CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 14 NOVEMBER 2013 AT 7:03 PM

Page

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PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Mr K Allen	-	Councillor(arrived 7.06 pm)
Ms L Wetton	-	Councillor
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mr S Pratt	-	Councillor
Mr B Houwen	-	Councillor
Mr P Eva	-	Councillor

IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mrs L. Jakovich	-	PA to Directors – Planning and Development / Engineering and Works
Ms L. Boyanich	-	Media Liaison Officer

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.03 pm.

The Presiding Member welcomed the newly elected members, Clrs Lyndsey Wetton and Philip Eva JP to their first Ordinary Meeting of Council, and the re-elected members, Clrs Carol Reeve-Fowkes, Lee–Anne Smith OAM, Kevin Allen and Bart Houwen. The Presiding Member also congratulated Clr Reeve-Fowkes who has been elected as Deputy Mayor for the next two years.

Clr Kevin Allen entered the meeting, the time being 7.06 pm.

Get Connected Expo

This was held at the City of Cockburn on Tuesday night and was a resounding success and well attended by many businesses, members of the community, Councillors and staff. This was one of the more outstanding opportunities for all to get together. Congratulations to all concerned.

Local Government Reform

The Premier and Minister for Local Government made an announcement at the City of Cockburn on 30 July this year and in that announcement they foreshadowed that the City of Cockburn will merge with the City of Kwinana. However, they made a further release starting off with the City of Perth in early November showing how the City of Perth will be shaped from the government's perspective. Then this week they made a further announcement of the remaining map for the Perth metro area with some significant surprises particularly concerning the City of Cockburn because gone was the proposed merger recommended by the government between the City of Cockburn and Kwinana and in its place was effectively the carving up of the City of Cockburn giving large portions to the City of Melville, City of Fremantle and the remaining portion (approximately 60% of the population) being merged with the City of Kwinana.

Our Council is outraged with this proposal. There was no consultation with the City of Cockburn in the process from 30 July 2013 through to that announcement by the State Government and certainly no hint to us that this was going to occur. Fittingly, our community is also outraged. That resulted in a Cockburn Community Steering committee being formed last night at a meeting called of community leaders across Cockburn and they came from organisations, resident's groups, sporting clubs, arts and culture and right across the spectrum. It was good to see those people here last night prepared to move forward and put a submission to the Local Government Advisory Board and also to the state government stating a very clear case for the City of Cockburn in terms of its communities of interest and special things that make up living in the City of Cockburn.

Congratulations to all those people who attended last evening, but I also thank those who put their hand up to become part of a steering group and bring forward the perspective to the Local Government Advisory Board and also to the state government. We have all been pleased with the amazing response from our community not only last night, but when it was first leaked inadvertently by the state government when they were talking about the City of Perth. On their presentation, there was a map in the top right hand corner which we pulled out and we saw Cockburn and what was a clear picture of the government's direction. That particular map was dated 1 October 2013, which was before the submissions the government was seeking which were to be submitted before 4 October 2013. It was very clear of the government's

intention before they received any submissions from local governments that they had made their mind up about the future outline and direction of local governments in the Perth metropolitan area.

Our communities responded. There are petitions out there in our community, in shops everywhere and there are thousands of signatures already. You can go onto the City's website and download all the information and the petition. There is a minimum of 250 signatures required, but there won't be this amount, we will have tens of thousands of signatures. Thank you to our local members and committee members. A rally at Parliament House will be organised in due course.

I can see the impact this has had on our staff who are very professional and chose local government as a career. They have been working extremely hard in putting this information out there and doing whatever they can.

Everyone in the community is telling me to tell the government to keep their hands off Cockburn from business leaders, indigenous leaders, community people and people of all nationalities. The whole multicultural City of Cockburn is behind us and we are not going to give up any of the City of Cockburn to Kwinana, Fremantle or Melville. We will make sure this does not happen. Our slogan is "Hands off Cockburn".

2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil.

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)

Nil

5. APOLOGIES AND LEAVE OF ABSENCE

Nil

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 14/11/2013) - PUBLIC QUESTION TIME

Items Not on the Agenda

Ms Joanne Mazzuchelli, Munster

As Ms Mazzucchelli was not present, a response will be provided in writing.

Colin Crook, Spearwood

Q1. Could you please clarify the length and boundaries of Coogee Beach and if it is a NO DOG Beach.

A1. South of Port Coogee rock wall to the Coogee Beach Surf Lifesaving Club. This is a 'no dog allowed' area.

Q2. What length of Cockburn's foreshore is now 'dogs off the leash' classified. Are the lands adjacent to these beaches being policed for law breaking owners who do NOT understand the laws.

A2. The length of the 'no dogs on beach' extends from the boundary with City of Fremantle south to the power station and approximately 500 metres on the southern side of Woodman Point, west of the power boat club. Owners need to have control of their dogs. The City will make sure Rangers make people aware of their obligations on this matter.

Q3. Why hasn't there been a 'special electors' or 'Special Council Meeting' regarding Amalgamation. Who is this Council representing?

A3. There have been 2 Special Council Meetings on 24 October and 19 September 2013 to deal with this matter.

Q4. At this time, how much in 'surplus' funds' are invested in long-term (over 1 year) deposits. How can these deposits be reduced in term without penalty if Council so desire. What was the peak amount involved in long term investments prior to the crisis 2007. Was it $17,878,670.

A4. The City is restricted from investing any funds in any form of cash investment (including term deposits) beyond 1 year as a result of amendments to the Local Government Act. When the amendments were passed into law, the council had six investments maturing beyond one year but as the amendments to the Act contained a sunset clause not forcing the Council to prematurely dispose of these investments thus incurring a penalty. The Council exercised this option contained in the Act. Two of the six investments have since matured and have been redeemed for face value. The other four investments have been retained as they continue to earn the Council interest beyond the current benchmark interest rate of approximately 2.5% and the 4% earned on term deposits. As I was not here prior to 2007 I am not able to comment on the peak quantum of investments held for greater than twelve months.

Q5. When is Council going to erect a plaque at Coogee Beach commemorating the late Joseph Raffa, an icon of the Friends of Coogee Beach.

A5. We are working on this matter. A plaque has been designed and now a suitable place a Coogee Beach will be located for this plaque to rest. The family members of Mr Raffa will be contacted to go through the wording on the plaque and get their endorsement. The Presiding Member will personally notify Mr Crook once this has all been finalised.

Q6. Why is Council proposing a shark proof net at Coogee Jetty when the people have not been consulted. Some people have been consulted, but not the regular visitors to this area.

A6. The City has supported a trial of an Echo Shark barrier by a local entrepreneur and developed by a local manufacturing company The trial will be for this summer period and will be completed in April 2014. Installation was anticipated to be in November 2013, it has been delayed.

Q7. Can BBQ equipment be erected in the shade shelter in the northern car park at Coogee Beach.

A7. Council is currently development a landscape Master Plan for Coogee Beach and this request will be considered as part of that strategy.

All other questions will be referred to the administration for consideration.

Ray Woodcock, Spearwood

Q1. How long before Council will install a CCTV camera on a lighting pole situated at the eastern end of the jetty at Coogee Beach. One CCTV camera was installed at Coogee Beach Reserve, why wasn't one installed at the eastern end of the jetty at Coogee Beach in the first place.

A1. The location is not suitable. The area you refer to is not suitable for a CCTV camera because it would be ineffective after a few days of operation due to the high winds, sea spray, salt etc. To provide the cabling, a suitable pole and camera in that location would cost $20,000 and the cost for service would be $200 per service per fortnight. It is not cost effective nor is it a high priority CCTV location or one that would be suitably effective.

Q2. Will the elected Council representatives amend its standing orders or whatever it takes that will let ratepayers attend Council Briefing sessions.

A2. Talks will be held with the City's administration and Elected Members on this matter.

Ari Holt, South Lake

Q1. I have heard of a 'Future Fund' that exists within the City of Cockburn and I believe this is made up of surplus funds from previous years. Am I correct?

A1. No we don't have a 'Future Fund', we have surpluses and in accordance with Council Policy and Council Resolution any surplus gets invested into the community infrastructure reserve which goes to build community infrastructure assets for the community.

Q2 Why has there been a mention of 'a Future Fund".

A2. In the Local Government Act which governs the financial operations of a Council indicates that reserves are created for specific purposes such as community infrastructure, parks roads etc. We can't create a 'future fund' for a generic purpose.

Q2. With these surpluses, if Cockburn disappears, what will happen to these surpluses? The surplus should be given back to the residents of the City of Cockburn if this eventuates.

A2. Under the Local Government Act Schedule 2.1 Section 11, 'Disaggregation of Councils' which the Government is planning for the

City of Cockburn under its current proposal to the Local Government Advisory Board, all matters are up for negotiation between the competing councils and the funds including cash reserves, the assets of council, the liabilities of council will have to be negotiated to go to the various parties including Fremantle/ Melville, Kwinana / Cockburn or Cockburn. Therefore, it is a matter for negotiation. There is no specific rule which the Government has done because there was only one disaggregation of council, which was the City of Perth in 1994 and that was done by an Act of Parliament.

All those funds will go to the various parts of other Councils including cash reserves that represent them. If 26% of our ratepayers go to another Council, then 26% of those funds will go to the other Council.

Patrick McBride, Spearwood

Q1. There is a bell here. People are allowed 3 minutes, yet people have messed up here. People know well that their questions cannot be answered in the 3 minutes. Can I suggest Council write a letter letting people know that their questions cannot be answered in 3 minutes.

Michael Separovich, Munster

Q1. What the total cost of the Cockburn Coastal district structure plan was going to be. The full area between South Fremantle and Port Coogee, with Port Coogee being the second development; what will be the total cost to the Council?

A1. The area is not just part of the Coastal Structure Plan, it is a lot more. We cannot give a specific amount at this time.

Q2. If Fremantle take 26% of our land and ratepayers, are they in a position to develop that area of land.

A2. The City has a Town Planning Scheme and we have a special provision in the Town Planning Scheme Amendment No. 81 that deals with the development contribution frameworks. We have community infrastructure in that plan in those areas you mentioned. If we were not in the City of Cockburn we will not be able to collect any contributions if those boundaries change and those areas and residents are no longer within the City of Cockburn. The boundaries have moved elsewhere. These are some of the real complexities that the government has not looked at when they drew a line on the map.

8. CONFIRMATION OF MINUTES

8.1 (MINUTE NO 5195) (OCM 14/11/2013) - ORDINARY COUNCIL MEETING - 10 OCTOBER 2013

RECOMMENDATION
That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 10 October 2013, as a true and accurate record.

COUNCIL DECISION
MOVED Clr Y Mubarakai SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

8.2 (MINUTE NO 5196) (OCM 14/11/2013) - SPECIAL COUNCIL MEETING - 21 OCTOBER 2013

RECOMMENDATION
That Council adopt the Minutes of the Special Council Meeting held on Monday, 21 October 2013 as a true and accurate record.

COUNCIL DECISION
MOVED Clr Y Mubarakai SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

8.3 (MINUTE NO 5197) (OCM 14/11/2013) - SPECIAL COUNCIL MEETING - 24 OCTOBER 2013

RECOMMENDATION
That Council adopt the Minutes of the Special Council Meeting held on Thursday, 24 October 2013 as a true and accurate record.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

10 (OCM 14/11/2013) - DEPUTATIONS AND PETITIONS

Deputations

Mayor Howlett announced that there were three deputations in total. Two deputations in relation to Item 14.2 – Proposed Cockburn Central West Structure Plan – Location: Lots 1, 53 and 55 North Lake Road, Lots 804, 1001 and 9504 Beeliar Drive and Lot 544 Poletti Road Cockburn Central. There is also one deputation in relation to Item 13.1 – Minutes of the Grants and Donations Committee Meeting.

Dr Eddy Wajon, President of the Murdoch Branch Wildflower Society briefed Council in relation to Item 14.2, disappearing cockatoos and keeping some of our bushland.

