases
CC80818	7/02/2023	RED DOT STORES	15.00	Supplies and Materials purchases
CC80795	8/02/2023	KMART 1362	21.50	Supplies and Materials purchases
CC80796	8/02/2023	Mailchimp	168.65	Subscriptions and Memberships
CC80797	8/02/2023	Newsextra Allsorts	6.99	Subscriptions and Memberships
CC80495	14/02/2023	SIGMA CHEMICALS	88.00	Supplies and Materials purchases
CC80577	17/02/2023	PLUNGE	150.00	Consumables
CC80366	24/02/2023	ASSA LTD	549.00	Subscriptions and Memberships

**Landfill Supervisor HWRP****1,044.01**

000401	6/02/2023	COLES 0494	19.20	Consumables
000401	7/02/2023	SAFETY ZONE	187.00	Supplies and Materials purchases
000401	9/02/2023	COLES 0494	40.00	Consumables
000401	10/02/2023	BOSS INDUSTRIAL	497.40	Supplies and Materials purchases
000401	13/02/2023	BUNNINGS 303000	193.74	Supplies and Materials purchases
000401	23/02/2023	COLES 0494	106.67	Consumables

**Library Technician****1,982.02**

000409	2/02/2023	BIGW ONLINE	54.90	Supplies and Materials purchases
000409	2/02/2023	Booktopia Pty Ltd	149.20	Supplies and Materials purchases
000409	2/02/2023	SP JB HI-FI ONLINE	371.70	Supplies and Materials purchases

000409	7/02/2023	AMAZON AU	58.78	Supplies and Materials purchases
000409	7/02/2023	AMAZON MARKETPLACE AU	65.48	Supplies and Materials purchases
000409	8/02/2023	AMAZON MARKETPLACE AU	21.90	Supplies and Materials purchases
000409	8/02/2023	BIGW ONLINE	98.00	Supplies and Materials purchases
000409	8/02/2023	Ink Station	71.40	Supplies and Materials purchases
000409	8/02/2023	SP JB HI-FI ONLINE	392.67	Supplies and Materials purchases
000409	13/02/2023	AMAZON AU	35.40	Supplies and Materials purchases
000409	13/02/2023	AMAZON AU	32.95	Supplies and Materials purchases
000409	13/02/2023	AMAZON AU	25.89	Supplies and Materials purchases
000409	13/02/2023	AMAZON AU	25.67	Supplies and Materials purchases
000409	13/02/2023	AMAZON AU	25.47	Supplies and Materials purchases
000409	16/02/2023	BIGW ONLINE	32.00	Supplies and Materials purchases
000409	16/02/2023	SP JB HI-FI ONLINE	188.86	Supplies and Materials purchases
000409	17/02/2023	Booktopia Pty Ltd	180.57	Supplies and Materials purchases
000409	20/02/2023	AMAZON AU	38.49	Supplies and Materials purchases
000409	22/02/2023	WWW.FISHPOND.COM.AU	19.89	Supplies and Materials purchases
000409	24/02/2023	AMAZON AU	66.81	Supplies and Materials purchases
000409	27/02/2023	AMAZON MARKETPLACE AU	25.99	Supplies and Materials purchases

**Library Technology Coordinator****1,818.67**

000392	6/02/2023	MAILCHIMP *MISC	348.71	Subscriptions and Memberships
000392	14/02/2023	DREAMITHOS* DREAMIT HO	234.70	Subscriptions and Memberships
000392	20/02/2023	UPDRAFTPLUS 1705959	83.35	Subscriptions and Memberships
000392	20/02/2023	INTNL TRANSACTION FEE	2.08	Subscriptions and Memberships
000392	20/02/2023	AMAZON MARKETPLACE AU	111.98	Supplies and Materials purchases
000392	21/02/2023	Windcave	231.85	Subscriptions and Memberships
000392	24/02/2023	STATE OF SOCIAL 23	764.50	Conferences and Seminars
000392	28/02/2023	KMART	41.50	Supplies and Materials purchases

**Manager Advocacy and Engagement****3,051.39**

000408	31/01/2023	LOCAL GOVERNEMENT MANA	950.00	Training & Professional Development
000408	31/01/2023	LOCAL GOVERNEMENT MANA	445.00	Training & Professional Development
000408	1/02/2023	LOCAL GOVERNEMENT MANA	445.00	Training & Professional Development

000408	9/02/2023	BIG W 0444	144.60	Equipment purchases
000408	9/02/2023	KMART 1362	99.00	Equipment purchases
000408	13/02/2023	AUSTRALIAN LOCAL GOV	895.00	Conferences and Seminars
000408	14/02/2023	MOSAICLAB	29.95	Supplies and Materials purchases
000408	20/02/2023	CITY OF FREMANTLE	3.70	Parking Expenses
000408	24/02/2023	WANEWSDTI	28.00	Subscriptions and Memberships
000408	27/02/2023	WILSON PARKING PER112	11.14	Parking Expenses

**Manager Building Services****5.80**

CC80820	7/02/2023	TOWN OF CAMBRIDGE	5.80	Parking Expenses
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**Manager Business & Economic Development****17,242.94**

CC80729	1/02/2023	CITY OF PERTH PARKING-	4.54	Parking Expenses
CC80590	3/02/2023	INTERNATIONALWOMENSDAY	325.59	Events and Functions
CC80593	3/02/2023	MARRIOTT	2,413.50	Travel and Accommodation
CC80282	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80286	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80289	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80293	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80815	7/02/2023	CONSULATE GENERAL OF T	2,860.00	Travel and Accommodation
CC80822	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80824	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80825	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80826	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80827	7/02/2023	PLAZA PREMIUM GROUP	78.30	Travel and Accommodation
CC80774	8/02/2023	RED DOT	36.00	Consumables
CC80791	8/02/2023	CITY OF PERTH PARKING-	4.54	Parking Expenses
CC80746	9/02/2023	WOOLWORTHS 4367	7.20	Consumables
CC80748	9/02/2023	Flight on Booking.com	805.69	Travel and Accommodation
CC80750	9/02/2023	Blooms the Chemist Bu	206.64	Supplies and Materials purchases
CC80409	14/02/2023	CONSULATE GENERAL OF T	220.00	Travel and Accommodation
CC80468	14/02/2023	Flight on Booking.com	157.33	Travel and Accommodation
CC80472	14/02/2023	Flight on Booking.com	157.33	Travel and Accommodation

CC80344	15/02/2023	CITY OF PERTH PARKING-	3.53	Parking Expenses
CC80390	15/02/2023	INTNL TRANSACTION FEE	172.14	Bank and other fees
CC80394	15/02/2023	MANDARIN ORIENTAL HOTELS	6,885.53	Travel and Accommodation
CC80599	16/02/2023	CPP COUNCIL HOUSE	22.21	Parking Expenses
CC80620	16/02/2023	WILSON PARKING AUSTRAL	10.00	Parking Expenses
CC80574	17/02/2023	TOWN OF VICTORIA PARK	1.67	Parking Expenses
CC80482	21/02/2023	CITY OF PERTH PARKING-	9.09	Parking Expenses
CC80416	22/02/2023	INTNL TRANSACTION FEE	12.28	Bank and other fees
CC80433	22/02/2023	BIG BIRD PUSAKA-IPG	491.13	Travel and Accommodation
CC80445	22/02/2023	INTNL TRANSACTION FEE	3.85	Bank and other fees
CC80447	22/02/2023	GARUDA (INDONESIA)	153.96	Travel and Accommodation
CC80408	23/02/2023	Informa PLC	1,424.50	Travel and Accommodation
CC80307	27/02/2023	OFFICEWORKS	120.00	Supplies and Materials purchases
CC80283	28/02/2023	PTC REPAIRS AND ACCESS	29.99	Supplies and Materials purchases

**Manager Environment Health****24.99**

000411	7/02/2023	SP GIANT MICROBES AU	24.99	Equipment purchases
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**Manager Recreation Services****263.66**

000390	2/02/2023	IGLOOCOMPANY	2.84	Subscriptions and Memberships
000390	2/02/2023	INTNL TRANSACTION FEE	0.07	Bank and other fees
000390	3/02/2023	MK ESPRESSO	15.60	Meeting/Workshop Catering
000390	28/02/2023	MALL MANAGERS WA PTY	245.15	Events and Functions

**Marina Manager****141.90**

N/A	24/02/2023	YOURMEMBERSHIP INC.	141.90	Subscriptions and Memberships
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**Organisational Development Coordinator****3,400.93**

000426	1/02/2023	CURTIN UNIVERSITY	1,208.40	Training & Professional Development
000426	6/02/2023	INTNL TRANSACTION FEE	0.79	Subscriptions and Memberships
000426	6/02/2023	POLINODE - NETWORKS	31.74	Subscriptions and Memberships
000426	8/02/2023	SAI GLOBAL LIMITED	50.00	Training & Professional Development
000426	8/02/2023	ST JOHN AMBULANCE AUST	55.00	Training & Professional Development

000426	9/02/2023	SAI GLOBAL PTY LTD	50.00	Training & Professional Development
000426	14/02/2023	AIHR ACADEMY TO INNO	1,325.00	Training & Professional Development
000426	14/02/2023	ST JOHN AMBULANCE AUST	320.00	Training & Professional Development
000426	21/02/2023	ST JOHN AMBULANCE AUST	160.00	Training & Professional Development
000426	27/02/2023	Ezypay*Fire and Safety	200.00	Training & Professional Development

**Parks Operations Coordinator****1,303.90**

CC80764	31/01/2023	Parks and Leisure Aust	55.00	Subscriptions and Memberships
CC80737	1/02/2023	ST JOHN AMBULANCE AUST	79.95	Training & Professional Development
CC80306	7/02/2023	TOTALLY WORK WEAR FR	678.55	Supplies and Materials purchases
CC80766	9/02/2023	eBay O*19-09677-69366	19.95	Supplies and Materials purchases
CC80592	13/02/2023	ST JOHN AMBULANCE AUST	79.95	Training & Professional Development
CC80581	17/02/2023	SEC*MOBILE MATE	42.50	Supplies and Materials purchases
CC80584	17/02/2023	SP FORESTRY TOOLS	348.00	Equipment purchases

**People Experience Business Partner****3,997.80**

CC80687	10/02/2023	SEEKAU	2,500.00	Advertising
CC80689	10/02/2023	SEEKAU	149.78	Advertising
CC80499	14/02/2023	AU* SEEK MUL1676248140	1,348.02	Advertising

**Recovery Park Coordinator****1,857.23**

000444	2/02/2023	21st Century Business	107.80	Supplies and Materials purchases
000444	2/02/2023	COLES 0494	32.85	Consumables
000444	2/02/2023	LIQUORLAND 2982	10.98	Consumables
000444	8/02/2023	BUNNINGS 303000	121.32	Supplies and Materials purchases
000444	28/02/2023	INSTANT WEIGHING	1,584.28	Supplies and Materials purchases

**Senior Centre Coordinator****1,646.20**

000404	1/02/2023	CITY OF ROCKINGHAM	17.70	Meeting/Workshop Catering
000404	6/02/2023	Bailey Brewing Co	720.00	Events and Functions
000404	10/02/2023	BUNNINGS GROUP LTD	394.00	Equipment purchases
000404	10/02/2023	DOMESTIC COOGEE	31.60	Meeting/Workshop Catering
000404	10/02/2023	DOMESTIC COOGEE	6.20	Meeting/Workshop Catering

000404	10/02/2023	DOMESTIC COOGEE	4.70	Meeting/Workshop Catering
000404	14/02/2023	CPP HIS MAJESTYS	22.00	Parking Expenses
000404	15/02/2023	CPP HIS MAJESTYS	22.00	Parking Expenses
000404	16/02/2023	CPP HIS MAJESTYS	22.00	Parking Expenses
000404	17/02/2023	CPP HIS MAJESTYS	22.00	Parking Expenses
000404	24/02/2023	SURVEYMONK* T 43910165	384.00	Application, Licence, Registration Fees

**Senior Centre Programs Booking Officer****3,922.30**

000435	7/02/2023	CANCER COUNCIL WA	105.50	Events and Functions
000435	8/02/2023	JAYCAR PTY LTD	179.80	Equipment purchases
000435	8/02/2023	THE KOORLINY ARTS CE	504.00	Events and Functions
000435	13/02/2023	SPUD SHED	49.95	Consumables
000435	14/02/2023	SPUD SHED	80.91	Consumables
000435	14/02/2023	TICKETMASTER CROWN	869.00	Events and Functions
000435	15/02/2023	COSTCO WHOLESALE AUSTR	259.62	Events and Functions
000435	15/02/2023	SPACETOCO VENUE HIRE	152.00	Hire of equipment and facilities
000435	16/02/2023	ROCKINGHAM FITNESS P	695.00	Hire of equipment and facilities
000435	21/02/2023	SQ *PERTH BOUNCY CASTL	250.23	Events and Functions
000435	21/02/2023	Woolworths Online	352.30	Consumables
000435	22/02/2023	MY DELICIOUS CK & D P	212.00	Events and Functions
000435	23/02/2023	GESHA COFFEE CO	168.00	Consumables
000435	27/02/2023	BUNNINGS GROUP LTD	43.99	Equipment purchases

**Senior Library Manager****1,633.89**

000391	6/02/2023	Games World Cockburn	50.97	Supplies and Materials purchases
000391	6/02/2023	KMART 1362	95.00	Supplies and Materials purchases
000391	9/02/2023	BIG W 0444	166.35	Supplies and Materials purchases
000391	9/02/2023	BWS LIQUOR 4188	96.10	Supplies and Materials purchases
000391	9/02/2023	Gateways Newsagency	14.97	Supplies and Materials purchases
000391	13/02/2023	PROSPERITY LAKAY P/L	100.00	Supplies and Materials purchases
000391	17/02/2023	MYO*GREEN WORLD INDOOR MAND	495.00	Hire of equipment and facilities
000391	20/02/2023	STATE OF SOCIAL 23	511.50	Conferences and Seminars
000391	20/02/2023	YELLOW RAVEN CAFE	3.20	Supplies and Materials purchases

000391	27/02/2023	SPOTLIGHT PTY LTD	100.80	Supplies and Materials purchases
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**Senior Youth Justice and Outreach Worker****101.26**

CC80732	1/02/2023	YELLOW RAVEN CAFE	8.25	Consumables
CC80694	2/02/2023	Bridgeport Braces	28.64	Supplies and Materials purchases
CC80697	2/02/2023	INTNL TRANSACTION FEE	0.72	Bank and other fees
CC80637	3/02/2023	CHICKEN TREAT YANGEB	5.00	Consumables
CC80568	13/02/2023	FACEBK *WZBNTLF2P2	22.00	Advertising
CC80625	16/02/2023	McDonalds 950462	16.65	Consumables
CC80345	27/02/2023	BIG W 0444	20.00	Supplies and Materials purchases

**Social Club Coordinator****1,883.26**

CC80622	3/02/2023	SP JB HI-FI ONLINE	115.79	Supplies and Materials purchases
CC80369	6/02/2023	Woolworths Online	321.82	Consumables
CC80480	6/02/2023	PAYPAL *TF TUCKERFOX.C	274.64	Consumables
CC80512	13/02/2023	Woolworths Online	230.30	Consumables
CC80627	16/02/2023	HAMILTON HILL IGA	45.91	Consumables
CC80562	17/02/2023	DOT - LICENSING	145.00	Subscriptions and Memberships
CC80487	21/02/2023	WANEWSDTI	35.60	Advertising
CC80441	22/02/2023	BUNNINGS GROUP LTD	478.00	equip
CC80385	23/02/2023	KMART	93.50	Supplies and Materials purchases
CC80370	24/02/2023	SP CHATSWORTH F	59.95	Supplies and Materials purchases
CC80372	24/02/2023	JIGSAW STORE	82.75	Supplies and Materials purchases

**Strategic Procurement Manager****14,319.80**

000413	1/02/2023	WESTERN POWER	3,615.85	Professional Services
000413	2/02/2023	REGISTRATION FEE	2,198.90	Training & Professional Development
000413	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000413	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000413	9/02/2023	Flight on Booking.com	164.97	Travel and Accommodation
000413	17/02/2023	REGISTRATION FEE	2,417.80	Training & Professional Development
000413	20/02/2023	www.travelup.co.uk	892.78	Travel and Accommodation
000413	21/02/2023	Expertise Events	2,377.54	Events and Functions

000413	21/02/2023	QANTAS	1,392.02	Travel and Accommodation
000413	24/02/2023	LOCAL GOVERNEMENT MANA	930.00	Conferences and Seminars

**Streetscapes Coordinator****21.33**

CC80704	1/02/2023	ANNUAL FEE	21.33	Bank and other fees
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**Support Services Lead****1,880.94**

000423	9/02/2023	Coogee Continental	60.89	Meeting/Workshop Catering
000423	9/02/2023	GURU BROTHERS CAFE AND	60.00	Meeting/Workshop Catering
000423	10/02/2023	SCAVACI IGA	40.09	Meeting/Workshop Catering
000423	14/02/2023	AMAZON MARKETPLACE AU	96.73	Equipment purchases
000423	15/02/2023	SPACETOCO VENUE HIRE	21.00	Hire of equipment and facilities
000423	16/02/2023	FINANCIAL COUNSELLIN	605.00	Conferences and Seminars
000423	16/02/2023	FINANCIAL COUNSELLIN	605.00	Conferences and Seminars
000423	16/02/2023	Prof Psych Services	220.00	Professional Services
000423	17/02/2023	SCAVACI IGA	25.98	Meeting/Workshop Catering
000423	22/02/2023	OFFICEWORKS 0616	44.56	Supplies and Materials purchases
000423	22/02/2023	WILLAGEE PARK NEWS	4.50	Supplies and Materials purchases
000423	23/02/2023	AP SUCCESS LPO	22.95	Professional Services
000423	23/02/2023	CITY OF FREMANTLE	8.50	Parking Expenses
000423	24/02/2023	OFFICEWORKS 0620	65.74	Supplies and Materials purchases

**Waste Collection Supervisor****82.45**

000398	9/02/2023		82.45	Meeting/Workshop Catering
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**Waste Services Manager****2,862.91**

000393	3/02/2023	SQ *NATURAL STORAGE CO	422.40	Equipment purchases
000393	7/02/2023	SEC*AGCSA	1,576.96	Conferences and Seminars
000393	9/02/2023	Subway Beeliar	159.25	Meeting/Workshop Catering
000393	15/02/2023	QANTAS	704.30	Travel and Accommodation

**Young Peoples Services Coordinator****1,659.61**

000406	1/02/2023	ED RESOURCES PTY LTD	119.21	Supplies and Materials purchases
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000406	2/02/2023	Booktopia Pty Ltd	264.71	Supplies and Materials purchases
000406	2/02/2023	THE CHILDRENS BOOK C	25.00	Supplies and Materials purchases
000406	3/02/2023	BIGW ONLINE	27.90	Supplies and Materials purchases
000406	3/02/2023	Booktopia Pty Ltd	116.74	Supplies and Materials purchases
000406	8/02/2023	COLES ONLINE	194.20	Supplies and Materials purchases
000406	13/02/2023	Booktopia Pty Ltd	540.28	Supplies and Materials purchases
000406	13/02/2023	Booktopia Pty Ltd	322.60	Supplies and Materials purchases
000406	17/02/2023	PAYPAL *MADMANENTER	48.97	Supplies and Materials purchases

**Young Peoples Services Librarian****95.26**

000403	7/02/2023	TARGET 5076	76.00	Supplies and Materials purchases
000403	13/02/2023	FARMER JACKS SPEARWO	19.26	Consumables

**Youth Centre Coordinator****1,952.10**

000385	31/01/2023	AMAZON AU	178.19	Supplies and Materials purchases
000385	31/01/2023	COLES ONLINE	103.70	Consumables
000385	1/02/2023	BUNNINGS 729000	226.26	Supplies and Materials purchases
000385	1/02/2023	COLES 0490	45.10	Consumables
000385	1/02/2023	COLES 0490	15.00	Consumables
000385	1/02/2023	IKEA PTY LTD	586.00	Equipment purchases
000385	3/02/2023	AMZNPRIMEAU MEMBERSHIP	6.99	Subscriptions and Memberships
000385	3/02/2023	Dominos Estore Success	40.60	Consumables
000385	6/02/2023	AMAZON MARKETPLACE AU	19.38	Equipment purchases
000385	6/02/2023	COLES ONLINE	106.84	Consumables
000385	9/02/2023	COLES 0333	15.00	Consumables
000385	10/02/2023	BIG W 0444	22.00	Supplies and Materials purchases
000385	10/02/2023	COLES 0490	38.95	Consumables
000385	13/02/2023	COLES 0490	7.20	Consumables
000385	13/02/2023	COLES ONLINE	62.30	Consumables
000385	13/02/2023	KMART 1362	96.00	Supplies and Materials purchases
000385	14/02/2023	BIG W 0444	59.00	Equipment purchases
000385	14/02/2023	COLES 0490	12.38	Consumables
000385	15/02/2023	BUNNINGS 729000	3.36	Supplies and Materials purchases

000385	15/02/2023	YELLOW RAVEN CAFE	9.00	Consumables
000385	16/02/2023	COLES 0490	73.10	Consumables
000385	20/02/2023	AMAZON MARKETPLACE AU	26.72	Supplies and Materials purchases
000385	20/02/2023	COLES ONLINE	147.07	Consumables
000385	20/02/2023	Dominos Estore Success	38.49	Consumables
000385	20/02/2023	YANGEBUP IGA	13.47	Consumables

**Youth Development Officer****1,067.69**

000433	3/02/2023	KMART 1362	98.50	Supplies and Materials purchases
000433	3/02/2023	KMART 1362	98.00	Supplies and Materials purchases
000433	3/02/2023	KMART 1362	93.50	Supplies and Materials purchases
000433	3/02/2023	KMART 1362	26.00	Equipment purchases
000433	6/02/2023	ARMANDOS SPORTS	175.00	Supplies and Materials purchases
000433	7/02/2023	YELLOW RAVEN CAFE	10.80	Meeting/Workshop Catering
000433	8/02/2023	COLES 0490	38.70	Meeting/Workshop Catering
000433	15/02/2023	Woolworths Online	105.50	Meeting/Workshop Catering
000433	21/02/2023	POWERPLAY 2 PL	200.00	Events and Functions
000433	22/02/2023	Woolworths Online	71.70	Meeting/Workshop Catering
000433	24/02/2023	COLES 0490	8.50	Meeting/Workshop Catering
000433	28/02/2023	COLES 0490	141.49	Meeting/Workshop Catering

**Total Cards - 63****131,732.10**

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## 14.2 Operations

### 14.3.1 Consideration of Lease Agreement and Associated Management of Reserve 24308 (Naval Base Shacks)

<b>Executive</b>	Chief Operations Officer
<b>Author</b>	Leasing and Licencing Officer and Manager Property Services
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Draft Naval Base Shack Lease <a href="#">↓</a></li> <li>2. Schedule of Submissions <a href="#">↓</a></li> <li>3. Naval Base Shack Management Plan 2023 <a href="#">↓</a></li> <li>4. Site Map <a href="#">↓</a></li> <li>5. Termination Summary <b>(Confidential)</b></li> <li>6. Legal Advice Regarding Demolition <b>(Confidential)</b></li> <li>7. Market Valuation <b>(Confidential)</b></li> </ol>

#### RECOMMENDATION

That Council:

- (1) ENDORSES the CEO finalising the lease agreement for the Naval Base Shack site ('Shacks') based on the below essential terms and conditions, subject to advertising in accordance with section 3.58 of the *Local Government Act 1995* (as required):
  1. Five year term commencing 1 September 2023 with a five year option to renew;
  2. Lease fee of \$3250 per annum to be increased by CPI annually;
  3. Demolition Levy of \$330 per annum to be increased by CPI annually;
  4. Conditions outlined within the body of this Report which include
    - (a) Compliance with Local Laws
    - (b) No approval of portable toilets
    - (c) Water usage in line with *Water Services Act 2012 (WA)*
    - (d) Persistent breach; and
  5. Subject to the consent of the Minister for Lands
- (2) ENDORSES the attached Management Plan for Reserve 24308 for the management of the Reserve for the next 10 years, as outlined in this Report; and
- (3) NOTES the outlined demolition process per the current lease agreement, with reference to terminated sites at the Naval Base Shacks.

**Background**

Council has received the following updates on the Naval Base Shacks:

1. Monthly Management Reports since March 2022
2. HUB Notification – 20 March 2023
3. Elected Member Strategic Briefing Forum
  - (a) 26 May 2022
  - (b) 20 April 2023 (follow up meetings with Deputy Mayor Widenbar and Cr Corke, who were apologies for the briefing).

At the 10 May 2012 Ordinary Council Meeting, Council endorsed:

- (2) a proposed new leasing framework for the management of Reserve 24308 and the shack sites therein (Shacks); and
- (3) the development of a 10-year Management Plan for the Shacks, which included the following components:
  1. The lease assignment process
  2. Internal office procedure
  3. Emergency management procedures
  4. Site maps
  5. Facility management information
  6. Detailed planning for infrastructure upgrades, including financial planning to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds.

The above frameworks were developed collaboratively via the Naval Base Shacks Community Reference Group (NBSCRG) and public advertising.

At the 13 July 2017 Ordinary Council Meeting, Council consented to a further term of five years for the leases at the Shacks on the same terms and conditions, commencing 1 September 2017 and expiring 31 August 2022.

Since the expiration of the lease on 31 August 2022, the site has been operating under a holding over provision until a new lease agreement was finalised.

The new lease agreement for the Shacks (Lease) and an updated Management Plan have been developed with reference to the previous 10 years of administering the site, with feedback collated via public advertisement with consideration of ad hoc stakeholder feedback that has been communicated throughout the course of the lease period.

There have been lessons learned over the initial ten-year lease term, and the City is seeking to include additional clauses in the otherwise effective lease agreement to address identified issues with the management of the Shacks.

The Shacks continue to operate according to the endorsed Management Plan and holding over lease and are a well utilised and enjoyed asset with a long-standing and passionate user group.

## Submission

The proposed lease agreement and Management Plan are intended to ensure the future management of the Shacks, and to support the City's administration of shack structures and associated infrastructure.

This report seeks to clarify the existing lease and funding conditions, as well as the rationale for the outlined additional leasing terms that have been added to ensure adequate management of the Shacks for the new lease term.

## Report

### Background

Reserve 24308 is owned by the Crown (Department of Planning, Lands and Heritage) and managed by the City of Cockburn pursuant to a Management Order for the purposes of 'Recreation and Camping' with the power to lease for a period of 21 years.

The Shacks are comprised of 173 individual shack structures, built in a relatively similar, modest design of lightweight material.

They are a good example of the holiday camps which used to exist along the Western Australian coastline.

The Naval Base Shacks are the only shacks in existence within the Perth Metropolitan Region.

The social value for the families holidaying at the location since the 1930s contributes to the importance of the site, which is highly prized by the community who access it.

The coastal amenity is also enjoyed by the public.

According to the postal addresses registered with the City, 40 of the 173 lessees that have holiday accommodation at the Shacks are City of Cockburn property owners. This equates to 23% of the user group at the shacks.

### Westport

There are many complexities to the management of the Shacks, with uncertainty clouding the second term 2017-2022 due to the State Government's Westport Outer Harbor Project and the unknown implications that this may have on the future of the site.

The City received clarification from the General Manager Planning, Westport Office in March 2022 regarding the potential interface between Westport and the Naval Base Shacks, noting that it *"seems unlikely that there would be substantial impacts on or implications associated with Westport...Westport therefore has no objects to the lease renewal's although note...advice below regarding engaging with the Department of Planning, Lands and Heritage Land Use Management division to discuss lease arrangements"*.

Subsequent discussions with the Department of Planning, Lands and Heritage (DPLH)'s Land Use Management Division indicated that *'based on current planning and given the likely separation from the proposed port terminal and operations, it appears unlikely that there would be substantial impacts on or implications associated with the proposed lease on Westport. As such we would have no issues with the proposed...lease'*

Pursuant to the requirements outlined in section 18 of the *Land Administration Act*, the Minister for Land's consent is required to enter into a lease agreement for Reserve 24308 – the proposed lease is subject to this consent being obtained and the City is not able to warrant that such consent will occur, despite the above communications with Westport and DPLH.

#### Communications:

In collaboration with the City's Corporate Communications Department, and in line with the City's Corporate Communications Plan for the Naval Base Shack Lease, the City undertook the below communications with Naval Base Shack lessee regarding the new lease:

August 2022	Letter to Shack lessees in arrears and/or in breach of their lease obligations to allow them the time to rectify their outstanding compliance issues.
November 2022	City's website updated with a proposed timeline for the new lease, which was updated with changes periodically
December 2022 - February 2023	City contacted Shack lessees via a combination of email, phone and post to follow up outstanding breaches of lease obligations, the majority of which related to lease fee arrears and/or a failure to demonstrate public liability insurance policies were current.
February 2023	A final notice letter was sent to Shack lessees who had not provided insurance documents, with a deadline of 7 March 2023 to provide these documents
14 March 2023	A letter was sent to Shack lessees who had adhered to the 7 March 2023 deadline, outlining the details of the proposed new lease terms and a summary of the next steps in the leasing process.  Termination letters were sent to Naval Base Shack lessees who had failed to satisfy their leasing obligations, allowing for a further extension of the deadline until 28 March 2023
March 2023	Given the large number of Naval Base Shack lessees who had failed to undertake their obligations under the lease, the City progressed with advertising for the 145 lessees who were compliant.
4 April 2023	A second round of letters was sent to 19 Shack lessees who had missed the first round of advertising due to not satisfying their obligations under the lease, but who had rectified this prior to the extension deadline of 28 March 2023.

	The intention was to ensure that as many Shack lessees as possible were able to be offered a new lease, with best practice dictating the City terminate lease agreements where the lessees continue to fail to satisfy their lease obligations.
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The City has endeavoured to keep all Shack lessees apprised of the timeline and steps involved in developing a new lease, with a Frequently Asked Questions page maintained on the City's website; a timeline and information regarding the steps of the leasing process available on the website.

The City received feedback from one Naval Base Shack lessee who highlighted their dissatisfaction with the lease renewal communication process.

While the City cannot justify the resources required to write, email and call each of the 173 shack lessees multiple times to reiterate their requirements under the lease, it is important to note that the Shacks have a strong emotional connection for many of the lessees, and a more involved Communication Strategy may need to be investigated in the future to ensure that all shack lessees are comfortable with the process.

In saying this, shack lessees are required to perform their lease obligations.

While the City plays a supportive role in explaining these obligations, it is up to each individual lessee to maintain a compliant shack profile with the City.

Shack lessees must also ensure that their contact details remain up to date. There were instances where Naval Base Shack lessees had not maintained their contact information with the City, and postal correspondence was sent to outdated addresses. Similar issues were faced with email and phone data.

#### Proposed Lease Terms and Rationale

A draft copy of the proposed new lease has been annexed to this report (refer Attachment 1).

The new lease agreement is based on the current lease that operates at the Shacks, with the below inclusions:

#### **(1) Comply with local laws**

The lessee must comply with all Local Laws on the leased area and common areas. A failure to comply with these local laws will be a breach of the lease conditions and actioned accordingly.

#### **(2) Portable toilets**

No portable toilets will be approved on the leased area and all portable toilets located on the leased area must be removed. No dumping facilities for portable toilets exist on site, and the City is unable to install a dumping point due to the site's location and the potential sub-surface archaeological value at the Shacks. There have been incidents of inappropriate dumping of portable toilet contents

on site, resulting in portable toilets no longer being approved. Ablution facilities are available and cleaned twice daily.

**(3) Water usage on site (sprinkler usage, hose connections)**

Sprinklers will only be permitted to be used within the hours and days specified by the Water Corporation.

The lessee must repair any leaking hose fitting connections, and the City has the right to repair and recover costs if the lessee does not repair within seven days of notice of repairs being required.

The Naval Base Shacks have the highest water consumption of all the sites under the City's management, second only to the Cockburn ARC.

In the last 12 months the shacks have used 19,222,000 litres of water – this is equal to eight Olympic size swimming pools.

Shack lessees, like any other resident or business owner in Cockburn, are obligated to comply to Water Corporation watering days.

Under the *Water Services Act 2012 (WA)* the Water Corporation has the power to fine any party that is not complying with correct watering days.

With the inclusion of this action in the lease, any shack lessee not complying with correct water days will be in breach of their lease.

There was a variety of responses relating to the proposed restriction on water usage at the Naval Base site, however for the most part submissions supported this addition.

While water restrictions are governed at a State (not Local Government) level, the City is supportive of ensuring responsible use of resources in line with sustainability and water wise strategies.

Watering days are based on the number of the street, being **1136** Cockburn Road. As such, the watering days are Monday and Thursday before 9am or after 6pm. No sprinklers are to be used between 1 June and 31 August.

A recent onsite inspection revealed numerous leaking hose connections at the tap point.

The City recognises that many of the taps are coming to the end of their life and require replacement.

The City's Facilities Team is current initiating this process. However, shack lessees will be required to ensure that the hose connections that they use do not leak.

**(4) Persistent breach**

When a lessee has received three or more default notices during the term of the Lease, the lease agreement can be terminated. This clause will allow the City to ensure compliance and allow persistent breaches to be actioned.

Over the term of the first lease, the Naval Base Shacks have required a significant amount of resourcing from the City's Ranger Services and CoSafe Community Safety Department.

In the last 12 months, CoSafe have attended the site 32 times for reactive jobs, particularly relating to noise complaints and antisocial or abusive behaviour.

Additionally, ad hoc patrols are conducted almost every day and/or night with the frequency and time of day varying. This is a large amount of resourcing to be dedicated to only one site.

#### **(5) Insurance**

The City proposed that the new lease include a requirement for Shack lessees to arrange Building and Contents Insurance in addition to Public Liability Insurance. However, the submissions that were received did not support this proposed change.

Following this feedback, the City has amended the draft lease to remove the addition of Building and Contents insurance.

The requirement for lessees to arrange annual Public Liability Insurance and provide a certificate of currency to the City of Cockburn upon renewal of this insurance cover will remain.

Building and Contents insurance may be arranged by each lessee with their insurer at their discretion but will not be a lease requirement.

#### **(6) Fee amount**

The proposed lease fee is \$3,250 per annum. This is an increase of \$1,067 from the current fee of \$2,183, which has not been increased since 2016.

This amount equates to \$27 per night (based on the permitted occupancy of 120 calendar days per year).

The demolition levy is proposed to increase by \$13, from \$317 per year to \$330.

This has been determined by an increase in Consumer Price Index since the last review.

The demolition levy will be refunded to a Shack lessee where the Shack is removed, and the land remediated to the City's satisfaction.

The proposed increase in the Naval Base Shack lease fees will be included in the draft 2023/24 Annual Budget under Fees and Charges.

The Naval Base Shack site is holiday accommodation.

The reviewed lease fee is reflective of the increase in consumables and based on an independent valuation which ensures transparency.

Holiday accommodation is not a necessity – the lease fee is not comparable to residential rent or rates, or affordable housing considerations.

It is important to clarify that the Naval Base Shack lessees do not pay rates.

The funds payable each year are a lease fee (rent) for the use of the land and associated costs of managing the site (including consumables).

It is not appropriate for the City to use public funds to subsidise the holiday accommodation of a small number of private lease holders.

Valuation

The lease fee of \$3,250 was formulated based on a Market Rent Valuation undertaken by licenced Valuer & Property Advisor, Hemsley Paterson in accordance with the Australian and New Zealand Valuation and Property Standards definition adopted by the Australian Property Institute.

Please refer to Attachment 7 for a confidential copy of the Valuation Report.

Please note, the Market Valuation uses commercially sensitive information that was provided to the valuer in confidence, hence the necessity to enter this Attachment as confidential.

As the Naval Base Shack site is the only one of its kind existing within the Perth Metropolitan Area, a combination of comparisons was used in order to formulate the valuation, using an “average” shack site as the basis (given the lack of uniformity of character, scale and condition).

The comparisons included Grey and Wedge Island Shacks; Myalup Beach, Pinjarra, Cee and See and Mandurah Coastal Holiday Parks. Significant differences between the Naval Base Shack sites and the Caravan Parks were noted, including limitations on occupancy; standard and provision of facilities and services.

The leasing provisions were provided to the valuer in order to determine the specific restrictions for the Naval Base Shacks site.

A range of \$3,000 - \$3,500 was provided, with a recommendation to adopt the midpoint of \$3,250.

There have been suggestions received that the rent charged should be increased with reference to the Consumer Price Index (CPI) only, rather than a market valuation.

The City requested clarification from Hemsley Paterson regarding the effectiveness of using CPI only as opposed to a market valuation, and were advised as follows:

*“If a lease/licence is only ever reviewed in accordance with movements in the CPI...it is highly probable that the rent will eventually become misaligned with...what is considered to be ‘market rent’...Movements in market rental levels are rarely synchronised with CPI...and as such, the need for a periodic market review is required to recalibrate the rent to a fair and reasonable level.”*

Further, it was advised that *“a market rent calibration is generally applied/negotiated at the inception of a new lease, whether that be with the existing Lessee/Licensee entering into a new agreement, or a new tenant.”*

Finances regarding the Naval Base Shacks 2021/22

The below table summarises the 2021/22 financials relating to the Shacks.

Revenue balances are transferred to the Naval Base Shack Reserve.

Description	Amount
City invoiced Shack lessees	\$435,000.00
Payment received	\$336,173.57
Outstanding arrears (not paid)	\$98,826.43
Maintenance	\$164,968.38
Water Usage	\$46,381.72
Electricity Usage	\$2,038.47
CCTV installation	\$76,071.40
<b>Reserve Fund Balance</b>	<b>\$46,713.60</b>

There were approximately 859.5 City Officer Hours (COH) dedicated to the management of the site over the 2021/22 period, per below table:

Service Unit	Break down	COH
Rangers	2 hours per week	104
CoSafe	13.5 hours of reactive jobs 15-minute patrols, 8 times per week	117.5
Land and Leasing	5 hours per week	260
Revenue	1.5-2 hours per week	98
Parks Operations	15 hours investigating request 13 hours x 3 staff mowing (1 hour each) x 13 times per year 12 hours for monthly supervisor inspections	63
Planning/Compliance	2 applications per year	8
Facility maintenance	4 hours per week (inspection; demolition; asbestos enquiries; general maintenance)	208
Waste		1
<b>Approximate total</b>		<b>859.5 hours</b>

The City will be investigating a specific resource for the management of the shacks from a leasing and facility maintenance perspective.

This will ensure a more holistic approach to management of the Naval Base Shacks and its lessee's.

Currently the site utilises approximately 13% of Officer resources while equating to 2% of the City's maintainable assets and lessee's.

Naval Base Reserve Fund and Proposed Projects

The Naval Base Shack Reserve Fund ("Reserve Fund") has a stated purpose of *"the development and refurbishment of the Naval Base shack sites. It will also fund rehabilitation costs...Annual transfers to this Reserve are fully funded by part of the lease income derived from the shacks."*

The City also quarantines the Naval Base Shack demolition levy for the *"purpose of the future removal of leasehold dwellings at Reserve 24308..."* with the funds being *"reimbursed to leaseholders when dwelling is removed and the site rehabilitated"* (including asbestos removal).

The Reserve Fund balance is \$1.291 Million and the demolition fund balance is \$872,331, which equates to \$5,042 per shack.

A current estimate for the demolition of a Shack, including remediating the land is approximately \$12,000.

In the period of 2013 to 2023 the City has undertaken the following works using Reserve funding in line with the Naval Base Shack Management Plan 2016 – 2022

2012/2013	Naval Base Reserve improvements (drainage, lighting, beach access)	\$115,770.33
2013/2014	Naval Base Toilet South Render	\$3,944.50
2014/2015	Naval Base Reserve improvements (drainage, lighting, beach access)	\$45,721.17
2015/2016	Naval Base Shacks Landscaping	\$16,175.82
2016/2017	Naval Base Shack toilet refurbishment	\$96,534
2019/2020	Naval Base lighting and minor refurbishments	\$13,685.49
2021/2022	CCTV Installation	\$76,071.40

Throughout the consultation process for the new lease, and over the lifetime of the initial lease period 2012-2022, Naval Base Shack lessee's have indicated a variety of preferences for the use of the Reserve Fund.

In the below table, the officers have gathered very high level estimates for some of these initiatives, noting that they are indicative only and do not represent the figures that would be available after undertaking a procurement process.

Initiative	Description of Works	Estimated Cost
Replacing ablution blocks with new facilities; conversion of laundry block to ablutions	Replacement of two toilet blocks, including demolition; design; procurement; consultation; contingency and supporting infrastructure (e.g. septic, asbestos removal)  Conversion of laundry block to ablutions is not an economically feasible outcome and may trigger major upgrades to surrounding infrastructure which was not included in the above scope.  It is noted that retrofitting an existing structure is neither financially viable or sustainable, as building methods and best practice has evolved.	\$2m – \$3m
Demolishing laundry block	This has been listed in the draft 2023/24 annual budget.	\$20,000
Installation of pedestrian access stairway at northern end of Reserve	Community engagement and design. Installation, dependent on the design.	\$60,000 \$100k - \$300k
Installation of playground	Basic playground with limestone edging and sand soft fall inclusive of shade sails	\$80k - \$150k
Installation of pontoon	Depending on the size, material and fabrication. Inclusive of site assessment to determine if there is a suitable location for installation  Annual Recurrent expenditure - deployment and retrieval	\$70k - \$120k  \$20,000
<b>Total</b>		<b>\$2.35m - \$3.67m</b>

The submissions received highlighted a misconception regarding the Reserve Fund. The above table indicates general project costs.

There are additional considerations for the particular Shack site, expanded upon below, which will further contribute to the project costs.

It is likely that the current balance in the Reserve Fund is not sufficient to undertake many of the requested projects.

1. Asbestos: The site has a significant amount of asbestos, which is in-tact and safe, but adds a large amount of cost to any demolition or renovation works.

P17868 Peel Town Archaeological Site, Henderson: In December 2022, Reserve 24308 was entered into the State Register of Heritage Places pursuant to section 42 of the *Heritage Act 2018*.

The Reserve makes up some of the 43.5 hectares of coastal vegetation containing archaeological sites dating to the 1829-30 occupation by Thomas Peel's settlement group.

The archaeological potential of the land would result in complications for projects that require ground works. Further information would need to be sought to confirm the impact on a project budget.

2. Building Code of Australia ("BCA") triggers: The age of the site and the assets therein has resulted in the site not meeting current BCA standards.

In the event of a refurbishment or upgrading project, such upgrades would trigger the requirements under this legislation such as including adequate pathways; accessways and universal access.

This will increase project costs.

3. Septics: The Shacks are not connected to mains sewer.

Any project relating to ablution facilities would require septic to be included in the scope, which presents challenges as the Water Corporation no longer favours this method; and the groundwork itself is further complicated by the archaeological value and presence of asbestos on site.

4. Soak wells: New structures would need to include consideration of storm water drainage and potential installation of soak wells.

This presents similar complications to the septic, due to the archaeological value of the sub-surface; the asbestos scattered throughout the site and would impact a project budget.

Unapproved Works/Improvements:

The City acknowledges that there may be unapproved works at the site - entering into a new lease agreement does not retrospectively approve unauthorised works or improvements.

Lessees will be required to remedy this either via retrospective approval or removal of the unauthorised improvements.

Terminations and Demolition

The demolition of a Shack and remediation of the site upon termination was initially contemplated during the development of the lease agreement and discussed at length, resulting in the charging of a demolition levy for this purpose.

The City has received submissions that do not support this strategy, with suggestions for on selling or auctioning shacks where the lease has been terminated, allowing the amenity to remain for others to enjoy.

Unfortunately, the City is not able to support on-selling or auctioning vacant shacks based on multiple rationale, supported by legal advice obtained by the City in relation to the options for terminated shack sites – this legal advice has been included as Confidential Attachment 6.

The City is not able to justify the risk associated with taking ownership of or on-sell assets where there is uncertainty regarding their condition or ability to meet BCA requirements.

While the City is able to facilitate the assignment of a lease, the buying and selling of shacks is not something which the City can be involved in accordance with risk management practices.

The City intends to engage a Planning Consultant in order to determine the best use of any sites that become vacant due to terminations.

This has caused some confusion amongst the Shack lessees.

The intention is to ensure that expert guidance is provided with reference to planning legislation and the potential options available prior to making decisions regarding the use of the vacant sites at the Naval Base Shacks that result from terminations.

This consultant will not decide what is to be done with any vacant sites.

Community Responses to Advertising

Of the 173 current leases at the Shacks, 164 Shack lessees are now in a position to be offered a new lease, with the City's Officers addressing the outstanding Shack lessees on a case-by-case basis.

At this stage, six lessees have made no contact with the City to address their lease obligations and will be terminated effective 1 September 2023, and three lessees are actively working with the City to address their outstanding leasing issues despite missing the outlined deadlines.

A table of leases to be terminated is included (refer Confidential Attachment 5).

Of the submissions received, 12.5% were City of Cockburn ratepayers; 75% were not City of Cockburn residents; and 12.5% were either anonymous or from the Naval Base Holiday Association.

The submissions received have been tabled in Attachment 2, with City comments included.

#### Management Plan

The 10-year Management Plan for the Shacks has been updated to include details of planned infrastructure upgrades and site maps.

A copy of the Management Plan is annexed to this Report (refer Attachment 3).

These additions supplement the existing information and procedures that were developed in the original document by the City and the Naval Base Shack Community Reference Group.

A copy of the updated Site Map is annexed to this Report (refer Attachment 4).

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

Local Planning Policy LPP4.5 outlines the planning considerations for the Naval Base Shack site, and regulates the nature of any development on the site with the view of preserving the unique character of the Shacks.

In terms of building regulation, there is a requirement for Building Permits to be issued for building at Reserve 24308 per the *Building Act 2011*.

The regulatory standards of the Building Code of Australia ("BCA") are applied to such permits, which are administered by the City's Building Services department.

The City's Environmental Health Department administer the public health aspects of the management of the site, pursuant to the *Health Act 1911*.

#### **Budget/Financial Implications**

The increased lease revenue will provide for greater servicing and development costs. Any lease revenue over and above annual operating and maintenance costs will continue to be paid into the Reserve Fund.

The expectation is that the cost of demolition will continue to increase, which necessitates the City charging the demolition levy in order to future-proof the possibility that the State Government may mandate the removal of the Shacks in the future.

### **Legal Implications**

*Local Government Act 1995*

*Land Administration Act 1997*

*Property Law Act 1969*

*Building Act 2011*

*Health Act 1911*

*Planning and Development Act 2005*

The City is required to advertise the Naval Base Shack Leases in accordance with s3.58 of the Local Government Act.

### **Risk Management Implications**

The risk of Council not adopting the outlined recommendations and proposed rental increase is that the Reserve Fund will deplete as the rent will not align with the costs for operating the site and restrict the City from being able to make improvements to the site.

Demolition levy: It is noted that some Shack lessees believe, given the fact that the City has collected the demolition levy for 10 years, it should be capped. However, the cost of demolition continues to grow in line with increases to all services and construction / demolition costs.

As such, the City is required to continue to charge this levy to future proof in the event that removal of a shack is required, and the lessee is unable or unwilling to undertake the works.

### **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 11 May 2023 Ordinary Council Meeting.

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

Nil

## Lease of a portion of Reserve 24308, Naval Base Holiday Park

City of Cockburn

The person(s) named in Item 1 of the Schedule



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220-222 Stirling Highway

CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: [mcleods@mcleods.com.au](mailto:mcleods@mcleods.com.au)

Ref: TF:Cockburn 5599.1 (Precedent as at 18 November 2022)

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## Details

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### Parties

**City of Cockburn**

of PO Box 1215, Bibra Lake, Western Australia  
(Lessor)

**The person or persons mentioned in Item 1 of the Schedule**  
(Lessee)

### Background

- A. The Lessor is the management body of the Land under a management order.
- B. The Lessor has the power to lease the Land, subject to the prior written approval of the Minister for Lands.
- C. The Lessee is the occupier of the Site.
- D. The Lessor has agreed to lease, and the Lessee has agreed to take a lease of the Site upon the terms and conditions contained in this document.

## Agreed terms

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### 1. Definitions

Unless otherwise required by the context or subject matter the following words have these meanings in this Agreement:

**Amounts Payable** means the Lease Fee and any other money payable by the Lessee under this Lease;

**Basic Consideration** means all consideration (whether in money or otherwise) to be paid or provided by the Lessee for any supply or use of the Site and any goods, services or other things provided by the Lessor under this Lease (other than tax payable pursuant to this clause);

**CEO** means the Chief Executive Officer for the time being of the Lessor or any person appointed by the Chief Executive Officer to perform any of her or his functions under this Lease;

**Commencement Date** means the date of commencement of the Term specified in **Item 4** of the Schedule;

**Common Areas** means all those parts of the Land not leased to any lessee and intended for use by the lessees of the Land in common with each other including all parking areas, roads, walkways, toilet block, and shower blocks in on or about the Land;

**Contaminated Sites Act** means the *Contaminated Sites Act* 2003;

**Contamination** has the meaning given in section 4 of the Contaminated Sites Act;

**CPI** means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics or its equivalent;

**Demolition Levy** means the bond described in **clause 5.2** and **Item 7** of the Schedule as varied from time to time under this Lease;

**Encumbrance** means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat or anything described as an encumbrance on the Certificate of Title for the Land;

**Environmental Contamination** has the same meaning as the word “contaminated” in the Contaminated Sites Act;

**Environmental Harm** has the same meaning as that term is defined in the EPA;

**Environmental Law** means all planning, environmental, Environmental Contamination or Pollution laws and any regulations, orders, directions, ordinances or all requirements, permission, permits or licences issued thereunder;

**EPA** means the *Environmental Protection Act* 1986;

**Expiration of the Term** means the date of determination of the Term;

**Further Term** means the further term specified in **Item 11** of the Schedule;

**GST** has the meaning that it bears in the GST Act;

**GST Act** means *A New Tax System (Goods and Services Tax) Act* 1999 (*Cth*) and any legislation substituted for, replacing or amending that Act;

**GST Adjustment Rate** means the amount of any increase in the rate of tax imposed by the GST Law;

**GST Law** has the meaning that it bears in section 195-1 of the GST Act;

**GST Rate** means 10%, or such other figure equal to the rate of tax imposed by the GST Law;

**Input Tax Credit** has the meaning that it bears in section 195-1 of the GST Act;

**Interest Rate** means the rate at the time the payment falls due being the interest rate in the adopted municipal budget called the penalty interest rate;

**Land** means the land described at **Item 2** of the Schedule;

**Lease** means this deed as supplemented, amended or varied from time to time;

**Lease Fee** means the Lease Fee specified in **Item 6** of the Schedule as varied from time to time under this Lease;

**Lessee's Agents** includes:

- (a) the sublessees, employees, agents, contractors, invitees and licensees of the Lessee; and
- (b) any person on the Site by the authority of a person specified in paragraph (a);

**Lessee's Obligations** means the covenants, agreements and obligations set out or implied in this Lease or imposed by law to be performed and observed by the Lessee;

**Lessor's Covenants** means the covenants, agreements and obligations set out or implied in this Lease, or imposed by law to be performed and observed by the Lessor;

**Minister for Lands** means the Minister for Lands in her or his capacity as the body corporate continued under section 7 of the *Land Administration Act 1997*;

**Motor Vehicle** means any vehicle used or intended to be used in a business or trade which has a tare weight in excess of 3.5 tonnes, and excludes vehicles directly associated with conduct of a rural pursuit, business or trade on the lot for which the vehicle or vehicles are used;

**Notice** means each notice, demand, consent or authority given or made to any person under this Lease;

**Party** means the Lessor or the Lessee according to the context;

**Permitted Purpose** means the purpose set out in **Item 9** of the Schedule;

**Persistent Breach** occurs when the Lessee has received three or more default notices during the Term of this Lease irrespective of whether the notices are for the same default or otherwise;

**Pollution** means any thing that is pollution within the meaning of that term as defined in the EPA;

**Remediation** and **Remediate** has the same meaning as that expression is given in the Contaminated Sites Act and includes the management of any contaminated site.

**Review Date** means each date specified in **Item 8** of the Schedule;

**Schedule** means the Schedule to this Lease;

**Site** means the Site described at **Item 3** of the Schedule;

**Taxable Supply** has the meaning given in section 195-1 of the GST Act.

**Term** means the term of years specified in **Item 4** of the Schedule;

**Termination** means the date of:

- (a) expiry of the Term or any Further Term by effluxion of time;
- (b) sooner determination of the Term or any Further Term; or
- (c) determination of any period of holding over; and

**Written Law** includes all acts and statutes (State or Federal) for the time being enacted and all regulations, schemes, ordinances, local laws, by-laws, requisitions, orders or statutory instruments made under any Act from time to time by any statutory, public or other competent authority.

## 2. Minister for Lands' Consent

This Lease is subject to and conditional on the approval of the Minister for Lands under the *Land Administration Act 1997*. A copy of the Minister for Lands' consent is annexed hereto as **Annexure 2**.

### 3. Grant of lease

The Lessor, subject to **clause 2** of this Lease, leases to the Lessee the Site for the Term subject to:

- (a) the Encumbrances;
- (b) the payment of the Amounts Payable; and
- (c) the performance and observance of the Lessee's Obligations.

### 4. Quiet enjoyment

Except as provided in the Lease, for so long as the Lessor is the management body of the Site, and subject to the performance and observance of the Lessee's Obligations the Lessee may quietly hold and enjoy the Site during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

### 5. Lease Fee and other payments

#### 5.1 Lease Fee

The Lessee covenants with the Lessor to pay to the Lessor the Lease Fee in the manner set out at **Item 6** of the Schedule on and from the Commencement Date clear of any deductions.

#### 5.2 Demolition Levy

- (1) The Lessee covenants with the Lessor to pay to the Lessor the Demolition Levy in the manner set out at **Item 7** of the Schedule on and from the Commencement Date clear of any deductions.
- (2) The Lessee acknowledges that the Demolition Levy will be refunded or returned to the current lessee of the Site in accordance with **clause 22.4**.

#### 5.3 Outgoings

- (1) The Lessee covenants to punctually pay to the Lessor or to such person as the Lessor may from time to time direct all the following outgoings or charges, assessed or incurred in respect of the Site:
  - (a) local government services and other charges, including but not limited to rubbish collection charges and the emergency services levy, determined upon the basis of an occupancy restriction of 120 days in every financial year;
  - (b) telephone, gas and other power charges including but not limited to meter rents and the cost of installation of any meter, wiring or telephone connection; and
  - (c) any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Site (unless otherwise addressed in this clause).
- (2) If the Site is not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in paragraph (1) above being the proportion that the Site bears to the total area of the Land included in the charge or assessment.
- (3) If any charges increase by more than 10% in any one year, the Lessor may recover these costs by charging the Lessee a proportionate part of those charges being the proportion that the Site bears to the total area of the Land included in the charge or assessment.

#### 5.4 Interest

Without affecting the rights, power and remedies of the Lessor under this Lease, the Lessee covenants to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 14 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

#### 5.5 Costs

The Lessee covenants with the Lessor to pay to the Lessor all reasonable costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to:

- (a) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Lease;
- (b) any breach of the Lessee's obligations by the Lessee or the Lessee's Agents;
- (c) the preparation and service of a notice under Section 81 of the *Property Law Act 1969* requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;
- (d) any work done at the Lessee's request for which the Lessee is responsible; and
- (e) any action or proceedings arising out of or incidental to any matters referred to in this clause or any matter arising out of this Lease.

#### 5.6 Payment of Amounts Payable

- (1) Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in this Lease or as otherwise directed by the Lessor by Notice from time to time.
- (2) Amounts Payable accrue on a daily basis.

### 6. Review of Lease Fee & Demolition Levy

#### 6.1 Lease Fee and Demolition Levy to be reviewed

The Lease Fee and Demolition Levy will be reviewed on and from each Review Date to determine the Lease Fee and the Demolition Levy to be paid by the Lessee until the next Review Date.

#### 6.2 Lease Fee to be increased by CPI

The reviewed Lease Fee payable on and from the Review Date shall be the amount of the Lease Fee payable during the immediately preceding period increased by a percentage equal to the percentage increase in the CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Review Date. If the CPI is discontinued or suspended at any time or its method of computation is substantially altered the Lessor shall nominate the substitution of another appropriate CPI, provided that the reviewed Lease Fee shall in no case be less than then the Lease Fee payable during the immediately preceding period.

#### 6.3 Demolition Levy to be increased by CPI commencing at the renewal date 2014.

The reviewed Demolition Levy shall be the amount of Demolition Levy payable during the immediately preceding period increased by a percentage equal to the percentage increase in the

CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Review Date. If the CPI is discontinued or suspended at any time or its method of computation is substantially altered the Lessor shall nominate the substitution of another appropriate CPI, provided that the reviewed Demolition Levy shall in no case be less than then the Demolition Levy payable during the immediately preceding period.

## **7. Insurance**

### **7.1 Public Liability Insurance**

The Lessee must effect and maintain adequate public liability insurance with respect to the Site for a sum not less than the sum set out at **Item 10** of the Schedule in respect of any one claim noting the respective interests of the Lessor and Lessee in the Site.

### **7.2 Details and receipts**

In respect of the insurances required by this clause the Lessee must -

- (a) on demand supply to the Lessor details of the insurances and give to the Lessor copies of the certificates of currency in relation to those insurances;
- (b) promptly pay all premiums and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers; and
- (c) notify the Lessor immediately-
  - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
  - (ii) when a policy of insurance is cancelled.

### **7.3 Not to invalidate**

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Site which might -

- (a) render any insurance effected under this clause, or any adjoining site, void or voidable; or
- (b) cause the rate of a premium to be increased for the Site or any adjoining site (except insofar as an approved development may lead to an increased premium).

### **7.4 Settlement of claim**

The Lessor may, but the Lessee may not without prior written consent of the Lessor, settle or compromise any claims under any policy of insurance required by this clause.

## **8. Indemnity**

### **8.1 Lessee responsibilities**

- (1) The Lessee is subject to the same responsibilities relating to persons and property to which the Lessee would be subject if during the Term the Lessee were the owner and occupier of the freehold of the Site.

- (2) The Lessee is responsible and liable for all acts or omissions of the Lessee's Agents on the Site and for any breach by them of any covenants or terms in this Lease required to be performed or complied with by the Lessee.

## 8.2 Indemnity

The Lessee indemnifies, and shall keep indemnified, the Lessor and the Minister for Lands from and against all actions, claims, costs, proceedings, suits and demands whatsoever which may at any time be incurred or suffered by the Lessor and the Minister for Lands, or brought, maintained or made against the Lessor and the Minister for Lands, in respect of:

- (a) any loss whatsoever (including loss of use);
- (b) injury or damage of, or to, any kind of property or thing; and
- (c) the death of, or injury suffered by, any person,

caused by, contributed to, or arising out of, or in connection with, whether directly or indirectly:

- (d) the use or occupation of the Site by the Lessee or the Lessee's Agents;
- (e) any work carried out by or on behalf of the Lessee on the Site;
- (f) the Lessee's activities, operations or business on, or other use of any kind of, the Site;
- (g) the presence of any Contamination, Pollution or Environmental Harm in on or under the Site or adjoining land caused or contributed to by the act, neglect or omission of the Lessee or the Lessee's Agents;
- (h) any default by the Lessee in the due and punctual performance, observance and compliance with any of the Lessee's Obligations or obligations under this Lease; or
- (i) an act or omission of the Lessee.

## 8.3 Obligations Continuing

The obligations of the Lessee under this clause:

- (a) are unaffected by the obligation of the Lessee to take out insurance, and the obligations of the Lessee to indemnify are paramount, however if insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under **clause 8.2** will be reduced by the extent of such payment; and
- (b) continue after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

## 8.4 No indemnity for Lessor's negligence

The parties agree that nothing in this clause shall require the Lessee to indemnify the Lessor, its officers, servants, or agents against any loss, damage, expense, action or claim arising out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

## 8.5 Release

- (1) The Lessee:
- (a) agrees to occupy and use the Site at the risk of the Lessee; and

- (b) releases to the full extent permitted by law, the Lessor from:
- (i) any liability which may arise in respect of any accident or damage to property, the death of any person, injury to any person, or illness suffered by any person, occurring on the Site or arising from the Lessee's use or occupation of the Site by;
  - (ii) loss of or damage to the Site or personal property of the Lessee; and
  - (iii) all claims, actions, loss, damage, liability, costs and expenses arising from or connected with (directly or indirectly) the presence of any Contamination, Pollution or Environmental Harm in, on or under the Site or surrounding area

except to the extent that such loss or damage arises out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

- (2) The release by the Lessee continues after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

## 9. Maintenance, repair and cleaning

### 9.1 Maintenance

- (1) The Lessee agrees during the Term and for so long as the Lessee remains in possession or occupation of the Site to maintain, replace, repair, clean and keep the Site (which for the avoidance of doubt includes any building constructed on the Site) clean and in Good Repair.
- (2) The Lessee must comply with all reasonable conditions that may be imposed by the Lessor from time to time in relation to the Lessee's maintenance of the Site.

### 9.2 Cleaning

The Lessee must at all times keep the Site clean, tidy, unobstructed and free from dirt and rubbish.

### 9.3 Repair

The Lessee must promptly repair at its own expense to the satisfaction of the Lessor any damage to the Site, including damage of a structural nature, regardless of how it is caused.

### 9.4 Pest control

The Lessee must keep the Site free of any vermin or any other recognised pests and the cost of extermination will be borne by the Lessee.

### 9.5 No obligation to Lessor to repair or maintain

The Lessee is wholly and solely responsible for the maintenance and repair of all buildings and improvements comprising the Site, regardless of the cause of the need to repair or maintain, and regardless of the type of repair or maintenance required. The Lessor has no obligation whatsoever to repair or maintain any buildings or improvements comprising the Site.

### 9.6 Acknowledgement of state of repair of Site

- (1) The Lessee accepts the Site in its present condition relying upon its own enquiries and investigations.
- (2) The site is provided to the Lessee as is. The Lessor provides no guarantee that the site is suitable for the Lessee's proposed use.

## 10. Building Requirements

### 10.1 No alterations or building without Lessor's prior approval

- (1) The Lessee must not without prior written consent:
- (a) (i) from the Lessor;
  - (i) from any other person from whom consent is required under this Lease; and
  - (ii) required under statute in force from time to time, including but not limited to the planning approval of the Lessee under a local planning scheme of the Lessee and where applicable any Building/Demolition Permit as required under the Building Act 2011 and associated legislation;
- (b) erect or remove any buildings, structures, alterations, additions or improvements on the Site; or
- (c) remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Site or the Land.
- (2) The Lessee acknowledges and agrees that the Lessor will not consent to the alteration, construction or addition to the Site, unless such alteration, construction or addition is strictly in conformity with the building requirements of the *Building Act* 2011 and associated legislation.
- (3) If the Lessor consents to any matter referred to in paragraph (1) above, the Lessor may:
- (a) consent subject to conditions, and
    - (i) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
    - (ii) require that any alteration be carried out to the reasonable satisfaction of the Lessor under the supervision of an engineer or other consultant; and
  - (b) if the Lessor consents to any matter referred to in this clause:
    - (i) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
    - (ii) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.

### 10.2 Cost of Works

All works undertaken under this clause will be carried out at the Lessee's expense.

### 10.3 Conditions

Where the Lessee is required to carry out any other works pursuant to this Lease, any written law, or any consent or approval given to the Lessee, then the Lessee must at the option of the Lessor either:

- (a) carry out those other works at the Lessee's expense; or
- (b) permit the Lessor to carry out those other works at the Lessee's expense,

in accordance with the Lessor's reasonable requirements.

#### 10.4 Conditions

In the event the Lessee fails to obtain written consent for any building alterations or additions the Lessor may issue a Notice to remove any such alterations or additions and if the Lessee fails to comply with that Notice within the reasonable time prescribed by that Notice, the Lessor may immediately terminate this Lease and the provisions of **clause 22** will apply and no compensation or other consideration shall be payable or claimable by the Lessee from the Lessor for or arising out of the termination of the Lease pursuant to this clause.

### 11. Unsafe or dangerous building or structures

#### 11.1 Unsafe or dangerous buildings or structures

- (1) Notwithstanding any other provision of the Lease, in the event the Lessor, acting reasonably, determines that any building or structure erected on the Site is unsafe or dangerous the Lessor may issue the Lessee a Notice requiring the Lessee within a reasonable period of time to either:
  - (a) remove the unsafe or dangerous structure or building from the Site; or
  - (b) undertake rectification works to make the building or structure safe.
- (2) In the event the Lessee fails to comply with the Notice issued pursuant to paragraph (1) within the time specified in the Notice, the Lessor may immediately terminate this Lease and the provisions of **clause 22** will apply and no compensation or other consideration shall be payable to or claimable by the Lessee from the Lessor for or arising out of the termination of the Lease pursuant to this clause.

#### 11.2 Smoke Detectors and Gas Certificates

- (1) Within 60 days of the Commencement Date, the Lessee must install to the Lessor's reasonable satisfaction a lithium ion battery smoke detector or any other approved detector as specified in the relevant legislation in any building or structure erected or located upon the Site.
- (2) The Lessee must provide to the Lessor gas safety certificates for any gas installation on the Site.

### 12. Restrictions on use

#### 12.1 Generally

- (1) The Lessee must not and must not suffer or permit a person to -
  - (a) (i) use the Site or any part of it for any purpose other than for the purpose set out at **Item 9** of the Schedule; or
  - (i) use the Site for any purpose which is not permitted under any local planning scheme or any law relating to health;
  - (b) do or carry out on the Site any harmful, offensive or illegal act, matter or thing;
  - (c) do or carry out on the Site any thing which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties;
  - (d) store any dangerous compound or substance on or in the Site;
  - (e) interfere with the reasonable peace, comfort and privacy of neighbours; or

- (f) display from or affix any signs, notices or advertisements on the Site without the prior authorisation of the Lessor (other than “for sale” signs).
- (2) The Lessee, and the Lessee’s Agents, must when on the Site, the Common Areas or the Land strictly comply with all local laws.

#### 12.2 Lessor may issue notice

- (1) Notwithstanding any other provision of the Lease, in the event the Lessor, acting reasonably, determines that the Lessee has suffered or permitted any person to do any of the above as detailed in **clause 12.1**, the Lessor may issue the Lessee a Notice requiring the Lessee within a reasonable period of time to either remove or cease the action.
- (2) In the event the Lessee fails to comply with the Notice issued pursuant to **clause 12.2(1)** within the time specified in the Notice, the Lessor may immediately terminate this Lease and the provisions of **clause 22** will apply and no compensation or other consideration shall be payable to or claimable by the Lessee from the Lessor for or arising out of the termination of the Lease pursuant to this clause.

#### 12.3 Short term accommodation only

- (1) The Lessee acknowledges and agrees that the Site may only be utilised for short term holiday accommodation.
- (2) The Lessee must not and must not suffer or permit a person to occupy the Site for over 120 days in aggregate within any 12 month period.
- (3) The Lessee must maintain a detailed occupancy log, detailing the dates and times the Lessee, or any of the Lessee’s agents, is in attendance or occupation at the Site. The occupancy log is to be made available for inspection by the Lessor’s representative at all times on demand.
- (4) The Lessee acknowledges and agrees that this clause is an essential provision of the Lease, and in the event of non-compliance the Lessor may immediately terminate this Lease and the provisions of **clause 22** will apply and no compensation or other consideration shall be payable to or claimable by the Lessee from the Lessor for or arising out of the termination of the Lease pursuant to this clause.

#### 12.4 No Toilets or showers; kitchen sink only

- (1) The Lessee must not and must not suffer or permit within the Site a toilet or shower or plumbing which will permit the installation of a toilet or shower.
- (2) The Lessee must remove any permanent existing toilet or shower and/or plumbing which permits the installation of a toilet or shower within 30 days of the commencement of this Lease.
- (3) The Lessee and Lessor acknowledge and agree that the Lessee may install a kitchen sink on the nominated Site. A semi-permanent hose connected to the external water tap (similar to caravans) is acceptable with the outlet tap located over a kitchen sink only. The sink will discharge via a trapped waste pipe to a soakwell. The expectation is that when the Site is unoccupied the hose will be disconnected from the water supply.
- (4) The Lessee may install, with the Lessor’s prior written consent, a single 600mm soakwell with a concrete lid upon the Site. The soakwell will be for kitchen grey water only. Any application must include an appropriate quality sketch depicting the proposed location of the soakwell. The soakwell must be protected from vehicular traffic due to its location, or the installation of bollards.

- (5) The Lessee acknowledges and agrees that no portable toilets are permitted on the Site, and the Lessee must promptly remove any portable toilets located on the Site.
- (6) The Lessee may with the Lessors prior written approval install an external (beach) shower. The external beach showers will be connected to a semi-permanent hose connected to an external water tap (similar to caravans). The expectation is that when the Site is unoccupied the hose will be disconnected from the water supply.

#### 12.5 Water restrictions

- (1) The Lessee must keep in good repair all of the Lessee's hoses and hose fittings. The Lessee must promptly repair any damage or deterioration of its hoses or hose fittings (including the repair of any leaking hose fittings) as soon as practicable, and in any event within 7 days of written request from the Lessor.
- (2) In the event the Lessee fails to comply with the requirements of the Lessee's notice referred to in **clause 12.5(1)**, the Lessor may enter the Site and remove, or repair such hose or hose fitting, and the costs of such removal or repair is a liquidated debt recoverable from the Lessee in a court of competent jurisdiction.
- (3) The Lessee must strictly comply with the Water Corporation's watering days and restrictions when using water at the Site or the Land, including the use of any sprinklers on the Site. For the purposes of the Water Corporation's watering days, the last digit of the Site number will constitute the 'last digit of street or lot number' for the purposes of determining the watering day for each Site. The Lessee acknowledges and agrees that any breach of the Water Corporation's watering days and restrictions (including using sprinklers on non-watering days/hours), will be a breach of the terms of this Lease.

#### 12.6 Gas Locker

- (1) The Lessee must only install a gas locker with the Lessor's prior written consent.
- (2) Any application to install a gas locker must specify the details and specifications of the proposed gas locker.

#### 12.7 Vehicles, Boats, Trailers & Caravans

- (1) The Lessee must not and must not suffer or permit a person to park a motor vehicle exceeding 3.5 tonnes in gross weight on the Reserve unless prior permission has been provided by the Lessor. The Lessee may park a Motor Vehicle, boat and/or trailer upon the Site or any part of the Common Areas which is set aside by signs for parking provided that:
  - (a) the Lessee is in current occupation of the Site; and
  - (b) in relation to parking on the Site the boat, trailer or Motor Vehicle is located within the boundary of the Site and does not encroach into the adjoining land.
- (2) If any Motor Vehicle, caravan, trailer or boat is parked or stored on the Site or the Land in breach of this clause, the Lessor may immediately remove such Motor Vehicle, trailer, boat or caravan.

#### 12.8 No generators

- (1) Subject to paragraph (2) below, the Lessee must not and must not suffer or permit a person to use a generator on the Site or Land.
- (2) The Lessor may permit, in its absolute discretion, a generator to be utilised for construction purposes for a specified period of time. If the Lessee wishes for a generator to be utilised for construction purposes it must obtain the prior written approval of the Lessor.

**12.9 Solar and Wind Power Sources**

- (1) The Lessee may only install, with, solar panels, wind turbines and other non-electrical power sources with the Lessor's prior written consent.
- (2) Any application to the Lessor for consent to install solar panels, wind turbines or other non-electrical power sources must specify the details and specifications of the proposed devices.

**12.10 No fence**

- (1) Subject to paragraph (2), the Lessee must not and must not suffer or permit a person to erect a permanent fence or similar structure or obstruction on the Site or the Land.
- (2) The Lessee may place temporary fencing on the Site, provided that any such fencing:
  - (a) is not permanently affixed or erected on the Site and is able to be removed at any time;
  - (b) is entirely comprised within the boundaries of the Site;
  - (c) does not cause any obstruction to any other part of the Land; and
  - (d) does not cause or create any risk, danger, or hazard to any other users or occupiers of the Land.
- (3) All existing fences and structures which do not comply with paragraph (2) must be removed by the Lessee within thirty (30) days of the Commencement Date, unless the Lessor has approved such fences or structures in writing.

**12.11 No Warranty**

The Parties agree that the Site shall be provided to the Lessee on an 'as is' basis and that the Lessor provides no guarantee that the Site is suitable for the Lessee's intended use.

**12.12 Acknowledgement - located in close proximity to Alcoa Refinery**

The Lessee acknowledges that the Land and the Site are located close to Alcoa Kwinana Refinery, and as a consequence the amenity of the Land and the Site could be adversely impacted.

**12.13 Residential Tenancy Act does not apply**

The Lessee and the Lessor acknowledges that the Land and the Site are not subject to the provisions of the *Residential Tenancy Act* 1987 or the *Residential Parks (Long-Stay Tenants) Act* 2006.

**12.14 Acknowledgement – termination rights under this clause**

For clarity, the parties acknowledge and agree that the rights of termination pursuant to this clause are supplementary to, and in addition to any rights the Lessor may have in **clause 23**.

**12.15 Indemnity for Costs**

The Lessee indemnifies the Lessor against any claims or demands for all reasonable costs, on a solicitor client basis, incurred by the Lessor by reason of any claim in relation to any matters set out in this clause.

## 13. Common Areas

### 13.1 Comply with Rules and Regulations in relation to Common Areas and the Land

The Lessee must comply with all rules and regulations made by the Lessor, from time to time, with respect to the Common Areas and/or the Land provided that the Lessor gives the Lessee seven (7) days prior written notice of any amendments to such rules and regulations. For information purposes, the current rules and regulations in annexed hereto as **Annexure 3**.

### 13.2 Damage to common areas

The Lessee must make good any breakage defect or damage to the Land, the Common Areas or the Site and any appurtenance or equipment therein caused by want of care misuse or abuse on the part of the Lessee or the Lessee's Agents or by any breach of this Lease by the Lessee.

### 13.3 Lessor's obligations

The Lessor must, at its own cost:

- (a) maintain to a good standard all roads on the Land;
- (b) maintain in good order and condition all Common Areas, toilets on the Land and all services to the Land; and
- (c) effect and maintain public liability insurance with respect to Common Areas and the Land (other than the Site) for a sum not less than the sum set out at **Item 10** of the Schedule in respect of any one claim.

## 14. Limit of Lessor's liability

- (1) The Lessor will not be liable for loss, damage or injury to any person or property in or about the Site however occurring.
- (2) The Lessor is only liable for breaches of the Lessor's Covenants set out in this Lease which occur while the Lessor is the management body of the Site under the Management Order.
- (3) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Covenants due to any cause beyond the Lessor's control.

## 15. Lessor's right of entry

### 15.1 Entry on Reasonable Notice

The Lessee must permit entry by the Lessor, or any person authorised by the Lessor onto the Site without notice in the case of an emergency, and otherwise upon reasonable notice:

- (a)
  - (i) at all reasonable times;
  - (i) with or without workmen and others; and
  - (ii) with or without plant, equipment, machinery and materials;
- (b) for each of the following purposes:
  - (iii) to inspect the state of repair of the Site and to ensure compliance with the terms of this Lease;

- (iv) to undertake an external audit of the building or other structure, constructed or erected on the Site;
- (v) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
- (vi) to comply with the Lessor's Covenants or to comply with any notice or order of any authority in respect of the Site for which the Lessor is liable; and
- (vii) to do all matters or things to rectify any breach by the Lessee of any term of this Lease but the Lessor is under no obligation to rectify any breach and any rectification under this clause is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

## 15.2 Costs of Rectifying Breach

All reasonable costs and expenses incurred by the Lessor as a result of any breach referred to at clause 15.1(b)(v) together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

## 15.3 Lessor to make good

The Lessor must, at its cost, make good any damage caused to the Site or the Lessee's property as a result of the Lessor exercising its rights under clause 15.

# 16. Statutory obligations and notices

## 16.1 Comply with Statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Site, including without limitation all relevant laws relating to occupational health and safety and the health and safety of all persons entering upon the Site;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Site; and
- (c) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Site.

## 16.2 Safety & Testing Obligations

- (1) The Lessee acknowledges and agrees that it is fully responsible at its costs for ensuring that the Site and any fixtures or fittings are regularly tested, maintained and inspected to ensure that the Site and such fixtures and fittings comply with all statutory requirements and are safe for use.
- (2) To comply with its obligation pursuant to paragraph (1) above, the Lessee acknowledges that it will be required to, amongst other things:
  - (a) comply with the requirements of the *Occupational Safety and Health Act 1984*, including without limitation the requirement for all portable plug-in electrical equipment and residual current devices to be safe and appropriately inspected, tested and maintained by a competent person; and

- (b) comply with all relevant requirements of the Department of Fire and Emergency Services (**DFES**), including without limitation the requirement to ensure that all fire protection and firefighting equipment located, or installed at the Site, is tested regularly for compliance with Australian Standards and DFES's requirements.
- (3) The Lessor acknowledges and agrees that it is responsible for all items installed in the Common Areas and will be responsible for testing and maintaining the firefighting equipment installed in the Common Areas.

### 16.3 Indemnity if Lessee Fails to Comply

If the Lessee fails to perform, discharge or execute any of the items referred to in **clause 16.1** and **clause 16.2** the Lessee indemnifies the Lessor against any claims, demands, reasonable costs or other payments incurred by the Lessor of or incidental to any of the items referred to in **clause 16.1** and **clause 16.2**.

## 17. Report to Lessor

The Lessee shall as soon as practicable report to the Lessor:

- (a) any act of vandalism or any incident which occurs on or near the Site which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and of which the Lessee is aware or should be aware;
- (b) any occurrence or circumstances in or near the Site of which it becomes aware, which might reasonably be expected to cause, in or on the Site, pollution of the environment; and
- (c) all notices, orders and summonses received by the Lessee, and which affect the Site and immediately deliver them to the Lessor.

## 18. Restrictions on Assignment; No sub-letting or charging

### 18.1 No subletting

The Lessee must not sublet, licence or part with possession of the Site without the Lessor's and the Minister for Land's prior written consent.

### 18.2 No assignment or sub-letting without consent

The Lessee must not assign or sell the leasehold estate in the Site or dispose of the Site or any part of the Site without the prior written consent of the Lessor and the Minister for Lands' consent which may be withheld in their absolute discretion.

### 18.3 Minimum Conditions for Lessor's consent to assignment

The Lessee acknowledges that the Lessor will not provide its consent to the transfer, sale or assignment of the leasehold estate in the Site, unless:

- (a) all Amounts Payable due and payable have been paid and there is no existing unremedied breach, whether notified to the Lessee or not, of any of the Lessee's Obligations;
- (b) the Lessee procures the execution by the proposed assignee of a deed of assignment to which the Lessor is a party and which deed is prepared and completed by the Lessor's solicitors; and

- (c) the assignment contains a covenant by the assignee with the Lessor to pay all Amounts Payable and to perform and observe all the Lessee's Obligations.

#### 18.4 Consents of assignee supplementary

The covenants and agreements on the part of any assignee will be supplementary to the Lessee's Obligations and will not release the assigning lessee from the Lessee's Obligations.

#### 18.5 Property Law Act 1969

Sections 80 and 82 of the *Property Law Act 1969* are excluded.

#### 18.6 Costs for assignment

If the Lessee wishes to assign the leasehold estate created by this Lease the Lessee must pay all reasonable professional and other costs, charges and expenses, incurred by the Lessor or other person whose consent is required under this Lease, of and incidental to any consents required under this Lease or at law, and all other matters relating to the proposed assignment whether or not the assignment proceeds.

#### 18.7 No mortgage or charge

The Lessee must not mortgage nor charge the Site.

### 19. Option to renew

If the Lessee at least three months, but not earlier than six months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained;
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
  - (i) the payment of Amounts Payable; or
  - (ii) the performance or observance of the Lessee's Covenants,
- (c) the Council of the Lessor determines in its absolute discretion that it is prepared to grant the Lessee a lease of the Site for the Further Term;

the Lessor will grant to the Lessee a lease for the Further Term at the Lease Fee and on the same terms and conditions other than this **clause 19** and on such other terms and conditions as the Lessor may consider appropriate.

### 20. Damage or destruction

- (1) If the Site or any part thereof is totally or partially destroyed so as to require major rebuilding either party may within 2 months of the destruction, or the damage terminate the Term with immediate effect by giving Notice to the other party.
- (2) If this Lease is terminated in accordance with this clause, **clause 22** will apply.

## 21. Minister for Lands may terminate upon notice

- (1) Notwithstanding any other provision of this Lease, the Lessor and Lessee covenant and agree that the Minister for Lands may terminate this Lease for any reason upon six months written notice to the Lessee and Lessor.
- (2) No compensation or other consideration shall be payable to or claimable by the Lessee from the Lessor for or arising out of the termination of this Lease by the Minister for Lands.
- (3) If this Lease is terminated in accordance with this clause, **clause 22** will apply.

## 22. Obligations upon Termination

### 22.1 Yield up Site

On Termination the Lessee must:

- (a) peacefully surrender and yield up to the Lessor the Site in a condition consistent with the observance and performance of the Lessee's Obligations under this Lease; and
- (b) surrender to the Lessor all keys and security access devices and combination for locks providing access to or within the Site held by the Lessee whether or not provided by the Lessor.

### 22.2 Remove all improvements, structures and property

Unless otherwise agreed by the Lessor in writing pursuant to **clause 22.5**, the Lessee must at its cost and to the Lessor's satisfaction prior to expiration of the Term or within 30 days of the earlier determination of the Term:

- (a) remove:
  - (i) any improvements, buildings, fixtures and all septic tanks, drains and soakwells constructed or located on the Site, including without limitation all concrete floors and asbestos sheeting, if any. The removal of any asbestos must be in strict accordance with the *Health (Asbestos) Regulations 1992*; and
  - (ii) all chattels or goods belonging to the Lessee located on the Site or the Land;
- (b) following the removal of any improvements, buildings and fixtures and all septic tanks, drains and soakwells in accordance with paragraph (a), level the Site and clear it of all materials; and
- (c) remove any contaminated soil from the Site and make good the Site to the satisfaction of the Lessor.

### 22.3 Failure to remove or restore

- (1) If the Lessee fails to comply with **clause 22.2** within 60 days following termination or determination of the Lease the Lessor may at its option:
  - (a) remove all improvements, buildings and fixtures and all septic tanks, drains and soakwells from the Site;
  - (b) restore the Site; or
  - (c) remove any contaminated soil and make good the Site.

- (2) For clarity, if the Lessee fails to remove any chattels or goods belonging to the Lessee in accordance with **clause 22.2** the Lessor may elect to treat such chattels or goods of the Lessee as abandoned by the Lessee and such property shall then become the property of the Lessor absolutely.
- (3) In respect of any cost or expense incurred by the Lessor in undertaking any works pursuant to this clause the Lessee authorises the Lessor to draw upon the Demolition Levy without notice. If the Demolition Levy is insufficient to cover such cost, then any amount in excess of the Demolition Levy shall be a liquidated debt recoverable from the Lessee by the Lessor in a court of competent jurisdiction.

#### **22.4 Return of Demolition Levy**

- (1) If the Lessee complies with its obligations pursuant to this clause to the Lessor's reasonable satisfaction, the Lessor will return to the Demolition Levy to the Lessee with thirty (30) days of the Lessor being satisfied.
- (2) If the Lessor exercises its rights pursuant to clause **22.3(2)** and draws upon the Demolition Levy, in the event a portion of the Demolition Levy remains after the completion of such works by the Lessor, the Lessor will return the remaining amount of the Demolition Levy to the Lessee within thirty (30) days.

#### **22.5 Limited right for structures to remain**

- (1) The Lessor may permit in its absolute discretion some or all improvements, buildings and fixtures and septic tanks, drains and soakwells to remain on the Site following determination of this Lease. The Lessor will only permit structures or buildings to remain if:
  - (a) the Lessee is to be granted a further lease of the Site; and
  - (b) all structures on the Site comply with the requirements of the *Building Act* 2011 and associated legislation.
- (2) The Lessor's permission pursuant to paragraph (1) above must be obtained at least three months prior to the expiry of the Term.

#### **22.6 Clause to survive termination**

The Lessee's obligations in this clause shall survive Termination.

### **23. Default**

#### **23.1 Events of Default**

A default occurs if:

- (a) the Lessee is in breach of any of the Lessee's Obligations for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money;
- (b) any execution or similar process is made against the Site on the Lessee's property;
- (c) the Site is permanently vacated; and
- (d) a person other than the Lessee or assignee is in occupation or possession of the Site or in receipt of a rent and profits.

### 23.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 23.1** the Lessor may:

- (a) without prior notice and at any time enter and take possession of the Site and, where that occurs, the Lease shall be terminated immediately from that date of entry; and
- (b) give notice to the Lessee terminating the Lease and the Lease shall be terminated immediately from the date of that notice;

and, where the Lessor terminates the Lease under this clause, the Lessor will retain all of its rights in respect of any other breach by the Lessee of the Lessee's Obligations and the Lessee will not be released from any liability in respect of the Lessee's Obligations.

### 23.3 Lessor may remedy breach

If the Lessee:

- (a) fails or neglects to pay the Amounts Payable by the Lessee under this Lease; or
- (b) does or fails to do anything which constitutes a breach of the Lessee's Obligations,

then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's reasonable costs and expenses of remedying each breach or default.

### 23.4 Acceptance of Amount Payable by Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers conferred on the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

### 23.5 Essential Terms

- (1) Each of the Lessee's Obligations in **clauses 5** (Lease Fee and other payments), **7** (Insurance), **8** (Indemnity), **9** (Maintenance, repair and cleaning), **10** (Building Requirements); **12** (Restrictions on use), **clause 13** (Common Areas); **16** (Statutory Obligations and notices); **18** (Restrictions on Assignment; No sub-letting or charging), are essential terms of this Lease but this **clause 23.5** does not mean or imply that there are no other essential terms in this Lease.

### 23.6 Breach of Essential Terms

If the Lessee breaches an essential term of this Lease or upon the occurrence of a Persistent Breach, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term;
- (c) the Lessee covenants with the Lessor that if the Term is determined -
  - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or

- (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by effluxion of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Site; and

- (d) the Lessee agrees that the covenant set out in this clause will survive termination or any deemed surrender at law of the estate granted by this Lease.

## 24. Disputes

### 24.1 Referral of Dispute: Phase 1

Except as otherwise provided any dispute arising out of this Lease is to be referred in the first instance in writing to the lessor's representative as nominated in writing by the Lessor from time to time (**Lessor's Representative**) who shall convene a meeting within 10 days of receipt of such notice from the Lessee or such other period of time as is agreed to by the parties between the Lessor's Representative and an officer of the Lessee for the purpose of resolving the dispute (**Original Meeting**).

### 24.2 Referral of Dispute: Phase 2

In the event the dispute is not resolved in accordance with **clause 24.1** of this Lease then the dispute shall be referred in writing to the CEO of the Lessor who shall convene a meeting within 10 days of the Original Meeting or such other date as is agreed to by the parties between the CEO and the Lessee for the purpose of resolving the dispute.

### 24.3 Appointment of Arbitrator: Phase 3

In the event the dispute is not resolved in accordance with **clause 24.2** of this Lease then the dispute shall be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 2012* (as amended from time to time) and the Lessor and the Lessee may each be represented by a legal practitioner.

### 24.4 Payment of Amounts Payable

The Lessee must continue to pay the Amounts Payable in full until the date of the Arbitrator's decision or the date of an agreement between the Parties, whichever event is the earlier, and if upon resolution of the dispute the Lessee is deemed to have paid more than required, the Lessor will refund to the Lessee any such overpayment.

## 25. No Absolute Caveat

The Lessee nor any person on behalf of the Lessee will, without the prior written consent of the Lessor, lodge any absolute caveat at Landgate against the Certificate of Title for the Land, to protect the interests of the Lessee under this Lease.

## 26. Goods and services tax

### 26.1 Lessee must Pay

If GST is payable on the Basic Consideration or any part thereof or if the Lessor is liable to pay GST in connection with the sublease of the Site or any goods, services or other Taxable Supply supplied under this Lease then, as from the date of any such introduction or application:

- (e) the Lessor may increase the Basic Consideration or the relevant part thereof by an amount which is equal to the GST Rate; and
- (f) the Lessee shall pay the increased Basic Consideration on the due date for payment by the Lessee of the Basic Consideration.

### 26.2 Increase in GST

If, at any time, the GST Rate is increased, the Lessor may, in addition to the GST Rate, increase the Basic Consideration by the GST Adjustment Rate and such amount shall be payable in accordance with this clause.

### 26.3 GST invoice

Where the Basic Consideration is to be increased to account for GST pursuant to this clause the Lessor shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the Lessee to submit a claim for a credit or refund of GST.

## 27. Notice

### 27.1 Form of delivery

A Notice to a Party must be in writing and may be given or made:

- (a) by delivery to the Party personally;
- (b) by addressing it to the Party and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by Notice to the other.
- (c) by addressing it to the Party and emailing it to the email address appearing in this Lease or any other email address nominated by a Party by Notice to the other.

### 27.2 Service of notice

A Notice to a Party is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 27.1** at the time of leaving the Notice, provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in **clause 27.1**, on the third business day following the date of posting of the Notice; and
- (d) if by email, when despatched by email to an email address specified in **clause 27.1** of this Lease unless the time of dispatch is not on a Business Day or after 5 pm on a Business Day, in which case it will be deemed to be given or made on the next following Business Day.

### 27.3 Signing of notice

A Notice to a Party may be signed:

- (a) if given by an individual, by the person giving the Notice;
- (b) if given by a corporation, by a director, secretary or manager of that corporation;
- (c) if given by a local government, by the CEO;
- (d) if given by an association incorporated under the *Associations Incorporation Act 2015*, by any person authorised to do so by the board or committee of management of the association; or
- (e) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

## 28. General provisions

### 28.1 No Fetter

Notwithstanding any other provision of this Lease, the Parties acknowledge that the Lessor is a local government established by the *Local Government Act 1995*, and in that capacity, the Lessor may be obliged to determine applications for consents, approvals, authorities, licences and permits having regard to any Written Law governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Lessor shall not be taken to be in default under this Lease by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Lease fetter the Lessor in performing its statutory obligations or exercising any discretion.

### 28.2 Acts by agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the CEO, an officer or the agent, solicitor, contractor or employee of the Lessor.

### 28.3 Statutory powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

### 28.4 Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

### 28.5 Variation

This Lease may be varied only by deed executed by the parties subject to such consents as are required by this Lease or at law.

### 28.6 Moratorium

The provisions of a statute which would, in any respect, affect the terms of this do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

**28.7 Further assurance**

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

**28.8 Payment of money**

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

**28.9 Waiver**

- (1) Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.
- (2) A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

**28.10 Governing law**

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

**28.11 Interpretation**

In this Lease, unless expressed to the contrary:

- (a) Words using:
  - (i) the singular include the plural;
  - (ii) the plural include the singular; and
  - (iii) any gender includes each gender;
- (b) A reference to:
  - (i) a natural person includes a body corporate or local government; and
  - (ii) a body corporate or local government includes a natural person;
- (c) A reference to a professional body includes a successor to or substitute for that body;
- (d) A reference to a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
- (e) A reference to a statute, ordinance, code, regulation, award, town planning scheme or other law includes a regulation, local law, by-law, requisition, order or other statutory instruments under it and any amendments to re-enactments of or replacements of any of them from time to time in force;
- (f) A reference to a right includes a benefit, remedy, discretion, authority or power;
- (g) A reference to an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;

- (h) A reference to this Lease or provisions or terms of this Lease or any other deed, agreement, instrument or contract include a reference to:
  - (i) both express and implied provisions and terms; and
  - (ii) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
- (i) A reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
- (j) Any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (k) If a Party comprises two or more persons:
  - (i) the obligations and agreements on their part bind and must be observed and performed by them jointly and each of them severally and may be enforced against any one or more of them; and
  - (ii) unless otherwise specified in **Item 1** of the Schedule it will be presumed that each person will have an equal shares in the Lease and hold their share as a tenant in common.
- (l) The agreements and obligations on the part of the Lessee not to do or omit to do any act or thing include:
  - (i) an agreement not to permit that act or thing to be done or omitted to be done by the Lessee's Agents; and
  - (ii) an agreement to do everything necessary to ensure that that act or thing is not done or omitted to be done; and
- (m) Except in the Schedule headings do not affect the interpretation of this Lease.

## Schedule

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Item 1. Lessee

[Insert full name and address of Lessee. Also insert an email address. If there are two or more Lessees specify whether the Lessees hold their interest as tenants in common or joint tenants].

Item 2. Land

Reserve 24308 being Lot 373 on Deposited Plan 219595 being the land comprised within Crown Land Title LR 3107 Folio 425.

Item 3. Site

That part of the Land depicted on the sketch annexed hereto as **Annexure 1**, and known as ["Shack X"].

Item 4. Term

5 years commencing on 1 September 2022 and expiring on 31 August 2027.

Item 5. Commencement Date

1 September 2022

Item 6. Lease Fee

[\$City to insert current rental amount] per annum payable annually in advance, with the first payment due on the Commencement Date.

Item 7. Demolition Levy

[\$City to confirm current demolition levy] per annum payable annually in advance, with the first payment due on the Commencement Date.

Item 8. Review Date

- a) Subject to **Item 8(b)**, the Lease Fee and the Demolition Levy will be reviewed annually on the anniversary of the Commencement Date, in every year of the Term and any further term.
- b) The Demolition Levy will be fixed for the first two years of the Term commencing on the Commencement Date.

Item 9. Permitted Purpose

Short term holiday accommodation.

Item 10. Public Liability Insurance

Twenty million dollars (20,000,000.00).

Item 11. Further Term

5 years commencing on 1 September 2027 and expiring on 31 August 2032.

DRAFT

## Signing page

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**EXECUTED by the parties as a Deed**

2022

Signed on behalf of the City of Cockburn by )  
an officer authorised under section 9.49A(4) )  
of the *Local Government Act 1995* )

\_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Position)

\_\_\_\_\_  
(Print Full Name)

SIGNED by the said [insert Lessee's name] )  
in the presence of )

Witness sign:

Witness print full name:

Address:

Occupation:

7\_5599\_001.docx

## Annexure 1 - Sketch of Site

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See attached.

## Annexure 2 – Minister for Lands' consent

## Annexure 3 – Rules in Relation to Common Areas

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See Attached.

Schedule of Submissions – Naval Base Shacks, 1136 Cockburn Road Henderson			
Number	Name	Submission	City Comments
1	Brooke Reynolds	<p>Dear CEO City of Cockburn,</p> <p>I am pleased to be part of a family receiving a letter of lease renewal for the Naval Base Shack, especially as the lease is five years by five years. This ensures my children are able to experience a childhood of holidays and weekends at 'The Shack'. They will be part of the Shack community and I believe will be able to take their children there in the future.</p> <p>I do not however agree with the proposed lease fee of \$3250. This is an increase of over 30%. This is a huge jump in fees for leasing the same thing as the last ten years. I don't believe the independent valuation is correct in this aspect. Surely costs can not increase by 30%. For any shack owner this amount per year at such a substantial increase, it will put strain on many families. The City of Cockburn has enough money from previously paid leases and therefore does not need to increase the amount. A more suitable cost should be proposed for the fees which is significantly less than \$3250.</p> <p>With regard to the type of insurance a shack owner must hold I do adhere to the public liability insurance but building and contents insurance should not be included in the requirements to hold a lease. As with anything else a person owns, they can choose to take out a building and contents insurance. Not all people choose to do so and I believe the Naval Base Shack owner should also have a choice. We should not be forced to take out building and contents insurance if we do not want it therefore this should be removed from the additions to the lease.</p> <p>If you could please take note of these items and amend the proposed lease it would be a pleasing outcome for us, as a shack owner to know that our counsel is listening to our requests.</p> <p>Kind regards, Brooke Reynolds.</p>	<p>The proposed term of five (5) years plus a five (5) year option to extend was supported in the submissions received.</p> <p>The proposed lease fee for the Naval Base Shacks was formulated based on a Market Rent Valuation undertaken by licenced Valuer &amp; Property Advisor, Hemsley Paterson in accordance with the Australian and New Zealand Valuation and Property Standards definition adopted by the Australian Property Institute. As the Naval Base Shack site is the only one of it's kind existing within the Perth Metropolitan Area, a combination of comparisons was used in order to formulate the valuation, using an "average" shack site as the basis (given the lack of uniformity of character, scale and condition). The comparisons included Grey and Wedge Island Shacks; Myalup Beach, Pinjarra, Cee &amp; See and Mandurah Coastal Holiday Parks. Significant differences between the Naval Base Shack sites and the Caravan Parks were noted, including limitations on occupancy; standard and provision of facilities and services. The leasing provisions were provided to the valuer in order to determine the specific restrictions for the Naval Base Shacks site. A range of \$3000 - \$3500 was provided, with a recommendation to adopt the midpoint of \$3250.</p> <p>It is important to clarify that the Naval Base Shack Lessees do not pay rates. The funds payable each year are a lease</p>

		<p>fee (rent) for the use of the land and associated costs of managing the site (including consumables). It would not be appropriate to use public funds from City of Cockburn rate payers to upgrade, upkeep or otherwise maintain a site that is used for private holiday accommodation.</p> <p>The lease fee is paid into a Reserve Fund that is quarantined by the City of Cockburn for the purpose of undertaking Capital Development and Maintenance for the site (such as internal roads; upgrades for the ablutions) The City also quarantines the Naval Base Shack demolition levy to be used specifically for the purpose of remediating the site when a lease is terminated (including asbestos removal).</p> <p>It should be noted that the Naval Base Shack site is holiday accommodation. The reviewed lease fee is reflective of the increase in consumables and based on an independent valuation which ensures transparency. Holiday accommodation is not a necessity and is not comparable to residential rent or affordable housing, or residential rates. It is not appropriate for the City to use public funds to subsidise the holiday accommodation of a small number of private lease holders.</p> <p>The public response to the proposed addition of Building and Contents Insurance as a term of the new lease agreement was not supportive. Following this feedback, the City will amend the draft lease to have the Lessee covenant to arrange annual Public Liability</p>
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			Insurance and provide a certificate of currency to the City of Cockburn upon renewal of this insurance cover. Building and Contents insurance can be arranged by each Lessee with their insurer at their discretion but will not be a lease requirement.
Number	Name	Submission	City Comments
2	Marie Davies	<p>To the City of Cockburn,</p> <p>Thank you for you recent correspondence, with my offer of the 5 x 5 year lease term, very much appreciated.</p> <p>Even though I find the huge, rate increase appalling. How can this be justified? Why not a CPI increase yearly? How can a valuation be determined? What other site can we be compared to? We are not a caravan park with powered sites with water connections, swimming pools, gardeners in attendance, our own ablutions block. We are a unique site , no other like it in the metro area. We have no electricity, no internal water connection, with public facility's, being maintained by our fees. We keep the area maintained for the use by the public.</p> <p>We are not funded by your rate payers, we are self sufficient. With plenty of fees in reserve. . More than ever will be required.</p> <p>We are restricted to 120 days per year. Why can't this be increased? Yes we are in a buffer zone, The nearest industry is Alcoa, where the emissions are heavily monitored &amp; controlled. A lot safer than it was in the past.</p> <p>If we were not here ,who else could use this site with such restrictions on its usage? That would bring you the income we are expected to pay.</p> <p>There are many beneficial ways to improve the management of this site. Demolition is not 1 of them. Allowing the auction or sale of them to recoup outstanding fees is a better option.</p> <p>If a person is going to be dedicated to support us, maybe this person could manage the vacant sites. Which can be rented during the summer months and school holidays, like in the past when the grassed area along the fence line was rented from the city for a nightly fee.</p> <p>The ridiculous request for building &amp; contents insurance is beyond belief. This is not the city's business. Insurances are not cheap, Why would we insure our contents? Insurance would cost more than our contents are worth.</p> <p>Our contents are very minimal &amp; basic, left overs from home, second hand or from verge collections. All that is required to enjoy our time at the beach.</p>	<p>Please refer to City Comments in submission 1</p> <p>As addressed in the FAQ section on the City of Cockburn's website. Kwinana is the State's major heavy industrial area. Many of these industries are located in Kwinana because they are potentially dangerous and they could not be located anywhere else in/near Perth. The recommended (by EPA) buffer from residences to a typical heavy industry is 1km to 5km. This is to provide protection to the residents by ensuring that any emissions are able to be diluted in the atmosphere before they reach the residential areas. It is also to provide some protection to these major industries of state and sometimes national significance so that they are not required to invest significant funds in excessive emission control and operational safety systems. The City's requirement is that the Shack is to be used for 120 days in any year no matter who is staying in the shack. The City is not supportive of some lessees using their shack for longer than 120 days in any year, based on public health reasons.</p>

		<p>As a member of the Naval Base Holiday Association, I fully support all their recommendations.</p> <p>Regards, Mrs M Davies.</p>	<p>The demolition of a Shack and remediation of the site upon termination was initially contemplated during the development of the lease agreement and discussed at length, resulting in the charging of a demolition levy for this purpose. The City has received submissions that do not support this strategy, with suggestions for on-selling or auctioning shacks where the lease has been terminated so that the amenity can continue to be enjoyed by others. Unfortunately, the City is not able to support on-selling or auctioning vacant shacks based on multiple rationale, supported by legal advice obtained by the City in relation to the options for terminated shack sites. The City cannot take ownership of or on-sell assets where there is uncertainty regarding their condition or ability to meet BCA requirements. While the City is able to facilitate the assignment of a lease, the buying and selling of shacks is not something which the City can be involved in accordance with risk management practices.</p> <p>The City's intention to engage a Planning Consultant has caused some confusion. To clarify, the intention is to ensure that expert guidance is provided with reference to planning legislation and the potential options available prior to making decisions regarding the use of the vacant sites at the Naval Base Shacks that result from terminations. This consultant will not decide what is to be done with any vacant sites.</p>
Number	Name	Submission	City Comments

3	Jan Davies	<p>To who it may concern,</p> <p>Please see below my response to the letter received:</p> <p>I would not like to see any Shacks demolished. I understand that some owners are behind in rates, insurance etc but these shacks should be sold off at auction or some process between the owner and the council that would allow someone to buy the shack, we do not want to see any of these heritage listed properties removed.</p> <p>In keeping with this theme, we do not support the idea of having a planning consultant decide what to do with the empty sites – no sites should be empty. For any empty sites the Association suggests an advisory committee is established to provide assistance to the City is needed. Sites should be leased. Any built form should be in keeping with the scale and uniformity of the site. No dongas should be allowed, the donga that has been allowed to be built right opposite the doubts lookout is ugly and not in keeping with the rest of the shacks</p> <p>In regard to the Fees proposed by the City of Cockburn: The Association propose the fee for 2023/2024 is the current fee plus CPI. We do not support the advertised fee. We note this fee has been determined based on a commercial valuation. The increase to \$3,500 is a concern. It is a massive 33 percent jump. We still have a lot of people who are pensioners. More importantly, when looking at the Purpose of the Naval Base Reserve it has been established to cover the costs of the site, and yet since the last significant (100%) increase ten years ago the reserve has continued to grow. There is currently \$1.291 Million in the reserve fund and \$872,331 for the demolition levy (approx. \$5k per shack). The reserve has been growing with Shack owners money paid in annually. The City of Cockburn does not pay towards any of the maintenance or cleaning of the site via rates – it is all via shack owners funds. This is despite public facilities also existing at the site. The fees traditionally covered the costs, and the Association supports this. The Lease fee should be set accordingly. Noting Cockburn are unlikely to be willing to reduce the fee from its current amount we suggest a compromise if the current fee (Approx \$2,400) Plus CPI. The amount proposed is absolutely crazy and unwarranted, given the amount of money we already have in the account. This is fair and will ensure the site can continue to be enjoyed by families young and old – and not only for the rich.</p> <p>In regard to Insurance Public Liability should be required. There is no need for Building and contents to be required, this should be optional for shack owners who wish to do so. It does not make any difference to the City. We respectfully request the Public Liability requirement in the current lease remain and that the new proposed requirement for Building and contents be removed.</p>	<p>Please refer to City Comments in submissions 1 and 2.</p> <p>Multiple submissions have touched on infrastructure upgrades at the Naval Base Sites. There were suggestions received to repurpose the laundry block into ablutions. Retrofitting is less financially viable than knocking down and rebuilding. A full break down of indicative costs is included in the Council Report.</p>
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		<p>In regard to the Management plan, we would appreciate further discussion re the potential to repurpose the Southern Laundry Block, rather than demolish. Very supportive of the pontoon, also the idea of a children's playground.</p> <p>Persistent Breach – This clause will allow the City to ensure compliance and allow persistent breaches to be actioned. Very happy to have this, the person that resides in her fathers shack over the road to me is a constant pain, noisy, argumentative, has parties, be very glad to have a persistent breach clause</p> <p>Naval Base Shacks Management Plan</p> <ul style="list-style-type: none"> <li>• A part-time person dedicated to Naval Base Shacks to provide support to shack owners. The intention is to have a dedicated resource to undertake inspections of common areas; respond to enquiries and address issues raised by shack owners.-happy to have this as long as things actually get done.</li> <li>• Redevelopment of both shower and toilet blocks.- yes fine.</li> <li>• Demolition of the existing laundry block- no issue</li> <li>• Investigating the installation of a pontoon.-yes this would be good</li> <li>• Investigating a strategic site plan development for unused spaces within the Reserve</li> </ul> <p>The City continues to implement methods to improve the safety of Naval Base Lessees, with methods such as the installation of 20 CCTV cameras in June 2022 operating to deter antisocial behaviour.-very happy with this.</p> <p>Jan Davies Shack 228</p>	
Number	Name	Submission	City Comments
4	Trevor Turtle & Melissa Burgess	<p>Good morning,</p> <p>Thank you for recent mail out of Proposed new Lease terms.</p> <p>Our feedback is as below;</p> <p>Concern at rise in Annual Lease fee Demolition cost Public Liability to remain – suggested building and contents insurance not required</p>	<p>Please refer to City Comments in submissions 1, 2 &amp; 3.</p> <p>The kiosk that existed for a period of time at the Naval Base Shacks was not financially viable for the vendors and resulted in an unsuccessful venture. There is no evidence to suggest that a new commercial tenant would be successful and the City is not able to</p>

		<p>Repurpose of Southern laundry block not demolition In favour of children's playground and pontoon Return of shop or amenities to encourage community behaviour Accept 5 year lease with option for 5 year</p> <p>Thank you</p> <p>Trevor Turtle and Melissa Burgess Shack 226.</p>	<p>invest public funds in a feasibility investigation into commercial viability at this site. The City is happy to explore the possibility of having food van licences permitted on the site in order to increase the amenity.</p>
Number	Name	Submission	City Comments
5	Ian Vilkson	<p>With reference to the proposed New Lease Terms for Naval Base Shacks I would like to make the following comments;</p> <ol style="list-style-type: none"> <li>1. The fee increase seems to be excessive considering use of the Shacks is for only 120 days per annum. The lease fee would be fairer if the current fee was only increased by CPI from the current rate.</li> <li>2. The requirement for Building and Contents insurance will be difficult to obtain and is considered unnecessary. My current shack insurer, Ausure Pty Ltd Insurance, has advised that Building and Contents insurance is no longer provided for my shack which leaves me in a dilemma as what to do unless the City of Cockburn can advise a suitable insurance provider. If this requirement cannot be fulfilled does it mean I will be in default of the lease and need to demolish the shack which would be a shame after 70 years of family occupation. I am prepared to carry out any repairs to the Shack building and contents at my own cost as usual.</li> <li>3. I agree with the requirement to comply with sprinkler water restrictions at the site. These are long overdue as some shacks run sprinklers all day. This requirement will need to be enforced.</li> </ol> <p>Regards Ian Vilkson Shack 526</p>	<p>Please refer to City Comments in submission 1.</p> <p>There was a variety of responses relating to the proposed restriction on water usage at the Naval Base site, however for the most part submissions supported this addition. While water restrictions are governed at a State (not Local Government) level, the City is supportive of ensuring responsible use of resources in line with sustainability and water wise strategies.</p>
Number	Name	Submission	City Comments
6	Naval Base	Dear CEO, City of Cockburn.	The Naval Base Holiday Association Committee have been extremely

<p>Holiday Association</p>	<p><b>Re: Response to Public Advertising of the Naval Base Shacks Lease.</b></p> <p>On behalf of the Naval Base Holiday Association, we would like to commend the Council for the advertising of a 5-year lease with a 5-year option, commencing in September 2023. This is supported by the Association.</p> <p>We would also like to take the opportunity to thank staff for their efforts to date in getting the lease drafted and for their ongoing assistance in the management of the site. We also note support for the conditions such as compliance with relevant local laws; all planning and building conditions; that no portable toilets should be on site and in regard to the sprinkler conditions the City has set.</p> <p>In regard to modification and improvements to the draft we note: The site covers an area of 45468m<sup>2</sup>(26), which originally included 178 shacks, which are arranged in five rows running north-south. One of the key areas of concern for the Association is the proposal to demolish shacks, with the City referencing its legal advice that it does not own shacks. This is not supported by the Association. The Association requests a copy of this advice and suggests that shacks could be retained on the site and resold via auction. The provisions of s.3.58 of the Local Government Act apply not only to leasing, but also to the disposal of Local Government property. The Functions and General Regulation 30(3)(a) prescribes that a disposition of property, other than land, that has a market value less than \$20,000 is exempt from compliance with the disposal provisions specified under s.3.58. The Shack is not land, and clearly considered separately by the City – based on its current advice that it does not own the shacks and this is why the City of Cockburn would need to demolish them. If the disposal is above \$20,000, which we agree would be the case for some of the shacks, then the provisions of s.3.58 would apply, the process could look like a report to Council in regard to sites proposed to be Auctioned, with shacks on them, which will require a council decision, disposal by public tender, auction or by private treaty subject to relevant public advertising and submission requirements within Councils process. There are also mechanisms under the Disposal of Uncollected Goods Act 1970 (WA). The Association respectfully requests that this is explored by the City of Cockburn and seriously entertained. In keeping with this theme, we do not support the idea of having a planning consultant decide what to do with the empty sites – no sites should be empty. For any empty sites the Association suggests an advisory committee is established to provide assistance to the City is needed. Sites should be leased. Any built form should be in keeping with the scale and uniformity of the site. No dongas should be allowed, and perhaps a Local Planning Policy would help to ensure that any rebuilds are in keeping with the site.</p> <p>We believe that the need for the demolition levy should be carefully considered, it was introduced with concern by Cockburn that the site may need to be cleared in the future.</p>	<p>supportive of the City in encouraging contact from Shack Owners and assisting with pointing Shack Owners in the right direction for updates and correspondence on the City's website. Their passion for the site and willingness to volunteer their time to represent this community should be commended.</p> <p>Please refer to City Comments in submissions 1,2,3 &amp; 4.</p> <p>There is reference throughout the submissions to the 'Heritage' nature/listing of the Naval Base Shacks. While there are aesthetic aspects referred to in <i>Local Planning Policy 4.5</i> relating to the nature of the site, the individual shacks have no registered heritage component, other than the archaeological value pursuant to Thomas Peel and the first fleet's landing. The potential archaeological heritage characteristics are for the ground underneath the shacks – not the buildings themselves.</p>
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	<p>This is no longer the case. At best if the levy is kept Cockburn Administration should be - clear in how it is calculated and how much more they expect owners to have to pay into the Levy.</p> <p>In regard to the Fees proposed by the City of Cockburn: The Association propose the fee for 2023/2024 is the current fee plus CPI. We do not support the advertised fee. We note this fee has been determined based on a commercial valuation. The increase to \$3,500 is a concern. It is a massive 33 percent jump. We still have a lot of people who are pensioners. More importantly, when looking at the Purpose of the Naval Base Reserve it has been established to cover the costs of the site, and yet since the last significant (100%) increase ten years ago the reserve has continued to grow. There is currently \$1.291 Million in the reserve fund and \$872,331 for the demolition levy (approx. \$5k per shack). The reserve has been growing with Shack owners money paid in annually. The City of Cockburn does not pay towards any of the maintenance or cleaning of the site via rates – it is all via shack owners funds. This is despite public facilities also existing at the site. The fees traditionally covered the costs, and the Association supports this. The Lease fee should be set accordingly. Noting Cockburn are unlikely to be willing to reduce the fee from its current amount we suggest a compromise if the current fee (Approx \$2,400) Plus CPI. This is fair and will ensure the site can continue to be enjoyed by families young and old – and not only for the rich.</p> <p>In regard to Insurance, the Association agreed Public Liability should be required. There is no need for Building and contents to be required, this should be optional for shack owners who wish to do so. It does not make any difference to the City. We respectfully request the Public Liability requirement in the current lease remain and that the new proposed requirement for Building and contents be removed.</p> <p>In regard to the Management plan, we would appreciate further discussion re the potential to repurpose the Southern Laundry Block, rather than demolish. Very supportive of the pontoon, also the idea of a children's playground.</p> <p>The Association would like to remind the City of Cockburn administration and Council of the importance of the site, and the importance of their role as custodians of the site. According to the National Trust the Naval Base Shacks have cultural heritage significance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The place is representative of Western Australian coastal shack settlements that developed as holiday destinations from the 1930s to 1960s and demonstrates a way of life during that time as well as the evolution of the site since then.</li> </ul>	
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		<ul style="list-style-type: none"> <li>• The place is one of eleven remaining shack settlements in Western Australia and the only shack settlement located within the Perth metropolitan area.</li> <li>• The place is highly valued by the community and has been used as a holiday destination since the late 1930s, with ownership of shacks being passed down through generations of families.</li> <li>• The place has overall uniformity in scale, however each shack has an individual character which has developed over time and collectively they form a distinctive cultural landscape and vernacular style.</li> <li>• The place has the potential to yield archaeological deposits and provide a greater understanding of Clarence, Thomas Peel's 1830s settlement.</li> <li>• The place has the potential to contain archaeological deposits that relate to the residence erected by Thomas Peel in 1830."</li> </ul> <p>The shacks are highly valued by the owners and for the last fifty years the Naval Base Shacks Association has acted as not only a conduit between the shack owners and the City of Cockburn in the management of the site, but also to actively encourage the continuation of the strong community spirit. The Association facilitates the shack community's events and traditions, including Easter celebrations, annual children's fun days and Christmas events. These events not only demonstrate the level of social cohesion at the site but also contribute to the community's sense of place.</p> <p>The Naval Base Shacks have been used by generations of families as a holiday destination since the late 1930s. The establishment of the site as a reserve and the subsequent management by the City of Cockburn enabled families to build permanent dwellings which have an overall uniformity in size and scale but are distinguishable by the level of personalisation and continued use. Each shack has an individual character which has been developed over time and collectively the shacks form a distinctive cultural landscape. While the evolution of the shacks is listed as a distinguishing feature in the City of Cockburn's Heritage Area documentation, there is concern that strict planning controls and increased uniformity will negatively influence the character of the site and the distinctive vernacular style which is key to the heritage value of the shacks.</p> <p>Naval Base Shacks are a wonderful place. Always welcoming many visitors who take a walk through and look at the unique location, stopping for a swim and to enjoy the laid-back surroundings of the area. We are still able to live much as our ancestors did 70 years ago. Many share stories of the good train that ran through the middle of the park, which they would go up to the fence and watch, the playground, swimming lessons at the beach, of the shop, and the houses over the road (All of which are now gone) This demonstrates that the Shacks are the last remains of an era which has now gone.</p>	
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	<p>We would encourage the re-establishment of a shop or a similar kiosk style operation on the site, which the City did advise would occur when the shop was removed.</p> <p>In their assessment in 2018 the National Trust made a Conservation Recommendation to, "Ensure that any additions and or alterations to the site maintain the individual character and collective vernacular style of the shacks." The Association supports this and encourages the City of Cockburn to ensure its Local Planning Scheme also supports this.</p> <p>The Site has been deemed significant across a number of categories, with the National Trust determining it had aesthetic, historic, scientific, social, rarity, representativeness and authenticity values.</p> <p>The place contributes to the natural environment of Cockburn Sound, providing residential character in a coastal area that is surrounded by heavy industry. The distinctive vernacular style of the settlement contributes to the character and landscape quality of the area.</p> <p>The place is associated with the evolution of the concept of 'the seaside holiday'. This began in the early 1900s by booking a hotel by the sea and developed into one where more people took holidays as they built their own accommodation (shacks) in a popular seaside location that was not located near the popular metropolitan beaches.</p> <p>The place displays the gradual formalisation of a 'shack settlement'. These settlements began with an ad hoc collection of structures (caravans with annexes and simple constructed shacks) to one where rules were developed to formalise the size, appearance and design of the shacks.</p> <p>The place is associated with the training of military personnel, including the 10th Light Horse Regiment, prior to the outbreak of World War II.</p> <p>The place has the potential to contain archaeological deposits related to Thomas Peel's failed 1830 settlement, Clarence. These deposits have the potential to yield information on how the settlers first tried to establish a foothold in an unfamiliar environment, the types of objects they brought with them and then later abandoned as this frontier environment became too difficult to endure. This place may contain archaeological deposits associated with the house erected by Thomas Peel at this Clarence settlement.</p> <p>The place is highly valued by the community and the generations of families that have used the site as a holiday destination since the late 1930s.</p>	
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		<p>The place has high social value for the shack community, with shacks being passed down through generations.</p> <p>The place is one of eleven remaining shack settlements in Western Australia and the only shack settlement located within the Perth metropolitan area. The place demonstrates a way of life from the 1950s and 1960s and how holiday destinations promoted an outdoor lifestyle not seen as frequently today.</p> <p>The place is representative of coastal shack settlements developed as holiday destinations from the 1930s to the 1960s in Western Australia.</p> <p>Currently the place has a high level of integrity, however care must be taken to ensure future development and regulation does not extinguish the character of the site.</p> <p>While the place only contains a few of the original caravan and annexe shacks, those constructed from the 1960s remain mostly unchanged, with the exception of modern additions such as gas bottles and solar panels.</p> <p>We note we also received feedback from a member re the rules around breaches of leases, noting the shacks should not be demolished for this purpose – of which the Association agrees.</p> <p>We are passionate about preserving the site, and its associated values into the future, including the protection and preservation of the Cockburn Sound and nearby Beeliar Regional Park. “We have lived at one, and enhanced this environment for generations. We are more than 90 years old – and look forward to the next 90!</p> <p>Thank you once again of the offer of the lease and we hope the amendments suggested can be made prior to adoption by Council.</p> <p>Kind regards,</p> <p>Eddie Koza, President. Nicole O'Neill, Vice President and Committee Members.</p>	
Number	Name	Submission	City Comments
7	Katrin Win	<p>Hi,</p> <p>Please consider this email as my official response to your offer letter:</p>	Please refer to City Comments in submissions 1,2,3 & 5.

		<p>I support:</p> <p>4. the conditions such as compliance with relevant local laws, all planning and building conditions. That no portable toilets should be on site and in regard to the sprinkler conditions the City has set</p> <p>I support and agree with below points:</p> <p>5. areas of concern for the Association is the proposal to demolish shacks, with the City referencing its legal advice that it does not own shacks. The Association requests a copy of this advice, and suggests that shacks could be retained on the site and resold via auction under the Disposal of Uncollected Goods Act 1970 (WA) ("the Act"). The Association respectfully requests that this is explored by the City of Cockburn and seriously entertained. In keeping with this theme, we do not support the idea to have a planning consultant decide what to do with the empty sites – no sites should be empty. For any empty sites the Association suggests an advisory committee is established to provide assistance to the City is needed. Sites should be leased. Any built form should be in keeping with the scale and uniformity of the site. No dongas should be allowed, and perhaps a Local Planning Policy would help to ensure that any rebuilds are in keeping with the site.</p> <p>6. We would like to know the demolition cost of shack 338?</p> <p>7. IN regard to the Fees proposed by the City of Cockburn: The Association propose the fee for 2023/2024 is the current fee plus CPI. We do not support the advertised fee. We note this fee has been determined based on a commercial valuation. The increase to \$3,500 is a concern. It is a massive jump. We still have a lot of people who are pensioners. It's a 33 percent jump. More importantly, when looking at the Purpose of the Naval Base Reserve it has been established to cover the costs of the site, and yet since the last significant (100%) increase ten years ago the reserve has continued to grow. There is currently \$1.291 Million in the reserve fund and \$872,331 for the demolition levy (approx. \$5k per shack). The reserve has been growing with Shack owners' money paid in annually. The City of Cockburn does not pay towards any of the maintenance or cleaning of the site via rates – it is all via shack owners funds. This is despite public facilities also existing at the site. The fees traditionally covered the costs, and the Association supports this. The Lease fee should be set accordingly. Noting Cockburn are unlikely to be willing to reduce the fee from its current amount we suggest a compromise at the current fee (Approx \$2,400) Plus CPI. This is fair and will ensure the site can continue to be enjoyed by families young and old – and not only for the rich.</p> <p>8. In regard to Insurance. The Association agreed Public Liability should be required. There is no need for Building and contents to be required, this should be optional for shack owners who wish to do so. It does not make any</p>	<p>The cost of demolition of shack 338 was \$10,202.32 in 2020. This cost included remediation of the leased site (including 60cm of ground) due to asbestos contamination.</p>
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		<p>difference to the City. We respectfully request the Public Liability requirement in the current lease remain and that the new proposed requirement for Building and contents be removed. In regard to the Management plan, we would appreciate further discussion re the potential to repurpose the Southern Laundry Block, rather than demolish. Very supportive of the pontoon, also the idea of a children's playground.</p> <p>Kind Regards</p> <p>Katrin Win</p>	
Number	Name	Submission	City Comments
8	Naomi Thomas	<p>Hi</p> <p>I have been asked to send an email with regards to keeping the shacks</p> <p>We only purchased a few years ago and we love it. Coming from a rural living we really enjoy having somewhere to go with the family that isnt hot and unappealing.</p> <p>We spend public holidays, holidays down there and catch with family and friends.</p> <p>It's the only time we get to enjoy time as a family without 'technology'</p> <p>We would push for the leases to be renewed as we really benefit from them</p> <p>Regards Naomi Thomas</p>	General support of new lease
Number	Name	Submission	City Comments
9	Jann Westbrook	<p>Good evening and thankyou for the 5 + year proposed lease. Such a very special place in my family and friends' hearts.</p> <p>I have seen the Associations response and congratulate them also for being the combined voice of shack owners.</p> <p>Can / highlight the concerns again regarding insurance, increase in fees and would dearly love the deli to be returned as promised, just to make life a little easier.</p> <p>You can not compare the shacks to other properties as it is so unique. Do not charge us for facilities that aren't in place and that any member of the public has the right to wander in at will and use the available facilities.</p> <p>Thankyou for your time.</p>	Please refer to City Comments in submissions 1 & 4

		Save Our Shacks and Save the Sound  Regards Jann Westbrook Shacks 103 and 104													
Number	Name	Submission	City Comments												
10	Kevin Nelson	<p>Attention: CEO, City of Cockburn</p> <p>I am writing to request council reconsider the lease fee proposed for the naval base shacks . The following are my concerns and reasoning:</p> <p>(1) Excessive fee increase;</p> <table> <tr> <td>New Lease</td><td>\$3250</td><td>Demolition fee</td><td>\$330</td></tr> <tr> <td>Current Lease</td><td>\$2200</td><td>Current Lease fee</td><td>\$300</td></tr> <tr> <td>Fee increase</td><td>\$1050</td><td>Fee Increase</td><td>\$ 30</td></tr> </table> <p>47.72% increase                      10% increase</p> <p>This seems to be a rather exorbitant amount considering the current amount held in the Naval Base Shack funds stand at \$1.291 million and demolition fund at \$872,000.</p> <p>(2) I believe the increase on the lease is based on a market valuation on Commercial caravan parks, the amenities of which far exceed that of the Naval Base Shacks. Camp kitchens , gas barbecues , gardening , lawn mowing, locked access, non sharing of toilets with the public to name a few.</p> <p>(3) In addition, historically crown land reserve leases are not usually granted to local governments for long term economic development or commercial purpose or benefit, therefore commercial valuation should not apply.</p> <p>The new lease fee should be current fee plus CPI.</p> <p><b>Please acknowledge this response has be viewed by the CEO in writing,</b></p> <p>Regards Kevin Nelson, Shack 406</p>	New Lease	\$3250	Demolition fee	\$330	Current Lease	\$2200	Current Lease fee	\$300	Fee increase	\$1050	Fee Increase	\$ 30	Please refer to City Comments in submission 1
New Lease	\$3250	Demolition fee	\$330												
Current Lease	\$2200	Current Lease fee	\$300												
Fee increase	\$1050	Fee Increase	\$ 30												
Number	Name	Submission	City Comments												

11	Jeff Anderton	<p>Naval Base Shacks Management Plan Subject to Council approval, the City is reviewing the Naval Base Shacks Management Plan and proposing the inclusion of the following; • A part-time person dedicated to Naval Base Shacks to provide support to shack owners. The intention is to have a dedicated resource to undertake inspections of common areas; respond to enquiries and address issues raised by shack owners. • Redevelopment of both shower and toilet blocks. • Demolition of the existing laundry block. • Investigating the installation of a pontoon. • Investigating a strategic site plan development for unused spaces within the</p> <p>My comments in addition to previous comments.</p> <p>I oppose the rent increase it is in the extreme. I think the valuer have simply looked at adjacent Caravan Parks for the value.</p> <p>We are not comparable , we have no power water or sewerage. We have no facilities shop or common recreation. Basically we are a camping site.</p> <p>I would urge minimal improvements and minimal increases.</p> <p>We do not need a pontoon and there would be little use of such a facility.</p> <p>We do not been inspections of common areas. Perhaps a maintenance program</p> <p>The children play area would be supported, perhaps a skatepark or Bmx. It would be better if this was in partnership with the reserve across the other side of Cockburn road as part of the Regional Park</p> <p>The kiosk or shop is supported, but any rental should offset the proposed increases. In the main the City should consider bringing it up to caravan park standard instead of the current camp standard.</p> <p>The requirement of no toilets is supported however there is a shortage of facilities and more should be built. Instead of demolishing the laundry block south, it should be converted to on suites. This happened in the northern block at minimal cost. The disused laundry in the northern block should also be converted to on suites.</p> <p>Laundry facility should be considered, most of us can take laundry home but people with small children need something. Perhaps a facility could be built as part of the kiosk or shop.</p> <p>There needs to be an improvement in the chalets or buildings condition. Transportable need to be in or out the new one in the center is not in keeping with the heritage of the reserve and an eye sore. Some encouragement to keep the chalets painted and again in a heritage scheme</p>	<p>Please refer to City Comments in submissions 1, 3 and 4.</p> <p>The current lease requires building alterations to be assessed in accordance with the Building Code of Australia. The lease also addresses the parking, internal road and boat storage issues raised. There is no basis for the City to action a request to prevent electric scooters or bikes.</p> <p>A designated fish offal cleaning/disposing area is not supported as it would potentially cause a dumping zone to be inadvertently created and would cause a significant problem if not used correctly.</p> <p>Regarding the comment requesting investigation into joint projects with the Department of Biodiversity, Conservation and Attractions (DBCA) and the Reserve adjacent the Naval Base Shacks. The two Reserves are vested for different purposes that would not support joint projects.</p>
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	<p>There needs to be some interpretation type material or displays to show the heritage values of the site and past history.</p> <p>There needs to be more control over boats being parked on the reserve. Should the owners only have them on site as part endorsement of the lease conditions. Currently many are not owned by the leases but simply being stored there by friends</p> <p>There should be no off road or unlicensed vehicles on the reserve. Electric scooters and bikes should not be allowed as the internal roadway is not designed for them. Unless line of site and clear ways are considered.</p> <p>There should be limits on vehicles parked on the sites with visitors to park outside in public car parks. Some sites have 3 permanently on site.</p> <p>There need to be another beach access or stairway in the northern reserve. The current little beach need its steps and rocks improved especially down at the waters edge where the jagged rocks are dangerous when the sand washes away.</p> <p>Consideration for some fishing platforms for recreation users. Other uses, non leases should be encouraged such as picnic tables swimmers and cyclists, fishers swings a lookout.</p> <p>Regards Jeff Anderton</p> <p>more comment,</p> <p>The internal roads are sinking since the larger rubbish trucks have been used. Also tourist busses being parked over night and other large vehicles. The beach area is situated on a cast limestone formation. The City road teams should be consulted.</p> <p>Any building or alterations need to take into consideration drainage runoff so as to not cause sinkholes. This has happened in several place where the roof area has increased and run off increased</p> <p>Fishing offal or by product should a cleaning or disposal facility be included. Plastic bag or fishing line waste is a problem. Is there a possibility to do something jointly with Kwinana which has the boat ramp.</p>	
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		<p>What joint projects can be looked at with DBCA and the Regional Park.</p> <p>Regards again Jeff Anderton</p>	
Number	Name	Submission	City Comments
12	Anonym ous	<p>To The CEO City Of Cockburn, Thanks for the offer of the 5 Year Lease with 5 Year Option. Whilst this is great news some items in the Lease renewal have caused us concern The proposed increase to 3500.00 is a massive increase and works out 33percent increase, I understand inflation but this seems extreme when the current CPI is only around 7% . We appreciate that you have done some works around the shacks re cameras etc. but all of the works is done by us the owners of the shacks whom maintain their own .The money spent on the site which comes out of the Shack Lease Money also cover the public facilities which we never had issue with until this huge increase. Which will affect so many that are struggling Another issue we have is a condition of the lease to have building and contents insurance. This should be optional as it doesn't affect the City one way or another. Still don't understand the Demolition Fee How many more years is this a requirement . Seems unfair Thanks Shack Owner</p>	Please refer to City Comments in submissions 1 and 2.
Number	Name	Submission	City Comments
13	Paul Babich	<p>Mr Daniel Arndt CEO, City of Cockburn Dear Daniel,</p> <p>I was shocked and surprised to receive in the mail 20th March 2023 the generic termination of lease dated 14th March 2023 signed by Joe Saraceni on the basis on not having public liability insurance for the shack site 409 which I lease when in fact I have always had and maintained insurance as per the previous lease agreement and that remains current. I had been waiting for notice from the city as to what was required and when but I have maintained all of my obligations as per the previous lease agreement. When I went to the email account that I have always kept for shack purposes I found that an email was sent 20th February 2023 requesting a copy of my public liability insurance certificate of currency. The following day an email was sent with an attached letter stating that I was non-compliant and that if the certificate was not provided by 7th March 2023 a new lease would not be offered. Despite the gravity of this, the letter was not posted and I</p>	The City appreciates the feedback relating to one of the Naval Base Shack Lessee's who highlighted their dissatisfaction with the lease renewal process. Shack Lessees were sent several letters over the course of the last 12 months to update them on the process for developing a new lease and requesting that they provided the City with the required insurance documents and paid outstanding arrears. The City cannot justify the resources required to write, email and call each of the 173

	<p>was not telephoned despite these contacts being held by the city. It was a fellow leaseholder who notified me 16th March 2023 that my shack site was not advertised by the City on their shack site at which point I emailed the City with a copy of my public liability insurance certificate of currency demonstrating that it was paid 24th August 2022 and had never lapsed. It is covered until due again 24th August 2023. I was relieved that the City returned email stating "Now that the City has received your insurance documents prior to the 28th March 2023 extension, your profile is compliant and you will be offered a lease. A second round of advertising will be undertaken after 28 March 2023 for those who successfully provide their insurance information by this deadline – I will be in touch with your Offer Letter when we progress with advertising."</p> <p>Yesterday I emailed the City enquiring as to when a lease document would be sent or payment requested. I wrote that my fellow leaseholder have advised me that I need to pay by 31st March. I wrote that I am very worried and anxious about the limited time between notices and deadlines given how long I have waited for this and requested to be telephoned if payment is required within the next 2 days. I received an email reply "You can make payment – I have cc'd Revenue should you wish to make contact. The 2023 fees are based on the lease that is holding over (not the new lease). The full details of the timeline for the new lease to be signed are on the City's website. Now that the extension period for insurance and arrears has expired (yesterday), the City will progress with advertising the lease (shack 409 will be included in this)."</p> <p>From the website I found the rent fee is to be \$3,250 per annum with a demolition Levy of \$330 and rent reviews annually to Consumer Price Index. To me this is reasonable because I am working with a good income. My work is very demanding and time consuming as are my family's care needs but the information provided to me does not give me any reassurance or certainty to make payment even though I am ready to do so immediately.</p> <p>I am very disappointed that after such a long period of waiting for any information this new lease offer it has not been delivered suitably to somebody time poor such as myself and exclusion deadlines way too short for something such as this. With regards payment, I do not have clarity or option to act upon though I am told that I will be offered a lease but I have no dates for any of this.</p> <p>There may other leaseholders who may be away or unwell who may not have received notice to send in compliance documents. I believe it is incumbent upon the City to more to ensure leases are not terminated unfairly or unnecessarily.</p> <p>I do formally and fully support the letter of response to the lease offer written by the Naval Base Holiday Association. In particular I support the importance of this shack settlement as stand for history, heritage, nature, environment, peace, co-existence ( including with industry and transport ), community, unity and human communion against industrial pollution, commercial profit what some call progress. Our physical and mental health indeed our very existence depends upon what we stand for at Naval Base.</p> <p>Yours sincerely</p>	<p>shack owners multiple times to reiterate their requirements under the Lease.</p> <p>Each Shack owner was provided with written final notice, and an extension to the final advertising deadline if required in order to assist in providing as many shack owners as possible with a compliant shack profile. Shack Owners are required to perform their lease obligations under the lease – and while the City plays a supportive role in explaining these obligations, it is up to each individual Lessee to maintain a compliant shack profile with the City. Shack Owners must also ensure that their contact details remain up to date.</p>
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		Paul Babich			
Number	Name	Submission	City Comments		
14	Ross Graffin	Hi Emily While having to agree with the rapid increase in rate charges, I would like to register a protest on the large increment that occurred so rapidly If the rates were not increased over the previous 5 years that can hardly be the fault of the current occupants! The rate is much higher than my present rates which provide more services to the house. As most occupants are weekend visitors to the Naval Base, the watering allowance makes it difficult to use those particular days during the week. When visiting it is special to see a green environment and the dust kept down and prickles minimised. The ablutions being upgraded is a positive move along with improved lighting in the area We enjoy the Shack life but please don't make it impossible for the many retirees to take advantage of the Naval Base Shacks Yours sincerely Ross	Please refer to City Comments in submissions 1 and 5.		
Number	Name	Submission	City Comments		
15	Hilda & Julie Srhoy	Dear Joe,  RE: <b>NEW LEASE TERMS – NAVAL BASE SHACKS</b>  Further to your letter dated 14 March 2023 regarding to the proposed new Lease terms.  We welcome the offer of 5 plus 5 years lease term.  <b>Lease Fee and Demolition Fee</b>  We do not agreed with the proposed Lease Fee of \$3,250.  The Valuer has not acknowledged the difference between Naval Base Holiday Park and Coogee Caravan Park (one of the closest rental evidence to our Park). The fee is based on a commercial lease. We have listed the differences and similarities in the table below:-  <table><tr><td><b>NAVAL BASE HOLIDAY PARK</b></td><td><b>COOGEE CARAVAN PARK</b></td></tr></table>	<b>NAVAL BASE HOLIDAY PARK</b>	<b>COOGEE CARAVAN PARK</b>	Please refer to City Comments in submissions 1, 2, 3, 4 5  The City's resources do not allow for individual inspections of the internal areas of Shacks to ensure that they are not in breach of the lease obligations such as no internal plumbing. However, the new lease will facilitate mechanisms to address breaches of the lease.  The Management Plan outlines the Shack Sale process. Should a more comprehensive assignment process be implemented, it would result in an increase in the administration fee that the City charges due to the additional resourcing. The City seeks to keep the costs associated with transferring ownership of the Shacks as low as
<b>NAVAL BASE HOLIDAY PARK</b>	<b>COOGEE CARAVAN PARK</b>				

	<p>No Electricity Toilets shared with Public Water tap supplied No public space</p> <p>Stay 120 days No Site Manager Proximity to Sea</p>	<p>Electricity Toilets Park only Water tap supplied BBQ facilities Kitchen/Lounge public area Stay 365 days On Site Manager Proximity to Sea</p>	<p>possible and does not view the current assignment process as requiring review.</p> <p>The proposed Gazebo project did not proceed as it was not supported by Shack Owners during public consultation.</p>
	<p>The Parks are very different with what facilities are available to the occupants. We proposed that the current Lease Fee should increase by CPI only.</p> <p>Please note that our Park is self funded. The City has been collecting the Demolition fee for more than 10 years and we believe that the fee should only be charged until the Demolition cost is achieved. The Demolition fee should then be dropped.</p> <p><b>Insurance</b></p> <p>Shack 308 and 515 already have Building and Contents and Public Liability insurance so that doesn't worry us. But we appreciate that other shack owners should have the option whether they have Building and Contents insurance or not.</p> <p><b>Portable Toilets / Illegal Bathrooms</b></p> <p>Our question is:</p> <ol style="list-style-type: none"> <li>1. Portable toilets not allowed – How will this be policed?</li> <li>2. Internal showers are allowed then?</li> </ol> <p>We are aware of multiple non approved showers and toilets that have been installed in shacks. The Park is close to the limestone cliffs and sea and there should not be multiple unauthorised septic tanks for showers and toilets.</p> <p>We suggest that each shack should provide the City a Building inspection certificate every 2 years. A private Building Inspector could be arranged by the City and each shack owner pays a set fee.</p> <p>This would hopefully make life easier for the City of Cockburn staff and make Shack Owners accountable for any unauthorised internal and external works. It is difficult for</p>		

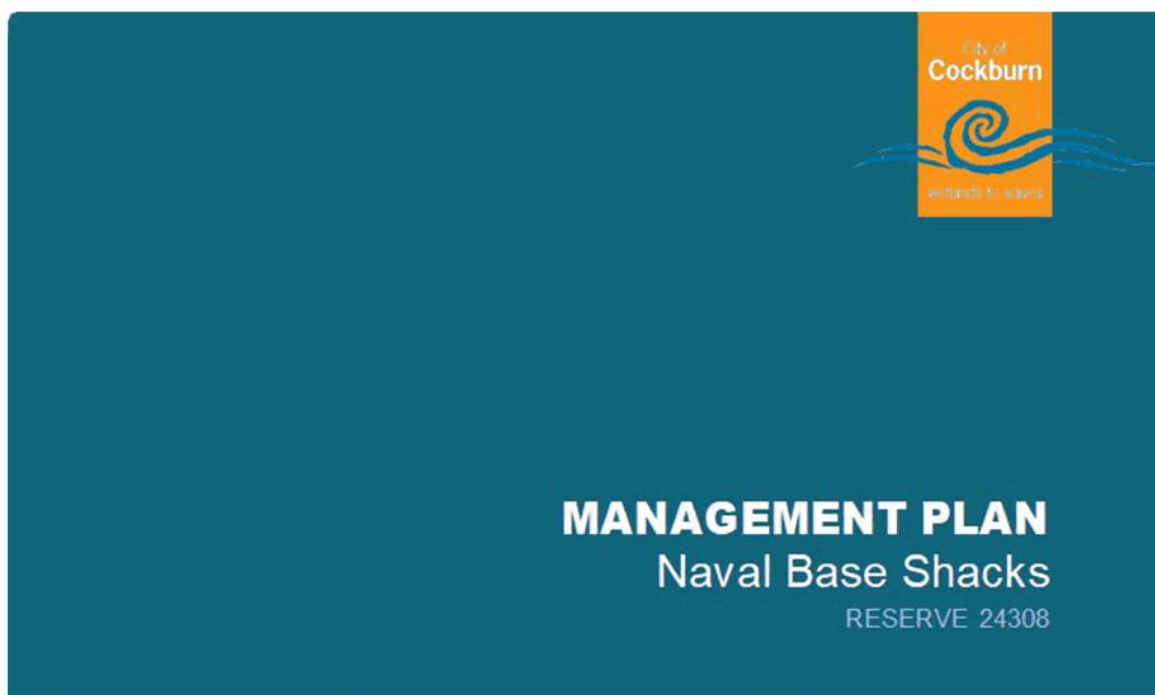
		<p>your Staff to notice the differences of unapproved works. They are not there often enough to see the changes.</p> <p><b>Use of Sprinklers</b></p> <p>We agree with the addition of Use of Sprinklers and water days. Is the City going to contact Water Corporation to have inspectors attend the Park regularly? This is the only way the City will gain the respect of the Shack Owners.</p> <p><b>Water Connection</b></p> <p>We are happy with the City's proposal to charge the Shack Owners if repairs are not made.</p> <p><b>Persistent Breach</b></p> <p>We are happy that the 3 strikes your out is included in the City's proposal. However, we are disappointed that the City has not acted with multiple breaches by some Shack Owners in recent years. Our hope is that the City will take disciplinary action in the future so that Shack Owners respect the Lease document that they have signed, the City of Cockburn staff and contractors and their fellow Shack neighbours.</p> <p><b>Naval Base Shacks Management Plan</b></p> <p>The Management Plan has been in place for more than 10 years and yet hardly any items have been actions. We would like to see the following:-</p> <ol style="list-style-type: none"> <li>1. Children's playground installed in the Park</li> <li>2. A Pontoon that will be used by Shack Owners and Cockburn residents. We use to have 2 diving platforms installed each year and they were removed a few years ago without reason.</li> <li>3. Gazebo in the Laundry position – We agree with the demolition of the laundry block as it has become a dumping ground for Shack Owners and Strangers. We would like to see the Gazebo proposal be advertised again. The neighbouring shack owners have not been there like the Srhoy's who have been at the Park since 1969. The laundry was built in the early 80's and has had many uses including a place where teenagers use to sit in a safe environment. We knew where they were. If antisocial behaviour happens then CoSafe and the Police should be contacted. It would be wonderful to have an</li> </ol>	
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		<p>area where we can gather under shade or a place for our Association meetings to be held.</p> <p>4. Entry sign Statement – We would love to see a proper sign at the entrance so we actually look like a Park.</p> <p>5. Kiosk – We would like to see the Kiosk reinstated as it was used by Shack Owners as well as general public driving by or whilst at the beach. Even if its an onsite van like the one at Bibra Lake.</p> <p><b>Vacant Sites</b></p> <p>There is no need to engage a Consultant to recommend future uses of the vacant sites.</p> <p>The sites should be advertised for City of Cockburn ratepayers with a no sale clause for at least 4 years to avoid profiteering. The Park in the past was used and enjoyed by many Councillors and Ratepayers of the City of Cockburn. The Ratepayers sold their shacks after the double increase in fees years ago and the increase in antisocial behaviour that was not dealt with by the City.</p> <p><b>Shack Sale Process</b></p> <p>We believe that the City should look at having a stronger sale process to protect both the Buyer and Seller of a Shack. A Management Committee between Shack owners and City representatives could meet to discuss this matter.</p> <p><b>City Staff Member – Part Time</b></p> <p>We have a lease and we would like to see a more active role from the City of Cockburn to deal with issues so having a City staff member to work solely for the Park is welcomed.</p> <p>It is, however, concerning that Shacks are still be rented out for years. Some tenants moving from shack to shack and Shack Owners staying at their shacks permanently have been increasing. Is the City going to take a more active role in ensuring that the Shacks are used for 120 days?</p> <p>In the past we were given the Occupancy log which both of us still mark each night we stay at our shacks. Yet the City, to our knowledge has never asked for the Occupancy log to be supplied to them.</p> <p><b>The Future</b></p>	
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		<p>We would like to see the City of Cockburn take a stronger management of the Park so that Shack Owners respect their lease.</p> <p>Yes times have changed, but the Naval Base Holiday Park is a unique holiday destination that has a social heritage that should be preserved for future generations to enjoy.</p> <p>We look forward to receiving your response and our new lease in the near future.</p> <p>Yours sincerely</p> <p>Hilda Srhoy      Julie Srhoy Shack 515      Shack 308</p>	
Number	Name	Submission	City Comments
16	Laura Kenward	<p>To the CEO, I hereby submit my public comment in regards to the Naval Base Shacks lease.</p> <p>I am pleased to see the lease term option of 5 year + 5 years, and appreciate the support from the Council with this recommendation.</p> <p>I am writing to express my strong opposition to the proposed increase in annual lease fees of 48.87%.</p> <p>Our local community has a unique culture and identity that has been shaped over many decades. Families have been holidaying in this area since the 1930s and have worked hard to establish a thriving community that is inclusive and welcoming to all. The proposed increase in annual fees threatens to undermine the fabric of our community and could lead to the displacement of long-time holidayers who cannot afford the increased costs.</p> <p>While I understand that the council needs to generate revenue to fund important projects and services, I do not believe that this increase is justified. The council's rationale for the increase is unfounded and lacks transparency. As there are no comparable shack communities remaining in the Perth Metro, I can only assume that the market evaluation was conducted on a Caravan Park that operates for economic gain, in which the shacks do not, and on a Caravan Park that has a large variance in operations, including ownership structure, length of stay, and onsite facilities.</p>	Please refer to City Comments in submissions 1 and 2.

	<p>Since 2016, the last rate increase, to year end 2022, the AU inflation rate has been a total of 17%. This increase represents over double that.</p> <p>No major capital works have been completed since 2016 at the Shacks, in fact, a community asset of the local Shop has been removed and not replaced as communicated by the Council. The new lease references potential upcoming works, but with no budget disclosed, tenders, or commitment, raising the lease fee for these potential upcoming projects is hopeful at best and manipulative at worst.</p> <p>With \$1.219 million in the fund for the Shacks, it seems unnecessary to raise funds for works not yet committed to and, on past experience, unlikely to happen. For annual running costs, the current lease fee, plus a lease fee increase in line with CPI, and the reserve fund, should be more than adequate.</p> <p>It is imperative that the council provides a clear and comprehensive explanation as to why such an increase is necessary.</p> <p>In addition to the increased lease fee, the new addition of requiring shack lease holders to have Building and Contents insurance is unnecessary, adding additional financial burden on the lease holders, and ultimately is out of the Council's remit to mandate. Insurance is a personal choice that individuals make based on their assessment of risk and the potential financial consequences of unexpected events. The requirement for Public Liability is accepted, anything beyond that is extending the councils reach beyond their responsibilities.</p> <p>While I have many more thoughts, my final point is that I would like to see a no-demolish clause in the lease agreement, as the recent demolition of shacks is a cultural crime. The Shacks have a rich history that reflects the heritage of a place and the people who have holidayed here. They provide a tangible connection to the past and help to shape our understanding of Australian, Perth, and Cockburn history. They serve as a reminder of the past and contribute to the collective memory and identity of Cockburn and surrounds. It is essential that Council steps up to recognize the importance of preserving the Shacks of cultural value and take measures to protect them. Preservation methods may include renovation, restoration, or adaptive reuse of the buildings. If a building is deemed unsafe or beyond repair, the council should explore alternative solutions to demolition. There is a willing, able and ready community of Shack lease holders and wider community members ready to help in a variety of ways to ensure the preservation of the Shacks. Allow us to.</p> <p>I urge you to reconsider the proposed 48.87% increase, unnecessary insurance mandates, and to prioritize the interests of the wider local community by preserving the Shacks from demolition.</p>	
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	<p>Thank you for taking the time to read my response. I hope that you will give careful consideration to my concerns and take action to protect the interests of the local community.</p> <p>I look forward to further communications around the transparency and requirements for the fee increase and a detailed response to my submission.</p> <p>Regards,</p> <p>Lauren Kenward Current Shack Lease Holder</p>	
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Document Set ID: 5533841

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## 1.0 Purpose of the Management Plan

This is the second Management Plan that has been prepared specifically for Reserve 24308, incorporating the use by the lessees of the Naval Base Shacks. It deals with two key elements – administration of the site and future management approaches.

The Management Plan has been prepared by the City of Cockburn, as the Management Authority, to guide and assist in the future management of the Reserve. It also outlines strategies for how future improvements to the Reserve will take place.

In preparing this Management Plan the City has given due consideration to the recommendations/findings made by the Standing Committee on Environment and Public Affairs. Further details of the findings are discussed in the Management Plan.

## 2.0 Site Description and History

### 2.1 History of Reserve 24308

Anecdotal records from the City indicate that parts of the area, now represented by Reserves 24308 & 24309 were used as an informal camping ground as early as 1933. Historically, Reserves 24308 & 24309 were created and set aside for the purpose of public utility in 1955, following transfer of the land from the Commonwealth.

The original vesting of Reserves 24308 & 24309 to the Cockburn Roads Board was approved by the Executive Council and granted on 10 July 1957 for the purposes of recreation and camping. The Vesting Order for Reserve 24309 contained the power to lease. The Executive Council also designated Reserves 24308 & 24309 as A Class Reserves at the same time.

Original structures placed on the land consisted of caravans with annexes. Over time the structures have become more permanent in nature and no longer represent a caravan with a soft or rigid annex.

The site was originally managed as a Caravan Park, with a register of City of Cockburn residents being allocated a site each time a lessee surrendered their lease. It has now evolved into exclusive holiday accommodation with the sites and structures being sold on the open market and the number of City of Cockburn ratepayers reduced to 23% of the 173 lessees.

### 2.2 Current Tenure of the Land

Part 4 of the Land Administration Act 1997 provides the legislative basis for the creation, management, amendment and cancellation of Reserves of Crown Land. A Reserve represents Crown Land which has been set aside or dedicated for a particular purpose in the public interest. There are hundreds of Reserve purposes utilised across the State, recognising the diverse role and function which Reserves have to perform in the public interest. The purpose of Reserve 24308 is 'Recreation and Camping'.

In terms of management, once a Reserve is created it is placed under the care, control and management of a State Government department, Local Government or incorporated community group by way of a Management Order registered against the relevant parcel of Crown Land and endorsed on the Certificate of Land Tenure. In terms of Reserve 24308, a Management Order exists with the City of Cockburn which includes the power to lease for up to 21 years. The Management Order does limit use to being consistent with the Reserve purpose ('Recreation and Camping'), with all leases subject to the Minister for Lands approval.

In addition to the Reserve purpose and Management Order requirements, Reserve 24308 is classified as an A Class Reserve which affords the greatest degree of protection under the Land Administration Act 1997. In terms of historical appreciation, the Land Act 1933 provided for Reserves of Crown Land to be classified as Class A, B or C Reserves. This approach was extinguished under the Land Administration Act 1997, with a new approach in the form of classifying all Reserves as one and the same, but keeping the notion of A Class Reserves which would continue to be classified separately, representing the greatest level of importance and

a need for high level protection. Any proposal to undertake a major amendment to an A Class Reserve, including modifying the Reserve purpose, can only take place by tabling the proposal in both Houses of Parliament in accordance with section 43 of the Land Administration Act 1997.

In December 2022, Reserve 24308 was entered into the State Register of Heritage Places pursuant to section 42 of the Heritage Act 2018, noted as P17868 Peel Town Archaeological Site, Henderson. While this Registry entry does note that “the Naval Base... does not contribute to the cultural heritage significance of the *Peel Town Archaeological Sites*” the Reserve makes up some of the 43.5 hectares of coastal vegetation containing archaeological sites dating to the 1829-30 occupation by Thomas Peel’s settlement group.

On 29 April 1999 the then Minister for Lands (Hon Doug Shave MLA) advised the City that the “leases are only an interim measure, which the State has accepted, to recognise the existence of the shacks until such a time as the situation is rectified.” In further correspondence dated 26 April 2001, it was stated that the then Department of Land Administration “would prefer a policy that allowed for the replacement of existing structures, rather than one that encouraged expansion or major development. This would ensure that Lessees were under no misapprehension that their tenure is both short term and finite.”

During extensive negotiations with the State Government, consideration of wide-ranging options by the Council of the City of Cockburn and wide-ranging dialogue with Lessees, the City secured support from the State Government for the use of the Reserve for the Shacks to continue. This is consistent with the Reserve purpose, and the power to lease which formalises the leasing arrangements of the site.

The City of Cockburn subsequently entered into a lease arrangement with the Lessees for a 5 year period with a further option to renew for 5 years, spanning the years 2012-2022. The City is now seeking to enter into a second lease arrangement for the same period of time, subject to the consent of the Minister for Lands.

### 2.3 The Site

Reserve 24308 is a Class A Reserve and is Crown Land by virtue of Crown Land Title LR3107-425. The City of Cockburn has a Management Order for the Reserve for the purposes of ‘Recreation and Camping’. The land is located at 1136 (Lot 373) Cockburn Road, Henderson and consists of an area of 4.5468ha. The land currently has 173 ‘shacks’ located on it, with a variety of forms and design. Attachment 2 contains photographs of examples of the Shacks and Attachment 3 examples of potential designs for future shacks.

The site has a sound internal road system that permits the safe traffic of vehicles at a restricted speed, with adequately installed speed reduction devices (speed humps). The speed limit is not enforceable at any legislative level and the internal road system is not classified as a public road, exempting the application of the Road Traffic Act and associated regulations.

The Reserve contains two ablution facilities, which were constructed by the City for use by shack owners and Reserve patrons. The ablutions have mains electricity and a potable water supply. Figure 1 details the layout of the Shacks on the Reserve at this time.

A potable water supply for shack owners is provided through the strategic location of water taps within the Reserve, with connection via hose. The shacks do not have access to other core utilities, such as mains electricity, reticulated gas or sewer.

Most shacks have been fitted with bottled gas and generate their own electricity supply through solar panels, small wind turbines and power inverters. There is little uniformity around such arrangements.

Figure 1 – Reserve 24308



## 2.4 Reserve 24308 – Management Order

The original Vesting Order for Reserve 24308 was issued to the Cockburn Road Board in 1957. When the Reserve was created by the Executive Council, it was designated as an A Class Reserve. The Vesting Order was then transferred into the name of the City of Cockburn in 1960 when the Local Government Act 1960 was enacted. In 1997 when the Land Administration Act 1997 was proclaimed, Vesting Orders were renamed Management Orders. The Management Order in Attachment 1 has the power to lease for 21 years.

## 2.5 Administering Legislation

The City has investigated the legislation that is applicable to the land and the type of improvements thereon, in order to underpin the structure of leasing arrangements as well as to inform the preparation and subsequent review of this Management Plan. A brief explanation of the results of this investigation is provided below:

### Caravan and Camping Grounds Act 1995

The structures on the land do not represent the type of accommodation envisaged by the Caravan and Camping Grounds Act 1995 where the relevant accommodation must be capable of being attached to a vehicle (vehicle being a caravan).

### Residential Parks (Long Stay Tenants) Act 2006

This Act defines the meaning of a 'long stay tenancy agreement' which relates back to residential parks, the definition of which refers to Caravan Parks. The land cannot be considered to constitute a caravan park, ruling out the application of this Act.

### Residential Tenancies Act 1987

The Residential Tenancies Act 1997 (RTA) only applies to 'residential tenancy agreements'. The Management Order requires that tenants are only allowed to 'camp' in the structures, and are not permitted to live in them on a permanent basis, therefore the RTA does not apply.

### Property Law Act 1969 & Common Law

The Property Law Act 1969 applies to all 'leases' but the application is subject to whether any other relevant legislation applies, which there is none. The term 'lease' is defined in broad terms to include any 'tenancy'. Therefore, the land is subject to the provisions of the Property Law Act 1969.

The Property Law Act 1969 has provided the framework in which to structure the new lease agreements for the land, which began formal operation in 2012.

### Planning & Development Act 2005; Health Act 1911 & Building Act 2011

Use and development of the Land, and specifically the control of use and development of the land, is representative of the relationship between the Planning and Development Act 2005; Health Act 1911 and the Building Act 2011. These commonly come into use through the consideration of applications for planning approval, building permit applications and inspections undertaken from an environmental health perspective.

## 3.0 Literature and Related Reports and Studies

### 3.1 Environment and Public Affairs Committee Inquiry into Shack Sites in Western Australia

The City considered the recommendations made by the Environmental and Public Affairs Committee's Inquiry into Shack Sites in Western Australia. The Committee finalised their report in April 2011 and below is an extract relevant to the Naval Base Shacks, and features three specific findings of the Committee (findings 49 to 51) albeit with no specific recommendations given.

The City was largely acknowledged for trying to further formalise the use of the site, particularly by way of improved leasing arrangements and controls around land use and development. In reflection of this, the preparation of a Management Plan for the site was a key finding made by the Committee.

The Committee noted the collaborative process which the City was working through in determining an appropriate shack standard and a new management approach. The Committee suggested the logical next step into a new management plan for the site would provide the further formalisation of activities undertaken on the site. This underpins the collective efforts the City has gone to in managing the site to an improved and sustainable standard.

The following extracts from the Committee Report of note are below:

*10.44 A distinguishing difference between this site and other shack sites is that Naval Base is the only shack site located within metropolitan Perth. Also, unlike a number of other sites, the shacks are arranged in a reasonably ordered manner (compared to the ad hoc nature of other sites) on a heavily bituminised area."*

*10.45 The Committee note that the leasehold tenure at this site differs from sites such as Peaceful Bay and Dampier Archipelago. Although the City has renewed the shack leases annually, there is no obligation to do so and, under the terms of the lease, the lease may be cancelled within 14 days' notice. The Naval Base lease does not set the building and health standards or provide for an increase in standards. Unlike other shack sites, the City has not established any management plan or strategy for the site. The Council provides basic facilities at the site.*

*10.47 The Committee accepts that there is social heritage at Naval Base, formed by people and families sharing the experience of staying at this site and enjoying the experiences this site offers.*

*10.49 If shacks are to remain, the City of Cockburn should develop a management plan which may incorporate short term holiday accommodation as an option for the public.*

*Finding 49: The Committee finds that the City of Cockburn manages 178 shacks at Naval Base. This Reserve was vested in the City of Cockburn decades prior to the Squatter Policy. The shacks are leased for a period of one year. To date, the City of Cockburn has offered a lease each year.*

*Finding 50: The Committee finds that the City of Cockburn is currently undertaking a public consultation process to consider the future of Naval Base, including whether to remove the shacks and bring the vested Reserve under the Caravan Parks and Camping Grounds Act 1995. The Council will consider the results of the public consultation and deliberate on this issue in due course.*

*Finding 51: The Committee finds that the City of Cockburn should continue to manage the process, including community consultation, they are presently undertaking to determine the future of Naval Base.*

### 3.2 Bush Forever Status

Reserve 24308 is identified as Bush Forever site (Site No. 346) failing within the greater Lake Mt Brown, Brownman Swamp and Henderson Regional Open Space areas.

It is noted that the subject area has been cleared and essentially very little native vegetation currently exists. Accordingly, management of the site recognises that the Bush Forever status of its surrounding context, as opposed to specific bush attributes on the site itself.

### 3.3 State Squatter Policy

In 2005 the Department of Regional Development and Lands developed a policy on the Illegal Occupation of Coastal Crown Land (Squatters). The objective of which was to control the establishment of any new unlawful dwellings (squatter shacks) on Coastal Crown Land and facilitate the removal of existing dwellings (Shacks) over a six-year period. The policy was developed based on an earlier State Government Policy on squatters adopted by Cabinet in July 1989 and January 1990.

The Policy does not apply to the site, based on the formalisation of controls and legislative framework to which the site has progressively been brought under. Most notably, the existence of a Management Order with power to lease, differentiates this site from the examples that the State Squatter Policy has been targeting in terms of Unallocated Crown Land.

### 3.4 Kwinana Cumulative Risk Study – May 2008

The purpose of this Study was to examine the cumulative risks associated with new and proposed developments in the Kwinana Industrial Area (KIA) that change the risk profile of the area.

A Steering Committee was established in 2005 by the Department of Industry and Resources (DOIR) with representation from the Kwinana Industries Council (KIC) and relevant government agencies, to update the Kwinana Cumulative Risk Study (KCRS).

The Steering Committee's objectives were to:

1. conduct a review of current best practice in Land Use Safety Planning (LUSP), methodologies and how they may be applied to the KIA, to ensure that the approach taken was in line with current national and international practices;
2. develop an up to date cumulative risk model for the KIA, taking into account the changes in industry and surrounding land uses, improvements in Quantitative Risk Assessment (QRA) modelling and data sources;
3. develop an up to date cumulative individual risk contours (and societal risk data) for existence and predicted developments in the KIA to provide a framework for ongoing industrial developments and LUSP decisions making in the area;
4. Assess the developed risk data against current WA risk criteria;
5. Provide relevant training to industry and government agencies in the ongoing use and maintenance of the Kwinana Cumulative Risk Assessment model.

The key findings of the report were –

- (i) *the current (2017) individual and societal risks to the surrounding community are consistent with the established criteria and do not pose such a significant risk as to require immediate changes to land uses in the area; and*
- (ii) *the future case (2030) indicates that the risks associated with the proposed expansion to the KIA are not inappropriate provided key land use conflicts (i.e. residential populations in the Hope Valley areas) are addressed before any expansion of the KIA into these areas.'*

There is concern that the KCRS Steering Committee may not have been fully aware of the shacks, their frequency of use, and possibly may have underestimated the potential risk to users of Reserve 24308. To evaluate the potential risk, and analysis of the risk contour maps developed as part of the study need to be examined more thoroughly. These maps express the "Total Cumulative Individual Risk Results in a visual form for both 2007 and future risk in 2030.

The 2007 risk contour map, Figure 2, shows that there was some, but limited, potential for individual and societal risk due to the close proximity of the transport corridor (Cockburn Road) to the Reserve and the types of materials transported. From the small risk contour near Reserve 24308, it is evident that there is a small amount of dangerous goods transported on Cockburn Road.

The future case (2030) risk contour map, Figure 3, in the context of Reserve 24308, shows a significant expansion of the risk profile, predominantly from the proposed outer harbour development, due to a projected increase in the transportation of dangerous goods/product in the area.

Figure 2 -2007 Risk Contour Map

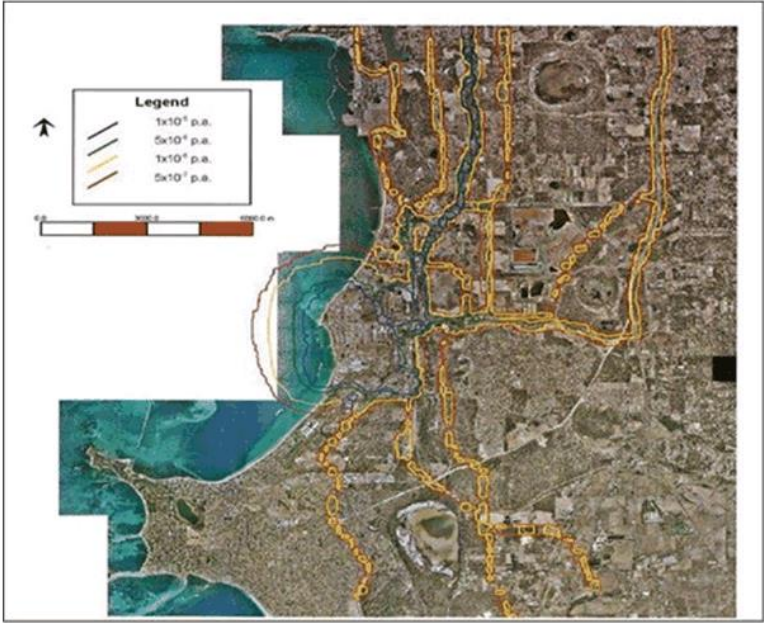
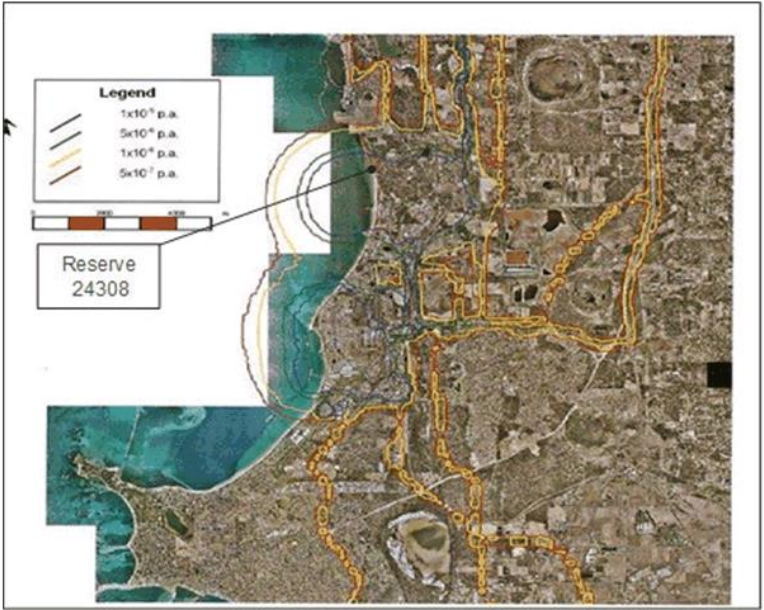


Figure 3 – Future Case Risk Contour Map



- Key
- 1x10<sup>-5</sup> p.a. – Active Open Space Criteria (Recreational facilities)
  - 5x10<sup>-6</sup> p.a. – Commercial Development Criteria
  - 1x10<sup>-6</sup> p.a – Residential Population Criteria
  - 5x10<sup>-7</sup> p.a – Sensitive Population Criteria (Aged Care or schools etc).

While there is no immediate impact from a risk management perspective on Reserve 24308 under the 2007 modelling, the future risk modelling does raise questions as to the level of potential risk for users of Reserve 24308 for the next 10 years if industrial development continues according to the projections.

To address this, the City wrote to the responsible State Government Departments requesting clarification as to the protection mechanisms that would be afforded to the site while it remained utilised by shacks. In response, confirmation was received from the Department of Mines and Petroleum regarding safety issues on the Reserve. This importantly provides an accurate analysis of the obligation on industry to protect the shack owners, and that the Reserve can feasibly remain into the future given its location and the nature of the nearby Alcoa alumina refinery. Various legislation applies to secure this. A copy of the letter is provided as Attachment 4. The letter quotes as follows:

*"In relation to the public risk from industrial facilities, the existing land use of Reserve 24308 is primarily protected under the Dangerous Goods Safety Act 2004 either via the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007, or where a major hazard facility is concerned, via the Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007. Specifically, any industrial facility near the Reserve that is regulated under either of these regulations is obliged to minimise the risk to people, property and the environment to a level as low as is reasonably practicable."*

*"The Kwinana Alumina Refinery is a dangerous goods site regulated under the Dangerous Goods (Storage and Handling of Non-Explosives) Regulations 2007. The refinery is not a major safety hazard facility and its operations do not pose a credible risk to occupants, other users or property at Reserve 24308. As such the refinery does not, and will not adversely influence the continuation of either the current or any other compatible land use at the Reserve."*

### 3.5 Kwinana Quay Project – Fremantle Ports Outer Harbour Project Recommendation Report on Preferred Option – October 2006

State planning and related reports have progressively been examining options, and refining plans since the 1940s for an expanded overflow port facility. Early planning work sought to strategically identify a broad port expansion site. At the strategic level, the State Government has provided ongoing support for the planning and development of an expanded port facility in the metropolitan area.

The ongoing support is underpinned by data that shows Western Australia has developed an increased reliance on sea trade; with projections outlining the Inner Harbour at Fremantle Port will reach capacity by the end of the current decade. This projection is supported by the fact that the Inner Harbour at Fremantle is WA's only dedicated container port. Almost all of the States container trade is shipped through the Inner Harbour.

The Outer Harbour, known as the Kwinana Quay Project, has been through a myriad of background planning documents to aid in the refinement of the most appropriate infrastructure development option. Four development options underwent a Strategic Assessment process, and were evaluated in a report dated December 2004 titled *Recommendation Report on Preferred Option*.

Feedback from Westport in March 2022 advised that current investigations were focused on the area of Cockburn between the Alcoa Jetty and Kwinana Bulk Terminal. This supports that as it is unlikely the proposed Kwinana Quay project would pose an immediate risk to the continued use of Reserve 24308.

### 3.6 City of Cockburn Local Government Inventory and Heritage Listing – Naval Base Caravan Park – Reserve 24308

The City of Cockburn has the ability to identify areas within its boundary as needing 'special planning controls' to conserve and enhance the cultural heritage and character of an area. This was undertaken in respect of Naval Base Holiday Park, following a concerted push from lessees and the public to ensure the heritage value of the place would be protected. The Heritage Act is accompanied by a Policy which provides guidance for those looking to develop their shack or any other structure on the Heritage Area. This policy seeks to ensure development protects and enhances the collective value which represents the Naval Base Heritage Area.

The Naval Base Heritage Area has a continuous history as a holiday destination since 1933 and has been used by generations of families from Cockburn and the wider area. It is significant as a good example of the

holiday camps that used to exist along the Western Australian coastline but have disappeared in the face of development. Although individual shacks have changed since 1933, as a holiday destination the overall site has a high level of integrity and authenticity.