Mayor Howlett thanked Dr Eddy Wajon for his deputation and advised them that a decision will be made as part of Council's deliberations tonight.

Mr Luke Willcock from Landcorp and Kelly Lavell from RPS Environmental also briefed Council in relation to the same item regarding what this development means to the City of Cockburn.

Mayor Howlett thanked Mr Willcock for his input and also advised him that this matter will be considered at tonight's meeting where a decision will be made.

Mr Daryll Smith, Cockburn Community Steering Committee briefed Council in relation to Item 13.1 on behalf of the Steering Committee about the amalgamation of the City of Cockburn and advising Council that Petitions are in place against the government proposal.

Mayor Howlett thanked Mr Smith for his deputation and also advised him that this matter will be considered at tonight's meeting where a decision will be made.

Petitions

Mayor Howlett advised the meeting that he had received a petition, namely:

Mr Ray Woodcock – Petition in relation to the closure of the Cockburn Police Station. The petition outlined reasons why the community was opposing the closure of the Police Station.

11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (If adjourned)

Nil

12 (OCM 14/11/2013) - DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER

Nil.

NOTE: AT THIS POINT IN THE MEETING, THE TIME BEING 8.04 PM THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COMMITTEE:

14.1	15.1	16.1	17.1	23.1
14.3	15.2	16.3	17.2	
14.4				
14.5				
14.6				
14.7				

AT THIS POINT, CLR L SMITH LEFT THE MEETING, THE TIME BEING 8.06 PM.

DECLARATION OF INTEREST – CLR L SMITH

The Presiding Member read a Conflict of Interest in Item 13.1 "Minutes of the Grants and Donations Committee" pursuant to Section 5.60B(1)(c) of the Local Government Act, 1995.

The nature of her interest is that she is employed by the Halo Leadership Development College and Halo has applied for a donation from the City of Cockburn.

13. COUNCIL MATTERS

13.1 (MINUTE NO 5198) (OCM 14/11/2013) - MINUTES OF THE GRANTS AND DONATIONS COMMITTEE MEETING 15 OCTOBER 2013 (162/003) (R AVARD) (ATTACH)

RECOMMENDATION
That Council receive the Minutes of the Grants and Donations Committee Meeting held on Tuesday, 15 October 2013 and adopt the recommendations contained therein.

COUNCIL DECISION
MOVED Clr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that Council:

(1) as recommended, and

(2) provide a donation of up to $50,000 to the Cockburn Community Steering Committee for the purpose of funding costs directly associated with its proposal to the Local Government Advisory Board; and

(3) change the percentage of participants which represent residents from the City of Cockburn in the Halo program from 50% to 20% which represents the dollar value of Councils total cost of the program.

CARRIED 9/0

Reason for Decision

At the community meeting held on 14 November 2013, a Steering Committee established to lodge a community proposal to the Local Government Advisory Board, pursuant to the provisions of the Local Government Act, in relation to changing the boundaries of the City of Cockburn, it was mentioned that the Group had sought funding through the Department of Local Government and Communities to assist in meeting costs associated with the preparation of its proposal. Such costs would relate mainly to advertising, printing and distribution of publicity material for the community campaign.

There has been no response to the request from the Department and

given the critical time frame associated with lodging a proposal with the Board by 30 November 2013, the Committee has requested Council funding to assist with its campaign, which is a vital element in enabling it to develop a worthwhile proposal.

Council's Grants and Donations Funding Program is considered an appropriate funding source for this exercise. It is intended that expenditure be paid through the City's accounting system, upon the production of valid and certified invoices, to ensure integrity of the acquittal of this Council's commitment.

In relation to the Halo donation, it is considered reasonable to reduce the participation ratio to 20% of Cockburn residents, given the broad reach of this program.

Background

The Council of the City of Cockburn established the Grants and Donations Committee to recommend on the level and the nature of grants, donations and sponsorship provided to external organisations and individuals. The Committee is also empowered to recommend to Council on donations and sponsorships to specific groups.

Submission

N/A

Report

Council approved a budget for grants and donations for 2013/14 of $1,013,164 to be distributed as grants, donations and sponsorship.

At its meeting of 16 July 2013 the Committee recommended a range of allocations of grants, donations and sponsorship which were duly adopted by Council on 8 August 2013.

The September 2013 round of grants, donations and sponsorship funding opportunities has now closed and the Committee at its meeting of 15 October 2013, considered revised allocations for the grants and donations budget, as well as the following applications for donations and sponsorship.

A summary of the donations for general operating expenses recommended to Council are as follows:

Pets of Older Persons	$600
St Vincent De Paul Yangebup Conference	$5,000
Returned Services League – City of Cockburn	$10,000

Cockburn Community and Cultural Centre	$9,000
Yangebup Family Centre	$9,500
Trainingship Cockburn Navy Cadets	$2,000
Cockburn Central YouthCARE Council	$9,000
Cockburn Toy Library	$4,000
Halo Leadership Development College Inc.	$8,000

A summary of the sponsorship recommended by the Committee is as follows:

Beeliar Primary School P&C	$500
Coogee Jetty to Jetty	$10,000
Southern Lions Rugby Union Football Club	$12,500
Keep Australia Beautiful National Association (KABNA)	$4,000

The KABNA Sustainable Cities 2013 Awards is scheduled for 18 November 2013, therefore KABNA required a decision on their application for sponsorship prior to the November Council Meeting. Due to the excellent opportunity to showcase the local area, the Manager Community Services sought the support of the Chair of the Grants and Donations Committee to approve this application prior to the Grants and Donation Committee meeting of 15 October 2013. The Chair of the Grants and Donations Committee provided support for this application to the value of $4,000. The KABNA sponsorship application was also supported by the Grants and Donation Committee at its meeting of 15 October 2013.

Strategic Plan/Policy Implications

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.

- Communities that take pride and aspire to a greater sense of community.

- Promotion of active and healthy communities.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

Council approved a budget for grants and donations for 2013/14 of $1,013,164 to be distributed as grants, donations and sponsorship.

Following is a summary of the grants, donations and sponsorship allocations proposed by the Committee.

Description	Allocated 2013/14	Proposed Allocations Nov 2013	Balance remaining for next round
Committed/Contractual Donation	$415,824	$370,957	$44,867
Specific Grant Programs*	$414,340	$414,340	N/A
Donations	$138,000	$ 54,100	$83,900
Sponsorship	$45,000	$ 23,250	$21,750
Total	**$1,013,164**	**$862,647**	**$150,517**
Balance 2013/14			**$150,517**

The next round of grants, donations and sponsorship funding will be advertised in February/March 2014.

** Specific Grant Programs include a range of funding programs with varying expenditure to date and committed future expenditure.*

Legal Implications

N/A

Community Consultation

In the lead up to the September 2013 round, grants, donations and sponsorship funding opportunities were promoted through the local media and Council networks. The promotional campaign has comprised of:

- Three advertisements running in the City of Cockburn Gazette's City update on 20/08/13, 03/09/13 and 17/09/13.
- Four advertisements running fortnightly in the City of Cockburn Email Newsletter.
- Half Page advertisement in the August 2013 Soundings.
- Promotion to community groups through the Community Development Service Unit email networks and contacts.
- All members of the Cockburn Community Development Group, Regional Parents Group and Regional Seniors Group have been encouraged to participate in the City's grants program.
- Additional Advertising through Community Development Promotional Channels:
  - Community Development Calender distributed to all NFP groups in Cockburn
  - Community Development ENews which goes out monthly

Attachment(s)

Minutes of the Grants and Donations Committee Meeting - 15 October 2013.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

AT THIS POINT, CLR L SMITH RETURNED TO THE MEETING, THE TIME BEING 8.12 PM.

THE PRESIDING MEMBER ADVISED CLR L SMITH OF THE DECISION OF COUNCIL THAT WAS MADE IN HER ABSENCE.

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (MINUTE NO 5199) (OCM 14/11/2013) - PROPOSED BARFIELD ROAD LOCAL STRUCTURE PLAN - LOCATION: LOTS 48, 49 & 50 FRANKLAND AVENUE, LOTS 14 & 18 BARFIELD ROAD AND LOTS 13 & 51 ROWLEY ROAD, HAMMOND PARK - OWNER: GOLD ESTATES HOLDINGS PTY LTD AND DEPARTMENT OF HOUSING - APPLICANT: ROBERTS DAY (110/074) (R COLALILLO) (ATTACH)

RECOMMENDATION
That Council:

(1) endorse the Schedule of Submissions prepared in respect of the Proposed Structure Plan;

(2) pursuant to Clause 6.2.9.1 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), adopt the Structure Plan for Lots 48, 49 & 50 Frankland Avenue, Lots 14 & 18 Barfield Road and Lots 13 & 51 Rowley Road, Hammond Park (as shown within Attachment 3) subject to the following modifications:

1. 'Figure 12: Movement Network Plan' being updated to include the Wattleup Road extension as a Neighbourhood Connector B.
2. 'Section 9.0: Detailed Area Plan requirements' of Part

One being updated to prescribe the requirement for a Detailed Area Plan for the Local Centre site.

3. 'Table 5: Public Open Space Calculations' being updated to include 1yr1h ARI events as 'restricted public open space' in lieu of 'dedicated drainage areas' in accordance with Element 4 of Liveable Neighbourhoods.
4. 'Section 8.0 General Subdivision and Development Requirements' of Part One being modified to require that the associated Noise Assessment report be updated/finalised at the subdivision stage (once final levels and road designs are known) and any mitigation measures implanted via appropriate subdivision conditions.
5. 'Section 3.4: Movement Networks' of Part Two being updated:
   (a) to clarify that road connections to Rowley Road are short-medium term only and subject to rationalisation when Rowley Road is upgraded to a strategic freight route;
   (b) to include provisions so that future landowners are aware that the above road connections are temporary. Implementation measures of which are to be determined at the subdivision stage and may include information packages during the sales process and notifications on title.
6. Appendix 4 – Transport Impact Assessment being updated:
   (a) to clarify that road connections to Rowley Road are short-medium term only and subject to rationalisation when Rowley Road is upgraded to a strategic freight route;
   (b) to include future vehicle counts on major roads to 2023 and 2031.
7. 'Plan 1: Barfield Road Local Structure Plan' being amended to include the Western Australian Planning Commission's ("WAPC") Planning Control Area 95 truncated area within the south west of the subject area.

(3) subject to compliance with (2) above, in pursuance of Clause 6.2.10.1 of the Scheme, the proposed Structure Plan be sent to the WAPC for endorsement;

(4) advise the proponent and those persons who made a submission of Council's decision;

(5) advise the proponent that the site is subject to Development Contribution Area No. 13; and

(6) advise the proponent that the WAPC is currently in the final processes of an amendment to the City's Scheme, which seeks to introduce new developer contribution arrangements for proposed Development Contribution Area 9 - Hammond Park. Landowners subdividing to create residential allotments will be required to make contributions in accordance with the new developer contribution arrangements once the Scheme Amendment becomes operational.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The subject land comprises seven lots with a total combined area of approximately 34 hectares. It is bound by undeveloped land parcels to the north, Barfield Road and Western Power easement to the east, Rowley Road to the south and Frankland Avenue to the west (as shown in Attachment 1).

The subject area is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development (DA9)' under the Scheme. Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme, a Structure Plan is required to be prepared and adopted prior to any subdivision and development of land within a Development Area.

In accordance with the above, a Proposed Structure Plan has been submitted to the City by Roberts Day on behalf of the landowners (Gold Estates Pty Ltd and Department of Housing), to guide future residential subdivision for the subject land.

The purpose of this report is to consider the Proposed Structure Plan for adoption in light of the advertising process which has taken place.