The Heritage Area Policy has the following requirements for Shacks undergoing development:

1. Any extensions or modifications to existing shacks need to meet the requirements of the Building Code of Australia;
2. Shacks should be of a small, modest scale with regard to their height and the size of the building footprint;
3. Shacks should be constructed of lightweight materials that are indicative of the informal 'holiday shack' character; and
4. Development of new shacks needs to be consistent with the overall site plan and be contained within the boundaries of their designated site area.

### 3.7 City of Cockburn Town Planning Scheme and Metropolitan Regional Scheme

Clause 3.2 of the City's Town Planning Scheme refers –

#### **3.2 Regional Reserves**

*3.21 The land shown as "Regional Reserves" on the Scheme Map are lands reserved under the Metropolitan Regional Scheme and are shown on the Scheme Map in order to comply with the Metropolitan Region Town Planning Scheme Act.*

*3.2.2 Regional Reserves are not reserved by this Scheme*

*3.2.3 The approval of the local government under the Scheme is not required for the commencement or carrying out of any use or development on a Regional Reserve.*

Reserve 24308 is classified as a 'Regional Reserve' under the Metropolitan Regional Scheme (MRS). Any development or use requires the completion of an MRS Form 1A and its submission to the Western Australian Planning Commission (WAPC) for consideration and approval. The Form 1A is required to be signed by the relevant Regional Manager of the Department of Lands, on behalf of the State of WA as the owner of the land.

### 3.8 Perth Coastal Planning Strategy

The continued use and management of the Reserve is consistent with the Perth Coastal Planning Strategy, by way of the application of the A Class Reservation of the land and its associated Management Order which provides for recreation and camping.

### 3.9 Geotechnical Investigation – Background and History

The City commissioned Golder Associates Pty Ltd in September 1990 to undertake a geotechnical investigation of the erosion occurring to the limestone cliff face along the Naval Base Holiday Park foreshore. The Report, dated 8 October 1990, highlighted that there was a serious unknown level of risk to the public as a result of "...the collapse of a section of undercut cavity or the closing of such a cavity due to block rotation. Such collapse or rotation may occur without warning or prior dislodgement..."

On 6 November 1990 the City resolved to engage a blasting contractor to remove the overhanging rock formation at the front of Units 520 & 521. The owners of these units were advised that they would have to relocate them. The City commissioned Golder Associates again in December 1990 to design the remedial blasting measures to stabilise the cliff face. The report on the design of the blasting and remedial measures was presented on 2 January 1991. The City encountered a series of issues concerning the future use of the Reserve, which delayed blasting works for several years. On 15 October 1997 the City authorised emergency expenditure of up to \$140,000, under section 6.8(1)(c) of the Local Government Act 1995, to complete remedial works to the Reserve.

In June 2009, consultant ATC Williams investigated subsurface conditions and stability as well as potential cliff hazards. They found that two shacks (514 & 515) required relocation or cliff stabilisation works. ATC Williams' findings were:

*“Beach Cliff Survey – in the areas with beach level access, undercutting of the limestone was observed. In the areas with intact limestone slopes, the undercutting was generally about 1m high, with depths of 0.5m to 2m. The rock masses in these areas was competent however, a large scale rock failure is not considered likely. As noted in the Golder report, there are numerous limestone blocks lining the shore that have detached from the cliffs in the past. None appear to be from recent events, and no sign of incipient slope failure were observed. Since issuance of the Golder report in 1997, fences have been placed along the crest of the beach slope, and ground cover vegetation has established along the beachfront slope crest. In several locations, gullying and/or open cracks along the cliff face were noted, in one case partially masked by vegetation. Several cabins were within 1m to 2m of the beachfront cliff in the south-central portion of beachfront. As noted in the Golder report, beachfront cliff stabilization measures such as rock fill buttressing may be required in the future at these points.*

*Several shacks were noted to have roof downspouts discharging toward the crest of the beachfront cliff, with the potential for causing erosion and instability.*

*Site Survey – Generally the site was level, rising from beachfront to Cockburn Road to the east. Some hummocky ground was noted in the central part of the site, conforming to the underlying rock surface. No visible signs of ground subsidence, tension cracks or fissures were observed in the caravan park. Hand augured boreholes were advanced in 10 locations across the site. The boreholes revealed a thin layer of natural and/or fill sand overlying limestone. Generally the depth to limestone was in the range of 0.2m to 0.5m, increasing to over 1m in the vicinity of Cockburn Road, although several surface outcrops of rock were observed along the eastern boundary of the site.*

*Ground Penetrating Radar Survey – GPR surveys were conducted along 3 north-south profiles (parallel to shore) and 4 east-west profiles. GPR confirmed that the site was largely comprised of a thin layer of soil over rock. GPR showed the hummocky, fissured nature of the underlying limestone surface. Hand augers at several locations where GPR indicated fissures revealed sand infill into the fissures, and no voids or related ground subsidence were observed.”*

In December 2009 a major void developed between Shacks 540 & 541. These shacks are situated adjacent the cliff face and investigations revealed that likely the cause of the void was stormwater leakage from a poorly constructed drainage pipe leaching sand through the cliff face. The void was filled and the pipe repaired, however the incident demonstrated that the area is susceptible to the formation of voids that are not necessarily visible from the surface, nor necessarily identified from a typical grid pattern GPR or borehole survey.

A further inspection occurred in December 2017, and found that the area showed no signs of ground subsidence, fissures, tension cracks or building distress, however there were several home made beach access points.

In 2021 a void was located and this was rectified by contractors.

Updated Coastal erosion studies will occur along the Cockburn coastline over the next two years (2023/24 and 2024/25). These studies will determine any area of concern or future investigation required along the coastline of Reserve 24308 and indicate any requirements, monitoring or actions.

#### Actions Pertaining to Geotechnical Investigations

Regular geotechnical investigations of the site are required, most particularly to investigate the cliff face stability and for the possible presence of voids within the strip up to 50 meters wide from the cliff face. The results of the investigations will determine specific treatments found to be required and these will be planned, budgeted for and undertaken as needed.

Separately, consideration needs to be given to a planned retreat from the cliff face of susceptible shacks, via the cessation of the leases in close proximity to the cliff face. It is a key recommendation of this Management Plan that a separate staging plan be developed in consultation with the affected shack lessees to identify a timeline whereby shacks will need to have been removed to a new location on the site.

#### 4.0 Administration

##### 4.1 Inspections

Annual inspections of each shack will be carried out by an Environmental Health Officer. The purpose of the inspection is to ensure that shacks are being kept in acceptable condition and that unauthorised extensions or modifications have not been carried out.

#### 4.2 Soak wells

Small circular concrete soakwells 600mm diameter with concrete lids may be installed to capture wastewater from sinks. Soakwells must be installed within the lease holder's lease area and must be protected from cars or trucks by the use of bollards.

#### 4.3 Making an Application for Planning Approval for Naval Base Shacks

##### Introduction

In accordance with MRS requirements, Reserve 24308 is a regional reservation for 'Parks and Recreation'. Upon submission to the City of Cockburn, all applications for the development of land on Reserve 24308 are required to be referred to the WAPC for determination per clause 29(1)(a)(i) of the MRS and the Notice of Delegation under the Planning and Development Act 2005.

In almost every circumstance, all proposed development will require planning approval. This is a separate process to the building permit.

##### Submitting the Application

Lessees need to submit the completed application to the City's Statutory Planning Division. Upon receiving the application, the Statutory Planning Division will forward it to the WAPC within 7 days. The City will then assess the application and provide a follow up recommendation to the WAPC within 42 days of the original referral taking place, as per clause 29(3) of the MRS.

##### How will the Application be Assessed

The City's assessment and recommendation will be based upon the associated Local Planning Policy APD65 (Naval Base Holiday Park Heritage Area), the requirements of the lease and the requirements of the MRS.

##### What must be Submitted

Application for planning approval must include:

- i. Completed MRS Form 1
- ii. Planning fee applicable (see Schedule of Fees)
- iii. Three scaled (1:100 or 1:200) and accurate metric site plans which show the following:
  - a. The entire lease site and all buildings (existing and proposed), dimensions, areas and including a north point
  - b. Relationship to all surrounding lease sites and all other infrastructure or services nearby (particularly fire infrastructure)
  - c. The location of different use areas within the existing and proposed building
  - d. Landscape areas (grass only) shown within the lease site
  - e. Parking areas shown within the lease site
  - f. Elevations and cross-sections (where applicable)
  - g. The location of the water tap and soak well

#### 4.4 Making an Application for Building Permit – Reserve 24308 (Naval Base Shacks)

##### Reserve Design Guidelines

Prior to submitting a certified building permit application (BA1 Form) to the City's Building Services, planning approval must have been received for the structure and associated works.

The below guideline provides information for size and design of any proposed structure.

A holiday accommodation (shack) may be constructed on each lease site area. The accommodation may be an enclosed building and shall have an overall floor dimension of no greater than 5.2m x 5.2m; and a maximum height of no greater than 2.7m (wall) and 3m (ridge).

Patio/pergola – a patio or pergola may be constructed on the east or west side of the shack. The patio or pergola shall be attached to the shack and be no greater than 1.8m wide. The patio or pergola must be open on three sides and not be longer than the shack that it is attached to.

No building structure will be permitted to be located closer than 1.8m to another building/structure on an adjacent site area, regardless of the maximum dimensions prescribed for a shack or patio or pergola.

Planning approval and a building permit must be obtained before any development commences.

#### Process to obtain a Building Permit

The process below applies in respect of a Building Permit:

1. The completed Certified Building Permit Application Form is required to be executed by the Minister for Lands and Regional Development as the owner of the land. The City's Property Services Team will arrange for this when the application is submitted to the City
2. An applicant must have a valid Planning/Development Approval for the proposed works.
3. An application must obtain a Certificate of Design Compliance from a registered independent building surveyor. The Certificate of Design Compliance confirms that if the building or works are carried out in accordance with the certified plans, the building works will be compliant with each building standard that applies to the building.

An applicant will need to have a registered consultant building surveyor carry out this process. This service is at commercial rates as negotiated with an independent building surveyor. The City of Cockburn cannot offer this service. A list of registered consultant building surveyors is available from the Building Commission website – [www.buildingcommission.wa.gov.au](http://www.buildingcommission.wa.gov.au)

#### General Building Information

Site Overview: The City of Cockburn is of the opinion that the shacks are best compared to a Class 3 building for the purposes of the Building Code of Australia Volume 1 (BCA – Part A3). The applicable building standards are as defined in Specification A1.3 of BCA Volume 1. It is noted that the City's Health, Engineering and Planning requirements must all be met prior to the issuance of a building permit.

#### Litter Control

It is the Authorised Persons (i.e. the builder or licensed contractor undertaking the building or demolition works) responsibility to take all appropriate measures to prevent litter escaping from the site for the duration of any building or demolition works. Burning of waste material and litter on site is not permitted.

#### Dust Control

It is the Authorised Persons responsibility to minimise windblown dust nuisance by suitable means during any building or demolition works.

#### Noise Control

All construction activities/works must be carried out between the hours of 7am and 7pm Monday to Saturday. No construction works are to be carried out on Sundays or public holidays.

#### Asbestos

If asbestos is being removed it is to be disposed of in accordance with the Health Asbestos Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001.

#### Maintenance

All works subject to an approval by the City are to be maintained in a satisfactory state of repair. Dilapidated building/structures may at the discretion of the City be required to be removed.

#### Nuisance

If any works approved by the City are found to be a nuisance to other Lessees for reasons that are determined to be valid by the City, the works may at the discretion of the City be required to be removed.

#### 4.5 Making an Application for a Demolition Permit – Reserve 24308 (Naval Base Shacks)

##### Development Approval

Prior to submitting a demolition permit application, an applicant must have submitted a development application to the City's Statutory Planning Services for the demolition and obtained approval.

##### Process to obtain a Demolition Permit

The Demolition Permit Application Form (BA6) is required to be executed by the Minister for Lands and Regional Development as the Owner of the land. The City's Property Services Team will arrange for this when the application is submitted to the City.

An applicant must have a valid Planning/Development Approval for the proposed demolition works. Please refer to the other guidelines explaining the process for obtaining planning/development approval.

##### Definitions

**"Building"** means building works that are not exempt works under the Building Act 2012 and associated Regulations.

**"Development"** means the development or use of any land, including demolition, erection, construction, alternation of or addition to any building or structure on the land and carrying out on the land any excavation or other work and also includes any act or thing that –

- a. Is likely to change the character of that place or the external appearance of any building; or
- b. Would constitute an irreversible alteration to the fabric of any building.

##### Other works

Other works may be defined as works that do not fall within the definition of building./development work. Such work generally will not require development approval or a building permit. However, the City's consent is required for other works, and a Form NBHA1 must be submitted to the Property Services Team together with a detailed scope of works/specifications for the proposed other works. Subject to the level of works the City's Property Services Team will advise if the lessee will be required to submit any further applications. Some examples of these other works include:

- a. recladding of existing walls
- b. recladding of existing roof
- c. replacing/repairing gutters and downpipes
- d. antenna (less than 1.8m above roofline if fixed to a roof)
- e. repainting

#### 4.6 Lease

A report was taken to Council in May 2023 to

1. endorse a lease term of five years with an option for a further five year term at the absolute discretion of the City of Cockburn at the agreed lease fee of \$3250 per annum with CPI increases annually. The lease fee includes general maintenance to facility and grounds, capital improvements, cleaning, utilities, CCTV, rubbish collection charges, the emergency services levy and security services charges;
2. endorse a demolition levy of \$330 per annum increased annually by CPI.
3. Lessees will be responsible for Public Liability Insurance for a sum not less than \$20 million
4. Compliance with Local Laws
5. No approval of portable toilets
6. Water useage in line with the *Water Services Act 2012 (WA)*
7. A Persistent Breach clause
8. Endorse the preparation of a Management Plan for Reserve 24308, noting the demolition process per the lease agreement, with reference to terminated sites at the Naval Base Shacks.

The new lease will be finalised August 2023 and commence on 1 September 2023. Key details include:

##### Lease Fee

The lease fee is an all-inclusive figure for leasing sites at the Naval Base site, which covers general maintenance to facility and grounds, capital improvements, cleaning, utilities, CCTV, waste removal and emergency services levy. The lease fee will be increased by CPI each year.

The funds raised by the lease fee are placed in the Naval Base Shacks Reserve fund. Any funds expended from this reserve are transferred in accordance with the Budget. All surplus funds are quarantined to be spent on upgrading the site.

#### Demolition Levy

The introduction of the demolition levy in 2010/11 was to cover the City in the circumstances where a shack had to be removed and the leaseholder either did not want to pay or could not pay for its removal. The City has agreed to quarantine these funds so that in the eventuality the Shack is removed by the relevant leaseholder and at their cost, the leaseholder would receive the funds back. This was implemented so that the City would not have to resort to expensive civil litigation to recover any outstanding debt. The collection of the demolition levy under the new lease commencing 2023 ensures the levy's held in reserve covers demolition costs in line with inflation.

#### Insurance

The City currently has Public Liability Insurance for areas surrounding the Shacks however this will not cover any incident which occurs within or as a result of a Shack. It is not the City's responsibility to take out insurance for privately leased sites. Each Lessee is to take out and maintain cover for Public Liability insurance.

#### Local Laws

The lessee must comply with all local laws on the lease area or common areas.

#### Portable Toilets

No portable toilets will be approved on the leased area and all portable toilets located on the lease area must be removed.

#### Sprinklers

Sprinklers can only be used within the hours and days specified by the Water Corporation.

#### Hose Connections

The Lessee must repair any leaking hose fitting connections. The City has a right to repair and recover the cost if the lessee does not repair within 7 days of notice of repairs being required.

#### Persistent Breach

Occurs when the lessee has received three or more default notices during the term of the lease. A persistent breach will result in the lease agreement being terminated.

#### Maintenance

The lessee agrees during the Term and for so long as the lessee remains in possession or occupation of the site to maintain, repair, replace, clean and keep the site (which for the avoidance of doubt includes any building constructed on the site) clean and in good repair.

The Lessee must comply with all reasonable conditions that may be imposed by the City from time to time in relation to the Lessee's maintenance of the site.

#### Cleaning

The Lessee must at all times keep the site clean, tidy, unobstructed and free from rubbish.

#### Repair

The Lessee must promptly repair at its own expense to the satisfaction of the City any damage to the site, including damage of a structural nature, regardless of how it is caused.

#### Pest Control

The lessee must keep the site free of any vermin or any other recognised pests and the cost of extermination will be borne by the lessee.

#### Building Requirements

The Lessee must not, without written consent from the City or from any other person from whom consent is required under the lease, and required under statute in force from time to time (including but not limited to the planning and building approval) erect or remove any buildings, structures, alterations, additions or improvements on the site or remove any flora or fauna, alter or cut down any flora or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the site or the land.

#### Smoke Detectors and Gas Certificates

The lessee must install a lithium-ion battery smoke detector or any other approved detector as specified in the relevant legislation in each shack. The lessee must also provide to the City a gas safety certificate for any gas installation on the site.

#### Short Term Accommodation Only

The City is not supportive of lessees using their shack for longer than 120 days in any year because of the close proximity of the shacks to Kwinana which is the State's major heavy industrial area. Many of these industries are located in Kwinana because they are potentially dangerous, and they could not be located anywhere else in/near Perth. The recommendation (by the EPA) buffer from residences to a typical heavy industry is 1-5km. This is to provide protection to the residents by ensuring that any emissions are able to be diluted in the atmosphere before they reach the residential areas. It is also to provide some protection to these major industries of state and sometimes national significance so that they are not required to invest significant funds in excessive emission control and operational safety systems. The City's requirement is that the Shack is to be used for 120 days in a year no matter who is staying in the shack. The City introduced an Occupancy Log which is to be maintained by each Lessee. The log is to be made available for inspection by the City's representative at any time.

#### No Toilets or Showers – Kitchen Sinks Only

The Lessee is not allowed to install a toilet or shower, or plumbing which will permit the installation of a toilet or shower.

The Lessee may install a kitchen sink. A semi-permanent hose connected to the external water tap (similar to caravans) is acceptable with the outlet tap located over a kitchen sink. The sink will discharge via a trapped waste pipe to a soak well. The expectation is that when the site is not occupied the hose will be disconnected from the water supply.

The Lessee may install, with the City's prior written consent, a single 600mm soak well with a concrete lid upon the site. The soak well will be for kitchen grey water only. Any application must include an appropriate quality sketch depicting the proposed location of the soak well. It must be protected from vehicular traffic due to its location, or the installation of bollards.

#### No Generators

No generators are to be used on site at any time unless the City has provided prior written consent.

#### Solar and Wind Power Sources

Solar and Wind Power sources maybe installed on the shacks with the consent of the City.

#### No subletting

The Lessee must not sublet, licence or part with possession of the Site whether for profit or not.

#### No assignment or sub-letting without consent

The Lessee must not assign or sell the leasehold estate in the site or dispose of the site or any part of the site without the prior written consent of the City and the Minister for Land's consent which may be withheld in their absolute discretion.

#### Option to Renew

Whilst a five year option period has been included in the lease, it is at the Council's absolute discretion. Minister for Lands may terminate upon notice. The Minister for Lands may terminate their Lease for any reason upon six months written notice to the Lessee and City.

No compensation or other consideration shall be payable to or claimable by the Lessee from the City for or arising out of the termination of this Lease by the Minister for Lands.

#### 4.7 Administration of the Site

##### General Complaints

Facilities not being maintained – Property Services Team via email [shacks@cockburn.wa.gov.au](mailto:shacks@cockburn.wa.gov.au) or 9411 3444

Items being stored at the Reserve when a Lessee is not in attendance – Property Services Team

The City's CoSafe will patrol the park on a regular basis. They can be contacted during work hours on 9411 3444 or after hours on 1300 267 233.

##### Noise Complaints

Noisy or anti-social behaviour can be reported to CoSafe, however CoSafe is not able to take any action, they are only able to attend. Therefore, it is preferred if the Police are contacted in the first instance on 131 444 or in an emergency 000.

Due to the close proximity of the shacks, noise level restrictions will be applied as per the Environmental Protection (Noise) Regulations 2997.

The NBHA will provide lessees with a copy of some neighbourly rules which apply to the park.

##### Rubbish Collection

The number of bins and waste collection days will be increased on some long weekends, Easter and Christmas due to the increase in the number of Lessees at the site.

##### Dumping Whitegoods and other rubbish

If a witness is available the parties in question are to contact the Ranger Services on 9411 3444. The witness must be prepared to provide a statement and go to court if required.

The Rangers can instruct the offending parties to remove the items in question, and if they fail to do so, they can be prosecuted under the Litter Act provisions basing this on the statement provided by the witness at the time.

##### Cleaning of Facilities

The cleaning of both ablution blocks will be increased over the Easter and Christmas periods.

##### Phone Calls

The Property Services team can be contacted if a Lessee wishes to contact another Lessee. Phone number and addresses will not be provided by the City can act as a conduit to facilitate the contact if it is deemed a reasonable request.

Lessees can contact a member of the Naval Base Holiday Association in person or via email ([committee@navalbaseshacks.com](mailto:committee@navalbaseshacks.com))

##### Dispute Resolution

Disputes are generally better to be resolved by the Lessees themselves. If required, the police can be contacted on 131 444 or in an emergency 000.

##### Dogs

The Lessee must comply with the Dog Act 1976. All dogs must be kept on a leash at all times. There is a maximum of two dogs per shack. The owner of any dog is required to remove dog faeces and dispose of them in a suitable, sanitary manner. Any complaints are to be reported to the City of Cockburn Rangers who are contactable on 9411 3444 or in an emergency after hours on 1300 658 877.

#### Campers/Caravans/Boats/Trucks

Campers/tents or caravans will not be permitted on Reserve 24308. Boats and tents can be stored within a Lease area only while the Lessee is staying at the Shack. Under no circumstances are they to be stored on the Reserve. Please contact the Property Service Team at [shacks@cockburn.wa.gov.au](mailto:shacks@cockburn.wa.gov.au) if there are any queries regarding this.

Reports of squatters/campers/caravans can be made direct to the City's Rangers on 9411 3444 or in an emergency after hours 1300 658 877.

#### Collecting Keys

Swipe cards to the ablution blocks can be purchased from the City of Cockburn main office between the hours of 8.30am and 4.30pm. A log of lessees purchasing swipe cards will be maintained by the City of Cockburn.

#### Holding Events

Any event is to be a closed event to Lessees only.

Events are required to deal with a variety of risk management issues, and accordingly sufficient time must be left to ensure all approvals are obtained prior to an event taking place.

The following matters are required to be finalised before the event and the NBHA advised of the outcome:

- Parking and traffic management arrangements;
- Permission is to be granted via all neighbouring Lessees and the NBHA;
- Letterbox drop to be completed by the Lessee's intending to hold the event informing all other Lessees of the commencement time, number of people and finishing time;
- Extra bins are to be provided and rubbish removed from the site;

Any event shall have a maximum attendance of 20 people (including the lessees). For events exceeding the limit of 20 people both NBHA and the City must approve.

Due to the close proximity of the shacks, noise level restrictions will be applied as per the Environmental Protection (Noise) Regulations 1997.

The organiser of the event will be required to clean up after the event.

#### Community Infrastructure

Community infrastructure on the site includes two ablution buildings, roads, drainage, water and electrical infrastructure, lighting, beach access steps, signage, rubbish bins, common grassed areas and CCTV cameras. The City manages the Community Infrastructure including provision, operating, maintenance and disposal.

The City's facilities team consists of coordinators and trade related staff along with relevant contractors that manage and maintain the City's buildings and facilities and other infrastructure. Works are undertaken based on a planned capital works and maintenance program and regular servicing (e.g. cleaning). In addition, inspection and treatments are undertaken in response to Customer Requests from and through the City's Property Services Team. Staff and contractors are on call to respond should urgent works be required.

Requests for new infrastructure or requests or complaints concerning existing infrastructure should be directed to the City's Property Services Team at [shacks@cockburn.wa.gov.au](mailto:shacks@cockburn.wa.gov.au)

#### Dune Management

The City does not undertake any dune maintenance activities in this area as the shoreline is quite rocky and dunes are not prevalent. The Perth Regional NRM Coastcare Facilitator undertakes some revegetation in conjunction with community members.

#### Fence Maintenance

The City carries out regular inspections of the site boundary fences and maintains and where necessary will replace fence sections as required.

#### Lease Assignment Process

- a. The Lessee is permitted to advertise the sale/assignment of their lease privately
- b. Potential purchasers can contact the Property Services Team to obtain information in relation to the Reserve.
- c. The current Lessee is to request the assignment paperwork – it will not be posted to a potential purchaser.
- d. The City is not a party to the negotiations or sale process;
- e. The parties are to complete the request for assignment paperwork and forward the originals to the City
- f. The request for assignment will not progress until all outstanding monies have been paid in full
- g. Following confirmation of no outstanding monies, the City will forward the document to the Minister for Lands for consent and execution (this process can take up to 2 months to complete)
- h. An assignment of lease document will then be forwarded to both parties for their execution, this will include a copy of the original lease document. The City will request a copy of the insurance certificate to be provided by the new lessee at the same time. The City will not consent to the assignment of the lease until a copy of the insurance has been provided.
- i. The City will execute the assignment of lease document once the insurance has been provided and then forward the lease to the Minister for Lands for execution.
- j. Once fully executed, a copy of the document is to be forwarded to the new lessee for their records.
- k. All parties will then be advised that the transfer has been completed.

#### Emergency Management Procedures

In an emergency telephone:

Fire Brigade, Police and Ambulance: 000 When the emergency number is dialled:

Advise your location; provide your name and telephone number and any other information requested by operator.

In a Non-Emergency telephone:

- Fire Brigade 1300 657 209
- Police 131 444
- Ambulance 131 233

City of Cockburn Contact Numbers:

- Business hours 9411 3444
- Rangers 9411 3444
- Co-Safe 1300 267 233

Emergency After Hours Assistance 1300 658 877

#### Site Maps

Individual Site Maps have been completed for all sites and included in each Lease document. If any amendments to lease site areas are required, the Property Services Team will facilitate this by contacting the relevant lease holders. All the abutting lease holders must agree to the amendments. Each lease holder has the right of refusal to any requests, and this will be the binding determination.

For the purposes of constructing new shacks the boundaries of the lease areas may be required to be pegged by a Licenced Surveyor, this will be at the cost of the Lessee. The City is able to provide the necessary information to the Surveyor for the purposes of pegging the boundaries.

## 5.0 Detailed Planning for Infrastructure Upgrades

### General

The City develops and maintains Long Term Financial Plans, 10 year Capital Works Programs and annual (financial year) capital and operational works programs and budgets, drawing on Asset Management Plans and the Community Strategic Planning process. Major Capital works are incorporated into the 10 year forward plans whilst minor works are identified and provided for in the annual budgeting process. Operational costs including for rubbish removal, cleaning of the facilities and utility costs are covered in the annual (FY) operating cost budget provisions. Specific investment areas are detailed below.

### Roads

The City will continue to review and maintain the condition of all roads within the site to meet with suitable road standards and will look to resurface the roadways within the site when the surfacing condition requires it.

### Drainage

The City has identified that there are a number of drainage issues associated with the site. Suitable treatments will be investigated and implemented, with the highest priority being where the runoff from common property is impinging on lessee buildings or pedestrian access paths.

### Sewerage

The site has common use ablution buildings which are currently served by septic systems and leach drains. These require periodic emptying. Currently consideration is being given to connecting the site to the Water Corporation's sewerage system at Henderson.

### Beach Access

The beach access points including stairway access, handrail suitability and disability access will be reviewed periodically with a view of progressively improving and maintaining the general accessibility for all beach users.

### Pontoon

The City will investigate the provision of a Pontoon to be installed.

### Laundry

The City will demolish the Laundry building as it is no longer fit for use.

### Tap Replacement

The City will inspect and test all taps within the site and any taps found to be substandard will be replaced.

### Ablution Buildings

The City will investigate, plan and develop new toilet/shower facilities.

### Strategic Site Plan

In order to ensure that the best use of the site holistically, the City will investigate engaging a planning consultant with the view of seeking well thought out and informed options for the best use of any additional spaces that are vacated following the 2023 lease compliance audit.

## Attachment 1 – Management Order and Certificate of Title

FORM LAA-1023

DUPLICATE

SECTION 46

WESTERN AUSTRALIA  
LAND ADMINISTRATION ACT 1997 as amended  
TRANSFER OF LAND ACT 1893 as amended

## MANAGEMENT ORDER (XE)

## RESERVE DESCRIPTION (NOTE 1)

24308

## EXTENT

Whole

## VOLUME

3107

## FOLIO

425

## MANAGEMENT BODY (NOTE 2)

City of Cockburn of PO Box 1215, Bibra Lake DC WA 6965

## CONDITIONS (NOTE 3)

(i) To be utilised for the designated purpose of "Recreation and Camping" only,  
(ii) Power to lease (or sub-lease or licence) for the designated purpose is granted for the whole or any portion thereof for a term of twenty one (21) years subject to the approval in writing of the Minister for Lands being first obtained to each and every lease or assignment of lease, pursuant also to the provisions of section 18 of the Land Administration Act 1997.

THE MINISTER FOR LANDS (IN THE NAME OF AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA) ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE MANAGEMENT BODY DESCRIBED ABOVE FOR THE PURPOSE FOR WHICH THE LAND COMPRISING THE RESERVE IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997, AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE TO THE CONDITIONS ABOVE

Dated this

1<sup>st</sup>

day of

May

in the year

2009

## ATTESTATION (NOTE 4)

  
n/ SENIOR STATE LAND OFFICER  
STATE LANDS - METROPOLITAN  
STATE LAND SERVICES



WESTERN AUSTRALIA

**RECORD OF QUALIFIED CERTIFICATE  
OF  
CROWN LAND TITLE**

UNDER THE TRANSFER OF LAND ACT 1893  
AND THE LAND ADMINISTRATION ACT 1997

REGISTER NUMBER	
373/DP219595	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

VOLUME LR3107 POLIO 425

**NO DUPLICATE CREATED**

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

*Robert*  
REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 373 ON DEPOSITED PLAN 219595

**STATUS ORDER AND PRIMARY INTEREST HOLDER:  
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: CITY OF COCKBURN OF PO BOX 1215, BIBRA LAKE DC  
(XE K927155) REGISTERED 1 MAY 2009

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:  
(SECOND SCHEDULE)**

- H657388 CLASS A RESERVE 24308 FOR THE PURPOSE OF RECREATION AND CAMPING  
REGISTERED 31.1.2001.  
K927155 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH  
POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS, SUBJECT TO THE  
CONSENT OF THE MINISTER FOR LANDS. REGISTERED 1.5.2009.

- Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
(2) Lot as described in the land description may be a lot or location.  
(3) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.  
The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP219595 (SHEET 1).  
PREVIOUS TITLE: This Title.  
PROPERTY STREET ADDRESS: 1136 COCKBURN RD, HENDERSON.  
LOCAL GOVERNMENT AREA: CITY OF COCKBURN.

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE  
QUALIFIED

REGISTER NUMBER: 373/DP219595

VOLUME/FOLIO: LR3107-425

PAGE 2

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF KWINANA TOWN LOT/LOT 373 ON SUPERSEDED  
PAPER CERTIFICATE OF CROWN LAND TITLE CHANGED TO LOT 373 ON  
DEPOSITED PLAN 219595 ON 03-SEP-02 TO ENABLE ISSUE OF A DIGITAL  
CERTIFICATE OF TITLE.

NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER  
CERTIFICATE OF TITLE.

NOTE 3: K927154 CORRESPONDENCE FILE 03495-1990-03RO

LANDGATE USE ONLY. COPY OF ORIGINAL, NOT TO SCALE  
TIP Check: 11/05/2009 8:15:12 AM

Printed: 11/05/2009 8:15:26 AM Page: 2

Attachment 2 – Photographs of Shacks





Attachment 3 – Examples of Potential New Shack Designs



## Attachment 4 – Letter from Department of Mines

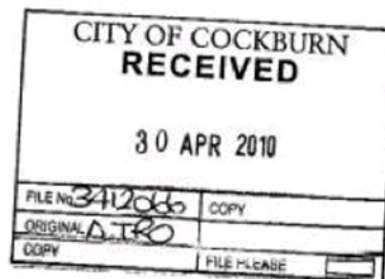


Government of Western Australia  
Department of Mines and Petroleum  
Resources Safety



Your ref: 1914  
Our ref: RSD0494/2007/3  
Enquiries: Philip Hine - Ph 93588161 Fax 93588188  
Email: philip.hine@dmp.wa.gov.au

Mr Andrew Trosic  
Manager Strategic Planning  
City of Cockburn  
PO Box 1215  
BIBRA LAKE DC WA 6965



Dear Andrew

**ADVICE REGARDING RESERVE 24308 AND POTENTIAL INDUSTRIAL RISK ISSUES**

Thank you for your letter of 28 April 2020 regarding the above.

As requested I provide the following responses to your questions:

1. In relation to public risk from industrial facilities, the existing land use of Reserve 24308 is primarily protected under the *Dangerous Goods Safety Act 2004* either via the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007, or where a major hazard facility is concerned, via the Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007. Specifically, any industrial facility near the Reserve that is regulated under either of these regulations is obliged to minimise the risk to people, property and the environment to a level as low as is reasonable practicable.

Additional protection may be provided via Ministerial conditions imposed by the Minister for the Environment, or via environmental licence conditions imposed by the Department of Environment and Conservation, both under the *Environmental Protection Act 1996*.

2. The Kwinana Alumina Refinery is a dangerous goods site regulated under the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007. The refinery is not a major hazard facility and its operations do not pose a credible risk to occupants, other users or property at Reserve 24308. As such, the refinery does not, and will not adversely influence the continuation of either the current or any other compatible land use at the Reserve.

Level 1, 303 Sevenoaks Street (cnr Grose Ave) Cannington WA 6107  
Postal address: Mineral House, 100 Plain Street, East Perth WA 6004  
Telephone: (08) 9358 8002 Facsimile: (08) 9358 8000 ResourcesSafety@dmp.wa.gov.au  
www.dmp.wa.gov.au  
wa.gov.au

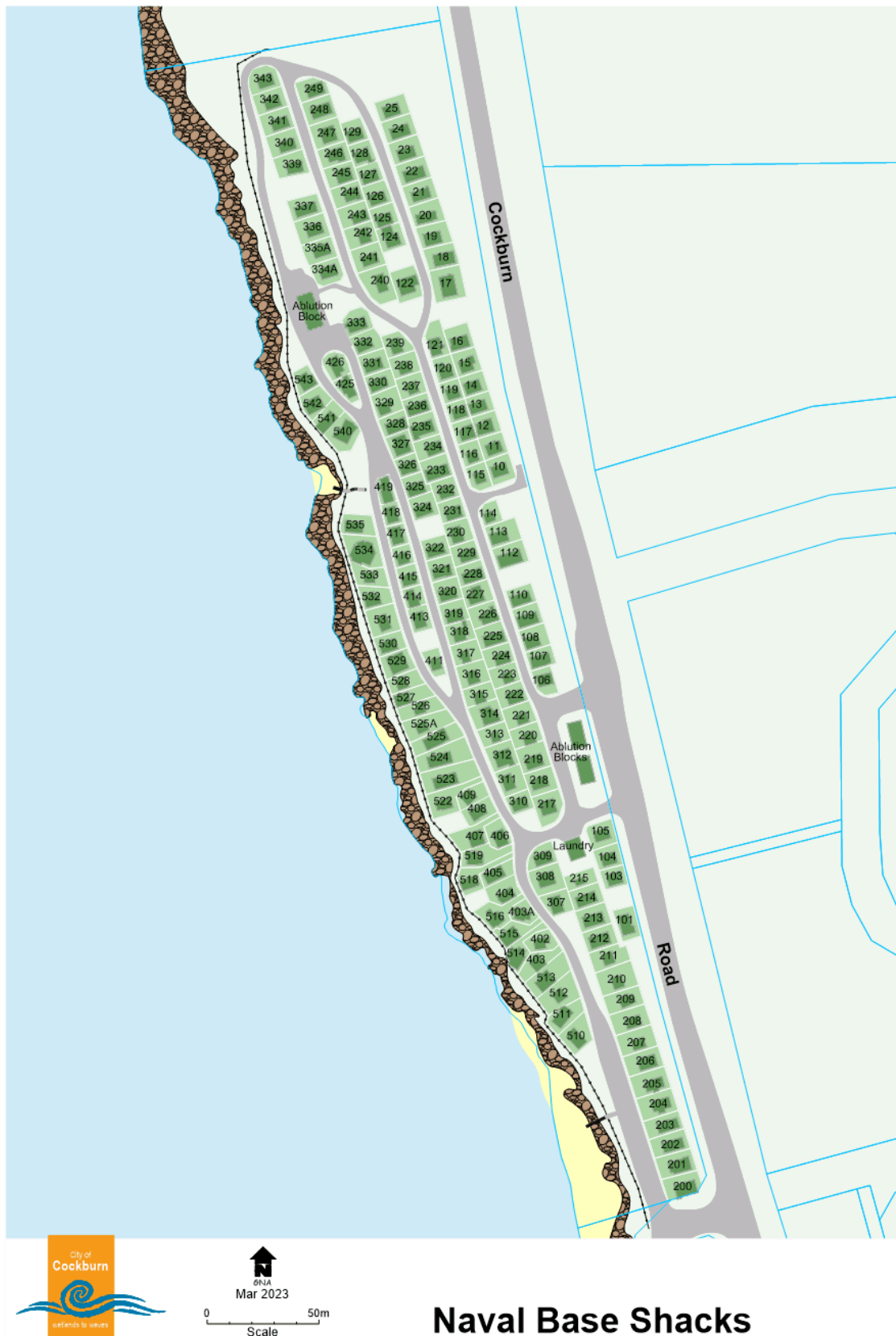
Should you have any further questions in relation to this matter please do not hesitate to call.

Yours sincerely



Philip Hine  
Director  
**DANGEROUS GOODS SAFETY BRANCH**

28 April 2010



## 14.3 Community Services

### 14.4.1 Dog Exercise Areas

**Executive** Chief of Community Services

**Author(s)** Head of Community Safety and Ranger Services

**Attachments** 1. Clementine Park Enclosed Dog Park [↓](#)

#### **RECOMMENDATION**

That Council:

- (1) APPROVES the public advertisement of Clementine Park (6 Clementine Boulevard) Treeby as a dog off-leash area (within the existing fenced dog park), as shown within Annexure 1 in accordance of 31(3A) of the Dog Act 1976
- (2) NOTES Treeby Reserve (1 Torwood Avenue Treeby) as a dog on-leash area.
- (3) APPROVES community consultation to commence (not before 1 November 2023), for the following Reserves to be timed off-leash areas:
  1. Len Packham Reserve (Review)
  2. Davilak Reserve
  3. Dubove Park
  4. Beale Park
  5. Watson Oval
  6. Edwards Park
  7. Len McTaggart Park
  8. Poole Reserve
  9. South Coogee Reserve
  10. Albion Park
  11. Radonich Park
  12. Visko Park
  13. Nicholson Reserve
  14. Anning Park
  15. Tempest Park
  16. Meller Park
  17. Atwell Reserve
  18. Botany Park
  19. Frankland Reserve
- (4) NOTES a future report will be presented to Council after March 2024, on the results of the community consultation, in respect to recommendation (3).

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

**Background**

At the 14 July 2022 Ordinary Council Meeting, Council resolved to:

- 1) *PROVIDES 28 days public notice (as defined in section 1.7 of the Local Government Act 1995) of its intention to add:*
  1. *Enright Reserve (223 Healy Road, Hamilton Hill)*
  2. *Len Packham Reserve (96 Cordelia Avenue, Coolbellup)*
  3. *Success Reserve (359 Hammond Road, Success)**as designated dog exercise areas in accordance with section 31 (3A) of the Dog Act 1976.*
- 2) *NOTES the community consultation will advertise the Phase Two (2) Reserves as a trial and unless bona-fide complaints are received, the off-leash designations will stay in effect after the trial period*

Since implementing phases one (1) and two (2) of the dog exercise areas listed within the Animal Management and Exercise Plan 2020-2025, the City has reviewed community feedback and complaints submitted to the City's Ranger Services.

In addition, the City has had ongoing correspondence with the schools and Department of Education regarding the trial areas.

Based on this feedback, the City's officers recommend that Len Packham reserve (part of phase 2) be included in the Phase 3 community consultation, so that further community feedback can be obtained before deciding whether the Reserve should remain as a timed dog off-leash area.

**Submission**

N/A

**Report**

Due to the growth in dog ownership within the City, it is estimated that there will be 25,000 dogs within the City by 2025.

As a result, the Animal Management and Exercise Plan 2020-2025 (AMEP) recommends a three-phase approach to deregulating some of the City's larger public open spaces, allowing dog owners to exercise their pets in these areas when reserves or parks are not being used by recognised sporting groups or school activities.

The phased roll-out within the AMEP is as follows:

Phase	Location	Status
1	<ul style="list-style-type: none"> <li>• Beeliar Reserve</li> <li>• Aubin Grove Reserve</li> <li>• Santich Park</li> <li>• Goodchild Reserve</li> <li>• Colorado Park</li> <li>• Allendale Park</li> <li>• All previously approved dog exercise areas</li> </ul>	Completed
2	<ul style="list-style-type: none"> <li>• Enright Reserve</li> <li>• Len Packham Reserve</li> <li>• Success Reserve</li> </ul>	Completed
3	<ul style="list-style-type: none"> <li>• Davilak Reserve</li> <li>• Dubove Park</li> <li>• Beale Park</li> <li>• Watson Oval</li> <li>• Edwards Park</li> <li>• Len McTaggart Park</li> <li>• Poole Reserve</li> <li>• South Coogee Reserve</li> <li>• Albion Park</li> <li>• Radonich Park</li> <li>• Visko Park</li> <li>• Nicholson Reserve</li> <li>• Anning Park</li> <li>• Tempest Park</li> <li>• Meller Park</li> <li>• Atwell Reserve</li> <li>• Botany Park</li> <li>• Frankland Reserve</li> </ul>	Proposed

As part of a review of Phase 1 and 2 dog exercise areas, the City has undertaken a review of complaints within the area;

Reserve	Number of customer requests*	Summary of Customer Requests
<b>Phase 1 locations</b>		
Beeliar Reserve	0	
Aubin Grove Reserve	0	
Santich Park	0	
Goodchild Reserve	2	1 Incident was a dog-on-dog attack and 1 dog wondering without owner present
Colorado Park	0	
Allendale Park	0	
<b>Phase 2 locations</b>		
Enright Reserve	3	1 Dog attack and 2 dog's wondering without owner present.
Len Packham Reserve	2	2 general complaints relating to Council's decision
Success Reserve	0	

\*Number of Complaints between 1 April 2022 to 1 April 2023 relating to dogs

After reviewing the objectives of the AMEP, it is recommended that Serventy Park and Freshwater Reserve be removed from the Phase 3 roll-out.

This decision is based on existing community sentiment and the overall size of the parks, which may not be suitable for effective control of off-leash dogs.

Considering the overall number of dog-related concerns, it is recommended that all Phase 2 locations, except for Len Packham Reserve, continue as dog exercise areas.

### **Len Packham Reserve**

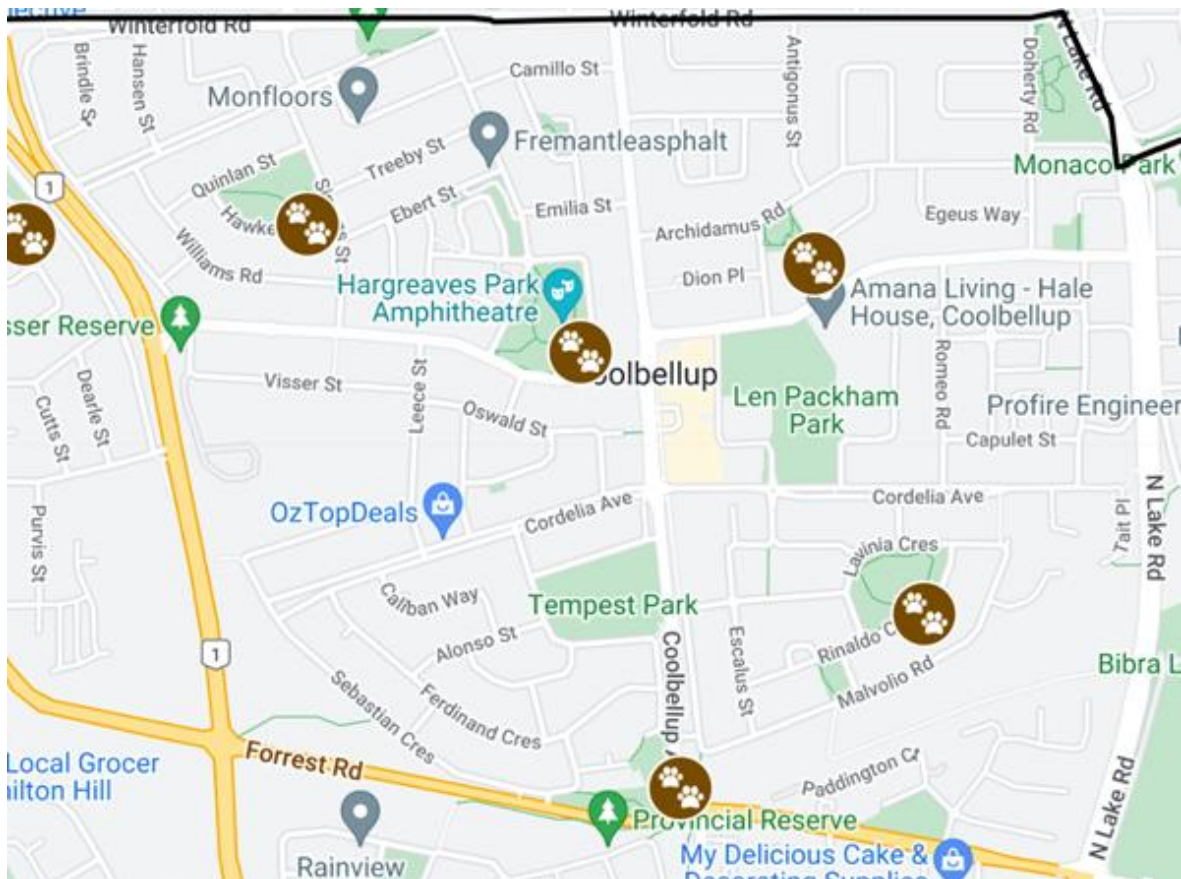
Since the commencement of the Phase 2 trial period, the two schools adjacent to the Len Packham Reserve, Coolbellup Community School and Coolbellup Learning Centre, have raised ongoing issues and concerns about continuing the timed dog exercise area.

Between 13 February and 7 March 2023, Ranger Services conducted eight proactive patrols in the area. Dogs were sighted only once during school hours, and during this interaction, there was no school activity on the Reserve, and the owner had effective control over the dogs.

Apart from the schools' concerns, the Western Knights Soccer Club initially raised concerns but has not reported any breaches to the City.

While there have been a few complaints, there are concerns about the conflicting use of the reserve by vulnerable children and inattentive dog owners.

There are five (5) other dog exercise areas within Coolbellup (refer to the image below), so removing Len Packham will not significantly impact the overall availability of local dog exercise areas.



**Image 1 - Other Dog Exercise Areas within Coolbellup**

Based on the above factors, Len Packham Reserve should be added to the future community consultation so that more specific community feedback can be obtained before determining whether Len Packham Reserve should remain a dog exercise area or be reverted to a dog on-leash only area.

### **Clementine Park**

The Calleya Dog Park was constructed by the Calleya Estate developers as a safe place for residents to interact and allow their dogs to play in a purpose-built area.

Although the City approved the construction of the park, the enclosed dog area has not been listed as an off-leash dog exercise area by the City in accordance with the Dog Act 1976.

Accordingly, in the interest of good governance, it is recommended that the Council approve this enclosed dog park as an off-leash area.

### **Treeby Reserve**

In 2022, the City of Cockburn opened the Treeby Community and Sports Centre and the Department of Education's Treeby Primary School.

Due to increased use of the Treeby Reserve, the School's principal and the Department of Education have requested that dogs be prohibited during certain periods of the day.

However, the Treeby Reserve does not currently have a land use agreement in place that provides exclusive use of the Reserve, and creating a dog prohibited zone would be inconsistent with other Reserves that adjoin schools within the City of Cockburn.

Ranger Services does not support the prohibition for the following reasons:

1. There is insufficient evidence to suggest that dogs on a leash pose an unreasonable risk to people.
2. Enacting the dog prohibition would likely lead to future requests by other co-located schools within the City of Cockburn.
3. To effectively resource the ban, additional Ranger resources would be required.

Since 2022, there has been one community complaint of dogs being off-leash, and in 2023 to date, Rangers have witnessed one off-leash dog.

### **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.
- 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**

The Community consultation proposed in this report has been added to the 2023-24 Budget draft for Council's future consideration.

### **Legal Implications**

#### **Clementine Park**

Pursuant to section 31(3A) of the *Dog Act 1976*, the creation of dog off-leash areas requires an Absolute Majority of Council.

Should Council adopt the new locations, a period of 28 days of statutory advertising will commence shortly afterwards.

Following the statutory period, the designated reserves will become a dog exercise area for the times specified by the City.

**Commencement of community consultation**

The commencement of community consultation does not have any specific legal implications, as it is a standard procedure for seeking input from the community before any changes are made.

However, the findings from the consultation will be presented in a future report to Council, and any changes that are proposed will need to comply with relevant legislation.

**Community Consultation**

The proposal within this report is based on previous community consultation conducted during the development of the Animal Management and Exercise Plan 2020-2025.

If Council were to approve the recommendation made by the officer, a comprehensive community consultation plan would be developed, which would follow the AIP2 public participation spectrum.

By following the AIP2 framework, the City can ensure that the community is engaged in a meaningful way, and that their feedback is taken into consideration when determining whether to designate certain areas as off-leash dog exercise areas.

**Risk Management Implications**

Given the potential for significant community division and criticism around dog management and the creation or alteration of dog exercise areas, it is crucial to approach these changes with careful consideration and thorough community consultation.

Failing to do so could result in prolonged community criticism and delay the decision-making process. As such, it is recommended that Council ensures proper consultation is undertaken before approving any alteration of dog exercise areas.

**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 11 May 2023 Ordinary Council Meeting.

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

Nil

Annexure1 - Clementine Park Enclosed Dog Park



## 14.4 Corporate Affairs

### 14.5.1 Fremantle Football Club Strategic Partnership - Memorandum of Understanding

**Responsible Executive** Executive Corporate Affairs

**Author(s)** Manager Business and Economic Development

**Attachments** 1. Memorandum of Understanding - Fremantle Football Club and City of Cockburn [↓](#)

#### RECOMMENDATION

That Council:

- (1) ENDORSES the establishment of a non-legally binding Memorandum of Understanding between the City of Cockburn and Fremantle Football Club; and
- (2) AUTHORISES the Chief Executive Officer to sign the Memorandum of Understanding.

#### Background

The City of Cockburn and Fremantle Football Club have been exploring opportunities to collaborate across multiple shared priority areas.

The purpose of these discussions was to create a partnership between the parties in areas of mutual interest such as sustainability, community development, advocacy, and community sport.

As one of only 18 Local Governments across Australia that are home to AFL and AFLW teams, it is important to further build on the informal relationship and collaboration that already exists.

A Memorandum of Understanding (MoU) will formalise and provide structure to the relationships across the organisation.

#### Submission

N/A

#### Report

The City of Cockburn would like Council to endorse the establishment of a formal non-legally binding agreement in the form of a MoU with the Fremantle Football Club.

**Strategic Plans/Policy Implications**Local Economy

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

Listening & Leading

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

**Budget/Financial Implications**

N/A

**Legal Implications**

Clause 3(a) of the MoU states that:

“If the Parties determine that they want to commence a collaborative activity or project to further the Objectives, the Parties will enter into a separate binding contractual arrangement (Agreement)”.

Further, clauses 5 and 8 relate only to “confidentiality” and “public statements” respectively.

**Community Consultation**

N/A

**Risk Management Implications**

There is a very low-level risk attached to the execution and delivery of this MoU agreement.

Strategic agreements of this nature have traditionally yielded significant benefits for local Councils.

**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 11 May 2023 Ordinary Council Meeting.

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

Nil

## MEMORANDUM OF UNDERSTANDING

### Details

<b>Parties</b>	<b>FREMANTLE FOOTBALL CLUB (ACN 066 055 249) of 31 Veterans Parade Cockburn Central WA 6164 (Fremantle)</b>
	<b>City of Cockburn (ABN 27 471 341 209) of 9 Coleville Crescent, Spearwood, Western Australia 6163 (Cockburn)</b>
<b>Commencement Date</b>	Date of execution of this document by the last of the Parties.
<b>End Date</b>	30 June 2026
<b>Objectives</b>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>(a) To collaborate in multiple areas to enhance the brand, objectives, and outcomes of each of the Parties as leading innovators in their respective industries.</li> <li>(b) To create partnerships between the Parties in areas such as government relationships, education providers, player servicing agreements, small to medium enterprise activations, local resident communications, and stakeholder engagement.</li> <li>(c) To discuss and explore opportunities and proposals to cooperate and collaborate in one or more, but not limited to, the following areas: <ul style="list-style-type: none"> <li>a. Strategic Projects</li> <li>b. Membership</li> <li>c. Partnerships</li> <li>d. Community</li> <li>e. Media</li> </ul> </li> </ul>
<b>Responsibilities</b>	<p><b>FFC &amp; Cockburn Responsibilities</b></p> <p>Within three months of the Commencement Date, or at such later time as agreed between the Parties, the Parties must agree on;</p> <ul style="list-style-type: none"> <li>1. A strategy for the management and oversight of the objectives, which will include: <ul style="list-style-type: none"> <li>a. a process for regular communication between representatives of the Parties in relation to this Memorandum of Understanding.</li> <li>b. an equitable decision-making process.</li> <li>c. establish procedures for reviewing and reporting on the progress of collaborative activities initiated under this Memorandum of Understanding.</li> <li>d. establish procedures for identifying and prioritising new opportunities for collaboration.</li> </ul> </li> <li>2. Representatives of each Party will attend the quarterly Steering Group meetings.</li> </ul>

**MOU Representatives****Fremantle Football Club Name & Title:**  
**Representative**Joe Brierty  
Chief Operating Officer**Phone:****Email:****City of Cockburn Representative****Name & Title:**Daniel Arndt  
Chief Executive Officer**Phone:****Email:**

## 1. COLLABORATION AND OBJECTIVES

The Parties enter into this Memorandum of Understanding (**MoU**) for the purpose of discussing and exploring opportunities to cooperate and collaborate with respect to one or more of the Objectives set out in the Details.

## 2. RESPONSIBILITIES OF THE PARTIES

To further the Objectives, the Parties commit to the Responsibilities set out in the above **Details**.

## 3. INTENTIONS OF THE PARTIES

- (a) If the Parties determine that they want to commence a collaborative activity or project to further the Objectives, the Parties will enter into a separate binding contractual arrangement (**Agreement**). Each Agreement will set out the obligations of the Parties, including but not limited to funding / payment, responsibilities, intellectual property, copyright ownership, confidentiality, warranties, risk allocation and indemnification to be undertaken by each Party in relation to that activity. The Agreement will prevail over this MoU.
- (b) This MoU does not transfer any interest in or rights to data or intellectual property.
- (c) Any action taken and costs incurred by a Party in anticipation of any Agreement or to facilitate activities under this MoU will be at the sole risk and responsibility of that Party.
- (d) This MoU does not create any agency, partnership, trust or joint venture between the Parties. Neither Party has any authority or power to act for, create or assume any responsibility or obligation on behalf of the other Party.
- (e) Time is of the essence in the performance of the obligations under this MoU.

## 4. TERM AND TERMINATION

- (a) This MoU commences on the Commencement Date and continues until the End Date.
- (b) Without prejudice to any other rights and remedies it has under this MoU or otherwise, and subject to the obligations of the parties to first negotiate in good faith if a dispute arises, then at any time, by giving not less than 3 months written notice to each party, may terminate the MoU.
- (c) The termination of this MoU will not affect any activity or project that is the subject of an Agreement between the Parties unless the Agreement provides otherwise.
- (d) Termination of this Agreement does not affect any accrued rights or remedies of either party.

## 5. CONFIDENTIALITY

Each Party must treat all confidential information owned by the other Party, including all information or material disclosed in relation to this MoU as confidential, and will not disclose or permit disclosure to a third party without obtaining the disclosing Party's prior written consent (except to the extent necessary for the purposes of an Agreement or as required by law). This clause will survive the termination or expiration of this MoU.

The parties acknowledge that they may receive confidential information from each other in connection with this MoU. The recipient may only use the confidential information of the party disclosing that information for the purposes of performing their obligations or exercising their rights under the MoU or an Agreement and must not disclose it to any person other than to its employees, contractors or agents for the purposes of performing their obligations under this MoU.

## **6. INTELLECTUAL PROPERTY**

Intellectual Property Right' means all intellectual and industrial property rights and interests throughout the world, whether registered or unregistered, including trademarks, designs, patents, inventions, copyright and analogous rights, trade secrets, know how, processes, concepts, confidential information and all other intellectual property rights as defined in Article 2 of the Convention establishing the World Intellectual Property Organisation on 14 July 1967 as amended from time to time.

- (a) Except as otherwise provided in this MoU, ownership of Intellectual Property Rights (other than third party Intellectual Property Rights) associated with the Objectives and any documentation provided by Cockburn or Fremantle pursuant to this MoU vests in and shall remain vested in Cockburn or Fremantle, respectively.
- (b) Ownership of Cockburn Intellectual Property Rights (other than third party Intellectual property Rights) vests in and shall remain vested in for Cockburn.
- (c) Ownership of Fremantle Intellectual Property Rights (other than third party Intellectual property Rights) vests in and shall remain vested in for Fremantle.

## **7. PRIVACY MANAGEMENT POLICY**

Without limiting any other provision of this MoU, the Parties must comply with the Privacy Act 1988 (Commonwealth) (Privacy Act) and all other relevant laws and regulations which it is made aware of in relation to any personal Information (as defined in the Privacy Act) collected by or disclosed by or reasonably accessible to either party under this MoU.

For the avoidance of doubt;

- (a) the Parties remains solely responsible for ensuring that any personal information (as defined in the Privacy Act) collected by it is done in compliance with the Privacy Act.
- (b) the Parties remains solely responsible for ensuring that all its employees, contractors or agents in the provision of the MoU have provided consent to the collection of their personal information (as defined in the Privacy Act) in compliance with the Privacy Act.

## **8. PUBLIC STATEMENTS**

Neither Party will use the name or logo of the other Party, or any variation of it, without obtaining the other Party's prior written consent. Any use must be subject to any directions in the consent including compliance with the Parties brand policies and style guidelines. The Parties will consult with each other before making any press release concerning this MoU or its details. This clause will survive the termination or expiration of this MoU.

**9. SUSTAINABILITY AND ANTI MODERN SLAVERY**

- (a) Cockburn is committed to operating in a sustainable manner. As such, Cockburn requires that the environment, social and economic impacts are considered in dealing with matters in this MoU. All matters shall be in accordance with all relevant legal requirements including but not limited to the WA Environmental Protection Act 1986 Part 5, Australian Standards and Industry Codes of Practice and the Cockburn Safety, Health and Environment Policy and Statement of Business Ethics.
- (b) In performing its obligations under this MoU, the parties will comply with the Modern Slavery Act 2018 (Commonwealth).

**10. VARIATION**

This MoU may not be varied except in writing signed by a duly authorised signatory of each Party.

**11. COUNTERPARTS**

This MoU may be signed and exchanged between the Parties in any number of counterparts.

**12. RECORD MANAGEMENT RESPONSIBILITIES**

In accordance with the provisions of the State Records Act 2000, some or all records as reasonably created or collected by the Parties in the course of undertaking this MoU that are not commercial in confidence, will be deemed a government record and said documentation shall remain vested with Cockburn in perpetuity. Refer to the Cockburn's Records Management Policy for definition of a record.

**13. COUNCIL POLICY**

The Parties acknowledge the activities and projects are subject to and in accordance with all relevant policies and position statements of the Local Government. The policies and position statements are available on Cockburn's website.

**14. GOVERNING LAW**

This MoU is governed by and construed according to the laws of Western Australia and the parties shall submit to the jurisdiction of the Courts of Western Australia.

**SIGNED for and on behalf of Fremantle Football Club** by its duly authorised signatory

<b>Signature</b>	<b>Name</b>
	<b>Title</b>
	<b>Date</b>

**SIGNED for and on behalf of the City of Cockburn** by its duly authorised signatory

<b>Signature</b>	<b>Name</b> Daniel Arndt
	<b>Title</b> A/Chief Executive Officer
	<b>Date</b>
<b>Witness Signature</b>	<b>Name</b>

**15. Reports-Standing Committee****15.1 Governance Committee Meeting – 27/04/2023****15.1.1 Policy Review - Wastewise Events**

**Responsible Executive** Chief Operations Officer

**Author** Waste Services Manager

**Attachments** 1. Proposed Amendments to Policy 'Wastewise Events' [↓](#)

**Officer Recommendation/Committee Recommendation**

That Council:

- (1) APPROVES the proposed changes to Policy 'Wastewise Events', as attached to the Agenda.

**Background**

The original Wastewise Events Policy was developed in 2018.

Consultation occurred in April 2019, and it was then adopted in August 2019.

With the introduction of the single use plastic ban Stage 1, the Policy was again reviewed, in conjunction with community consultation, in December 2020.

As per the Schedule of Policy Review adopted by Council on 8 September 2022, the policy is due for review and presented to the Governance Committee.

**Submission**

NA

## Report

Changes to the Policy have been recommended as a result of recent experiences at the Coogee Live event and Stage 2 of the WA Single Use Plastic Ban legislation.

<b>Wastewise Event Policy</b>	
Policy Purpose	To encourage the use of re-usable alternatives in reducing waste volumes
Policy Purpose	To qualify that the reduction of waste and contamination of waste streams at events applies within the City boundaries
<b>Comment</b>	
(1) City Events	To qualify reusable alternatives to Single Use plastics and/or compostable alternatives certified to AS 4736.
	To introduce the concept of staff stationed at each bin to assist patrons in understanding how to use bins correctly and partnering with companies capable of managing compostable waste.
	Ensure water refill points a visible, easily accessible and free.
	Introduce a requirement to ensure that during and/or post event clean up to ensure no litter left on site.
	To require event organisers to prepare and submit a Waste Management Plan for the event.
	To exclude the use of confetti and glitters at City events.
	To restrict promotional material, decorations and supplies to those that can be reused or recycled and to maximise the use of digital platforms.
	Introducing a requirement for vendors to remove their own waste from the venue.
	To ensure businesses and vendors comply with the requirements of the Wastewise Policy and to preclude those who attend subsequent events for blatant non-compliance.
(1) Approved Events	Introduce the concept of staff stationed at each bin to assist patrons in understanding how to use bins correctly.
	To exclude the use of confetti and glitters outdoors.
	To exclude the use, provision or sale of single use plastics items as per WA Plastic Ban Timeframe.
	To strongly encourage approved events to maximise the use of digital platforms and local publications for the distribution of promotional material.
	Strongly encourage approved events to partner with companies capable of managing compostable waste.
(2) Other Events	To exclude the use of confetti and glitters outdoors.
	To exclude the use, provision or sale of single use plastics items as per WA Plastic Ban Timeframe.

**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.

**Budget/Financial Implications**

The 2024 draft waste education budget has been increased by \$60,000 to allow for all event waste bins to be attended by trained staff and additional costs associated with reusable and compostable suppliers.

**Legal Implications**

NA

**Community Consultation**

Community consultation will not be necessary given the changes relate to legislative requirements.

**Risk Management Implications**

Failure to adopt these changes will inhibit the Waste Education messaging, our continuous improvement in delivering sustainability initiatives and the implementation of circular economy principals.

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

N/A

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

NA

Title	Wastewise Events
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## Policy Type

Council

## Policy Purpose

The City of Cockburn ('the City') recognises its responsibility to implement sustainability measures across the organisation and to work with its community towards an environmentally, socially and economically sustainable future.

Community events within the City generate significant volumes of waste. This policy aims to:

- Reduce waste at events through restrictions on single-use, disposable items **and promotion of re-usable alternatives.**
- Improve resource recovery via the provision of infrastructure and education; and
- Reduce litter.

The purpose of this policy is to reduce waste from events within **the City boundaries**, to encourage effective resource recovery **and reduce contamination of the waste streams.** ~~This will reduce resource consumption, litter generation and threats to local wildlife.~~

## Policy Statement

The policy applies to:

- 'City Events' - all events coordinated by the City or external organisations engaged by the City;
- 'Approved Events' - all events subject to formal approval of the City via the Public Event Application process. This includes events supported by City grants;
- 'Other Events' – all other events on City-owned property which are not subject to the formal approval of the City.

'Events' include all civic, commercial or community events, meetings, functions, workshops, markets, festivals, expos, parties, information sessions, conferences and organised/formal sport or recreational events.

### (1) City Events

All City events shall include provision of:

- **Reusable alternatives to Single Use plastics and/or compostable alternatives certified to AS 4736.**
- Appropriately labelled, **and attended** ~~paired general waste and recycling bins with signage indicating correct waste disposal for each stream.~~ There shall be

[1]

Title	Wastewise Events
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sufficient bin volume and **adequate bin management** to ensure no litter arises from overflowing bins;

Where re-usable dishware items are used, the City shall ensure bin management is in place to avoid disposal of reusable items in bins. (remove or close off unattended bins)

Where compostable alternatives are used, the City shall engage/partner up with a compostable waste solution (Eg. WRITE Solutions; RichGro ..) for reprocessing of organics and compostable waste

- **Easily accessible and visible** alternatives to bottled water **free of cost** (where required) e.g. water trailer, portable water fountains, portable water bottle refill stations and/or fixed water bubblers.
- **During and/or post event clean up to ensure no litter left on site**
- **Written waste and bins management plan including information/process about waste stream collected, collection and disposal methods; to be shared and approved by the City's Waste Services Department. (A template can be provided if required)**

All City events shall exclude:

- Sale, use or release of balloons, **confetti and glitters**
- Use, provision or sale of single use plastics, including polystyrene or styrofoam. Single use plastics include but are not limited to: cups (including plastic lined coffee cups), ~~drink bottles~~, cutlery, straws, drink stirrers, plates, decorations, individual condiment portions, bags and containers. ~~Reusable alternatives are preferred but compostable alternatives certified to AS 4736 are acceptable.~~ Single use plastic items necessary to meet health and safety requirements are exempt from this policy.
- Use of bean bags with polystyrene filling.

All City events shall:

- **Restrict promotional material, decorations and supplies to those which can be reused and/or recycled.**
- **Minimise the use of "event specific" printed promotional material for example posters, flyers and wherever applicable, maximise the use of digital platforms and local publications for the distribution of promotional material.**

**Vendors waste management:**

- **(Commercial) waste generated by vendors must be removed from site by vendor and not placed in council bins.**

[2]

Title	Wastewise Events
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Policy implementation:

- Vendors and businesses will be provided the City's requirements for waste wise events prior to approval being granted and then will be requested to provide information to confirm compliance with those requirements. Compliance with the policy will be pursued through proactive communication, education and support rather than through formal monitoring and enforcement. However, where there is blatant disregard for this Policy, third party providers of events and other such trading businesses will not be authorised or approved to operate at future events as described under this policy, until such time as it can be appropriately demonstrated there is compliance with this Policy.

~~Failure of vendors to comply with this policy may lead to their exclusion from future City Events.~~

(2) Approved Events

All approved events shall include provision of:

- Appropriately labelled, ~~paired~~ general waste and recycling bins. There shall be sufficient bin volume and **adequate bin management** to ensure no litter arises from overflowing bins.

All approved events shall exclude:

- Sale or release of balloons;
- The use of balloons, **confetti and glitters** outdoors
- Use of bean bags with polystyrene filling.

~~Approved events are strongly encouraged to:~~

- Use, provision or sale of single use plastics **items as per WA Plastic Ban Timeframe**, including polystyrene or styrofoam. Single use plastics include ~~but are not limited to:~~ **disposable plastic cups for cold drinks; cups (including plastic lined coffee cups), drink bottles, cutlery, straws, drink stirrers, plates, bowls decorations, individual condiment portions, bags and containers.**
- Reusable alternatives are preferred but compostable alternatives certified to AS 4736 are acceptable;

Approved events are strongly encouraged to:

- Provide alternatives to bottled water (~~where required~~) e.g. water trailer, portable water fountains and/or portable water bottle refill stations.
- Minimise the use of "event specific" printed promotional material for example posters, flyers and wherever applicable, maximise the use of digital platforms and local publications for the distribution of promotional material.**
- Where compostable alternatives are used, engage/partner up with a compostable waste solution for reprocessing of organics and compostable waste.**

Title	Wastewise Events
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Failure to comply with this policy may lead to events not being supported or approved by Council in the future.

(3) Other events

Other events not subject to City approval shall exclude:

- Sale or release of balloons;
- The use of balloons, **confetti and glitters** outdoors
- **Use, provision or sale of single use plastics items as per WA Plastic Ban Timeframe**

These events are encouraged to comply with the other recommendations of this policy wherever possible.

Strategic Link:	Waste Management & Education Strategy Sustainability Strategy
Category	Environment and Sustainability
Lead Business Unit:	Operations and Maintenance
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8503250

### 15.1.2 Policy Review - Operations Division - Minor Amendments

<b>Executive</b>	Chief Operations Officer
<b>Authors</b>	Environment, Parks and Streetscapes Manager, Civil Infrastructure Manager and Head of Property and Assets
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Proposed Amendments to Policy 'Installation of Recreational Equipment on Public Open Space' <a href="#">↓</a></li> <li>2. Proposed Amendments to Policy 'Installation of Private Memorial Plaques in Public Open Space' <a href="#">↓</a></li> <li>3. Proposed Amendments to Policy 'Street &amp; Reserve Tree Management' <a href="#">↓</a></li> <li>4. Proposed Amendments to Policy 'Maintenance of Public Open Space and Road Reservations following Residential Subdivision' <a href="#">↓</a></li> <li>5. Proposed Amendments to Policy 'Crossover' <a href="#">↓</a></li> <li>6. Proposed Amendments to Policy 'Geographical Naming' <a href="#">↓</a></li> <li>7. Proposed Amendments to Policy 'Pedestrian Accessway Closures' <a href="#">↓</a></li> <li>8. Proposed Amendment to Policy 'Asset Management' <a href="#">↓</a></li> <li>9. Proposed Amendments to Policy 'Graffiti Management &amp; Response' <a href="#">↓</a></li> <li>10. Proposed Amendments to Policy 'Kerb House Numbering' <a href="#">↓</a></li> <li>11. Proposed Amendments to Policy 'Street and Public Open Space Lighting' <a href="#">↓</a></li> </ol>

#### RECOMMENDATION

The Committee recommends Council:

- (1) ADOPTS the proposed amendments to the Installation of Recreational Equipment on Public Open Space Policy;
- (2) ADOPTS the proposed amendments to the Installation of Private Memorial Plaques in Public Open Space Policy;
- (3) ADOPTS the proposed amendments to the Street and Reserve Tree Management Policy;
- (4) ADOPTS the proposed amendments to the Maintenance of Public Open Space and Road Reservations following Residential Subdivision Policy;
- (5) ADOPTS the proposed amendments to the Crossover Policy;
- (6) ADOPTS the proposed amendments to the Geographic Naming Policy;
- (7) ADOPTS the proposed amendments to the Pedestrian Accessway Closure Policy;
- (8) ADOPTS the proposed amendments to the Asset Management Policy; and
- (9) ADOPTS the following policies without amendments:
  1. Graffiti Management and Response
  2. Kerb Housing Numbering
  3. Street and Public Open Space Lighting.

**Committee Recommendation**

That Council:

- (1) ADOPTS the proposed amendments to the Installation of Recreational Equipment on Public Open Space Policy;
- (2) ADOPTS the proposed amendments to the Installation of Private Memorial Plaques in Public Open Space Policy;
- (3) ADOPTS the proposed amendments to the Street and Reserve Tree Management Policy;
- (4) ADOPTS the proposed amendments to the Maintenance of Public Open Space and Road Reservations following Residential Subdivision Policy;
- (5) ADOPTS the proposed amendments to the Crossover Policy;
- (6) ADOPTS the proposed amendments to the Geographic Naming Policy;
- (7) ADOPTS the proposed amendments to the Pedestrian Accessway Closure Policy;
- (8) ADOPTS the proposed amendments to the Asset Management Policy with the following amendment:  
  
Policy Statement (9)  
The following wording will remain: Continually seek opportunities for optimal use(s) of assets;
- (9) ADOPTS the following policies without amendments:
  1. Graffiti Management and Response Policy
  2. Kerb Housing Numbering
  3. Street and Public Open Space Lighting.

**Background**

As per the Schedule of Policy Review adopted at the 8 September 2022 Ordinary Council Meeting, the following policies relative to the Operations Division are due for review and are presented to the Governance Committee.

**Submission**

NA

## Report

In assessing the Operations Divisions relative policies, eight have been identified as requiring minor amendments and three not requiring any changes.

The table below details the proposed minor amendments to each policy:

<b>Installation of Recreational Equipment on Public Open Space Policy</b>	
Description	Comment
Details of where to find catchment area hierarchy is detailed.	The current wording describing where to find this information is inadequate.

<b>Installation of Private Memorial Plaques in Public Open Space Policy</b>	
Description	Comment
Remove reference to applicant funding cost of new bench seat if one is not available.	Allowing applicants to fund a new bench seat may lead to installation of bench seats where they are not required.

<b>Street and Reserve Tree Management Policy</b>	
Description	Comment
Inclusion of establishment as a cost to applicant removing a tree.	Current policy includes reinstatement of new tree only and does not include establishment which is the larger cost associated with reinstating a new tree. This inclusion keeps the policy in line with our new fee proposal regarding the removal of trees.

<b>Maintenance of Public Open Space and Road Reservations following Residential Subdivision Policy</b>	
Description	Comment
Addition of paragraph to allows streetscape shrub planting by developers, to be removed as it dies after handover, if deemed appropriate to do so.	Mass planted landscape subdivisional streetscapes, require a higher level of ground water allocation, higher level of maintenance and an increase to operational budget funding

<b>Crossover Policy</b>	
Description	Comment
Reference to double cross over deleted. Separation distances included from verge items.	The City only offers contribution for a single/ standard cross over. Policy requires offset distances.

<b>Geographic Naming Policy</b>	
Description	Comment
Minor formatting and grammar changes	Improves layout and read

<b>Pedestrian Accessway Closure Policy</b>	
Description	Comment
Minor formatting and grammar changes	Improves layout and read

<b>Asset Management Policy</b>	
Description	Comment
Minor formatting and grammar changes. Update of Business and Service Unit details	Improves layout and read and ensures alignment of Business and Service Unit to Organisation structure

### **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.

#### 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**

<b>Policy</b>	<b>Risk Implications</b>
Installation of Recreational Equipment on Public Open Space	<ul style="list-style-type: none"> <li>• Brand reputation risk as officers may be unable to find the source of catchment area hierarchy for community consultation.</li> </ul>
Installation of Private Memorial Plaques in Public Open Space	<ul style="list-style-type: none"> <li>• Operational risk if excessive numbers of bench seats installed in Public Open Spaces.</li> </ul>
Street and Reserve Tree Management	<ul style="list-style-type: none"> <li>• Financial risk as establishment of removed street trees will be funded from the Operational budget</li> <li>• Brand reputation risk if are not incentivized to seek</li> </ul>

	<p>better planning outcomes regarding the retention of their street tree</p> <ul style="list-style-type: none"><li>• Compliance risk as policy will not support our new fee schedule item: Removal of Existing Street Tree.</li></ul>
Maintenance of Public Open Space and Road Reservations following Residential Subdivision	<ul style="list-style-type: none"><li>• Reputational risk if tree health is affected by shrub irrigation</li><li>• Financial risk from costly traffic management required to maintain medians and the replacement cost of mass planting to these areas.</li></ul>
Crossover	<ul style="list-style-type: none"><li>• Reputational and financial risk as current policy indicates a higher contribution than the City offer</li><li>• Compliance risk as cross overs offsets not currently described in policy.</li></ul>

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

N/A

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

Nil

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

Council

### Policy Purpose

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

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

### Policy Statement

The City will follow the process as outlined below:

- (1) Install signage for a two week period informing of the proposed active recreation equipment to be installed and the preferred location on the public open space.
- (2) ~~Extent of c~~Consultation will be in accordance with the catchment ~~area~~area for the specific Public Open Space. This is determined for in the classification of the specified public open space, the catchment hierarchy criteria, as per in the City's Public Open Space Strategy 2014-2024. , where the proposed recreational equipment is to be installed.
- (3) If any objections are received alternative locations or landscaping treatments will be identified in order to resolve the concerns.
- (4) The provision of recreational equipment with be in accordance with the Public Open Space Strategy and the provision of playground shade sails will be in accordance with the Playground Shade Sail Strategy.

Strategic Link:	Public Open Space Strategy Playground Shade Sail Strategy
Category	Sport & Recreation
Lead Business Unit:	Operations and Maintenance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 December 2021
Next Review Due: (Governance Purpose Only)	December 2023
ECM Doc Set ID:	4132779

[1]

Title	Installation of Recreational Equipment on Public Open Space
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(Governance Purpose Only)	
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Title	Installation of Private Memorial Plaques in Public Open Space
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### Policy Type

Council

### Policy Purpose

To provide guidance to applicants requesting the installation of a memorial plaque within a public open space, considering the suitability of the park bench asset for attachment, location, specification, size and material of the memorial plaque and associated costs.

The policy does not apply to council buildings, facilities or jetties.

### Policy Statement

- (1) Written submissions will be assessed by Parks Services, endeavouring to work with the applicant to establish the preferred location based on the following factors;
  1. The availability of a park bench at the preferred location
  2. The suitability of the proposed park for a memorial plaque installation
  3. Where the proposed park has existing memorials, alternative locations will need to be considered.
- (2) A standard plaque template has been developed to ensure a consistent application
- (3) The City will supply and install a standard plaque at no cost to the applicant. ~~Where no park bench is available, the applicant will be required to fund the manufacture and installation of a new bench, including concrete pad.~~ [JR1]
- (4) When the park bench containing the memorial plaque reaches the end of its useful life, the City will attempt to relocate the plaque on the new asset.
- (5) Burials or internment of ashes are not permitted on Council managed land.
- (6) Plaques will not be permitted at the base or in proximity to a park tree.

Strategic Link:	Public Open Space Strategy
Category	Assets & Maintenance
Lead Business Unit:	Environment, Parks and Streetscapes
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	4521601

[1]

<b>Title</b>	<b>Street and Reserve Tree Management</b>
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## Policy Type

Council

## Policy Purpose

The purpose of this document is to inform residents and property owners on how the City will manage its tree assets, increase canopy cover and provide guidance on pruning and removal. The ongoing management of trees provides a strong framework to enable the City to deliver on the key objectives as outlined in the Urban Forest Plan.

## Policy Statement

Trees are regarded as highly desirable and integral to the urban landscape, providing a range of social, environmental and economic values to the community including:

1. Shade
2. Habitat
3. Improved air quality, CO2 reduction
4. Wind and noise attenuation
5. Improve property values
6. Improve visual amenity of streetscapes
7. Habitat for native fauna

### (1) Tree Planting

The City is responsible for planting of all trees in reserves, within the streetscape and verges directly adjacent to a property. Tree planting will generally be carried out in the winter period to aid in tree establishment with watering and maintenance undertaken by the City. Street tree requests will be assessed in accordance with Urban Forest Plan and the tree species determined by the City.

### (2) Tree Pruning

The City is responsible for the pruning of all trees and will consider undertaking these works to provide the following;

1. Improve the safety, structure and health of the tree
2. Provide clearance for pedestrian movement
3. Prevent branches from overhanging a property boundary and park infrastructure
4. Maintain safe clearance zones from powerlines
5. Maintain clear line of sight for vehicles and cyclists

Title	Street and Reserve Tree Management
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Tree pruning requests will be assessed and inspected by a City officer, if pruning is required, works will be undertaken in accordance with Australian Standards AS4373: Pruning of Amenity Trees. Where the City receives a request for the pruning or removal of a tree(s) located on private property, section 3.27(2) (Schedule 3.2(7)), section 5.42 and 5.44 of the Local Government Act 1995 will be applied.

(3) Tree Removal

1. The City is responsible for the removal of all trees. Trees will only be removed under the following conditions;
  - (a) Dead
  - (b) Diseased
  - (c) Structurally unsound
  - (d) Obstructing an approved works program, by either the City or utilities
  - (e) Tree root damage to public and/or private assets, when root barrier installation is not viable
  - (f) Damaged by a declared storm event
  - (g) Identified as an invasive species
2. Where a planning, building or other approval has been granted by the City that necessitates removal of a tree the applicant will be required to compensate the City. The costs associated with the removal and replacement of the tree will include:
  - (a) Removal costs incurred by the City
  - (b) Amenity value based on the Helliwell method or other approved valuation method
  - (c) Reinstatement and establishment of a new tree
3. Tree removal requests by residents will be investigated by the City. The following conditions are not considered to be valid reasons for the removal of a street tree;
  - (a) Species, size, shape or location is not the personal preference of a property owner
  - (b) Obscures views
  - (c) Shades a property, solar panels, solar hot water systems
  - (d) Drops leaves, seed capsules, flowers, fruit and bark
  - (e) Allergies or health problems

Title	Street and Reserve Tree Management
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Strategic Link:	Public Open Space Strategy Urban Forest Plan
Category	Environment & Sustainability
Lead Business Unit:	Environment, Parks and Streetscapes
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	8503779

Title	Maintenance of Public Open Space and Road Reservations following Residential Subdivision
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### Policy Type

Council

### Policy Purpose

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

### Policy Statement

- (1) The City will maintain the public open space following a residential subdivision in accordance with the level of service frameworks outlined in the Public Open Space Strategy 2014-2024 (5 Year Review) for open space classification.
- (2) The City will maintain the central median islands and roundabouts constructed for the transport requirements of a residential subdivision in accordance with the level of service frameworks outlined in the Public Open Space Strategy 2014-2024 (5 Year Review).
- (3) Landscaped and irrigated verges that have been installed by the developer adjacent to residential properties shall become the responsibility of the property owner following the completion of the two year maintenance period. A letter from the developer to the property owner will outline the process prior to handover and provide an opportunity for residents to modify the existing irrigation system for connection to their respective water source.
- (4) Street trees will continue to be maintained by the City.
- (5) The City will determine whether it is appropriate to replace dead verge and median shrub planting by the developer after handover. If it is deemed unsuitable to replace shrubs in these locations, the City will apply mulch only and replant trees to these areas.

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

[1]

<b>Title</b>	<b>Maintenance of Public Open Space and Road Reservations following Residential Subdivision</b>
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(Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	8738398

Title	Crossovers
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### Policy Type

Council

### Policy Purpose

The purpose is to:

- ensure a uniform approach to the construction of vehicle crossovers within the City of Cockburn.
- provide safe access with minimal impact to infrastructure assets in the road reserve and streetscape.
- mitigate stormwater entering private property from the road.
- provide requirements for eligibility for crossover subsidy (first crossover only)
- provide safe amenity for pedestrians.
- protect existing street trees and essential services.

### Policy Statement

To set the standards of specifications for crossing places constructed within the City of Cockburn public road reserves compliant with Local Government Act 1995. Approvals for installation and or modifications of crossovers must be obtained before any construction commences.

#### (1) Definitions

*Crossover:* A crossover is the extension of a driveway from the edge of the property to the edge of the road.

*Verge/Road Reserve:* The portion of land between the road kerb and the property boundary.

*Property Owner:* Refers to the owner or authorised occupier of a property that the crossover serves and includes builder, agent or contractor authorised by the owner of the property to construct or modify a crossover.

*Contractor:* Refers to person/ agent or company undertaking the construction works.

*Subsidy / Contribution:* The contribution that the City will make towards to cost of an approved and compliant crossover.

#### (2) Subsidy / Council contribution

[1]

Title	Crossovers
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City of Cockburn defines a “standard crossing” for the purposes of subsidy. Construction material for a standard crossing is plain grey concrete.

~~Single-crossover: Minimum three metres (3m) wide at property boundary. Council contribution for approved and compliant with Vehicle Crossover Specifications is to a maximum of \$500 for the first crossing only.~~

~~Double-crossover: Minimum six metres (6m) wide at property boundary. Council contribution for approved and compliant with Vehicle Crossover Specifications is to a maximum of \$1000 for the first crossing only.~~

[Crossover Contribution Application Form – Appendix B](#) . To be completed and crossover inspected for compliance with approvals and specifications.

Additional crossovers or modifications to existing crossovers are not eligible for any subsidy or contribution.

(3) Application for Crossover

The owner of the property, or their agent, wishing to construct a vehicle crossover must make written application to the City. Application form can be found on the City of Cockburn webpage or at the City of Cockburn Administration building.

(4) Additional Crossovers

Individual lots are limited to one (1) crossover for every 30 metres of frontage. The total accumulated width when constructing a second crossover shall be no wider than one third of the property frontage, or a maximum aggregate width of nine (9) metres, whichever is less.

(5) Crossover Conflict with Road reserve infrastructure assets

Where the location of a new crossover, requested by the property owner, conflicts with existing road reserve infrastructure assets, the cost associated with relocating or modifying these assets will be the responsibility of the property owner.

1. Verge Trees:  
No verge trees are to be removed without permission from the City and crossovers are to have a minimum of one (1) metre separation as per the Verge and Street Tree Policy. The property owner is responsible for all costs associated with tree removal.
2. Footpath:  
The crossover is to be constructed without removing any existing footpath. Removal of footpath without permission will result in the footpath being reinstated ~~at~~ the property ~~owner's~~ [owner's](#) cost.
3. Kerbing:  
Where fully mountable kerbing is present and in good condition it is not to be removed. Where kerbing is to be replaced it must be saw-cut and replaced

Title	Crossovers
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with mountable kerbing. Further details in Specifications Appendix C - Kerb Explanation Sheet – Drawing.

4. Drainage pits and structures  
Placement of crossover to avoid existing drainage structures, any modifications or relocations are subject to approval and all costs will be the responsibility of the property owner.
5. Road and parking signs:  
are not to be removed without approval.
6. Street Lights, Power Poles, and Stay Wires with minimum one (1) metre separation.  
Placement of crossover to avoid existing street lights power poles and stay wires, any modifications are subject to City and Western Power. (Relocation timings are subject to Western Power processes, allow minimum four (4) months). Any modifications or relocations are subject to approval and all costs will be the responsibility of the property owner.
7. Bus Stops  
Placement of crossover to avoid existing Bus Stops with minimum two (2) metre separation. Any proposed relocations are subject to Public transport Authority and City approval and cost will be the responsibility of the property owner.
8. Verge Levels and Public utility services  
Verge levels are not to be altered without permission from the City and ensuring all essential services are protected at all times. Conflicting Public utility services are subject to the service authority owner providing approval and that the property owner is responsible for costs incurred. Safe access for pedestrians on the verge shall be maintained at all times. Any damage to Council assets or public utility services, the contractor or property owner shall be held responsible for the repair and or replacement.

(6) Standard Materials

All material used in construction of vehicle crossover shall be in accordance with the standard specifications of the City. Any materials which are considered inferior to these specified shall be liable to rejection of application.

1. Residential crossovers  
Concrete and Brick Paving
2. Commercial, Industrial Rural crossovers  
Concrete, Brick Paving and Asphalt
3. Alternate Materials – Residential properties  
All materials proposed / submitted must be trafficable and approved by the City.

[3]

Title	Crossovers
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4. Reinstatement

Reinstatement works shall be completed to the satisfaction of the authorised representative. All reinstatement works shall be carried out such that the verge is left in a condition equal or better than the original verge condition.

All remnants or debris is to be cleared and disposed by the applicant.

(7) Maintenance

Maintenance and repairs is the sole responsibility of the property owner.

(8) Legislation Requirements

Local Government Act 1995 Sch. 9.1 cl. 7(4) "Regulations may provide for the local government to bear some of the cost of making a crossing in certain circumstances."

The Local Government regulations Uniform Local Provisions Regulations 1996:

15. *Contribution to cost of crossing — Sch. 9.1 cl. 7(4)*

(1) *Where —*

(a) *a local government —*

(i) *under regulation 12 constructs or approves the construction of; or*

(ii) *under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and*

(b) *the crossing is the first crossing in respect of the land; and*

(c) *the crossing is a standard crossing or is of a type that is superior to a standard crossing, the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.*

(2) *In sub-regulation (1) —*

*first crossing, in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358<sup>2</sup> of the Local Government Act 1960<sup>3</sup> as in force at any time before 1 July 1996;*

*standard crossing means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.*

<b>Title</b>	<b>Crossovers</b>
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Strategic Link:	Local Planning Strategy & Town Planning Scheme No.3
Category	Transport, Traffic & Parking
Lead Business Unit:	Civil Infrastructure
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)	8739036

Title	Geographical Naming
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## Policy Type

Council

## Policy Purpose

The aim of this policy is to set the framework for the naming of roads, Public Open Space (POS), and minor infrastructure within the City of Cockburn prior to assessment by Geographic Names – Landgate.

When land is subdivided, it is common for a 'theme' for road and reserve names to be applied within the subdivision.

Geographic Names – Landgate is the authority responsible for managing the naming of geographical features, administrative boundaries, localities and roads and for the maintenance of the State's Gazetteer, GEONOMA and nomenclature database.

Prior to applications being forwarded to Geographic Names – Landgate, the City will notify all Elected Members providing the opportunity for comment. If one or more Elected Member disagrees with the proposal then the matter is to be placed before Council (no response from Elected Members will indicate acceptance). As a result no timeframe can be given for the processing of such applications.

This Policy is to be read in conjunction with all relevant legislation and State Policy, should any inconsistencies arise any legislation and State Policy will prevail as the authority lies with the Minister.

## Policy Statement

The key objective is to provide a consistency to the road network and Public Open Space (POS) within the City of Cockburn.

- (1) The names applied to roads and reserves within the City shall be in accordance with the Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia*.
- (2) Developers of new subdivisions shall advise the City of their preference on names for new roads and reserves within the subdivision.
- (3) Approved Geographic Names are intended to be enduring, therefore the City does not support the renaming of roads or reserves in absence of exceptional circumstances.
- (4) Preference will be given to the naming of reserves after an adjacent road or feature in order to maximise the identification of that reserve with an area.

Title	Geographical Naming
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- (5) Proposals to name reserves other than after an adjacent road or feature, should be based upon themes suggested in Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia*
- (6) Guidelines for the naming after personal names are provided in Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia*.
  1. Names that commemorate, or may be construed to commemorate, living persons will not be considered for road or reserve naming.
  2. Where indigenous names are proposed, the City will consult with City of Cockburn's Aboriginal Reference Group and will provide feedback to the applicant.
- | (7) In exceptional circumstances reserves may be renamed. This is detailed in Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia*:
  1. Evidence of substantial community support for a change of name must be provided by the applicant; and
  2. The Minister is the final authority on all such matters.
- (8) As detailed in Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia* road names should be appropriate to the physical, historical or cultural character of the area.
- (9) As detailed in Geographic Names – Landgate's *Policies and Standards for Geographical Naming in Western Australia* minor structures in reserves may be named in honour of living or deceased community members where a tangible contribution to the reserve or the community in general can be established.
- (10) Where the road has been named after a local person or family who:
  - served in the Armed Forces in a war or peace keeping activity; or
  - in a commemorative event.

Application can be made to Geographic Names - Landgate, for the City to add a poppy symbol to road fingerboard signs within the district

Title	Geographical Naming
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Strategic Link:	Public Open Space Strategy, Land Management Strategy, Community and Recreation Sports Plan
Category	<a href="#">Property Services</a>
Lead Business Unit:	<a href="#">Strategic Planning</a> <a href="#">Property &amp; Assets</a>
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<a href="#">10 December 2020</a>
Next Review Due: (Governance Purpose Only)	<a href="#">December 2022</a>
ECM Doc Set ID: (Governance Purpose Only)	7995492

<b>Title</b>	<b>Pedestrian Accessway Closures</b>
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## Policy Type

Council

## Policy Purpose

The purpose of this Policy is to set the framework for matters that the City's Officers will take into consideration when evaluating a proposal to close a Pedestrian Access Way (PAW).

## Policy Statement

- (1) Pedestrian access ways (PAW's) are a feature of many past residential subdivisions in the City of Cockburn (the City). PAW's have an important role in providing access to community facilities and services and form an integral part of the pedestrian and cyclist movement system within residential areas.
- (2) It is acknowledged however that in some cases PAW's are perceived to have facilitated crime and antisocial behaviour. This often results in requests being made by residents living near or adjacent to a PAW for the PAW to be closed. Most, if not all, PAW's are used legitimately by the public, so requests to close PAW's create difficult evaluation considerations between these two issues.
- (3) Recent State Government initiatives, such as the Metropolitan Transport Strategy, Perth Bicycle Network Plan and Metropolitan Pedestrian Strategy, aim to reduce the use of the private car and promote the alternatives of public transport, cycling and walking. In terms of the structure of an urban area, Liveable Neighbourhoods Edition 4 also recognises that a walkable neighbourhood with a convenient and accessible movement network is essential if objectives of environmental sustainability are to be met. In view of the greater emphasis on walking and cycling in State Government policy, the City should ensure that efficient and effective pedestrian/cyclist movement systems will not be adversely affected by closing a PAW.
- (4) Accordingly, in considering requests to close a PAW, the City must balance the concerns of residents living near a PAW against the wider community need for the PAW to provide safe pedestrian movement – especially for children and the elderly.
- (5) For this reason PAW closures should always be considered as an absolute last resort, and only where security upgrades (lighting, landscaping, and fencing) have been proven to be ineffective and where the PAW has been judged as a non-critical element of the pedestrian and cyclist movement network should a recommendation for closure proceed.
- (6) Subject to an initial assessment indicating that it is possible to progress to a full investigation and the payment of the administration fee, the City's Officers will undertake the process as detailed in the Procedure "Pedestrian Access Way Closures". At the conclusion of the investigation a report will be presented to

[1]

<b>Title</b>	<b>Pedestrian Accessway Closures</b>
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Council for their consideration. The results of the assessment of the request to close the PAW undertaken will include but not be limited to the following:

1. The comments from servicing authorities, including the cost of moving services, if necessary, from the PAW;
2. The costs of works to provide a viable alternative access route or other remedies to ensure walkability is not adversely effected (e.g. relocation of a bus stop);
3. The number and details of submissions for and against the closure;
4. The recommendations of the Department of Planning, Lands & Heritage from both a land and statutory planning perspective
5. Alternative strategies including the possible review of the R-Coding of lots adjacent to a PAW to allow development of the rear portion of these lots with access from the PAW to increase usage and surveillance; and
6. Any alternative to closure being re-vestment of PAW to public utilities reserve with barriers and gates in situations where infrastructure prevents permanent closure or situations where the demographic profile of the surrounding area is expected to change allowing a future review of the closure.

Strategic Link:	Land Management Strategy
Category	<a href="#">Planning – Land Administration</a> <a href="#">Property Services</a>
Lead Business Unit:	<a href="#">Strategic Planning</a> <a href="#">Property &amp; Assets</a>
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<a href="#">10 December 2020</a>
Next Review Due: (Governance Purpose Only)	<a href="#">December 2022</a>
ECM Doc Set ID: (Governance Purpose Only)	4132883

Title	Asset Management
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### Policy Type

Council

### Policy Purpose

- (1) To establish a clear direction to ensure appropriate asset management practices for the City's asset portfolio now and into the future, to ensure
  1. Corporate responsibility and resources are identified;
  2. Management of assets is undertaken in a structured and co-ordinated way;
  3. Risk management is considered;
  4. Financial, social and environmental sustainability issues are considered;
  5. Continuous improvement and seeking innovative ways of meeting identified and agreed Levels of Service are fostered; and
  6. Legislative and regulatory requirements are achieved.
- (2) The Policy also ensures that Asset Management and the importance of managing Council's infrastructure assets for present and future generations is clearly understood and recognised by Council and its community. It provides an essential framework and rationale for best practice asset management decision-making (function and standard) and informs the organisation on how it will maintain its assets to meet service delivery requirements.

### Policy Statement

- (1) Elected Members, as custodians of City of Cockburn's assets, should represent the community as the asset owners and ensure the asset is maintained for present and future generation at an equitable cost.
- (2) Council staff have a corporate responsibility to provide the correct asset management related technical and professional advice to Elected Members so that they may make the best decisions on behalf of the community they represent.
- (3) As part of Council's consideration of asset management, Elected Members and Council staff will:
  1. As custodians/caretakers of community assets, and as part of providing quality infrastructure and community facilities, undertake to develop industry standard, affordable and financially sustainable Asset Management Plans.
  2. In accordance with its Strategic Community Plan, provide quality infrastructure asset **data** that support services that are appropriate, accessible, responsive and sustainable to the community.
  3. Manage the infrastructure and assets in a systematic and sustainable manner.

[1]

Title	Asset Management
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4. Involve and consult ~~with the community and~~ key stakeholders on determining Levels of Service standards.
5. Ensure asset information is accurate and up to date allowing for appropriate asset planning, both in the short and long term, and for informed decision-making to occur.
6. Manage the City's asset ~~datas~~ utilising a team approach, ~~crossing~~ across all Business Units and drawing on the authority and cooperation of the Executive and the Senior Leadership Team (SLT).
7. Allocate appropriate resources to ensure sound Asset Management practices are employed and the maintenance and renewal of assets is undertaken in a timely manner so that life cycle costs are optimised for existing and new assets.
8. Prior to consideration of any major works involving renewal or improvement to an asset, undertake a critical review of the need and the whole of life cost of that asset.
9. ~~Continually seek opportunities for optimal use(s) of assets.~~
10. Ensure that the roles and responsibilities of all asset custodians are well defined and understood.
11. ~~Develop and~~Support the implementation of a framework for the evaluation and prioritisation of Capital projects taking account of sound asset management principles.
12. Develop mechanisms for the acquisition of consistent, fit for purpose, asset data for new and existing assets, including those constructed by the City or handed over by developers.

(4) Application

This policy applies to Council, Elected Members, Executive Management, Staff, Committees of Management and the Community involved in the operations, maintenance, refurbishment, renewal, upgrading and development of Council's existing and new infrastructure and other tangible assets.

(5) Asset Management Roles and Responsibilities

To achieve this policy the following key roles and responsibilities and commitments are identified:

1. Council

- (a) To act as stewards for infrastructure assets.

Title	Asset Management
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- (b) Set corporate Asset Management Policy with linkage to the Council's Strategic Community Plan and Corporate Business Plan.
- (c) Contribute to the development, adoption and periodic review of appropriate Levels of Service, risk and financial measures and projections as applied to Asset Management Plans.
- (d) Ensure appropriate resources and funding for the Strategic Asset Management Planning Framework are made available to facilitate integration and application of Asset Management policies, Asset Management strategies and Asset Management Plans within the corporate governance framework.
- (e) Provide consistent and transparent decision-making based on adopted Asset Management Policy, Strategies and Plans.
- (f) Provide a best practice Asset Management advocacy role with State and Federal Governments and the community.

## 2. Executive and Senior Leadership Team (SLT)

- (a) Continually promote Asset Management across the organisation and with Council and the community key stakeholders.
- (b) Validate and challenge proposals to ensure they meet the Council's Asset Management Plan objectives and community service needs.
- (c) Contribute to the development and continued refinement of the overarching Asset Management Policy and Asset Management Strategy with linkage to the Strategic Community Plan and Corporate Business Plan, for consideration by Council.
- (d) Monitor the performance of the staff in implementing asset management.
- (e) Ensure ~~the community and~~ key stakeholders are engaged during the development and continuous improvement of the Asset Management Plans.
- (f) Ensure staff are appropriately trained and skilled to perform the required Asset Management functions.
- (g) Ensure that accurate and reliable asset related information is presented to Council for decision-making.
- (h) Provide effective communication between Staff, Council and the community in respect to the application of the City's Asset Management Policy, Strategy and Plans.

[3]

Title	Asset Management
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### 3. Head of Business Units & Service Unit Managers

- (a) Develop, implement and review Asset Management plans applicable to their area of operation, using the International Infrastructure Asset Management Manual (IIAMM) and Australian Infrastructure Financial Management Guidelines (AIFMG) as a guide, documenting required allocation of funding and improvement plans for individual asset groups, using the principles of lifecycle analysis.
- (b) Contribute to the implementation and periodic review and updating of Asset Management Policy and Strategy.
- (c) In consultation with ~~the community and~~ key stakeholders, identify current and target Levels of Service, risk mitigation and financial measures for incorporation into Asset Management Plans and for subsequent Council endorsement.
- (d) In accordance with Council approved Asset Management Plans, prepare budget items and allocate resources ~~to deliver on agreed Levels of Service, risk mitigation and financial measures as required.~~
- (e) Ensure efficient and effective use of Council funds to optimise the life cycle cost of assets to the extent possible whilst attaining agreed Levels of Service and risk mitigation.
- (f) Develop Long Term Financial Plans for asset maintenance, refurbishment, improvement and replacement capital works programs in accordance with Asset Management Plans, for endorsement and incorporation into the Corporate Business Plan.
- (g) Develop and implement procedures that ensure the asset database is maintained and updated and provide required reports to Council to meet their statutory and legal responsibilities.
- (h) Promote and raise awareness of asset management to the Council ~~and key stakeholders, staff, users and community.~~

### 4. Asset Management Services Manager & Asset Management Services Team

- (a) Contribute to the implementation and periodic review and updating of Asset Management Policy and Strategy.
- (b) Lead in the development and implementation of the various components of the City's Asset Management System, including those designed to ensure the City's asset database is maintained and updated.
- (c) Assist Business and Service Units in their development, implementation and review of Asset Management Plans, including the identifying of current and target Levels of Service, risk mitigation, financial measures

[4]

Title	Asset Management
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and optimum asset life cycles for incorporation into Asset Management Plans.

- (d) Facilitate the provision of required reports to or on behalf of Council to meet statutory and legal responsibilities and other reporting needs.
- (e) Communicate with and report on Asset Management to ~~SMT-SLT~~ and promote and raise awareness of Asset Management to the Council, ~~staff, users and community~~ and key stakeholders.

Strategic Link:	Asset Management Strategy
Category	Assets & Maintenance
Lead Business Unit:	Property and Assets
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	4134033

<b>Title</b>	<b>Graffiti Management &amp; Response</b>
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### Policy Type

Council

### Policy Purpose

To define a policy by which the repair of vandalism as a result of graffiti to City property and the removal of graffiti from both City property and non-City owned property can be adequately and uniformly addressed in order for the City to demonstrate its commitment to creating an attractive environment.

For the purposes of this policy:

- “City property” refers to all equipment, property and structures that are owned, maintained or managed by the City of Cockburn.
- “Non-City owned property” refers to all property that is owned or managed by any other public or Government authority, or private owner and is located within the Municipality. It only refers to structures or equipment located on a property, which is clearly visible from a public area and where reasonable access is provided to the City’s contractor.

### Policy Statement

#### (1) City owned property

1. Graffiti of an offensive nature will be removed from all City property within one (1) working day of notice being provided to Council, if possible.
2. Graffiti of a non-offensive nature will be removed from all City property within three (3) working days of notice being provided to the City, if possible.
3. Vandalism to City property which prevents the equipment from functioning will be made safe and/or repaired within one (1) working day of notice being provided to the City, if possible.
4. Vandal damage to City property of a minor nature will be repaired within five (5) working days of being notified to the City, if possible.
5. The City will provide a Graffiti/Vandalism number for the public reporting of incidents of vandalism and graffiti to City and public property.
6. All cases of graffiti and property damage made known to the City will be reported to the WA Police, through an established administrative process. This will enable Police Department records to be continually updated and susceptible areas targeted for Police response. This reporting process will

[1]

<b>Title</b>	<b>Graffiti Management &amp; Response</b>
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involve the photography of all graffiti prior to its removal, as evidence for the Police.

7. The City's Civil Infrastructure Services Budget will provide funds to remove graffiti from surfaces as deemed necessary.

(2) Non City owned Property

1. Subject to Clause (3) of this Policy, graffiti of an offensive nature will be removed from all non-City owned property within two (2) working days of notice being provided to the City, if possible.
2. Subject to Clause (3) of this Policy, graffiti of a non-offensive nature will be removed from all non-City owned property within five (5) working days of notice being provided to the City, if possible.
3. The City will remove graffiti free of charge (subject to the conditions set out in (4) to private property owners, in circumstances only where the Graffiti is applied to a surface, which is clearly visible from any public area and where the aesthetic of the area is compromised. In these circumstances, the City will require the property owner to provide it with a "Notice of Waiver" to enable the necessary repairs to be undertaken to pre-determined standards, without the potential for liability claims.
4. The cost of such graffiti removal will not exceed \$400.00 on any single occasion and a maximum of \$1200.00 in any one financial year. Should the costs exceed these stipulated amounts the owner will be required to contribute the outstanding amount or to cause the Graffiti to be removed in accordance with the City's Local Laws.
5. The City will seek the cooperation of all government or publicly managed service providers for either an annual contribution or an as required pre-determined cost for service towards graffiti removal to their property if the incident results in the damage being able to be viewed from a public place. In these circumstances, the authority to deal with incidents of graffiti to non-City controlled public property will be delegated to the City from each authority involved. The City will endeavour to establish a pro-forma agreement with each authority in order to provide a consistent approach to this arrangement. A suitable costing and accounting system will be administratively established to manage this system.
6. Subject to the acceptance of the conditions outlined in (5) above by participating public services, the City will attend to the necessary repairs and maintenance associated with making good graffiti to non-City owned public property within the normally accepted time frames associated with this Position Statement.
7. All cases of graffiti damage made known to the City will be reported to the Police, through an established administrative process. This will enable Police Department records to be continually updated and susceptible areas targeted for Police response. This reporting process will involve the photography of all graffiti prior to its removal as evidence for the Police.

[2]

Title	Graffiti Management & Response
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8. The City's Civil Infrastructure Service Unit will ensure that it stringently applies its Local Laws relating to graffiti removal on private property, in instances where a property owner opts not or fails to conform to the City's requirements or standards.
9. The City's Customer Experience Service Unit will support this initiative by ensuring extensive promotion of the City's commitment in addressing incidents of graffiti and encouraging the public and community groups to report such instances through all channels available in accordance with this Policy.

Strategic Link:	Community Safety & CCTV Strategy
Category	Assets & Maintenance
Lead Business Unit:	Operations and Maintenance
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8967926

<b>Title</b>	<b>House Numbering</b>
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### Policy Type

Council

### Policy Purpose

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

### Policy Statement

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

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

[1]

- (10) Numerals shall be located centrally within the green background with a 30mm border all around and 30mm spacing, except where kerb size and/or shape dictates differently, when borders / spacing shall be to the satisfaction of the Chief of Operations.

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

Title	Street & Public Open Space Lighting
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## Policy Type

Council

## Policy Purpose

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

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

## Policy Statement

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

### (1) Street Lighting

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

[1]

5. The developer shall liaise with Western Power to use the most energy efficient lights available so as to reduce carbon emissions and mitigate the impacts of climate change.
6. Illumination is not to spill beyond the front building line of the adjacent properties unless required for security purposes. Additionally, the developer shall select lights that reduce the light spill into surrounding natural areas to reduce the impact on native fauna.
7. Where practical the City will partner with organisations and government agencies to trial new lighting technologies that minimise energy use and reduce light spill

(2) Public Area Lighting

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

<b>Title</b>	<b>Street &amp; Public Open Space Lighting</b>
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Strategic Link:	Asset Management Strategy and Public Open Space Strategy
Category	Assets & Maintenance
Lead Business Unit:	Civil Infrastructure
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 December 2021
Next Review Due: (Governance Purpose Only)	December 2023
ECM Doc Set ID: (Governance Purpose Only)	8740109

**.151.3 Policy Review - Street Verge Improvements**

**Responsible Executive** Chief Operations Officer

**Author** Environment, Parks and Streetscapes Manager

**Attachments** 1. Proposed Amendment to Policy 'Street Verge Improvement' [↓](#)

**Officer Recommendation**

The Committee recommends Council:

- (1) ADOPTS the proposed amendments to Policy 'Street Verge Improvements', as attached to the Agenda.

Committee Recommendation  
That Council:

- (1) ADOPTS the proposed amendments to Policy 'Street Verge Improvements', as attached to the Agenda, with the following amendments:

**Policy Statement (1)1**

Following wording will remain: 'and other street furniture items'

**Policy Statement (2)1**

To read: Approval is required for street furniture, play equipment, and other structures such as fruit and vegetable planters, by the City, to ensure public safety.

**Background**

As per the Schedule of Policy Review adopted by Council on 8 September 2022, the following Operations Division Policy is due for review and is presented to the Governance Committee.

**Submission**

N/A

**Report**

Several substantive changes are proposed for this Policy, which will assist property owners when submitting verge improvement plans.

The table below sets out the proposed changes and the reasons for change:

<b>Street Verge Improvements Policy</b>	
Description	Comment
Section 1.2- 1.6 has been separated into 4 subsections replacing 1.2 in	Separating the section provides clearer understanding of what is required in each

existing policy. Verges with and without footpaths, sight lines and crossover planting clearances.	circumstance. Existing policy contains a paragraph which contradicts another paragraph in the policy.
Section 1.6 replaces 1.3 in existing policy. More appropriate terminology has been used and the referenced document has been corrected.	Soil volume is not an appropriate measure of ability to plant tree. Verge width is more appropriate. The Street Tree Master plan contained the trees species selection list.
Section 1.7 has replaced 1.4 in existing policy. More appropriate use of wording and reference to the Local Law with regard to hazardous verge treatments.	Use of the word 'some' impermeable surfaces allows discretion to be used with products which could be suitable yet classed as hard surface treatments. Reference to the Local Law for information.
Section 2.1 and 2.2 replace existing section 2.1. Section split into two to reduce confusion over the approval of furniture and play equipment on the verge.	This current wording does not indicate the reason for non-approval and therefore there is an assumption that approval will be guarantees on application.
Section 3 of existing policy removed.	This paragraph is not required in a policy.
Section 3 replaces 4 of existing policy. Paragraph condensed to the required information.	A large portion of the existing paragraph is for the guideline document not a policy.
Section 4 replaces 5 of existing policy. Paragraph condensed to the required information.	A large portion of the existing paragraph is for the guideline document not a policy.
Section 5 replaces 6 of existing policy. Condense section to required information.	Remove portion of the paragraph detailing guideline information.
Section 6.3 replaces 7.3 in existing policy. Wording corrected to describe the unkempt verge mowing service and inform where to find the service frequency.	Paragraph currently does not adequately describe the service provided.

### 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.

#### 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**

No consultation is required as the proposed changes provide a clearer understanding of the requirements when property owners are seeking to improve the presentation of the verge.

**Risk Management Implications**

There are reputational and financial risks if the requirements to improve the verge are not clear to property owners and City officers implementing the policy.

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

N/A

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

Nil

Title	Street Verge Improvements
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## Policy Type

Council

## Policy Purpose

This policy details the key considerations for the development, improvement, enhancement and maintenance of verges within the City of Cockburn. This policy must be read in conjunction with the City's 'Verge Guidelines'.

This policy aligns with the City's Sustainability Strategy, Sustainability Action Plan, Strategic Community Plan and Urban Forest Plan.

## Policy Statement

The City of Cockburn defines verges as the portion of Crown land which lies between the edge of a road and the adjacent property line. The verge is a shared area, important for access and services including utilities, crossovers, street trees and footpaths.

### (1) Design Considerations

Well-designed verges can play an important role in enhancing the liveability of a suburb. The design of a verge should consider utilities, safety, urban cooling, biodiversity, functionality, Water Sensitive Urban Design and permeability, whilst also enhancing human and neighbourhood interaction.

1. Permissible verge treatments include approved trees, mulched gardens, edible gardens, drought tolerant lawn, low groundcovers and mid-level shrubs. Verges can also include slight depressions or in some instances; rain gardens that act as water catchments and assist in stormwater retention and treatment. Structures such as fruit and vegetable planters ~~and other street furniture items~~ are permitted although approval by the City is first required to ensure public safety.
- 1.
2. ~~Verges with footpaths; s~~Shrubs ~~must be and approved structures should be~~ set back ~~and clear of kerbs and footpaths by 500mm~~ minimum from footpath and kerb ~~whilst hardy and dense groundcovers~~ Mulch or grass are acceptable in areas adjacent to road kerbs.
3. ~~Verges without footpaths; a clear unplanted space of 1.5m from the road kerb is required to facilitate pedestrian movement off the road. Grass and mulch are permitted.~~
2. Clear pedestrian and traffic sight lines ~~from the verge~~ must be maintained at all times and can be achieved via a ~~scaled tiered~~ approach to planting heights: ~~a maximum 600mm within 1.0m from the crossover or road network, 800mm~~

[1]

Title	Street Verge Improvements
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~~between 1.0-2.0m, and a maximum 1.2m height beyond 2.0m from the crossover or road network. Where no footpath is present, a clear unplanted space of 1.5m from the road kerb is required to facilitate pedestrian movement off the road.~~

~~4. .~~

~~5. Crossover planting clearances; Set back 1.5m from kerb, a maximum 600mm shrub height, between 1.5-2.5m from kerb a maximum 800mm shrub height, and 2.5m from the kerb, a maximum 1.2m shrub height.~~

~~3.—~~

~~4.6. Where adequate soil volume verge width is available, every verge is required to have a street tree to assist in creating a mature tree canopy for the future. Trees will be supplied, installed and maintained by the City. The City's Urban Forest Street tree Master Plan will inform the preferred street tree.~~

~~2.7. Unacceptable Not supported verge treatments include signs, fences, barriers, lighting, unsafe materials that produce a loose or slippery surface, rocks, stakes, synthetic turf and some impermeable surfaces. The City will ask property owners or managers to undertake remedial works to meet requirements and comply with Local Laws (Part IX) should verge treatments present a hazard.~~

~~3.8. Design examples are included in the City's 'Verge Guidelines' and the City can provide further advice in regard to uncommon or difficult verge situations such as bus stops and corner blocks.~~

## (2) Approvals and Controls

~~1. Approval is required for street furniture, play equipment to ensure public safety.~~

~~1.2. Appro val is required for, synthetic turf or, and hard surface treatments where more than 25% of the verge is paved. Verges with hard paved or impermeable areas must demonstrate mitigation of urban heat island through street tree planting or landscaping and verge permeability.~~

~~2.3. When developing a verge landscape, property owners or property managers should be aware of utility alignments for both underground and overhead services and must refer to the Utility Providers Code of Practice and Dial Before You Dig. Utility providersies have the right to dig up verges to access, upgrade or repair services and rectification of the verge may be the responsibility of the property owner.~~

## (3) ~~Preliminary Works and Soil Preparation~~

~~Ground preparation and soil improvements play a significant role in the success of a verge garden and should be integral to the design and implementation of your~~

[2]

## Title

## Street Verge Improvements



verge. The City's 'Verge Guidelines' provides detail on how to best prepare your verge.

#### (4)(3) Plant Selection

Lists of Waterwise plants suitable for your area are available in the City's Verge Guidelines, from the Water Corporation website and at Waterwise Garden Centres. Subsidised native plants and Sustainability grants are also available to City of Cockburn residents on a seasonal basis. When selecting plants for your verge, be careful not to Pplants which are declared weeds, prickly or poisonous plants as they are not permitted.

#### (5)(4) Mulch

Organic mulch to a depth of 75mm is recommended in garden beds to reduce water evaporation, maintain soil temperature, reduce plant stress and suppress weed growth. Coarse Waterwise mulch should be used to reduce evaporation, maintain soil temperature, reduce plant stress and suppress weed growth. Mulch should be maintained below the adjoining kerbs and footpaths with a depth of 50mm-10mm.

#### (6)(5) Irrigation

The City promotes Waterwise unirrigated verges though if planning to irrigate, property owners are required to connect to their residential potable water mains or property managers should consult a Waterwise Garden Irrigator via the Water Corporation and only water during specified days and times.

#### (7)(6) Maintenance

1. The City of Cockburn is responsible for maintaining all verge trees. Property owners, property managers or residents that require maintenance to their verge tree must contact the City.

1.

2. Property owners, property managers or residents whose property is connected or adjacent to the verge are responsible for verge maintenance including mowing, weeding, shrub pruning, mulching and maintaining any approved structures or furniture in a safe condition.

2.

- The City will provide a minimum service of verge mowing to ensure unkempt verges are maintained. This service is provided at the residents request and at a frequency described in the City's Public Open Space Strategy 2014 -2024, please refer to Public Open Space Strategy.

[3]

Title	Street Verge Improvements
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### 3.

3.4. Where Water Sensitive Urban Design (WSUD) features such as swales or rain gardens are installed on residential verges, they should be designed with minimal maintenance in mind and it is the responsibility of the property owners, property managers or residents to maintain them.

### (8)(7) Further Information

Property owners, property managers and residents should reference the City of Cockburn 'Verge Guidelines' for more detailed information on verge design, preparation, installation and maintenance.

Strategic Link:	Sustainability Strategy Urban Forest Plan
Category	Street Trees and Verges
Lead Business Unit:	Operations and Maintenance
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8503806

#### 15.1.4 Policy Review - Commercial Leasing and Other Dispositions of City of Cockburn Owned or Controlled Property

**Responsible Executive** Chief Operations Officer

**Author** Head of Property and Assets

**Attachments** 1. Proposed Amendments to Policy 'Commercial Leasing & Other Dispositions of City of Cockburn Owned or Controlled Property'  
[↓](#)

##### Officer Recommendation

The Committee recommends Council:

- (1) APPROVES the proposed changes to Policy 'Commercial Leasing and Other Dispositions of City of Cockburn Owned or Controlled Property', as attached to the Agenda.

##### Committee Recommendation

That Council:

- (1) DEFERS approval of the proposed changes to Policy 'Commercial Leasing and Other Dispositions of City of Cockburn Owned or Controlled Property' to the 22 June 2023 Governance Committee Meeting.

### Background

The Commercial Leasing and Other Dispositions of City of Cockburn Owned or Controlled Property Policy was originally developed in 2019.

The Policy is now due for review.

Changes to the Policy have been recommended to add relevant information relating to the disposal of land via lease, particularly around the EOI process.

### Submission

N/A

### Report

Commercial Leasing & Other Dispositions of City of Cockburn Owned or Controlled Property Policy	
Description	Comment
Addition of Policy Statement Section (1)	Clarification of the City's commercial portfolio
Addition of Policy Statement Section (3) – (5)	To clarify the process for disposal of property via lease, including the EOI process.
Category and Business Unit amendments	Aligns the responsible business unit to the new organisation structure

**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 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**

Community consultation will not be necessary given the changes relate to legislative requirements.

**Risk Management Implications**

Failure to adopt the revised policy will mean that the City does not have a pathway for a fully transparent and independent Expression of Interest Process when it comes to disposing of City property via lease.

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

N/A

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

Nil

Title	Commercial Leasing & Other Dispositions of City Of Cockburn Owned or Controlled Property
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### Policy Type

Council

### Policy Purpose

The aim of the policy is to set the framework for the disposal of and the determination of the rental or consideration when disposing of Property to commercial businesses.

City of Cockburn owned or controlled land and facilities (Property) may be leased, licenced or disposed of to commercial businesses in terms of applicable requirements, such as:

- *Local Government Act 1995 (WA) (the Act);*
- *Land Administration Act 1997 (WA);*
- *Commercial Tenancy (Retail Shops) Agreements Act 1985;*
- *Property Law Act 1969;*
- *Local Government (Uniform Local Provisions) Regulations 1996; and*
- *Delegated Authority 'Acquisition and Disposal of Property (Land)'*

### Policy Statement

Leases, licences and other disposals of Property to commercial businesses shall:

(1) (4) The City's commercial portfolio is defined as:

- City owned freehold property, excluding property used for city operations; and
- Land under Management Order where the City has the right to lease for a commercial purpose.

Comply with Section 3.58, and where applicable Section 3.59 of the Act;

(2) (2) Leases, licences and other disposals of property to commercial businesses shall:

- Comply with Section 3.58, and where applicable 3.59 of the Act;
- Be under authority of Council resolution;
- Consider the legal financial and reputation interests of the City;
- Have the market value determined in accordance with Section 3.58 of the Act.

(3) Consider the legal financial and reputational interests of the City;

(4) Have the market value determined in accordance with Section 3.58 of the Act.

If the value of the transaction does not exceed \$750,000 then the transaction is to be dealt with in accordance with Delegated Authority 'Acquisition and Disposal of Property (Land)'.

(3) Properties available for lease will be advertised in an open and transparent matter for Expression of Interest (EOI). The City is under no obligation to accept any EOI received. Any party/organisation registered with the City will

<b>Title</b>	<b>Commercial Leasing &amp; Other Dispositions of City Of Cockburn Owned or Controlled Property</b>
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- be provided with an opportunity to make a submission, however the availability of the property will also be publicly advertised.
- (4) Within the last 12 months of an existing lease, a property will be publicly advertised for EOI submissions, with the following exemptions:
- a. The agreement is for six months or less
  - b. A property is only suitable or logistically accessible to the current lease holder.
  - c. The lessee is providing:
    - i. An economic outcome to the surrounding area and/or tenancy mix.
    - ii. Paying on or above full market rent.
    - iii. Has no rent arrears or past lease defaults.
- (5) Existing lessees may reapply to an advertised EOI

Strategic Link:	Land Management Strategy
Category	<u>Planning – Land Administration</u> <u>Property Services</u>
Lead Business Unit:	<u>Strategic Planning</u> <u>Property &amp; Assets</u>
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<u>10 December 2020</u>
Next Review Due: (Governance Purpose Only)	<u>December 2022</u>
ECM Doc Set ID: (Governance Purpose Only)	4603461

### 15.1.5 Policy Review - Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non For Profit)

**Responsible Executive** Chief Operations Officer

**Author** Head of Property and Assets

**Attachments** 1. Proposed Amendments to Policy 'Leasing of City of Cockburn Property for Community and or Recreation Purposes' [↓](#)

#### Officer Recommendation

The Committee recommends Council:

- (1) APPROVES the proposed changes to Policy 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non For Profit), as attached to the Agenda.

#### Committee Recommendation

That Council:

- (1) APPROVES the proposed changes to Policy 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non For Profit), as attached to the Agenda, with the following amendments:

##### Policy Purpose

Delete paragraph three, which is a duplication of paragraph 1.

##### Policy Statement (1)10

To read: Reactive (general) maintenance such as replacing fixture and fittings, regardless of 'fair wear and tear' will be a responsibility of the lessee, if the fixtures or fittings are owned by the lessee.

### Background

The Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non For Profit) Policy was originally developed in 2019.

As per the Schedule of Policy Review adopted by Council on 8 September 2022, the following Operations Division policy is due for review and is presented to the Governance Committee.

### Submission

N/A

### Report

Changes to the Policy have been recommended to add relevant information relating to the lessee's maintenance obligations, updated criteria for the annual assessment of the use of property by community groups, and to add relevant information relating to the disposal of land via lease, particularly around the Expression of Interest process.

<b>Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non For Profit) Policy</b>	
Description	Comment
Addition of Policy Statement Section (1)9-12	Clarification of the Lessee's maintenance obligations under the Lease.
Addition of Policy Statement Section (4) – (6)	To clarify the process for disposal of property via lease, including the EOI process. This includes the performance-based criteria to assess the provision of services for groups who are granted peppercorn leases.

### **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.

#### 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**

Failure to adopt the revised policy will mean that the City does not have a pathway for a fully transparent and independent EOI process when it comes to disposing of City property via lease.

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

N/A

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

Nil

<b>Title</b>	<b>Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)</b>
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## Policy Type

Council

## Policy Purpose

The aim of the policy is to set a consistent policy framework for the leasing and licensing of City of Cockburn owned or controlled property to community, recreation and Government associations/organisations, and to also promote the shared optimal use arrangement of City of Cockburn facilities.

City of Cockburn owned or controlled land and facilities are leased and licenced to various associations/organisations, including not-for-profit groups and Government organisations providing recreational, education, community and health services. These arrangements are broadly considered non-commercial type relationships with the City, and are dealt with generally under the banner of recreational or community purpose type leases.

The aim of the policy is to set a consistent policy framework for the leasing and licensing of City of Cockburn owned or controlled property to community, recreation and Government associations/organisations, and to also promote the shared optimal use arrangement of City of Cockburn facilities.

This policy does not relate to commercial type leasing arrangements.

## Policy Statement

- (1) Not-for- Profit Associations/organisations leasing land or a facility will generally be charged a peppercorn rent on the proviso that the lessee will be responsible for the facility's outgoings and internal (non-structural) maintenance as per the following:
  1. Water;
  2. Electricity;
  3. Gas;
  4. Emergency Services Levy;
  5. Security;
  6. Rubbish charges;
  7. Cleaning;
  8. Tagging and Testing of electricals;
  9. Costs of maintaining and replacing fixtures and fittings, regardless of 'fair wear and tear', up to an amount of \$1,000 per single item verified by a City of Cockburn sourced quotation [i.e. no cumulative addition of items to exceed this threshold whatsoever – see (5) below]; Scheduled, structural and asset renewal maintenance will be undertaken by the City.

[1]

Title	<b>Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)</b>
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10. Internal painting; Reactive (general) maintenance such as replacing fixtures and fittings, regardless of "fair wear and tear" will be a responsibility of the Lessee.
11. The lease will include an approximate budget for outgoings and maintenance that can be used by the lessee for budget projections.
12. Damage caused by the negligence of the lessee's invitees, guests, members or persons associated with the use and/or hiring of the facility by the tenant (and associated security costs).

Where there are common areas within a shared facility, associations / organisations which exist within the facility will equally contribute to the costs of these common areas per the schedule of items 1 to 12<sup>4</sup>.

- (2) Any Government association/organisation are generally expected to pay a market rent. However, subject to a Council decision, there is discretion to consider circumstances where it may be appropriate to reduce or remove the requirement to pay rent. Such circumstances may include:
  1. Where there is a facility objective to create a community hub with allied support services;
  2. Where there is a demonstrable community need to attract and retain the allied support service to the area, such as Child Health Clinics.

(3) (3) Certain forms of not-for-profit associations / organisations, which are deemed to have the capacity to pay rent by virtue of their funding model and/or income stream, may also be required to pay a form of rent and/or rates. Any discussions in respect of charging rent, rates etc. may occur at the commencement of a new lease, or at the subsequent renewal of the lease agreement, at the discretion of the City of Cockburn.

- (4) (4) To ensure transparency of property disposals/leasing to community organisations, when a community facility or land is available to lease, a new lease agreement will be offered via an Expression of Interest (EOI) process.
- (5) The City will use performance-based criteria to annually assess the provision of services by community groups who are granted peppercorn leases. This process will be managed jointly by Property Services and the relevant Community or Recreational Services departments as applicable.
- (6) Within the final 12 months of a lease term, peppercorn facilities or land will be advertised as available for lease, and community groups will be invited to submit an application via EOI. The above will not be undertaken in instances where:
  - a. A facility is bespoke and can only function for a particular user group;
  - b. A service is being provided in partnership with the City; or
  - c. There is a limited permitted purpose for the use of the facility/land.

(7) All leases and licences will be subject to annual rent reviews based on CPI increases and/or market rent reviews. Note this is primarily relevant to those under (2) and (3) above.

Title	<b>Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)</b>
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(5)(8) Except for associations/organisations which are paying rent [those falling under provisions (2) and (3) above], the City of Cockburn will generally be responsible for the following maintenance:

1. Structural maintenance e.g. cracks in walls, leaks in roofs, ceilings;
2. ~~Costs of maintaining and replacing fixtures and fittings over the value of \$1,000 per single item;~~
3. Fire equipment & emergency exit services;
4. Tree removal and major tree pruning;
5. External obligations e.g. car parks, roads, footpaths;
6. Other maintenance undertakings as may be determined depending on community group specific needs. Elected Members will be given the opportunity to comment on these undertakings and the opportunity to report to Council if requested.

(6)(9) New tenants may receive a total term of up to 5 years, including any options to renew (i.e. 2 year + 3 years). Renewing tenants may receive a total length of term of up to 10 years, based upon their performance as a tenant. A tenant will only be given a longer term lease (ie. 10 years + 10 years) if they are able to demonstrate a genuine reason for their request, subject to a Council decision. Reasoning may include:

1. If they are contributing large sums of money to upgrade/renovate the facility; or
2. If they are applying for a grant or funding which requires longer tenure

(7)(10) All tenants will be required to arrange:

1. public liability insurance to a minimum value of \$20,000,000.00,
2. contents insurance of assets owned by them; and
3. workers compensation insurance

Generally, the City will take out and maintain building insurance, however the City retains the discretion to pass on the costs of building insurance to the tenant.

(8)(11) All tenants will be required annually to provide information to ~~the Leasing & Licensing Officer~~ **Property Services** to assist with accurate records of office holder contact details, financial data, occupancy statics, copy of insurance certificate and receipt for tagging & testing. They will also be subject to annual facility inspections to ensure maintenance obligations are being met.

(9)(12) All community facilities undertaken by the City of Cockburn are generally to be based upon a shared-use model. This will require careful thought about areas within facilities which are common areas (such as toilets, kitchens, parking and lobby areas) versus areas which will be exclusive to the associations / organisations at the facility.

Strategic Link:	Public Open Space Strategy, Land Management Strategy, Community, Sport & Recreation
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<b>Title</b>	<b>Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)</b>
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	Facilities Plan & Community Development Strategy
Category	<del>Planning — Land Administration</del> Property Services
Lead Business Unit:	<del>Strategic Planning</del> Property & Assets
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>10 December 2020</del>
Next Review Due: (Governance Purpose Only)	<del>March 2022</del>
ECM Doc Set ID: (Governance Purpose Only)	5488722

### 15.1.6 (2023/MINUTE NO 0029) Multicultural Reference Group - Amended Terms of Reference

<b>Responsible Executive</b>	Chief of Community Services
<b>Author</b>	Head of Community Development and Services
<b>Attachments</b>	1. Multicultural Reference Group Terms of Reference - Proposed Amendments <a href="#">↓</a>

#### Officer Recommendation/Committee Recommendation

That Council:

- (1) ADOPTS the amended Multicultural Reference Group Terms of Reference, as attached to the Agenda.

#### Background

On 9 March 2023 Council established the Multicultural Reference Group (MRG) and adopted the Terms of Reference for the MRG.

Mayor Howlett and Councillors Corke and Dewan were appointed to the MRG.

The MRG had its first formal meeting on 22 March 2023.

Following the first meeting it was proposed some changes be made to the TOR for the MRG.

#### Submission

N/A

#### Report

Following Elected Member representatives' appointment to the MRG at the 9 March 2023 Ordinary Council Meeting, the MRG met on 22 March 2023, and community members were appointed to the MRG.

The Terms of Reference were endorsed by Council on 9 March 2023.

The attached Terms of Reference have been amended.

The proposed changes include:

1. Addition of voting rights of members, to apply where formal voting is exercised in the place of general consensus decision making;
2. Addition of membership resignation process; and
3. Other minor amendments.

**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.
- Aboriginal and Torres Strait Islander cultures and other diverse cultures and heritage are recognised and celebrated.

Listening & Leading

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

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

**Budget/Financial Implications**

Nil

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

The Multicultural Reference Group Terms of Reference document contained inaccuracies and did not correctly reflect the decision-making process of the group.

A defined decision-making process is required for the Group to make decisions in a consistent and agreed way.

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

N/A

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

Nil

## Multicultural Reference Group (MRG)



### Terms of Reference

The Multicultural Reference Group acknowledges the traditional owners of this land the Nyungar people of Beeliar Boodja. Long ago, now and in the future, they care for country.

The Multicultural Reference Group Nyungar moort Beeliar boodja-K kaadadijiny. Koora, yeyi, benang baalap nidja boodja-k kaaradijiny

### Purpose

- The Multicultural Reference Group acts in a guiding role and provides a voice for people of cultural and linguistically diverse (CaLD) backgrounds living in the City of Cockburn.
- The group provides the City with specialist knowledge on the needs and priorities of local multicultural communities, to ensure residents wellbeing and access to services.
- The group assists the City with communication and consultation with multicultural communities.
- The group assists the City in identifying ways to celebrate the benefits of cultural diversity and advises of important dates and celebrations.

### Membership of the Group

- Membership will normally be for a term of two(2) years.
- Membership terminates when an Ordinary Local Government election occurs every two years in October. Members may be reappointed.

The MRG will comprise of:

- A ~~minimum maximum~~ of fifteen (15) ~~to a maximum of twenty (15-20)~~ people from diverse backgrounds who are residents of the City of Cockburn.
- Cultural Diversity Officer, City of Cockburn or equivalent position
- Elected Member/s appointed by Council in accordance with Council Policy
- City of Cockburn staff – Community Development Lead, and/or Family and Community Development Manager (or delegates).

Members join the MRG by submitting an Expression of Interest (EOI) Form and being appointed by the Group.

- Inaugural membership of non-Elected Member MRG members will be by appointment by the Chief Executive Officer or delegated officer of the City of Cockburn.

### Membership Resignation

- A member may resign from membership of the MRG by giving written notice or verbal notice of the resignation to the MRG meeting Facilitator.
- The resignation takes effect when the City's MRG Facilitator receives the notice.

### Quorum

A quorum consists of eight (8) members.

### Roles & Responsibilities

#### Members

- Attend, prepare for and participate in meetings
- Adhere to the Terms of Reference
- Represent community views and provide information and advice on items related to the group's purpose, scope, and objectives
- Be respectful of the Chair and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions
- Maintain positive relationships and communication with City staff and Elected Members, to be an effective liaison.

#### Chairperson & Deputy Chairperson

- A Chairperson is elected by the members of the Reference Group, to ensure:
  - the meeting is conducted according to the Terms of Reference
  - matters are dealt with in an orderly and efficient manner
  - meetings are kept on time.
- A Deputy Chair is elected by members and is to be Chair in the absence of the Chairperson, if neither is available then a member will be asked to Chair the meeting.

#### Elected Members

- Attend to provide a level of support and its membership
- Not to 'drive' the Group in achieving its objectives
- Not to try influence outcomes
- Meet responsibilities of Members as detailed in the Terms of Reference.

#### Cultural Diversity Officer

- Coordinating the MRG
- Administrative support to the MRG
- Progression of meeting outcomes
- Liaison between the MRG and the City

### Accountability and Process

Members are required to:

- Act with honesty, good faith, and integrity
- Abide by the Terms of Reference and Code of Conduct
- Actively participate in meetings
- Provide leadership in the group so that other members will be proactive and participate and assist the group to function well
- Declare any actual or perceived conflicts of interest at the commencement of the meeting; Represent the interests of their local community rather than individual interests or issues
- Maintain confidentiality of discussions within meetings.

Members are not permitted to:

- Liaise with the media and represent either the opinions of council or the group
- Use any Community Reference Group for any public lobbying or political purposes, including use of social media to promote specific campaigns or strategies
- Discuss City of Cockburn business outside of the boundaries of official MRG and the City of Cockburn.

### Term

The MRG will be ongoing until terminated by agreement by resolution of Council.

These Terms of Reference will be reviewed biennially in line with the Local Government election cycle and may be amended, varied, or modified in writing after consultation and agreement by resolution of Council.

### Review

- The effectiveness of the MRG is to be reviewed annually by the MRG and may be subject to a review of Council.

### Meeting Information

#### Decision-making

- The process of coming to agreement is generally by consensus decision-making. However, voting will be used in specific circumstances.
- A motion is carried if a majority of the Group members present at the meeting vote in favour of the motion.

#### Voting rights of members:

Each MRG member has one vote at a general meeting of the group.

Voting rights apply to members of the Multicultural Reference Group only, and are not applicable to City of Cockburn staff, guests, and Elected Members.

If the votes are divided equally on a question, the chairperson has a casting vote.

A vote may take place by a show of hands, unless the Group decides that a secret ballot is required.

### **Membership Resignation:**

A member may resign from membership of the MRG by giving written notice or verbal notice of the resignation to the MRG meeting Facilitator.

The resignation takes effect when the City's MRG Facilitator receives the notice.

### **Meetings**

- Bimonthly, (February – November) or as determined by the MRG
- Held at the City of Cockburn Administration Building or other City facilities
- Members to attend in person or virtually
- Chaired by the Chairperson or Vice Chairperson in the absence of the Chairperson
- In the absence of both Chairperson and Vice Chairperson members Cultural Diversity Officer or City of Cockburn staff present to chair the meeting

### Code of conduct for Reference Group members

Members are required to understand and agree with the Code of Conduct, as breaches may result in the forfeiting of membership. Key aspects are as below but are not limited to these stated.

#### Conflicts of Interest

Reference Group members must not use their position as a means of making personal gain or influencing others in this regard. Meetings or Group discussion should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This includes promotion of personal businesses or skills, particularly if there is monetary or other gain.

#### Misuse of position as a member

Reference Group members are not permitted to use their position to exert influence in any community setting or to claim to be representing the Reference Group without the express direction to do so from the City, or to bring disrepute to the Group or to the City.

Where approved by the City, members may represent the Group if in an official capacity at an agreed upon function, members are then required to do so in a professional and respectful manner

#### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

Members are not to use channels of communication as a means of raising a dispute or conflict or discussing Reference Group business without permission – specifically via social media/Facebook, email lists, radio/TV, public forums or print media.

Social media is not to be used to discuss MRG or City business, or to unfairly target individuals (members, staff, or others) or breach confidentiality and/or cultural safety.

#### Respect

All members of the MRG are expected to show respect and consideration for all those who provide support for this Reference Group. This includes fellow members, City staff, guests, contractors, sub-contractors, and wider community members who may be present at meetings.

There will be no tolerance for acts of discrimination, victimisation, harassment or bullying of any kind.

All MRG members are expected to value and respect the diversity and contribution of other members on the MRG.

All members are expected to engage with each other with due respect and protocol, as they would in their own communities.

All members will maintain a culturally safe and healthy meeting place to discuss Reference Group business

### **Integrity**

Members of the MRG have a responsibility to act with good intent towards their fellow MRG members, the City of Cockburn and all who engage with the MRG. This means:

- Maintaining the business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the personal confidentiality of fellow MRG members and all others who support or engage the MRG (written, spoken or otherwise)
- Ensuring that the behavior of members reflects the best interest of the MRG and the City of Cockburn, in-line with the 'Respect' item above
- Declaring one's own Conflict of Interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open, and fair, in all dealings and conversations whilst conducting MRG business

### **Managing disputes or breaches**

Direct discussion between parties will be encouraged in the first instance where there is disagreement or potential breach of the Code of Conduct, separate from a Reference Group meeting. Staff or another third party may be appointed to be involved if required.

A letter of warning can be sent if this is deemed the most appropriate and beneficial process. However, if this fails then the next step will be taken, as per below.

A formal meeting will be set up with the member alleged to have breached the Code of Conduct, to include relevant City of Cockburn staff members/s and an agreed upon Reference Group member, to discuss and give a fair hearing of members perspective.

If the breach is of a serious nature and is found to be substantiated, then the Reference Group member will be asked to resign their membership. If they refuse their membership will be formally revoked.

Anyone who has had their membership revoked will not have the option of returning to the Group in the future, and this information will be kept on the Membership Register.

### **Member's agreement of Terms of Reference and Code of Conduct**

Members of the City's MRG must have read and understood the Terms of Reference and Code of Conduct regarding membership of the MRG. Breaches of the Terms of Reference or Code of Conduct may lead to removal of member(s) from the group

I have read, understood, and agree with these documents.

MRG Member Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

### 15.1.7 Shark Fishing Law Update

<b>Responsible Executive</b>	Chief of Community Services
<b>Author</b>	Head of Community Safety and Ranger Services
<b>Attachments</b>	N/A

#### Officer Recommendation

The Committee recommends Council:

- (1) APPROVES a 12 month intensive Shark Fishing Deterrent Proactive Patrol Program of the City's coastline; and
- (2) CONSIDERS future funding requests to increase proactive monitoring of shark fishing prone areas.

#### Committee Recommendation

MOVED Cr P Corke SECONDED Cr M Separovich

That Council:

- (1) APPROVES a 12-month intensive Shark Fishing Deterrent Proactive Patrol Program of the City's coastline;
- (2) CONSIDERS future funding requests to increase proactive monitoring of shark fishing prone areas; and
- (3) REQUESTS, should the review of the applicable State legislation not occur within the next twelve months, that the effectiveness of the Shark Fishing Deterrent Proactive Patrol Program be assessed and a report on this matter be brought back to Council as soon as practically possible.

**CARRIED 5/0**

### Background

Cr Corke submitted a Notice of Motion on 13 January 2023 which proposed reviewing the City's Consolidated Local Law 2000.

The purpose of the review was to consider adding more fishing methods to the list of prohibited activities to reduce shark fishing in the area.

At the 9 February 2023 Ordinary Council Meeting City officers investigated the matter and found that further consultation with the Department of Fisheries was necessary.

Without this, the Joint Standing Committee on Delegated Legislation (JSCDL) could disallow any amendments to the local law.

As a result, Council passed the following resolutions:

- (1) NOTES a report will be presented to the April 2023 Governance Committee meeting,
- (2) AUTHORISES the City to write to the relevant Minister seeking an update following the May 2022 correspondence.

Since the February meeting, the City has actively pursued a meeting with the Honourable Minister Don Punch MLA, to advocate Council's position.

On 6 April 2024, the City met with the Minister's office, and the outcomes of this meeting are detailed in this report

### **Submission**

N/A

### **Report**

In 2022, the State government announced they were reviewing the *Fish Resources Management Act 1994* to expand shark fishing restrictions within the metropolitan area of Perth.

However, to date, no legislative changes have been made.

Some minor restrictions have been put in place at Port and Leighton beaches, using existing legislative powers afforded to the Minister.

During discussions with the Minister's office, it was stated that the extension of the prohibited areas (under existing legislation) is unsupported.

The Minister's office believes the existing State and Local Laws are sufficient to address the current issues raised by the community while they undertake their strategic review of shark fishing within the metropolitan area.

Representatives from the Shark Response Unit suggested that existing laws could be better utilised with increased evidence obtained from local governments and the community.

Therefore, it is proposed that a partnership with the Department of Fisheries be implemented over the next 12 months to specifically monitor shark fishers' behaviours and methods within the Cockburn district.

This partnership, which may include joint patrols by the Shark Response Team and the City's Rangers and CoSafe teams, will see operational staff becoming more familiar with one another and the City redeploying its mobile CCTV assets to crucial activity areas, such as Woodman Point and Coogee Beach Jetties.

The benefit of this partnership is an increased presence within the community, to immediately restrict and disrupt illegal shark fishing and identify the minority of anglers who do not follow current fishing regulations.

Alternatively, Council may wish to continue to pursue a change in the City's local laws, however, doing so within the next 12 months may create several risks that Council should consider before taking action.

These risks include:

### **1. The State's review of existing State Legislation**

During the 6 April 2023 meeting with the Minister's office, no confirmed timeframe was provided for the State's review of legislation, however it was indicated that there is a high chance that the State's legislation may be amended within the same timeframe it would take the City to amend its Consolidated Local Law 2000, seek public comment, and have it reviewed by the DSCDL.

As a result, the efforts and resources put into amending the City's local law may be rendered obsolete in a relatively short period.

### **2. The Minister's Input into the City's Local Law**

According to Section 3.12 of the *Local Government Act 1995*, the City must contact the Minister for Fisheries and the Minister for Local Government when amending local laws, however, since the State is currently reviewing its shark fishing laws, the Minister for Fisheries may not support the City's proposed changes if they conflict with the State's upcoming legislation.

There is an increased likelihood that the JSCDL may disallow the proposed amendment to the Consolidated Local Law, if the Council decides to pursue it, due to the potential conflict with State legislation.

### **3. Delaying the City's Local Law Review**

Including this amendment in the Consolidated Local Law increases the likelihood of it being disallowed, due to the aforementioned reasons.

If this were to happen, it could delay the overall progress of the City's local laws and potentially postpone other local law amendments from being approved by the JSCDL.

Based on the complexity of this issue and the State's current intent to manage shark fishing at a State level, it is recommended that Council considers the following roadmap:

#### **0–12 months**

- Proactively support the Department of Fisheries monitoring shark fishing activities for the next 12 months

- Continue to advocate for State legislative changes to broaden shark fishing including the areas of Cockburn.

### **1–2 years**

If no State legislative changes have been enacted after one to two years, Council may wish to assess the effectiveness of the Proactive Patrols Program and consider recommencing an advocacy effort to have the City's key activity areas added as shark-prohibited areas under Section 43 of the *Fish Resources Management Act 1994*.

If no State legislative changes have come into effect at that time, Council may wish to consider an amendment to the City's local laws, including proposed amendments outlined in item 17.2 at the 9 February 2023 Ordinary Council Meeting.

## **Strategic Plans/Policy Implications**

### Local Economy

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

- Thriving local commercial centres, local businesses and tourism industry.

### 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.
- 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.
- A safe and healthy community that is socially connected.

### Listening & Leading

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

- Best practice Governance, partnerships and value for money.

## **Budget/Financial Implications**

The proactive program can be absorbed in the current operating budget of the Community Safety and Ranger Services Business Unit for FY 23 and the first half of FY 24.

If the program is successful and sustained for the second half of FY 24, a further funding request will be made at the FY 24 mid-year budget review.

It is anticipated the amount for funding will be between \$20,000-\$30,000 for salaries and CCTV equipment cleaning and maintenance for the second half of FY24.

**Legal Implications**

Amending a Local Law requires the Council to follow the procedure outlined in section 3.12 of the *Local Government Act 1995*.

**Community Consultation**

No community consultation has been undertaken as part of this report.

**Risk Management Implications**

In addition to the risks outlined within the report, the Joint Standing Committee on Delegated Legislation (JSCDL) is responsible for reviewing all new and updated laws created by local governments in Western Australia.

The proposed amendments by Cr Corke in her Notice of Motion on 13 January 2023 are prescriptive and could be inconsistent with State legislation or fishing regulations imposed by the Minister of Fisheries. Accordingly, the amendments have a possible risk of being disallowed by the JSCDL.

This could lead to unintended consequences and delay the City's overall review of local laws.

Fishing is a popular sport among residents and visitors, but if Council creates a specific law for the Cockburn area, there may be adverse reactions from the public. Therefore, any proposal for a Cockburn-specific local law would likely require thorough community consultation as part of the statutory public advertising period.

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

N/A

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

Nil

**15.1.8 Deep Dive Review - Strategic Community Plan Outcomes: Listening and Leading**

**Responsible Executive** Executive Governance and Strategy  
**Author** Manager Strategy and Integrated Planning  
**Attachments** 1. Deep Dive Report - Listening and Leading [↓](#)

**Officer Recommendation/Committee Recommendation**

That Council:

- (1) NOTES the attached Strategic Objective Deep Dive Report on the Listening and Leading Strategic Outcome.

**Background**

Council endorsed the two-year agenda for the Governance Committee (GovCo) at the 21 April 2022 meeting.

This Agenda includes deep dive reports on each of the Strategic Outcome included in the Strategic Community Plan (SCP).

**Submission**

N/A

**Report**

This deep dive report presents the investigation of the City's organisational performance against the Listening and Leading Strategic Outcome (refer Attachment 1).

The findings of the deep dive assessments provide broader guidance than individual performance management and are intended to inform business planning and prioritisation processes.

The findings of this deep dive will inform the annual Corporate Business Plan (CBP) review (underway) and will input into the upcoming Strategic Community Plan Major Review (due to commence in FY 2024).

Organisational performance was assessed using the CBP and Corporate KPIs and the strategic objective measures listed in the SCP.

The relevance of the City's approach to City Listening and Leading was assessed using community feedback and current global megatrends identified via desktop assessment.

Key findings of the deep dive are outlined below:

### **Findings: City Growth and Moving Around Deep Dive**

The Listening and Leading deep dive assessed the City's performance in delivering this strategic outcome.

Listening and Leading outcome is defined as:

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

- 5.1. Best practice Governance, partnerships, and value for money
- 5.2. High quality and effective community engagement and customer service experiences
- 5.3. Employer of choice focusing on equity, innovation, and technology

The deep dive assessed the City's performance against the strategic outcome by analysing the CBP and Corporate KPI's relevant to the Strategic Outcome, measures outlined the SCP, community engagement undertaken during the 2019 SCP major review, and assessment of relevant industry megatrends.

The full deep dive report is included (refer Attachment 1).

In summary, the City is delivering against the Listening and Leading outcome:

- Relevant CBP KPIs have been delivered over the past two (2) financial years.
- The City's delivery of strategy 5.3 'Employer of choice focusing on equity, innovation and technology' when assessed via the Corporate KPIs requires improvement. Actions to improve in this space are being applied via the FY24 corporate planning processes.
- The majority of the measures listed in the SCP are being achieved, however there remains room for improvement. The City could aim to achieve scores consistently aligned with state high benchmark scores.
- The City's priority projects (as defined by projects included in the CBP) align with community priorities.

### **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.
- Employer of choice focusing on equity, innovation and technology

### **Budget/Financial Implications**

N/A



**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

There is a low risk of negative reputational impact due to:

- poor performance against strategy 5.3 - Employer of choice focusing on equity, innovation and technology
- lack of clarity for implementation of recommendations within the deep dive report.

Development of processes to feed deep dive findings into corporate and business planning is required to mitigate this risk.

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

N/A

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

Nil



# Deep Dive Report

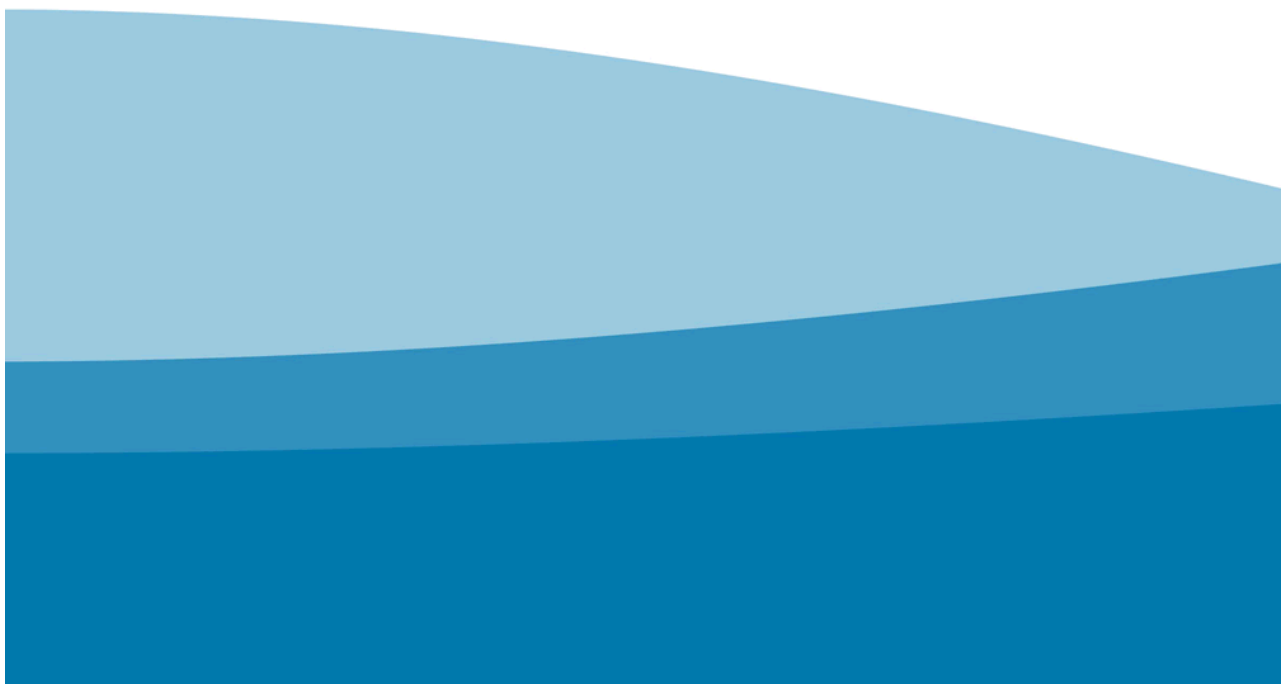
## City Listening and Leading

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

**5.1 Best practice governance, partnerships and value for money**

**5.2 High quality and effective community engagement and customer service experiences**

**5.3 Employer of choice focusing on equity, innovation and technology**



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## Acknowledgement of Country

The Mayor, Councillors and staff of the City of Cockburn acknowledge the Whadjuk Nyungar people of Beeliar boodja as the traditional custodians of this land. We pay our respect to the Elders, past, present and emerging.

## 1 Introduction

This report presents an investigation of the City's performance against the City Leading and Listening Strategic Outcome included in the Strategic Community Plan 2020-2030 (SCP). The report is presented to the Governance Committee to support the committee in its duty to 'be responsible for the review of the Corporate Business Plan and associated Key Performance Indicators and subsequent recommendation to Council'.

The City of Cockburn instigated a new Governance Committee calendar in 2022 that specifies a deep-dive investigation of each SCP Objective. This report presents the findings of the third deep dive at the City, on the City Listening and Leading Strategic Outcome.

The Deep Dive investigations interrogate the City's performance against the objective longitudinally and analyses community sentiment relating to the objective, industry trends, and environmental scanning data. The Deep Dives identify areas of strength, areas requiring improvement as well as learnings for the future. It is intended that the deep dive investigations will cover the areas and sources outlined in the table below:

Administration Performance	Community sentiment	Industry standards and trends	Environmental scanning data
<b>Corporate Business Plan KPIs</b>  <b>Corporate KPIs</b>	<b>Community Score Card</b>	Relevant State and federal policies and frameworks	ABS data
<b>Strategic Objective Measures</b>	Customer Service requests reporting	<b>Industry megatrends</b>	Economic data
<b>Other relevant internal reporting, e.g.</b> <ul style="list-style-type: none"> <li>• <b>Project Management Office reporting</b></li> <li>• <b>Budget reporting</b></li> </ul>	Other relevant community engagement, e.g. <ul style="list-style-type: none"> <li>• Reference groups</li> <li>• <b>One off engagement</b></li> <li>• Social media tracking and analysis</li> </ul>	Best practice analysis	TBD

The deep dive supporting processes and tools continue to be developed. The Listening and Leading Deep Dive includes the sources **highlighted** in the table above and covers three areas of analysis:

- Administration Performance
- Community Sentiment
- Global Megatrends

## 2 Administration Performance

Administration performance is assessed using the Corporate Business Plan (CBP) KPIs from the current and two preceding financial years and the Community Scorecard results from 2015/16 onwards.

### 2.1 CBP KPIs

The CBP KPIs track priority projects in capital works, service delivery and business improvement. The City has reduced the number of CBP KPIs, most recently via the FY23 Mid-Year review of the CBP (March OCM 2023). The ongoing reduction addresses a history of over-commitment and under delivery as previously discussed by Council in the approval of the CBP KPIs for the current financial year. Appendix Two includes data on the CBP KPIs. Appendix Two, Table 1 compares the CBP KPIs from this financial year and the two previous financial years. Data on KPIs beyond the previous two years was not readily available. Key findings of the longitudinal KPI analysis include:

- The number of CBP KPIs linked to the listening and leading outcome has reduced over time from above 30 for both FY21 and FY22 to six (6) in FY23.
- Completion improved markedly from FY21 (10 complete) to FY22 (33 complete). The majority of the KPIs marked as in progress for FY 2020-21 are completed for FY 2021-22, indicating the City is addressing the tendency to overcommit and underdeliver.
- At the end of Q3 32% of the FY23 CBP KPIs are complete and 55% in progress. The City is on track for an 87% completion rate.

The CBP KPIs track priority projects against the strategic outcomes, **overall, the City's CBP KPI performance is improving.** Assessment is required to identify if there are performance metrics that should also be tracked to monitor the delivery of the strategic outcomes.

### 2.2 Corporate KPIs

The City's corporate KPIs are also relevant to the assessment of progress against the listening and leading outcome. Table 1 outlines the progress of Corporate KPIs against strategies and Table 2 demonstrates which strategy under the listening and leading outcome each of the corporate KPIs is relevant to.

Table 1: Progress of Corporate KPIs by Strategy

Strategy	Complete	Ontrack	At risk	total
5.1 Best practice governance, partnerships and value for money	1	4	1	6

5.2 High quality and effective community engagement and customer service experiences	0	2	1	3
5.3 Employer of choice focusing on equity, innovation and technology	0	1	5	6

Table 2: Corporate KPIs relevant to Listening and Leading outcome

Listening and leading alignment	Measure	Target	progress
5.1 Best practice governance, partnerships and value for money	Delivery of Business Outputs	Delivery of major (>\$500k) projects against targets (Registered in PPM)	On track
	Service Plans	Ensures the organisation delivers on agreed plans and services against budget	On track
	Budget versus actual Operating Expenditure	No Budget Variance	At risk
	Budget versus actual Operating Revenue	No Budget Variance	On track
	Governance Framework	Ensure the Council and City's governance and communication processes provide a best practice framework and are supported with appropriate training	Complete
	Audit and Compliance	Demonstrated improvement in compliance	On track
5.2 High quality and effective community engagement and customer service experiences	Business Scorecard Results	Performance Scorecard results (place to work or operate a business and as a governing organisation) maintained	At risk
	Community Scorecard Results	Performance Scorecard results (place to live and governing organisation) maintained	On track
	Customer Satisfaction with services	Average customer satisfaction levels maintained from the Customer Satisfaction surveys (internal and external); Internal Customer satisfaction levels maintained	On track
5.3 Employer of choice focusing on equity, innovation and technology	Staff Turnover	Turnover to be less than Tier 1 LG equivalent benchmark rates	At risk
	Staff Turnover	Results of the exit survey indicate that ceasing employees recommend the city as an employer	At risk
	Diversity Strategy	Increased senior leadership gender diversity	On track
	Employee Engagement & Culture	Employees promote the City as the Employer of choice (recommend City to others) from the Culture Scorecard	At risk

	Employee Engagement & Culture	Results of the culture survey indicate employees fell both physically and psychologically, in the work environment	At risk
	Safety Program	Deliver Safety program against targets	At risk

The City's performance is strongest against strategy 5.1 Best practice governance, partnerships and value for money and weakest against strategy 5.3 Employer of choice focusing on equity, innovation and technology. The FY23 Mid-year review of KPIs identified a range of factors impacting delivery of the corporate KPIs relevant to strategy 5.3, both internal and external to the City. Internal factors include under resourcing, considerable organisational change to structure and process, and unstable leadership due to changes in Executive Committee including the resignation of the CEO. External factors include a tight labor market heightened in WA due to the extended closure of State borders, the COVID-19 pandemic, and 'the great resignation'.

The appointment of a new CEO and a focus on FY24 recruitment to address under resourcing will be key factors to improve performance against strategy 5.3. Greater detail around Corporate KPI performance is provided at Appendix One.

## 2.3 SCP Objective Measures

Strategies 5.1 and 5.2 under the Listening and Leading outcome are measured using satisfaction measures from the annual community scorecard survey. Community Scorecard data from 2016 is used for longitudinal analysis as pre 2016 scores were calculated differently and are not directly comparable. A longitudinal analysis of strategy 5.3 is not currently possible as the methods for tracking employee satisfaction have changed over time meaning year on year data is not comparable.

Strategy	5.1 Best practice Governance, partnerships and value for money
Measure	5.1 Improved satisfaction with the City's Governance and financial sustainability
Data	Community Scorecard satisfaction measures: 5.1a The City of Cockburn as the organisation that governs the local area.
Findings	Measure 5.1 tracks delivery of best practice governance, partnerships and value for money via the community scorecard question measuring satisfaction with the city as an organisation that governs the local area. The City scores are consistent around 55% across the period 2016 - 2022. The City's scores sit consistently at the top of the state benchmark.  The City's performance in relation to the measure specified in the SCP is on track. However, this single community perception score does not adequately measure the City's performance.
Strategy	5.2 High quality and effective community engagement and customer services and experience.

Measure	5.2 Improved satisfaction with the City's community engagement, communications, and customer service
Data	<p>Community Scorecard satisfaction measures:</p> <ul style="list-style-type: none"> <li>a) 5.2a How the community is consulted about local issues</li> <li>b) 5.2b Level of Customer Service</li> <li>c) 5.2c How the community is informed about City services and local issues</li> <li>d) 5.2d Customer satisfaction surveys from which we could take the total and average them for pretty much all departments who deal with external customers.</li> </ul>
Findings	<p>Measure 5.2 tracks delivery of high quality and effective community engagement and customer service experiences using three community scorecard measures:</p> <ul style="list-style-type: none"> <li>• how much the community is consulted about local issues,</li> <li>• informing the community about local issues and services, and</li> <li>• customer services</li> </ul> <p>The community scorecard data shows City scores sitting at or near the top of the state benchmark. There was a decline in FY22 % FY23 data for measure 5.2a for which benchmark data is also no longer available that requires further investigation. Customer satisfaction survey results sit above 80% for 5 out of 6 years (excluding 2022 and 2023 data which is not yet available). This measure is well suited to community perception measures and is on track.</p>

Strategy	5.3 Employer of choice focusing on equity, innovation and technology
Measure	5.3 Improved employee satisfaction with the City as an employer that effectively embraces change, innovation and new technology
Data	<p>Community Scorecard satisfaction measures:</p> <ul style="list-style-type: none"> <li>a) 5.3a Employee culture survey - Employer rating score: how likely are staff to promote the City as an employer.</li> </ul>
Findings	<p>The data used to track employee satisfaction has changed over time and a longitudinal analysis is not possible. The likelihood of employees recommending the City as an employer was reported at 87% in May 2022 and dropped to 67% in December 2023 Pulse Survey. The reduction is a concern and is being addressed by the Executive Committee. This measure should be monitored closely going forward to identify if actions being undertaken are effective. Measures include:</p> <ul style="list-style-type: none"> <li>• <b>Workload management</b> - Midyear budget and CBP review identified projects to reforecast to FY24 to ensure a deliverable program for FY23. FY24 planning is focusing on developing achievable programs, with prioritisation based on capacity and community need.</li> <li>• <b>Recruitment:</b> ExCo have identified additional resource required for FY24 to ensure a manageable workload for internal service delivery teams (e.g., IT, PX&amp;T, etc.).</li> </ul>

- **EA negotiations:** The majority of staff (union and non-union members) voted in favour of the City's offer. However, the Local Government, Racing and Cemeteries Employees Union (LGRCEU) have lodged an objection to the City's Enterprise Agreement. They have requested that the matter be heard by the Western Australian Industrial Relations Commission (WAIRC) prior to any determination on the City's Agreement being made by the Commission (WAIRC). The objection by the LGRCEU has been lodged despite the majority of our workforce and union members from the LGRCEU and the Australian Services Union (ASU), voting in favour of the Agreement. No hearing date has been set and timeframes for resolution are at this stage unknown.
- **CEO recruitment:** CEO recruitment is complete with only a commencement date outstanding; the administration is preparing comprehensive onboarding to ensure a smooth start for the incoming CEO. Once established the new CEO should provide stability and reassurance to staff.

For further detail refer to Appendix three: Community Score Card Analysis

### 3 Community Sentiment

Community sentiment about Listening and Leading is assessed based on the Community Scorecard satisfaction measures (refer Section 2.3) and one-off engagement undertaken as part of the SCP major review in 2019.

#### 3.1 Major Review of SCP Consultation Results 2019

In 2019 the City undertook a major review of the SCP, including detailed community engagement against each strategic objective. Figure 1 below shows the community priorities relating to community engagement, communications, customer services and financial and technology management.

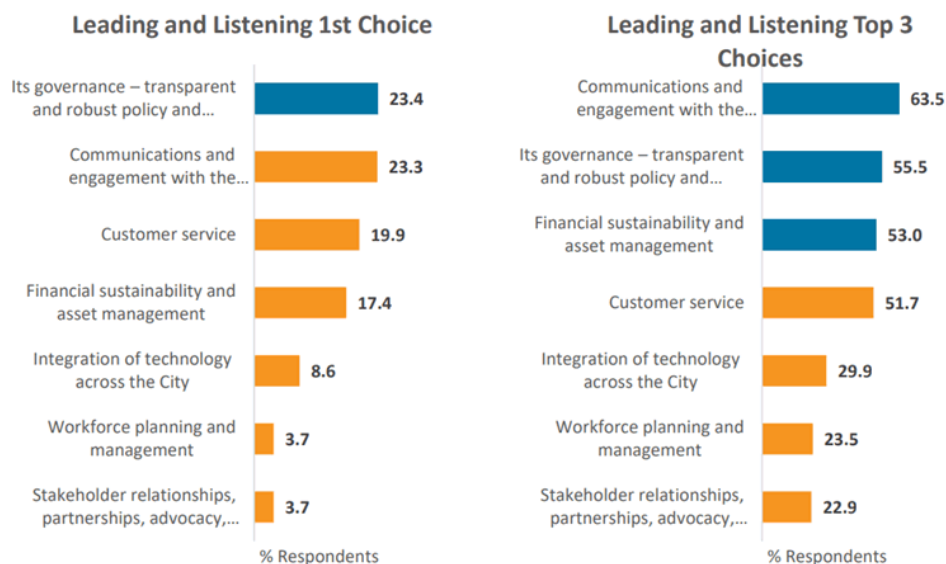


Figure 1: Listening and Leading Community Priorities

The top priorities relating to listening and leading identified during the SCP major review engagement related to

- communications and engagement with the community,
- the City's governance and financial sustainability and
- asset management.

Responses varied significantly depending on the category of external stakeholder. For example, businesses placed financial sustainability as their most important priority while senior individuals placed customer service as their highest priority. As listening and leading can be challenging to

quantify, the SCP major review mainly uses the customer survey data to provide insights into external stakeholder perceptions of the City's performance.

Another point raised in the major review relating to Listening and leading is low voter turnout. Low voter turnout is a significant issue for local government in Australia, as it can undermine the democratic legitimacy of local councils and diminish the quality of decision-making. When a small proportion of the population participates in local elections, the elected representatives may not truly represent the diversity of views and interests in the community. Low voter turnout can also lead to a lack of accountability and transparency in local government, as there may be fewer opportunities for citizens to hold their representatives to account for their actions. Low voter turnout can lead to a disengaged citizenry and a lack of community participation in local decision-making, which can ultimately lead to a decline in public trust and confidence in the effectiveness of local government.

The community concern around voter turnout is the ability for the Elected Members to represent the broader community when a minority of the community votes. Thus, it is important to encourage and promote active participation in local government to ensure that decisions made by elected representatives accurately reflect the interests and concerns of the local community.

The SCP major review report finds the city should identify strategies to encourage residents to vote as a high priority to ensure representation and good governance. Relative to other Local Governments, the City of Cockburn is quite active in this space, with an engagement plan to promote participation. Voter turnout for the City is comparatively good for the Sector with a rate of approximately 30 per cent, however, to represent the diverse needs of the Community, this could be improved. Activities to increase voter turnout and civic engagement could be identified through the major strategic review process programmed to begin in FY24. Planned and current activities relating to the identified priorities are outlined in the table below

Priority	Activities
Communications and engagement with the community	Four yearly SCP review engagement programmed to commence in FY24
The City's governance and financial sustainability and	Review Organisational Risk Management Maturity  Review and Implement the Corporate Governance Framework  Deliver Divisional Strategy Reform
Asset management	Four yearly reviews of all asset management plans programmed for FY24

## 4 Global Megatrends

For organisations to maintain or grow a strategic service delivery it is fundamental to look outward and aim for best practice. As the world transitions out of the COVID-19 pandemic the way business is conducted has changed. Organisations have become more digitally connected, adaptable and employees and customers expectations of how organisations operate have shifted as a result (e.g., greater use of digital platforms and AI in customer communications). During this period of change slower moving organisations have been challenged to adopt new approaches and systems. In contrast agile organisations capitalised on the opportunity to advance.

Achievement of the Listening and Leading strategic outcome can be informed by advances in the customer experience management field. A desktop review of customer experience global trends has identified a range of learnings relevant to the City.