Submission

N/A

Report

Southern Suburbs District Structure Plan - Stage 3

The subject land is located within the Southern Suburbs District Structure Plan - Stage 3 ("SSDSP3") as shown in Attachment 2. The SSDSP3 identifies that the subject area generally will be required to demonstrate the achievement of a minimum 15 dwellings per gross urban zoned hectare of land. This is in accordance with the WAPC's 'Directions 2031 and Beyond' Strategic Plan ("Directions 2031"). In addition, the SSDSP3 outlines the requirement for a 'Local Centre' (Neighbourhood Node) to be provided and the area adjacent to the centre generally being developed at a higher density of 25 dwellings per gross urban zoned hectare of land.

The Proposed Structure Plan has a density of approximately 13.2 dwellings per gross hectare which does not achieve the targets set by the SSDSP3 and Directions 2031. The reduced yield is attributed to the combination of the provision of Public Open Space ("POS") in excess of the standard requirement (based on functional and ecological reasons) and the accommodation of part of the future High School site. Despite this, the Proposed Structure Plan provides for 22.86 dwellings per site hectare of residential land which meets the 22 dwellings per site hectare target set by Liveable Neighbourhoods. In accordance with the SSDSP3, higher densities are provided adjacent to the Local Centre site.

In terms of traffic movement and road network, the SSDSP3 prescribes the following for the subject area:

"1. Future residential development shall not directly abut Rowley road. Future local structure planning is to demonstrate a suitable interface treatment (e.g. enlarged service road design with fronting residential development as a minimum) being provided to the future Rowley road freight access route.

2. Future access road to be provided as a full intersection until Rowley road is upgraded and constructed to a regional road at which time the intersection will be converted and maintained as left in/left out access only. (subject to Main Roads WA approval).

3. As part of the upgrading of Rowley road, grade separated pedestrian and vehicular access is to be provided as a continuation of Barfield road, in order to maintain connectivity between future developments to the south of Rowley road this may be further rationalised through subsequent local structure planning to determine how this specific access is created".

In accordance with the above, the Proposed Structure Plan includes an internal road adjacent to Rowley Road so that residential lots do not directly abut Rowley Road. The Proposed Structure Plan ensures that lots front the internal road which has a nine metre landscape verge adjacent to Rowley Road which will effectively screen the future upgraded carriageway and associated noise wall whilst retaining existing vegetation.

In the short to medium term access from the south is proposed to be accommodated via three connections to Rowley Road. These connections will need to be reviewed and rationalised when Rowley Road is upgraded and constructed to a regional road. It is recommended that the structure plan text be updated to include provisions to enable future landowners to be aware that the connections are not expected to be maintained in perpetuity.

Future connection to development south of Rowley Road within the City of Kwinana is proposed to be facilitated through a future grade separated crossing along Barfield Road. This requirement is notated on the Proposed Structure Plan and is consistent with the views of Main Roads WA and the SSDSP3.

The SSDSP3 requires the extension of Wattleup Road through the subject area to Barfield Road. This has been facilitated by the Proposed Structure Plan. However it is recommended that the extended Wattleup Road be designated as a Neighbourhood Connector B with an approximate road reserve width of 20 metres as opposed to an Access Street C (16 metres wide). This will ensure consistency with development to the west of the subject area which includes the future Neighbourhood Centre site and provides for the Wattleup Road extension as a Neighbourhood Connector A with a 24.4 metre width.

Proposed Structure Plan

The Proposed Structure Plan design provides for a diversity of lot sizes and housing types, with a potential total of 364 residential lots being proposed. The Proposed Structure Plan comprises a mix of ‘R25’, ‘R30’ and ‘R40’ coded lots, a ‘Local Centre’ site, portion of High School reservation, local roads and seven areas of POS (including drainage). A copy of the Proposed Structure Plan is shown in Attachment 3.

The Proposed Structure Plan is considered to respond well to requirements of the SSDSP3 and provides for suitable future integration with surrounding undeveloped land. In accordance with the locational criteria specified by the SSDSP3, higher densities have been located adjacent to areas of higher amenity including adjacent to POS and surrounding the Local Centre.

The Local Centre site is highlighted as having the potential to accommodate a child care centre. This proposed land use if generally supported noting the adjacent future high school site and lack of similar facilities within the locality. However, in order to provide greater flexibility and for the site to function as a true neighbourhood node, it is recommended that a Detailed Area Plan be required at the subdivision stage. This will allow for alternative forms of commercial development to be considered and encouraged on the site

Public Open Space

The SSDSP3 requires all landowners to provide their 10 per cent POS requirement within their own landholding. Reflective of this requirement, approximately 4 hectares of POS is provided as part of the Proposed Structure Plan. The location and configuration of POS is largely consistent with the SSDSP3 and Liveable Neighbourhoods in that a variety of functions including passive and active recreation, drainage and tree retention is proposed. Approximately 11% of POS is provided which represents a notional 'oversupply' of POS in the context of Liveable Neighbourhoods. The increased area of POS is attributed to the City's desire of an east – west linkage to Frankland Reserve and retention of high quality remnant vegetation.

An anomaly exists within the submitted POS schedule whereby minor rain events (1 year 1 hour) are included as 'dedicated drainage areas'. This practice has been accepted in the past however recent advice from officers at the Department of Planning ("DoP") has confirmed that this is technically not in accordance with the requirements of Liveable Neighbourhoods. It is therefore recommended that the POS schedule be updated to include these events as 'restricted public open space'. The modification only results in a minor change to POS provision, with an overall 'surplus' still being provided.

Local Water Management Strategy

In accordance with the requirements of the Department of Water ("DoW") and WAPC, a Local Water Management Strategy ("LWMS") has been prepared by Emerge associates, on behalf of the landowner. The LWMS has been assessed and approved by both the DoW and City.

Consultation

The Proposed Structure Plan was referred to the WAPC for comment in accordance with Clause 6.2.7.2 of the Scheme as it proposes the subdivision of land. A number of technical comments and requests for modification were received. These were undertaken by the applicant to

the City's satisfaction and the proposal subsequently proceeded to formal advertising.

The Proposed Structure Plan was advertised for public comment for 21 days in accordance with the Scheme requirements. A total of 15 submissions were received, with 1 submission of support, 13 submissions of no objection subject to conditions or modifications and 1 submission objecting. The submissions that were received are set out and addressed in detail within the Schedule of Submissions (Attachment 4).

A number of modifications to the Proposed Structure Plan are recommended as a result of the formal advertising process as detailed below:

- *The Proposed Structure Plan map being amended to include the Planning Control Area 95 truncated area within the south west of the subject area.*

The WAPC's Planning Control Area 95 includes a small portion of land adjacent to the southern end of Frankland Avenue. Although largely inconsequential, this has not been reflected in the structure plan map. It is therefore recommend that the plan be updated to accord with the control area boundary.

- *The Proposed Structure Plan text being modified to require that the associated Noise Assessment report be updated/finalised at the subdivision stage (once final levels and road designs are known) and any mitigation measures implanted via appropriate subdivision conditions.*

The submitted noise assessment is considered a working draft given final lot levels and particulars relating to the design of the future Rowley Road are not yet available. It is recommended Part One of the structure plan document be updated to require that the Noise Assessment be updated and finalised at the subdivision stage where greater accuracy relating to design and mitigation measures will be available.

- *The Proposed Structure Plan text being updated to clarify that road connections to Rowley Road are short-medium term only and subject to rationalisation when Rowley Road is upgraded to a strategic freight route.*

Whilst the current document notes the short to medium term nature of these connections, additional clarification is required. This will ensure that there is no confusion associated with these connections and their role as short to medium term options are clear to all stakeholders.

- *The associated Transport Impact Assessment (Appendix 4 of Proposed Structure Plan) being updated:*
  - *to clarify that road connections to Rowley Road are short-medium term only and subject to rationalisation when Rowley Road is upgraded to a strategic freight route*
  - *to include future vehicle counts on major roads to 2023 and 2031.*

As per the previous modification above, the document needs to include additional wording to clearly stipulate that the connections to Rowley Road are not to be retained long term. The future vehicle counts update is consistent with the advice received from Main Roads WA and will ensure the Transport Impact Statement is consistent with state government requirements.

Conclusion

The Proposed Structure Plan is consistent with the City's SSDSP3 and surrounding residential development. The design of the Proposed Structure Plan conforms to Liveable Neighbourhoods principles and integrates with the adjacent road network with street blocks and POS areas provided in a logical manner. Some modifications are required to ensure the proposal responds to future noise mitigation and transport requirements. It is therefore recommended that Council adopt the Proposed Structure Plan subject to the proposed modifications as outlined in this report.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

- Development that is soundly balanced between new and existing areas.

- Diversity of housing to respond to changing needs and expectations.

Budget/Financial Implications

The Structure Plan fees for this proposal have been calculated in accordance with the *Planning and Development Regulations 2009*, including the cost of advertising and this has been paid by the applicant.

The Structure Plan falls within Draft Development Contribution Area 9 – Hammond Park which is the subject of Amendment No. 28 to the

Scheme which is yet to be formally approved by the WAPC. Although still technically draft at this stage, Amendment No. 28 is a seriously entertained proposal and as such its requirements have been implemented through the use of legal agreements with subdividers. Once adopted, all the subject landowners will be required to make a proportional contribution to land, infrastructure, works and all associated costs required as part of the development and subdivision of the Southern Suburbs Stage 3 Development Contribution Areas.

Subdivision and development of the subject land is also subject to the requirements of the City's Development Contribution Plan 13 – Community Infrastructure.

Legal Implications

Planning and Development Act 2005
City of Cockburn Town Planning Scheme No. 3
Town Planning Regulations 1967

Community Consultation

Community consultation was carried out for a period of 21 days. The proposal was advertised in the newspaper, on the City's website and letters were sent to affected landowners and government/servicing authorities in accordance with the Scheme requirements.

A total of 15 submissions were received. Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions.

Attachment(s)

1. Location Plan
2. Southern Suburbs District Structure Plan – Stage 3
3. Proposed Barfield Road Local Structure Plan
4. Schedule of Submissions

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil.

14.2 (MINUTE NO 5200) (OCM 14/11/2013) - PROPOSED COCKBURN CENTRAL WEST STRUCTURE PLAN - LOCATION: LOTS 1, 53 & 55 NORTH LAKE ROAD, LOTS 804, 1001 & 9504 BEELIAR DRIVE AND LOT 54 POLETTI ROAD, COCKBURN CENTRAL - OWNER: WESTERN AUSTRALIAN PLANNING COMMISSION & CITY OF COCKBURN - APPLICANT: CARDNO WA PTY LTD (110/070) (R COLALILLO) (ATTACH)

RECOMMENDATION
That Council

(1) pursuant to Clause 6.2.9.1 of the City of Cockburn Town Planning Scheme No. 3 ("Scheme"), adopt the Cockburn Central West Structure Plan ("Proposed Structure Plan"), as shown in Attachment 4 subject to the following modification conditions:

1. The Proposed Structure Plan document and all associated technical appendices being updated to reflect the new Structure Plan to the satisfaction of the City of Cockburn ("City").

2. The design and function of the retained wetland being to the satisfaction of Department of Parks and Wildlife and the City.

3. The Cockburn Central West Local Water Management Strategy being approved by the Department of Water ("DoW") and the City of Cockburn ("CoC").

4. Appendix E – Transport Assessment and Section 3.6 – Movement Network being revised to the satisfaction of the Department of Transport ("DoT"), Main Roads Western Australia ("MRWA") and the City in order to portray how traffic generated from the Structure Plan will be managed including upgrades required to the prevailing traffic network surrounding the Structure Plan area.

5. Part 1 of the Structure Plan text being modified to the satisfaction of the City to specify (in accordance with Clause 6.2.6.1(f)(x) of the Scheme) the required developer contribution arrangements towards the upgrade of the following infrastructure items:
   - Poletti Road (including intersections with North Lake Road and Beeliar Drive); and
   - Signal Terrace intersection.