1. **Artificial Intelligence (AI) and technology:** Global trends in use of AI and technology show business' aiming to balance staff workloads with catering to customer priorities. Leveraging AI and technology advances should not be viewed as a threat but as a compliment to staff capacity (e.g., use of Power BI to improve business intelligence capacity). Interviews with CEO's in 'The Future of Work' (Harvard Business Review, 2021) indicate that AI in its current form should not be used as a substitute for an efficient workforce but rather as a complimentary technology to increase customer experiences. The City could explore the use of AI in its operations to improve efficiency and depth of data gathering and business intelligence applications. AI could also be adopted for customer experience management. For example, the CommBank online customer experience is comprised of two layers. The first layer is a comprehensive chat bot called Ceba which resolves easier queries for customer such as downloading bank statements. More difficult queries are then transferred to a human operator either in chat or on the phone. This allows the customer to get the right information the first time rather than being transferred across departments leading to increased customer satisfaction and operational efficiency.
2. **Adaptability and responsiveness:** With rapidly advancing technologies, the need for organisations to evolve and adapt has accelerated. Some of the best performing businesses during the COVID-19 pandemic were those who were able to adapt and change quickly. Businesses with a technology mix already in place performed the best, highlighting the importance of adopting the right systems. Technology stocks were some of the best performers during COVID due to their ability to evolve and fill areas of demand before more static organisations could. Slower, process driven organisations like governments took longer to roll out changes (e.g., SafeWA software). Newer, agile businesses (with smaller bureaucracies) were able to capitalise on the changing conditions. For example, Zoom (the online meetings platform) was able to provide an earlier solution than the larger software companies (e.g., Microsoft). The larger companies were slower to react, bringing out more polished solutions later. The City should maintain awareness of changes in external environments and continuously review its processes and systems to ensure fit for purpose solutions that enable agile delivery of community priorities and internal efficiencies.

3. **Digital Expectations:** Community expectations of customer experience management is shifting towards digital solutions. These changes can be categorised into four (4) key areas:
- a) Blending of traditional human engagement with new technology, providing digital access to services.
  - b) Understanding customer perspectives, the one size fits all approach is no longer sufficient and services need to be tailored to a broad range of customers and expectations.
  - c) Customer experiences isn't limited to one team. The whole business should breathe a culture of 'Customer Obsession' to maximise customer focused outcomes.
  - d) Businesses that use multiple platforms are more likely to reach larger and more varied audiences depending on the target market.
4. **Proactive Communication:** This relates to showcasing projects and initiatives and not only responding to complaints about plans or ideas. As customers are becoming more connected to brands and organisations the customer experience has evolved beyond the expectation to satisfy basic needs. Customers are expecting organisations to be socially and environmentally conscious and to give back to the community. It is important to showcase positive organisational impacts. This is particularly relevant to the role of a Local Government Authority. Highlighting organisational values and supporting initiatives have now become a necessary part of Business as Usual. As the City is a customer facing organisation it is vital to continue delivering better and best practices through proactively communicating with the community.

## 4.1 Megatrend Summary

The desktop megatrend analysis has identified customer experience trends in digital transformation and responsiveness. Customer experience trends have relevance to external customers (the community) and internal customers (staff).

All four of the trends identified are relevant to the City. Trends 1. Artificial Intelligence and 2. Adaptability and responsive will likely prove most difficult for the City to engage with. Government bureaucracies are historically not as adaptable and responsive is the private sector.

The City is already seeking improvement in relation to trends 3. Digital Expectations and 4. Proactive Communication. For example, in relation to trend 3, the City has recently transitioned to an online facilities booking platform for the community and staff. The City has placed significant focus on trend 4 in relation to internal communication. The City also has a long track record of proactively seeking community input.

The City can maintain awareness of digital solutions and seeking continuous improvement. The City of Cockburn should continue to look outwards to customer experience trends to support service delivery and the aim to become an employer of choice.

## 5 Conclusion

Overall, the deep dive assessment shows that the City is delivering the Listening and Leading outcome in line with Community priorities.

### 5.1 Administration Performance

Overall, the City is delivering Listening and Leading as defined by the CBP KPIs and the SCP measures. The value of this review depends on the strength and suitability of the KPIs and measures in use. The suitability of the KPIs and measures requires further assessment against industry trends and best practices. The findings about Administration performance are similar to the findings of the Environmental Responsibility deep dive and as such the recommended actions are maintained as follows:

- Assessment of the current priority project based KPIs to identify if they are an appropriate measure of performance against Listening and Leading
- Assessment of KPI allocation between the three (3) sub-strategies to ensure appropriate prioritisation and resource allocation.
- Best practice assessment to establish the line of sight between the CBP KPIs and the SCP Measures.

### 5.2 Community Sentiment

The City's priorities (as defined by the CBP KPIs) are aligned with the priorities identified through community engagement undertaken to inform the 2019 SCP Major Review. Further, the community scorecard satisfaction measures relevant to the strategic outcome show the consistent satisfaction comparable to statewide benchmarks. There is room for further investigation against measures which have shown a decline in more recent years (despite steady long-term trends). Community sentiment reflects that additional investigation into improving voter turnout should be undertaken.

### 5.3 Megatrends

A more in-depth analysis of global megatrends and best practices relating to Listening and Leading could identify opportunities and risks relating to the City's delivery of services relating to this strategic outcome.

The City can identify digital transformation and responsiveness learnings from the customer experience space to become more 'Customer Obsessed', focusing on its internal and external customers.

## 6 Appendix One: FY23 Corporate KPI

Listening and leading	Measure	Target	status	FY KPI Target	Mid-year update	Q3 update	Outperformance	Notes
5.1	Delivery of Business Outputs	Delivery of major (>\$500k) projects against targets (Registered in PPM)	On track	0.8			5% improvement	All FY23 major projects being populated in PPM
5.1	Service Plans	Ensures the organisation delivers on agreed plans and services against budget	On track	By decision of Council			N/A	target unable to be assessed until EOFY
5.1	Budget vs actual Operating Expenditure	No Budget Variance	At risk	+ or – 2% Variance	-5.9%, outside +/-2% target due to materials and labour underspend	no additional data	+ or - 1% Variance	progress reassessed at EOFY
5.1	Budget vs actual Operating Revenue	No Budget Variance	On track	+ or – 2% Variance	+0.8% within +/- 2%		+ or - 1% Variance	progress reassessed at EOFY
5.1	Governance Framework	Ensure the Council and City's governance and communication processes provide a best practice framework and are supported with appropriate training	Complete	Presentation of a revised Governance Framework and Charter, in consultation with Elected Members, to GovCo by March 2023	Governance Framework Report adopted at November 2022 OCM	no additional data	N/A	complete
5.1	Audit and Compliance	Demonstrated improvement in compliance	On track	implementation of process improvement to	Internal Audit Program under review	review is ongoing	N/A	progress reassessed at EOFY

				address any adverse compliance audit findings				
5.2	Business Scorecard Results	Performance Scorecard results (place to work or operate a business and as a governing organisation) maintained	At risk	71 performance indicator score	no data	Score = 71	Additional 2 points	Target met
5.2	Community Scorecard Results	Performance Scorecard results (place to live and governing organisation) maintained	On track	73 performance indicator score	no data	Score was 71	Additional 1 point	target not met
5.2	Customer Satisfaction with services	Average customer satisfaction levels maintained from the Customer Satisfaction surveys (internal and external); Internal Customer satisfaction levels maintained	On track	External average 89.1%, and Internal average 81.5% on KPI of 7	data not available until EOFY	data not available until EOFY	additional 2%	Satisfaction surveys completed throughout the year. Continuous improvement activities underway with business units
5.3	Staff Turnover	Turnover to be less than Tier 1 LG equivalent benchmark rates	At risk	<21%		March turnover = 22%	<18%	Downward trend observed since the beginning of the calendar year is continuing, the annual target may be met by EOFY. Out performance unlikely to be achieved.
5.	Staff Turnover	Results of the exit survey indicate that ceasing employees recommend the city as an employer	At risk	85%	53% of ceasing Employees would recommend the City as an Employer	no additional data	N/A	Annual target not likely to be met

5.3	Diversity Strategy	Increased senior leadership gender diversity	On track	30% composition of either gender in leadership roles	ExCo - 42.8% (1 vacancy) SLT including ExCo - 36% (1 vacancy) SLT only - 33%	no change	additional 5%	Annual target is met, no active leadership recruitment. Outperformance is unlikely to be achieved
5.3	Employee Engagement & Culture	Employees promote the City as the Employer of choice (recommend City to others) from the Culture Scorecard	At risk	75%	At December 67% of employees would recommend the City as an Employer	no additional data	additional 2%	Next pulse survey scheduled for May
5.3	Employee Engagement & Culture	Results of the culture survey indicate employees fell both physically and psychologically, in the work environment	At risk	85%	At December 2022 82% of employees feel safe at work	no additional data	additional 2%	Next pulse survey scheduled for May
5.3	Safety Program	Deliver Safety program against targets	At risk	5<LTI			3<LTI	The current 12 month rolling average LTIFR is 9.6.

## 7 Appendix Two: CBP longitudinal analysis

Table 3: Longitudinal CBP KPI Assessment

Strategy	Project 2020 -2021	Status	Strategy2	Project 2021-2022	Status2	Strategy3	Project 2022-2023	Status3
5.1	Ensure good governance through transparent and accountable planning, processes, reporting, policy and decision making		5.1	Ensure good governance through transparent and accountable planning, processes, reporting, policy and decision making.	COMPLETE			
5.1	Implement Knowledge Management Project – corporate records management	COMPLETE	5.1	Knowledge Management Project	COMPLETE			
5.1	Develop, implement, and maintain a four-year corporate planning cycle and new strategy software system	IN PROGRESS	5.1	Develop, implement and maintain a four-year corporate planning cycle and new Strategy Software System (SSC)	COMPLETE			
5.1	Consolidate the existing strategies and strategic documents into a cohesive framework of strategies and list of operational documents linked to the strategic outcomes and objectives	COMPLETE	5.1	Consolidate the existing strategies and strategic documents into a cohesive framework of strategies	COMPLETE			
5.1	Review and continual management of the Enterprise Risk Management Framework	IN PROGRESS	5.1	Review and continual management of the Enterprise Risk Management Framework	COMPLETE			
5.1	Organisational Risk Management Maturity Review	IN PROGRESS	5.1	Organisational Risk Management Maturity Review	COMPLETE	5.1.1b	Review Organisational Risk Management Maturity	COMPLETE
5.1	Review, assess and apply new or amended legislative requirements from the LG Act Review	IN PROGRESS	5.1	Review, access and apply new or amended legislative requirements from the LG Act Review	COMPLETE			
5.1	Actively advocate and seek regional collaboration focused on growing the wellbeing and self-sufficiency of the community to better meet its social, environmental and economic needs		5.1	Actively advocate and seek regional collaboration focused on growing the wellbeing and self-sufficiency of the community to better meet their social, environmental and economic needs	COMPLETE			
5.1	Apply for areas to be included in funding for underground power	IN PROGRESS	5.1	Apply for areas to be included in funding for underground power	COMPLETE			
5.1	Participate in the Westport Local Government Reference Group as per the Terms of Reference	IN PROGRESS	5.1	Participate in the Westport Local Government Reference Group	COMPLETE			
5.1	Deliver value for money through sustainable financial management, planning and asset management		5.1	Deliver value for money through sustainable financial management, planning and asset management.	COMPLETE			
5.1	Review and implement the Asset Management Strategy 2017 and ensure consistent organisational asset management principles are in place	IN PROGRESS	5.1	Review and Implement Asset Management Strategy 2017	COMPLETE			
5.1	Create and review an Asset Management Plan for marine and coastal assets	COMPLETE	5.1	Create and Review an Asset Management Plan for Marine and Coastal assets	COMPLETE			
5.1	Create and review the Asset Management Plan for Cockburn ARC	IN PROGRESS	5.1	Create and review the Asset Management Plan for Cockburn ARC	COMPLETE			
5.1	Operations Centre Upgrade Stage 2	IN PROGRESS						
5.1	Office of the Auditor General performance audits – participation and review better practice recommendations	IN PROGRESS	5.1	Office of the Auditor General performance audits	COMPLETE			

5.1	Refine the long-term financial planning methods to better integrate with the City's Strategic Community Plan objectives	IN PROGRESS	5.1	Refine the long-term financial planning methods to integrate with the City's SCP objectives, Implement COVID-19 financial measures	COMPLETE			
5.1	Implement COVID-19 financial measures including zero % rate, fee and charges increase for 2021. The impact has then been extrapolated across the 10 years of the Long-Term Financial Plan	IN PROGRESS						
			5.1	Develop and implement a Stakeholder Management Plan	COMPLETE			
			5.1	Review and implement the Corporate Governance Framework	COMPLETE	5.1.1d	Review and Implement the Corporate Governance Framework	COMPLETE
			5.1	Five-year review and update of the Drainage Management and Maintenance Strategy 2018-2028.	COMPLETE			
						5.1.1a	Deliver Divisional Strategy Reform	DELIVERY
			5.2	Undertake research to review the Communication Strategy 2017-2022 and incorporate City's new vision	COMPLETE			
5.2	Develop and implement two Smart Cities Projects in partnership with the South West Group (Smart Street lighting and LoRaWAN network)	IN PROGRESS				5.3.3a	Develop and Implement Smart Cities projects in partnership with South West Group	COMPLETE
5.2	Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner		5.2	Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner	COMPLETE			
5.2	Review the Community Engagement Policy and Framework	IN PROGRESS						
5.2	Provide high quality accessible customer service and experiences for all our community		5.2	Provide high quality accessible customer service and experiences for all our community - undertake requirements gathering for a single view of the customer /CRM and implement a solution	COMPLETE			
5.2	Undertake requirements for gathering a single view of the customer/ CRM and implement a solution	COMPLETE						
						5.2.2a	Progress community priorities highlighted in MARKYT Community Scorecard 2021.	DELIVERY
5.3	Focus on providing a workplace that supports diversity	COMPLETE	5.3	Focus on providing a workplace that supports diversity	COMPLETE			
5.3	Attract, engage, develop, support and retain our employees to provide exceptional services for the community		5.3	Attract, engage, develop, support and retain our employees to provide exceptional services for the community	COMPLETE			
5.3	Review and Implement the Workforce Plan 2017-2022	IN PROGRESS	5.3	Review and implement Workforce Plan 2017-2022	COMPLETE			
5.3	Build an organisational culture that encourages innovation in both digital and non-digital mediums, and utilisation of technology to increase efficiency and effectiveness		5.3	Build an organisational culture that encourages innovation in both digital and non-digital mediums, and utilisation of technology to increase efficiency and effectiveness	COMPLETE			
5.3	Implement and review the Sustainability Strategy 2017-2022	IN PROGRESS	5.3	Implement and review Sustainability Strategy 2017-2022	COMPLETE			

5.3	Review and Implement the Information Services Strategy 2016-2020	COMPLETE	5.3	Review and implement the Information Services Strategy 2016-2020	COMPLETE		
5.3	Review and update the existing customer request system to meet current business processes	NOT STARTED	5.3	Review and update the existing customer request system to meet current business processes	COMPLETE		
5.3	Develop an Innovation Framework and culture	IN PROGRESS	5.3	Develop an Innovation Framework and Culture	COMPLETE		
5.3	Review and Implement the Digital Strategy 2019-2024	IN PROGRESS	5.3	Review and Implement Digital Strategy 2019-2024	COMPLETE		
			5.3	Transformation Projects	COMPLETE		
			5.3	Undertake 3 Strategic service reviews	COMPLETE		
						5.3.3d	Review requirements for required website upgrades
							COMPLETE

Table 4: FY 2022-23 CBP KPI Progress

Strategy4	Project 2022-2023	KPI Status	Quarterly Milestone	Status
5.1.1b	Review Organisational Risk Management Maturity	COMPLETE		
			Q1 - Organisational Risk Management Maturity Review - Review list of service providers	COMPLETE
			Q2 - Organisational Risk Management Maturity Review - Engage service provider	COMPLETE
			Q3 - Organisational Risk Management Maturity Review - Review complete	COMPLETE
5.1.1d	Review and Implement the Corporate Governance Framework	COMPLETE		
			Q1 - Review and Implement the Corporate Governance Framework - Development of corporate governance framework	COMPLETE
			Q2 - Review and Implement the Corporate Governance Framework - Adoption of corporate governance framework	COMPLETE
5.1.1a	Deliver Divisional Strategy Reform	DELIVERY		
			Q1 - Consolidate all strategies into 7 divisional strategies - Commence divisional detailed strategic document audit	INCOMPLETE
			Q2 - Consolidate all strategies into 7 divisional strategies - Divisional detailed strategic document audits complete	NOT COMMENCED
			Q3 - Consolidate all strategies into 7 divisional strategies - Divisional strategy structure approved by ExCo	DELIVERY
			Q4 - Consolidate all strategies into 7 divisional strategies - commence development of divisional strategy documents	DELIVERY
5.3.3a	Develop and Implement Smart Cities projects in partnership with South West Group	COMPLETE		
			Q1 - Develop and Implement Smart Cities projects in partnership with South West Group - Sign contracts with Western Power, communications plan with residents and rate payers	COMPLETE
			Q2 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 1	COMPLETE
			Q3 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 2	COMPLETE
			Q4 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 3	COMPLETE
5.2.2a	Progress community priorities highlighted in MARKYT Community Scorecard 2021.	DELIVERY		
			Q1 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Review and agree priorities	COMPLETE
			Q2 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Develop implementation plan	COMPLETE
			Q3 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Implementation	DELIVERY
			Q4 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Implementation	DELIVERY
5.3.3d	Review requirements for required website upgrades	COMPLETE		
			Q2 - Review requirements for required website upgrades - procurement and delivery	COMPLETE
			Q3 - Review requirements for required website upgrades - rollout	COMPLETE
			Q4 - Review requirements for required website upgrades - rollout	DELIVERY

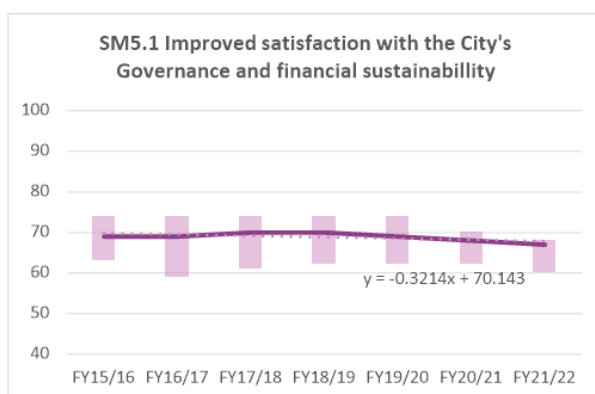
## 8 Appendix Three: Community Score Card Analysis

### Graph Format

On each of the graphs in this section

- the solid line depicts Cockburn's actual satisfaction scores by Financial Year
- the dotted line is the trend of the satisfaction scores over time
- the colored rectangle, depicts the range in state benchmark from average to high.

Strategy	5.1 Best practice Governance, partnerships and value for money
Measure	5.1 Improved satisfaction with the City's governance and financial stability.
Data	Community Scorecard satisfaction measures:  a) 5.1a The City of Cockburn as the organisation that governs the local area.



Community satisfaction with the City's governance and financial sustainability over time has a mild downward trend from 2016 to 2022.

CoC's trend is mirrored by the state benchmark. The downward trend includes the Covid 19 pandemic and the post pandemic inflationary period. Global factors may be impacting local perceptions.

Figure 2: Improved Satisfaction with the City's governance and financial sustainability

Strategy	5.2 High quality and effective community engagement and customer service experiences.
Measure	5.2 Improved satisfaction with the City's community engagement, communications and customer service
Data	Community Scorecard satisfaction measures:  b) 5.2a How the community is consulted about local issues c) 5.2b Level of Customer Service d) 5.2c How the community is informed about City services and local issues e) 5.2d Customer satisfaction surveys from which we could take the total and average them for pretty much all departments who deal with external customers.

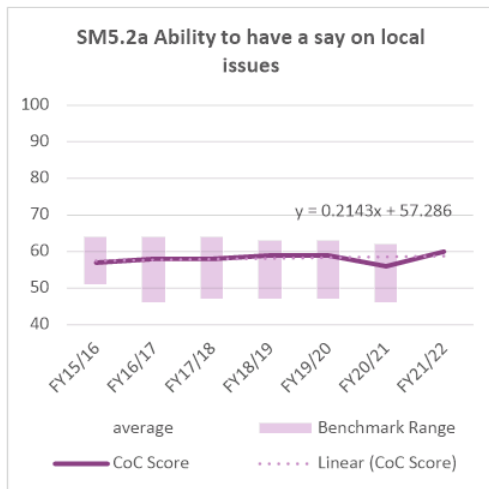


Figure 3: 5.2a Ability to have a say on local issues

Perception of the 'ability to have a say on local issues' has maintained an upward trend from 2016 to 2022 despite a drop in perception in FY21. CoC's scores are consistently near the top of the state benchmark.

Strong perception scores relating to this measure potentially indicate that while of the 'Communications and engagement with the community' is a priority (refer section 3.1) CoC's is delivering well in this space.

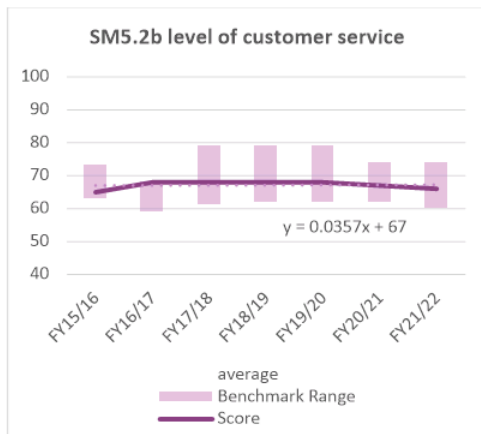
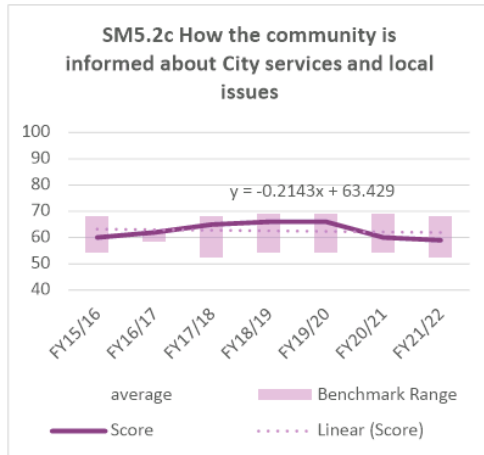


Figure 4: Level of Customer Service

CoC's scores relating to perception of 'level of customer service' have remained steady from 2016 through 2022. CoC's scores remain within the state benchmarks but are not as high as other perception scores relating to the Listening and leading outcome.

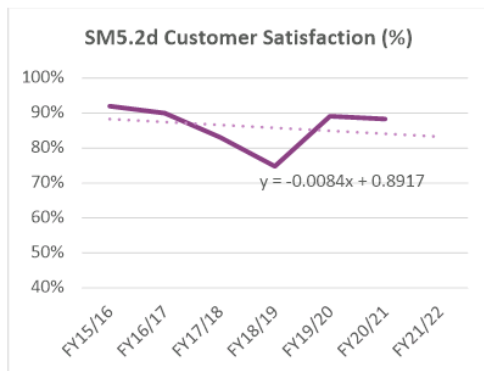
Further understanding of how to improve this perception score is required.



Community perception of 'how the community is informed about City services and local issues' is steady has a steady trend from 2016 to 2022. However, some decline is noted since FY2020. The state benchmark has not shifted as much as the CoC score, indicating a potential CoC specific issue.

Further understanding of how to improve this perception score is required.

Figure 5: How the community is informed about City services and local issues



Customer satisfaction significantly declined in FY19 and has not yet recovered to previous levels. Significant recovery was made in FY2020, and scores have stabilised across FY2020 – FY2021. FY2022 and FY 2023 data is not available currently. Satisfaction measures should be monitored closely and investigated if recovery does not continue.

Figure 6: Customer Satisfaction

Strategy	5.3 Employer of choice focusing on equity, innovation and technology
Measure	5.3 Improved employee satisfaction with the City as an employer that effectively embraces change, innovation and new technology
Data	Community Scorecard satisfaction measures:  f) 5.3a Employee culture survey - Employer rating score: how likely are staff to promote the City as an employer.
Analysis	Longitudinal analysis is not available at this moment as only 2 data points exist.

### 15.1.9 Proposed Amendment to Policy 'Elected Member Professional Development'

**Responsible Executive** Executive Governance and Strategy

**Author** Governance Officer

**Attachments** 1. Elected Member Professional Development - Proposed Amendments [↓](#)

#### Officer Recommendation

The Committee recommends Council:

- (1) ADOPTS the proposed amendments to Policy 'Elected Member Professional Development', as attached to the Agenda.

#### Committee Recommendation

That Council:

- (1) REJECTS the proposed amendments to Policy 'Elected Member Professional Development', as attached to the Agenda.

### Background

Cr Dewan submitted the following Notice of Motion on 18 March 2023, in relation to the Elected Member Professional Development Policy:

That Council:

- (1) REVIEWS the Elected Member Professional Development Policy and AMENDS the Policy to incorporate the following principles:
  1. The budget allocation for professional development be \$7,000 for each Councillor and \$14,000 for the Mayor
  2. The application of professional development opportunities and budget funds be equitable
  3. Funds are not transferrable between Elected Members
  4. Roll-over of unspent funds for each Elected Member for the duration of an Elected Members term, with utilised funds to expire on end of term
  5. Elected Members apply to Council for approval for professional development which exceeds the budget availability for that Elected Member.

### Submission

N/A

## Report

The current Policy was reviewed and adopted by Council in November 2022.

This Policy was based on the previous 'Attendance at Conferences, Seminars, Events and Training' policy provisions, which related to Elected Member professional development.

The Policy sets out the mandatory training requirements, and the criteria by which other professional development opportunities are assessed.

The objective of the Professional Development Policy is to support elected members in attending professional development opportunities that will improve their skills and knowledge essential to fulfill their duties and responsibilities as an elected member.

The request to review the policy has been initiated so that the budget allocation is fair and equitable to all elected members towards their professional development training.

At present the budget allocation is sourced from a pool of funds towards elected member professional development which can be accessed by any elected member until funds are depleted.

Further review of the policy has also been undertaken to address professional development training requests from elected members during the caretaker period whose term expires in that election year.

In addition, no training is to be requested by an elected member within six months of their term of office expiring in the election year.

Elected members whose term of office is expiring and have requested for professional membership where it is not a full financial year, will receive proportionate payment for the days of membership.

For the purposes of good governance and transparency, other inclusions the policy have been reviewed and addressed, and is presented for Council's consideration.

## 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

Funds are available in the budget should Elected Members request to undertake professional development training.

## Legal Implications

*s5.128 of the Local Government Act 1995 - Policy for continuing professional development.*

**Community Consultation**

N/A

**Risk Management Implications**

To minimise any risk, Council should give consideration when assessing application requests for professional development, in accordance with the criteria outlined in the Elected Member Professional Development policy.

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

N/A

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

Nil

Title

Elected Member Professional Development



## Policy Type

Council

## Policy Purpose

To support Elected Members participation in professional development, as required under section 5.126 and 5.128(1) of the *Local Government Act 1995* (the Act). Elected Members are encouraged to attend professional development opportunities that will improve their skills and knowledge that is essential to fulfil their duties and responsibilities on Council.

The Act requires all elected members and councillors who have been re-elected to undertake compulsory training within 12 months of being elected. Training undertaken by elected members must be reported annually. Local governments are also required to adopt a Continuing Professional Development Policy.

## Policy Statement

### 1. Training and Continued Professional Development (CPD)

#### Mandatory Professional Development

- 1.1 All new Elected Members are required to undertake the following mandatory training within 12 months of their election to Council referred to as Council Member Essentials consisting of the following modules:

- 1.1.1 Understanding Local Government
- 1.1.2 Serving on Council
- 1.1.3 Meeting Procedures
- 1.1.4 Conflicts of Interest
- 1.1.5 Understanding Financial Reports and Budgets.

- 1.2 Mandatory training is to be provided by any of the following bodies---

- 1.2.1 North Metropolitan TAFE
- 1.2.2 South Metropolitan TAFE; or
- 1.2.3 WA Local Government Association (WALGA)

- 1.3 Exemptions for completion of the Council Member Essentials Course are prescribed in the *Local Government (Administration) Regulations 1996* and applies for Elected Members who have completed:

- 1.3.1 the requirements in clause 1.1 within the 5 year period ending immediately before the day on which the Elected Member was elected; or
- 1.3.2 the course titled 52756WA Diploma of Local Government (Elected Member).
- 1.3.3 Other exemptions may apply as prescribed.

[1]

Title	Elected Member Professional Development
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#### Other Professional Development

- 1.4 Attending Other Professional Development training provides Elected Members with the opportunity to build their knowledge base. This has a benefit personally and collectively for Council. This Professional Development policy provides the criteria to guide what additional training is relevant for Elected Members.

- 1.4.1 Criteria for Other Professional Development:
- 1.4.1.1 Builds the skills and knowledge of Elected Members;
  - 1.4.1.2 Meets the needs of the district; and
  - 1.4.1.3 Fills the gaps of expertise of the Council as a whole.

Consideration must also be given to how any proposed training aligns with the City's strategic direction and the organisation's values.

Other Professional Development opportunities Elected Members may wish to attend are required to be submitted to the CEO for prior assessment and determination in accordance with the above criteria.

#### 1.56 Professional Development – Caretaker Period

Professional Development is not to be scheduled and/or expenses expended during the election caretaker period. Any CPD or compulsory training stipulated in this policy is to be completed prior to the caretaker period. The caretaker period is in accordance with the City's Council Election Caretaker Policy.

## 2. Funding Allocation

Professional Development will be funded by the City and met from the Elected Member's Training Allocation.

### 2.1 Budget Allocation

2.1.1 Budget allocations will be made annually, with an amount of \$7,000 for each Elected Member and \$14,000 for the Mayor.

2.1.2 The application of professional development opportunities and budget funds is to be shared equally between Elected Members.

2.1.3 Funds will not be transferrable between Elected Members.

2.1.4 Funds will be rolled over of with Unspent funds for each Elected Member to roll over will be rolled over each year, for the duration of an Elected Member's Term, with unutilised funds to expire on end of term. Elected Members may transfer budget funds to another Elected Member by consent of both parties and notice in writing to the CEO.

Title

Elected Member Professional Development



2.1.5 Should Elected Members require funds towards their professional development, which exceeds the budget availability for that Elected Member they may apply to Council for approval.

2.1.6 Elected Members cannot enrol in courses that provide a formal qualification (or accreditation) within six months of their term of office concluding.

2.1.7 All claims for reimbursement must be submitted within one month from the Elected Member returning from the training and professional development. Final claims relating to the financial year must be submitted within 14 days after the end of the financial year.

## 2.2 Expenses for approved Professional Development

Expenses to be met by Council for Elected Members are:

### 2.2.1 Interstate and Overseas

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

### 2.2.2 State

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

2.3 Fees for professional development courses, such as non-statutory training courses, accreditation courses and mentoring and/or coaching, where the professional development meets the criteria of Clause 1.4, will be funded by the City separate from the Elected Members' Training Allocation.

2.4 Elected Members who request professional membership to be paid in a year that their term of office is not a full financial year will only have the proportion paid for the days of the membership period they hold office <sup>[BP1]</sup> <sup>[MT2]</sup>.

[3]

Title	Elected Member Professional Development
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### 3. Reporting

- 3.1 The City is required to report annually on training undertaken by Elected Members. A register must be published on the City's website for that financial year, before 31 July.
- 3.2 The register only includes training undertaken in accordance with this policy.

#### Definitions

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

**CEO** means Chief Executive Officer

**City** means City of Cockburn

**Other Professional Development** means approved professional development in accordance with clause 1.3.

**Professional Development** means the training and continued professional development as identified in clause 1.

**Term** means the period a person holds office for following election to the office of Elected Member (usually four years).

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Legal and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 November 2022
Next Review Due: (Governance Purpose Only)	November 2024
ECM Doc Set ID: (Governance Purpose Only)	

## 15.2 Organisational Performance Committee Meeting – 27/04/2023

### 15.1.1 Annual Review - Register of Delegations

<b>Executive</b>	Executive Governance and Strategy
<b>Author</b>	Manager Legal and Compliance
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Register of Delegation (for endorsement) <a href="#">↓</a></li><li>2. Register of Delegations with tracked changes <a href="#">↓</a></li><li>3. Summary of Amendments to Register of Delegations - April 2023 <a href="#">↓</a></li><li>4. Former Register of Delegations <a href="#">↓</a></li></ol>

#### Office Recommendation/Committee Recommendation

That Council::

- (1) DELEGATES authority to the Chief Executive Officer as per the Register of Delegations as attached to the Agenda; and
- (2) ENDORSES the Register of Delegations.

### Background

Section 5.46 of the *Local Government Act 1995* requires local governments to keep and maintain a Register of Delegations.

In accordance with section 5.46(2), a review is to be completed at least once each financial year.

Council is required to review delegations made to the Chief Executive Officer (CEO) and the CEO is to review any delegations made by the CEO to employees.

A review of the Delegations made under the *Local Government Act 1995* has been undertaken.

In addition, delegations pursuant to other Acts have also been reviewed.

It was identified during the review there are numerous opportunities to deliver improvements to the delegations, including adding some delegations which are not in place.

It is to be acknowledged that a new CEO will commence with the City in the coming months, and it will be appropriate for that CEO to undertake a broader review of the delegations against operational requirements in due course.

**Submission**

N/A

**Report**

In accordance with s5.46 of the *Local Government Act 1995* the City currently maintains a Register of Delegated Authority.

Currently the register appears in an alternate format.

The new Register of Delegated Authority contains additional information to support transparency and good governance.

The Register provides an important reference guide for those exercising delegated authority.

Section 5.46(2) of the Act requires a complete review of the Register of Delegations to be conducted at least once every financial year.

The review of the delegations has been undertaken and updates made as required, to assist with improving the time taken to make decisions.

Basic changes to the format of the delegations have been effected, including the removal of "Autonomy of Decision" as these provisions are included in the "Conditions".

A summary of all amendments of the Delegations is outlined in the attached table, together with officer comments as to the reasons why the amendments have been made.

Delegations occur when a person with the statutory power appoints another person to exercise a power or discharge their duty.

For example, the *Local Government Act 1995* creates and gives powers to local government and that Act creates a head of power to allow the local government to delegate some of its powers to the Chief Executive Officer and Committees.

The effect is the CEO or Committees with the delegated authority can exercise the power of behalf of the local government.

Just because a power has been delegated does not mean the power has been "abandoned", a delegator can still exercise the power/discharge the duty themselves.

It is important to recognise the power to delegate is derived from written law, and where a written law imposes a duty on a person, provided that it is a power which can be delegated in accordance with the provisions of the relevant legislation.

S59 of the *Interpretation Act 1984* explains the elements of the power to delegate when it appears in various legislation.

As confirmed above, the delegator still retains the power, but the delegate can also exercise the power.

References to requirements for record keeping have been removed as conditions for exercise of delegations.

Under section 5.46 of the *Local Government Act 1995*, regulation 19 of the *Local Government (Administration) Regulations 1996* requires delegates to keep a record of each occasion on which they exercise the powers or discharge the duties delegated to them.

Employees are also required to comply with the City's Records Management Policy and Employees Recordkeeping Guidelines.

A delegation should correctly and accurately identify the power or duty to be delegated, the person or office to whom the power or duty is to be delegated and identification of any conditions which apply.

Delegations by Council require an absolute majority decision.

A further review of the delegations is required, as identified in the summary of amendments, with recommendations to be presented to a future Organisational Performance Committee.

Sub-delegations will be amended in the register as required, with sub-delegations by the CEO pursuant to s44 of the *Local Government Act 1995* a decision of the CEO, where those functions are allowed to be delegated in accordance with the relevant legislation.

### **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

*Local Government Act 1995*

### 5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
  - (a) this Act other than those referred to in section 5.43; or
  - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

\* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

### 5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty

## Community Consultation

N/A

## Risk Management Implications

The CEO and Council have a statutory obligation to complete a review of any delegations made under the Division 4 of the *Local Government Act 1995* at least once each financial year.

Failure to do so would result in a non-compliance record on the City's Annual Compliance Audit Return.

## Advice to Proponent(s)/Submitters

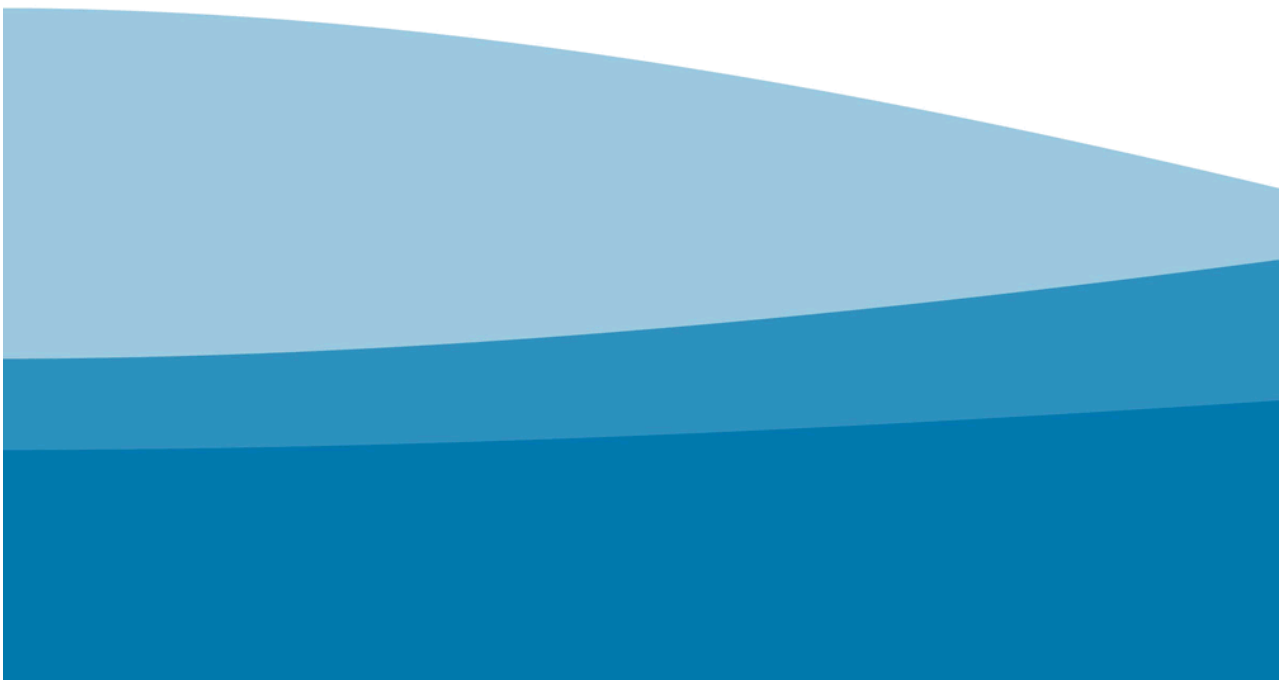
N/A

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

Nil



## Register of Delegations



**Contents Page to be inserted**

[\[2\]](#)

## 1 INTRODUCTION

### 1.1 DELEGATIONS

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

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

In summary:

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

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

Similarly, section 59(2) provides that:

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

Some Acts of Parliament which confer powers on local governments allow a Council for example to delegate to a committee of the local government, the local governments CEO, other persons, or employees and more. The purpose of delegating a power is generally aimed at dealing with matters that are routine, may have a time constraint, can change rapidly, or is simply more efficient.

The delegations of authority contained within are made to Committees pursuant to Section 5.16 and to the Chief Executive Officer pursuant to Section 5.42 of the *Local Government Act 1995* (the Act) and, where listed, some of these functions are delegated by the Chief Executive Officer to City of Cockburn employees pursuant to Section 5.44 of the Act. All delegations made by the Council must be by an absolute majority decision.

Section 5.43 of the Act provides that the following are decisions that cannot be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority of the Council.
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.
- Appointing an auditor.
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.
- Any of the local government's powers under sections 5.98, 5.98A, 5.99 and 5.100 of the Act.
- Borrowing money on behalf of the local government.
- Hearing or determining an objection of a kind referred to in Section 9.5.
- The power under Section 9.49A (4) to authorise a person to sign documents on behalf of the local government.
- Any power or duty that requires the approval of the Minister or Governor.
- Such other duties or powers that may be prescribed by the Act.

The Act allows for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if required.

A person to whom a duty or power is delegated under the Act is a 'designated employee' under s5.74(b) of the Act and is required to:

- disclose relevant interests
- complete a Primary Return
- complete Annual Returns

Although these requirements relate only to delegations under the Act, compliance requirements are applied uniformly to employees exercising delegated authority. Any sub delegations by the Chief Executive Officer will be updated in this register as and when required, without presentation to Council, as delegations of power by the Chief Executive Officer to employees are to be determined by the Chief Executive Officer.

## 1.2 ACTING THROUGH

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

Section 5.16(4) of the Act provides that: ...

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

[4]

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

*Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing – a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or b) a Chief Executive Officer from performing any of his or her functions by acting through another person.*

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

### **1.3 AUTHORISATIONS**

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

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation.

An authorised person cannot delegate their powers and duties to another person.

The City’s Register of Authorised Persons can be located on the City’s website.

### **1.4 REGISTER OF DELEGATED AUTHORITY**

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. All officers are required to maintain relevant records when exercising the power or discharge of duty delegated to them.

The written record is to contain:

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

In addition to delegations made in accordance with the Act, a number of delegations are also made to the Chief Executive Officer, or directly to other officers in some instances, in accordance with the provisions of other legislation.

The aim of the delegated authority register is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the City's commitment to a strong customer service focus.

Each instrument of delegation describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of the Council which may provide guidance in the exercise of the delegation. This delegated authority register will be reviewed in accordance with the Act on an annual basis.

## 2 LOCAL GOVERNMENT ACT 1995

### 2.1 Council to Committees of Council

#### 2.1.1 AUDIT AND RISK COMMITTEE

##### POWER DELEGATED:

Authority to meet with the City's Auditor at least once every year on half of Council.

*Local Government Act 1995*

S7.12A(2) Duties of Local Government with respect to audits

##### DELEGATE:

Audit Risk and Compliance Committee

##### CONDITIONS:

Nil

##### POWER TO DELEGATE:

*Local Government Act 1995*

S5.16 Delegation of some powers and duties to certain committees

S7.1B Delegation of some powers and duties to audit committees

##### COMPLIANCE LINKS

Audit Risk and Compliance Committee Terms of Reference

##### SUB-DELEGATE/S:

Nil. Sub-delegation prohibited by s7.1B

<b>DIVISION:</b>	Governance & Strategy
<b>BUSINESS UNIT:</b>	Legal and Compliance
<b>SERVICE UNIT:</b>	
<b>DATE FIRST ADOPTED:</b>	
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	

**2.1.2 CODE OF CONDUCT COMPLAINTS COMMITTEE****POWER DELEGATED:**

1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur *[MCC.cl.12(1) and (3)]*.
2. In making any finding the Committee must also determine reasons for the finding *[MCC.cl.12(7)]*.
3. Where a finding is made that a breach has occurred, authority to:
  - a) take no further action *[MCC.cl.12(4(a))]*; or
  - b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates *[MCC.cl.12(4)(b), (5) and (6)]*.
  - c) Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal *[MCC.cl.13(1) and (2)]*.

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

Clause 12 Dealing with a complaint

Clause 13 Dismissal of complaint

**DELEGATE:**

Code of Conduct Complaints Committee

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995*

S5.16 Delegation of some powers and duties to certain committees

**COMPLIANCE LINKS**

Elected Member Code of Conduct – Complaints of Alleged Behaviour Breach Policy

**SUB-DELEGATE/S:**

Nil

<b>DIVISION:</b>	Governance and Strategy
<b>BUSINESS UNIT:</b>	Legal and Compliance
<b>SERVICE UNIT:</b>	
<b>DATE FIRST ADOPTED:</b>	
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	

**2.2 COUNCIL TO CEO****2.2.1 ACQUISITION AND DISPOSAL OF PROPERTY****POWER DELEGATED:**

The authority to acquire and dispose of property up to the value of \$750,000.

*Local Government Act 1995*

S3.58 Disposing of property

s5.43 (d) Limits of delegations to the CEO

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- 1 Elected Members to be provided with notification in advance of the proposal.

**POWER TO DELEGATE:**

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Commercial Leasing & Other Dispositions of City of Cockburn Owned or Controlled Property Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Nil.

<b>DIVISION:</b>	Office of the Chief Executive Officer
<b>BUSINESS UNIT:</b>	Office of the Chief Executive Officer
<b>SERVICE UNIT:</b>	Office of the Chief Executive Officer
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**2.2.2 CALLING OF TENDERS, EXPRESSIONS OF INTEREST OR PANEL OF PRE-QUALIFIED SUPPLIERS****POWER DELEGATED:**

1. Authority to invite public tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council and the disposal of property and undertake the functions in accordance with the *Local Government Act s3.57* and *Local Government Functions and General Regulations 1996 Part 4*.
2. Authority to, because of the unique nature of the goods or services, or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement.

*Local Government Act 1995 s3.57 and 3.58*

*Local Government (Functions and General) Regulations 1996, Part 4*

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Copies of all tenders (or equivalent), expression of interest or panel of pre-qualified suppliers documents and advertisement to be retained on the relevant System.
- (2) Notification that tenders (or equivalent), expression of interests or a panel of pre-qualified suppliers has been called to be included in Elected Members Portal (Hub).

**POWER TO DELEGATE:**

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Procurement Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

Chief Operations Officer

Chief of Community Services

Chief of Built and Natural Environment

Executive Governance and Strategy

[10]

Executive Corporate Affairs  
Executive People Experience and Transformation

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Procurement
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**2.2.3 CONTRACT VARIATIONS (TENDER OR EQUIVALENT)****POWER DELEGATED:**

Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% to a maximum of \$1,000,000 (ex GST) [F&G r.21A(a)].

*Local Government Act 1995*

S3.57 Tenders for providing goods or services

*Local Government (Functions and General) Regulations 1996*

r. 21A - Varying a contract for the supply of goods or services.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Procurement Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

Chief Operations Officer

Chief of Community Services

Chief of Built and Natural Environment

Executive Governance and Strategy

Executive Corporate Affairs

Executive People Experience and Transformation

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Procurement Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	3

## 2.2.4 PARTICULAR THINGS LOCAL GOVERNMENTS CAN DO ON LAND THAT IS NOT LOCAL GOVERNMENT PROPERTY

### POWER DELEGATED:

The authority to go onto private land in the circumstances prescribed in Schedule 3.2 of the *Local Government Act 1995* and carry out works, even if it does not have consent of the owner.

*Local Government Act 1995*

S3.27 Particular things local governments can do on land that is not local government property

### DELEGATE:

Chief Executive Officer

### CONDITIONS:

Nil

### POWER TO DELEGATE:

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

### COMPLIANCE LINKS:

### SUB-DELEGATE/S:

*Appointed by the CEO*

Chief Operations Officer

Head of Operations

Manager, Parks, Environment and Streetscapes

<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Environment, Parks and Landscape
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**2.2.5 DEFER, GRANT DISCOUNTS, WAIVE OR WRITE OFF DEBTS****POWER DELEGATED:**

The authority to write-off any amount of money, or to waive or grant a concession in relation to any amount of money owing to the City (other than rates & prescribed service charges).

*Local Government Act 1995:*

s.6.12 Power to defer, grant discounts, waive or write off debts

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Authority only applies to amounts of money owing to a maximum value of \$5,000 per debtor or transaction.
- (2) Authority does not apply to amounts of money owing for rates or prescribed service charges.
- (3) All reasonable endeavours must be used to recover outstanding debts before any write off is made.
- (4) A summary of transactions utilising this delegation is to be reported to the Audit Risk and Compliance Committee on an annual basis.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:****SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Revenue Management
<b>DATE FIRST ADOPTED:</b>	9 August 2012
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	6

**2.2.6 OBJECTIONS TO THE RATE RECORD & RATEABLE STATUS OF LAND****POWERS DELEGATED:**

- (1) Authority to extend the time for a person to make an objection in relation to the rate record.
- (2) Authority to consider any objections to the rates record and allow/disallow the objection either wholly or in part.

*Local Government Act 1995:*  
s.6.76 Grounds of objection

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. Objections allowed on the grounds of non-rateability of Land are limited to where general rates to be charged do not, or would not, exceed \$5,000 per annum.
2. Written notice is to be served upon the person by whom the objection was made, of the decision on the objection and a statement of their reason for that decision.

**POWER TO DELEGATE:**

*Local Government Act 1995:*  
s.5.42 Delegation of some powers or duties to the CEO  
s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:****SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer  
Head of Finance

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Revenue Management
<b>DATE FIRST ADOPTED:</b>	13 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

**2.2.7 OBSTRUCTION OF FOOTPATHS AND THOROUGHFARES****POWER DELEGATED:**

1. Authority to determine, by written notice served on a person who is carrying out plastering, painting, or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to:
  - a. prevent damage to the footpath; or
  - b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].
2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].
3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].
4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].
5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].

*Local Government (Uniform Local Provisions) Regulations 1996*

r. 5(2) - Interfering with, or taking from, local government land

r. 6 - Obstruction of public thoroughfare by things placed and left

r. 7A - Obstruction of public thoroughfare by fallen things

r. 7 - Encroaching on public thoroughfare

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. Actions under this Delegation must comply with procedural requirements detailed in the [Local Government \(Uniform Local Provisions\) Regulations 1996](#).
2. Permission may only be granted where, the proponent has:
  - a. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.
  - b. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.
  - c. Provided evidence of sufficient Public Liability Insurance.

[16]

- d. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

*Local Government Act (Uniform Local Provisions) Regulations, 1996*

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer  
Head of Operations and Maintenance  
Head of Planning  
Manager Transport and Traffic  
Transport and Traffic Coordinator  
Transport Engineer  
Civil Infrastructure Manager

<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Civil Infrastructure
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**2.2.8 PAYMENTS FROM MUNICIPAL AND TRUST FUNDS****POWER DELEGATED:**

The authority to make payments from the City's Municipal Fund and Trust Fund.

*Local Government Act 1995*

s. 6.7 - Municipal fund (incurring expenditure or income to)

s. 6.9(3) and (4) - Trust fund (management and payments from)

*Local Government (Financial Management) Regulations 1996:*

r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All electronic bank file payments are to be authorised as follows:
  1. payment files under \$500,000 require one/authorised Delegate,
  2. payments files over \$500,000 require two Authorised Delegates
- (2) Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:
  1. the payee's name;
  2. the amount of the payment;
  3. the date of the payment; and
  4. sufficient information to identify the transaction

This list is to be:

1. presented to the Council at the next Ordinary Meeting of the Council following the preparation of the list; and
2. recorded in the Minutes of the meeting at which it is presented.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

*Local Government (Financial Management) Regulations 1996 Regulation 12*

**SUB-DELEGATE/S:***Appointed by the CEO*

Chief Financial Officer  
Executive Governance & Strategy  
Head of Finance  
Financial Controller

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Financial Accounting
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**2.2.9 PROCUREMENT SELECTION & AWARD****POWER DELEGATED**

The authority to:

- (1) Determine the criteria for evaluating all tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers before inviting tenders (or equivalent), expressions of interest and a panel of pre-qualified suppliers;
- (2) Publicly invited tenders (or equivalent), expression of interest and panel of pre-qualified suppliers;
- (3) Accept or reject all tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers where the consideration under the contract is, or is expected to be less than \$1,000,000 (GST exclusive); and
- (4) Determine minor variations (in accordance with the Procurement Management Practice) before entering into a contract with the successful tenderer.

*Local Government Act 1995*

s. 3.57 - Tenders for providing goods or services

*Local Government (Functions and General) Regulations 1996*

r. 18 - Rejecting and accepting tenders.

**DELEGATE**

Chief Executive Officer

**CONDITIONS**

- (1) The Tender (or equivalent) relating to the provision of goods and services to Council being within Budget;
- (2) Record of public tenders (or equivalent) received to be maintained in the Tender Register;
- (3) Details of all public advertised tenders (or equivalent) and all tenders (or equivalent) accepted pursuant to this Authority will be notified via "Council Information" publication;
- (4) Any Tender (or equivalent) accepted for a value of \$500,000 or greater (GST exclusive) requires the authorisation of two Delegates;
- (5) Any requirements of the Local Government Act, 1995 (Functions and General) Regulations, 1996, must be complied with.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

[20]

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Procurement Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

Chief Operations Officer

Executive Governance and Strategy

Chief of Built and Natural Environment

Chief of Community Services

Executive Corporate Affairs

Executive People Experience and Transformation

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Procurement
<b>SERVICE UNIT:</b>	Procurement
<b>DATE FIRST ADOPTED:</b>	24 August 2009
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	9

**2.2.10 PREPARATION OF BUSINESS PLANS FOR DISPOSAL OF LAND****POWER DELEGATED:**

The Authority to prepare a Business Plan and proceed with public notification of the Plan.

*Local Government Act 1995*

3.59. Commercial enterprises by local governments

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Elected Members to be informed in writing of any circumstances where delegation used.
- (2) Council to make final determination of transaction following closure of public submission period, as required by Sec 3.59(5) of the Local Government Act, 1995.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:****SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer  
Head of Property and Assets  
Manager, Property Services  
Property & Lands Officer

<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Property and Assets
<b>SERVICE UNIT:</b>	Property and Assets
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	12

**2.2.11 RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES****POWER DELEGATED:**

1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City [s.6.60(2)].
2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].

*Local Government Act 1995:*

s.6.60 Local Government may require lessee to pay rent

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

*Local Government Act 1995* Sections 6.60

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

Head of Finance

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Financial Accounting
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

## 2.2.12 NOTICES REQUIRING CERTAIN THINGS TO BE DONE BY OWNER OR OCCUPIER OF LAND

### POWER DELEGATED:

1. Give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that —
  - (a) is prescribed in Schedule 3.1, Division 1; or
  - (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 [Act, s. 3.25(1)]
2. Do anything the local government considers necessary to achieve, so far as is practicable, the requirements of a notice issued pursuant to s. 3.25 of the Act where the person who is given the notice fails to comply with it [Act, s. 3.26(1)]
3. Recover the cost of anything done by the local government pursuant to s. 3.26(2) as a debt due from the person who failed to comply with the notice [Act, s. 3.26(3)]

*Local Government Act 1995*

s. 3.25 - Notices requiring certain things to be done by owner or occupier of land

s. 3.26 - Additional powers when notices given

### DELEGATE:

Chief Executive Officer

### CONDITIONS:

Clauses 4(2) and 5(3) of Schedule 3.1 prescribe that a notice cannot be given to an occupier who is not an owner.

### POWER TO DELEGATE:

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

### COMPLIANCE LINKS:

*Local Government Act 1995*

Schedule 3.1

### SUB-DELEGATE/S:

*Appointed by the CEO*

<b>DIVISION:</b>	
<b>BUSINESS UNIT:</b>	
<b>SERVICE UNIT:</b>	
<b>DATE FIRST ADOPTED:</b>	
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	

**2.2.13 CROSSING, CONSTRUCTION, REPAIR AND REMOVAL****POWER DELEGATED:**

1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)].
2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].
3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].
4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].

*Local Government (Uniform Local Provisions) Regulations 1996:*

r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2)

r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. Actions under this Delegation must comply with procedural requirements detailed in the [Local Government \(Uniform Local Provisions\) Regulations 1996](#)

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Local Government (Uniform Local Provisions) Regulations 1996  
Policy 'Crossovers'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer  
Head of Operations and Maintenance  
Civil Infrastructure Manager

<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Civil Infrastructure
<b>DATE FIRST ADOPTED:</b>	10 December 2020
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	1

**2.2.14 SAND DRIFT****POWER DELEGATED:**

Authority to give notice to a landowner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].

*Local Government (Uniform Local Provisions) Regulations 1996:*  
r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DLEGATE:**

*Local Government Act 1995:*  
s.5.42 Delegation of some powers or duties to the CEO  
s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:****SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer  
Head of Operations and Maintenance  
Civil Infrastructure Manager  
Senior Development Engineer

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Public Health Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**2.2.15 TEMPORARY ROAD CLOSURES****POWER DELEGATED:**

1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].
2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to:
  - give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and
  - consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].
3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].
4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]
5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].

*Local Government Act 1995:*

s.3.50 Closing certain thoroughfares to vehicles

s.3.50A Partial closure of thoroughfare for repairs or maintenance

s.3.51 Affected owners to be notified of certain proposals

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Policy 'Temporary Road Closures'

**SUB-DELEGATE/S:***Appointed by the CEO*

Chief Operations Officer  
Head of Operations and Maintenance  
Head of Planning  
Manager, Transport and Traffic  
Transport and Traffic Coordinator  
Head of Community Safety and Ranger Services (for emergencies)  
Fire and Emergency Management Manager (for emergencies)

<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Civil Infrastructure
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**2.2.16 LEGAL PROCEEDINGS****POWER DELEGATED:**

Initiate a legal proceeding, enforcement function, or legal interest under the *Local Government Act 1995* or any of its Regulations or a local law made by the City of Cockburn pursuant to the Act.

Legal proceeding may include -

- a) The making or receiving of a legal proceeding;
- b) The service of a notice, writ or subpoena;
- c) The withdrawal of a legal proceeding or a notice; and
- d) Any instruction to a solicitor or legal service provider in association with one or more of the above.

*Local Government Act 1995*

Section 9.24 - Prosecutions, commencing

*Criminal Procedure Act 2004*

20(1)(b)(i) - Who can commence prosecution - public authority, where public authority means

—

- (a) a Minister of the State; or
- (b) a department of the Public Service; or
- (c) a local government or a regional local government; or
- (d) a body, whether incorporated or not, or the holder of an office, being a body or office that is established for a public purpose under a written law and that, under the authority of a written law, performs a statutory function on behalf of the State;

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Council Policy 'Obtaining Legal or Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

DIVISION:	
BUSINESS UNIT:	
SERVICE UNIT:	
DATE FIRST ADOPTED:	
DATE LAST REVIEWED:	
VERSION NO.	

### **3. BUSH FIRES ACT 1954**

#### **3.1 COUNCIL**

##### **3.1.1 FIRE BREAKS**

###### **POWER DELEGATED:**

1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the City:
  - a. clearing of firebreaks as determined necessary and specified in the notice; and
  - b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and
  - c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].
2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].
3. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].

*Bush Fires Act 1954:*

s.33 Local government may require occupier of land to plough or clear fire-breaks

###### **DELEGATE:**

Chief Bush Fire Control Officer  
Deputy Chief Bush Fire Control Officer

###### **CONDITIONS:**

- (1) The owner or occupier of land within the district must provide a duly completed "Request-Removal/Abatement of Fire Danger" form accompanied by the prescribed payment assessed by the Volunteer Bush Fire Brigade concerned and duly signed by the Captain of the Brigade.

###### **POWER TO DELEGATE:**

*Bush Fires Act 1954:*

s.48 Delegation by local government

###### **COMPLIANCE LINKS:**

<b>DIRECTORATE:</b>	Executive Support Department
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**3.1.2 PROHIBITED AND RESTRICTED BURNING PERIOD****POWER DELEGATED:**

To vary prohibited and restricted burning times, in accordance with s17(7) and (8) and s18(5), regarding:

- shortening, extending, suspending or reimposing a period of prohibited or restricted burning times; or
- imposing a further period of prohibited or restricted burning times.

**DELEGATE:**

Mayor  
Chief Bush Fire Control Officer  
(jointly)

**CONDITIONS:**

- (1) The Mayor and Chief Bush Fire Control Officer shall jointly sign a memorandum prepared by the Chief Bush Fire Control Officer giving effect to the extension of the Prohibited Burning Period and such memorandum shall not extend the Prohibited Burning Period for a period greater than fourteen (14) days at any one time. A notice giving effect to the extension of the Prohibited Burning Period shall be published in a newspaper circulating in the district and a copy of the notice shall be distributed to:

Mayor	Chief Executive Officer
Chief Bush Fire Control Officer	Deputy Chief Bush Fire Control Officer
Rangers	Jandakot Volunteer Bush Fire Brigade
South Coogee Volunteer Bush Fire Brigade	City of Fremantle
City of Armadale	Department of Fire & Emergency Services of WA
City of Canning	Department of Biodiversity, Conservation & Attractions
City of Melville	Shire of Serpentine-Jarrahdale
City of Kwinana	Rottnest Island Authority

- (2) In the absence of the Mayor the Deputy Mayor becomes the Delegate in relation to signing of declarations as prescribed by the Bush Fires Act 1954, and in the absence of the Chief Bush Fire Control Officer the Deputy Chief Bush Fire Control Officer (Rangers and Community Safety Services Manager) becomes the Delegate.

**POWER TO DELEGATE:**

*Bush Fires Act 1954:*  
s.48 Delegation by local government

s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))

**COMPLIANCE LINKS:**

Pursuant to the provisions of Section 17(10) of the Bush Fires Act 1954, the powers and duties of Section 17(7) and (8) of the aforesaid Act

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Management
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**3.1.3 PROSECUTION OF OFFENCES****POWER DELEGATED:**

1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].
2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].

*Bush Fires Act 1954:*

s.59 Prosecution of offences

s.59A(2) Alternative procedure – infringement notices

**DELEGATE:**

Executive Governance and Strategy (institute legal proceedings only)

Chief Bush Fire Control Officer

Head of Ranger and Community Safety – (institute legal proceedings only)

Fire & Emergency Management Officer

Senior Ranger

Ranger

CoSafe Team Leader

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Bush Fires Act 1954:*

s.48 Delegation by local government

**COMPLIANCE LINKS:**

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Management
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**3.1.4 DELEGATION OF POWERS AND DUTIES****POWER DELEGATED:**

All powers, duties and functions of the local government under the Bush Fires Act 1954.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Includes the authority to appoint officers to Fire Control Officers for the City of Cockburn and to the Volunteer Bush Fire Brigades established within the City of Cockburn in accordance with S41 and 43 of the Bush Fires Act 1954;
- (2) Power to withdraw infringement notices according to s59A(3) of the Bush Fires Act 1954, and Bush fires Infringements Regulation 4 (a)

Excludes powers and duties that:

- are prescribed in the Act with the requirement for a resolution by the local government;
- are prescribed in the Act for performance by prescribed offices; or,
- are subject to separate delegated authority within this register.

**POWER TO DELEGATE:**

*Bush Fires Act 1954:*

s.48 Delegation by local government

**COMPLIANCE LINKS:**

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Services Management
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

## 4. CAT ACT 2011

### 4.1 Council

#### 4.1.1 DELEGATION OF POWERS AND DUTIES

##### POWER DELEGATED:

Exercise of any of its powers or the discharge of any of its duties under the Cat Act 2011.

*Cat Act 2011:*

- s.9 Registration
- s.10 Cancellation of registration
- s.11 Registration numbers, certificates and tags

*Cat Regulations 2012*

Schedule 3, cl.1(4) Fees Payable

s.26 Cat control notice may be given to cat owner

s.37 Approval to Breed Cats

s.38 Cancellation of approval to breed cats

s.39 Certificate to be given to approved cat breeder

s.49(3) Authorised person may cause cat to be destroyed

Schedule 3 Fees clause 1(4)

*Cat (Uniform Local Provisions) Regulations 2013:*

- r.8 Application to keep additional number of cats
- r.9 Grant of approval to keep additional number of cats

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

1. A power or duty under sections 63, 64, or 65 of the Cat Act 2011 cannot be performed by an authorised person;
  - a) Content of Infringement Notice
  - b) Extension of Time
  - c) Withdrawal of Notice
2. Appointment of authorised persons function is not sub-delegated

##### POWER TO DELEGATE:

*Cat Act 2011*

s. 44 - Delegation by local government.

##### COMPLIANCE LINKS:

**SUB-DELEGATE/S:***Appointed by the CEO*

Head of Community Safety and Ranger Services  
Service Support Lead  
Workforce Scheduler  
Ranger Services Manager

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Ranger Services
<b>DATE FIRST ADOPTED:</b>	12 September 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

## 5. DOG ACT 1976

### 5.1 Council To CEO

#### 5.1.1 ADMINISTRATION AND ENFORCEMENT

##### POWER DELEGATED:

1. Exercise of any powers or the discharge of any of its duties under the *Dog Act 1976*.
2. Appointment of authorised persons.

##### *Dog Act 1976:*

s.3 Terms Used (*Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act*)

s.10A Payments to veterinary surgeons towards costs of sterilisation

s.15(2) and (4A) Registration periods and fees

s.16(3) Registration procedure

s.17A(2) If no application for registration made

s.17(4) and (6) Refusal or cancellation of registration

s.27 Licensing of approved kennel establishments

s.29(5) Power to seize dogs

s.29(11) Power to seize dogs

s.33E(1) Individual dog may be declared to be dangerous dog (declared)

s.33F(6) Owners to be notified of making of declaration

s.33G(4) Seizure and destruction

s.33H(1) and (2) Local government may revoke declaration or proposal to destroy

s.33H(5) Local government may revoke declaration or proposal to destroy

s.33M(1)(a) Local Government expenses to be recoverable

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

1. A power or duty under sections 33F(6) and 33G(4) of the Dog Act 1976 is not delegated.
2. The following powers and duties are sub - delegated:
  - Establish and maintain dog management facilities (Section 11(1));
  - Keep a register of dogs (Section 14(1));
  - Discount or waive a dog registration fee (Section 15(4A));
  - Grant exemption regarding the number of dogs that may be kept (Section 26(3));
  - Approve kennel establishments (Section 27);
  - Appoint persons to seize dogs (Section 29(1)); and
  - Declare a dog to be a dangerous dog (Section 33E).

**POWER TO DELEGATE:**

*Dog Act 1976:*

s.10AA Delegation of local government powers and duties

**COMPLIANCE LINKS:****SUB/DELEGATE/S:**

*Appointed by the CEO*

Head of Community Safety and Ranger Services

Ranger Services Manager

Ranger Team Leader (Section 15 (4A and 33E only)

Manager Public Health and Building Services (To approve kennel establishments  
(Section 27) only)

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Ranger Services
<b>DATE FIRST ADOPTED:</b>	12 June 2014
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

**6. GRAFFITI VANDALISM ACT 2016****6.1 COUNCIL TO CEO****6.1.1 ADMINISTRATION & ENFORCEMENT****POWER DELEGATED:**

1. Exercise of any powers or the discharge of any of its duties under the Graffiti Vandalism Act 2016.
2. Appointment of authorised persons.

*Graffiti Vandalism Act 2016:*

s.18(2) Notice requiring removal of graffiti  
s.19(3) & (4) Additional powers when notice is given

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. A power under Section 17 to delegate the exercise of this power or the discharge of this duty is sub-delegated to those positions listed within this authority.
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.

**POWER TO DELEGATE:**

*Graffiti Vandalism Act 2016:*

s.16 Delegation by local government

**COMPLIANCE LINKS:****SUB DELEGATE/S:**

*Appointed by the CEO*

Head of Community Safety and Ranger Services  
CoSafe Operations Manager

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	CoSafe
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	5

## 7. BUILDING ACT 2011

### 7.1 COUNCIL TO CEO

#### 7.1.1 APPOINT AUTHORISED PERSONS

##### POWER DELEGATED:

To designate an employee as an authorised person under Part 8, Division 2 of the *Building Act 2011*.

*Building Act 2011:*

s.96(3) authorised persons

s.99(3) Limitation on powers of authorised person

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

1. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
2. An *authorised person* for the purposes of sections 96(3) and 99(3) is not an *approved officer* or *authorised officer* for the purposes of Building Reg. 70

##### POWER TO DELEGATE:

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

##### COMPLIANCE LINKS:

Building Act 2011, s96(3) and s127(6)(A)

##### SUB-DELEGATE/S:

*Appointed by the CEO*

Head of Development and Services  
Manager, Public Health and Building Services  
Manager, Building  
Manager, Development Services  
Coordinator Development Compliance

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	14 February 2013

DATE LAST REVIEWED:	
VERSION NO.	8

**7.1.2 APPROVE OR REFUSE BUILDING PERMIT****POWER DELEGATED:**

The authority to approve or refuse to approve building plans, specifications, Building Permit and Certificate of Design Compliance as prescribed by s20 of the *Building Act 2011*.

The authority to approve or refuse to approve building(s) or Incidental Structures as prescribed by s20 of the *Building Act 2011*.

*Building Act 2011:*

s.18 Further Information

s.20 Grant of building permit

s.22 Further grounds for not granting an application

s.27(1) and (3) Impose Conditions on Permit

*Building Regulations 2012:*

r.23 Application to extend time during which permit has effect (s.32)

r.24 Extension of time during which permit has effect (s.32(3))

r.26 Approval of new responsible person (s.35(c))

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to deal with such matters relevant to this declaration and restricted to the City's expectations of their skills and qualifications in order to be able to perform the required duties.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

Building Act 2011. s127(6)A

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building

Senior Building Surveyors

Building Surveyors (subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011.)

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>FILE NO.:</b>	086/003; 021/005
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**7.1.3 APPROVE OR REFUSE A DEMOLITION PERMIT****POWER DELEGATED:**

The authority to approve or refuse to approve Demolition Permits as prescribed by s21 of the *Building Act 2011*.

*Building Act 2011:*

s.18 Further Information

s.21 Grant of demolition permit

s.22 Further grounds for not granting an application

s.27(1) and (3) Impose Conditions on Permit

*Building Regulations 2012*

r.23 Application to extend time during which permit has effect (s.32)

r.24 Extension of time during which permit has effect (s.32(3))

r.26 Approval of new responsible person (s.35(c))

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Applications to be completed to the satisfaction of responsible staff within Council's Building Department.
- (2) Responsible staff to become acquainted with all relevant legislation and Council's Town Planning Scheme No.3.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

*Building Act 2011*, s127(6)A.

**SUB-DELEGATES:**

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building Services

Senior Building Surveyors (subject to required qualifications and registration with the West Australian Building Commission as defined in the *Building Services (Registration) Act 2011*.)

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services

DATE FIRST ADOPTED:	1997
DATE LAST REVIEWED:	
VERSION NO.	10

#### 7.1.4 APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS

##### POWER DELEGATED:

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

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of 24 months beyond the standard 2 years.
- (3) Delegates can further impose conditions in relation to an extension of time.

##### POWER TO DELEGATE:

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

##### COMPLIANCE LINKS:

Building Act 2011, s127(6)A.

##### SUB-DELEGATE/S:

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building

Senior Building Surveyors (Subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011)

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**7.1.5 ISSUE AN OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE****POWER DELEGATED:**

The authority to issue or modify or refuse to issue or modify an occupancy permit or a building approval certificate as prescribed by s58 of the Building Act 2011.

*Building Act 2011:*

s.55 Further information

s.58 Grant of occupancy permit, building approval certificate

s.62(1) and (3) Conditions imposed by permit authority

s.65(4) Extension of period of duration

Building Regulations 2012

r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) that the applicant has complied with section 54 and that the building surveyor who signed the certificate of construction compliance or certificate of Building Compliance is an independent building surveyor in relation to the application

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

Building Act 2011, s127(6)A.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building

Senior Building Surveyors

Building Surveyors (subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	1997

DATE LAST REVIEWED:	
VERSION NO.	10

**7.1.6 MAKE AN ORDER FOR BUILDING OR DEMOLITION WORK****POWER DELEGATED:**

The authority to issue a building order in respect of particular building work or particular demolition work as prescribed by s110 of the *Building Act 2011*.

*Building Act 2011:*

s.110(1) A permit authority may make a building order

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) A building order must be directed to a Builder, if a building permit is in effect, or a Demolition Contractor if a demolition permit is in effect or to an owner of the land to which the particular building or demolition work is being carried out.
- (2) A time limit to comply with the building order must be included in accordance with s112 of the *Building Act 2011*.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

*Building Act 2011*, s127(6)A.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Head of Development and Compliance  
 Coordinator Development Compliance Services  
 Development Compliance Officers  
 Manager, Public Health and Development Services  
 Manager, Building  
 Senior Building Surveyors  
 Building Surveyors

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Development Compliance
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**7.1.7 REVOKE ORDER FOR BUILDING OR DEMOLITION WORK****POWER DELEGATED:**

The authority to revoke a building order in respect of particular building work or particular demolition work as prescribed by s117 of the *Building Act 2011*.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) A building order may be revoked at any time and must be served, in writing, to each person to whom the order is directed.
- (2) A permit authority must, within 28 days of receiving a notification under section 112(3)(c) —
  1. decide whether the building order has been fully complied with; and
  2. either revoke the building order or inform each person to whom the order is directed that the building order remains in effect.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

Building Act 2011, s127(6)A and any relevant Council Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Head of Development and Compliance  
 Coordinator Development Compliance  
 Development Compliance Officers  
 Manager, Public Health and Building Services  
 Manager, Building  
 Senior Building Surveyors

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Development Compliance
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**7.1.8 APPROVE OR REFUSE AN EXTENSION OF TIME FOR AN OCCUPANCY PERMIT AND BUILDING APPROVAL CERTIFICATE****POWER DELEGATED:**

The authority to extend the duration of an Occupancy Permit and a Building Approval Certificate as prescribed by s65 of the *Building Act 2011*.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of an Occupancy Permit by up to 12 months
- (3) All delegates have the authority to extend a Building Approval Certificate for up to a maximum of 12 months beyond the expiration date of the original Building Approval Certificate.
- (4) Delegates can further impose conditions in relation to an extension of time.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

*Building Act 2011* s127(6)A, and any relevant Council Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Head of Development and Compliance

Manager, Public Health and Building Services

Manager, Building

Senior Building Surveyors

Building Surveyors (subject to required qualifications and registration with the Western Australian Building Commission as defined in the *Building Services (Regulations) Act 2011*).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**7.1.9 LEGAL PROCEEDINGS****POWER DELEGATED:**

To initiate a prosecution pursuant to s133(1) for non-compliance of the *Building Act 2011*.

*Building Act 2011:*

s.133(1) A permit authority may commence a prosecution for an offence against this Act

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) The City may commence a prosecution for any offences against the *Building Act 2011* where deemed necessary.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

To initiate a prosecution pursuant to s133 of the *Building Act 2011* for an offence against this Act.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment  
Head of Development and Compliance  
Manager, Building  
Coordinator Development Compliance

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Development and Compliance
<b>DATE FIRST ADOPTED:</b>	14 February 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

## **8. FOOD ACT 2008**

### **8.1 COUNCIL TO CEO**

#### **8.1.1 FOOD ACT 2008 – PROSECUTION**

##### **POWER DELEGATED:**

Authority to institute proceedings for an offence under the *Food Act 2008* [s125].

*Food Act 2008:*

s.125 Institution of proceedings

##### **DELEGATE:**

Chief Executive Officer  
Chief of Built and Natural Environment  
Head of Development and Compliance  
Manager, Public Health and Building Services  
Coordinator Environment Health

##### **CONDITIONS:**

- 1) Delegates shall only act in accordance with the delegated statute, inclusive of all relevant statutory limitations and powers

##### **POWER TO DELEGATE:**

*Food Act 2008:*

- s.118 Functions of enforcement agencies and delegation
- (2)(b) Enforcement agency may delegate a function conferred on it
  - (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]
  - (4) Sub-delegation permissible only if expressly provided in regulations

##### **COMPLIANCE LINKS:**

- *Food Act 2008*, s125 Institution of proceedings
- Statutory Power of Delegation, *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

##### **SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

**8.1.2 PROHIBITION ORDERS****POWER DELEGATED:**

- (1) Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the *Food Act 2008* [s65].
- (2) Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66].
- (3) Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)].

*Food Act 2008:*

s.65(1) Prohibition orders

s.66 Certificate of clearance to be given in certain circumstances

s.67(4) Request for re-inspection

**DELEGATE:**

Chief Executive Officer  
 Chief of Built and Natural Environment  
 Head of Development and Compliance  
 Manager, Public Health and Building Services  
 Environmental Health Coordinator

**CONDITIONS:**

1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time

**POWER TO DELEGATE:**

*Food Act 2008:*

s.118 Functions of enforcement agencies and delegation

(2)(b) Enforcement agency may delegate a function conferred on it

(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]

(4) Sub-delegation permissible only if expressly provided in regulations

**COMPLIANCE LINKS:**

- *Food Act 2008* s65(1) Prohibition Order, s66 Certificate of Clearance, and s67(4) Request for Re-Inspection
- Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

**8.1.3 REGISTRATION OF FOOD BUSINESS****POWER DELEGATED:**

- (1) Register a food business in respect of any premises for the purposes of Part 9 of the *Food Act 2008* and issue a certificate of registration [s110(1)].
- (2) After considering an application, determine to grant (with or without conditions) or refuse the application [s110(5)].
- (3) Vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the *Food Act 2008* [s112(1)].

*Food Act 2008:*

s.110(1) and (5) Registration of food business

s.112 Variation of conditions or cancellation of registration of food businesses

**DELEGATE:**

Chief Executive Officer  
 Chief of Built and Natural Environment  
 Head of Development and Compliance  
 Manager, Public Health and Building Services  
 Environmental Health Coordinator

**CONDITIONS:**

In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:

- *Food Act 2008* Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA
- Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1
- WA Priority Classification System
- Verification of Food Safety Program Guideline

**POWER TO DELEGATE:**

*Food Act 2008:*

s.118 Functions of enforcement agencies and delegation

(2)(b) Enforcement agency may delegate a function conferred on it

(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]

(4) Sub-delegation permissible only if expressly provided in regulations

**COMPLIANCE LINKS:**

- *Food Act 2008*, s110(1) and (5) Registration of food business, and
- s112 Variation of conditions or cancellation of registration of food businesses.

- Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

**8.1.4 APPOINTMENT OF AUTHORISED PERSONS & DESIGNATED OFFICERS****POWER DELEGATED:**

1. Authority to appoint a person to be an authorised person for the purposes of the *Food Act 2008* [s122(1)].
2. Authority to appoint an authorised person to be a Designated Officer for the purposes of the *Food Act 2008*. [126(13)].
3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].

*Food Act 2008:*

s.122(1) Appointment of authorised officers

s.126(6), (7) and (13) Infringement Officers

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.

**POWER TO DELEGATE:**

*Food Act 2008:*

s.118 Functions of enforcement agencies and delegation

(2)(b) Enforcement agency may delegate a function conferred on it

(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]

(4) Sub-delegation permissible only if expressly provided in regulations

**COMPLIANCE LINKS:**

*Food Act 2008*, s122 Appointment of Authorised Officers, and s126 Infringement Notices

Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it

s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]

s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

## 9. PUBLIC HEALTH ACT 2016

### 9.1 COUNCIL TO CEO

#### 9.1.1 PUBLIC HEALTH ACT 2016- APPOINTMENT OF AUTHORISED OFFICERS

##### POWER DELEGATED:

1. Authority to designate a person or class of persons as authorised officers for the purposes of:

- i. The *Public Health Act 2016* or other specified Act
- ii. Specified provisions of the *Public Health Act 2016* or other specified Act
- iii. Provisions of the *Public Health Act 2016* or another specified Act, other than the specified provisions of that Act.

Including:

- a. an environmental health officer or environmental health officers as a class;  
OR
- b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR
- c. a mixture of the two. [s.24(1) and (3)].

*Public Health Act 2016*

s.24(1) and (3) Designation of authorised officers

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

Nil

##### POWER TO DELEGATE:

*Public Health Act 2016:*

s.21 Enforcement agency may delegate

##### COMPLIANCE LINKS:

*Public Health Act 2016* ('the Public Health Act')

##### SUB DELEGATE/S:

Nil

<b>DIVISION:</b>	Built and Natural Environment
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<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	5

## **10. LOCAL PLANNING SCHEME–**

### **10.1 COUNCIL TO CEO**

#### **10.1.1 STRUCTURE PLANS AND ACTIVITY CENTRE PLANS**

##### **POWER 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.
6. In accordance with Clause 20(1) of the Deemed Provisions, the authority to prepare a report on an amendment to a Structure Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

##### **(2) Activity Centre Plans**

1. In accordance with Clause 33(1) of the Deemed Provisions, the authority to determine whether:
  - a. A Proposed Activity Centre Plan complies with Clause 32(1) of the Deemed Provisions; or
  - b. Further information from the applicant is required before a Proposed Activity Centre Plan can be accepted for assessment and advertising.

2. In accordance with Clause 33(1)(b) of the Deemed Provisions, the authority to estimate and provide to the applicant the fee for dealing with a Proposed Activity Centre Plan in accordance with the Planning and Development Regulations 2009.
3. In accordance with Clause 34 of the Deemed Provisions, the authority to advertise the Proposed Activity Centre Plan;
4. In accordance with Clause 35(1) of the Deemed Provisions the authority:
  - a. To request further information from a person who prepared a Proposed Activity Centre Plan and;
  - b. To advertise any modifications 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 minor in 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.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Where an amendment to a Structure Plan or Activity Centre Plan may be considered minor in nature
  1. As per Clause 17 of the Structure Plan Framework, a minor amendment to a Structure Plan or Activity Centre Plan is a change or departure that:
    - a. Does not materially alter the purpose and intent of the structure plan;
    - b. Does not change the intended lot / dwelling yield by more than 10 per cent;
    - c. Does not adversely impact upon the amenity of adjoining landowners and occupiers;
    - d. Does not restrict the use and development of adjoining land;
    - e. Does not significantly impact on infrastructure provision;
    - f. Does not impact upon the environment;
    - 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.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42(b) Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

City of Cockburn Town Planning Scheme No.3

*Planning and Development Act 2005*

*Planning & Development (Local Planning Schemes) Regulation 2015*

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment

Head of Planning

Strategic Planning Coordinator

Senior Strategic Planning Officers

<b>DIRECTORATE:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Planning
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

**10.1.2 TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS****POWER DELEGATED:**

The authority to adopt Cost Contribution Schedules for Development Contribution Areas and set the annual contribution rates.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) The requirements specified in State Planning Policy 3.6 Infrastructure Contributions and clause 5.3 and Table 10 of Town Planning Scheme No 3.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**POWER TO DELEGATE:**

*Local Government Act 1995:*

- s.5.42(b) Delegation of some powers or duties to the CEO
- s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

City of Cockburn Town Planning Scheme No.3  
*Planning & Development Act 2005*

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment  
 Head of Planning  
 Development Contributions Officer

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Planning
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	13

**10.1.3 TOWN PLANNING SCHEME – DEVELOPMENT CONTROL****POWER DELEGATED:**

City of Cockburn Town Planning Scheme No. 3 (TPS 3)

1. Local Development Plans:
  - a) The authority to approve local development plans.
  - b) The authority to refuse to approve local development plans and, to provide reasons for this to the owner.
2. Amending or cancelling development approval:
  - a) The authority to amend a planning approval so as to extend the period within which any development approved must be substantially commenced.
  - b) The authority to determine when a development has been 'substantially commenced', subject to sufficient evidence on planning grounds.
  - c) The authority to amend or delete any condition to which the approval is subject.
  - d) The authority to amend an aspect of the development approved which, if amended, would not substantially change the development approved.
  - e) The authority to cancel the approval, subject to sufficient planning grounds.
3. Unauthorised Existing Subsequent approval of development  
 The authority to determine applications excludes the determination of Category 'A: Heritage places, the removal of 'Significant Trees' or 'Protected Tree' subject to a Tree Preservation order and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy LPP4.4 and the amendments or minor works are supported by the State Heritage Office.
4. Determination of Applications (other than 'Industry General' – Licensed')
  - a) The authority to grant approval with or without conditions.
  - b) The authority to refuse to grant planning approval.
5. Form and Date of Determination
  - a) The authority to convey its determination to the applicant in the form of the "Notice of determination on application for development approval" prescribed in TPS 3.
6. Temporary Planning Approval
  - a) The authority to impose conditions limiting period of time for which an approval is granted.
7. Approval Subject to Later Approval of Details
  - a) The authority to grant development approval subject to a condition that further detail any works or use specified in the condition must be

submitted to, and approved by, the City before the developer commences the development.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. The authority to determine applications subject to those applications being in accordance with the relevant legislative, scheme and policy requirements.
2. The authority to determine applications where advertising of an application is required in accordance with TPS 3 subject to:
  - a) No objections are received during the consultation period.
  - b) The objection can be resolved through a condition imposed on an approval or negotiation of a design change with the applicant.
  - c) The objection does not relate to valid planning considerations associated with the proposal (as confirmed by the Manager Development Services).
3. The authority to determine applications excludes the determination of category "A" Heritage places and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy 4.4 and the amendments or minor works are supported by the State Heritage Office.
4. The authority to determine applications for 'Industry – General (Licenced)' subject to:
  - (a) compliance with the minimum recommended separation distance required by the Environmental Protection Authority's 'Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses';
  - (b) non-objection to the proposal by the Manager, Health and Building Services
5. The authority to issue a renewal of a planning approval or extension of the approval period prior to expiry subject to:
  - a) The development being substantially the same as that previously approved by Council or the City under delegation.
  - b) Unless sufficient planning grounds are provided, any conditions of development approval shall be the same as those previously imposed.
6. In relation to a decision that is subject to a review in the State Administrative Tribunal, sub-delegated officers may:
  - a) Attend directions hearings, mediations and hearings.
  - b) Appear as an expert witness in a hearing.
  - c) Provide evidence in a hearing.
  - d) Prepare any written documents required as part of matter the subject of a review.

7. 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.

**COMPLIANCE LINKS:**

City of Cockburn Town Planning Scheme No.3.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment  
 Head of Development and Compliance  
 Manager Development Services  
 Coordinator Development Services  
 Senior Statutory Planning Officer (Development Services)  
 Statutory Planning Officer

Only in relation to Condition (6):  
 Transport Engineer  
 Manager, Transport and Traffic  
 Traffic and Transport Coordinator  
 Landscape Officer  
 Development Engineer  
 Senior Environmental Health Officer  
 Environmental Health Officer

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Development Services
<b>DATE FIRST ADOPTED:</b>	11 June 2015
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	10

**BUILDING PERMITS/STRATA PLANS****POWER DELEGATED:**

- (1) Building Permits and/Strata Plans ('Built Strata' Plans)
1. The authority to approve building applications for residential development where the development proposed has a valid, or does not require, a planning approval pursuant to the *Planning and Development (Local Planning Scheme) Regulations 2015* (as amended).
  2. The authority to approve applications for outbuildings in the Residential, Rural, Rural Living and Resource Zones where planning approval is not required.
  3. The authority to approve residential applications for building permit on strata lots (built strata) that comply with a valid planning approval, or where a planning approval was not required
  4. The authority to issue or modify the 'Occupancy Permit – Strata' or 'Building Approval Certificate – Strata' in respect to buildings that may be shown on a Strata Plan to be lodged for registration, pursuant to the Strata Titles Act.
  5. The authority to refuse an 'Occupancy Permit - Strata' or 'Building Approval Certificate - Strata' in accordance with s60 of the Building Act 2011.
  7. The authority to support and where appropriate not support strata proposals that fail to comply with Council policy or the design principles of the Codes.

**CONDITIONS:**

- (1) Authority 1.1 subject to:
1. Compliance with the planning framework.
  2. Non-objection from a statutory planning officer within the Development Services team where the function falls under the *Planning and Development Act 2005*.

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

*Building Act 2011*  
*Planning and Development Act 2005*

**DELEGATE/S AUTHORISED:**

Chief of Built and Natural Environment  
Manager, Public Health and Building Services  
Manager, Building  
Senior Building Surveyors  
Building Surveyors

<b>DIRECTORATE:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	7

**COMMUNITY FUNDING TO SUPPORT LOCAL ECONOMIC DEVELOPMENT****POWER DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy 'Community Funding to Support Local Economic Development' and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) To approve applications for the following grant programs:
1. Category A – Economic Development Grants

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy "Community Funding to support local Economic Development (Grants)" refers.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Executive Corporate Affairs  
Manager, Business Development and Economic Development

<b>DIRECTORATE:</b>	Corporate Affairs
<b>BUSINESS UNIT:</b>	Corporate Communications
<b>SERVICE UNIT:</b>	Communications & Marketing
<b>DATE FIRST ADOPTED:</b>	10 September 2020
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	2

**RENEWAL OF LEASES AND LICENSES FOR CITY OWNED OR CONTROLLED PROPERTY****POWER DELEGATED:**

The authority to renew a lease and licence agreement.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) As provided in Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land'.

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Local Government Act 1995 - s3.58.

Local Government (Functions and General) Regulations 1996 – s30.

Planning & Development (Local Planning Schemes) Regulations 2015.

Council Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing and Other Dispositions of City of Cockburn Owned or Controlled Land' refers.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer  
Head of Property and Assets  
Manager, Property Services

<b>DIRECTORATE:</b>	Operations
<b>BUSINESS UNIT:</b>	Property and Assets
<b>SERVICE UNIT:</b>	Property Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	6

**COMPLIANCE LINKS:**

Council Policy "Sponsorship of City Events" refers  
Council Local Planning Policy "3.7 - Signs and Advertising" refers

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Executive Governance and Strategy (All Conditions/Guidelines)  
Head of Recreation (All Conditions/Guidelines)  
Manager, Recreation Services (Conditions/Guidelines – Item 2 only)

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	11 March 2021
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	1

## **APPLICATIONS TO KEEP MORE THAN TWO (2) DOGS AT A RESIDENTIAL PROPERTY**

### **POWER DELEGATED:**

The authority to approve/reject applications to keep more than two (2) dogs at a residential property.

*City of Cockburn (Local Government Act) Local Laws - cl 2.9*

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

- (1) The premises complying in all respects with the provisions of the Act and this Local Law.
- (2) The applicant provides approval for the City's Officers to request community feedback:
  1. In residential area – within 50 metres of the applicant's premises; and
  2. in rural areas – within 100 metres of the applicant's premises.
- (3) The City has not received any objections to the notification within a period of twenty-one days of the notification having been given.
- (4) In the event that any objections are received, Council approval is required.
- (5) Any approval issued is subject to the relevant dog or dogs being registered.
- (6) The number of dogs is limited to six over the age of three months and the young of those dogs under that age.

### **POWER TO DELEGATE**

### **COMPLIANCE LINKS:**

*City of Cockburn (Local Government Act) Local Laws - cl 2.9*

### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Safety & Ranger Services  
Ranger Services Manager

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	11 March 2021
<b>DATE LAST REVIEWED:</b>	

VERSION NO.	1
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**LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE – COMMUNITY ASSOCIATIONS****POWER DELEGATED:**

The authority to approve payment of funding and donations available in Council's Municipal Budget for Community Associations.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Funding for Community Associations will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#)', Category G – Major and Minor Funding
1. Publication and Distribution of Newsletters
  2. Cockburn Community Insurance Program
  3. Hire of Council Community Centres and Halls
  4. Resident Association Support

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development  
Community Development Lead

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE FOR COMMUNITY ORGANISATIONS AND INDIVIDUALS****POWER DELEGATED:**

The authority to allocate funds to projects, events or activities that best meet the Community Innovation and Participatory Budgeting, Grants, Small Events or Individual Sponsorships Program Criteria.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

The following categories are to be used to prioritise the projects to be funded or considered for funding under the below Council funded programs:-

- (1) As provided for in Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' for:
  1. Community Grants (Category A)
  2. Cultural Grants (Category B)
  3. Sustainability Grants (Category C)
  4. Small Events Sponsorship (Category D)
  5. Sponsorship Program (Individuals – Category F)
  6. Community Innovation and Participatory Budgeting (Category G)
- (2) Elected Members are to be informed of the outcome of applications.

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development and Services  
Community Development Lead (Category D only)

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	3

**LOCAL GOVERNMENT ACT 1995 - FUNDING FOR COMMUNITY ORGANISATIONS & INDIVIDUALS (GRANTS, DONATIONS & SPONSORSHIPS)**

**POWER DELEGATED:**

The authority to approve payment of minor grants, sponsorships, donations and subsidies available in the City's Grants and Donation budget.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

(1) Funding will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#)', Category G – Major and Minor Funding:

1. Minor Donations
2. Subsidies
3. Minor Grants
4. Youth Reward and Recognition
5. Donations to Schools – Reimbursements
6. Community Welfare Funding
7. Covid-19 Community Funding

**POWER TO DELEGATE:**

**COMPLIANCE LINKS:**

Council Policy – Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorship)

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development and Services

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	13

## **LOCAL GOVERNMENT ACT 1995 – COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS**

### **POWER DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy Community Funding for Sporting Clubs and Individuals and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

- (1) To approve applications for the following grant programs:
1. Major Capital Works Grant
  2. Minor Capital Works Grant
  3. Sports Equipment Grant
  4. Junior Sports Travel Assistance
  5. CSRFF Small Grant applications with a total project cost of under \$300,000.

### **POWER TO DELEGATE:**

### **COMPLIANCE LINKS:**

Council Policy "Community Funding for Sporting Clubs and Individual" refers.

### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
 Head of Recreation  
 Manager, Recreation Services  
 Club Development Officer (Junior Sport Travel Assistance and Sports Equipment Grants only)

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	3

**LOCAL GOVERNMENT ACT 1995 - USAGE & MANAGEMENT OF COMMUNITY & SPORTING FACILITIES****POWER DELEGATED:**

The authority to apply specific conditions for the casual hire of Council controlled Community and Sporting Facilities, in accordance with the Terms and Conditions of Hire, which may be amended from time to time.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) The following conditions can be approved under this delegation in conjunction with conditions listed in Council Policy "Usage and Management of Community and Sporting Facilities"
  1. Community Facilities
  2. Community Sporting Facilities
  3. Passive Reserves
- (2) Any reduction of fees may be applied a customer service measure.
- (3) Any payment extensions for unpaid usage fees that enable continued access.

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy 'Usage and Management of Community and Sporting Facilities' refers.

**SUB-DELEGATE/S:**

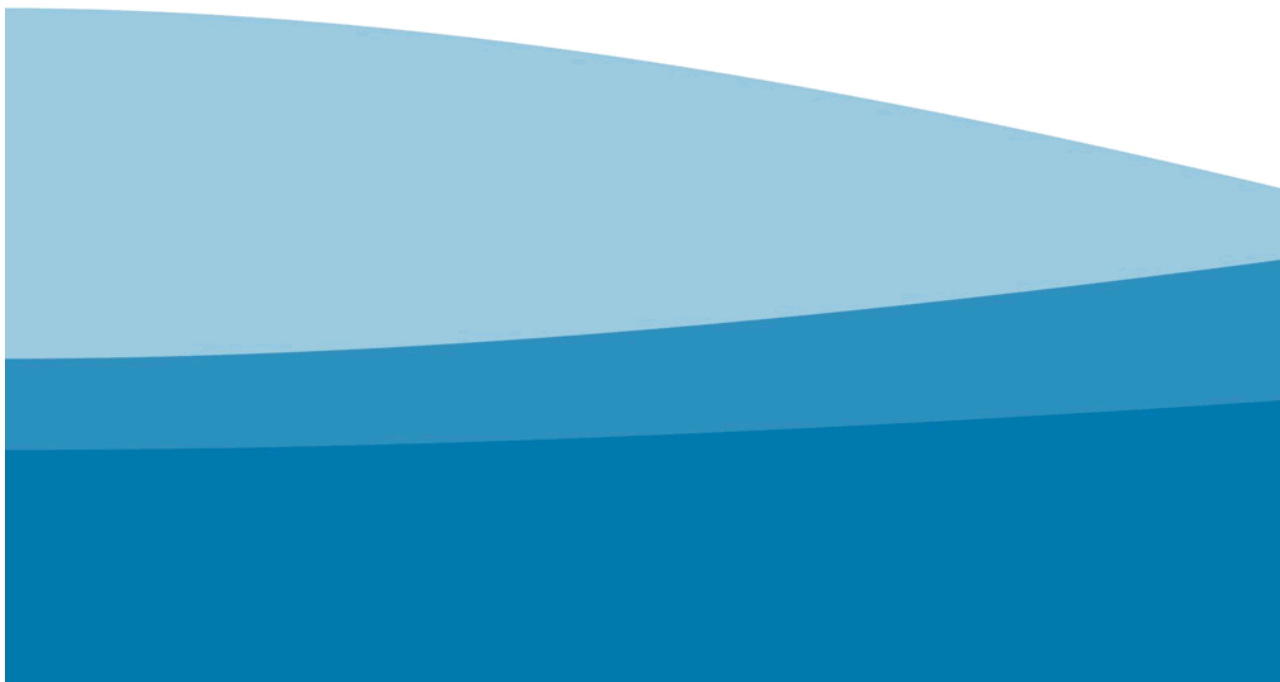
*Appointed by the CEO*

Chief of Community Services  
Head of Recreation Services  
Recreation Services Manager

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8



# Register of Delegations



**Contents Page to be inserted**

[1]

## 1 INTRODUCTION

### 1.1 DELEGATIONS

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

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

In summary:

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

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

Similarly, section 59(2) provides that:

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

Some Acts of Parliament which confer powers on local governments allow a Council for example to delegate to a committee of the local government, the local governments CEO, other persons or employees and more. The purpose of delegating a power is generally aimed at dealing with matters that are routine, may have a time constraint, can change rapidly, or is simply more efficient.

The delegations of authority contained within are made to Committees pursuant to Section 5.16 and to the Chief Executive Officer pursuant to Section 5.42 of the *Local Government Act 1995* (the Act) and, where listed, some of these functions are delegated by the Chief Executive Officer to City of Cockburn employees pursuant to Section 5.44 of the Act. All delegations made by the Council must be by an absolute majority decision.

[2]

Section 5.43 of the Act provides that the following are decisions that cannot be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority of the Council.
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.
- Appointing an auditor.
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.
- Any of the local government's powers under sections 5.98, 5.98A, 5.99 and 5.100 of the Act.
- Borrowing money on behalf of the local government.
- Hearing or determining an objection of a kind referred to in Section 9.5.
- The power under Section 9.49A (4) to authorise a person to sign documents on behalf of the local government.
- Any power or duty that requires the approval of the Minister or Governor.
- Such other duties or powers that may be prescribed by the Act.

The Act allows for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if required.

A person to whom a duty or power is delegated under the Act is a 'designated employee' under s5.74(b) of the Act and is required to:

- disclose relevant interests
- complete a Primary Return
- complete Annual Returns

Although these requirements relate only to delegations under the Act, compliance requirements are applied uniformly to employees exercising delegated authority. Any sub delegations by the Chief Executive Officer will be updated in this register as and when required, without presentation to Council, as delegations of power by the Chief Executive Officer to employees are to be determined by the Chief Executive Officer.

## 1.2 ACTING THROUGH

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

Section 5.16(4) of the Act provides that: ...

[3]

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

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

*Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing – a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or b) a Chief Executive Officer from performing any of his or her functions by acting through another person.*

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

### **1.3 AUTHORISATIONS**

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

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation.

An authorised person cannot delegate their powers and duties to another person.

The City's Register of Authorised Persons can be located in the City's website.

### **1.4 REGISTER OF DELEGATED AUTHORITY**

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. All officers are required to maintain relevant records when exercising the power or discharge of duty delegated to them.

The written record is to contain:

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

[4]

In addition to delegations made in accordance with the Act, a number of delegations are also made to the Chief Executive Officer, or directly to other officers in some instances, in accordance with the provisions of other legislation.

The aim of the delegated authority register is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the City's commitment to a strong customer service focus.

Each instrument of delegation describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of the Council which may provide guidance in the exercise of the delegation. This delegated authority register will be reviewed in accordance with the Act on an annual basis.

## **2 LOCAL GOVERNMENT ACT 1995**

### **2.1 Council to Committees of Council**

#### **2.1.1 AUDIT AND RISK COMMITTEE**

##### **POWER DELEGATED:**

Authority to meet with the City's Auditor at least once every year on half of Council.

Local Government Act 1995

S7.12A(2) Duties of Local Government with respect to audits

##### **DELEGATE:**

Audit Risk and Compliance Committee

##### **CONDITIONS:**

Nil

##### **POWER TO DELEGATE:**

Local Government Act 1995

S5.16 Delegation of some powers and duties to certain committees

S7.1B Delegation of some powers and duties to audit committees

##### **COMPLIANCE LINKS**

Audit Risk and Compliance Committee Terms of Reference

##### **SUB-DELEGATE/S:**

Nil. Sub-delegation prohibited by s7.1B

<b><u>DIVISION:</u></b>	<u>Governance &amp; Strategy</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Legal and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	
<b><u>DATE FIRST ADOPTED:</u></b>	
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	

**2.1.2 CODE OF CONDUCT COMPLAINTS COMMITTEE****POWER DELEGATED:**

1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)].
2. In making any finding the Committee must also determine reasons for the finding [MCC.cl.12(7)].
3. Where a finding is made that a breach has occurred, authority to:
  - a) take no further action [MCC.cl.12(4)(a)]; or
  - b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)].
  - c) Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].

Local Government (Model Code of Conduct) Regulations 2021

Clause 12 Dealing with a complaint

Clause 13 Dismissal of complaint

**DELEGATE:**

Code of Conduct Complaints Committee

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

Local Government Act 1995

S5.16 Delegation of some powers and duties to certain committees

**COMPLIANCE LINKS**

Elected Member Code of Conduct – Complaints of Alleged Behaviour Breach Policy

**SUB-DELEGATE/S:**

Nil

<b><u>DIVISION:</u></b>	<u>Governance and Strategy</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Legal and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	
<b><u>DATE FIRST ADOPTED:</u></b>	
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	

## 2.2 COUNCIL TO CEO

## 2.2.1 ACQUISITION AND DISPOSAL OF PROPERTY

**POWER DELEGATED:**

The authority to acquire and dispose of property up to the value of \$750,000.

Local Government Act 1995

S3.58 Disposing of property

s5.43 (d) Limits of delegations to the CEO

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

~~(1) Value of transaction not to exceed \$750,000, in total.~~

~~1 (2) Elected Members to be provided with notification in advance of the proposal and be able to request that it be determined by decision of Council.~~

~~(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE:**

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Commercial Leasing & Other Dispositions of City of Cockburn Owned or Controlled Property Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Nil.

<b><u>DIVISION:</u></b>	<u>Office of the Chief Executive Officer</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Office of the Chief Executive Officer</u>
<b><u>SERVICE UNIT:</u></b>	<u>Office of the Chief Executive Officer</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Rates & Revenue Management
<b>RESPONSIBLE OFFICER:</b>	Head of Finance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	12

<b>Dates of Amendments / Reviews:</b>		
<b>DAP Meeting:</b>	24 May 2012	18 May 2017
	26 July 2012	24 May 2018
	23 May 2013	23 May 2019
	22 May 2014	26 November 2020
	2 June 2015	25 November 2021
	26 May 2016	
<b>OCM:</b>	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	9 August 2012	14 June 2018
	13 June 2013	13 June 2019
	12 June 2014	10 December 2020
	11 June 2015	

~~DELEGATED:~~

~~To act as Council in advertising proposed Differential Rates.~~

~~CONDITIONS/GUIDELINES:~~

~~(1) — Proposed Differential Rates to be advertised immediately in the following media after the presentation of the Budget Concept Forum for Elected Members covering Rates Modelling each year:~~

- ~~1. — Display advert in the West Australian newspaper — Local Government Notices.~~
- ~~2. — Display advert in the Community newspaper — Cockburn Gazette.~~
- ~~3. — Display advert in the Cockburn Herald newspaper.~~
- ~~4. — City's Public Notice Board.~~
- ~~5. — City's Libraries — Spearwood, Coolbellup and Success.~~
- ~~6. — Front page of the City's web site.~~
- ~~7. — City's Social Media outlets.~~
- ~~8. — Copy sent to community and ratepayer groups.~~
- ~~9. — Copy sent to groups and organisations who have registered to receive the City's email newsletters.~~

~~(2) — Either delegate has the authority to deal with such matters as relevant to this declaration.~~

~~(3) — All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

~~AUTONOMY OF DISCRETION:~~

~~As provided under Legislative requirements and above conditions.~~

~~LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:~~

~~Local Government Act 1995, Section 6.36~~

~~DELEGATE:~~

~~Chief Executive Officer~~

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

~~SUB-DELEGATE/S:~~

~~Chief Financial Officer~~

~~Head of Finance~~

## 2.2.2 CALLING OF TENDERS, EXPRESSIONS OF INTEREST OR PANEL OF PRE-QUALIFIED SUPPLIERS

### POWER DELEGATED:

1. Authority to invite [public](#) tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council and the disposal of property and undertake the functions in accordance with the [Local Government Act s3.57](#) and [Local Government Functions and General Regulations 1996 Part 4.](#)

2. Authority to, because of the unique nature of the goods or services, or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement.

[Local Government Act 1995 s3.57 and 3.58](#)  
[Local Government \(Functions and General\) Regulations 1996, Part 4](#)

### DELEGATE:

Chief Executive Officer

### CONDITIONS:

- (1) Copies of all tender (or equivalent), expression of interest or panel of pre-qualified suppliers documents and advertisement to be retained on the relevant System.
- (2) Notification that tenders (or equivalent), expression of interests or a panel of pre-qualified suppliers has been called to be included in Elected Members [NewsletterPortal \(Hub\)](#).
- ~~(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

### POWER TO DELEGATE:

[Local Government Act 1995](#)  
[s5.42 Delegation of some powers or duties to the CEO](#)  
[s5.43 Limitations on delegations to the CEO](#)

### COMPLIANCE LINKS:

[Procurement Policy](#)

### SUB-DELEGATE/S:

*Appointed by the CEO*

Chief Financial Officer  
 Chief of Operations [Officer](#)

Chief of Community Services  
Chief of Built and Natural Environment  
Executive Governance and Strategy  
Executive Corporate Affairs  
Executive People Experience and Transformation

<b><u>DIVISION:</u></b>	<u>Finance</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Finance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Procurement</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

**2.2.3 CONTRACT VARIATIONS (TENDER OR EQUIVALENT)****POWER DELEGATED:**

~~Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10%, to a maximum of \$1,000,000 (ex GST) [F&G r.21A(a)]. The authority to approve variations for a specific Contract executed from public tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council.~~

~~Local Government Act 1995~~

~~S3.57 Tenders for providing goods or services~~

~~Local Government (Functions and General) Regulations 1996~~

~~r. 21A - Varying a contract for the supply of goods or services.~~

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

~~Nil(1) The overall amount being within the Budgeted allocation.~~

~~(2) Details of any variations to be listed in the Contracts and/or Purchasing System.~~

~~(3) Any delegate has the authority to deal with such matters as relevant to this declaration.~~

~~(4) All transactions utilising this delegation are to be recorded in the relevant Contracts System by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

~~(5) Any variation to a specific Contract that exceeds \$7501,000,000 (Ex GST) must be approved by Council.~~

**POWER TO DELEGATE:**

~~Local Government Act 1995~~

~~s5.42 Delegation of some powers or duties to the CEO~~

~~s5.43 Limitations on delegations to the CEO~~

**COMPLIANCE LINKS:**

~~Procurement Policy~~

~~Local Government Act 1995, Sections 3.57 and 3.58~~

~~Local Government (Functions and General) Regulations 1996, Part 4.~~

**SUB-DELEGATE/S:**

~~Appointed by the CEO~~

Chief Financial Officer  
Chief of Operations ~~Officer~~  
Chief of Community Services  
Chief of Built and Natural Environment  
Executive Governance and Strategy  
Executive Corporate Affairs  
Executive People Experience and Transformation

<b><u>DIVISION:</u></b>	<u>Finance</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Finance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Procurement Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>3</u>

## **2.2.4 PARTICULAR THINGS LOCAL GOVERNMENTS CAN DO ON LAND THAT IS NOT LOCAL GOVERNMENT PROPERTY**

### **DANGEROUS TREES ON PRIVATE LAND**

#### **POWER DELEGATED:**

The authority to ~~issue a Notice on an owner or occupier of a property and initiate necessary proceedings to ensure a tree that endangers any person or thing or adjoining land is made safe, pursuant to Sec. 3.27(2) (Schedule 3.2(7)) of the Local Government Act, 1995~~ go onto private land in the circumstances prescribed in Schedule 3.2 of the *Local Government Act 1995* and carry out works, even if it does not have consent of the owner.

*Local Government Act 1995*

S3.27 Particular things local governments can do on land that is not local government property

#### **DELEGATE:**

Chief Executive Officer

#### **CONDITIONS:**

~~Nil(1) — Assessment by person suitably qualified to provide guidance on such matters should be obtained, prior to issue of a Notice under these provisions if appropriate.  
(2) — All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM0 by the delegated officer or by another officer directed by the delegated officer.~~

#### **POWER TO DELEGATE:**

*Local Government Act 1995*

s5.42 Delegation of some powers or duties to the CEO

s5.43 Limitations on delegations to the CEO

#### **COMPLIANCE LINKS:**

~~Local Government Act, 1995, s3.27(2) (Schedule 3.2(7)), s5.42 and s5.44.~~

#### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Operations Officer

Head of Operations

Parks Manager, Parks, Environment and Streetscapes

<b><u>DIVISION:</u></b>	<u>Operations</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Operations and Maintenance</u>

<u>SERVICE UNIT:</u>	<u>Environment, Parks and Landscape</u>
<u>DATE FIRST ADOPTED:</u>	<u>1997</u>
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	<u>11</u>

**2.2.5 DEFER, GRANT DISCOUNTS, WAIVE OR WRITE OFF DEBTS****POWER DELEGATED:**

The authority to write-off any amount of money, or to waive or grant a concession in relation to any amount of money owing to the City (other than rates & prescribed service charges).

Local Government Act 1995:

s.6.12 Power to defer, grant discounts, waive or write off debts

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Authority only applies to amounts of money owing to a maximum value of \$5,000 per debtor or transaction.
- (2) Authority does not apply to amounts of money owing for rates or prescribed service charges.
- (3) All reasonable endeavours must be used to recover outstanding debts before any write off is made.
- (4) A summary of transactions utilising this delegation is to be reported to the Audit & ~~Strategic Finance~~Risk and Compliance Committee on an annual basis.
- ~~(5) 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.~~

**POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

s6.12 (1) (b), s6.12 (1) (c) & 6.12 (2) of the Local Government Act 1995

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

<b><u>DIVISION:</u></b>	<u>Finance</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Finance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Revenue Management</u>

[17]

<b>DATE FIRST ADOPTED:</b>	<u>9 August 2012</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>6</u>

**DELEGATE/S AUTHORISED:**

**2.2.6 OBJECTIONS TO THE RATE RECORD & RATEABLE STATUS OF LAND****POWERS DELEGATED:**

- (1) Authority to extend the time for a person to make an objection in relation to the rate record.
- (2) Authority to consider any objections to the rates record and allow/disallow the objection either wholly or in part.

Local Government Act 1995:s.6.76 Grounds of objection

~~(3) — After making a decision on the objection the delegated officer is to promptly serve upon the person by whom the objection was made, written notice of their decision on the objection and a statement of their reason for that decision.~~

~~(4) — In considering objections to the rate record, grant non-rateable status for Land used for purposes in accordance with the Local Government Act 1995 Section 6.26 (2).~~

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. ~~(1) — Objections allowed on the grounds of non-rateability of Land are limited to where general rates to be charged do not, or would not, exceed \$5,000 per annum.~~
2. Written notice is to be served upon the person by whom the objection was made, of the decision on the objection and a statement of their reason for that decision.
- ~~2. —~~
- ~~3. —~~
- ~~(2) — All transactions utilising this delegation are to be recorded in the City's Recording Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE:**Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

~~Section 6.26, 6.76, 5.42 and 5.44 of the Local Government Act 1995.~~

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

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer  
Head of Finance

<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Revenue Management
<b>DATE FIRST ADOPTED:</b>	13 December 2013
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

**3.2.72.2.7 OBSTRUCTION OF FOOTPATHS AND THOROUGHFARES****POWER DELEGATED:**

1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to:
  - a. prevent damage to the footpath; or
  - b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].
2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].
3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].
4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].
5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7]. Serving of Notice on owner of object obstructing or encroaching on Street or Road Reserve under Reg.6 and 7 of the Local Government (Uniform Local Provisions) Regulations, 1996.

Local Government (Uniform Local Provisions) Regulations 1996

- r. 5(2) - Interfering with, or taking from, local government land  
r. 6 - Obstruction of public thoroughfare by things placed and left  
r. 7A - Obstruction of public thoroughfare by fallen things  
r. 7 - Encroaching on public thoroughfare

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.
2. Permission may only be granted where, the proponent has:
  - a. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.

b. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.

c. Provided evidence of sufficient Public Liability Insurance.

d. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

- (1) ~~Priority consideration will be given to those issues which are likely to cause injury or harm to persons or property.~~
- (2) ~~All reasonable attempts to resolve disputes in accordance with this delegation shall be pursued prior to the issuing of a Notice under these provisions.~~
- (3) ~~If notification is not complied with, the obstruction is to be removed and costs recovered from the person upon whom the Notice was served.~~
- (4) ~~All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

#### **POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

~~As provided by Legislative requirements and conditions (1) to (4) above.~~

#### **COMPLIANCE LINKS:**

~~Local Government Act, 1995, s5.42 and s5.44~~

~~Local Government Act (Uniform Local Provisions) Regulations, 1996~~

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

#### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief ~~of~~ Operations Officer

Head of Operations and Maintenance

Head of Planning

Manager Transport and Traffic

Transport and Traffic Coordinator

Transport Engineer

Civil Infrastructure Manager

<b><u>DIVISION:</u></b>	<u>Operations</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Operations and Maintenance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Civil Infrastructure</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	

	<u>VERSION NO.</u>	<u>11</u>

**2.2.8 PAYMENTS FROM MUNICIPAL AND TRUST FUNDS****POWER DELEGATED:**

The authority to make payments from the City's Municipal Fund and Trust Fund.

Local Government Act 1995

s. 6.7 - Municipal fund (incurring expenditure or income to)

s. 6.9(3) and (4) - Trust fund (management and payments from)

Local Government (Financial Management) Regulations 1996:

r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All electronic bank file payments are to be authorised as follows:
  1. payment files under \$500,000 require one/authorised Delegate,
  2. payments files over \$500,000 require two Authorised Delegates
- (2) Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:
  1. the payee's name;
  2. the amount of the payment;
  3. the date of the payment; and
  4. sufficient information to identify the transaction

This list is to be:

1. presented to the Council at the next Ordinary Meeting of the Council following the preparation of the list; and
2. recorded in the Minutes of the meeting at which it is presented.

~~(3) —All decisions taken under this authority are to be recorded on the Payments Listing as presented to Council, by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

**POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Local Government Act 1995, Section 6.10

*Local Government (Financial Management) Regulations 1996 Regulation 12~~13~~*

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

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer  
Executive Governance & Strategy  
Head of Finance

~~Accounting Services Manager~~[Financial Controller](#)

<b><u>DIVISION:</u></b>	<u>Finance</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Finance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Financial Accounting</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>11</u>

## 2.2.9 PROCUREMENT SELECTION & AWARD

### POWER DELEGATED

The authority to:

- (1) Determine the criteria for evaluating all tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers before inviting tenders (or equivalent), expressions of interest and a panel of pre-qualified suppliers;
- (2) Publicly invited d tenders (or equivalent), expression of interest and panel of pre-qualified suppliers;
- (3) Accept or reject all tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers where the consideration under the contract is, or is expected to be less than \$1,000,000 (GST exclusive); and
- (4) Determine minor variations (in accordance with the Procurement Management Practice) before entering into a contract with the successful tenderer.

Local Government Act 1995

s. 3.57 - Tenders for providing goods or services

Local Government (Functions and General) Regulations 1996

r. 18 - Rejecting and accepting tenders.

### DELEGATE

Chief Executive Officer

### CONDITIONS

- (1) The Tender (or equivalent) relating to the provision of goods and services to Council being within Budget;
- (2) Record of public Ttenderss (or equivalent) received to be maintained in the Tender Register;
- (3) Details of all public advertised Ttenders (or equivalent) and all Ttenders (or equivalent) accepted pursuant to this Authority will be notified via "Council Information" publication;
- (4) Any Tender (or equivalent) accepted for a value of \$500,000 or greater (GST exclusive) requires the authorisation of two Delegates;
- (5) Any requirements of the Local Government Act, 1995 (Functions and General) Regulations, 1996, must be complied with ~~;~~ and.

~~(6) — 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.~~

#### **POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

~~(1) — Any Elected Member may request that acceptance of a Tender (or equivalent) be referred to Council.~~

~~(2) — Any Elected Member is entitled to a copy of submitted documentation, upon request in writing to the Chief Executive Officer.~~

~~(3) — As provided under Council Policy and conditions above.~~

#### **COMPLIANCE LINKS:**

~~Local Government Act s 3.57, 5.42(1) & 5.43(b) refers~~

~~Local Government (Functions & General) Regulations 14(2a) refers~~

~~Procurement Policy~~

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

#### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief Financial Officer

Chief Operations Officer

Executive Governance and Strategy

Chief of Built and Natural Environment

[Chief of Community Services](#)

[Executive Corporate Affairs](#)

[Executive People Experience and Transformation](#)

<b><u>DIVISION:</u></b>	<u>Finance</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Procurement</u>
<b><u>SERVICE UNIT:</u></b>	<u>Procurement</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>24 August 2009</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>9</u>

**2.2.10 PREPARATION OF BUSINESS PLANS FOR DISPOSAL OF LAND****POWER DELEGATED:**

The Authority to prepare a Business Plan and proceed with public notification of the Plan ~~for the disposal of land owned by the City.~~

Local Government Act 1995

3.59. Commercial enterprises by local governments

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Elected Members to be informed in writing of any circumstances where delegation used.
- (2) Council to make final determination of transaction following closure of public submission period, as required by Sec 3.59(5) of the Local Government Act, 1995.
- ~~(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE:**

~~As contained in the guidelines.~~

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

~~Local Government Act, 1995 — Sec. 3.59(2)(b) and (c), (3) and (4) refers.~~

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief ~~of Built and Natural Environment~~ Operations Officer

Head of ~~Property and Assets~~ Planning

Manager, Property Services

Property & Lands Officer

<b><u>DIVISION:</u></b>	<u>Operations</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Property and Assets</u>
<b><u>SERVICE UNIT:</u></b>	<u>Property and Assets</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>

<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	<u>12</u>

## 2.2.11 RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES

### POWER DELEGATED:

1. ~~Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City [s.6.60(2)].~~
2. ~~Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)]. The authority to recoup rates and service charges from lease property by the service of notice requiring the lessee to pay any rent, as it falls due, off the outstanding rates and service charges.~~

Local Government Act 1995:

s.6.60 Local Government may require lessee to pay rent

### DELEGATE:

Chief Executive Officer

### CONDITIONS:

~~Nil(1) Any delegate has the authority to deal with such matters relevant to this declaration.~~

- ~~(2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

### POWER TO DELEGATE:

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

~~As provided under Legislative requirements and conditions.~~

### COMPLIANCE LINKS:

Local Government Act 1995 Sections 6.60

### SUB-DELEGATE/S:

*Appointed by the CEO*

Chief Financial Officer  
Head of Finance

<b>DIVISION:</b>	Finance
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<u>BUSINESS UNIT:</u>	Finance
<u>SERVICE UNIT:</u>	Financial Accounting
<u>DATE FIRST ADOPTED:</u>	1997
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	11

## **2.2.12 NOTICES REQUIRING CERTAIN THINGS TO BE DONE BY OWNER OR OCCUPIER OF LAND**

### **POWER DELEGATED:**

1. Give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that —
  - (a) is prescribed in Schedule 3.1, Division 1; or
  - (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 [Act, s. 3.25(1)]
2. Do anything the local government considers necessary to achieve, so far as is practicable, the requirements of a notice issued pursuant to s. 3.25 of the Act where the person who is given the notice fails to comply with it [Act, s. 3.26(1)]
3. Recover the cost of anything done by the local government pursuant to s. 3.26(2) as a debt

due from the person who failed to comply with the notice [Act, s. 3.26(3)]

Local Government Act 1995

s. 3.25 - Notices requiring certain things to be done by owner or occupier of land

s. 3.26 - Additional powers when notices given

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

Clauses 4(2) and 5(3) of Schedule 3.1 prescribe that a notice cannot be given to an occupier who is not an owner.

### **POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

### **COMPLIANCE LINKS:**

Local Government Act 1995

Schedule 3.1

### **SUB-DELEGATE/S:**

Appointed by the CEO

<u>DIVISION:</u>	
<u>BUSINESS UNIT:</u>	
<u>SERVICE UNIT:</u>	
<u>DATE FIRST ADOPTED:</u>	
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	

**2.2.13 CROSSING, CONSTRUCTION, REPAIR AND REMOVAL****POWER DELEGATED:**

1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)].
2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].
3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].
4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].  
Giving a Notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare managed by the City of Cockburn to the private land.

Local Government (Uniform Local Provisions) Regulations 1996:

r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2)

r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*  
All reasonable attempts to resolve disputes in accordance with this delegation shall be pursued prior to the issuing of a Notice under this delegation.
2. —
3. If the person fails to comply with the Notice following reasonable attempts by the City of Cockburn, the City may construct or repair the crossing to the required specifications and recover 50% of the cost from the person as a debt due.
4. —
5. All transactions utilising this delegation are to be recorded in the Electronic Content Management (ECM) System by the delegated officer or by another officer directed by the delegated officer.
6. 1. \_\_\_\_\_

**POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

~~As provided by legislative requirements and conditions (1) to (3) above.~~

#### **COMPLIANCE LINKS:**

~~Section 5.42 and 5.44 of the Local Government Act 1995 refer~~

~~Schedule 9.1 Clause 7 (3) of the Local Government Act 1995 and Clause 13 of the Local Government (Uniform Local Provisions) Regulations 1996 refers~~  
 Policy 'Crossovers' ~~refers.~~

#### **DELEGATE:**

~~Chief Executive Officer (CEO)~~

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

#### **SUB-DELEGATE/S:**

Appointed by the CEO

#### **DELEGATE/S AUTHORISED:**

Chief ~~of~~ Operations Officer  
 Head of Operations and Maintenance  
Civil Infrastructure Manager

<b>DIVISION:</b>	<u>Operations</u>
<b>BUSINESS UNIT:</b>	<u>Operations and Maintenance</u>
<b>SERVICE UNIT:</b>	<u>Civil Infrastructure</u>
<b>DATE FIRST ADOPTED:</b>	<u>10 December 2020</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>1</u>

**2.2.14 SAND DRIFT****POWER DELEGATED:**

Authority to give notice to a land owner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)]. The authority to issue a notice on the owner of land and initiate necessary proceedings to prevent sand drifts on the land adversely affecting other property under Sec 3.25(1) (Schedule 3) Division 1.6) of the Local Government Act, 1995.

Local Government (Uniform Local Provisions) Regulations 1996:

r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

~~(1) — Assessment by a person suitably qualified to provide guidance on such matters should be obtained, if appropriate, prior to issue of a Notice under the provisions.~~ Nil

~~(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.~~

**POWER TO DLEGATE:**

Local Government Act 1995:  
s.5.42 Delegation of some powers or duties to the CEO  
s.5.43 Limitations on delegations to the CEO

~~As provided under Legislative requirements and conditions above.~~

**COMPLIANCE LINKS:**

~~Local Government Act, 1995, s3.25(1) ((Schedule 3) Division 1.6), s5.42 and s5.44.~~

**SUB-DELEGATE/S:**

Appointed by the CEO

Chief ~~of~~ Operations Officer  
 Head of Operations and Maintenance  
Civil Infrastructure Manager  
 Senior Development Engineer



<u>DIVISION:</u>	<u>Built and Natural Environment</u>
<u>BUSINESS UNIT:</u>	<u>Development Assessment and Compliance</u>
<u>SERVICE UNIT:</u>	<u>Public Health Services</u>
<u>DATE FIRST ADOPTED:</u>	<u>1997</u>
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	<u>11</u>

**2.2.15 TEMPORARY ROAD CLOSURES****POWER DELEGATED:**

1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].
2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to:
  - give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and
  - consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].
3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].
4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]
5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51]. The authority to temporarily close public roads and/or paths for road works or events, pursuant to Section 3.50 of the Local Government Act, 1995.

Local Government Act 1995:s.3.50 Closing certain thoroughfares to vehicless.3.50A Partial closure of thoroughfare for repairs or maintenances.3.51 Affected owners to be notified of certain proposals**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**Nil(1) Priority consideration will be given to issues which could cause injury or harm to persons or property under these provisions.(2) Adequate consultation must take place with affected landowners prior to any closure being approved.(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**POWER TO DELEGATE::**

Local Government Act 1995:  
s.5.42 Delegation of some powers or duties to the CEO  
s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

~~Local Government Act, 1995, s3.50, s5.42 and s5.44.~~  
Policy 'Temporary Road Closures'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Operations Officer  
Head of Operations and Maintenance  
[Head of Planning](#)  
[Manager, Transport and Traffic](#)  
Transport and Traffic Coordinator  
[Head of Community Safety and Ranger Services \(for emergencies\)](#)  
[Fire and Emergency Management Manager \(for emergencies\)](#)

<b><u>DIVISION:</u></b>	<u>Operations</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Operations and Maintenance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Civil Infrastructure</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>11</u>

**2.2.16 LEGAL PROCEEDINGS****POWER DELEGATED:**

Initiate a legal proceeding, enforcement function, or legal interest under the *Local Government Act 1995* or any of its Regulations or a local law made by the City of Cockburn pursuant to the Act.

Legal proceeding may include -

- a) The making or receiving of a legal proceeding;
- b) The service of a notice, writ or subpoena;
- c) The withdrawal of a legal proceeding or a notice; and
- d) Any instruction to a solicitor or legal service provider in association with one or more of the above.

*Local Government Act 1995*

Section 9.24 - Prosecutions, commencing

*Criminal Procedure Act 2004*

20(1)(b)(i) - Who can commence prosecution - public authority, where public authority means

==

- (a) a Minister of the State; or
- (b) a department of the Public Service; or
- (c) a local government or a regional local government; or
- (d) a body, whether incorporated or not, or the holder of an office, being a body or office that is established for a public purpose under a written law and that, under the authority of a written law, performs a statutory function on behalf of the State;

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

Nil

**POWER TO DELEGATE:**

*Local Government Act 1995:*

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

Council Policy 'Obtaining Legal or Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties'

**SUB-DELEGATE/S:***Appointed by the CEO*

<b><u>DIVISION:</u></b>	
<b><u>BUSINESS UNIT:</u></b>	
<b><u>SERVICE UNIT:</u></b>	
<b><u>DATE FIRST ADOPTED:</u></b>	
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	

### 3. BUSH FIRES ACT 1954

#### 2.13.1 COUNCIL

##### 3.1.1 FIRE BREAKS

##### POWER DELEGATED:

1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the City:
  - a. clearing of firebreaks as determined necessary and specified in the notice; and
  - b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and
  - c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].
2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].
3. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)]. The authority as contained in Section 33(6) of the Bush Fires Act 1954, to deal with requests of the owner or occupier of land to undertake works for the removal or abatement of a fire danger.

##### Bush Fires Act 1954:

s.33 Local government may require occupier of land to plough or clear fire-breaks

##### DELEGATE:

Chief Bush Fire Control Officer  
Deputy Chief Bush Fire Control Officer

##### CONDITIONS:

- (1) The owner or occupier of land within the district must provide a duly completed "Request-Removal/Abatement of Fire Danger" form accompanied by the prescribed payment assessed by the Volunteer Bush Fire Brigade concerned and duly signed by the Captain of the Brigade.
- ~~(2) In the absence of the Chief Bush Control Officer the Deputy Chief Bush Fire Control Officer assumes the responsibilities of the Chief Bush Fire Control Officer.~~
- ~~(3) Request forms are kept on the relevant Fire Brigade File.~~

**POWER TO DELEGATE:**~~(4) — All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

Bush Fires Act 1954:  
s.48 Delegation by local government

**~~AUTONOMY OF DISCRETION:~~**

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

**COMPLIANCE LINKS:**

~~Bush Fires Act, 1954, S-33(4) (a) and (b)~~

**~~SUB-DELEGATE/S:~~**

~~Nil.~~

<b><u>DIRECTORATE:</u></b>	<u>Executive Support Department</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Executive Services</u>
<b><u>SERVICE UNIT:</u></b>	<u>Executive Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

**3.1.2 PROHIBITED AND RESTRICTED BURNING PERIOD****POWER DELEGATED:**

To vary prohibited and restricted burning times, in accordance with s17(7) and (8) and s18(5), regarding:

- shortening, extending, suspending or reimposing a period of prohibited or restricted burning times; or
- imposing a further period of prohibited or restricted burning times.

**DELEGATE:**

Mayor  
Chief Bush Fire Control Officer  
(jointly)

**CONDITIONS:**

- (1) The Mayor and Chief Bush Fire Control Officer shall jointly sign a memorandum prepared by the Chief Bush Fire Control Officer giving effect to the extension of the Prohibited Burning Period and such memorandum shall not extend the Prohibited Burning Period for a period greater than fourteen(14) days at any one time. A notice giving effect to the extension of the Prohibited Burning Period shall be published in a newspaper circulating in the district and a copy of the notice shall be distributed to:

Mayor	Chief Executive Officer
Chief Bush Fire Control Officer	Deputy Chief Bush Fire Control Officer
Rangers	Jandakot Volunteer Bush Fire Brigade
South Coogee Volunteer Bush Fire Brigade	City of Fremantle
City of Armadale	Department of Fire & Emergency Services of WA
City of Canning	Department of Biodiversity, Conservation & Attractions
City of Melville	Shire of Serpentine-Jarrahdale
City of Kwinana	Rottnest Island Authority

- (2) In the absence of the Mayor the Deputy Mayor becomes the Delegate in relation to signing of declarations as prescribed by the Bush Fires Act 1954, and in the absence of the Chief Bush Fire Control Officer the Deputy Chief Bush Fire Control Officer (Rangers and Community Safety Services Manager) becomes the Delegate.

- ~~(3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.~~

~~As provided under Legislative requirements and Conditions above.~~

**POWER TO DELEGATE:**

Bush Fires Act 1954:  
s.48 Delegation by local government

s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))

**COMPLIANCE LINKS:**

Pursuant to the provisions of Section 17(10) of the Bush Fires Act 1954, the powers and duties of Section 17(7) and (8) of the aforesaid Act

<b><u>DIRECTORATE:</u></b>	<u>Community Services</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Community Safety and Ranger Services</u>
<b><u>SERVICE UNIT:</u></b>	<u>Fire and Emergency Management</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

**DELEGATE:**

Mayor  
 Chief Bush Fire Control Officer

**SUBDELEGATE/S:**

Nil  
 (No statutory power provided to sub-delegate [s48(3)].)

**3.1.3 PROSECUTION OF OFFENCES****POWER DELEGATED:**

1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].
2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)]. That by virtue of a written instrument of delegation the delegates herein mentioned have the expressed authority to issue infringement notices and institute legal proceedings on behalf of the City of Cockburn pursuant to section 59(3) of the Bush Fires Act 1954.

Bush Fires Act 1954:

s.59 Prosecution of offences

s.59A(2) Alternative procedure – infringement notices

**DELEGATE:**

Executive Governance and Strategy (institute legal proceedings only)

Chief Bush Fire Control Officer

Head of Ranger and Community Safety –(institute legal proceedings only)

Fire & Emergency Management Officer

Senior Ranger

Ranger

CoSafe Team Leader

**CONDITIONS:**

~~All delegates have the individual carriage and conduct of matters initiated.~~

- ~~(1) Consider offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district. Nil~~
- ~~(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.~~

**POWER TO DELEGATE:**

Bush Fires Act 1954:

s.48 Delegation by local government

**COMPLIANCE LINKS:**

Bush Fires Act 1954

s59(3) (Delegation by the local government)

<b>DIRECTORATE:</b>	<u>Community Services</u>
<b>BUSINESS UNIT:</b>	<u>Community Safety and Ranger Services</u>
<b>SERVICE UNIT:</b>	<u>Fire and Emergency Management</u>
<b>DATE FIRST ADOPTED:</b>	<u>1997</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>10</u>

**DELEGATE:**

~~Director, Governance & Community Services~~Executive Governance and Strategy (—  
institute legal proceedings only)  
~~Manager, Recreation & Community Safety~~— institute legal proceedings only  
~~Chief Bush Fire Control Officer~~  
~~Head of Ranger and Community Safety Services Manager~~ — (institute legal  
proceedings only)  
~~Fire & Emergency Management Officer~~  
~~Senior Ranger~~  
~~Ranger~~  
~~CoSafe Team Leader~~

**SUB-DELEGATE/S:**

Nil  
(No statutory power provided to sub-delegate [s48(3)].-)

### 3.1.4 DELEGATION OF POWERS AND DUTIES

#### POWER DELEGATED:

All powers, duties and functions of the local government under the Bush Fires Act 1954.

#### DELEGATE:

Chief Executive Officer

#### CONDITIONS:

- (1) Includes the authority to appoint officers to Fire Control Officers for the City of Cockburn and to the Volunteer Bush Fire Brigades established within the City of Cockburn in accordance with S41 and 43 of the Bush Fires Act 1954;
- (2) Power to withdraw infringement notices according to s59A(3) of the Bush Fires Act 1954, and Bush fires Infringements Regulation 4 (a)

Excludes powers and duties that:

- are prescribed in the Act with the requirement for a resolution by the local government;
- are prescribed in the Act for performance by prescribed offices; or,
- are subject to separate delegated authority within this register..

~~(3) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

#### POWER TO DELEGATE:

Bush Fires Act 1954:  
s.48 Delegation by local government

#### COMPLIANCE LINKS:

S.48 Bush Fires Act, 1954

<u>DIRECTORATE:</u>	<u>Community Services</u>
<u>BUSINESS UNIT:</u>	<u>Community Safety and Ranger Services</u>
<u>SERVICE UNIT:</u>	<u>Fire and Emergency Services Management</u>
<u>DATE FIRST ADOPTED:</u>	<u>1997</u>
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	<u>11</u>

#### DELEGATE:

CEO

**SUB — DELEGATE/S:**

Nil

(No Sub-delegation provision under the Bush fire Act 1954)

#### 4. CAT ACT 2011

##### 3.14.1 Council

##### 4.1.1 DELEGATION OF POWERS AND DUTIES

###### POWER DELEGATED:

Exercise of any of its powers or the discharge of any of its duties under the Cat Act 2011.

###### Cat Act 2011:

s.9 Registration

s.10 Cancellation of registration

s.11 Registration numbers, certificates and tags

###### Cat Regulations 2012

###### Schedule 3, cl.1(4) Fees Payable

s.26 Cat control notice may be given to cat owner

s.37 Approval to Breed Cats

s.38 Cancellation of approval to breed cats

s.39 Certificate to be given to approved cat breeder

s.49(3) Authorised person may cause cat to be destroyed

Schedule 3 Fees clause 1(4)

###### Cat (Uniform Local Provisions) Regulations 2013:

r.8 Application to keep additional number of cats

r.9 Grant of approval to keep additional number of cats

###### DELEGATE:

Chief Executive Officer

###### CONDITIONS:

1. A power or duty under sections 63, 64, or 65 of the Cat Act 2011 cannot be performed by an authorised person;
  - a) Content of Infringement Notice
  - b) Extension of Time
  - c) Withdrawal of Notice
2. Appointment of authorised persons function is not sub-delegated

###### POWER TO DELEGATE:

###### Cat Act 2011

s. 44 - Delegation by local government.

###### COMPLIANCE LINKS:

**SUB-DELEGATE/S:***Appointed by the CEO*

[Manager, Recreation & Community Safety](#)  
[Head of Community Safety and Ranger Services](#)~~and Community Safety Service~~  
[Manager \(except appointment of authorised persons\)](#)  
[Service Support Lead](#)  
[Workforce Scheduler](#)  
[Ranger Services Manager](#)

<b>DIRECTORATE:</b>	<a href="#">Community Services</a>
<b>BUSINESS UNIT:</b>	<a href="#">Community Safety and Ranger Services</a>
<b>SERVICE UNIT:</b>	<a href="#">Ranger Services</a>
<b>DATE FIRST ADOPTED:</b>	<a href="#">12 September 2013</a>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<a href="#">8</a>

## 5. DOG ACT 1976

### 4.15.1 Council To CEO

#### 5.1.1 ADMINISTRATION AND ENFORCEMENT

##### POWER DELEGATED:

1. Exercise of any powers or the discharge of any of its duties under the *Dog Act 1976*.
2. Appointment of authorised persons.

##### Dog Act 1976:

s.3 Terms Used (Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act)

s.10A Payments to veterinary surgeons towards costs of sterilisation

s.15(2) and (4A) Registration periods and fees

s.16(3) Registration procedure

s.17A(2) If no application for registration made

s.17(4) and (6) Refusal or cancellation of registration

s.27 Licensing of approved kennel establishments

s.29(5) Power to seize dogs

s.29(11) Power to seize dogs

s.33E(1) Individual dog may be declared to be dangerous dog (declared)

s.33F(6) Owners to be notified of making of declaration

s.33G(4) Seizure and destruction

s.33H(1) and (2) Local government may revoke declaration or proposal to destroy

s.33H(5) Local government may revoke declaration or proposal to destroy

s.33M(1)(a) Local Government expenses to be recoverable

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

1. A power or duty under sections 33F(6) and 33G(4) of the Dog Act 1976 is not delegated.
2. The following powers and duties are sub - delegated:
  - Establish and maintain dog management facilities (Section 11(1));
  - Keep a register of dogs (Section 14(1));
  - Discount or waive a dog registration fee (Section 15(4A));
  - Grant exemption regarding the number of dogs that may be kept (Section 26(3));
  - Approve kennel establishments (Section 27);
  - Appoint persons to seize dogs (Section 29(1)); and

- Declare a dog to be a dangerous dog (Section 33E).

~~(3) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

**POWER TO DELEGATE:**

~~Dog Act 1976:~~

~~s.10AA Delegation of local government powers and duties~~

**COMPLIANCE LINKS:**

~~Dog Act 1976 s.10AA(1) – Delegation by local government~~

~~Dog Act 1976 s.10AA(3) – Delegation by CEO of local government~~

~~Dog Act 1976 s. 29(1) - Authorised persons~~

**SUB/DELEGATE/S:**

*Appointed by the CEO*

~~Manager, Recreation & Community Safety~~

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

~~Manager~~

~~Senior Ranger Services Manager~~

~~Ranger Team Leader (Section 15 (4A and 33E only)~~

~~Manager Environmental Public Health and Building Services (To approve kennel establishments (Section 27) only)~~

<b><u>DIRECTORATE:</u></b>	<u>Community Services</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Community Safety and Ranger Services</u>
<b><u>SERVICE UNIT:</u></b>	<u>Ranger Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>12 June 2014</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>7</u>

## 6. GRAFFITI VANDALISM ACT 2016

### 5.16.1 COUNCIL TO CEO

#### 6.1.1 ADMINISTRATION & ENFORCEMENT

##### POWER DELEGATED:

1. Exercise of any powers or the discharge of any of its duties under the Graffiti Vandalism Act 2016.
2. Appointment of authorised persons.

Graffiti Vandalism Act 2016:  
s.18(2) Notice requiring removal of graffiti  
s.19(3) & (4) Additional powers when notice is given

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

1. A power under Section 17 to delegate the exercise of this power or the discharge of this duty is sub-delegated to those positions listed within this authority.
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.

##### POWER TO DELEGATE:✚

Graffiti Vandalism Act 2016:  
s.16 Delegation by local government

##### COMPLIANCE LINKS:

##### SUB DELEGATE/S:

*Appointed by the CEO*

Manager, Recreation & Community Safety

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

CoSafe Operations Manager

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	CoSafe
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	5

## 7. BUILDING ACT 2011

### ~~6.17.1~~ COUNCIL TO CEO

#### 7.1.1 APPOINT AUTHORISED PERSONS

##### POWER DELEGATED:

To designate an employee as an authorised person under Part 8, Division 2 of the *Building Act 2011*.

*Building Act 2011:*  
[s.96\(3\) authorised persons](#)  
[s.99\(3\) Limitation on powers of authorised person](#)

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

- ~~1. 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. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.~~
- ~~4.2. An authorised person for the purposes of sections 96(3) and 99(3) is not an approved officer or authorised officer for the purposes of Building Reg. 70~~

##### POWER TO DELEGATE:

*Building Act 2011:*  
[s.127\(1\) & \(3\) Delegation: special permit authorities and local government](#)

~~As provided under legislation.~~

##### COMPLIANCE LINKS:

Building Act 2011, s96(3) and s127(6)(A)

##### SUB-DELEGATE/S:

*Appointed by the CEO*

[Head of Development and Services](#)  
[Manager, Public Health and Building Services](#)  
 Manager, Building ~~Services~~  
[Manager, Development Services](#)  
[Coordinator Development Compliance](#)

<b><u>DIVISION:</u></b>	Built and Natural Environment
<b><u>BUSINESS UNIT:</u></b>	Development and Compliance
<b><u>SERVICE UNIT:</u></b>	Public Health and Building Services
<b><u>DATE FIRST ADOPTED:</u></b>	14 February 2013
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	8

**7.1.2 APPROVE OR REFUSE BUILDING PERMIT****POWER DELEGATED:**

The authority to approve or refuse to approve building plans, specifications, Building Permit and Certificate of Design Compliance as prescribed by s20 of the *Building Act 2011*.

The authority to approve or refuse to approve building(s) or Incidental Structures as prescribed by s20 of the *Building Act 2011*.

*Building Act 2011:*

s.18 Further Information

s.20 Grant of building permit

s.22 Further grounds for not granting an application

s.27(1) and (3) Impose Conditions on Permit

*Building Regulations 2012:*

r.23 Application to extend time during which permit has effect (s.32)

r.24 Extension of time during which permit has effect (s.32(3))

r.26 Approval of new responsible person (s.35(c))

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to deal with such matters relevant to this declaration and restricted to the City's expectations of their skills and qualifications in order to be able to perform the required duties.

~~(3) — All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

~~As provided under legislation and conditions (1) to (3) as above.~~

**COMPLIANCE LINKS:**

Building Act 2011. s127(6)A

**SUB-DELEGATE/S:**

*Appointed by the CEO*

[Manager, Public Health and Building Services](#)

Manager, Building ~~Services~~

Senior Building Surveyors

[Co-ordinator, Building Services](#)

Building Surveyors (subject to required qualifications and registration with the Western Australian Building Commission) as defined in the Building Services (Registration) Act 2011.)

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>FILE NO.:</u></b>	<u>086/003; 021/005</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

**7.1.3 APPROVE OR REFUSE A DEMOLITION PERMIT****POWER DELEGATED:**

The authority to approve or refuse to approve Demolition Permits as prescribed by s21 of the *Building Act 2011*.

*Building Act 2011:*

s.18 Further Information

s.21 Grant of demolition permit

s.22 Further grounds for not granting an application

s.27(1) and (3) Impose Conditions on Permit

*Building Regulations 2012*

r.23 Application to extend time during which permit has effect (s.32)

r.24 Extension of time during which permit has effect (s.32(3))

r.26 Approval of new responsible person (s.35(c))

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Applications to be completed to the satisfaction of responsible staff within Council's Building Department.
- (2) Responsible staff to become acquainted with all relevant legislation and Council's Town Planning Scheme No.3.
- ~~(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

~~As provided under legislation and Conditions (1) to (3) above.~~

**COMPLIANCE LINKS:**

*Building Act 2011, s127(6)A.*

**SUB-DELEGATES:**

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building Services

Co-ordinator, Building Services

Senior Building Surveyors (subject to required qualifications and registration with the West Australian Building Commission) as defined in the *Building Services (Registration) Act 2011*.

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

#### 7.1.4 APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS

##### POWER DELEGATED:

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

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of 24 months beyond the standard 2 years.
- (3) Delegates can further impose conditions in relation to an extension of time.

~~(4) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

##### POWER TO DELEGATE:

~~Building Act 2011:  
s.127(1) & (3) Delegation: special permit authorities and local government~~

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

##### COMPLIANCE LINKS:

Building Act 2011, s127(6)A.

##### SUB-DELEGATE/S:

*Appointed by the CEO*

Manager, Public Health and Building Services  
Manager, Building Services  
Senior Building Surveyors (Subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011)

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>11</u>

Co-ordinator, Building Services

### 7.1.5 ISSUE AN OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE

#### POWER DELEGATED:

The authority to issue or modify or refuse to issue or modify an occupancy permit or a building approval certificate as prescribed by s58 of the Building Act 2011.

*Building Act 2011:*

s.55 Further information

s.58 Grant of occupancy permit, building approval certificate

s.62(1) and (3) Conditions imposed by permit authority

s.65(4) Extension of period of duration

Building Regulations 2012

r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)

#### DELEGATE:

Chief Executive Officer

#### CONDITIONS:

- (1) that the applicant has complied with section 54 and that the building surveyor who signed the certificate of construction compliance or certificate of Building Compliance is an independent building surveyor in relation to the application

~~(2) — All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.~~

#### POWER TO DELEGATE:

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

#### COMPLIANCE LINKS:

Building Act 2011, s127(6)A.

#### SUB-DELEGATE/S:

*Appointed by the CEO*

Manager, Public Health and Building Services

Manager, Building Services

Senior Building Surveyors

Building Surveyors (subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011).

Co-ordinator, Building Services

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>10</u>

**7.1.6 MAKE AN ORDER FOR BUILDING OR DEMOLITION WORK****POWER DELEGATED:**

The authority to issue a building order in respect of particular building work or particular demolition work as prescribed by s110 of the *Building Act 2011*.

*Building Act 2011:*

s.110(1) A permit authority may make a building order

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) A building order must be directed to a Builder, if a building permit is in effect, or a Demolition Contractor if a demolition permit is in effect or to an owner of the land to which the particular building or demolition work is being carried out.
- (2) A time limit to comply with the building order must be included in accordance with s112 of the *Building Act 2011*.

**POWER TO DELEGATE:**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

~~(3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**COMPLIANCE LINKS:**

*Building Act 2011*, s127(6)A.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

[Head of Development and Compliance](#)

[Coordinator Development Compliance Services](#)

[Development Compliance Officers](#)

[Manager, Public Health and Development Services](#)

Manager, Building ~~Services~~

Senior Building Surveyors

[Building Surveyors](#)

**DIVISION:**

Built and Natural Environment

<b>BUSINESS UNIT:</b>	<u>Development and Compliance</u>
<b>SERVICE UNIT:</b>	<u>Development Compliance</u>
<b>DATE FIRST ADOPTED:</b>	<u>1997</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>10</u>

Co-ordinator, Building Service

**7.1.7 REVOKE ORDER FOR BUILDING OR DEMOLITION WORK****POWER DELEGATED:**

The authority to revoke a building order in respect of particular building work or particular demolition work as prescribed by s117 of the *Building Act 2011*.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) A building order may be revoked at any time and must be served, in writing, to each person to whom the order is directed.
- (2) A permit authority must, within 28 days of receiving a notification under section 112(3)(c) —
  1. decide whether the building order has been fully complied with; and
  2. either revoke the building order or inform each person to whom the order is directed that the building order remains in effect.

~~;(3) — All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**POWER TO DELEGATE**

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

Building Act 2011, s127(6)A and any relevant Council Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

[Head of Development and Compliance](#)

[Coordinator Development Compliance](#)

[Development Compliance Officers](#)

[Manager, Public Health and Building Services](#)

Manager, Building Services

Senior Building Surveyors

[Co-ordinator, Building Services](#)

<b>DIVISION:</b>	<a href="#">Built and Natural Environment</a>
<b>BUSINESS UNIT:</b>	<a href="#">Development and Compliance</a>

<u>SERVICE UNIT:</u>	<u>Development Compliance</u>
<u>DATE FIRST ADOPTED:</u>	<u>1997</u>
<u>DATE LAST REVIEWED:</u>	
<u>VERSION NO.</u>	<u>10</u>

**7.1.8 APPROVE OR REFUSE AN EXTENSION OF TIME FOR AN OCCUPANCY PERMIT AND BUILDING APPROVAL CERTIFICATE****POWER DELEGATED:**

The authority to extend the duration of an Occupancy Permit and a Building Approval Certificate as prescribed by s65 of the *Building Act 2011*.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of an Occupancy Permit by up to 12 months
- (3) All delegates have the authority to extend a Building Approval Certificate for up to a maximum of 12 months beyond the expiration date of the original Building Approval Certificate.
- (4) Delegates can further impose conditions in relation to an extension of time.

**POWER TO DELEGATE:**

*Building Act 2011:*  
s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

*Building Act 2011* s127(6)A, and any relevant Council Policy

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Head of Development and Compliance  
Manager, Public Health and Building Services  
Manager, Building Services  
Senior Building Surveyors  
Building Surveyors (subject to required qualifications and registration with the  
Western Australian Building Commission as defined in the *Building Services*  
*(Regulations) Act 2011.*

<b><u>DIVISION:</u></b>	Built and Natural Environment
<b><u>BUSINESS UNIT:</u></b>	Development and Compliance
<b><u>SERVICE UNIT:</u></b>	Public Health and Building Services
<b><u>DATE FIRST ADOPTED:</u></b>	1997
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	10

Co-ordinator, Building Services

**7.1.9 LEGAL PROCEEDINGS****POWER DELEGATED:**

To initiate a prosecution pursuant to s133(1) for non-compliance of the *Building Act 2011*.

*Building Act 2011:*

s.133(1) A permit authority may commence a prosecution for an offence against this Act

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) The City may commence a prosecution for any offences against the *Building Act 2011* where deemed necessary.

**POWER TO DELEGATE:** ~~(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.~~

*Building Act 2011:*

s.127(1) & (3) Delegation: special permit authorities and local government

**COMPLIANCE LINKS:**

To initiate a prosecution pursuant to s133 of the *Building Act 2011* for an offence against this Act.

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment

[Head of Development and Compliance](#)

Manager, Building

[Coordinator Development Compliance Services](#)

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>14 February 2013</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>8</u>

## 8. FOOD ACT 2008

### ~~7.18.1~~ COUNCIL TO CEO

#### 8.1.1 FOOD ACT 2008 – PROSECUTION

##### POWER DELEGATED:

Authority to ~~h~~ institute proceedings for an offence under the *Food Act 2008* [s125].

Food Act 2008:

s.125 Institution of proceedings

##### DELEGATE:

Chief Executive Officer  
Chief of Built and Natural Environment  
Head of Development and Compliance  
Manager, Public Health and Building Services  
Coordinator Environment Health

##### CONDITIONS:

- 1) Delegates shall only act in accordance with the delegated statute, inclusive of all relevant statutory limitations and powers
- 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.~~

##### POWER TO DELEGATE:

Food Act 2008:

- s.118 Functions of enforcement agencies and delegation
- (2)(b) Enforcement agency may delegate a function conferred on it
- (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]
- (4) Sub-delegation permissible only if expressly provided in regulations

##### COMPLIANCE LINKS:

- *Food Act 2008*, s125 Institution of proceedings
- Statutory Power of Delegation, *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

##### SUB-DELEGATE/S:

[76]

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b><u>DIVISION:</u></b>	Built and Natural Environment
<b><u>BUSINESS UNIT:</u></b>	Development and Compliance
<b><u>SERVICE UNIT:</u></b>	Public Health and Building Services
<b><u>DATE FIRST ADOPTED:</u></b>	12 December 2013
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	7

### 8.1.2 PROHIBITION ORDERS

#### POWER DELEGATED:

- (1) Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the *Food Act 2008* [s65].
- (2) Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66].
- (3) Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)].

#### Food Act 2008:

s.65(1) Prohibition orders

s.66 Certificate of clearance to be given in certain circumstances

s.67(4) Request for re-inspection

#### DELEGATE:

Chief Executive Officer  
 Chief of Built and Natural Environment  
 Head of Development and Compliance  
 Manager, Public Health and Building Services  
 Environmental Health Coordinator

#### CONDITIONS:

1. ~~(1) — In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers~~
- ~~(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.~~

#### POWER TO DELEGATE:

#### Food Act 2008:

s.118 Functions of enforcement agencies and delegation

(2)(b) Enforcement agency may delegate a function conferred on it

(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]

(4) Sub-delegation permissible only if expressly provided in regulations

#### COMPLIANCE LINKS:

- *Food Act 2008* s65(1) Prohibition Order, s66 Certificate of Clearance, and s67(4) Request for Re-Inspection
- Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>12 December 2013</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>7</u>

**8.1.3 REGISTRATION OF FOOD BUSINESS****POWER DELEGATED:**

- (1) Register a food business in respect of any premises for the purposes of Part 9 of the *Food Act 2008* and issue a certificate of registration [s110(1)].
- (2) After considering an application, determine to grant (with or without conditions) or refuse the application [s110(5)].
- (3) Vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the *Food Act 2008* [s112(1)].

Food Act 2008:  
s.110(1) and (5) Registration of food business

s.112 Variation of conditions or cancellation of registration of food businesses

**DELEGATE:**

Chief Executive Officer  
 Chief of Built and Natural Environment  
 Head of Development and Compliance  
 Manager, Public Health and Building Services  
 Environmental Health Coordinator

**CONDITIONS:**

In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:

- Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA
- Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1
- WA Priority Classification System
- Verification of Food Safety Program Guideline

~~(1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.~~

~~(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.~~

**POWER TO DELEGATE:**

Food Act 2008:  
s.118 Functions of enforcement agencies and delegation  
(2)(b) Enforcement agency may delegate a function conferred on it  
(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]

(4) Sub-delegation permissible only if expressly provided in regulations

**COMPLIANCE LINKS:**

- *Food Act 2008*, s110(1) and (5) Registration of food business, and
- s112 Variation of conditions or cancellation of registration of food businesses.
- Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>12 December 2013</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>7</u>

#### 8.1.4 APPOINTMENT OF AUTHORISED PERSONS & DESIGNATED OFFICERS

##### POWER DELEGATED:

1. ~~Authority to (1) — A~~ appoint a person to be an authorised person for the purposes of the *Food Act 2008* [s122(1)].
2. ~~Authority to(2) — A~~ appoint ~~an authorised~~ person to be a Designated Officer for the purposes of the *Food Act 2008*. [126(13)].
3. ~~Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].~~

##### Food Act 2008:

s.122(1) Appointment of authorised officers  
s.126(6), (7) and (13) Infringement Officers

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS:

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.

**POWER TO DELEGATE:**~~(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.~~

##### Food Act 2008:

s.118 Functions of enforcement agencies and delegation  
(2)(b) Enforcement agency may delegate a function conferred on it  
(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]  
(4) Sub-delegation permissible only if expressly provided in regulations

##### COMPLIANCE LINKS:

*Food Act 2008*, s122 Appointment of Authorised Officers, and s126 Infringement Notices

Statutory Power of Delegation *Food Act 2008*, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it  
 s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]  
 s118(4) Sub-delegation only permissible if expressly provided in regulations

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

<b><u>DIVISION:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Development and Compliance</u>
<b><u>SERVICE UNIT:</u></b>	<u>Public Health and Building Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>12 December 2013</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>7</u>

## 9. PUBLIC HEALTH ACT 2016

### ~~8.19.1~~ COUNCIL TO CEO

#### 9.1.1 PUBLIC HEALTH ACT 2016- APPOINTMENT OF AUTHORISED OFFICERS

##### POWER DELEGATED:

1. Authority to designate a person or class of persons as authorised officers for the purposes of:

- i. The *Public Health Act 2016* or other specified Act
- ii. Specified provisions of the *Public Health Act 2016* or other specified Act
- iii. Provisions of the *Public Health Act 2016* or another specified Act, other than the specified provisions of that Act.

Including:

- a. an environmental health officer or environmental health officers as a class;  
OR
- b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR
- c. a mixture of the two. [s.24(1) and (3)].

~~Appointment of authorised officers.~~

*Public Health Act 2016*

s.24(1) and (3) Designation of authorised officers

##### DELEGATE:

Chief Executive Officer

##### CONDITIONS/GUIDELINES:

~~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. Nil~~

##### POWER TO DELEGATE:

*Public Health Act 2016:*

s.21 Enforcement agency may delegate

~~Section 21 (1)(b)(i) of the Public Health Act 2016~~

##### COMPLIANCE LINKS:

*Public Health Act 2016* ('the Public Health Act')

Public Health (Consequential Provisions) Act 2016

SUB DELEGATE/S:

Nil

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Public Health and Building Services
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	5

## **10. LOCAL PLANNING SCHEME–**

### **10.1 COUNCIL TO CEO**

#### **10.1.1 STRUCTURE PLANS AND ACTIVITY CENTRE PLANS**

##### **POWER 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.
6. In accordance with Clause 20(1) of the Deemed Provisions, the authority to prepare a report on an amendment to a Structure Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

##### **(2) Activity Centre Plans**

1. In accordance with Clause 33(1) of the Deemed Provisions, the authority to determine whether:
  - a. A Proposed Activity Centre Plan complies with Clause 32(1) of the Deemed Provisions; or
  - b. Further information from the applicant is required before a Proposed Activity Centre Plan can be accepted for assessment and advertising.

2. In accordance with Clause 33(1)(b) of the Deemed Provisions, the authority to estimate and provide to the applicant the fee for dealing with a Proposed Activity Centre Plan in accordance with the Planning and Development Regulations 2009.
3. In accordance with Clause 34 of the Deemed Provisions, the authority to advertise the Proposed Activity Centre Plan;
4. In accordance with Clause 35(1) of the Deemed Provisions the authority:
  - a. To request further information from a person who prepared a Proposed Activity Centre Plan and;
  - b. To advertise any modifications ~~proposed~~ to a Proposed Activity Centre Plan to address issues raised in submissions.
5. In accordance with Clause 45(3), the authority to decide not to advertise an amendment to an Activity Centre Plan if, in the opinion of the officer, the amendment is ~~of a minor~~ in 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.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Where an amendment to a Structure Plan or Activity Centre Plan may be considered minor in nature
  1. As per Clause 17 of the Structure Plan Framework, a minor amendment to a Structure Plan or Activity Centre Plan is a change or departure that:
    - a. Does not materially alter the purpose and intent of the structure plan;
    - b. Does not change the intended lot / dwelling yield by more than 10 per cent;
    - c. Does not adversely impact upon the amenity of adjoining landowners and occupiers;
    - d. Does not restrict the use and development of adjoining land;
    - e. Does not significantly impact on infrastructure provision;
    - f. Does not impact upon the environment;
    - 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.

**POWER TO DELEGATE:**

Local Government Act 1995:

s.5.42(b) Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

City of Cockburn Town Planning Scheme No.3

Planning and Development Act 2005

Planning & Development (Local Planning Schemes) Regulation 2015

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment

Head of Planning

[Coordinator](#), Strategic Planning [Coordinator](#)

Senior Strategic Planning Officers

<b><u>DIRECTORATE:</u></b>	<u>Built and Natural Environment</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Planning</u>
<b><u>SERVICE UNIT:</u></b>	<u>Strategic Planning</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>1997</u>
<b><u>DATE LAST REVIEWED:</u></b>	
<b><u>VERSION NO.</u></b>	<u>8</u>

**10.1.2 TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS****POWER DELEGATED:**

The authority to adopt Cost Contribution Schedules for Development Contribution Areas and set the annual contribution rates.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) The requirements specified in [State Planning Policy 3.6 Infrastructure Contributions and](#) clause 5.3 and Table 10 of Town Planning Scheme No 3.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**POWER TO DELEGATE:**

Local Government Act 1995:  
s.5.42(b) Delegation of some powers or duties to the CEO  
s.5.43 Limitations on delegations to the CEO

**COMPLIANCE LINKS:**

City of Cockburn Town Planning Scheme No.3  
 Planning & Development Act 2005

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Built and Natural Environment  
 Head of Planning  
[Co-ordinator, Strategic Planning](#)  
 Development Contributions Officer

<b>DIVISION:</b>	<a href="#">Built and Natural Environment</a>
<b>BUSINESS UNIT:</b>	<a href="#">Planning</a>
<b>SERVICE UNIT:</b>	<a href="#">Strategic Planning</a>
<b>DATE FIRST ADOPTED:</b>	<a href="#">1997</a>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<a href="#">13</a>

**10.1.3 TOWN PLANNING SCHEME – DEVELOPMENT CONTROL****POWER DELEGATED:**

City of Cockburn Town Planning Scheme No. 3 (TPS 3)

1. Local Development Plans:
  - a) The authority to approve local development plans ~~with or without conditions.~~
  - b) The authority to refuse to approve local development plans and, ~~where the proposed local development plan was submitted by an owner,~~ to provide reasons for this to the owner.
2. Amending or cancelling development approval:
  - a) The authority to amend a planning approval so as to extend the period within which any development approved must be substantially commenced.
  - a)b) ~~The authority to determine when a development has been 'substantially commenced', subject to sufficient evidence on planning grounds.~~
  - b)c) The authority to amend or delete any condition to which the approval is subject.
  - e)d) The authority to amend an aspect of the development approved which, if amended, would not substantially change the development approved.
  - d)e) The authority to cancel the approval, subject to sufficient planning grounds.
3. Unauthorised Existing Subsequent approval of development  
 The authority to determine applications excludes the determination of Category 'A: Heritage places, the removal of 'Significant Trees' or 'Protected Tree' subject to a Tree Preservation order and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy LPP4.4 and the amendments or minor works are supported by the State Heritage Office.
4. Determination of Applications (other than 'Industry General' – Licensed')
  - a) The authority to grant approval with or without conditions.
  - b) The authority to refuse to grant planning approval.
5. Form and Date of Determination
  - a) The authority to convey its determination to the applicant in the form of the "Notice of determination on application for development approval" prescribed in TPS 3.
6. Temporary Planning Approval
  - a) The authority to impose conditions limiting period of time for which an approval is granted.
7. Approval Subject to Later Approval of Details

- a) The authority to grant development approval subject to a condition that further detail any works or use specified in the condition must be submitted to, and approved by, the City before the developer commences the development.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

1. The authority to determine applications subject to those applications being in accordance with the relevant legislative, scheme and policy requirements.
2. The authority to determine applications where advertising of an application is required in accordance with TPS 3 subject to:
  - a) No objections are received during the consultation period.
  - b) The objection can be resolved through a condition imposed on an approval or negotiation of a design change with the applicant.
  - c) The objection does not relate to valid planning considerations associated with the proposal (as confirmed by the Manager Development Services) ~~and authorised in writing by Director Planning and Development or Manager Statutory Planning~~.
3. The authority to determine applications excludes the determination of category "A" Heritage places and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy 4.4 and the amendments or minor works are supported by the State Heritage Office.
4. ~~The authority to determine applications excludes the determination of~~ applications for 'Industry – General (Licenced) subject to:
  - (a) compliance with the minimum recommended separation distance required by proposing a lesser distance from residential properties than is recommended in the Environmental Protection Authority's document 'Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses';
  - (b) non-objection to the proposal by the Manager, Health and Building Services
- 4.5. The authority to issue a renewal of a planning approval or extension of the approval period prior to expiry subject to:
  - ~~a) The lodgement of a new Planning Application Form, prescribed fee and plans.~~
  - b)a) The development being substantially the same as that previously approved by Council or the City under delegation.
  - c)b) Unless ~~circumstances have changed~~ sufficient planning grounds are provided, any conditions of development approval shall be the same as those previously imposed.

~~d)c) A new "Notice of determination on application for development approval" shall be issued.~~

- 5.6. In relation to a decision that is subject to a review in the State Administrative Tribunal, sub-delegated officers may:
- Attend directions hearings, mediations and hearings.
  - Appear as an expert witness in a hearing.
  - Provide evidence in a hearing.
  - Prepare any written documents required as part of matter the subject of a review.

- 6.7. 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.

#### COMPLIANCE LINKS:

City of Cockburn Town Planning Scheme No.3.

#### SUB-DELEGATE/S:

*Appointed by the CEO*

Chief of Built and Natural Environment  
 Head of Development ~~Assessment~~ and Compliance  
[Manager Development Services](#)  
 Coordinator ~~Statutory Planning~~ [Development Services](#)  
 Senior [Statutory](#) Planning Officer (~~Statutory~~ [Development Services](#))  
[Statutory](#) Planning Officer (~~Statutory~~)

Only in relation to Condition (6):  
[Transport Engineer](#)  
[Manager, Transport and Traffic](#)  
[Traffic and Transport Coordinator](#)  
[Landscape Officer](#)  
[Development Engineer](#)  
[Senior Environmental Health Officer](#)  
[Environmental Health Officer](#)

<b>DIVISION:</b>	<a href="#">Built and Natural Environment</a>
<b>BUSINESS UNIT:</b>	<a href="#">Development Assessment and Compliance</a>
<b>SERVICE UNIT:</b>	<a href="#">Development Services</a>
<b>DATE FIRST ADOPTED:</b>	<a href="#">11 June 2015</a>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<a href="#">10</a>

~~-DELEGATED:~~

~~Authority to approve attendance and expenditure claims by Council delegates when attending Conferences/Seminars~~Events.

**CONDITIONS/GUIDELINES:**

- ~~(1) As provided in Council Policy 'Attendance at Conferences, Seminars, Events & Training'.~~
- ~~(2) Any requirements of the Local Government Act, 1995, to be complied with.~~
- ~~(3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.~~

**AUTONOMY OF DISCRETION:**

~~As provided in Council Policy "Attendance at Conferences, Seminars, Events & Training".~~

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

~~Council Policy 'Attendance at Conferences, Seminars, Events & Training' refers.~~

**DELEGATE:**

~~Chief Executive Officer~~

**SUB-DELEGATE/S:**

~~N/A~~

**BUILDING PERMITS/STRATA PLANS****POWER DELEGATED:**

- (1) Building Permits and /Strata Plans ('Built Strata' Plans)
1. The authority to approve building applications for residential development ~~in accordance with the where the development proposed has a valid, or does not require, a planning approval pursuant to the Planning and Development (Local Planning Scheme) Regulations 2015 (as amended)~~ Residential Design Codes and Town Planning Scheme.
  2. The authority to approve applications for outbuildings in the Residential, Rural, Rural Living and Resource Zones where planning approval is not required.
  3. The authority to approve residential applications for building permit on strata lots (built strata) that comply with a valid planning approval, or where a planning approval was not required ~~the acceptable development requirements of the Codes.~~
  4. The authority to issue or modify the 'Occupancy Permit – Strata' or 'Building Approval Certificate – Strata' in respect to buildings that may be shown on a Strata Plan to be lodged for registration, pursuant to the Strata Titles Act.
  5. The authority to refuse an 'Occupancy Permit - Strata' or 'Building Approval Certificate - Strata' in accordance with s60 of the Building Act 2011.
  7. The authority to support and where appropriate not support strata proposals that fail to comply with Council policy or the design principles of the Codes.

**CONDITIONS:**

- (1) Authority 1.1 subject to:
1. the requirements specified in Local Planning Policy LPP 1.1 Compliance with the planning framework.
  2. the requirements specified in Local Planning Policy LPP 1.7. Non-objection from a statutory planning officer within the Development Services team where the function falls under the Planning and Development Act 2005.
- (2) ~~Authority 1.2 subject to:~~
1. ~~the requirements specified in Local Planning Policy LPP 2.4.~~
- (3) ~~Authorities 1.3 – 1.7 subject to:~~
1. ~~Implementation of the delegation and signing of all documentation by the Manager Building Services or the Senior Building Surveyors only.~~

~~(42) 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.~~

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

*Building Act 2011*

*Planning and Development Act 2005*

**DELEGATE/S AUTHORISED:**

~~Director, Planning and Development~~Chief of Built and Natural Environment  
~~Manager, Public Health and Building Services~~

Manager, Building Services

~~Co-ordinator, Building Services~~

Senior Building Surveyors

Building Surveyors

<b>DIRECTORATE:</b>	<u>Built and Natural Environment</u>
<b>BUSINESS UNIT:</b>	<u>Development and Compliance</u>
<b>SERVICE UNIT:</b>	<u>Public Health and Building Services</u>
<b>DATE FIRST ADOPTED:</b>	<u>1997</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>7</u>

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	25 February 2021
OCM:	

**~~DELEGATED:~~**

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

**~~CONDITIONS/GUIDELINES:~~**

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

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

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

~~Examples of high impact proposals would include:~~

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

- ~~(4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.~~

**~~AUTONOMY OF DISCRETION:~~**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

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

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

**DELEGATE:**

Chief Executive officer (CEO)

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

**SUB-DELEGATE/S:** \_\_\_\_\_

Director, Engineering & Works

Manager, Engineering

Transport Engineer

**COMMUNITY FUNDING TO SUPPORT LOCAL ECONOMIC DEVELOPMENT****POWER DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy 'Community Funding to Support Local Economic Development' and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) To approve applications for the following grant programs:
1. Category A – Economic Development Grants
- (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.~~

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy "Community Funding to support local Economic Development (Grants)" refers.