6. The preparation of a standalone Pedestrian Movement Plan including the analysis and investigation of a possible grade separated pedestrian connection to the Cockburn Central Town Centre, to the satisfaction of the City.

7. Western Power providing its endorsement in relation to the use of the powerline easement for car parking purposes.

8. Rewording Note 1 of Clause 5.2 and Clause 5.3.d of Part One to ensure that grouped dwellings are confined to specific areas within the Structure Plan.

9. Modifying the Land Use Table within Clause 5.2 to include 'Veterinary Consulting Rooms' as an 'A' use, 'Market' as a 'D' use and 'Restricted Use' as an 'X' use.

10. A notation being placed on the Structure Plan map relating to the requirement to upgrade Poletti Road and associated intersections, in accordance with the infrastructure contribution arrangements specific in Part 1 of the Structure Plan text.

11. Modifying Clause 3.14 of Part Two by:
    (a) deleting reference to the to the requirement for a future Scheme Amendment to modify Development Contribution Plan 13 ("DCP13"); and
    (b) clarifying that approval of the Structure Plan would change the scope of the previously planned 'Cockburn Central Heritage Park' within DCP 13 to a memorial walk trail which maintains the general intent of the original proposal and provides for additional opportunities to recognise Australia's participation in various theatres of war.

(2) subject to compliance with (1) above, in pursuance of Clause 6.2.10.1 of the Scheme, the Structure Plan be sent to the WAPC for endorsement;

(3) advise the proponent that the site is subject to Development Contribution Area No. 13; and

(4) advise the proponent and those parties that made a submission of Council's decision accordingly.

COUNCIL DECISION
MOVED Clr S Portelli SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

Cockburn Central West ("CCW") represents 32.5ha of land located within the heart of the southwest urban corridor. The strategic potential of this land is reflective of the foresight which was taken in reserving the broad land precinct by the State Government, in order to meet the future recreation needs of the region. Proposed to be located within the heart of the Cockburn Regional Centre, the precinct will comprise as its major component the City's new recreation facility and playing fields, providing for the community's regional sporting needs into the future.

In light of the above, a Proposed Structure Plan (as shown in Attachment 2) was lodged in June 2013 and subsequently advertised for public comment until early July 2013. Council at its Ordinary Meeting held 12 September 2013 considered the Proposed Structure Plan and resolved to:

"(1) defer consideration of this item, and advise the applicant that Council will not be in a position to support the Proposed Structure Plan until it has been modified to demonstrate the suitable retention of the existing resource enhancement wetland located within the eastern portion of the subject land;

(2) advise the applicant that Council will be prepared to consider increased residential densities across the project to offset the impact of retaining the resource enhancement wetland;

(3) advise the applicant that retention of the resource enhancement wetland will require redesign of the movement system within the project area, particularly the location of connections to Cockburn Town Centre; and

(4) notify the proponent and those who made a submission on the proposal of Council's decision."

Council's reason for the above resolution is as follows:

"The resource enhancement wetland has and continues to be an essential aspect of this locality and in earlier considerations the wetland was to be retained and enhanced. The proposal to remove the wetland is unacceptable on environmental grounds, and the proponent should revert to the existing scenario where it was to retain the wetland as an important part of the overall development. The densities of the mixed use component can be increased to offset the impact on dwelling yield that will result from retaining the wetland."

In view of the above resolution of Council, the proponent has now submitted a revised Proposed Structure Plan which aims to satisfy and address Council's requirements.

The purpose of this report is to consider for adoption the revised Proposed Structure Plan noting the updates and modifications undertaken in response to Council's previous resolution.

Submission

The revised Proposed Structure Plan (as shown in Attachment 4) has been re-lodged by Cardno on behalf of LandCorp, who are managing the strategic planning for Cockburn Central West on behalf of the WAPC, who own the majority of the subject site.

Report

Revised Cockburn Central West Structure Plan

In the time that has elapsed since Council's decision to defer the Proposed Structure Plan, the proponent/s has been actively working towards addressing Council's requirements. This work has progressed to a point whereby a revised Proposed Structure Plan has been developed. The revised plan seeks to retain the majority (approximately 81% - including 100% of 'wet' area) of the Resource Enhancement Wetland ("REW"), whilst maintaining the functional elements of the proposal including suitable development parcels and road linkages.

It is noted that the boundary of the REW is not fully contained within the subject site and technically extends into the existing Cockburn Town Centre Site (CCTC) and Midgegooroo Avenue road reserve. As such the current REW being considered for retention represents approximately half of the original mapped area given that the CCTC is already developed.

It should be noted that the proposed retention of the REW has been achieved noting the backdrop of considerable fixed constraints affecting the proposal. The fixed constraints include the location of the wetland itself, location/scale of the City's Integrated Recreation and Community Facility ("IRCF") and playing fields and the surrounding regional road network. The above constraints also have to be balanced with the reality that appropriate net developable land needs to be provided in order for the site to function as a true 'Activity Centre'.

The major differences with the revised Proposed Structure Plan as opposed to the original proposal are outlined as follows.

Design

As noted above, the revised Proposed Structure Plan includes the retention of the majority of the REW within the western portion of the subject site. The retention has led to the overall design being modified with the playing fields now located to the north of the City's IRCF site and road access from the existing town centre being reduced to two roads in lieu of the previous three. The location of the IRCF and associated AFL oval have not been altered however a greater development parcel is now located to the south west of the site. The overall intensity and type of development remains consistent.

A breakdown of land uses proposed by the revised Proposed Structure Plan is as follows:

Item	Responsible	Area	Proportion
Gross site area		32.5 ha	100%
Mixed Use development sites	WAPC/ LandCorp	10.4 ha	32%
Integrated Recreation and Community Facility and Primary AFL Oval (City)	City	5.6 ha	17%
Western Power easement (inc car parking)	WAPC/City	6.5 ha	20%
Public Open Space and Drainage (community playing fields and REW)	City	5.1 ha	16%
Road Reserves	City	4.9 ha	15%

As noted above, the revised design includes the retention of the majority of the REW. Although retention of such wetlands within an urban context is rare, there are examples within the Perth metropolitan area where such development has occurred. These include Claisebrook Lake in East Perth which is bordered by high density mixed use development and the recent Perry Lakes development undertaken by LandCorp. The Perry Lakes example is considered to closely represent the current proposal whereby stormwater is captured

from the urban area, treated in a swale system, overflow is controlled at particular points and then flows into an adjacent wetland.

Public Open Space

The revised Proposed Structure Plan maintains a strong public open space (POS) focus within the central and northern portions of the site which is in keeping with previous planning for the site. The high level of POS proposed is also aimed at addressing the current POS shortfall within the Cockburn Central Town Centre (notionally 0.98 hectares). From a wider perspective the proposed POS importantly provides for the wider regional open space and recreational functions, which reflects the most senior of objectives that this land development must fulfil.

A total of 3.4 hectares of creditable POS is proposed for the subject area which is 1.67 hectares above the minimum requirement of 10% POS. When considered as a mutual development, there is an overall 'surplus' of POS of approximately 0.69 hectares across the Cockburn Central Town Centre and Cockburn Central West sites. The design and function of these open space areas are important given the urban context in which they are being developed. Therefore it is expected that the City will be actively involved at the detailed design stage to ensure objectives set out in the revised Proposed Structure Plan are delivered.

Noting approximately 80% of the REW is to be retained through the current proposal; theoretically potential exists for the development parcels to the north of the REW (parcels 14 & 15) to be retained as POS to enable 100% of the REW to be retained. In simple terms this could be achieved, however it needs to be recognised that further reducing the developable land parcels will compromise the overall viability of the project. Further erosion of net developable land will also mean that the proposal would not meet its stated 'Activity Centre' objectives.

Should retention of the parcels for POS purposes be pursued despite obvious reservations from the landowner/proponent, based on current market rates, retention would cost in the order of approximately $10m. The potential benefits gained from this arrangement are considered to be disproportionate to the associated costs. In addition there would be an indicative loss of 256 dwellings or approximately 512 residents.

Access

Access to the subject area from the north, west and south remains consistent with the original Proposed Structure Plan. The major revision relates to the former 'wishbone' design of the central road culminating at the intersection of Midgegooroo Avenue and Signal

Terrace being removed. This has been proposed to be replaced with a horizontal 'H' design with Junction Boulevard and Stockton Bend notionally extending into the subject area.

The redesign is premised on the retention of the REW and has meant that the practicality of a four-way signalised intersection at Midgegooroo Avenue and Signal Terrace cannot be provided for vehicle and pedestrian movements. This places an even greater emphasis at the detailed design of intersection treatments to ensure a seamless transition between the existing Cockburn Central Town Centre and future Cockburn Central West development.

In noting this, there is also the issue of infrastructure upgrade responsibilities associated with the Structure Plan. The Scheme makes it clear that a Structure Plan must, in accordance with Clause 6.2.6.1(f)(x) that a Structure Plan must include details of the proposed method of implementation including any cost sharing arrangements. The City has previously identified cost sharing arrangements being required for Poletti Road upgrade, which as of yet haven't been reconciled by the Structure Plan. To deal with this it is recommended that Part 1 of the Structure Plan text be modified to the satisfaction of the City to specify (in accordance with Clause 6.2.6.1(f)(x) of the Scheme) the required developer contribution arrangements towards the upgrade of the following infrastructure items:

- Poletti Road (including intersections with North Lake Road and Beeliar Drive);
- Signal Terrace intersection.

While this doesn't yet specify the quantum or sharing of contributions, it does make the applicant clear that this issue must be finalised before referral of the Structure Plan to the WAPC for final approval.

Local Water Management Strategy

In accordance with the requirements of the DoW and WAPC, a draft Local Water Management Strategy ("LWMS") was been prepared by RPS Group. The LWMS had undergone a preliminary assessment by the DoW and the City. A number of issues were identified by DoW and the City in relation to the proposed LWMS including:

- proposed discharge of 100 year ARI event to Lake Yangebup via North Lake Road swale system;
- use of 'artificial' lined lakes; and
- public open space irrigation capacity.

Most of the above issues were addressed by the applicant and any outstanding matters relating to water management were to be addressed prior to approval of the Proposed Structure Plan. As the design of the structure plan has now changed, a revised LWMS is

required. Preliminary modelling and designs undertaken by the applicant have notionally indicated that many of the previously identified issues would now be obsolete or able to be suitably addressed.

As further work is required in this regard, it is recommended that approval of the Proposed Structure Plan proceed subject to a condition requiring the final endorsement of the LWMS by DoW and the City. As part of this, a further modification is also required to ensure the design and functionality of the wetland is to the satisfaction of the City, DoW and DPaW.

Previous Modification Foreshadowed

In the Council report of September 2013, a number of modifications were foreshadowed. As the Structure Plan has changed, there hasn't been sufficient time to integrate these modifications as previously foreshadowed. Accordingly the requirement to undertake these modifications remains. These include:

- The Proposed Structure Plan document and all associated technical appendices being updated to reflect the new Structure Plan to the satisfaction of the City.
- The design and function of the retained wetland being to the satisfaction of Department of Parks and Wildlife and the City.
- Appendix E – Transport Assessment and Section 3.6 – Movement Network being revised to the satisfaction of the Department of Transport ("DoT"), Main Roads Western Australia ("MRWA") and the City in order to portray how traffic generated from the Structure Plan will be managed including upgrades required to the prevailing traffic network surrounding the Structure Plan area.

- Part 1 of the Structure Plan text being modified to the satisfaction of the City to specify (in accordance with Clause 6.2.6.1(f)(x) of the Scheme) the required developer contribution arrangements towards the upgrade of the following infrastructure items:

    1. The preparation of a standalone Pedestrian Movement Plan including the analysis and investigation of a possible grade separated pedestrian connection to the Cockburn Central Town Centre, to the satisfaction of the City.
    2. Western Power providing its endorsement in relation to the use of the power line easement for car parking purposes.
    3. Rewording Note 1 of Clause 5.2 and Clause 5.3.d of Part One to ensure that grouped dwellings are confined to specific areas within the Structure Plan.
    4. Modifying the Land Use Table within Clause 5.2 to include 'Veterinary Consulting Rooms' as an 'A' use, 'Market' as a 'D' use and 'Restricted Use' as an 'X' use.

5. A notation being placed on the Structure Plan map relating to the requirement to upgrade Poletti Road and associated intersections, in accordance with the infrastructure contribution arrangements specific in Part 1 of the Structure Plan text.
6. Modifying Clause 3.14 of Part Two by:

   (a) deleting reference to the to the requirement for a future Scheme Amendment to modify Development Contribution Plan 13 ("DCP13"); and
   (b) clarifying that approval of the Structure Plan would change the scope of the previously planned 'Cockburn Central Heritage Park' within DCP 13 to a memorial walk trail which maintains the general intent of the original proposal and provides for additional opportunities to recognise Australia's participation in various theatres of war.

Conclusion

The revised Proposed Structure Plan is generally consistent with the requirements of the City and WAPC however relevant modifications and conditions are required prior to approval as outlined in this report. It is recommended that it be adopted on this basis.

Strategic Plan/Policy Implications

Growing City
- Diversity of housing to respond to changing needs and expectations.

Infrastructure
- Community facilities that meet the diverse needs of the community now and into the future.

Budget/Financial Implications

The Structure Plan fees for this proposal have been calculated in accordance with the *Planning and Development Regulations 2009*, including the cost of advertising and this has been paid by the applicant.

Subdivision and development of the subject land is also subject to the requirements of the City's Development Contribution Plan 13 – Community Infrastructure, together with the requirements identified as part of the Local Structure Plan.

Legal Implications

Planning and Development Act 2005
City of Cockburn Town Planning Scheme No. 3
Town Planning Regulations 1967

Community Consultation

Community consultation was undertaken in relation to the previous iteration of the Proposed Structure Plan. A total of 21 submissions were received and detailed analysis of the submissions was undertaken as per the attached Schedule of Submissions. The issues and concerns raised within the submissions are the key factors in Council's decision to defer consideration of the item. Updates in relation to how the revised Proposed Structure Plan addresses the bulk of the matters raised during the advertising process are outlined with the 'Report' section above.

Attachment(s)

1. Location Plan
2. Previous Cockburn Central West Structure Plan
3. Copy of 12 September 2013 Ordinary Council Meeting Minutes
4. Proposed Revised Cockburn Central West Structure Plan
5. Schedule of Submissions related to Previous CCWSP

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who have lodged a submission have been advised that this matter is to be considered at the 14 November 2013 Ordinary Council Meeting.

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

Nil.

14.3 (MINUTE NO 5201) (OCM 14/11/2013) - SIX (6) MULTIPLE DWELLINGS - LOCATION: 11 (LOT 5) BILOXI LOOP, SUCCESS - OWNER: GOLD ESTATES OF AUSTRALIA (1903) LTD - APPLICANT: BUILDING DEVELOPMENT GROUP PTY LTD (6015696) (C COGHLAN) (ATTACH)

RECOMMENDATION
That Council

(1) grant Planning Approval for six (6) multiple dwellings at No. 11 (Lot 5) Biloxi Loop Success, in accordance with the attached plans and subject to the following conditions and advice notes:

Conditions

1. All stormwater being contained and disposed of on-site to the satisfaction of the City.

2. No construction or related activities causing noise and/or inconvenience to neighbours after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.

3. The landscaping installed in accordance with the approved detailed landscape plan, must be reticulated or irrigated and maintained to the satisfaction of the City.

4. All service related hardware (air conditioning condenser units, solar hot water units etc.) are to be positioned in locations where they are not visible from adjoining properties and the public realm, or effectively screened.

5. A detailed Waste Management Plan for the development must be submitted to and approved in writing by the City of Cockburn prior to lodging a Building Permit application. The plan must be in accordance with the City's Waste Management Policy and should be prepared in consultation with the City of Cockburn Manager Waste Services. The development must operate in accordance with the requirements of the approved Waste Management Plan, to the ongoing satisfaction of the City of Cockburn.

6. Prior to the lodgment of a Building Permit Application, a colour and materials schedule shall be submitted to and approved by the City. The schedule should include reference to the materials proposed and include their finish and colour. The development shall be constructed in accordance with the approved materials schedule.

7. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.

8. Prior to occupation of the building hereby approved, the parking bays, driveways and points of ingress and egress shall be sealed, kerbed, drained, line marked and made available for use in accordance with the approved plans.

9. All visitor bays are to be clearly marked and made available

for use by visitors to the site at all times.

10. Prior to the occupation of the development hereby approved, 2 covered bicycle stands are to be provided in close proximity to the entrance of the building and thereafter maintained to the satisfaction of the City.

11. The proposed crossover must be located and constructed in accordance with the City's requirements.

12. The development site must be connected to the reticulated sewerage system of the Water Corporation prior to occupation.

13. Arrangements being made to the satisfaction of the Western Australian Planning Commission for the pro-rata subdivider contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 – Community Infrastructure.

14. Prior to the lodgement of a building permit application, the applicant is to provide to the City's Manager, Environmental Health a written confirmation from a recognised acoustic consultant confirming that all recommendations made in the Noise Report prepared by Lloyd George Acoustics (Reference: 13082479-01) dated 30 August 2013 have been incorporated into the proposed development.

    A final assessment of the completed development must be conducted by the acoustic consultant to certify that recommendations made in the Noise Report prepared by Lloyd George Acoustics (Reference: 13082479-01) and dated 30 August 2013 have been incorporated into the proposed development. A report confirming compliance with the requirements to the satisfaction of the Manager, Environmental Health must be provided prior to occupation of the development.

Advice Notes

1. This is a planning approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.

2. With regards to Condition No. 1, the on-site storage

capacity shall be designed to contain a 1 in 20 year storm of a 5 minute duration. This is based on the requirements to contain surface water by Building Codes of Australia.

3. With regards to Condition No. 11, you are advised to contact the City's Engineering Services on 9411 3554 for a copy of the City's crossover requirements.

(2) notify the applicant and those who made a submission of Council's decision.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The subject land is located at No. 11 (Lot 5) Biloxi Loop on the southern edge of the Magnolia gardens estate in Success. The site abuts a power line corridor to the west with the land to the south zoned 'railways' under the MRS and Scheme for future development as a train station. The proposal is for six multiple dwellings in a two storey building served by a central driveway. Each dwelling has two bedrooms and one bathroom.

The application is being referred to the Council for determination as it does not accord with the Detailed Area Plan which identifies the site as a 'triplex' development. This could be inferred that the site may be developed with up to three dwellings.

Submission

The applicant seeks approval to construct six (6) multiple dwellings. The development comprises of one (1) building consisting of ground floor car parking for the residential units, three (3) ground floor units, three (3) first floor units with balconies, store rooms, bin storage and visitor parking.

The proposal is generally compliant with requirements of the *Residential Design Codes 2013*. However, due to the 'triplex' notation contained on the DAP, the proposal was advertised to nearby

landowners. During advertising an objection was received meaning staff no longer has delegation to approve the application. The application is therefore being referred to Council for determination.

Report

Statutory Framework

Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban' under the MRS and the proposal is consistent with this.

Town Planning Scheme No.3 (TPS 3)

The subject site is zoned 'Development' under the City's Town Planning Scheme No. 3 (TPS No.3). As per the Magnolia Gardens Phase 2 & 3 structure plan, the designated zoning is Residential 'R40'. As per the requirements of TPS No. 3 Multiple Dwellings are a 'D' use which means that *"the use is not permitted unless the local government has exercised its discretion and has granted planning approval."* Council therefore has the discretion to issue planning approval for the proposed development.

Detailed Area Plan

The Detailed Are Plan (DAP) which was approved in June 2013 identifies the subject site as a 'triplex'. There are no specific design requirements specified in the DAP for the triplex site, nor are there any restrictions on how it may be developed. The DAP does not prevent the consideration of multiple dwellings as a land use on the site, rather is silent on the matter

State Planning Policy 3.1 (Residential Design Codes 2013)

The proposal has been assessed under Part 6 of the *Residential Design Codes of Western Australia 2013* (R-Codes) which were modified in November 2010 to incorporate provisions for multiple dwellings in areas with a coding of R30 or greater. This part of the R-Codes provides development assessment criteria for multiple dwellings.

The proposal generally complies with the deemed-to-comply requirements. Two minor setback variations on the western side on the ground and first level of 1m in lieu of 1.5m and 1.2m in lieu of 1.182m respectively are proposed which comply with the design principles of the R-Codes.

The other variations are an excess of hard surface in the street setback area and the unconcealed visitor bays. These variations are also considered minor and are unavoidable due to the shape of the lot and small street frontage. Both of these minor variations are also considered to meet the design principles and therefore meet the requirements of the R-Codes.

Neighbour Consultation

Advertising was carried out to three adjoining landowners to advise that a development application had been lodged that proposed multiple dwellings as an alternative to a triplex development which was shown on the DAP. One response was received and the following planning issues were raised in the objection:

1. Land was purchased on the proviso that the DAP showed the subject land as a triplex block.
2. Inappropriate land use considering the nature of the development which is not in harmony with the neighbourhood.
3. Safety issues associated with a large number of vehicles accessing the development.
4. An increased risk of cars parking of verges.
5. Increase in the number of bins on the road for waste collection and the risk of bins being placed on the adjoining property's verge.
6. Concerns regarding overshadowing.

Whilst the DAP identifies the site as 'triplex', the R40 coding enables multiple dwellings to be considered. The issues relating to vehicle access, car parking, shadowing are fully compliant with the requirements of the R-Codes and Council Policy.

Traffic generated by the development is not considered excessive and will be adequately accommodated within the site. The bulk and scale of the building is appropriate and is a similar built form outcome to what could be proposed for three, two storey grouped dwellings in a terraced form. The building is two storeys which is as of right in residential areas is not considered to detract from the amenity of the locality.

The City's Waste Manager has reviewed the proposal and believes the development is capable of adequate waste disposal. If Council resolves to approve the application a condition should be imposed requiring the application to provide a Waste Management Plan for approval by the City prior to applying for a Building Permit.

Conclusion

The proposal consisting of six multiple dwellings is considered to provide additional dwellings and housing diversity with close proximity to the future train station. The proposal is supported for the following reasons:

1. Whilst the DAP specified the subject site as 'triplex', under Part 6 of the R-Codes multiple dwellings are able to be considered.
2. The development complies with the requirements of the R-Codes and Council Policy.
3. The scale of the development is appropriate and does not impact negatively on the amenity of adjoining landowners.
4. The proposal is consistent with the State Government's Directions 2031 document which promotes density near transport corridors.
5. The proposal will provide a housing type (apartments) which is relatively uncommon in the area adding to a diversity of housing and residents within the area.
6. Whilst the DAP identifies the site as suitable for 'triplex' development it does not specifically restrict the site to a triplex development.

It is recommended that Council approve the application, subject to the conditions confirmed in the officer's recommendation.

Strategic Plan/Policy Implications

Growing City

- Development that is soundly balanced between new and existing areas.

- Diversity of housing to respond to changing needs and expectations.

Moving Around

- Facilitate and promote healthy transport opportunities.

Budget/Financial Implications

N/A

Legal Implications

City of Cockburn Town Planning Scheme No 3
Planning and Development Act 2005

Community Consultation

This was undertaken with three (3) adjoining landowners with one (1) objection being received. Further detail is contained in the Neighbour Consultation section of the report above.

Attachment(s)

1. Location Plan
2. Site Pan
3. Landscape Plan
4. Ground Floor Plan
5. Upper Floor Plan
6. Elevations
7. Perspective

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil

14.4 (MINUTE NO 5202) (OCM 14/11/2013) - REVITALISATION STRATEGY STAGING PLAN LOCATION: CITY OF COCKBURN OWNER: N/A (110/093) (R PLEASANT) (ATTACH)

RECOMMENDATION
That Council supports the Revitalisation Strategy Staging Plan as follows:

Stage 1 – North Lake and Bibra Lake (2014/2015).