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

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Executive Corporate Affairs

~~Manager, Lead, Economic and~~ Business Development and Economic Development

<b>DIRECTORATE:</b>	<u>Corporate Affairs</u>
<b>BUSINESS UNIT:</b>	<u>Corporate Communications</u>
<b>SERVICE UNIT:</b>	<u>Communications &amp; Marketing</u>
<b>DATE FIRST ADOPTED:</b>	<u>10 September 2020</u>
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	<u>2</u>

**~~DELEGATED:~~**

~~The authority to issue Infringement Notices against land holders who contravene Fire Break requirements.~~

**~~CONDITIONS/GUIDELINES:~~**

- ~~(1) If fire breaks are not completed by the date specified in the Fire Order, an infringement notice be issued and City will arrange for the construction of a fire break, with all associated costs to be borne by the land owner.~~
- ~~(2) The City advise contractors that extensions in time will not be allowed in accordance with (1) above.~~
- ~~(3) All requirements of the Bush Fires Act, 1954, are to be complied with where necessary.~~

**~~AUTONOMY OF DISCRETION:~~**

~~As provided in Conditions above~~

**~~LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:~~**

~~Bush Fires Act, 1954, (Section 48(4))~~

~~Council Policy "Completion of Firebreaks on Private Property" refers.~~

**~~DELEGATE:~~**

~~Chief Executive Officer~~

**~~Acting through:~~**

- ~~• Chief Bush Fire Control Officer~~
- ~~— Rangers~~
- ~~— Ranger Team Leader~~
- ~~— Fire and Emergency Management Officer~~
- ~~— Fire Mitigation Officer~~
- ~~— CoSafe Officer (internally employed)~~
- ~~• CoSafe Team Leader~~

**~~DELEGATED:~~**

~~The authority to obtain legal or other expert advice and respond to legal proceedings on behalf of Council.~~

**~~CONDITIONS/GUIDELINES:~~**

- ~~(1) Obtaining Legal or Other Expert Advice:~~
  - ~~1. in the instances where Council has resolved or requested to seek legal or other expert advice, a copy of that advice and Council's letter of instruction be provided to all Elected Members as soon as practicable within seven(7) days of receipt by the City unless otherwise resolved by Council;~~
  - ~~2. where copies of legal or other expert advice are made available to Elected Members, the content of the advice is not permitted to be disclosed to third parties, unless by resolution of Council", following the opinion of the Solicitor or specialist who provided advice to the Council~~

- about the possible consequences of making that advice available to a third party;
3. Council maintain its retainer arrangement with its Solicitors for the purpose of ascertaining matters of an administrative nature where procedural verbal advice is obtained and that such advice sought be recorded as a file note on the appropriate file;
  4. that where a legal or other expert opinion is sought in relation to an item placed before Council, a note that the item is subject to legal or other expert advice (as appropriate) be included in the relevant Agenda or Minutes.
  5. before the Council considers an item on an agenda that includes or is based on expert advice (eg, legal, environmental, financial) the Council shall have been provided with a copy of that advice (or summary if appropriate) prior to the meeting with adequate time to read and understand the advice before making its decision.
  6. Legal advice sought by Council can only be obtained utilising the services of practitioners who form part of the Panel of Preferred Suppliers, as adopted by Council from time to time, unless, in the CEO's opinion, it is advantageous to utilise the services of a different provider who has specific expertise in a particular case.
- (2) Responding to Legal Proceedings
1. the Elected Members must be advised that a legal proceeding has been commenced against the City as soon as practicable after the City has been given notice of the proceeding.
  2. a record of the proceedings taken pursuant to this Policy shall be presented to the Audit and Strategic Finance Risk and Compliance Committee (ARC) at least annually, or as often as considered appropriate by the CEO, or as requested by the Audit and Strategic Finance Risk and Compliance Committee (ARC).
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

#### **AUTONOMY OF DISCRETION:**

As provided in Conditions above.

#### **LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Council Policy 'Obtaining Legal or Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties' refers.

#### **DELEGATE:**

Chief Executive Officer

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

#### **DELEGATE/S AUTHORISED:**

Director – Finance and Corporate Services Chief Financial Officer

Director – Planning & Development Chief of Built and Natural Environment

Director – Governance & Community Services Executive Governance and Strategy

Director – Engineering & Works Chief Operations Officer

Manager, Statutory Planning Head of Development Assessment and Compliance

Manager, Strategic PlanningHead of Planning  
Manager, Environmental Public Health and Building Services  
Manager, Building Services

Manager, _____ Development Services	Governance and Strategy
DIRECTORATE:	
BUSINESS UNIT:	Legal and Compliance
SERVICE UNIT:	Legal and Compliance
DATE FIRST ADOPTED:	1997
DATE LAST REVIEWED:	
VERSION NO.	4

**~~DELEGATED:~~**

~~The authority to approve payments of gifts and/or functions to employees of the City of Cockburn, in recognition of long periods of employment service.~~

**~~CONDITIONS/GUIDELINES:~~**

- ~~(1) — As provided in Council Policy 'Payments to Employees in Addition to Contract or Award'.~~
- ~~(2) — Any relevant requirements of the Local Government Act, 1995, to be complied with.~~
- ~~(3) — All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.~~

**~~AUTONOMY OF DISCRETION:~~**

~~As provided in Council Policy 'Payments to Employees in Addition to Contract or Award'.~~

**~~LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:~~**

~~Council Policy "Payments to Employees in Addition to Contract or Award" refers.~~

**~~DELEGATE:~~**

~~Chief Executive Officer~~

**~~DELEGATE/S AUTHORISED:~~**

~~N/A~~

## RENEWAL OF LEASES AND LICENSES FOR CITY OWNED OR CONTROLLED PROPERTY

### POWER DELEGATED:

The authority to renew a lease and licence agreement.

### DELEGATE:

Chief Executive Officer

### CONDITIONS:

- (1) As provided in Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land'.
- (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~~

### POWER TO DELEGATE:

~~As provided in Council Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land'.~~

### COMPLIANCE LINKS:

Local Government Act 1995 - s3.58.  
 Local Government (Functions and General) Regulations 1996 – s30.  
 Planning & Development (Local Planning Schemes) Regulations 2015.  
 Council Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing [and Other Dispositions](#) of City of Cockburn Owned or Controlled Land' refers.

### SUB-DELEGATE/S:

*Appointed by the CEO*

~~Nil.~~ [Chief Operations Officer](#)  
[Head of Property and Assets](#)  
[Manager, Property Services](#)

<b>DIRECTORATE:</b>	<a href="#">Operations</a>
<b>BUSINESS UNIT:</b>	<a href="#">Property and Assets</a>
<b>SERVICE UNIT:</b>	<a href="#">Property Services</a>
<b>DATE FIRST ADOPTED:</b>	<a href="#">1997</a>
<b>DATE LAST REVIEWED:</b>	

	<u>VERSION NO.</u>	<u>6</u>
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**~~DELEGATED:~~**

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

**~~CONDITIONS/GUIDELINES:~~**

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

**~~AUTONOMY OF DISCRETION:~~**

~~As provided as in the conditions above.~~

**~~LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:~~**

~~Local Government Act, 1995 sec 5.42 and 5.44~~

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

Council Policy "Sponsorship of City Events" refers

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

**~~DELEGATE:~~**

~~Chief Executive Officer~~

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

**SUB-DELEGATE/S:**

*Appointed by the CEO*

**DELEGATE/S AUTHORISED:**

~~Director, Governance & Community Services~~ Executive Governance and Strategy

(All Conditions/Guidelines)

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

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

<b><u>DIRECTORATE:</u></b>	<u>Community Services</u>
<b><u>BUSINESS UNIT:</u></b>	<u>Recreation Infrastructure and Services</u>
<b><u>SERVICE UNIT:</u></b>	<u>Recreation Services</u>
<b><u>DATE FIRST ADOPTED:</u></b>	<u>11 March 2021</u>
<b><u>DATE LAST REVIEWED:</u></b>	

<u>VERSION NO.</u>	<u>1</u>
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## **APPLICATIONS TO KEEP MORE THAN TWO (2) DOGS AT A RESIDENTIAL PROPERTY**

### **POWER DELEGATED:**

The authority to approve/reject applications to keep more than two (2) dogs at a residential property.

*City of Cockburn (Local Government Act) Local Laws - cl 2.9*

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

- (1) The premises complying in all respects with the provisions of the Act and this Local Law.
- (2) The applicant provides approval for the City's Officers to request community feedback:
  1. In residential area – within 50 metres of the applicant's premises; and
  2. in rural areas – within 100 metres of the applicant's premises.
- (3) The City has not received any objections to the notification within a period of twenty-one days of the notification having been given.
- (4) In the event that any objections are received, Council approval is required.
- (5) Any approval issued is subject to the relevant dog or dogs being registered.
- (6) The number of dogs is limited to six over the age of three months and the young of those dogs under that age.

### **POWER TO DELEGATE**

### **COMPLIANCE LINKS:**

*City of Cockburn (Local Government Act) Local Laws - cl 2.9*

### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services

Head of Community Safety & Ranger Services

Ranger Services Manager

<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	11 March 2021

DATE LAST REVIEWED:	
VERSION NO.	1

**LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE – COMMUNITY ASSOCIATIONS****POWER DELEGATED:**

The authority to approve payment of funding and donations available in Council's Municipal Budget for Community Associations.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

- (1) Funding for Community Associations will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#)', Category G – Major and Minor Funding
1. Publication and Distribution of Newsletters
  2. Cockburn Community Insurance Program
  3. Hire of Council Community Centres and Halls
  4. Resident Association Support

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development  
Community Development Lead

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	11

**LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE FOR COMMUNITY ORGANISATIONS AND INDIVIDUALS****POWER DELEGATED:**

The authority to allocate funds to projects, events or activities that best meet the Community Innovation and Participatory Budgeting, Grants, Small Events or Individual Sponsorships Program Criteria.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

The following categories are to be used to prioritise the projects to be funded or considered for funding under the below Council funded programs:-

- (1) As provided for in Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' for:
  1. Community Grants (Category A)
  2. Cultural Grants (Category B)
  3. Sustainability Grants (Category C)
  4. Small Events Sponsorship (Category D)
  5. Sponsorship Program (Individuals – Category F)
  6. Community Innovation and Participatory Budgeting (Category G)
- (2) Elected Members are to be informed of the outcome of applications.

**POWER TO DELEGATE:****COMPLIANCE LINKS:**

Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development and Services  
Community Development Lead (Category D only)

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	3

**LOCAL GOVERNMENT ACT 1995 - FUNDING FOR COMMUNITY ORGANISATIONS & INDIVIDUALS (GRANTS, DONATIONS & SPONSORSHIPS)**

**POWER DELEGATED:**

The authority to approve payment of minor grants, sponsorships, donations and subsidies available in the City's Grants and Donation budget.

**DELEGATE:**

Chief Executive Officer

**CONDITIONS:**

(1) Funding will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#)', Category G – Major and Minor Funding:

1. Minor Donations
2. Subsidies
3. Minor Grants
4. Youth Reward and Recognition
5. Donations to Schools – Reimbursements
6. Community Welfare Funding
7. Covid-19 Community Funding

**POWER TO DELEGATE:**

**COMPLIANCE LINKS:**

Council Policy – Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorship)

**SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Community Development and Services

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	13

## **LOCAL GOVERNMENT ACT 1995 – COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS**

### **POWER DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy Community Funding for Sporting Clubs and Individuals and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

- (1) To approve applications for the following grant programs:
1. Major Capital Works Grant
  2. Minor Capital Works Grant
  3. Sports Equipment Grant
  4. Junior Sports Travel Assistance
  5. CSRFF Small Grant applications with a total project cost of under \$300,000.

### **POWER TO DELEGATE:**

### **COMPLIANCE LINKS:**

Council Policy "Community Funding for Sporting Clubs and Individual" refers.

### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
 Head of Recreation  
 Manager, Recreation Services  
 Club Development Officer (Junior Sport Travel Assistance and Sports Equipment Grants only)

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	3

## **LOCAL GOVERNMENT ACT 1995 - USAGE & MANAGEMENT OF COMMUNITY & SPORTING FACILITIES**

### **POWER DELEGATED:**

The authority to apply specific conditions for the casual hire of Council controlled Community and Sporting Facilities, in accordance with the Terms and Conditions of Hire, which may be amended from time to time.

### **DELEGATE:**

Chief Executive Officer

### **CONDITIONS:**

- (1) The following conditions can be approved under this delegation in conjunction with conditions listed in Council Policy "Usage and Management of Community and Sporting Facilities"
  1. Community Facilities
  2. Community Sporting Facilities
  3. Passive Reserves
- (2) Any reduction of fees may be applied a customer service measure.
- (3) Any payment extensions for unpaid usage fees that enable continued access.

### **POWER TO DELEGATE:**

### **COMPLIANCE LINKS:**

Council Policy 'Usage and Management of Community and Sporting Facilities' refers.

### **SUB-DELEGATE/S:**

*Appointed by the CEO*

Chief of Community Services  
Head of Recreation Services  
Recreation Services Manager

<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Infrastructure and Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	
<b>VERSION NO.</b>	8

**DELEGATED:**

~~Authority to approve attendance and expenditure claims by Council delegates when attending Conferences/SeminarsEvents.~~

**CONDITIONS/GUIDELINES:**

- ~~(1) As provided in Council Policy 'Attendance at Conferences, Seminars, Events & Training'.~~
- ~~(2) Any requirements of the Local Government Act, 1995, to be complied with.~~
- ~~(3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.~~

**AUTONOMY OF DISCRETION:**

~~As provided in Council Policy "Attendance at Conferences, Seminars, Events & Training".~~

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

~~Council Policy 'Attendance at Conferences, Seminars, Events & Training' refers.~~

**DELEGATE:**

~~Chief Executive Officer~~

**SUB-DELEGATE/S:**

~~N/A~~

**Schedule of Amendments to Register of Delegations**

<b><u>Delegation</u></b>	<b><u>Description</u></b>	<b><u>Comments</u></b>
All	Formatting Changes	The layout of each delegation has been changed to improve ease of referencing. Version control measures have been updated.
All	Removal of “autonomy of discretion”	The conditions provide for the extent at which the authority can be exercised or duty discharged. Relevant legislation or policy provides prescriptive requirements or guidance. This section is superfluous and has been deleted.
All	Removal of record keeping as a condition	<b>ALL</b> instances of exercising an authority or discharge of a duty must be recorded in accordance with regulation 19 of the Local Government (Administration) Regulations 1996 requires delegates to keep a record of each occasion on which they exercise the powers or discharge the duties delegated to them.
All	Updates to position titles and sub-delegates	Sub-delegations are a decision of the CEO.
NEW Audit and Risk Committee	Authority to meet with the City’s Auditor at least once every year on half of Council	Documenting the delegation in the register.
NEW Code of Conduct Complaints Committee	Authority re dealing with a complaint and dismissal of a complaint in accordance with the Local Government Model Code of Conduct Regulations 2021	Documenting the delegation in the register.
Acquisition and Disposal of Land	Minor amendments to the express power to be delegated.	Changes mainly format based.
DELETE - Advertising Proposed Differential Rates		This function is suitable for Acting Through – see Department of Local

		Government Operational Guidelines 17. By decision of adopting in accordance with s6.35 – City would be giving notice, by Acting Through – to give effect to the decision to Council to impose any differential general rates
Calling of Tenders, Expressions of Interest or Panel of Pre-Qualified Suppliers	Addition of Part 4 regulation reference – clarity of power delegated. Addition of sole supplier - authority to determine.	Sole supplier delegation – standard function to be delegated and improves compliance and efficiencies operationally for sole supplier procurement.
Contract Variations (Tender or Equivalent)	Amendments to align the delegation with the function which can be delegated under the LGA.	The amendments to the delegation will ensure the power is exercised as per the function under the regulations.
FORMER Dangerous Trees on Private Land NOW Particular Things Local Governments Can do on Land That is Not Local Government Property	Correction of the function which can be delegation under the LGA.	S3.27 deals with things which local governments can do on land that is not local government property, which can include going on to private land in the circumstances prescribed in Schedule 3.2 of the LGA and carry out works, (without notice), even if it does not have consent of the owner. There is no function to “give notice” which can be delegated under s3.27, so the delegation has been amended to reflect the function which can be delegated.
FORMER Debt Write Off, Concession or Waiver NOW Defer, Grant Discounts, Waive or Write-Off Debts	Minor amendments to title, and Audit Risk and Compliance Committee.	Minor changes.
Objections to the Rate Record and Rateable Status of Land	Removal of 3 and 4 which were not functions or powers to be delegated under s6.76 3 – added as a condition of the delegation.	Changes to ensure the functions/powers are that which can be delegated under the LGA.

FORMER Obstruction of Streets NOW Obstruction of Footpaths and Thoroughfares	Amendments to reflect the functions/powers which can be delegated	The changes address with interference, obstruction and encroachments.
Payments from Municipal Funds	Correction to the legislative powers being delegated	Changes are compliance improvements, do not change the nature or intent of the delegation.
Procurement Selection and Award	Minor amendments to include the relevant legislative power delegated references. A delegator does not lose the right to exercise a power or discharge a duty – this autonomy of discretion is not required.	There is scope for further refinement to related procurement delegations.
FORMER Preparation of Business Plans for Disposal of Land NOW Preparation of Business Plans for Disposal of Land	A business plan is required under the LGA for activities prescribed in s3.59 which includes major land transactions and major trading undertakings. preparation of a business plan is ordinarily a function reasonably enacted via "acting through" and does not require a delegation	Amendments to address the power/function delegated in accordance with s3.59 of the LGA.
Recovery of Rates and Service Charges – Leased Properties	Correction to the legislative powers being delegated	Changes to ensure the functions/powers are that which can be delegated under the LGA
NEW Notices Requiring Certain Things to be Done by Owner or Occupier of Land	There is no current delegation for s3.25 and s3.26 (notices requiring certain things to be done by the owner or occupier of land, additional powers when notices given). The proposed delegation is as per the WALGA model	The delegation will ensure the CEO has the power to give notice in accordance with s3.25, give effect to the notice if the person fails to comply, and recover the cost as a debt where applicable.
FORMER Requirement to Construct or Repair Crossing NOW Crossing Construction, Repair and Removal	Amendments to delegate the functions of regulation 12(1) Crossing from public thoroughfare to private land or private thoroughfare and regulation 13(1) requirement to construct or repair crossing.	Regulation 7 is dealt with in an earlier delegation. These amendments seek to address the functions which can be delegated at r12 and r13 of the Uniform Local Provisions regulations. The delegation must be exercised in accordance with procedural requirements of the ULP.

Sand Drift	Wind erosion and sand drift refers regulation 21(1) of the Uniform Local Provisions Regulations. The amendment refers the correct function to be delegated from the legislation.	Intent does not change, correct function/power delegated referred.
Temporary Road Closures	3.50A and 3.51 not in current delegation, should be. 3.50A is intended to deal with urgent repairs where notice cannot be effected – City would be required to go to Council for approval at this time, which negates the intent of urgency. Amended to address the functions to be delegated.	The amendments are more prescriptive, related to the functions which can be delegated in the LGA. Those functions are BAU where required.
NEW Legal Proceedings	Delegation in accordance with s9.24 – exercise of this delegation is guided by the Council Policy Obtaining Legal or Other Expert Advice and Legal Proceedings Between City of Cockburn and Other Parties. This is the function sought to be delegated by policy, however policy guides the exercise of the delegation, it does not create the function to be delegated, which is entrenched in legislation.	
FORMER Abatement of a Fire Danger NOW Fire Breaks	Delegation of the function of s33 Local Government may require occupier of land to plough or clear fire breaks	Alignment to best practice for delegation of functions s33 – pursuant to s48 of the BFA.
Prohibited and Restricted Burning Period	Minor amendments, including correct references to the head of power to delegate. This requires further review, and will be considered when the further review is completed.	
FORMER Legal Proceedings NOW Prosecution of Offences	Delegation of functions pursuant to s.59 Prosecution of offences	Inclusion of legislative references of the functions delegated.

	s.59A(2) Alternative procedure – infringement notices	
Bush Fires Act 1954 Delegation of Powers and Duties	This requires further review, and will be considered when the further review is completed.	
Cat Act 2011 Delegation or Powers and Duties	Inclusion of the legislative references to the powers and duties under the Cat Act 2011. This requires further review, and will be considered when the further review is completed.	
Dog Act 1976 Administration and Enforcement	Inclusion of the legislative references to the powers and duties under the Dog Act 1976. This requires further review, and will be considered when the further review is completed.	
Graffiti Vandalism Act 2016 Administration and Enforcement	Minor changes This requires further review, and will be considered when the further review is completed.	
Building Act 2011 – Appoint Authorised Persons	Minor amendments. Changes to conditions to align to best practice and legislative requirements.	Conditions reflect the legislative requirements.
Building Act 2011 – Approve or Refuse Building Permit	Minor amendments The amendment refers the functions to be delegated from the legislation.	
Building Act 2011 – Approve or Refuse a Demolition Permit	Minor amendments The amendment refers the functions to be delegated from the legislation	
Building Act 2011 – Approve or Refuse an Extension of Time for Building and Demolition Permits	Minor amendments Consideration of the amalgamation of this delegation with the two preceding delegations will	

	be given during the further review.	
Building Act 2011 Issue an Occupancy Permit or Building Approval Certificate	Minor amendments The amendment refers the functions to be delegated from the legislation.	
Building Act 2011 – Make an Order for Building or Demolition Work	Minor amendments The amendment refers the functions to be delegated from the legislation.	
Building Act 2011 – Revoke Order for Building or Demolition Work	This requires further review, and will be considered when the further review is completed.	
Building Act 2011 – Approve or Refuse an Extension of Time for An Occupancy Permit and Building Approval Certificate	Minor amendments	
Building Act 2011 – Legal Proceedings	Minor amendments The amendment refers the functions to be delegated from the legislation	
Food Act 2008 – Prosecution	Minor amendments The amendment refers the functions to be delegated from the legislation	
Food Act 2008 – Prohibition Orders	Minor amendments The amendment refers the functions to be delegated from the legislation	
Food Act 2008 – Registration of Food Business	Minor amendments The amendment refers the functions to be delegated from the legislation Amendments to the conditions to align with best practice (WALGA model)	Changes effected to include the conditions in accordance with s118(3)(b)
Food Act 2008 – Appointment of Authorised Persons and Designated Officers	Addition of authority to appoint and Authorised Officer to be a Designate Officer (who is prohibited by s1.26(13) from also being a Designated Officer for the purpose of issuing infringements) for the	Appointment of authorised officers and Infringement officers in accordance with the Food Act 2008

	purpose of extending the time for payments of modified penalties and determining withdrawal of an infringement notice.	
Public Health Act 2016 – Appointment of Authorised Officers	Amendments to refer the function being delegated which provides for the appointment of authorised officers.	The amendments address changes required to correctly reference the function to be delegated under the Act, pursuant to the head of power.
Structure Plans and Activity Centre Plans		Responsible Officer updated to reflect s83 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Town Planning Scheme No 3 – Development Contributions	Conditions Updated	Responsible Officer updated to reflect s83 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .  Reference to State Planning Policy updated
Town Planning Scheme No 3 – Development Control	Function Delegated Updated Condition Updated	Amendments address the following: <ul style="list-style-type: none"> <li>• Local development plans do not trigger conditions</li> <li>• Notification sent to both parties</li> <li>• Provides guidance and evidence on 'substantially commenced'</li> <li>• To align with new Tree Preservation Orders'</li> <li>• Clarification that it does not apply to 'Industry General – Licensed'</li> <li>• To reflect Department Organisational Structure</li> <li>• Reworded for clarity</li> <li>•</li> </ul>
Building Permits/Strata Plans	Function Delegated Updated Conditions Updated	Amendments address the following: <ul style="list-style-type: none"> <li>• Clarification of the name 'Built Strata'</li> </ul>

		<ul style="list-style-type: none"> <li>Ensures alignment with planning framework</li> <li>Clarification where planning approval may be required</li> </ul> <p>Amendments to address the following:</p> <ul style="list-style-type: none"> <li>Ensures consistency with planning framework</li> </ul>
DELETE City of Cockburn – Parking and Parking Facilities	To be deleted	Delegation no longer required as all new restrictions require Council approval, in accordance with Parking and Parking Facilities Local Law
Community Funding to Support Local Economic Development	Delegation not required. The Policy guides the exercise of delegation related to community funding for economic development. This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation.	To reflect the Department Organisational Structure
DELETE Completion of Firebreaks on Private Land	Delegation 3.1.1 covers this function. This delegation is not required.	
DELETE Local Government Act 1995 – Access to Legal Services for Elected Members and Employees	Delegation not required. This Policy guides the exercise of delegation related to legal proceedings.	
DELETE Payments to Employees in Addition to Contract or Award	A delegation is not required	
Renewal of Leases and Licenses for City Owned or Controlled Property	This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation.	
DELETE Sponsorship and Naming Rights on City	This is not a function to be delegated. The policy provides guidelines to be	

Controlled Land and/or Buildings	applied in dealing with naming rights and signage requests for City sporting facilities as part of sponsorship arrangements negotiated by sporting and community organisation. Compliance with the policy is effected by Acting Through.	
Applications to Keep More Than Two (2) Dogs at a Residential Property	This will be reviewed as part of the further review.	
Funding Assistance – Community Associations	Delegation not required. The Policy guides the exercise of delegation related to community funding for community organisations and individuals. This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation	
Funding Assistance for Community Organisations and Individuals	Delegation not required. The Policy guides the exercise of delegation related to community funding for community organisations and individuals. This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation	
Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships)	Delegation not required. The Policy guides the exercise of delegation related to community funding for community organisations and individuals. This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation	

Usage and Management of Community and Sporting Facilities	Delegation not required. The Policy guides the exercise of delegation related to usage and management of community and sporting facilities. This requires further review, and will be considered when the further review is completed which may include changes to the policy and deletion of this delegation	
DELETE Attendance at Events	This delegation is not required and is not a function to be delegated.	

# REGISTER OF DELEGATIONS

- Pursuant to the Local Government Act
- Made under Legislation Extraneous to the Local Government Act 1995
- Pursuant to Council Policies

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**Delegations Made Pursuant  
to the  
  
Local Government Act 1995**

DA	<b>DOG ACT 1976 – APPLICATIONS TO KEEP MORE THAN TWO(2) DOGS AT A RESIDENTIAL PROPERTY</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety & Ranger Services
<b>SERVICE UNIT:</b>	Ranger
<b>RESPONSIBLE OFFICER:</b>	Head of Community Safety & Ranger Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	13 September 2007	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to approve/reject applications to keep more than two (2) dogs at a residential property.

**CONDITIONS/GUIDELINES:**

- (1) The premises complying in all respects with the provisions of the Act and this Local Law.
- (2) The applicant of the premises notifying the City of this intent in the prescribed form and pays the prescribed fee.
- (3) The applicant provides approval for the City's Officers to request community feedback:
  1. In residential area – within 50 metres of the applicant's premises; and
  2. in rural areas – within 100 metres of the applicant's premises.
- (4) The City has not received any objections to the notification within a period of twenty-one days of the notification having been given.

DA	<b>DOG ACT 1976 – APPLICATIONS TO KEEP MORE THAN TWO(2) DOGS AT A RESIDENTIAL PROPERTY</b>
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- (5) In the event that any objections are received, then an applicant may not keep more than two dogs without the specific approval of Council.
- (6) Any approval issued is not transferable or assignable either to any other occupier of the premises or to any other premises within the District.
- (7) Any approval issued is subject to the relevant dog or dogs being registered.
- (8) The number of dogs is limited to six over the age of three months and the young of those dogs under that age.
- (9) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As per Conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Dog Act Section 26  
City of Cockburn (Local Government Act) Local Laws - Sec. 2.9  
Local Government Act, 1995, s3.5, s5.42 and s5.44

**DELEGATE:**

Chief Executive Officer

**SUB-DELEGATE/S:**

Head of Community Safety & Ranger Services

DA	<b>LOCAL GOVERNMENT ACT 1995 - ACCESS TO LEGAL SERVICES FOR ELECTED MEMBERS &amp; EMPLOYEES</b>
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<b>DIVISION:</b>	Office of the Chief Executive Officer
<b>BUSINESS UNIT:</b>	Office of the Chief Executive Officer
<b>SERVICE UNIT:</b>	Office of the Chief Executive Officer
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	12 May 2022
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>	
DAP Meeting (former):	24 May 2012 25 February 2016 22 November 2018 23 May 2019 26 November 2020
OPCo Meeting:	21 April 2022
OCM:	9 April 2009 14 June 2012 10 March 2016 14 June 2018 13 June 2019 10 December 2020

**FUNCTION DELEGATED:**

The authority to approve the provision of financial assistance for legal representation to Elected Members and employees.

**CONDITIONS/GUIDELINES:**

- (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) 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.
- (3) The Executive Governance and Strategy is to report to Council all legal services obtained by Elected Members and Employees including details of the action and payments made under the Policy by confidential memo, or email (also to be uploaded to Elected Members Portal(Hub)) as soon as practical, or within a month of the expenditure.

[3]

DA	<b>LOCAL GOVERNMENT ACT 1995 - ACCESS TO LEGAL SERVICES FOR ELECTED MEMBERS &amp; EMPLOYEES</b>
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- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under legislative requirements and the above conditions/guidelines.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

s5.42 Council may delegate some powers and duties to the CEO.

S9.56 of the Local Government Act 1995

Policy 'Access to Legal Services for Elected Members and Employees'

**DELEGATE:**

Chief Executive Officer.

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

**DELEGATE/S AUTHORISED:**

Executive Governance and Strategy

DA	LOCAL GOVERNMENT ACT 1995 - ACQUISITION AND DISPOSAL OF LAND
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<b>DIVISION:</b>	Office of the Chief Executive Officer
<b>BUSINESS UNIT:</b>	N/A
<b>SERVICE UNIT:</b>	N/A
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

Dates of Amendments / Reviews:		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to acquire and dispose of property.

**CONDITIONS/GUIDELINES:**

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

**AUTONOMY OF DISCRETION:**

As provided under legislative requirements as above conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.58 and s5.43 (d) refers.

[5]

DA	LOCAL GOVERNMENT ACT 1995 - ACQUISITION AND DISPOSAL OF LAND
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**DELEGATE:**

Chief Executive Officer

**SUB-DELEGATE/S:**

Nil.

[6]

DA	<b>LOCAL GOVERNMENT ACT 1995 - ADVERTISING PROPOSED DIFFERENTIAL RATES</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Rates & Revenue
<b>RESPONSIBLE OFFICER:</b>	Head of Finance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	12

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012 26 July 2012 23 May 2013 22 May 2014 2 June 2015 26 May 2016	18 May 2017 24 May 2018 23 May 2019 26 November 2020 25 November 2021
OCM:	9 June 2011 14 June 2012 9 August 2012 13 June 2013 12 June 2014 11 June 2015	9 June 2016 8 June 2017 14 June 2018 13 June 2019 10 December 2020

**FUNCTION DELEGATED:**

To act as Council in advertising proposed Differential Rates.

**CONDITIONS/GUIDELINES:**

- (1) Proposed Differential Rates to be advertised immediately in the following media after the presentation of the Budget Concept Forum for Elected Members covering Rates Modelling each year:
1. Display advert in the West Australian newspaper – Local Government Notices.
  2. Display advert in the Community newspaper – Cockburn Gazette.
  3. Display advert in the Cockburn Herald newspaper.
  4. City's Public Notice Board.
  5. City's Libraries – Spearwood, Coolbellup and Success.
  6. Front page of the City's web site.
  7. City's Social Media outlets.
  8. Copy sent to community and ratepayer groups.
  9. Copy sent to groups and organisations who have registered to receive the City's email newsletters.

[7]

DA	LOCAL GOVERNMENT ACT 1995 - ADVERTISING PROPOSED DIFFERENTIAL RATES
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- (2) Either delegate has the authority to deal with such matters as relevant to this declaration.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and above conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Section 6.36

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer

Head of Finance

DA	<b>LOCAL GOVERNMENT ACT 1995 - CALLING OF TENDERS, EXPRESSIONS OF INTEREST OR PANEL OF PRE-QUALIFIED SUPPLIERS</b>
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<b>DIVISION:</b>	Governance and Strategy
<b>BUSINESS UNIT:</b>	Legall, Governance and Risk Management
<b>SERVICE UNIT:</b>	Legal, Governance and Risk Management
<b>RESPONSIBLE OFFICER:</b>	Executive Committee Members (Ex-Co)
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

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

**FUNCTION DELEGATED:**

Authority to invite tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council and the disposal of property.

**CONDITIONS/GUIDELINES:**

- (1) Copies of all tender (or equivalent), expression of interest or panel of pre-qualified suppliers documents and advertisement to be retained on the relevant System.
- (2) Notification that tenders (or equivalent), expression of interests or a panel of pre-qualified suppliers has been called to be included in Elected Members Newsletter.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

DA	LOCAL GOVERNMENT ACT 1995 - CALLING OF TENDERS, EXPRESSIONS OF INTEREST OR PANEL OF PRE-QUALIFIED SUPPLIERS
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**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Sections 3.57 and 3.58  
 Local Government (Functions and General) Regulations 1996, Part 4  
 Local Government (Functions and General) Regulations 1996, Part 6 - Disposition of  
 Property

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer  
 Chief of Operations  
 Chief of Community Services  
 Chief of Built and Natural Environment  
 Executive Governance and Strategy  
 Executive Corporate Affairs  
 Executive People Experience and Transformation

[10]

DA	<b>LOCAL GOVERNMENT ACT 1995 - COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Recreation Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	10 November 2022
<b>POLICY REF.:</b>	Community Funding for Sporting Clubs & Individuals
<b>VERSION NO.</b>	3

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	28 February 2019 26 November 2020	
GovCo Meeting:	27 October 2022	
OCM:	14 March 2019	

**FUNCTION DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy Community Funding for Sporting Clubs and Individuals and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

**CONDITIONS/GUIDELINES:**

- (1) To approve applications for the following grant programs:
  1. Major Capital Works Grant
  2. Minor Capital Works Grant
  3. Sports Equipment Grant
  4. Junior Sports Travel Assistance
  5. CSRFF Small Grant applications with a total project cost of under \$300,000.
- (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 as in the conditions above.

DA	LOCAL GOVERNMENT ACT 1995 - COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 sec 5.42 and 5.44

Council Policy "Community Funding for Sporting Clubs and Individual" refers.

**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Chief of Community Services

Head of Recreation Services and Infrastructure Services

Manager, Recreation Services

Club Development Officer (Junior Sport Travel Assistance and Sports Equipment Grants only)

DA	<b>LOCAL GOVERNMENT ACT 1995 - CONTRACT VARIATIONS (TENDER OR EQUIVALENT)</b>
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<b>DIVISION:</b>	Governance and Strategy
<b>BUSINESS UNIT:</b>	Legal, Governance and Risk Management
<b>SERVICE UNIT:</b>	Legal, Governance and Risk Management
<b>RESPONSIBLE OFFICER:</b>	Executive Committee Members (Ex-Co)
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to approve variations for a specific Contract executed from tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council.

**CONDITIONS/GUIDELINES:**

- (1) The overall amount being within the Budgeted allocation.
- (2) Details of any variations to be listed in the Contracts System.
- (3) Any delegate has the authority to deal with such matters as relevant to this declaration.
- (4) All transactions utilising this delegation are to be recorded in the Contracts System by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.
- (5) Any variation to a specific Contract that exceeds \$750,000 (Ex GST) must be approved by Council.

DA	LOCAL GOVERNMENT ACT 1995 - CONTRACT VARIATIONS (TENDER OR EQUIVALENT)
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**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Sections 3.57 and 3.58

Local Government (Functions and General) Regulations 1996, Part 4.

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer

Chief of Operations

Chief of Community Services

Chief of Built and Natural Environment

Executive Governance and Strategy

Executive Corporate Affairs

Executive People Experience and Transformation

DA	LOCAL GOVERNMENT ACT 1995 - DANGEROUS TREES ON PRIVATE LAND
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<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Environment, Parks and Landscape
<b>RESPONSIBLE OFFICER:</b>	Head of Operations
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

Dates of Amendments / Reviews:		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to issue a Notice on an owner or occupier of a property and initiate necessary proceedings to ensure a tree that endangers any person or thing or adjoining land is made safe, pursuant to Sec. 3.27(2) (Schedule 3.2(7)) of the Local Government Act, 1995.

**CONDITIONS/GUIDELINES:**

- 1) Assessment by person suitably qualified to provide guidance on such matters should be obtained, prior to issue of a Notice under these provisions if appropriate.
- 2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM0 by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions above

DA	LOCAL GOVERNMENT ACT 1995 - DANGEROUS TREES ON PRIVATE LAND
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.27(2) (Schedule 3.2(7)), s5.42 and s5.44.

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Head of Operations

Parks Manager

DA	LOCAL GOVERNMENT ACT 1995 - DEBT WRITE OFF, CONCESSION OR WAIVER
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Rating & Revenue
<b>RESPONSIBLE OFFICER:</b>	Head of Finance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	9 August 2012
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	6

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	26 July 2012	24 November 2016
	27 November 2014	27 August 2020
	26 May 2016	26 November 2020
OCM:	9 August 2012	8 December 2016
	11 December 2014	10 September 2020
	9 June 2016	

**FUNCTION DELEGATED:**

The authority to write-off any amount of money, or to waive or grant a concession in relation to any amount of money owing to the City (other than rates & prescribed service charges).

**CONDITIONS/GUIDELINES:**

- (1) Authority only applies to amounts of money owing to a maximum value of \$5,000 per debtor or transaction.
- (2) Authority does not apply to amounts of money owing for rates or prescribed service charges.
- (3) All reasonable endeavours must be used to recover outstanding debts before any write off is made.
- (4) A summary of transactions utilising this delegation is to be reported to the Audit & Strategic Finance Committee on an annual basis.
- (5) 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.

DA	LOCAL GOVERNMENT ACT 1995 - DEBT WRITE OFF, CONCESSION OR WAIVER
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**AUTONOMY OF DISCRETION:**

As provided under legislative requirements and the above conditions/guidelines.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

s6.12 (1) (b), s6.12 (1) (c) & 6.12 (2) of the Local Government Act 1995

**DELEGATE:**

CEO

**DELEGATE/S AUTHORISED:**

Chief Financial Officer

DA	<b>LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE – COMMUNITY ASSOCIATIONS</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>RESPONSIBLE OFFICER:</b>	Head of Community Development
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012 23 May 2013 22 May 2014 2 June 2015 26 May 2016 18 May 2017	24 August 2017 28 February 2019 23 May 2019 26 November 2020 25 November 2021
OCM:	9 June 2011 14 June 2012 13 June 2013 12 June 2014 11 June 2015 9 June 2016	8 June 2017 14 September 2017 14 June 2018 13 June 2019 10 December 2020

**FUNCTION DELEGATED:**

The authority to approve payment of funding and donations available in Council's Municipal Budget for Community Associations.

**CONDITIONS/GUIDELINES:**

- (1) Funding for Community Associations will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#), Category G – Major and Minor Funding
  1. Publication and Distribution of Newsletters
  2. Cockburn Community Insurance Program
  3. Hire of Council Community Centres and Halls
  4. Resident Association Support
- (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.

DA	LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE – COMMUNITY ASSOCIATIONS
----	--

**AUTONOMY OF DISCRETION:**

As provided in the Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' and associated Guidelines.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, Section 5.42 and 5.44.

Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Head of Community Development

Community Development Co-ordinator

DA	<b>LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE FOR COMMUNITY ORGANISATIONS AND INDIVIDUALS</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>RESPONSIBLE OFFICER:</b>	Head of Community Development
<b>FILE NO.:</b>	162/003; 086/003
<b>DATE FIRST ADOPTED:</b>	14 March 2019
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>POLICY REF.:</b>	
<b>VERSION NO.</b>	3

<b>Dates of Amendments / Reviews:</b>	
DAP Meeting:	28 February 2019 23 May 2019 26 November 2020
OCM:	13 June 2019

**FUNCTION DELEGATED:**

The authority to allocate funds to projects, events or activities that best meet the Community Innovation and Participatory Budgeting, Grants, Small Events or Individual Sponsorships Program Criteria.

**CONDITIONS/GUIDELINES:**

The following categories are to be used to prioritise the projects to be funded or considered for funding under the below Council funded programs:-

- (1) As provided for in Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' for:
  1. Community Grants (Category A)
  2. Cultural Grants (Category B)
  3. Sustainability Grants (Category C)
  4. Small Events Sponsorship (Category D)
  5. Sponsorship Program (Individuals – Category F)
  6. Community Innovation and Participatory Budgeting (Category G)
- (2) Elected Members are to be informed of the outcome of applications.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

DA	LOCAL GOVERNMENT ACT 1995 - FUNDING ASSISTANCE FOR COMMUNITY ORGANISATIONS AND INDIVIDUALS
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**AUTONOMY OF DISCRETION:**

As provided in the Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' and associated Guidelines.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.5, s5.42 and s5.44  
Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)'

**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Head of Community Development  
Community Development Coordinator (Category D only)

DA	<b>LOCAL GOVERNMENT ACT 1995 - FUNDING FOR COMMUNITY ORGANISATIONS &amp; INDIVIDUALS (GRANTS, DONATIONS &amp; SPONSORSHIPS)</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Development
<b>SERVICE UNIT:</b>	Community Grants
<b>RESPONSIBLE OFFICER:</b>	Head of Community Development
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	13

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	24 August 2017
	23 May 2013	24 May 2018
	22 May 2014	28 February 2019
	2 June 2015	23 May 2019
	26 May 2016	26 November 2020
	18 May 2017	25 November 2021
OCM:	9 June 2011	8 June 2017
	14 June 2012	14 September 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020
	9 June 2016	

**FUNCTION DELEGATED:**

The authority to approve payment of minor grants, sponsorships, donations and subsidies available in the City's Grants and Donation budget.

**CONDITIONS/GUIDELINES:**

- (3) Funding will be considered under the following sub-categories as provided for in Council Policy '[Community Funding for Community Organisations and Individuals \(Grants, Donations & Sponsorships\)](#)', Category G – Major and Minor Funding:
1. Minor Donations
  2. Subsidies
  3. Minor Grants
  4. Youth Reward and Recognition
  5. Donations to Schools – Reimbursements
  6. Community Welfare Funding
  7. Covid-19 Community Funding

DA	<b>LOCAL GOVERNMENT ACT 1995 - FUNDING FOR COMMUNITY ORGANISATIONS &amp; INDIVIDUALS (GRANTS, DONATIONS &amp; SPONSORSHIPS)</b>
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- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer

**AUTONOMY OF DISCRETION:**

As provided in the Council Policy 'Community Funding for Community Organisations and Individuals (Grants, Donations & Sponsorships)' and associated Guidelines. The authority to make minor donations of up to \$200 to individuals and groups, but only after consultation with the Mayor.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s5.42 and s5.44  
Council Policy – Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorship)

**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Head of Community Development

DA	<b>LOCAL GOVERNMENT ACT 1995 - OBJECTIONS TO THE RATE RECORD &amp; RATEABLE STATUS OF LAND</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Rates & Revenue
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	13 December 2013
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	28 November 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
	18 May 2017	
OCM:	13 December 2013	8 June 2017
	12 June 2014	14 June 2018
	11 June 2015	13 June 2019
	9 June 2016	10 December 2020

**FUNCTIONS DELEGATED:**

- (1) Authority to extend the time for a person to make an objection in relation to the rate record.
- (2) Authority to consider any objections to the rates record and allow/disallow the objection either wholly or in part.
- (3) After making a decision on the objection the delegated officer is to promptly serve upon the person by whom the objection was made, written notice of their decision on the objection and a statement of their reason for that decision.
- (4) In considering objections to the rate record, grant non-rateable status for Land used for purposes in accordance with the Local Government Act 1995 Section 6.26 (2).

**CONDITIONS/GUIDELINES:**

- (1) Objections allowed on the grounds of non-rateability of Land are limited to where general rates to be charged do not, or would not, exceed \$5,000 per annum.

DA	LOCAL GOVERNMENT ACT 1995 - OBJECTIONS TO THE RATE RECORD & RATEABLE STATUS OF LAND
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- (2) All transactions utilising this delegation are to be recorded in the City's Recording Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Section 6.26, 6.76, 5.42 and 5.44 of the *Local Government Act 1995*.

**DELEGATE:**

Chief Executive Officer

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

**SUB/DELEGATE/S:**

Chief Financial Officer

Head of Finance

DA	<b>LOCAL GOVERNMENT (UNIFORM PROVISIONS) REGULATIONS 1996 - OBSTRUCTION OF STREETS</b>
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<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Civil Infrastructure
<b>RESPONSIBLE OFFICER:</b>	Head of Operations and Maintenance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

Serving of Notice on owner of object obstructing or encroaching on Street or Road Reserve under Reg.6 and 7 of the Local Government (Uniform Local Provisions) Regulations, 1996.

**CONDITIONS/GUIDELINES:**

- (1) Priority consideration will be given to those issues which are likely to cause injury or harm to persons or property.
- (2) All reasonable attempts to resolve disputes in accordance with this delegation shall be pursued prior to the issuing of a Notice under these provisions.
- (3) If notification is not complied with, the obstruction is to be removed and costs recovered from the person upon whom the Notice was served.
- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

[27]

DA	LOCAL GOVERNMENT (UNIFORM PROVISIONS) REGULATIONS 1996 - OBSTRUCTION OF STREETS
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As provided by Legislative requirements and conditions (1) to (4) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

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

Local Government Act (Uniform Local Provisions) Regulations, 1996

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief of Operations

Head of Operations and Maintenance

Transport Engineer

<b>DA</b>	<b>LOCAL GOVERNMENT ACT 1995 - PAYMENTS FROM MUNICIPAL AND TRUST FUNDS</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Management Accounting
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to make payments from the City's Municipal Fund and Trust Fund.

**CONDITIONS/GUIDELINES:**

- (1) All electronic bank file payments are to be authorised as follows:
  1. payment files under \$500,000 require one/authorised Delegate,
  2. payments files over \$500,000 require two Authorised Delegates
- (2) Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:
  1. the payee's name;
  2. the amount of the payment;
  3. the date of the payment; and
  4. sufficient information to identify the transaction

This list is to be:

1. presented to the Council at the next Ordinary Meeting of the Council following the preparation of the list; and

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DA	LOCAL GOVERNMENT ACT 1995 - PAYMENTS FROM MUNICIPAL AND TRUST FUNDS
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2. recorded in the Minutes of the meeting at which it is presented.
- (3) All decisions taken under this authority are to be recorded on the Payments Listing as presented to Council, by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Section 6.10  
Local Government (Financial Management) Regulations 1996, Regulation 13

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer  
Executive Governance & Strategy  
Head of Finance  
Accounting Services Manager

DA	<b>LOCAL GOVERNMENT ACT 1995 - PROCUREMENT SELECTION &amp; AWARD</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	N/A
<b>SERVICE UNIT:</b>	Procurement
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	24 August 2009
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	9

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012 31 January 2013 25 February 2016 24 November 2016 22 November 2018	28 February 2019 23 May 2019 28 May 2020 26 November 2020
OCM:	9 April 2009 14 June 2012 14 February 2013 10 March 2016 8 December 2016	13 December 2018 14 March 2019 13 June 2019 11 June 2020

#### FUNCTION DELEGATED

The authority to:

- (1) Determine the criteria for evaluating tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers before inviting tenders (or equivalent), expressions of interest and a panel of pre-qualified suppliers;
- (2) Publicly invite tenders (or equivalent), expression of interest and panel of pre-qualified suppliers;
- (3) Accept or reject tenders (or equivalent), expression of interest and a panel of pre-qualified suppliers where the consideration under the contract is, or is expected to be less than \$1,000,000 (GST exclusive); and
- (4) Determine minor variations (in accordance with the Procurement Management Practice) before entering into a contract with the successful tenderer.

#### CONDITIONS/GUIDELINES

- (1) The Tender (or equivalent) relating to the provision of goods and services to Council being within Budget;

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<b>DA</b>	<b>LOCAL GOVERNMENT ACT 1995 - PROCUREMENT SELECTION &amp; AWARD</b>
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- (2) Record of Tender (or equivalent) received to be maintained in the Tender Register;
- (3) Details of all advertised Tenders (or equivalent) and all Tenders (or equivalent) accepted pursuant to this Authority will be notified via "Council Information" publication;
- (4) Any Tender (or equivalent) accepted for a value of \$500,000 or greater (GST exclusive) requires the authorisation of two Delegates;
- (5) Any requirements of the Local Government Act, 1995 (Functions and General) Regulations, 1996, must be complied with; and
- (6) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

#### **AUTONOMY OF DISCRETION**

- (1) Any Elected Member may request that acceptance of a Tender (or equivalent) be referred to Council.
- (2) Any Elected Member is entitled to a copy of submitted documentation, upon request in writing to the Chief Executive Officer.
- (3) As provided under Council Policy and conditions above.

#### **LEGISLATIVE REQUIREMENTS/COUNCIL POLICY**

Local Government Act s 3.57, 5.42(1) & 5.43(b) refers  
 Local Government (Functions & General) Regulations 14(2a) refers  
 Procurement Policy

#### **DELEGATE**

Chief Executive Officer

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

#### **DELEGATE/S AUTHORISED**

Chief Financial Officer  
 Chief Operations Officer  
 Executive Governance and Strategy  
 Chief of Built and Natural Environment

[32]

DA	<b>LOCAL GOVERNMENT ACT 1995 - PREPARATION OF BUSINESS PLANS FOR DISPOSAL OF LAND</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Land Planning
<b>RESPONSIBLE OFFICER:</b>	Head of Planning
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	12

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	26 July 2012 23 May 2013 22 August 2013 22 May 2014 2 June 2015 26 November 2015	26 May 2016 18 May 2017 24 May 2018 23 May 2019 26 November 2020
OCM:	9 June 2011 9 August 2012 13 June 2013 12 September 2013 12 June 2014 11 June 2015	10 December 2015 9 June 2016 8 June 2017 14 June 2018 13 June 2019

**FUNCTION DELEGATED:**

The Authority to prepare a Business Plan and proceed with public notification of the Plan for the disposal of land owned by the City.

**CONDITIONS/GUIDELINES:**

- (1) Elected Members to be informed in writing of any circumstances where delegation used.
- (2) Council to make final determination of transaction following closure of public submission period, as required by Sec 3.59(5) of the Local Government Act, 1995.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As contained in the guidelines.

[33]

DA	LOCAL GOVERNMENT ACT 1995 - PREPARATION OF BUSINESS PLANS FOR DISPOSAL OF LAND
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 – Sec. 3.59(2)(b) and (c), (3) and (4) refers.

**DELEGATE:**

Chief Executive Officer

**SUB-DELEGATE/S:**

Chief of Built and Natural Environment  
Head of Planning  
Property & Lands Officer

DA	<b>LOCAL GOVERNMENT ACT 1995 - RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Management Accounting
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to recoup rates and service charges from lease property by the service of notice requiring the lessee to pay any rent, as it falls due, off the outstanding rates and service charges.

**CONDITIONS/GUIDELINES:**

- (1) Any delegate has the authority to deal with such matters relevant to this declaration.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Sections 6.60 to 6.62

DA	LOCAL GOVERNMENT ACT 1995 - RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES
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**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer

Head of Finance

DA	LOCAL GOVERNMENT ACT 1995 - REQUIREMENT TO CONSTRUCT OR REPAIR CROSSING
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DIVISION:	Operations
BUSINESS UNIT:	Operations and Maintenance
SERVICE UNIT:	Civil Infrastructure
RESPONSIBLE OFFICER:	Head of Operations
FILE NO.:	083/006
DATE FIRST ADOPTED:	10 December 2020
DATE LAST REVIEWED:	9 December 2021
POLICY REF.:	N/A
VERSION NO.	1

Dates of Amendments / Reviews:	
DAP Meeting:	26 November 2020 25 November 2021
OCM:	

**FUNCTION DELEGATED:**

Giving a Notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare managed by the City of Cockburn to the private land.

**CONDITIONS/GUIDELINES:**

- (1) All reasonable attempts to resolve disputes in accordance with this delegation shall be pursued prior to the issuing of a Notice under this delegation.
- (2) If the person fails to comply with the Notice following reasonable attempts by the City of Cockburn, the City may construct or repair the crossing to the required specifications and recover 50% of the cost from the person as a debt due.
- (3) All transactions utilising this delegation are to be recorded in the Electronic Content Management (ECM) System by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided by legislative requirements and conditions (1) to (3) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Section 5.42 and 5.44 of the Local Government Act 1995 refer

Schedule 9.1 Clause 7 (3) of the Local Government Act 1995 and Clause 13 of the Local Government (Uniform Local Provisions) Regulations 1996 refers

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DA	LOCAL GOVERNMENT ACT 1995 - REQUIREMENT TO CONSTRUCT OR REPAIR CROSSING
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Policy 'Crossovers' refers.

**DELEGATE:**

Chief Executive Officer (CEO)

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

**DELEGATE/S AUTHORISED:**

Chief of Operations

Head of Operations and Maintenance

DA	LOCAL GOVERNMENT ACT 1995 - SAND DRIFT
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<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Environment, Parks and Landscape
<b>RESPONSIBLE OFFICER:</b>	Head of Operations
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	26 November 2020
	26 May 2016	25 November 2021
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to issue a notice on the owner of land and initiate necessary proceedings to prevent sand drifts on the land adversely affecting other property under Sec 3.25(1) (Schedule 3) Division 1.6) of the Local Government Act, 1995.

**CONDITIONS/GUIDELINES:**

- (1) Assessment by a person suitably qualified to provide guidance on such matters should be obtained, if appropriate, prior to issue of a Notice under the provisions.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.25(1) ((Schedule 3) Division 1.6), s5.42 and s5.44.

DA	LOCAL GOVERNMENT ACT 1995 - SAND DRIFT
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**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief of Operations

Head of Operations and Maintenance

Senior Development Engineer

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DA	<b>LOCAL GOVERNMENT ACT 1995 - TEMPORARY ROAD CLOSURES</b>
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<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Civil Infrastructure
<b>RESPONSIBLE OFFICER:</b>	Head of Operations and Maintenance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	27 February 2014	23 May 2019
	22 May 2014	26 November 2020
	2 June 2015	25 November 2021
	26 May 2016	
OCM:	9 June 2011	9 June 2016
	14 June 2012	8 June 2017
	13 March 2014	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 December 2020

**FUNCTION DELEGATED:**

The authority to temporarily close public roads and/or paths for road works or events, pursuant to Section 3.50 of the Local Government Act, 1995.

**CONDITIONS/GUIDELINES:**

- (1) Priority consideration will be given to issues which could cause injury or harm to persons or property under these provisions.
- (2) Adequate consultation must take place with affected landowners prior to any closure being approved.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions above.

DA	LOCAL GOVERNMENT ACT 1995 - TEMPORARY ROAD CLOSURES
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.50, s5.42 and s5.44.  
Policy 'Temporary Road Closures'

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief of Operations  
Head of Operations and Maintenance  
Transport and Traffic Coordinator

DA	<b>LOCAL GOVERNMENT ACT 1995 - USAGE &amp; MANAGEMENT OF COMMUNITY &amp; SPORTING FACILITIES</b>
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<b>DIVISION:</b>	Community Services
<b>BUSINESS UNIT:</b>	Recreation Services
<b>SERVICE UNIT:</b>	Recreation Services
<b>RESPONSIBLE OFFICER:</b>	Head of Recreation Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>POLICY REF.:</b>	Usage & Management of Community & Sporting Facilities
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	24 May 2012 28 August 2014 26 May 2016 25 August 2016	28 February 2019 23 May 2019 26 November 2020
OCM:	9 April 2009 14 June 2012 11 September 2014 9 June 2016	8 September 2016 14 June 2018 13 June 2019

**FUNCTION DELEGATED:**

The authority to apply specific conditions for the casual hire of Council controlled Community and Sporting Facilities, in accordance with the Terms and Conditions of Hire, which may be amended from time to time.

**CONDITIONS/GUIDELINES:**

- (1) The following conditions can be approved under this delegation in conjunction with conditions listed in Council Policy "Usage and Management of Community and Sporting Facilities"
  1. Community Facilities
  2. Community Sporting Facilities
  3. Passive Reserves
- (2) Any reduction of fees may be applied a customer service measure.
- (3) Any payment extensions for unpaid usage fees that enable continued access.
- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

DA	LOCAL GOVERNMENT ACT 1995 - USAGE & MANAGEMENT OF COMMUNITY & SPORTING FACILITIES
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**AUTONOMY OF DISCRETION:**

As provided in Council Policy 'Usage and Management of Community and Sporting Facilities'

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 sec 5.42 and 5.44  
Council Policy 'Usage and Management of Community and Sporting Facilities'  
refers.

**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Head of Recreation Services  
Recreation Services Manager

# **Delegations Made Under Legislation Extraneous to the Local Government Act 1995**

<b>DA</b>	<b>BUSH FIRES ACT 1954 – ABATEMENT OF A FIRE DANGER</b>
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<b>DIRECTORATE:</b>	Executive Support Department
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	
OCM:	14 June 2009	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

The authority as contained in Section 33(6) of the Bush Fires Act 1954, to deal with requests of the owner or occupier of land to undertake works for the removal or abatement of a fire danger.

**CONDITIONS/GUIDELINES:**

- (1) The owner or occupier of land within the district must provide a duly completed "Request-Removal/Abatement of Fire Danger" form accompanied by the prescribed payment assessed by the Volunteer Bush Fire Brigade concerned and duly signed by the Captain of the Brigade.
- (2) In the absence of the Chief Bush Control Officer the Deputy Chief Bush Fire Control Officer assumes the responsibilities of the Chief Bush Fire Control Officer.
- (3) Request forms are kept on the relevant Fire Brigade File.
- (4) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

DA	BUSH FIRES ACT 1954 – ABATEMENT OF A FIRE DANGER
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**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Bush Fires Act, 1954, S 33(4) (a) and (b)

**DELEGATE:**

Chief Bush Fire Control Officer  
Deputy Chief Bush Fire Control Officer

**SUB-DELEGATE/S:**

Nil.

DA	<b>BUSH FIRES ACT 1954 –PROHIBITED AND RESTRICTED BURNING PERIOD</b>
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Rangers & Community Safety
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 May 2007	26 May 2016
	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
OCM:	14 June 2007	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

To vary prohibited and restricted burning times, in accordance with s17(7) and (8) and s18(5), regarding:

- shortening, extending, suspending or reimposing a period of prohibited or restricted burning times; or
- imposing a further period of prohibited or restricted burning times.

**CONDITIONS/GUIDELINES:**

- (1) The Mayor and Chief Bush Fire Control Officer shall jointly sign a memorandum prepared by the Chief Bush Fire Control Officer giving effect to the extension of the Prohibited Burning Period and such memorandum shall not extend the Prohibited Burning Period for a period greater than fourteen(14) days at any one time. A notice giving effect to the extension of the Prohibited Burning Period shall be published in a newspaper circulating in the district and a copy of the notice shall be distributed to:

Mayor	Chief Executive Officer
Chief Bush Fire Control Officer	Deputy Chief Bush Fire Control Officer
Rangers	Jandakot Volunteer Bush Fire Brigade

<b>DA</b>	<b>BUSH FIRES ACT 1954 –PROHIBITED AND RESTRICTED BURNING PERIOD</b>
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South Coogee Volunteer Bush Fire Brigade	City of Fremantle
City of Armadale	Department of Fire & Emergency Services of WA
City of Canning	Department of Biodiversity, Conservation & Attractions
City of Melville	Shire of Serpentine-Jarrahdale
City of Kwinana	Rottnest Island Authority

- (2) In the absence of the Mayor the Deputy Mayor becomes the Delegate in relation to signing of declarations as prescribed by the Bush Fires Act 1954, and in the absence of the Chief Bush Fire Control Officer the Deputy Chief Bush Fire Control Officer (Rangers and Community Safety Services Manager) becomes the Delegate.
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

#### **AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and Conditions above.

#### **LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Pursuant to the provisions of Section 17(10) of the Bush Fires Act 1954, the powers and duties of Section 17(7) and (8) of the aforesaid Act

#### **DELEGATE:**

Mayor  
Chief Bush Fire Control Officer

#### **SUBDELEGATE/S:**

Nil  
(No statutory power provided to sub-delegate [s48(3)].)

<b>DA</b>	<b>BUSH FIRES ACT 1954 – LEGAL PROCEEDINGS</b>
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<b>DIRECTORATE:</b>	Executive Support Department
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	
OCM:	14 June 2007	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

That by virtue of a written instrument of delegation the delegates herein mentioned have the expressed authority to issue infringement notices and institute legal proceedings on behalf of the City of Cockburn pursuant to section 59(3) of the Bush Fires Act 1954.

**CONDITIONS/GUIDELINES:**

All delegates have the individual carriage and conduct of matters initiated.

- (1) Consider offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district.
- (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.

DA	BUSH FIRES ACT 1954 – LEGAL PROCEEDINGS
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**AUTONOMY OF DISCRETION:**

*Bush Fires Act 1954,*

s59(3) Prosecution of Offences

s59A(2) Alternative Procedure - Infringement Notices

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

*Bush Fires Act 1954*

s59(3) (*Delegation by the local government*)

**DELEGATE:**

Director, Governance & Community Services – institute legal proceedings only

Manager, Recreation & Community Safety - institute legal proceedings only

Chief Bush Fire Control Officer

Ranger and Community Safety Services Manager - institute legal proceedings only

Fire & Emergency Management Officer

Senior Ranger

Ranger

CoSafe Team Leader

**SUB-DELEGATE/S:**

Nil

(No statutory power provided to sub-delegate [s48(3)].)

DA	<b>BUSH FIRES ACT 1954 – DELEGATION OF POWERS AND DUTIES</b>
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<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Services
<b>RESPONSIBLE OFFICER:</b>	Chief of Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 May 2007	18 May 2017
	24 May 2012	24 May 2018
	23 May 2013	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	25 November 2020
OCM:	14 June 2007	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 September 2020

**FUNCTION DELEGATED:**

All powers, duties and functions of the local government under the Bush Fires Act 1954.

**CONDITIONS/GUIDELINES:**

- (1) authority to appoint officers to Fire Control Officers for the City of Cockburn and to the Volunteer Bush Fire Brigades established within the City of Cockburn in accordance with S41 and 43 of the Bush Fires Act 1954;
- (2) Power to withdraw infringement notices according to s59A(3) of the Bush Fires Act 1954, and Bush fires Infringements Regulation 4 (a)

Excludes powers and duties that:

- are prescribed in the Act with the requirement for a resolution by the local government;
- are prescribed in the Act for performance by prescribed offices; or,
- are subject to separate delegated authority within this

- (3) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

[51]

DA	BUSH FIRES ACT 1954 – DELEGATION OF POWERS AND DUTIES
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**AUTONOMY OF DISCRETION:**

As per abovementioned condition.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

S.48 Bush Fires Act, 1954

**DELEGATE:**

CEO

**SUB – DELEGATE/S:**

Nil

(No Sub-delegation provision under the Bush fire Act 1954)

DA	CAT ACT 2011 – DELEGATION OF POWERS AND DUTIES
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<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Services
<b>RESPONSIBLE OFFICER:</b>	Chief of Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 September 2013
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	22 August 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	25 November 2021
	18 May 2017	
OCM:	12 June 2014	14 June 2018
	11 June 2015	13 June 2019
	9 June 2016	10 September 2020
	8 June 2017	

**FUNCTION DELEGATED:**

Exercise of any of its powers or the discharge of any of its duties under the Cat Act 2011.

**CONDITIONS/GUIDELINES:**

1. A power or duty under sections 63, 64, or 65 of the Cat Act 2011 cannot be performed by an authorised person;
  - a) Content of Infringement Notice
  - b) Extension of Time
  - c) Withdrawal of Notice
2. Appointment of authorised persons function is not sub-delegated

**AUTONOMY OF DISCRETION:**

N/A

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Cat Act 2011 s44 Delegation by local government  
 Cat Act 2011 s45 Delegation by CEO of local government  
 Cat Act 2011 s48 Authorised persons

DA	CAT ACT 2011 – DELEGATION OF POWERS AND DUTIES
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**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Manager, Recreation & Community Safety  
Ranger and Community Safety Service Manager (except appointment of authorised persons)

<b>DA</b>	<b>DOG ACT 1976 – ADMINISTRATION AND ENFORCEMENT</b>
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<b>DIRECTORATE:</b>	Governance and Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Ranger & Community Safety
<b>RESPONSIBLE OFFICER:</b>	Manager, Recreation & Community Safety
<b>FILE NO.:</b>	026/005
<b>DATE FIRST ADOPTED:</b>	12 June 2014
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

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

**FUNCTION DELEGATED:**

- Exercise of any powers or the discharge of any of its duties under the *Dog Act 1976*.
- Appointment of authorised persons.

**CONDITIONS/GUIDELINES:**

- A power or duty under sections 33F(6) and 33G(4) of the Dog Act 1976 is not delegated.
- The following powers and duties are sub - delegated:
  - Establish and maintain dog management facilities (Section 11(1));
  - Keep a register of dogs (Section 14(1));
  - Discount or waive a dog registration fee (Section 15(4A));
  - Grant exemption regarding the number of dogs that may be kept (Section 26(3));
  - Approve kennel establishments (Section 27);
  - Appoint persons to seize dogs (Section 29(1)); and
  - Declare a dog to be a dangerous dog (Section 33E).
- All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

DA	DOG ACT 1976 – ADMINISTRATION AND ENFORCEMENT
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**AUTONOMY OF DISCRETION:**

N/A

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Dog Act 1976 s.10AA(1) - Delegation by local government  
Dog Act 1976 s.10AA(3) -Delegation by CEO of local government  
Dog Act 1976 s. 29(1) - Authorised persons

**DELEGATE:**

CEO

**SUB/DELEGATE/S:**

Manager, Recreation & Community Safety  
Ranger & Community Safety Services Manager  
Senior Ranger (Section 33E only)  
Manager Environmental Health (To approve kennel establishments (Section 27) only)

DA	<b>GRAFFITI VANDALISM ACT 2016- ADMINISTRATION &amp; ENFORCEMENT</b>
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Rangers & Community Safety
<b>RESPONSIBLE OFFICER:</b>	Manager, Recreation & Community Safety
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>POLICY REF.:</b>	N/A
<b>VERSION NO.</b>	5

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 November 2016 18 May 2017 24 May 2018 23 May 2019 27 August 2020
OCM:	8 December 2016 8 June 2017 14 June 2018 8 December 2016

**FUNCTION DELEGATED:**

1. Exercise of any powers or the discharge of any of its duties under the Graffiti Vandalism Act 2016.
2. Appointment of authorised persons.

**CONDITIONS/GUIDELINES:**

1. A power under Section 17 to delegate the exercise of this power or the discharge of this duty is sub-delegated to those positions listed within this authority.
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:**

Section 16 of the Graffiti Vandalism Act 2016 and conditions above.

DA	GRAFFITI VANDALISM ACT 2016- ADMINISTRATION & ENFORCEMENT
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995.  
Local Government (Functions and General) Regulations 1996.  
Graffiti Vandalism Act 2016.

**DELEGATE:**

Chief Executive Officer

**SUB DELEGATE/S:**

Manager, Recreation & Community Safety  
Rangers & Community Safety Services Manager

<b>DA</b>	<b>BUILDING ACT 2011 – APPOINT AUTHORISED PERSONS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Building Services
<b>RESPONSIBLE OFFICER:</b>	CEO & Manager Building Services
<b>FILE NO.:</b>	086/003; 021/005
<b>DATE FIRST ADOPTED:</b>	14 February 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 January 2013	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	
OCM:	13 June 2013	8 June 2017
	12 June 2014	14 June 2018
	11 June 2015	13 June 2019
	9 June 2016	

**FUNCTION DELEGATED:**

To designate an employee as an authorised person under Part 8, Division 2 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under legislation.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s96(3) and s127(6)(A)

**DELEGATE:**

CEO

DA	BUILDING ACT 2011 – APPOINT AUTHORISED PERSONS
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**SUB-DELEGATE/S:**

Manager, Building Services, Senior Building Surveyor, Coordinator of Development Compliance, Coordinator of Development Services, Senior Statutory Planner, Environmental Health Coordinator, and Senior Environmental Health Officer

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

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

**FUNCTION DELEGATED:**

The authority to approve or refuse to approve building plans, specifications, Building Permit and Certificate of Design Compliance as prescribed by s20 of the Building Act 2011.

The authority to approve or refuse to approve building(s) or Incidental Structures as prescribed by s20 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3 and the Planning Framework.
- (2) All delegates have the authority to deal with such matters relevant to this declaration and restricted to the City's expectations of their skills and qualifications in order to be able to perform the required duties.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

DA	BUILDING ACT 2011 - APPROVE OR REFUSE BUILDING PERMIT
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**AUTONOMY OF DISCRETION:**

As provided under legislation and conditions (1) to (3) as above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011. s127(6)A

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Manager of Public Health and Building Services

Manager of Building

Senior Building Surveyors

Building Surveyors

(Subject to required qualifications and registration with the Western Australian

Building Commission as defined in the Building Services (Registration) Act 2011

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

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

**FUNCTION DELEGATED:**

The authority to approve or refuse to approve Demolition Permits as prescribed by s21 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) Applications to be completed to the satisfaction of responsible staff within Council's Building Department.
- (2) Responsible staff to become acquainted with all relevant legislation including the Council's Town Planning Scheme No.3 and the Planning Framework.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under legislation and Conditions (1) to (3) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

[63]

DA	BUILDING ACT 2011 - APPROVE OR REFUSE A DEMOLITION PERMIT
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Building Act 2011, s127(6)A.

**DELEGATE:**

CEO

**SUB-DELEGATES:**

Manager of Building

Senior Building Surveyors, Building Surveyor. (Subject to required qualifications and registration with the Western Australian Building Commission as defined in the Building Services (Registration) Act 2011

DA	<b>BUILDING ACT 2011 – APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Building Manager
<b>RESPONSIBLE OFFICER:</b>	Manager of Building
<b>FILE NO.:</b>	086/003; 021/005
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	22 September 2011 24 May 2012 23 May 2013 22 May 2014 2 June 2015 26 May 2016	18 May 2017 24 May 2018 23 May 2019 27 August 2020 25 November 2021
OCM:	13 October 2011 14 June 2012 13 June 2013 12 June 2014 11 June 2015	9 June 2016 8 June 2017 14 June 2018 13 June 2019 10 September 2020

**FUNCTION DELEGATED:**

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

**CONDITIONS/GUIDELINES:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of 24 months beyond the standard 2 years.
- (3) Delegates can further impose conditions in relation to an extension of time.
- (4) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

**AUTONOMY OF DISCRETION:**

[65]

DA	BUILDING ACT 2011 – APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS
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As provided under legislation and Conditions (1) to (4) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s127(6)A.

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

of Senior Building Surveyors  
Building Surveyor. (Subject to required qualifications and registration with the Western  
Australian Building Commission as defined in the Building Services (Registration) Act  
2011

<b>DA</b>	<b>BUILDING ACT 2011 - ISSUE AN OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE</b>
-----------	---

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development and Compliance
<b>SERVICE UNIT:</b>	Building Services
<b>RESPONSIBLE OFFICER:</b>	Manager of Building Services
<b>FILE NO.:</b>	086/005; 021/005
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

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

**FUNCTION DELEGATED:**

The authority to issue or modify or refuse to issue or modify an occupancy permit or a building approval certificate as prescribed by s58 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) that the applicant has complied with section 54 and that the building surveyor who signed the certificate of construction compliance or certificate of Building Compliance is an independent building surveyor in relation to the application
- (2) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

**AUTONOMY OF DISCRETION:**

As provided under legislation and Conditions (1) and (2) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s127(6)A.

**DELEGATE:**

[67]

DA	<b>BUILDING ACT 2011 - ISSUE AN OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE</b>
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CEO

**SUB-DELEGATE/S:**

Manager of Building

Senior Building Surveyors

Building Surveyors(subject to required qualifications and registration with the Western Australian Building Commission) as defined in the Building Services (Registration) Act 2011.

Co-ordinator, Building Services) as defined in the Building Services (Registration) Act 2011.

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

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

**FUNCTION DELEGATED:**

The authority to issue a building order in respect of particular building work or particular demolition work as prescribed by s110 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) A building order must be directed to a Builder, if a building permit is in effect, or a Demolition Contractor if a demolition permit is in effect or to an owner of the land to which the particular building or demolition work is being carried out.
- (2) A time limit to comply with the building order must be included in accordance with s112 of the Building Act 2011.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under legislation and Conditions (1) to (3) above.

[69]

DA	BUILDING ACT 2011 - MAKE AN ORDER FOR BUILDING OR DEMOLITION WORK
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s127(6)A.

**DELEGATE:**

CEO

**SUB/DELEGATE/S:**

Co-ordinator, Building ServicesHead of Development and Compliance, Manager of Public Health and Building Services, Manager of Building, Senior Building Surveyor, Building Surveyor Coordinator of Development Compliance, Development Compliance Officer.

[70]

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

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

**FUNCTION DELEGATED:**

The authority to revoke a building order in respect of particular building work or particular demolition work as prescribed by s117 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) A building order may be revoked at any time and must be served, in writing, to each person to whom the order is directed.
- (2) A permit authority must, within 28 days of receiving a notification under section 112(3)(c) —
  1. decide whether the building order has been fully complied with; and
  2. either revoke the building order or inform each person to whom the order is directed that the building order remains in effect.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

[71]

DA	BUILDING ACT 2011 - REVOKE ORDER FOR BUILDING OR DEMOLITION WORK
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**AUTONOMY OF DISCRETION:**

As provided under legislation and Conditions (1) to (3) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s127(6)A and any relevant Council Policy

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Manager of Building

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

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

**FUNCTION DELEGATED:**

The authority to extend the duration of an Occupancy Permit and a Building Approval Certificate as prescribed by s65 of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of an Occupancy Permit by up to 12 months
- (3) All delegates have the authority to extend a Building Approval Certificate for up to a maximum of 12 months beyond the expiration date of the original Building Approval Certificate.
- (4) Delegates can further impose conditions in relation to an extension of time.
- (5) 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.

[73]

DA	<b>BUILDING ACT 2011 – APPROVE OR REFUSE AN EXTENSION OF TIME FOR AN OCCUPANCY PERMIT AND BUILDING APPROVAL CERTIFICATE</b>
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**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011 s127(6)A, and any relevant Council Policy

**DELEGATE:**

CEO

**DELEGATE/S AUTHORISED:**

Manager, Building Services  
Senior Building Surveyors  
Co-ordinator, Building ServicesHead of Development and Compliance, Manager of  
Public Health and Building Services, Manager of Building, Senior Building Surveyor,  
Building Surveyor. (Subject to required qualifications and registration with the Western  
Australian Building Commission as defined in the Building Services (Registration) Act  
2011.

<b>DA</b>	<b>BUILDING ACT 2011 – LEGAL PROCEEDINGS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Building Services
<b>RESPONSIBLE OFFICER:</b>	Director Planning & Development Manager Building Services
<b>FILE NO.:</b>	086/003; 021/005
<b>DATE FIRST ADOPTED:</b>	14 February 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 January 2013	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	
OCM:	13 June 2013	8 June 2017
	12 June 2014	8 June 2017
	11 June 2015	13 June 2019
	9 June 2016	

**FUNCTION DELEGATED:**

To initiate a prosecution pursuant to s133(1) for non-compliance of the Building Act 2011.

**CONDITIONS/GUIDELINES:**

- (1) The City may commence a prosecution for any offences against the Building Act 2011 where deemed necessary.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under legislation.

DA	BUILDING ACT 2011 – LEGAL PROCEEDINGS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

To initiate a prosecution pursuant to s133 of the Building Act 2011 for an offence against this Act.

Building Act 2011, s127(6)A – Head of power

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Chief of Built and Natural Environment  
Manager, Building ServicesCompliance

[76]

DA	FOOD ACT 2008 – PROSECUTION
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Environmental Health
<b>RESPONSIBLE OFFICER:</b>	Manager, Environmental Health Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	28 November 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	23 May 2019
	26 May 2016	27 August 2020
OCM:	12 June 2014	8 June 2017
	11 June 2015	14 June 2018
	9 June 2016	13 June 2019

**FUNCTION DELEGATED:**

Institute proceedings for an offence under the *Food Act 2008* [s125].

**CONDITIONS/GUIDELINES:**

- 1) Delegates shall only act in accordance with the delegated statute, inclusive of all relevant statutory limitations and powers
- 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:**

Power from the Food Act 2008 is originally assigned to the Enforcement Agency (Local Government)

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

- *Food Act 2008*, s125 Institution of proceedings
- Statutory Power of Delegation, Food Act 2008, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

[77]

DA	FOOD ACT 2008 – PROSECUTION
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**DELEGATE:**

Chief Executive Officer  
Chief of Built and Natural Environment  
Manager, Environmental Health

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

DA	FOOD ACT 2008 – PROHIBITION ORDERS
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Environmental Health
<b>RESPONSIBLE OFFICER:</b>	Manager, Environmental Health Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	28 November 2013 22 May 2014 2 June 2015 26 May 2016	18 May 2017 24 May 2018 23 May 2019 27 August 2020
OCM:	12 June 2014 11 June 2015 9 June 2016	8 June 2017 14 June 2018 13 June 2019

**FUNCTION DELEGATED:**

- (1) Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the *Food Act 2008* [s65].
- (2) Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66].
- (3) Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)].

**CONDITIONS/GUIDELINES:**

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers
- (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:**

Power from the Food Act 2008 is originally assigned to the Enforcement Agency (Local Government)

[79]

DA	FOOD ACT 2008 – PROHIBITION ORDERS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

- Food Act 2008 s65(1) Prohibition Order, s66 Certificate of Clearance, and s67(4) Request for Re-Inspection
- Statutory Power of Delegation Food Act 2008, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**DELEGATE:**

Chief Executive Officer  
Chief of Built and Natural Environment  
Manager Environmental Health

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

DA	FOOD ACT 2008 – REGISTRATION OF FOOD BUSINESS
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Environmental Health
<b>RESPONSIBLE OFFICER:</b>	Manager, Environmental Health
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	28 November 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	23 May 2019
	26 May 2016	27 August 2020
OCM:	12 June 2014	8 June 2017
	11 June 2015	14 June 2018
	9 June 2017	13 June 2019

**FUNCTION DELEGATED:**

- (1) Register a food business in respect of any premises for the purposes of Part 9 of the Food Act 2008 and issue a certificate of registration [s110(1)].
- (2) After considering an application, determine to grant (with or without conditions) or refuse the application [s110(5)].
- (3) Vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the *Food Act 2008* [s112(1)].

**CONDITIONS/GUIDELINES:**

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.
- (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:**

Power from the Food Act 2008 is originally assigned to the Enforcement Agency (Local Government)

DA	FOOD ACT 2008 – REGISTRATION OF FOOD BUSINESS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

- *Food Act 2008*, s110(1) and (5) Registration of food business, and
- s112 Variation of conditions or cancellation of registration of food businesses.
- Statutory Power of Delegation Food Act 2008, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it
- s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
- s118(4) Sub-delegation only permissible if expressly provided in regulations

**DELEGATE:**

Chief Executive Officer  
Chief of Built and Natural Environment  
Manager, Environmental Health

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

DA	<b>FOOD ACT 2008 – APPOINTMENT OF AUTHORISED PERSONS &amp; DESIGNATED OFFICERS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Environmental Health
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	28 November 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	24 May 2019
	26 May 2016	27 August 2020
OCM:	12 June 2014	8 June 2017
	11 June 2015	14 June 2018
	9 June 2016	13 June 2019

**FUNCTION DELEGATED:**

- (1) Appoint a person to be an authorised person for the purposes of the *Food Act 2008* [s122(1)].
- (2) Appoint a person to be a Designated Officer for the purposes of the *Food Act 2008*. [126(13)].

**CONDITIONS/GUIDELINES:**

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.
- (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:**

Power from the Food Act 2008 is originally assigned to the Enforcement Agency (Local Government)

DA	FOOD ACT 2008 – APPOINTMENT OF AUTHORISED PERSONS & DESIGNATED OFFICERS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

*Food Act 2008*, s122 Appointment of Authorised Officers, and s126 Infringement Notices

Statutory Power of Delegation Food Act 2008, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it

s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]

s118(4) Sub-delegation only permissible if expressly provided in regulations

**DELEGATE:**

Chief Executive Officer

**SUB-DELEGATE/S:**

Nil (The Food Regulations 2009 does not provide for sub-delegations).

DA	<b>PUBLIC HEALTH ACT 2016- APPOINTMENT OF AUTHORISED OFFICERS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Environmental Health
<b>RESPONSIBLE OFFICER:</b>	Manager Environmental Health
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	8 December 2016
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>POLICY REF.:</b>	N/A
<b>VERSION NO.</b>	5

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 November 2016 18 May 2017 24 May 2018 23 May 2019 27 August 2020
OCM:	8 December 2016 8 June 2017 14 June 2018 13 June 2019

**FUNCTION DELEGATED:**

Appointment of authorised officers.

**CONDITIONS/GUIDELINES:**

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:**

Section 21 (1)(b)(i) of the Public Health Act 2016

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

The Public Health Act 2016 ('the Public Health Act')  
Public Health (Consequential Provisions) Act 2016

**DELEGATE:**

Chief Executive Officer

DA	PUBLIC HEALTH ACT 2016- APPOINTMENT OF AUTHORISED OFFICERS
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**SUB DELEGATE/S:**

Nil

<b>DA</b>	<b>STRUCTURE PLANS AND ACTIVITY CENTRE PLANS</b>
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<b>DIRECTORATE:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Planning
<b>RESPONSIBLE OFFICER:</b>	Head of Planning
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 March 2022
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 May 2016
	22 August 2013	27 August 2020
	26 February 2015	17 February 2022
	26 November 2015	
OCM:	9 April 2009	10 December 2015
	14 June 2012	9 June 2016
	12 September 2013	10 September 2020
	12 March 2015	

**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.

DA	STRUCTURE PLANS AND ACTIVITY CENTRE PLANS
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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.
6. In accordance with Clause 20(1) of the Deemed Provisions, the authority to prepare a report on an amendment to a Structure Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

(2) Activity Centre Plans

1. In accordance with Clause 33(1) of the Deemed Provisions, the authority to determine whether:
  - a. A Proposed Activity Centre Plan complies with Clause 32(1) of the Deemed Provisions; or
  - b. Further information from the applicant is required before a Proposed Activity Centre Plan can be accepted for assessment and advertising.
2. In accordance with Clause 33(1)(b) of the Deemed Provisions, the authority to estimate and provide to the applicant the fee for dealing with a Proposed Activity Centre Plan in accordance with the Planning and Development Regulations 2009.
3. In accordance with Clause 34 of the Deemed Provisions, the authority to advertise the Proposed Activity Centre Plan;
4. In accordance with Clause 35(1) of the Deemed Provisions the authority:
  - a. To request further information from a person who prepared a Proposed Activity Centre Plan and;
  - b. To advertise any modifications proposed to a Proposed Activity Centre Plan to address issues raised in submissions.
5. In accordance with Clause 45(3), the authority to decide not to advertise an amendment to an Activity Centre Plan if, in the opinion of the officer, the amendment is of a minor nature.
6. In accordance with Clause 36(1) of the Deemed Provisions, the authority to prepare a report on an amendment to an Activity Centre Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

**CONDITIONS/GUIDELINES:**

- (1) Where an amendment to a Structure Plan or Activity Centre Plan may be considered minor in nature
  1. As per Clause 17 of the Structure Plan Framework, a minor amendment to a Structure Plan or Activity Centre Plan is a change or departure that:

<b>DA</b>	<b>STRUCTURE PLANS AND ACTIVITY CENTRE PLANS</b>
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- a. Does not materially alter the purpose and intent of the structure plan;
- b. Does not change the intended lot / dwelling yield by more than 10 per cent;
- c. Does not adversely impact upon the amenity of adjoining landowners and occupiers;
- d. Does not restrict the use and development of adjoining land;
- e. Does not significantly impact on infrastructure provision;
- f. Does not impact upon the environment;
- 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:**

Chief of Built and Natural Environment  
 Head of Planning  
 Coordinator, Strategic Planning  
 Senior Strategic Planning Officers

DA	<b>TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Land Planning
<b>RESPONSIBLE OFFICER:</b>	Chief of Built and Natural Environment
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	13

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 May 2016
	23 May 2013	18 May 2017
	22 August 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 November 2015	25 November 2021
OCM:	10 April 2008	10 December 2015
	14 June 2012	9 June 2016
	13 June 2013	8 June 2017
	12 September 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	10 September 2020

**FUNCTION DELEGATED:**

The authority to adopt Cost Contribution Schedules for Development Contribution Areas and set the annual contribution rates.