Stage 2 – South Lake (2015/2016).

Stage 3 – Yangebup (2016/2017).

Stage 4 – Southern portion of Spearwood and Munster (2018/2019).

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The City is currently undertaking the Coolbellup Revitalisation Strategy of which is the third revitalisation strategy to be prepared within the City of Cockburn. This follows the Phoenix Revitalisation Strategy undertaken in 2009 and the Hamilton Hill Revitalisation Strategy in 2012.

The City is now proposing a program to undertake further strategies across the City. This aligns with the City's recently adopted Corporate Business Plan, which endorsed a specific action for a staging plan related to the 'grow sustainably' theme of the Strategic Community Plan.

The preparation of revitalisation strategies is predominantly driven through 1) the need to promote further housing choice options as suburbs and communities throughout the locality grow, change, and age and 2) to guide investment in the public realm to help support growing residential populations which may result as part of uplifting of residential densities.

The need to identify greater densities as a combat to urban sprawl is in part a response to "Directions 2031 and Beyond" – the Western Australian State Government's strategic plan for the Perth metropolitan and Peel regions. The plan anticipates a population increase to 2.2 million by 2031, which will translate directly into the need for another 328,000 houses and 353,000 jobs. The City has been actively addressing this challenge through providing innovative planning responses via the revitalisation strategies.

It is recommended that Council endorse the staging plan as proposed by this report.

Submission

N/A

Report

Background

A key theme of the City of Cockburn Corporate Business Plan 2013/13-2016/17 is for the *City to grow sustainably – integrating social, economic, environment and cultural considerations, and ensuring that the City embraces the natural environment.* As a direct result of this vision, the Corporate Plan has identified the need to prepare a Revitalisation Strategy Staging Plan.

Revitalisation strategies present an opportunity to address a variety of suburb specific opportunities including:

- The upgrading of infrastructure and public open space.
- Guidelines and initiatives for the enhancement of local centres and activity centres.
- Streetscape and transport infrastructure improvements.
- Strategies to protect and enhance important local characteristics.
- Provide a coordinated approach in managing change relating to aging building stocks in older suburbs.

Proposed staging

Following the completion of the Coolbellup Revitalisation Strategy, the following stages are proposed for Council endorsement. This staging is in partnership with the Preliminary Revitalisation Strategy Staging Plan Map which forms Attachment 1 to this report.

Stage 1: North Lake and Bibra Lake (2014/2015).

Stage 2: South Lake (2015/2016).

Stage 3: Yangebup (2016/2017).

Stage 4: Southern portion of Spearwood and Munster (2018/2019).

A key influence on the order of the three stages relates to the current quality and age of housing stock, centres and infrastructure. It is viewed that the Lakes area will require upgrading/redevelopment first, followed by Yangebup and finally south Spearwood/Munster.

This staging is considered to also provide for important positioning of the Lakes suburbs to leverage from the new Fiona Stanley Hospital Precinct which will begin operation in 2014. The location of these suburbs very close to the health precinct is considered a significant advantage and an important driver for revitalisation across the suburbs.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

- Diversity of housing to respond to changing needs and expectations.

Infrastructure

- Community facilities that meet the diverse needs of the community now and into the future.

Corporate Business Plan

The Corporate Business Plan identified the need to develop and adopt a Revitalisation Staging Plan relating to the timing and progress of revitalisation strategies to be undertaken by the Strategic Planning Department in 2013/2014.

Budget/Financial Implications

The project will be undertaken internally by Council staff with any minor costs associated with the project being funded from the town planning studies budget.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Preliminary Revitalisation Strategy Staging Plan Map

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14.5 (MINUTE NO 5203) (OCM 14/11/2013) - PROPOSED STRUCTURE PLAN - LOCATION: LOTS 30, 31 & 32 ROCKINGHAM ROAD, MUNSTER - OWNER: VARIOUS - APPLICANT: URBIS (SM/M/087) (C HOSSEN) (ATTACH)

RECOMMENDATION
That Council

(1) pursuant to Clause 6.2.9.1 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), adopts the Proposed Structure Plan for Lots 30, 31 & 32 Rockingham Road, Munster (as shown in Attachment 2) subject to the following modifications:

1. The Structure Plan map be modified in accordance with the plan shown in Attachment 3 of this report.

2. An Acoustic Report be prepared to the satisfaction of the City and incorporated into the Structure Plan documentation.
3. The Structure Plan text be updated to reflect the modifications to the Structure Plan map, as outlined in (a) above.

(2) in pursuance of Clause 6.2.10.1 of the Scheme, send the Structure Plan once modified to the Western Australian Planning Commission for endorsement;

(3) endorse the schedule of submissions prepared in respect of the Structure Plan;

(4) advise the proponent and those persons who made a submission of the Council's decision; and

(5) advise the proponent that the site is subject to both Development Contribution Areas No. 6 and No. 13.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The purpose of this report is to consider for adoption the Proposed Structure Plan for Lots 30, 31 and 32 Rockingham Road, Munster ("subject land"). The Proposed Structure Plan seeks to provide the development framework for the subject land incorporating a range of residential densities and associated road network.

The Proposed Structure Plan has been advertised for public comment and also referred to authorities for comment. This report now seeks to specifically consider the Proposed Structure Plan for adoption, in light of the advertising process and assessment by officers.

Submission

N/A

Report

Planning Background

The subject land is 1.21 ha in size and is located between Rockingham Road on its west, Stock Road on its east and Howe Street to the north. Existing residential development is to the immediate south. Undeveloped former market garden land, subject to endorsed Structure Plans, faces the site to the west. A location plan is shown in Attachment 1.

The subject area is zoned 'Urban' under the Metropolitan Region Scheme ('MRS') and 'Development' under the City of Cockburn Town Planning Scheme No. 3 ('Scheme'). The subject land is also located within Development Area 5 (DA5) and is subject to both Development Contribution Areas No. 6 (DCA6) and No. 13 (DCA13).

Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme, a Structure Plan is required to be prepared and adopted prior to any subdivision and development of land within a Development Area. In accordance with this, a Proposed Structure Plan has been submitted to the City by Urbis on behalf of the landowner of Lot 31.

Lot 30 is in the ownership of the Department of Housing ('DoH'). The DoH has previously had approval for grouped dwellings, from the Western Australian Planning Commission, in accordance with the powers inferred to State Government authorities under the provisions of Section 5 and 6 of the *Planning and Development Act 2005* and the *Public Works Act 1902*. The DoH has been consulted throughout the Structure Plan process.

Proposed Structure Plan

The Proposed Structure Plan provides for a diversity of lot sizes and housing types with approximately 30 residential lots proposed with densities of R40 and R80. The remainder of the lot comprises of a single public access road, as indicated in Attachment 3.

Residential Density

The proposed densities of R40 and R80 will assist in the provision of a range of dwelling choices across the site. Directions 2031 and Beyond ("Directions 2031") and Liveable Neighbourhoods ("LN") promote 15 dwellings per gross hectare as the standard density for new greenfield development in urban areas. These densities are generally conducive to the densities found in surrounding residential area which are predominantly R40. The structure plan area is projected to achieve 18 dwellings per gross hectare. The higher densities are further supported

by the sites proximity to the Munster Local Centre and the 920 high frequency bus route that runs past the site.

Higher density lots have been proposed at the rear of the site to take advantage of the views to the west as a direct result of the fall across the site from east to west. Detailed Area Plan will be required over all lots fronting POS, laneway lots and lots smaller than 350m².

Public Open Space

As per Liveable Neighbourhoods the Proposed Structure Plan requires a total of 10% of the gross subdividable area to be ceded as Public Open Space ('POS') across the site.

The Structure Plan as recommended for adoption does not provide any land for public open space and proposes this to be provided for by way of a cash-in-lieu arrangement with the City. The advertised version of the Structure Plan proposed a minor land component across Lot 31 and 32, as possible Public Open Space. It has become more apparent however through the assessment process that the POS is unlikely to be secured in a viable format due to the fragmented nature to which subdivision and development will proceed. With Lot 31 being the only lot which has indicated a likelihood for subdivision and development in the short term, this would leave the City with a POS area of only 350m². This is also compounded by the inability to require the owner of Lot 30, the DoH, to provide a land component due to the City not being the approval authority of development on that land. For this reason it is accepted that cash in lieu of POS is appropriate for the implementation of this Structure Plan.

Considering the size, form and function of such a space and the direction given by Element 4 and A2 of Appendix 2 of Liveable Neighbourhoods, and in consultation with the City's Parks and Environment Department, it was deemed appropriate to allow for the removal of the POS in this instance.

It should be noted that the provision of 10% of the subdivisional area for POS remains the preferred and optimal position of the City within new residential developments. The allowance of cash-in-lieu in this instance does not set a precedent and all future proposals in the surrounding locality will each be judged on their planning merits.

Access

The Proposed Structure Plan features one public access road that straddles the boundary of Lots 30 and 31. This shared road will allow for the appropriate servicing of future lots. A cul-de-sac is proposed at the end of the road to the standard required by the City. The shared

arrangement has been negotiated between the two affected landowners and in conjunction with the WAPC as part of their assessment of a lodged Public Works grouped dwelling development approval over Lot 30.

Howe Street to the north of the subject site will allow for access to future development on Lot 32.

Community Consultation

The Proposed Structure Plan was advertised in the Cockburn Gazette for public comment for a period of 21 days from 3 September 2013 to 24 September 2013. The Proposed Structure Plan was advertised to nearby and affected landowners and also referred to relevant government authorities.

In total 7 submissions were received from government agencies for the Proposed Structure Plan, no objections were received. One submission was received from the owners of Lot 31 Rockingham Road noting their preference for no land being given up for POS and that a cash-in-lieu contribution being made instead. The Council recommendation supports this submission for the reasons outlined above and in the Schedule of Submissions.

All of the submissions received are set out and addressed in the Schedule of Submission (Attachment 4).

Conclusion

It is recommended that the Council adopt the Structure Plan for Lots 30, 31 & 32 Rockingham Road, Munster, subject to modification and pursuant to Clause 6.2.10 of the Scheme refer it to the Western Australian Planning Commission for their endorsement.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

- Development that is soundly balanced between new and existing areas.

Moving Around

- Facilitate and promote healthy transport opportunities.

Budget/Financial Implications

The required fee was calculated on receipt of the Proposed Structure Plan and has been paid by the proponent. The site is subject to both Development Contribution Areas No's 6 and 13. There aren't any other direct financial implications associated with the Proposed Structure Plan.

Legal Implications

Clause 6.2.9.1 of the Scheme requires Council to make a decision on the application within 60 days from the end of the advertising period of such longer period as may be agreed by the applicant. The advertising period concluded on 24 September 2013.

Community Consultation

In accordance with Clause 6.2.8 of the City's Scheme, the Proposed Structure Plan was advertised from 3 September 2013 to 24 September 2013. This included a notice in the Cockburn Gazette, letters to landowners within the Structure Plan area, adjoining landowners and State Government agencies.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions (Attachment 3).

Attachment(s)

1. Location Plan
2. Structure Plan – as advertised
3. Structure Plan– for adoption
4. Schedule of Submissions

Advice to Proponent(s)/Applicant

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil.

14.6 (MINUTE NO 5204) (OCM 14/11/2013) - LOCAL DEVELOPMENT PLANS FOR PORT COOGEE, NORTH COOGEE - PREPARED BY: TAYLOR BURRELL BARNETT AND MW URBAN - PROPONENT: TAYLOR BURRELL BARNETT AND MW URBAN (052/014) (L REDDELL) (ATTACH)

RECOMMENDATION
That Council

(1) approve the Local Development Plan (DAP13/13) presented for, Lot 123 Perlinte View, North Coogee pursuant to the provisions of Clause 6.2.15.5(a) of the City of Cockburn Town Planning Scheme No. 3;

(2) approve the amended Local Development Plan and Jetty Design Guidelines (DAP13/14) presented for Stage 4C "Seaspray" lots, North Coogee pursuant to the provisions of Clause 6.2.15.5(a) of the City of Cockburn Town Planning Scheme No. 3; and

(3) advise the applicant accordingly.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

Two new Local Development Plans (LDP) for Port Coogee were recently submitted to the City for approval. The first, submitted by Taylor Burrell Barnett, comprises an amended LDP and Jetty Design Guidelines for Stage 4C “Seaspray” lots as a result of an approved revision to the subdivision layout. The second, submitted by MW Urban, seeks to have a new LDP approved for Lot 123 Perlinte View, located at the southern tip of the estate as required by the Local Structure Plan.

Previously Local Development Plans were known as Detailed Area Plans (DAPs). However the revised Residential Design Codes (R-Codes) published on August 2nd 2013 has changed the name of these

plans to LDPs. The City's digital recording systems and records however continue to identify these plans with the prefix DAP.

Lot 123 Perlinte View

Lot 123 Perlinte View, to which DAP13/13 relates, is located at the southern tip of the Port Coogee estate in the 'dry land residential' area and is identified for high density residential development (R80) and pursuant to Clause 6.4.2.1 of the Port Coogee Revised Local Structure Plan is also subject to additional use provisions. The additional use provisions require that a non-residential use of between 200-500sqm be provided with Fast Food, Convenience Store, Restaurant, Exhibition Centre and Shop uses able to be considered subject to specific requirements.

Stage 4C – Seaspray Lots

The 'Stage 4C - Seaspray' DAP was approved by Council on 11 December 2008. The proposed changes relate to Lots 24-27 on the revised plan which result from the subdivision of existing lots 300, 301, 880 and 881. Conditional subdivision approval to create revised lot areas but no additional lots was issued by the WAPC (Ref No.s 147286 and 147334) and included conditions requiring that the existing LDP and the related Jetty Design Guidelines be modified to reflect the new lot areas.

Submission

The attached LDPs address principally;

- Key elements to be considered in the design of dwellings
- Dwelling setback requirements
- The extent of permissible boundary walls
- Building height
- Access and parking requirements.

Where the LDPs do not refer to an alternate standard, the applicable standard is that prescribed in the Residential Design Codes (R-Codes) or the City's Town Planning Scheme No. 3 and /or policies where the R-Codes do not apply.

Report

Approval is required in accordance with the provisions of section 6.2.15.5 of Town Planning Scheme No. 3.

TPS No. 3 Clause 6.2.15.8 provides the power for a DAP (now LDP) to be amended.

The proposed LDP's provide a site specific layer of planning information to be considered in the design and development of the lots covered by the respective documents. The information is to be considered within the framework of the Structure Plan adopted by Council for Port Coogee, as well as the R-Codes and the City's Planning Scheme and/or Policies.

Subsequent to an initial assessment of the proposed LDP's, a number of minor changes were made to the documents to assist all stakeholders in the interpretation of their content. No major changes to the technical content of the LDPs were required. In this regard, the technical content of these LDPs reflect the on-going refinement of the existing Port Coogee DAPs.

It is noted that DAP13/13 for Lot 123 Perlinte View does not designate a specific non-residential use (from those allowed by Clause 6.4.2.1 of the LSP) that should be applied but allows this to be considered on its merits as part of any development application made to the City. The proposed LDP only deals with design considerations for the site.

The proposed LDPs are consistent with the provisions of TPS No. 3, the current version of the R-Codes and the Port Coogee Revised Local Structure Plan. No other issues are raised and it is recommended that they be approved.

Since the Port Coogee Local Structure Plan (LSP) was first endorsed by the Western Australian Planning Commission, 24 DAPs in the Port Coogee area have been approved by Council in accordance with the Officer's recommendations. The majority of the Port Coogee area is covered by approved DAPs/LDPs and therefore having Council to continue to determine the DAPs/LDPs, particularly where there are no changes to the officer's recommendations is an inefficient use of the City's resources. It is therefore, intended that an item be included for the next DAPPS meeting amending the delegated authority to include the ability for officer's to approved DAPs and LDPs for Port Coogee.

Strategic Plan/Policy Implications

Growing City

- Diversity of housing to respond to changing needs and expectations.

Budget/Financial Implications

Nil

Legal Implications

Planning and Development Act 2005
Town Planning Scheme No. 3

Community Consultation

No advertising of the proposed LDPs was undertaken as the proposed provisions comply with the requirements of the LSP and will not adversely impact on the amenity of any privately owned residential properties. Therefore advertising is not required.

Attachment(s)

LDP and revised DAP Plans

Advice to Proponent(s)/Submissioners

The Proponents have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil.

14.7 (MINUTE NO 5205) (OCM 14/11/2013) - CITY OF COCKBURN PUBLIC HEALTH PLAN 2013-2018 (142/012) (N JONES) (ATTACH)

RECOMMENDATION
That Council adopt the City of Cockburn Public Health Plan 2013 – 2018.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

What is a Public Health Plan

A Public Health Plan (PHP) is sometimes called a Health and Wellbeing Plan and it outlines actions necessary to ensure that the occupants of the city have an acceptable level of health today and into

the future. This should help to reduce the predicted increase in the cost of providing health services for the aging population and minimise the number of people whose lifestyle is compromised by the symptoms of preventable diseases.

Why does the City need a Public Health Plan

All Councils have a role to play in Public Health. The State Government is proposing to introduce a new Act to replace the existing Health Act 1911. Using the State Public Health Plan as a guide, Local Governments will be required to develop a Public Health Plan to be reviewed annually and updated every three years. The first objective of the draft Public Health Act is *"to promote public health and wellbeing and to prevent disease, injury, disability and premature death".* This new focus upon promoting health and wellbeing recognises that the traditional focus on health protection through regulations and compliance needs to be supplemented with services and initiatives to encourage healthy lifestyles. Local Government's role in preventive health is being recognised as both essential and underutilized but the funding of an expanded role needs significant attention.

Submission

N/A

Report

The actions in the PHP are listed in the table in part five and are categorised as follows:-

1. General Health Promotion opportunities
2. Key preventive health priority areas
   2.1 Alcohol
   2.2 Smoking
   2.3 Physical activity and nutrition

In terms of Health Regulation and Health Protection Services there will be little change as these services will remain.

In terms of healthy lifestyles, it is proposed that the City will continue to focus upon existing programs for the life of this plan. Co-Health will be completed in mid-2014 when the Commonwealth funding ceases and following evaluation some of the most effective programs will be retained. The new "Your Move" behaviour-change project will combine Travelsmart and Sport and Recreation programs for about 20,000 households. A new Health Promotion Officer position has been created to coordinate most of the actions.

The City is to lobby the State and Commonwealth Government to improve the laws controlling the availability and marketing of unhealthy foods, sugary drinks and alcohol. The City is to audit all its suburbs and develop plans to create destinations for all residents to walk/cycle to and for safe accessible paths and public transport. The City's parks will be audited and facilities to attract all age groups identified. The City will review the success and failures of planning legislation to determine the potential for positive improvements to make healthy behaviours the default option for residents and workers. The City will focus on nutrition because 74% of our adults are currently overweight or obese.

There will be a continued focus upon the more vulnerable members of the community. The City will target its lower socio economic suburbs particularly focusing on mental health and suicide in young people. The City will play a more active role in liquor licencing to reduce harmful drinking. The City will look to partner with stakeholders in workplaces and schools to enhance their Healthy Lifestyle services. The City will maintain existing programs to "make smoking history". The City will actively participate in WA Local Government Association's Healthy Communities Working Group and seek to partner with a range of agencies and stakeholders to attain the targets set out in the National Partnership Agreement on Preventative Health.

The table of actions nominates a predicted cost of each action. Where the cost is none or minimal then it will be absorbed into existing services or included in the $25,000 allocated to Health Promotion. Where the action involves additional costs or is "to be costed", these items will be subject to the normal Council budgetary approvals process.

Strategic Plan/Policy Implications

Infrastructure
- Partnerships that help provide community infrastructure.

Community & Lifestyle
- Promotion of active and healthy communities.

Environment & Sustainability
- Identification and minimisation of impacts to human health risk.

Moving Around
- Facilitate and promote healthy transport opportunities.

- Infrastructure that supports the uptake of public transport and pedestrian movement.

Budget/Financial Implications

The financial implications of the PHP do not involve significant additional expenditure. The cost of continuing to provide traditional focus on health protection through regulations and compliance is about $1 million per year and will remain largely unchanged subject to the projected need for additional Environmental Health Officers as the City's population grows. The Health Promotion Officer position represents an additional cost of about $100,000 per year and reflects the need for the City to focus upon promoting health and wellbeing services and initiatives to encourage healthy lifestyles.

The PHP also includes a number of initiatives involving investigations of the value of providing infrastructure to make healthy lifestyles the default option for people in the City of Cockburn. These initiatives relating to infrastructure (facilities in parks, cycle paths etc.) could be extremely expensive therefore they must be carefully researched and evaluated to ensure that they are cost effective and evidence based. The City will look to trial some of these innovative initiatives wherever possible with external funding.

Legal Implications

N/A

Community Consultation

Targeted consultation was carried out with key stakeholders including several divisions within WA Department of Health (South Metropolitan Public Health Unit, Chronic Disease Prevention, and Environmental Health Directorate), Department of Sport and Recreation, Department of Transport, Medicare Local, and expert Council officers. Results from Community Surveys were also taken into account. No further community consultation is planned.

Attachment(s)

Public Health Plan

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (MINUTE NO 5206) (OCM 14/11/2013) - LIST OF CREDITORS PAID - SEPTEMBER 2013 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION
That Council adopt the List of Creditors Paid for September 2013, as attached to the Agenda.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

It is a requirement of the Local Government (Financial Management) Regulations 1996, that a List of Creditors be compiled each month and provided to Council.

Submission

N/A

Report

The List of Accounts for September 2013 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

List of Creditors Paid – September 2013.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.2 (MINUTE NO 5207) (OCM 14/11/2013) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - SEPTEMBER 2013 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION
That Council adopt the Statement of Financial Activity and associated reports for September 2013, as attached to the Agenda.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

Regulations 1996 prescribes 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:

(a) details of the composition of the closing net current assets (less restricted and committed assets);

(b) explanation for each material variance identified between YTD budgets and actuals; and

(c) 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 2 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 and type, statutory program or business unit. The City chooses to report the information according to its organisational business structure, as well as by nature and type.

Financial Management Regulation 34(5) requires Council to annually set a materiality threshold for the purpose of disclosing budget variance details. Council adopted a materiality threshold variance of $100,000 from the corresponding base amount for the 2013/14 financial year at the August meeting.

Submission

N/A

Report

Closing Funds

The City's opening funds of $10.06M (unaudited) comprises municipal funding of $6.57M for 2012/13 carried forward capital projects of $6.57M. The remaining balance constitutes the 2012/13 FY uncommitted closing municipal funds and both items are the subject of a separate agenda item at this month's Council meeting.

The City's closing funds of $81.33M are $7.60M higher than the YTD budget forecast. The main cause for this is under-spending tin the capital program and to a lesser extent operating expenditure. These are detailed later in the report.

The revised budget currently shows end of year closing funds of $0.13M (increased from a balanced budget position of nil). The budgeted closing funds will fluctuate throughout the year, due to the impact of Council decisions. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial report.