**CONDITIONS/GUIDELINES:**

- (1) The requirements specified in clause 5.3 and Table 10 of Town Planning Scheme No 3.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in Condition (1) above.

DA	TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

City of Cockburn Town Planning Scheme No.3  
Planning & Development Act 2005

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Chief of Built and Natural Environment  
Head of Planning  
Co-ordinator,  
Development Contributions Officer

<b>DA</b>	<b>TOWN PLANNING SCHEME NO. 3 – DEVELOPMENT CONTROL</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Statutory Planning
<b>RESPONSIBLE OFFICER:</b>	Head of Development Assessment and Compliance
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	11 June 2015
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>POLICY REF.:</b>	Various
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	2 June 2015	23 November 2017
	26 November 2015	24 May 2018
	26 May 2016	28 February 2019
	23 February 2017	23 May 2019
	18 May 2017	27 August 2020
OCM:	11 June 2015	14 December 2017
	10 December 2015	14 June 2018
	9 June 2016	14 March 2019
	9 March 2017	13 June 2019
	8 June 2017	

**FUNCTION DELEGATED:**

City of Cockburn Town Planning Scheme No. 3 (TPS 3)

1. Local Development Plans:
  - a) The authority to approve local development plans with or without conditions.
  - b) The authority to refuse to approve local development plans and, where the proposed local development plan was submitted by an owner, to provide reasons for this to the owner.
2. Amending or cancelling development approval:
  - a) The authority to amend a planning approval so as to extend the period within which any development approved must be substantially commenced.
  - b) The authority to amend or delete any condition to which the approval is subject.
  - c) The authority to amend an aspect of the development approved amended, would not substantially change the development approved.
  - d) The authority to cancel the approval.

<b>DA</b>	<b>TOWN PLANNING SCHEME NO. 3 – DEVELOPMENT CONTROL</b>
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3. **Unauthorised Existing Subsequent approval of development**  
The authority to determine applications excludes the determination of Category 'A: Heritage places, the removal of 'Significant Trees' and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy LPP4.4 and the amendments or minor works are supported by the State Heritage Office.
4. **Determination of Applications**
  - a) The authority to grant approval with or without conditions.
  - b) The authority to refuse to grant planning approval.
5. **Form and Date of Determination**
  - a) The authority to convey its determination to the applicant in the form of the "Notice of determination on application for development approval" prescribed in TPS 3.
6. **Temporary Planning Approval**
  - a) The authority to impose conditions limiting period of time for which an approval is granted.
7. **Approval Subject to Later Approval of Details**
  - a) The authority to grant development approval subject to a condition that further detail any works or use specified in the condition must be submitted to, and approved by, the City before the developer commences the development.

#### **CONDITIONS/GUIDELINES:**

1. The authority to determine applications subject to those applications being in accordance with the relevant legislative, scheme and policy requirements.
2. The authority to determine applications where advertising of an application is required in accordance with TPS 3 subject to:
  - a) No objections are received during the consultation period.
  - b) The objection can be resolved through a condition imposed on an approval or negotiation of a design change with the applicant.
  - c) The objection does not relate to valid planning considerations associated with the proposal (as confirmed by Manager Statutory Planning).
3. The authority to determine applications excludes the determination of category "A" Heritage places and those applications proposing demolition of any category of heritage building as contained in the Local Government Heritage List and Inventory except where those applications are for minor amendments or minor works as defined in Local Planning Policy 4.4 and the amendments or minor works are supported by the State Heritage Office.

DA	TOWN PLANNING SCHEME NO. 3 – DEVELOPMENT CONTROL
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4. The authority to determine applications excludes the determination of applications for 'Industry – General (Licenced) proposing a lesser distance from residential properties than is recommended in the Environmental Protection Authority's document 'Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses'
5. The authority to issue a renewal of a planning approval or extension of the approval period prior to expiry subject to:
  - a) The lodgement of a new Planning Application Form, prescribed fee and plans.
  - b) The development being substantially the same as that previously approved by Council or the City under delegation.
  - c) Unless circumstances have changes, any conditions of development approval shall be the same as those previously imposed.
  - d) A new "Notice of determination on application for development approval" shall be issued.
6. In relation to a decision that is subject to a review in the State Administrative Tribunal, sub-delegated officers may:
  - a) Attend directions hearings, mediations and hearings.
  - b) Appear as an expert witness in a hearing.
  - c) Provide evidence in a hearing.
  - d) Prepare any written documents required as part of matter the subject of a review.
7. 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 for in Conditions (1) to (6) above.

#### **LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

City of Cockburn Town Planning Scheme No.3.

#### **DELEGATE:**

Chief Executive Officer

#### **SUB-DELEGATE/S:**

Chief of Built and Natural Environment  
 Head of Development Assessment and Compliance  
 Coordinator Statutory Planning  
 Senior Planning Officer (Statutory)  
 Planning Officer (Statutory)

# **Delegations Made Pursuant to Council Policy Statements**

DA	<b>ATTENDANCE AT CONFERENCES, SEMINARS, EVENTS &amp; TRAINING</b>
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<b>DIRECTORATE:</b>	Executive Services
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	5

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 27 February 2014 25 February 2016 27 August 2020
OCM:	9 April 2009 14 June 2012 13 March 2014 10 March 2016

**FUNCTION DELEGATED:**

Authority to approve attendance and expenditure claims by Council delegates when attending Conferences/Seminars.

**CONDITIONS/GUIDELINES:**

- (1) As provided in Council Policy 'Attendance at Conferences, Seminars, Events & Training'.
- (2) Any requirements of the Local Government Act, 1995, to be complied with.
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in Council Policy "Attendance at Conferences, Seminars, Events & Training".

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Council Policy 'Attendance at Conferences, Seminars, Events & Training' refers.

DA	ATTENDANCE AT CONFERENCES, SEMINARS, EVENTS & TRAINING
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**DELEGATE:**

Chief Executive Officer

**SUB-DELEGATE/S:**

N/A

<b>DA</b>	<b>BUILDING PERMITS/STRATA PLANS</b>
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<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Development Services
<b>SERVICE UNIT:</b>	Building Services
<b>RESPONSIBLE OFFICER:</b>	Director, Planning & Development
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 May 2016
	26 February 2015	24 May 2018
	26 November 2015	27 August 2020
OCM:	13 May 2010	10 December 2015
	14 June 2012	9 June 2016
	12 March 2015	14 June 2018

**FUNCTION DELEGATED:**

## (1) Building Permits /Strata Plans

1. The authority to approve applications for residential development in accordance with the Residential Design Codes and Town Planning Scheme.
2. The authority to approve applications for outbuildings in the Residential, Rural, Rural Living and Resource Zones.
3. The authority to approve residential applications for building permit on strata lots that comply with the acceptable development requirements of the Codes.
4. The authority to issue or modify the 'Occupancy Permit – Strata' or 'Building Approval Certificate – Strata' in respect to buildings that may be shown on a Strata Plan to be lodged for registration, pursuant to the Strata Titles Act.
5. The authority to refuse an 'Occupancy Permit - Strata' or 'Building Approval Certificate - Strata' in accordance with s60 of the Building Act 2011.
7. The authority to support and where appropriate not support strata proposals that fail to comply with Council policy or the design principles of the Codes.

<b>DA</b>	<b>BUILDING PERMITS/STRATA PLANS</b>
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**CONDITIONS/GUIDELINES:**

- (1) Authority 1.1 subject to:
  - 1. the requirements specified in Local Planning Policy LPP 1.1.
  - 2. the requirements specified in Local Planning Policy LPP 1.7.
- (2) Authority 1.2 subject to:
  - 1. the requirements specified in Local Planning Policy LPP 2.4.
- (3) Authorities 1.3 – 1.7 subject to:
  - 1. Implementation of the delegation and signing of all documentation by the Manager Building Services or the Senior Building Surveyors only.
- (4) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in (1) to (3) of Conditions/Guidelines above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011  
Planning and Development Act 2005

**DELEGATE:**

Nil.

**DELEGATE/S AUTHORISED:**

Director, Planning and Development  
Manager, Building Services  
Co-ordinator, Building Services  
Senior Building Surveyors  
Building Surveyors

DA	CITY OF COCKBURN – PARKING & PARKING FACILITIES
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<b>DIRECTORATE:</b>	Engineering & Works Operations
<b>BUSINESS UNIT:</b>	Engineering Services
<b>SERVICE UNIT:</b>	Engineering Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Engineering
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	11 March 2021
<b>DATE LAST REVIEWED:</b>	
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	1

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	25 February 2021
OCM:	

**FUNCTION DELEGATED:**

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

**CONDITIONS/GUIDELINES:**

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

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

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

Examples of high impact proposals would include:

- The introduction of parking controls, where none existed previously, along a complete road section between two side streets;
- Variation of the time/days of existing parking controls along a road section;
- and

DA	CITY OF COCKBURN – PARKING & PARKING FACILITIES
----	---

- Any parking controls that will affect the parking practices of a reasonable number of motorists.
- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.5, s5.42 and s5.44  
City of Cockburn Parking and Parking Facilities Local Law, 2007, s8.

**DELEGATE:**

Chief Executive officer (CEO)  
Note: The CEO will sub-delegate this authority to:

**SUB-DELEGATE/S:**

Director, Engineering & Works  
Manager, Engineering  
Transport Engineer

[100]

DA	<b>COMMUNITY FUNDING TO SUPPORT LOCAL ECONOMIC DEVELOPMENT</b>
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Corporate Communications
<b>SERVICE UNIT:</b>	Communications & Marketing
<b>RESPONSIBLE OFFICER:</b>	Business Engagement Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	10 September 2020
<b>DATE LAST REVIEWED:</b>	12 May 2022
<b>POLICY REF.:</b>	Community Funding to support Local Economic Development (Grants)
<b>VERSION NO.</b>	2

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	27 August 2020	
OPCo Meeting:	21 August 2022	
OCM:	10 September 2020	

**FUNCTION DELEGATED:**

The authority to evaluate funding submissions in accordance with grant programs listed under policy 'Community Funding to Support Local Economic Development' and to manage and allocate funds to submissions compliant with this policy and respective guidelines.

**CONDITIONS/GUIDELINES:**

- (1) To approve applications for the following grant programs:
  1. Category A – Economic Development Grants
- (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 as in the conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 sec 5.42 and 5.44  
Council Policy "Community Funding to support local Economic Development (Grants)" refers.

DA	COMMUNITY FUNDING TO SUPPORT LOCAL ECONOMIC DEVELOPMENT
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**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Executive Corporate Affairs

Lead, Economic and Business Development

DA	COMPLETION OF FIREBREAKS ON PRIVATE LAND
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<b>DIRECTORATE:</b>	Community Services
<b>BUSINESS UNIT:</b>	Community Safety and Ranger Services
<b>SERVICE UNIT:</b>	Fire and Emergency Services
<b>RESPONSIBLE OFFICER:</b>	Chief of Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>VERSION NO.</b>	6

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 28 August 2014 25 August 2016 27 August 2020 25 November 2021
OCM:	9 April 2009 14 June 2012 11 September 2014 8 September 2016 10 September 2020

**FUNCTION DELEGATED:**

The authority to issue Infringement Notices against land holders who contravene Fire Break requirements.

**CONDITIONS/GUIDELINES:**

- (1) If fire breaks are not completed by the date specified in the Fire Order, an infringement notice be issued and City will arrange for the construction of a fire break, with all associated costs to be borne by the land owner.
- (2) The City advise contractors that extensions in time will not be allowed in accordance with (1) above.
- (3) All requirements of the Bush Fires Act, 1954, are to be complied with where necessary.

**AUTONOMY OF DISCRETION:**

As provided in Conditions above

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Bush Fires Act, 1954, (Section 48(4))  
Council Policy "Completion of Firebreaks on Private Property" refers.

DA	COMPLETION OF FIREBREAKS ON PRIVATE LAND
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**DELEGATE:**

Chief Executive Officer

Acting through:

- Chief Bush Fire Control Officer
- Rangers

DA	<b>OBTAINING LEGAL OR OTHER EXPERT ADVICE &amp; LEGAL PROCEEDINGS BETWEEN CITY OF COCKBURN &amp; OTHER PARTIES</b>
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<b>DIRECTORATE:</b>	Executive Services
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	4

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 June 2012 26 May 2016 27 August 2020
OCM:	13 May 2010 14 June 2012 9 June 2016

**FUNCTION DELEGATED:**

The authority to obtain legal or other expert advice and respond to legal proceedings on behalf of Council.

**CONDITIONS/GUIDELINES:**

- (1) Obtaining Legal or Other Expert Advice:
1. in the instances where Council has resolved or requested to seek legal or other expert advice, a copy of that advice and Council's letter of instruction be provided to all Elected Members as soon as practicable within seven(7) days of receipt by the City unless otherwise resolved by Council;
  2. where copies of legal or other expert advice are made available to Elected Members, the content of the advice is not permitted to be disclosed to third parties, unless by resolution of Council', following the opinion of the Solicitor or specialist who provided advice to the Council about the possible consequences of making that advice available to a third party;
  3. Council maintain its retainer arrangement with its Solicitors for the purpose of ascertaining matters of an administrative nature where

DA	<b>OBTAINING LEGAL OR OTHER EXPERT ADVICE &amp; LEGAL PROCEEDINGS BETWEEN CITY OF COCKBURN &amp; OTHER PARTIES</b>
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procedural verbal advice is obtained and that such advice sought be recorded as a file note on the appropriate file;

4. that where a legal or other expert opinion is sought in relation to an item placed before Council, a note that the item is subject to legal or other expert advice (as appropriate) be included in the relevant Agenda or Minutes.
  5. before the Council considers an item on an agenda that includes or is based on expert advice ( legal, environmental, financial) the Council shall have been provided with a copy of that advice (or summary if appropriate) prior to the meeting with adequate time to read and understand the advice before making its decision.
  6. Legal advice sought by Council can only be obtained utilising the services of practitioners who form part of the Panel of Preferred Suppliers, as adopted by Council from time to time, unless, in the CEO's opinion, it is advantageous to utilise the services of a different provider who has specific expertise in a particular case.
- (2) Responding to Legal Proceedings
1. the Elected Members must be advised that a legal proceeding has been commenced against the City as soon as practicable after the City has been given notice of the proceeding.
  2. a record of the proceedings taken pursuant to this Policy shall be presented to the Audit and Strategic Finance Committee at least annually, or as often as considered appropriate by the CEO, or as requested by the Audit and Strategic Finance Committee.
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

#### **AUTONOMY OF DISCRETION:**

As provided in Conditions above.

#### **LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Council Policy 'Obtaining Legal or Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties' refers.

DA	<b>OBTAINING LEGAL OR OTHER EXPERT ADVICE &amp; LEGAL PROCEEDINGS BETWEEN CITY OF COCKBURN &amp; OTHER PARTIES</b>
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**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

Director - Finance and Corporate Services  
Director - Planning & Development  
Director – Governance & Community Services  
Director - Engineering & Works  
Manager, Statutory Planning  
Manager, Strategic Planning  
Manager, Environmental Health  
Manager, Building Services

<b>DA</b>	<b>PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD</b>
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<b>DIRECTORATE:</b>	Executive Services
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	5

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 27 February 2014 25 February 2016 27 August 2020 25 November 2021
OCM:	14 June 2012 13 March 2014 10 March 2016 10 September 2020

**FUNCTION DELEGATED:**

The authority to approve payments of gifts and/or functions to employees of the City of Cockburn, in recognition of long periods of employment service.

**CONDITIONS/GUIDELINES:**

- (1) As provided in Council Policy 'Payments to Employees in Addition to Contract or Award'.
- (2) Any relevant requirements of the Local Government Act, 1995, to be complied with.
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in Council Policy 'Payments to Employees in Addition to Contract or Award'.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

[108]

DA	PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD
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Council Policy "Payments to Employees in Addition to Contract or Award" refers.

**DELEGATE:**

Chief Executive Officer

**DELEGATE/S AUTHORISED:**

N/A

DA	<b>RENEWAL OF LEASES AND LICENSES FOR CITY OWNED OR CONTROLLED PROPERTY</b>
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<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Strategic Planning Services
<b>SERVICE UNIT:</b>	Leasing & Land Administration
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	9 December 2021
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	6

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 26 May 2016 24 November 2016 27 August 2020 25 November 2021
OCM:	9 April 2009 14 June 2012 9 June 2016 8 December 2016 10 September 2020

**FUNCTION DELEGATED:**

The authority to renew a lease and licence agreement.

**CONDITIONS/GUIDELINES:**

- (1) As provided in Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land'.
- (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 Council Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land'.

DA	RENEWAL OF LEASES AND LICENSES FOR CITY OWNED OR CONTROLLED PROPERTY
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995 - s3.58.

Local Government (Functions and General) Regulations 1996 – s30.

Planning & Development (Local Planning Schemes) Regulations 2015.

Council Policies 'Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Not-for-Profit)' and 'Commercial Leasing of City of Cockburn Owned or Controlled Land' refers.

**DELEGATE:**

Chief Executive Officer

**DELEGATE/S AUTHORISED:**

Nil.

<b>DA</b>	<b>SPONSORSHIP AND NAMING RIGHTS ON CITY CONTROLLED LAND AND/OR BUILDINGS</b>
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Recreation Services
<b>RESPONSIBLE OFFICER:</b>	Manager Recreation & Community Safety Coordinator Recreation Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	11 March 2021
<b>DATE LAST REVIEWED:</b>	
<b>POLICY REF.:</b>	Sponsorship and Naming Rights on City Controlled Land and/or Buildings
<b>VERSION NO.</b>	1

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	25 February 2021
OCM:	

**FUNCTION DELEGATED:**

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

**CONDITIONS/GUIDELINES:**

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

DA	SPONSORSHIP AND NAMING RIGHTS ON CITY CONTROLLED LAND AND/OR BUILDINGS
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**AUTONOMY OF DISCRETION:**

As provided as in the conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 sec 5.42 and 5.44

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

Council Policy "Sponsorship of City Events" refers

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

**DELEGATE:**

Chief Executive Officer

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

**DELEGATE/S AUTHORISED:**

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

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

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

## 15.1.2 Quarter 3 Update - Corporate Business Plan and Key Performance Indicators

<b>Executive</b>	Executive Governance and Strategy
<b>Author</b>	Manager Strategy and Integrated Planning
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Quarter 3 Review Corporate KPIs <a href="#">↓</a></li> <li>2. Quarter 3 Review Corporate Business Plan KPIs <a href="#">↓</a></li> </ol>

### Officer Recommendation/Committee Recommendation

That Council:

- (1) NOTES the FY23 Quarter three Status Report on the progress of the Chief Executive Officer Corporate Key Performance Indicators and Corporate Business Plan Key Performance Indicators; and
- (2) APPROVES the reforecast of seven (7) Corporate Business Plan Key Performance Indicators to FY24 as outlined in this report.

### Background

Council received the Corporate Business Plan (CBP) Key Performance Indicators (KPIs) at the 23 June 2022 Special Council Meeting.

Council endorsed the CEO (Corporate) KPIs at the 14 July 2022 Ordinary Council Meeting (OCM).

Part of the recommendation requires a quarterly status update be included in a report to an Organisational Performance Committee Meeting on the progress of the Key Performance Indicators.

### Submission

N/A

### Report

The CEO and Executive Team (ExCo) identified the series of KPIs and allocated accountabilities for each objective to an ExCo member.

In addition, responsibility then cascades to a Senior Leadership Team (SLT) member, being a direct report to an ExCo officer.

The third quarterly status report on the progress of the KPIs for FY23 (1 January 2023 to 31 March 2023) has been provided (refer Attachments 1 and 2).

Attachment 1 is colour coded to indicate the progress and status of the CEO Corporate KPIs:

- **Green** indicates the KPI is complete – 1 KPI
- **Blue** indicates the KPI is on track – 6 KPIs
- **Red** indicates the KPI is not commenced or not on track – 8 KPIs.

In Summary, 47% of the Corporate KPIs are on track with one being complete. However, 47% of the KPIs are not on track, with the majority being KPIs relating to our people and culture, continuing the trend identified in the Quarter 2 update.

It should be noted that while targets for these KPIs have not been re-established over Quarter 3, results have improved.

Consistent reductions in staff turnover and the 12-month rolling average for Lost Time Injury Frequency Rate (LTIFR) have been observed. Refer to attachment 1 for specific details on the Corporate KPIs.

Attachment 2 is colour coded to indicate the progress and status of the CBP KPIs:

- **Green** indicates the KPI is complete
- **Orange** indicates the KPI is on track
- **Red** indicates the KPI is not commenced or not on track.
- **Teal** indicates a KPI or milestone has been reforecast to FY24.

A summary of the KPIs status is included at Table 1 below:

Table 1: CBP KPI Q3 Progress Summary

	KPIs		Q3 Milestones	
<b>Complete</b>	11	30%	23	74%
<b>On track</b>	17	46%	0	0%
<b>Not on track / not commenced</b>	2	5%	2	6%%
<b>Reforecast</b>	7	19%	6	19%
<b>Total</b>	37	100%	31	100%

Attachment 2 outlines full details of KPI and Quarter 3 milestone progress.

In summary:

- The majority (74%) of Q3 milestones are complete
- 76% of KPIs are on track or complete
- The number of KPIs not on track dropped from 6 at Q2 to 2 at Q3. With one quarter of the year remaining the KPIs that are not on track will require specific focus. Details of not on track KPIs are outlined at Attachment 2
- Project delivery programs include sufficient flexibility to enable projects to get back on track in the remaining quarter.

The Q3 review has identified seven (7) KPIs that require reforecasting to FY24;

1. Undertake Yandjet Park Yangebup Improvements
2. EV charges at all City infrastructure with Solar
3. Coogee Golf Course Review
4. Tempest Park Redevelopment
5. Santich Park – Upgrade
6. Review the Reconciliation Action Plan 2018-2021
7. Beeliar Reserve Redevelopment.

Details relating to each KPI are included (refer Attachment 2).

### **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**

N/A

### **Legal Implications**

Sections 5.38 and 5.39A (1) (b) of the *Local Government Act 1995* and Division 3 Schedule 2 of Regulation 18FA of the *Local Government (Administration) Regulations 1996* refer.

### **Community Consultation**

N/A

### **Risk Management Implications**

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

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

N/A

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

Nil

# Attachment 1: FY 22/23 Corporate KPIs Q3 Review

**46.67%**  
**On track**

**6.67%**  
**Complete**

**46.67%**  
**Not on track**

**7**  
Services

**15**  
Corporate KPI

Services	KPI Target	FY KPI Target	Summary Progress	Division
Community Performance	Performance Scorecard results (place to live and governing organisation) maintained	73 performance indicator score	At risk/Not commenced	Corporate Affairs
Financial	No Budget Variance	+ or – 2% Variance	At risk/Not commenced	Finance
People and Culture	Turnover to be less than Tier 1 LG equivalent benchmark rates	<21%	At risk/Not commenced	People Experience and Transformation
People and Culture	Employees promote the City as the Employer of choice (recommend City to others) from the Culture Scorecard	75%	At risk/Not commenced	People Experience and Transformation
People and Culture	Results of the culture survey indicate employees fell both physically and psychologically, in the work environment	85%	At risk/Not commenced	People Experience and Transformation
People and Culture	Results of the exit survey indicate that ceasing employees recommend the city as an employer	85%	At risk/Not commenced	People Experience and Transformation
Safety	Deliver Safety program against targets	5<LTI	At risk/Not commenced	People Experience and Transformation
Governance	Ensure the Council and City's governance and communication processes provide a best practice framework and are supported with appropriate training	Presentation of a revised Governance Framework and Charter, in consultation with Elected Members, to GovCo by March 2023	Complete	Governance and Strategy
Business Activities	Delivery of major (>\$500k) projects against targets (Registered in PPM)	0.8	On track	Operations
Community Performance	Performance Scorecard results (place to work or operate a business and as a governing organisation) maintained	71 performance indicator score	On track	Corporate Affairs
Customer Experience	Average customer satisfaction levels maintained from the Customer Satisfaction surveys (internal and external), Internal Customer satisfaction levels maintained	External average 89.1%, and, Internal average 81.5% on KPI of 7	On track	Corporate Affairs
Financial	No Budget Variance	+ or – 2% Variance	On track	Finance
Financial	Ensures the organisation delivers on agreed plans and services against budget	By decision of Council	On track	Governance and Strategy
Governance	Demonstrated improvement in compliance	implementation of process improvement to address any adverse compliance audit findings	On track	Governance and Strategy
People and Culture	Increased senior leadership gender diversity	30% composition of either gender in leadership roles	On track	People Experience and Transformation

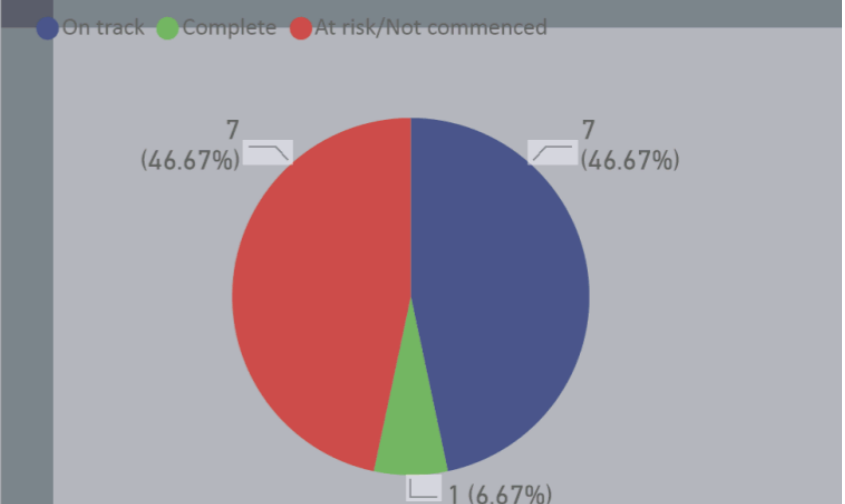
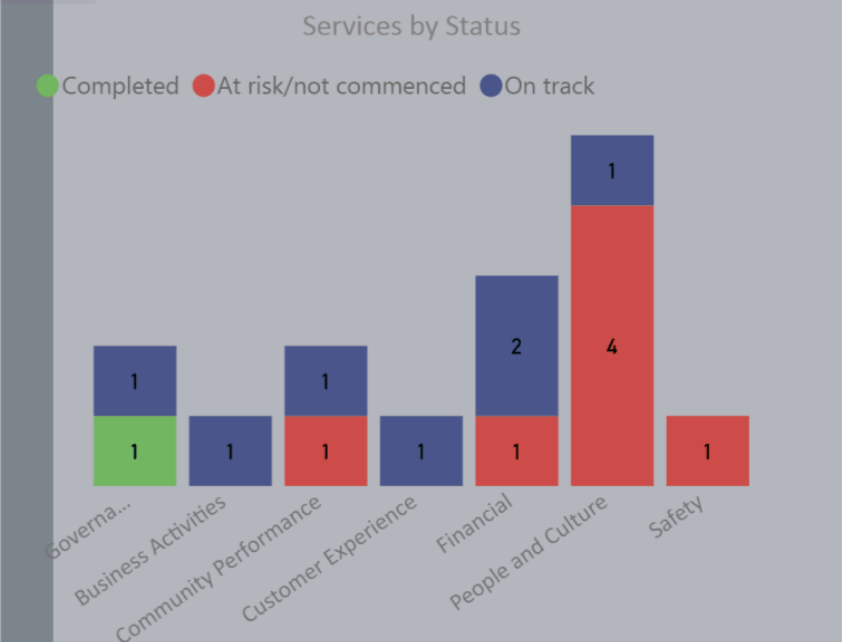


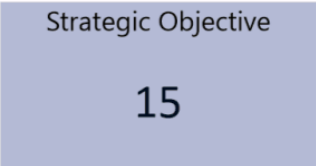
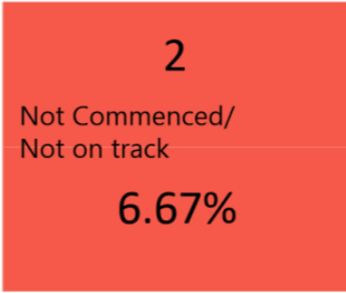
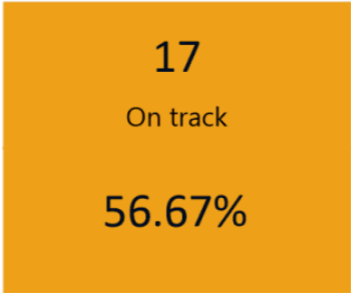
Table 1: Corporate KPIs Q3 Update

Services	Measure	Target	Progress	FY KPI Target	Mid year update	Q3 update	Outperformance	Notes	Division
Business Activities	Delivery of Business Outputs	Delivery of major (>\$500k) projects against targets (Registered in PPM)	On track	80%		77%	5% improvement	KPI on track to meet the target by EOFY.	Operations
Financial	Service Plans	Ensures the organisation delivers on agreed plans and services against budget	On track	By decision of Council	target unable to be assessed until EOFY		N/A	Work is underway, target unable to be assessed until EOFY	Governance and Strategy
Financial	Budget versus actual Operating Expenditure	No Budget Variance	At risk	+ or – 2% Variance	-5.9%, outside +/-2% target due to materials and labour underspend	no additional data	+ or - 1% Variance	Progress reassessed at EOFY	Finance
Financial	Budget versus actual Operating Revenue	No Budget Variance	On track	+ or – 2% Variance	+0.8% within +/-2%		+ or - 1% Variance	Progress reassessed at EOFY	Finance
Governance	Governance Framework	Ensure the Council and City's governance and communication processes provide a best practice framework and are supported with appropriate training	Complete	Presentation of a revised Governance Framework and Charter, in consultation with Elected Members, to GovCo by March 2023	Governance Framework Report adopted at November 2022 OCM	no additional data	N/A	Complete	Governance and Strategy
Governance	Audit and Compliance	Demonstrated improvement in compliance	On track	implementation of process improvement to address any adverse compliance audit findings	Internal Audit Program under review	review is ongoing	N/A	Progress reassessed at EOFY	Governance and Strategy
Community Performance	Business Scorecard Results	Performance Scorecard results (place to work or operate a business and as a governing organisation) maintained	At risk	71 performance indicator score	no data	Score = 71	Additional 2 points	Target met	Corporate Affairs
Community Performance	Community Scorecard Results	Performance Scorecard results (place to live and governing organisation) maintained	On track	73 performance indicator score	no data	Score was 71	Additional 1 point	Target not met	Corporate Affairs
Customer Experience	Customer Satisfaction with services	Average customer satisfaction levels maintained from the Customer Satisfaction surveys (internal and external);#Internal Customer satisfaction levels maintained	On track	External average 89.1%, and;#Internal average 81.5% on KPI of 7	data not available until EOFY	data not available until EOFY	additional 2%	Satisfaction surveys completed throughout the year. Continuous improvement activities underway with business units	Corporate Affairs
People and Culture	Staff Turnover	Turnover to be less than Tier 1 LG equivalent benchmark rates	At risk	<21%		March turnover = 22%	<18%	Downward trend observed since the beginning of the calendar year is continuing, the annual target may be met by EOFY. Out performance unlikely to be achieved.	People Experience and Transformation
People and Culture	Staff Turnover	Results of the exit survey indicate that ceasing employees recommend the city as an employer	At risk	85%	53% of ceasing Employees would recommend the City as an Employer	no additional data	N/A	Annual target not likely to be met	People Experience and Transformation

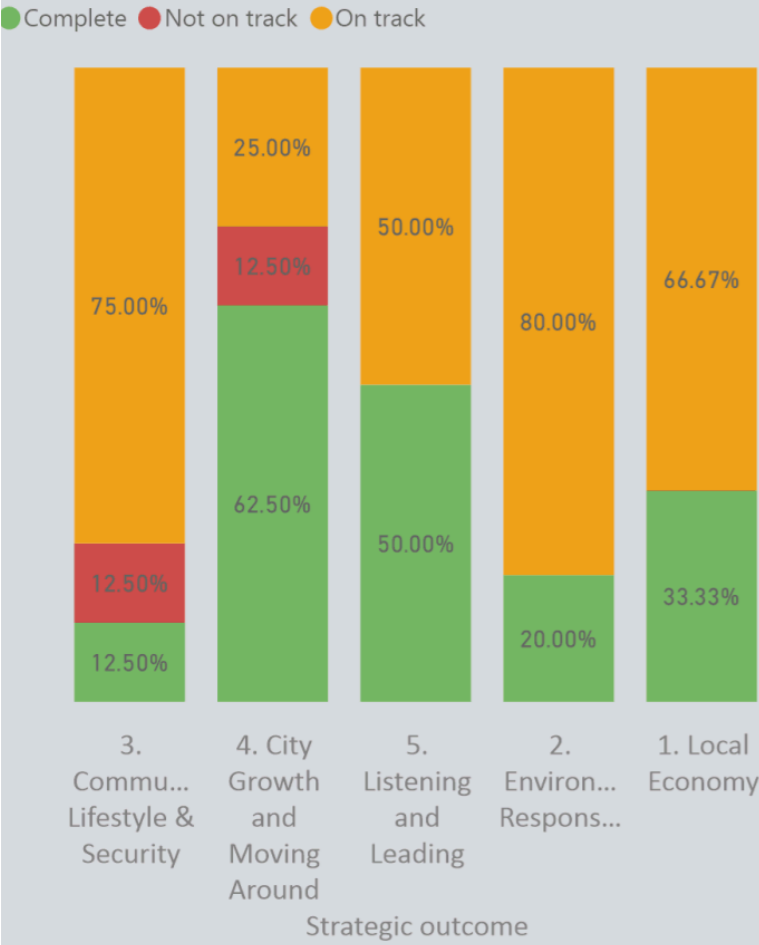
People and Culture	Diversity Strategy	Increased senior leadership gender diversity	On track	30% composition of either gender in leadership roles	ExCo - 42.8% (1 vacancy) SLT including ExCo - 36% (1 vacancy) SLT only - 33%	no change	additional 5%	Annual target is met, no active leadership recruitment. Outperformance is unlikely to be achieved	People Experience and Transformation
People and Culture	Employee Engagement & Culture	Employees promote the City as the Employer of choice (recommend City to others) from the Culture Scorecard	At risk	75%	At December 63% of employees would recommend the City as an Employer	no additional data	additional 2%	Next pulse survey scheduled for May	People Experience and Transformation
People and Culture	Employee Engagement & Culture	Results of the culture survey indicate employees fell both physically and psychologically, in the work environment	At risk	85%	At December 2022 82% of employees feel safe at work	no additional data	additional 2%	Next pulse survey scheduled for May	People Experience and Transformation
Safety	Safety Program	Deliver Safety program against targets	At risk	5<LTI	December 12 month rolling average LTIFR = 10.08	March 12 month rolling average LTIFR = 9.6.	3<LTI	The 12 month rolling average LTIFR has reduced over the Q3 but is unlikely to meet the annual target or outperformance	People Experience and Transformation

Attachment 2: CBP KPIs

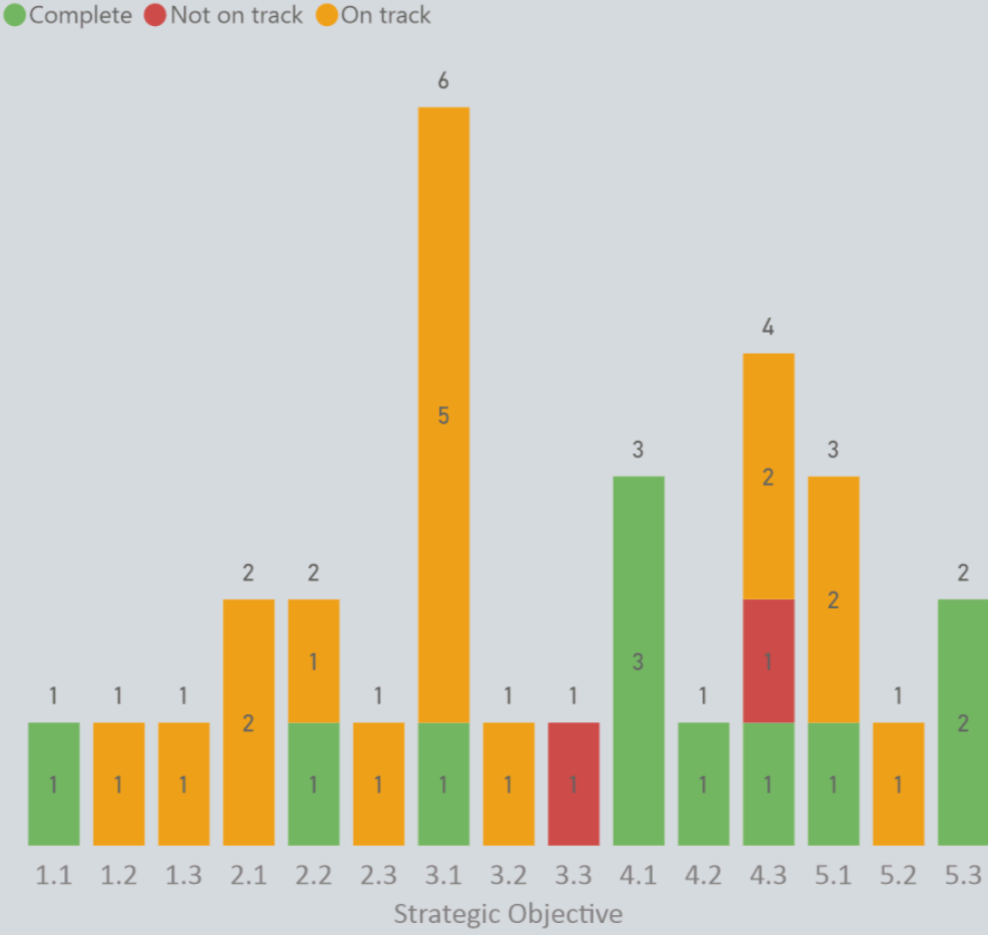
FY 22/23  
CBP KPI Q3  
review



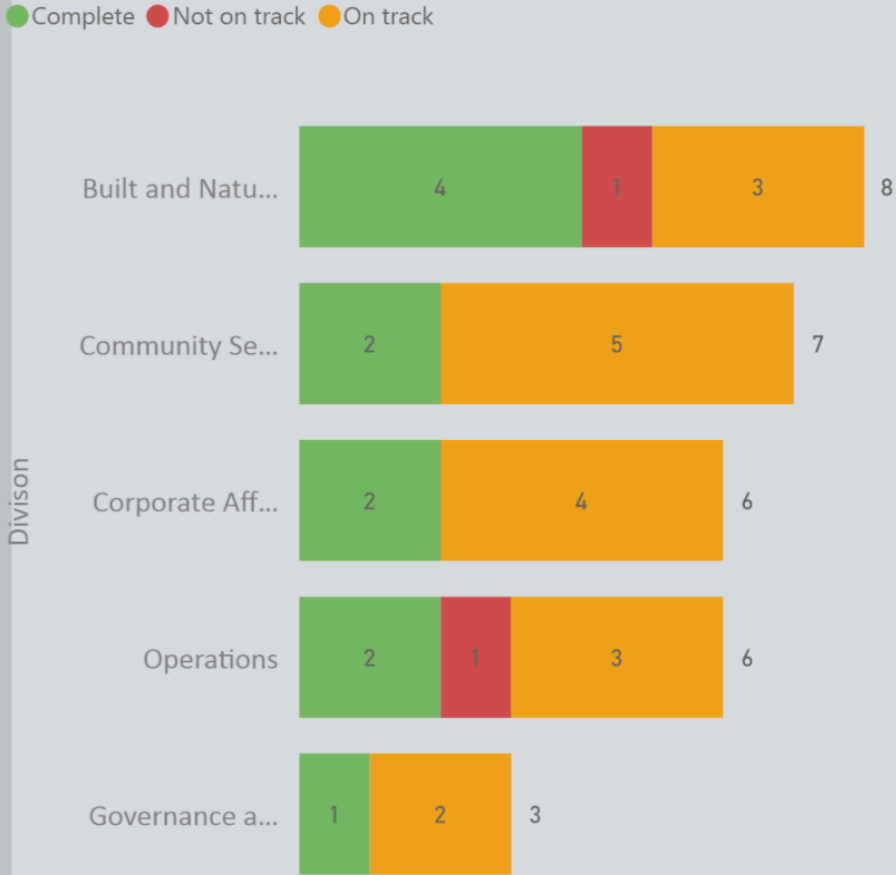
CBP Item Status by Community Outcome



CBP Item Status by Strategic Objective



CBP Item Status by Division



FY 22/23 CBP  
Milestone Q3  
review

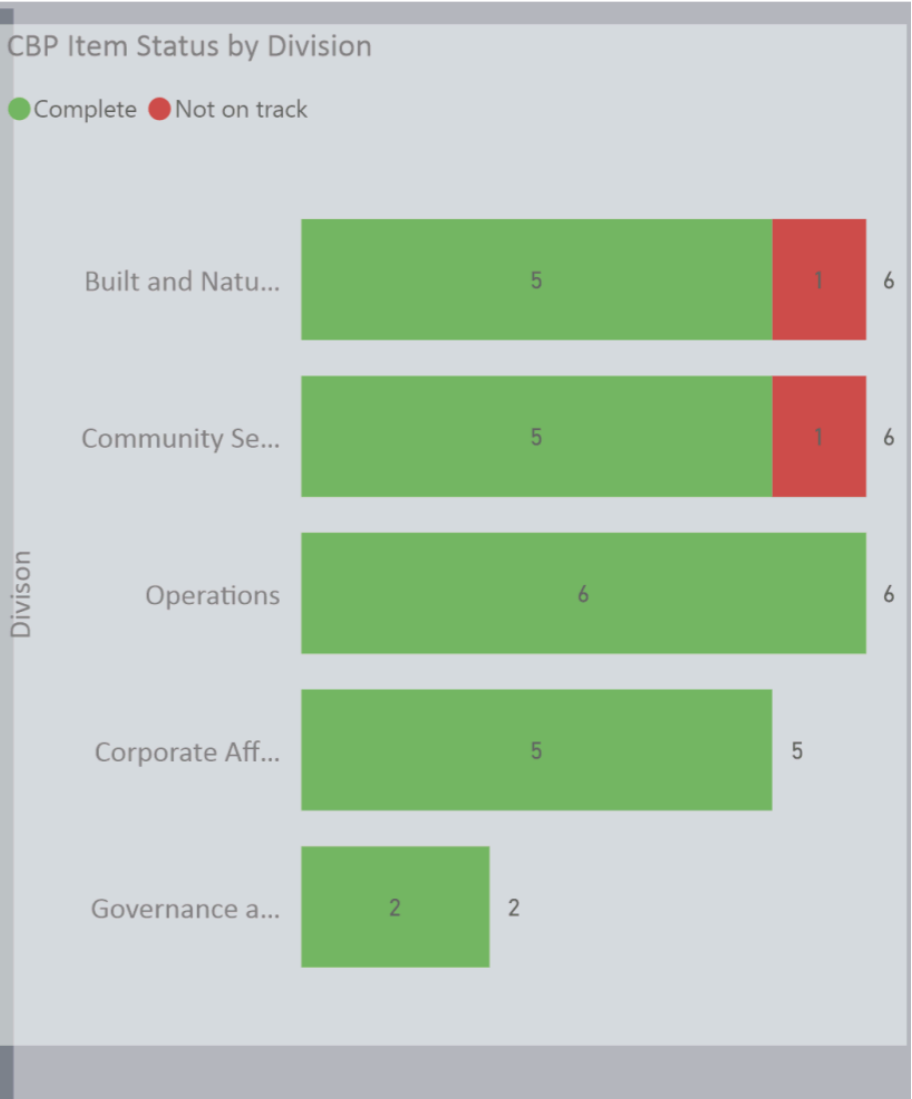
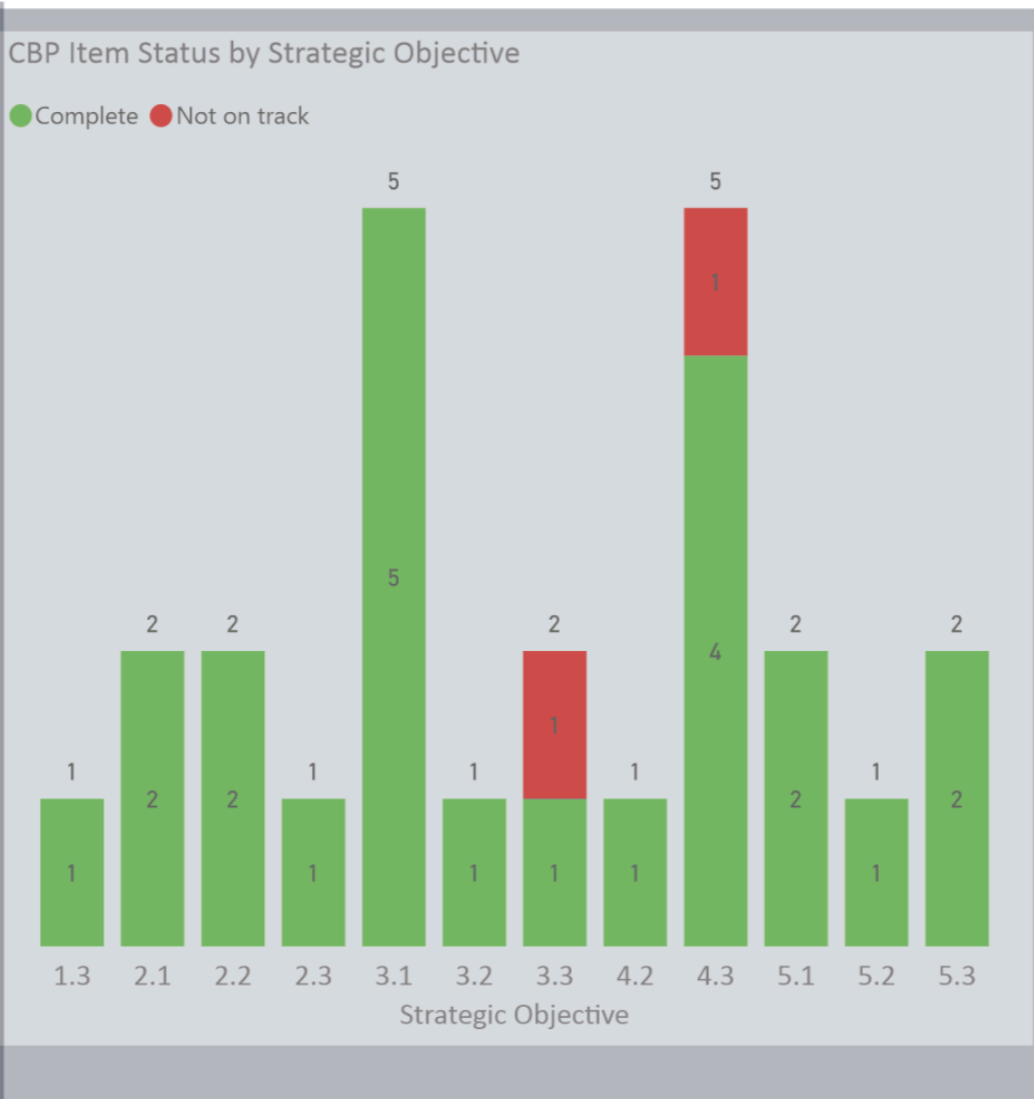
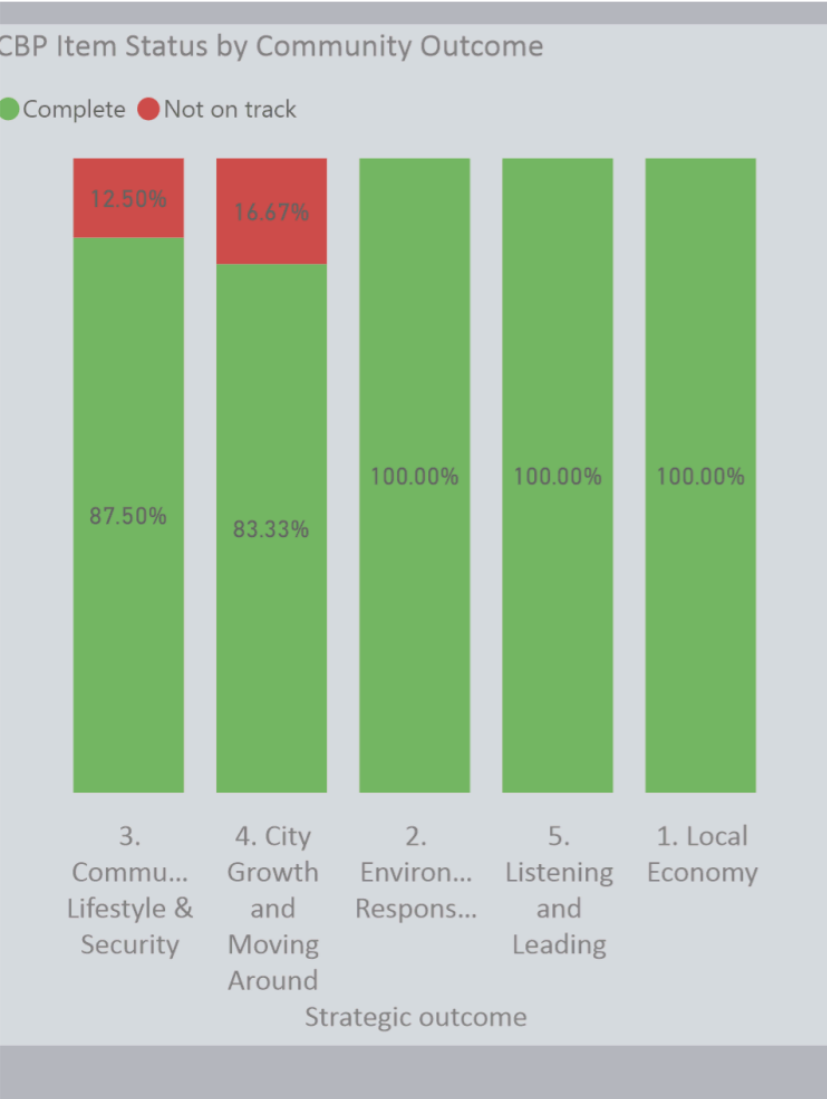
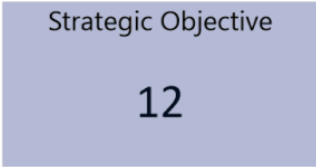
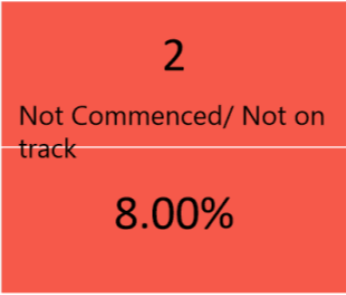


Table 1: CBP KPIs and Milestones - Q3 Review

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
1.00	Position Cockburn as a leader in the Blue Economy	KPI	30/06/2023	Corporate Affairs	Business and Economic Development	Complete	Establish Blue Economy Advisory Committee and undertake promotional activity	Placement of Blue Economy articles in strategic media	
2.00	Q1 - Position Cockburn as a leader in the Blue Economy - Position advisory group for establishment	Q1	30/09/2022	Corporate Affairs	Business and Economic Development	Complete	Advisory Group established		
3.00	Q2 - Position Cockburn as a leader in the Blue Economy - Revise Business Grant Program	Q2	31/12/2022	Corporate Affairs	Business and Economic Development	On track	Revised business grant program accepted by ExCo		
9.00	Deliver business grants program supporting Economic Development Principles, Policy and Guide	KPI	30/06/2023	Corporate Affairs	Business and Economic Development	On track	Deliver two rounds of revised business grant program	Oversubscription in both rounds	
10.00	Q1 - Deliver business grants program supporting Economic Development Principles, Policy and Guidelines - Interdepartmental acceptance of new revised grant program (Communities/grants)	Q1	30/09/2022	Corporate Affairs	Business and Economic Development	Complete	Interdepartmental feedback incorporated into revised document		
11.00	Q2 - Deliver business grants program supporting Economic Development Principles, Policy and Guidelines - Revised Business Grant program presented to EXCO for approval	Q2	31/12/2022	Corporate Affairs	Business and Economic Development	Complete	ExCo acceptance of revised grant program		
12.00	Small Business Friendly Approvals Project Implementation	KPI	30/06/2023	Corporate Affairs	Business and Economic Development	On track	Undertake implementation activities in line with plan	project rollout and completion Q3 FY23	
13.00	Q1 - Small Business Friendly Approvals Project implementation - Communications plan development	Q1	30/09/2022	Corporate Affairs	Business and Economic Development	At risk	Communications plan developed		
14.00	Q2 - Small Business Friendly Approvals Project implementation - Continue rollout of implementation	Q2	31/12/2022	Corporate Affairs	Business and Economic Development	Not commenced			
15.00	Q3 - Small Business Friendly Approvals Project implementation - Continue rollout of implementation	Q3	31/03/2023	Corporate Affairs	Business and Economic Development	Complete			
16.00	Q4 - Small Business Friendly Approvals Project implementation - Continue rollout of implementation	Q4	30/06/2023	Corporate Affairs	Business and Economic Development	On track			
17.00	Coogee Beach Masterplan Review	KPI	30/06/2023	Built and Natural Environment	Planning	On track	Presented for Council decision (advertising) by end of Q4 FY23	Presented for Council decision (advertising) before Q4 FY23	
18.00	Q3 - Coogee Beach Masterplan Review - Project Scope confirmed	Q3	31/03/2023	Built and Natural Environment	Planning	Complete	Project Scope to ERC		
19.00	Q4 - Coogee Beach Masterplan Review - Tender released	Q4	30/06/2023	Built and Natural Environment	Planning	On track	Tender for masterplan review advertised		
20.00	Review Urban Forest Plan 2018-2028	KPI	30/06/2023	Built and Natural Environment	Sustainability and Environment	On track	Review complete by March 2023	Review complete by Dec 2022	

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
21.00	Q2 - Review Urban Forest Plan 2018-2028 - Commence review	Q2	31/12/2022	Built and Natural Environment	Sustainability and Environment	Complete	Review commenced		
22.00	Q3 - Review Urban Forest Plan 2018-2028 - Finalise review	Q3	31/03/2023	Built and Natural Environment	Sustainability and Environment	Complete	Review approved by ExCo		
23.00	Undertake Yandjet Park Yangebup Improvements	KPI	30/06/2023	Operations	Project Services	Reforecast to FY24	Revised concept and engagement with stakeholders by Q4 FY23	Revised concept and engagement with stakeholders by Q3 FY23	Resource and Capacity constraints have impacted delivery of this target. Target unachievable, reforecast to FY24
24.00	Q1 - Undertake Yandjet Park Yangebup Improvements - Consultation	Q1	30/09/2022	Operations	Project Services	Reforecast to FY24	Mater Christi sign off on design		Refer KPI update
25.00	Q2 - Undertake Yandjet Park Yangebup Improvements - Concept design	Q2	31/12/2022	Operations	Project Services	Reforecast to FY24	Concept design adopted		Refer KPI update
26.00	Q3 - Undertake Yandjet Park Yangebup Improvements - Schematic design	Q3	31/03/2023	Operations	Project Services	Reforecast to FY24	schematic design complete		Refer KPI update
27.00	Q4 - Undertake Yandjet Park Yangebup Improvements - detailed design	Q4	30/06/2023	Operations	Project Services	Reforecast to FY24	detailed design complete		Refer KPI update
28.00	EV charges at all City infrastructure with Solar	KPI	30/06/2023	Operations	Property and Assets	Reforecast to FY24	Project Initiation & Design Q4 FY23	Project Initiation & Design Q3 FY23	Inclusion in the FY23 CBP premature, pre project planning currently underway. Reforecast to FY24
29.00	Q2 - EV charging points at all City infrastructure with solar - Project initiation	Q2	31/12/2022	Operations	Property and Assets	Reforecast to FY24			Refer KPI update
30.00	Q3 - EV charging points at all City infrastructure with solar - Project initiation	Q3	31/03/2023	Operations	Property and Assets	Reforecast to FY24			Refer KPI update
31.00	Q4 - EV charging points at all City infrastructure with solar - Project design	Q4	30/06/2023	Operations	Property and Assets	Reforecast to FY24			Refer KPI update
32.00	Waterwise Council Action Plan 2018–2028	KPI	30/06/2023	Built and Natural Environment	Sustainability and Environment	Complete	Waterwise gold accreditation retained	Achieve Platinum Waterwise Council Accreditation by June 2023.	
33.00	Q1 - Waterwise Council Action Plan 2018–2028 - Waterwise Verge Rebate Program Roll Out	Q1	30/09/2022	Built and Natural Environment	Sustainability and Environment	Complete	Finished allocating grants from waterwise verge rebate program		
34.00	Q2 - Waterwise Council Action Plan 2018–2028 - Commencement of waterwise Council Gold re-accreditation	Q2	31/12/2022	Built and Natural Environment	Sustainability and Environment	Complete			
35.00	Q3 - Waterwise Council Action Plan 2018–2028 - Commencement of annual review of WCAP	Q3	31/03/2023	Built and Natural Environment	Sustainability and Environment	Complete	Review complete. Actions identified for 23/24 funding. CB 9/3/23		
36.00	Q4 - Waterwise Council Action Plan 2018–2028 - Commencement of Community Water Literacy Program	Q4	30/06/2023	Built and Natural Environment	Sustainability and Environment	On track	Workshops identified and booked. 9/3/23		
37.00	Henderson Waste Recovery Park Redevelopment	KPI	30/06/2023	Operations	Project Services	On track	Design approved and project delivery commences Q4 FY23	Design approved and project delivery commences Q3 FY23	

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
38.00	Q1 - Henderson Waste Recovery Park Redevelopment. - Project Design	Q1	30/09/2022	Operations	Project Services	Complete	transition to design stage of PPM framework		
39.00	Q2 - Henderson Waste Recovery Park Redevelopment - Project Design	Q2	31/12/2022	Operations	Project Services	Complete			
40.00	Q3 - Henderson Waste Recovery Park Redevelopment - Tender	Q3	31/03/2023	Operations	Project Services	Complete			
41.00	Q4 - Henderson Waste Recovery Park Redevelopment - Project Delivery	Q4	30/06/2023	Operations	Project Services	Not commenced			
42.00	Develop the Coastal Management and Development Plan	KPI	30/06/2023	Built and Natural Environment	Sustainability and Environment	On track	CMDP completed by June 2023	CMDP completed by April 2023	
43.00	Q2 - Develop the Coastal Management and Development Plan - Scope Development	Q2	31/12/2022	Built and Natural Environment	Sustainability and Environment	On track	Executive (BANE) approval for Scope		
44.00	Q3 - Develop the Coastal Management and Development Plan - Design Development	Q3	31/03/2023	Built and Natural Environment	Sustainability and Environment	Complete			
45.00	Q4 - Develop the Coastal Management and Development Plan - Stakeholder engagement	Q4	30/06/2023	Built and Natural Environment	Sustainability and Environment	Not commenced			
46.00	Review the Disability Access and Inclusion Plan	KPI	30/06/2023	Community Services	Community Development	On track	Draft Plan completed for Council consideration Q4 FY23	Draft Plan completed for Council consideration Q3 FY23	
47.00	Q1 - Review the Disability Access and Inclusion Plan - Complete project brief, commence plan review	Q1	30/09/2022	Community Services	Community Development	Complete	Brief complete, plan review underway	NA	
48.00	Q2 - Review the Disability Access and Inclusion Plan - Stakeholder engagement underway	Q2	31/12/2022	Community Services	Community Development	Complete	Stakeholder engagement plan complete and engagement has commenced	NA	
49.00	Q3 - Review the Disability Access and Inclusion Plan - stakeholder engagement complete	Q3	31/03/2023	Community Services	Community Development	Complete	Stakeholder engagement report drafted	NA	
50.00	Q4 - Review the Disability Access and Inclusion Plan - Draft submitted to OCM	Q4	30/06/2023	Community Services	Community Development	Not commenced	OCM approval of DAIP	NA	
56.00	Beale Park Redevelopment	KPI	30/06/2023	Operations	Project Services	On track	Refer to the Expenditure Review Committee prior to Tender Q4 FY23	Refer to the Expenditure Review Committee prior to Tender Q3 FY23	
57.00	Q1 - Beale Park Redevelopment - Design development	Q1	30/09/2022	Operations	Project Services	Complete			
58.00	Q2 - Beale Park Redevelopment - Design development	Q2	31/12/2022	Operations	Project Services	Complete			
59.00	Q3 - Beale Park Redevelopment - Design development	Q3	31/03/2023	Operations	Project Services	Complete			
60.00	Q4 - Beale Park Redevelopment - Refer to Expenditure Review Committee prior to tender	Q4	30/06/2023	Operations	Project Services	Not commenced			
61.00	Port Coogee Community Space	KPI	30/06/2023	Community Services	Recreation Services	Complete	Fit out designs complete Q4 FY23	Fit out designs complete Q3 FY23	
62.00	Q1 - Port Coogee Community Space - Design development	Q1	30/09/2022	Community Services	Recreation Services	Complete			

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
63.00	Q2 - Port Coogee Community Space - Design development	Q2	31/12/2022	Community Services	Recreation Services	Complete			
64.00	Q3 - Port Coogee Community Space - Design complete	Q3	31/03/2023	Community Services	Recreation Services	Complete			
65.00	Q4 - Port Coogee Community Space - Await construction by Frasers	Q4	30/06/2023	Community Services	Recreation Services	Complete			
66.00	Wally Hagan Recreation Centre Redevelopment	KPI	30/06/2023	Community Services	Recreation Services	On track	Revise Project Plan		
70.00	Q4 - Wally Hagan Recreation Centre Redevelopment - Develop business case	Q4	30/06/2023	Community Services	Recreation Services	On track			
71.00	Cockburn ARC – Health and Fitness Expansion	KPI	30/06/2023	Operations	Project Services	At risk	Market engagement and tender award Q4 FY23	Market engagement and tender award Q3 FY23	Revised estimate for market engagement and tender award is Qtr 1 23/24. FY24 programming to be included in FY24 CBP
72.00	Q1 - Cockburn Arc Health and Fitness expansion - Design Development	Q1	30/09/2022	Operations	Project Services	Complete			
73.00	Q2 - Cockburn Arc Health and Fitness expansion - Design Development	Q2	31/12/2022	Operations	Project Services	Complete			
74.00	Q3 - Cockburn Arc Health and Fitness expansion - Tender	Q3	31/03/2023	Operations	Project Services	At risk			Revised estimate for market engagement and tender award is Qtr 1 23/24. FY24 programming to be included in FY24 CBP
75.00	Q4 - Cockburn Arc Health and Fitness expansion - Construction	Q4	30/06/2023	Operations	Project Services	At risk			
76.00	Coogee Golf Course Review	KPI	30/06/2023	Operations	Project Services	Reforecast to FY24	Report to expenditure review committee September FY23	Report to expenditure review committee July FY23	Project delayed, further planning required before a delivery timeframe can be identified
77.00	Q1 - Coogee Gold Course Review - Expenditure Review Committee	Q1	30/09/2022	Operations	Project Services	Reforecast to FY24			Refer KPI update
78.00	Q2 - Coogee Gold Course Review - Project Initiation	Q2	31/12/2022	Operations	Project Services	Reforecast to FY24			Refer KPI update
79.00	Q3 - Coogee Gold Course Review - Project Initiation	Q3	31/03/2023	Operations	Project Services	Reforecast to FY24			Refer KPI update
80.00	Q4 - Coogee Gold Course Review - Project Initiation	Q4	30/06/2023	Operations	Project Services	Reforecast to FY24			Refer KPI update
81.00	Beeliar Reserve Redevelopment	KPI	30/06/2023	Operations	Project Services	Reforecast to FY24	Project Initiation Q4 FY23	Project Initiation Q3 FY23	Inclusion in FY23 CBP premature, additional planning required to identify delivery timeframes
82.00	Q1 - Beeliar Reserve Redevelopment - Community and stakeholder engagement, and needs assessment	Q1	30/09/2022	Operations	Project Services	At risk			

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
83.00	Q2 - Beeliar Reserve Redevelopment - feasibility study and concept plans	Q2	31/12/2022	Operations	Project Services	At risk			
84.00	Q3 - Beeliar Reserve Redevelopment - finalise business case	Q3	31/03/2023	Operations	Project Services	At risk			Inclusion in FY23 CBP premature, additional planning required to identify delivery timeframes
85.00	Q4 - Beeliar Reserve Redevelopment - investigate and prepare funding application	Q4	30/06/2023	Operations	Project Services	Not commenced			
86.00	Tempest Park Redevelopment	KPI	30/06/2023	Operations	Project Services	Reforecast to FY24	Project Initiation Q4 FY23	Project Initiation Q3 FY23	Delivery delayed, revised completion estimate forecasted for Qtr 1 23/24
87.00	Q1 - Tempest Park Redevelopment - Community and stakeholder engagement and Needs assessment	Q1	30/09/2022	Operations	Project Services	Reforecast to FY24			Refer KPI update
88.00	Q2 - Tempest Park Redevelopment - Feasibility study and concept plans	Q2	31/12/2022	Operations	Project Services	Reforecast to FY24			Refer KPI update
89.00	Q3 - Tempest Park Redevelopment - Prepare external funding submission(s) for sports lighting	Q3	31/03/2023	Operations	Project Services	Reforecast to FY24			Refer KPI update
90.00	Q4 - Tempest Park Redevelopment - Business case	Q4	30/06/2023	Operations	Project Services	Reforecast to FY24			
91.00	Santich Park – Upgrade	KPI	30/06/2023	Operations	Project Services	Reforecast to FY24	Oval lighting component completed Q4 FY23	Oval lighting component completed Q3 FY23	Delivery scope widened during FY23 to encompass full project (not just flood lights). Widened scope delayed delivery. Delivery reforecast to FY24.
92.00	Q1 - Santich Park Upgrade - Development application	Q1	30/09/2022	Operations	Project Services	Reforecast to FY24	Development approval received		Refer KPI update
93.00	Q2 - Santich Park Upgrade - Tender issue and award	Q2	31/12/2022	Operations	Project Services	Reforecast to FY24	Tender awarded		Refer KPI update
94.00	Q3 - Santich Park Upgrade - Construction	Q3	31/03/2023	Operations	Project Services	Reforecast to FY24	Construction commenced		Refer KPI update
95.00	Q4 - Santich Park Upgrade - Construction	Q4	30/06/2023	Operations	Project Services	Not commenced	Construction completed		
97.00	Review the Community, Sport & Recreation Facilities Plan 2018-2033	KPI	30/06/2023	Community Services	Recreation Services	On track	Draft plan to Council by June 23	Draft plan to Council by April 23	
98.00	Q1 - Review the Community, Sport & Recreation Facilities Plan 2018-2033 - Community consultation round 1	Q1	30/09/2022	Community Services	Recreation Services	Complete	Consultancy RFQ advertised		
99.00	Q2 - Review the Community, Sport & Recreation Facilities Plan 2018-2033 - Community consultation continued,	Q2	31/12/2022	Community Services	Recreation Services	Complete	community consultation engagement plan finalised		
100.00	Q3 - Review the Community, Sport & Recreation Facilities Plan 2018-2033 - Community Consultation round 2	Q3	31/03/2023	Community Services	Recreation Services	Complete	community consultation underway. engagement sessions complete		
101.00	Q4 - Review the Community, Sport & Recreation Facilities Plan 2018-2033 - Draft plan presented to council	Q4	30/06/2023	Community Services	Recreation Services	On track	Council engaged on draft community sport and recreation facilities plan review		
102.00	Multicultural Centre for Sport and Education – ARC Precinct	KPI	30/06/2023	Community Services	Recreation Services	On track	Stage 1 feasibility study complete Q4 FY23	Stage 1 feasibility study complete Q3 FY23	

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
103.00	Q1 - Multicultural Sport & Learning Centre – ARC Precinct - High level, built form concept drawings	Q1	30/09/2022	Community Services	Recreation Services	Complete			
104.00	Q2 - Multicultural Sport & Learning Centre – ARC Precinct - Land ownership and assessment	Q2	31/12/2022	Community Services	Recreation Services	On track			
105.00	Q3 - Multicultural Sport & Learning Centre – Feasibility Study	Q3	31/03/2023	Community Services	Recreation Services	Complete			
106.00	Q4 - Multicultural Sport & Learning Centre – Feasibility study	Q4	30/06/2023	Community Services	Recreation Services	On track			
107.00	Smart Buildings Project (Project BETTI)	KPI	30/06/2023	Community Services	Community Safety and Ranger services	On track	Continue roll-out of CCTV and Access Control Systems to identified sites Q2 FY23	Integrate online bookings and mobile phone based access control to selected locations Q4 FY23	
108.00	Q1 - Smart Building Project (Project BETTI) - Commence Project delivery	Q1	30/09/2022	Community Services	Community Safety and Ranger services	Complete	Contract commencement	Negotiate improved supplier terms for technology partners	
109.00	Q2 - Smart Building Project (Project BETTI) - Project delivery	Q2	31/12/2022	Community Services	Community Safety and Ranger services	Complete	Phase 1 commences	Sites within Phase 1 have hardware installed and tested.	
110.00	Q3 - Smart Building Project (Project BETTI) - Project delivery	Q3	31/03/2023	Community Services	Community Safety and Ranger services	Complete	Phase 1 delivery underway	Phase 1 underway with no significant disruption to user groups at the nominated buildings.	
111.00	Q4 - Smart Building Project (Project BETTI) - Project delivery	Q4	30/06/2023	Community Services	Community Safety and Ranger services	On track	Pending budget approval - Commence Phase 2 rollout	Some physical works commence at Phase 2 sites.	
112.00	Aboriginal Cultural and Visitors Centre Development	KPI	30/06/2023	Operations	Project Services	At risk	Project delivery commences Q4 FY23	Project delivery commences Q3 FY23	Design review underway to ensure value for money. Project on hold pending Council direction.
113.00	Q1 - Aboriginal Cultural and Visitors Centre Development - Design Development	Q1	30/09/2022	Operations	Project Services	Complete	Design and contract documentation signed off Market engagement approved by ExCo		
114.00	Q2 - Aboriginal Cultural and Visitors Centre Development - Design Development	Q2	31/12/2022	Operations	Project Services	Complete	Design and contract documentation signed off Market engagement approved by ExCo		
115.00	Q3 - Aboriginal Cultural and Visitors Centre Development - Public Tender	Q3	31/03/2023	Operations	Project Services	Complete	Tender process commenced		
116.00	Q4 - Aboriginal Cultural and Visitors Centre Development - Construction	Q4	30/06/2023	Operations	Project Services	Not commenced	Construction commenced		
117.00	Review the Reconciliation Action Plan 2018-2021	KPI	30/06/2023	Community Services	Community Development	Reforecast to FY24	Draft Plan ready to go to Council Q4 FY23	Draft Plan ready to go to Council Q3 FY23	Submission to reconciliation Australia delayed to Q4 FY23. Submission to OCM reforecast to FY24

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
118.00	Q1 - Review the Reconciliation Action Plan 2018-2021 - Continue to review plan	Q1	30/09/2022	Community Services	Community Development	Complete	Complete review of 2018-2021 RAP outcomes		
119.00	Q2 - Review the Reconciliation Action Plan 2018-2021 - Stakeholder Engagement	Q2	31/12/2022	Community Services	Community Development	Complete	Stakeholder engagement plan complete and engagement commenced		
120.00	Q3 - Review the Reconciliation Action Plan 2018-2021 -Draft Plan submitted to Reconciliation Australia	Q3	31/03/2023	Community Services	Community Development	Reforecast to FY24	Draft plan submitted to Reconciliation Australia		Submission to reconciliation Australia delayed to Q4 FY23. Submission to OCM reforecast to FY24
121.00	Q4 - Review the Reconciliation Action Plan 2018-2021 -Plan submitted to OCM	Q4	30/06/2023	Community Services	Community Development	Reforecast to FY24	Plan adopted at OCM		
122.00	Prepare the new Local Planning Strategy for the District	KPI	30/06/2023	Built and Natural Environment	Planning	Complete	Commencement of public consultation by Q2 FY 23	Completion of public consultation before Q1 FY23	
123.00	Q1 - Prepare new Local Planning Strategy - Public Consultation	Q1	30/09/2022	Built and Natural Environment	Planning	Complete	public consultation commenced		
124.00	Q4 - Prepare new Local Planning Strategy - WAPC and Ministerial determinations	Q4	30/06/2023	Built and Natural Environment	Planning	On track	Strategy report submitted OCM for consideration		
126.00	Cockburn Central town centre parking facility feasibility study - AT GRADE	KPI	30/06/2023	Community Services	Community Safety and Ranger services	Complete	Finalise business case for project and present to the Expenditure Review Committee by End Q4	Finalise business case for project and present to the Expenditure Review Committee by End Q3	
127.00	Q1 - Cockburn Central West Car Park - Project Delivery	Q1	30/09/2022	Community Services	Community Safety and Ranger services	Complete	Commence Business Case	Business Case provided to ERC in Q3 FY 23.	
128.00	Q2 - Cockburn Central West Car Park - Project completion	Q2	31/12/2022	Community Services	Community Safety and Ranger services	Complete	Project completed	Subject to the outcome of the Business Case and ERC - detailed design occurs in FY 23	
129.00	Reconnecting Hamilton Hill (post Roe 9) Urban Renewal Project	KPI	30/06/2023	Built and Natural Environment	Planning	Complete	Prepare lists of technical disciplines and draft stakeholders by Q2 FY23	Prepare lists of technical disciplines and draft stakeholders by Q1 FY23	
130.00	Q2 - Reconnecting Hamilton Hill (post Roe 9) Urban Renewal Project - Prepare lists of technical disciplines and draft stakeholders	Q2	31/12/2022	Built and Natural Environment	Planning	Complete	lists of technical disciplines and draft stakeholders complete		
137.00	Cockburn Central West car parking (Poletti rd.)	KPI	30/06/2023	Operations	Property and Assets	Complete	Construction completed by end of Q3	Construction completed by end of Q2	
138.00	Q1 - Cockburn Central Carparking Project - Business Case	Q1	30/09/2022	Operations	Property and Assets	Complete			
139.00	Q2 - Cockburn Central Carparking Project - Business Case	Q2	31/12/2022	Operations	Property and Assets	Complete			
140.00	Q3 - Cockburn Central Carparking Project - Refer to ERC	Q3	31/03/2023	Operations	Property and Assets	Complete			
141.00	Q4 - Cockburn Central Carparking Project - Secure lease and commence carpark works	Q4	30/06/2023	Operations	Property and Assets	Complete			

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
142.00	Review and update the City's District Traffic Study 2018	KPI	30/06/2023	Built and Natural Environment	Planning	Complete	Report to Expenditure Review Committee by end of Q2 FY23	Report to Expenditure Review Committee before Q2 FY23	
143.00	Q1 - Review and update the City's District Traffic Study 2018 · Q1 Assess scope requirements		30/09/2022	Built and Natural Environment	Planning	Complete	Scope Determined		
144.00	Q2 - Review and update the City's District Traffic Study 2018 · Q2 Report to ERC		31/12/2022	Built and Natural Environment	Planning	Complete	Expenditure recommendation adopted by ERC		
145.00	Q3 - Review and update the City's District Traffic Study 2018 · Q3 Project Initiation		31/03/2023	Built and Natural Environment	Planning	Complete	Tender for consultancy services issued		
146.00	Advocacy for Cockburn Road Upgrade, Pedestrian Crossing and Car Parking	KPI	30/06/2023	Corporate Affairs	Advocacy and Engagement	On track	Undertake proactive stakeholder engagement, including meeting with relevant Member(s) of Parliament.		
147.00	Q1 - Advocacy for Cockburn Road Upgrade, Pedestrian Crossing and Car Parking - Stakeholder Engagement	Q1	30/09/2022	Corporate Affairs	Advocacy and Engagement	Complete			
148.00	Q2 - Advocacy for Cockburn Road Upgrade, Pedestrian Crossing and Car Parking - Stakeholder Engagement	Q2	31/12/2022	Corporate Affairs	Advocacy and Engagement	Complete			
149.00	Q3 - Advocacy for Cockburn Road Upgrade, Pedestrian Crossing and Car Parking - Council update	Q3	31/03/2023	Corporate Affairs	Advocacy and Engagement	Complete			
150.00	Q3 - Advocacy for Cockburn Road Upgrade, Pedestrian Crossing and Car Parking - Stakeholder Engagement	Q3	31/03/2023	Corporate Affairs	Advocacy and Engagement	Complete			
151.00	Semple/Berrigan Realignment	KPI	30/06/2023	Built and Natural Environment	Planning	At risk	Quantify landowner costs as part of DCP11 review by end of Q2 FY23	Quantify landowner costs before Q2 FY23	Increases in contractor costs reduced the scope of the DCP review. The review did not include individual landowner costs. Landowner costs will be included in the next DCP review. This KPI will not be achieved.
152.00	Q1 - Semple/Berrigan Realignment - Stakeholder engagement	Q1	30/09/2022	Built and Natural Environment	Planning	Complete	1st round stakeholder engagement complete		Refer KPI update
153.00	Q2 - Semple/Berrigan Realignment - Annual cost review (DCP11)	Q2	31/12/2022	Built and Natural Environment	Planning	At risk			Refer KPI update
154.00	Q3 - Semple/Berrigan Realignment - Stakeholder Engagement	Q3	31/03/2023	Built and Natural Environment	Planning	At risk			Refer KPI update
155.00	Q4 - Semple/Berrigan Realignment - Stakeholder Engagement	Q4	30/06/2023	Built and Natural Environment	Planning	At risk			Refer KPI update
156.00	Hammond Road Duplication	KPI	30/06/2023	Operations	Project Services	On track	Project (construction) complete Q4 FY23	Project (construction) complete Q3 FY23	

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
157.00	Q3 - Hammond Road Duplication - Project Delivery	Q3	31/03/2023	Operations	Project Services	Complete	Project is in construction stage		
158.00	Q4 - Hammond Road Duplication - Practical completion	Q4	30/06/2023	Operations	Project Services	Not commenced	Road duplication has reached practical completion		
159.00	Deliver Corporate Strategy Framework	KPI	30/06/2023	Governance and Strategy	Strategy and Integrated Planning	On track	Elected Member endorsement for proposed Reform October 2022	Consolidated Divisional Strategies endorsed by Council November 2022.	
160.00	Q1 - Commence divisional detailed strategic document audit	Q1	30/09/2022	Governance and Strategy	Strategy and Integrated Planning	Complete	at least 1 division detailed audit of strategic documents commenced		
161.00	Q2 - Minor CBP review commenced	Q2	31/12/2022	Governance and Strategy	Strategy and Integrated Planning	Complete	all divisional detailed audit of strategic documents complete		
162.00	Q3 - Major review program for CBP, WFP, LTFP and budget identified	Q3	31/03/2023	Governance and Strategy	Strategy and Integrated Planning	Complete	Divisional strategy structure approved by ExCo		
163.00	Q4 - Divisional strategic document audit complete	Q4	30/06/2023	Governance and Strategy	Strategy and Integrated Planning	On track	at least 1 divisional strategy document approved by ExCo		
164.00	Review Organisational Risk Management Maturity	KPI	30/06/2023	Governance and Strategy	Legal and Compliance Services	Complete	Undertake Risk Management Maturity Review for completion by June 2023	Commence procurement process to measure the City's approach to risk management to ensure it is driving stakeholders to put in place suitable risk mitigation strategies by Feb 2023	
165.00	Q1 - Organisational Risk Management Maturity Review - Review list of service providers	Q1	30/09/2022	Governance and Strategy	Legal and Compliance Services	Complete	Shortlist of providers determined		
166.00	Q2 - Organisational Risk Management Maturity Review - Engage service provider	Q2	31/12/2022	Governance and Strategy	Legal and Compliance Services	Complete	Service provider engaged		
167.00	Q3 - Organisational Risk Management Maturity Review - Review complete	Q3	31/03/2023	Governance and Strategy	Legal and Compliance Services	Complete	Review report received		
172.00	Review and Implement the Corporate Governance Framework	KPI	30/06/2023	Governance and Strategy	Legal and Compliance Services	On track	Implement Corporate Governance Framework by June 2023	Council adoption by Feb 2023	
173.00	Q1 - Review and Implement the Corporate Governance Framework - Development of corporate governance framework	Q1	30/09/2022	Governance and Strategy	Legal and Compliance Services	Complete	Framework document finalised		
174.00	Q2 - Review and Implement the Corporate Governance Framework - Adoption of corporate governance framework	Q2	31/12/2022	Governance and Strategy	Legal and Compliance Services	Complete	Corporate Governance framework adopted by committee and council		
182.00	Progress community priorities highlighted in MARKYT Community Scorecard 2021.	KPI	30/06/2023	Corporate Affairs	Communications and Marketing	On track	Present MARKYT scorecard results to ExCo by Q4	Present MARKYT scorecard results to Elected Members in Q4 (usually Q1 due to busy June for EMs)	

ID	Title	Column1	Due date	Division	Business/ Service Unit	Progress	KPI & Target	Outperformance	Q3 update
183.00	Q1 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Review and agree priorities	Q1	30/09/2022	Corporate Affairs	Communications and Marketing	Complete	Take to ExCo to agree how to progress	Implementation plan developed	
184.00	Q2 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Develop implementation plan	Q2	31/12/2022	Corporate Affairs	Communications and Marketing	Complete	Implementation plan is developed	Plan contains new initiatives	
185.00	Q3 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Implementation	Q3	31/03/2023	Corporate Affairs	Communications and Marketing	Complete	Implementation	Implementation - hard to put ahead of schedule as a lot is ongoing	
186.00	Q4 - Progress community priorities highlighted in MARKYT Community Scorecard 2021 - Implementation	Q4	30/06/2023	Corporate Affairs	Communications and Marketing	On track	Implementation	Implementation - hard to put ahead of schedule as a lot is ongoing	
192.00	Develop and Implement Smart Cities projects in partnership with South West Group	KPI	30/06/2023	Operations	Community Safety and Ranger services	Complete			
193.00	Q1 - Develop and Implement Smart Cities projects in partnership with South West Group - Sign contracts with Western Power, communications plan with residents and rate payers	Q1	30/09/2022	Operations	Community Safety and Ranger services	Complete			
194.00	Q2 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 1	Q2	31/12/2022	Operations	Community Safety and Ranger services	Complete			
195.00	Q3 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 2	Q3	31/03/2023	Operations	Community Safety and Ranger services	Complete			
196.00	Q4 - Develop and Implement Smart Cities projects in partnership with South West Group - Implement stage 3	Q4	30/06/2023	Operations	Community Safety and Ranger services	Complete			
197.00	Review requirements for required website upgrades	KPI	30/06/2023	Corporate Affairs	Communications and Marketing	Complete	Requirements are understood		
198.00	Q2 - Review requirements for required website upgrades - procurement and delivery	Q2	31/12/2022	Corporate Affairs	Communications and Marketing	Complete	Procurement has occurred and delivery started	Procurement and delivery start by end of October	
199.00	Q3 - Review requirements for required website upgrades - rollout	Q3	31/03/2023	Corporate Affairs	Communications and Marketing	Complete	Implementation starts	Implementation complete	
200.00	Q4 - Review requirements for required website upgrades - rollout	Q4	30/06/2023	Corporate Affairs	Communications and Marketing	On track	Implementation completed	Implementation completed	

## **16. Committee Minutes**

### **16.1 Governance Committee Meeting – 27/04/2023**

#### **Recommendation**

That Council RECEIVES the Minutes of the 27 April 2023 Governance Committee Meeting.

### **16.2 Organisational Performance Committee Meeting – 27/04/2023**

#### **Recommendation**

That Council RECEIVES the Minutes of the 27 April 2023 Organisational Performance Committee Meeting.

## **17. Motions of Which Previous Notice Has Been Given**

Nil

## **18. Notices Of Motion Given At The Meeting For Consideration At Next Meeting**

## **19. New Business of an Urgent Nature Introduced by Members or Officers**

## **20. Matters to be Noted for Investigation, Without Debate**

Nil

## **21. Confidential Business**

### **Organisational Performance Committee Meeting – 27 April 2023**

#### **21.1 Policy Review - Executive and Senior Leadership Staff Remuneration and Performance**

This report and its attachments are **CONFIDENTIAL** in accordance with Section 5.23(2) (a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(a) *a matter affecting an employee or employees.*

## **22 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.

## **23. Closure of Meeting**