Operating Revenue

Operating revenue of $89.12M is just below the budget forecast of $90.02M. However, several significant and compensating variances exist as detailed below:

- Revenue from rates is $0.67M higher than the YTD budget target.
- Interest on investments exceed YTD budget by $0.34M.
- Human Services operating grants are $0.35M ahead of budget mainly due to an extra $0.25M of surpluses carried forward from the previous year.
- Statutory Planning revenue is $0.27M ahead of budget (development application fees by $144K and fines by $109K).
- Land administration income is $0.42M ahead of budget due to the Naval Base fees being invoiced ahead of cash flow budget.
- Waste Collection levy is $0.42M more than the YTD budget.
- Commercial income from the HWRP is $0.94M behind the YTD budget target set.

Further details of material variances are disclosed in the Agenda attachment.

Operating Expenditure

Operating expenditure for August of $25.95M was $1.92M less than the budget target of $27.87M (inclusive of depreciation).

$1.66M of this variance is attributed to underspending in material and contracts with significant variances in the following units:

- Parks & Environmental Services - $0.66M
- Waste Services - $0.66M
- Community Services - $0.25M
- Governance consultancy costs - $0.21M

Insurance costs are $0.15M over the YTD budget principally due to higher insurance costs for plant. Grants and donations is showing as $0.84M underspent and the cash flow budget will be adjusted in October to better reflect the pattern of spending.

Salaries & direct on-costs are $0.51M over YTD budget due to $508k of long service and & annual leave net accruals. This is higher than the same period in 2012/13. The impact of these accruals on the salary budget will be reduced over the Christmas period, as leave is taken and booked against the provision. An active management approach is being undertaken to reduce the long service leave accrual by allowing staff to

qualify earlier through the staff Enterprise Agreement, thus reducing the liability.

Depreciation on buildings is currently $0.12M below YTD budget (13%) primarily due to the delay in commissioning of the GP Super Clinic & Integrated Health Facility.

The following table shows operating expenditure budget performance at a consolidated nature and type level:

Nature or Type Classification	Actual	Amended Budget	Variance to Budget
	M$	M$	M$
Employee Costs	9.90	9.42	**(0.48)**
Materials and Contracts	6.89	8.55	1.66
Utilities	1.04	1.10	0.07
Insurances	1.29	1.13	**(0.16)**
Other Expenses	2.16	2.95	0.80
Depreciation (non-cash)	5.34	5.49	0.16

Capital Expenditure

The City's budgeted capital spend to September was $14.04M but actuals incurred were just $4.05M. This underspend is heavily impacted by the disruption to the construction of the GP Super Clinic. The following table shows the underspend by asset class:

Asset Class	YTD Budget	YTD Actuals	YTD Variance	Annual Budget
	$M	$M	$M	$M
Buildings Infrastructure	8.25	1.07	7.19	39.42
Roads Infrastructure	3.43	1.76	1.68	15.96
Parks Landscaping & Infrastructure	0.72	0.39	0.33	6.24
Land Acquisition & Development	0.47	0.45	0.02	2.09
Landfill Infrastructure	0.13	0.01	0.12	1.69
Plant & Equipment	0.68	0.30	0.38	4.68
Information Technology	0.35	0.07	0.28	1.41
	14.04	**4.05**	**9.99**	**71.48**

The 2013/14 budgets for 2013.14 capital projects were cash flowed back in April, based on the best estimates at the time. Now that more detailed and accurate work schedules have been developed, budget cash flows can be updated to suit. A budget cash flow review of capital projects was completed in October, immediately reducing the magnitude of budget variances to be reported in next month's financial report. This review included the GP Super Clinic project.

The significant spending variances by project are disclosed in the attached CW Variance analysis report.

Capital Funding

Capital funding sources are highly correlated to capital spending, the sale of assets and the rate of development within the City (for developer contributions).

Significant variances include:

- Transfers from financial reserves were $9.17M behind budget, this being consistent with the overall underspend in the capital budget for buildings and infrastructure. A primary reason is the disruption to the GP Super Clinic/Success Library project ($4.7M).

- Developer contributions received under the Community Infrastructure plan (DCA13) were $1.49M more than the YTD budget due to receipt of several significant contributions.

Cash & Investments

Council's cash and current/non-current investment holding at September month end was $140.49M, up significantly from $122.33M in August. This result was attributable to the receipt of rates payments (both in full and first quarter instalments) due earlier in the month.

$76.60M represents the balance held in the cash backed reserves and another $5.39M represents funds held for other restricted purposes such as bonds, restricted grants and infrastructure contributions. The remaining $58.50M represents the cash/financial investment component of the City's working capital available to fund existing operations and commitments.

The City's investment portfolio made a weighted annualised return of 4.19% in September, down from 4.33% the previous month. Whilst this compares favourably against the adopted benchmark UBS Bank Bill Index result of 2.31%, it does reflect the continued impact of the most recent cut to the official cash rate by the Reserve Bank of Australia (RBA) to 2.50%.

The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are predominantly invested for terms ranging between six and twelve months in order to lock in current market rates in a falling interest rate environment. Factors considered when investing include maximising the value offered within the current interest rate yield curve and mitigating cash flow liquidity risks. With the recent reduction of the cash rate by the RBA, the total reduction in rates over the latest round of quantitative

easing equates to 225 basis points (2.25%). However, the City's longer horizon investment strategy to invest over terms towards the extent of statutory limits has served to moderate any negative impact on the City's overall interest earnings budget performance.

Description of Graphs and Charts

There is a bar graph tracking Business Unit operating expenditure against budget. This provides a very quick view of how the different units are tracking and the comparative size of their budgets.

The Capital Expenditure graph tracks the YTD capital spends against the budget. It also includes an additional trend line for the total of YTD actual expenditure and committed orders. This gives a better indication of how the capital budget is being exhausted, rather than just purely actual cost alone.

A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years. This gives a good indication of Council's capacity to meet its financial commitments over the course of the year.

Council's overall cash and investments position is provided in a line graph with a comparison against the YTD budget and the previous year's position at the same time.

Pie charts included show the break-up of actual operating income and expenditure by nature and type and the make-up of Council's current assets and liabilities (comprising the net current position).

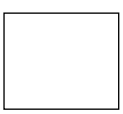
Strategic Plan/Policy Implications

Leading & Listening

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Budget/Financial Implications

Any material variances identified that will impact on Council's closing budget position will be addressed in the mid-year budget review.



Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated reports – September 2013.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (MINUTE NO 5208) (OCM 14/11/2013) - STATE OF SUSTAINABILITY REPORT 2012/13 (064/009) (H JESTRIBEK) (ATTACH)

RECOMMENDATION
That Council adopt the State of Sustainability Report 2012/13.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

In 2012, the City adopted its integrated reporting platform for sustainability. This culminates in an annual State of Sustainability report. This is the City's third annual report.

The report is aligned to the City's Strategic Community Plan and Sustainability Policy and Strategy.

This report enables the City to publicly track its progress towards sustainability across the key areas of focus: Governance, Economy, Environment and Society.

Submission

N/A

Report

In the 2012/13 Financial Year, the City had 65 indicators for sustainability across the organisation. The KPIs reported on in this financial year have remained much the same as in the 11/12 financial year. This is because most of the actions identified previously can be reported annually and/or have not as yet been completed.

The City's progress across governance and society has remained relatively constant. The biggest areas of improvement have occurred for the environment and economy. The City has doubled its completion rate for KPIs under environment and significantly improved those for the economy.

The report also uses the traffic light symbols to provide a visual snap shot of progress towards achieving a particular KPI.

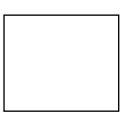
Green indicates that the City is on track in achieving its stated KPI; Amber indicates that while the City is making progress, more work is needed; and Red indicates that the City is yet to make progress in achieving a particular KPI.

A summary of the KPIs under the four TBL+1 headings and main achievements are provided below.

Governance: The SoS reports on 19 KPIs that measure the City's current progress towards achieving Governance Excellence.

Highlights include:

- Council adoption of asset management plans, which cover an estimated 90% of all City assets, valued at approximately $860million.
- Adoption of a Waste Management and Education Strategy, which will support a 2% reduction in municipal solid waste.
- Creation of new liveable, walkable and mixed use neighbourhoods.



Environment: The City has identified 14 KPIs to measure its current progress toward achieving best practice in Environmental Management.

- 66% of bushland managed by the City in good or better condition.
- Council achieving WaterWise Council status.
- The Council is on track to achieving its emissions reduction targets.

Society: The City has identified 16 KPIs to measure its current progress towards achieving a more socially equitable, diverse and inclusive community.

- 100% of actions within the Reconciliation Action Plan achieved.
- Over 150 diverse environmental education initiatives delivered to the community.
- 15 primary schools engaged in the TravelSmart to School Program.

Economy: The City has 16 identified key performance indicators (KPIs) to measure its current progress towards achieving Financial Management.

- Council adoption of an Economic Development Directions Report.
- Trails Master Plan adopted by Council.
- Several new vocational education providers opened in the City.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Environment & Sustainability

- Greenhouse gas emission and energy management objectives set, achieved and reported.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

State of Sustainability Report 2012/13

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil.

16.2 (MINUTE NO 5209) (OCM 14/11/2013) - PURCHASE OF A DUMP TRUCK FOR HENDERSON WASTE RECOVERY PARK (167/010) (L DAVIESON)

RECOMMENDATION
That Council

(1) amend the 2013/14 Adopted Municipal Budget by deleting Carry Forward Capital Plant Purchases:
- CW7780 – Heavy Fleet Waste Serves Landfill Excavator (21Tonne – New) $217,000.
- CW7781 - Heavy Fleet Waste Serves Landfill Excavator (14Tonne – New) $180,000.

(2) amend the 2013/14 adopted Municipal Budget by adding the following capital plant purchase.
- CW7782 – Heavy Fleet Waste Services Landfill Dump Truck (30 Tonne – second hand) - $250,000.

(3) return the net amount of $147,000 to the Waste and Recycling Reserve.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0

Background

For at least the last 10 years the City has managed its landfill using external machinery provided by the commercial sector. Council has experienced a litany of issues with this approach and the last 3 service providers have been unable to provide services to our satisfaction. This has resulted in Council officers engaging in lengthy contractual discussions and ultimately ending the relationship.

Compacting and handling waste is a requirement of our licence and relying on external contractors for this service has proved to be problematic.

Officers have been reluctant to undertake the service in-house in the past due to imposed planning restrictions. Over the past 5 years, Council officers have worked proactively with Landcorp and have obtained agreement to our long term operation at this facility.

As a consequence, the OCM 10 November 2011 (Minute 4673) approved in principle (Option 2 – CoC Service Purchase of all Plant) that the City undertake the waste handling service at the Henderson Waste Recovery Park using its own resources.

Typically the facility requires 7 fundamental plant items:
1. Landfill Compactor (Waste compaction).
2. Track/Loader Dozer (Application of cover and batter construction).
3. Wheeled Loader (Handling cover)
4. Water Truck (Dust control)
5. Hook Lift Truck (Waste bin transport).
6. Large Excavator (Recovery of steel).
7. Small Excavator (Recovery of small steel, plastic and wood).

These outsourced machines are augmented by the City's Volvo F90 loader, a hooklift truck, a water truck/fire control unit and 2 all-terrain 4WD vehicles (mules).

Plant items listed above 1 to 5 have been purchased, leaving the 2 excavators as the only outstanding plant items for the Facility.

In the period since this 2011 decision, the City has constructed Cell 7 and 2 leachate ponds, which resulted in 340,000m3 of clean fill suitable for use as daily cover stockpiled at the rear of our facility. To use this material, the clean fill must be transported daily to the active cell. Prior to this, the City would accept subdivisional clean fill, free of charge, delivered direct to active face on the landfill by cartage contractors.

In a protracted dispute with the then Department of Environment and Conservation on whether the Landfill Levy is payable on clean fill, the DEC finally determined that “received” clean fill attracts the Levy and “site derived” does not.

As a result the Henderson Waste Recovery Park (HWRP) now uses exclusively “site derived” clean fill that was stockpiled as a result of the construction of Cell 7 and the leachate ponds. The transportation of this material from the stockpile to the active cell requires a dedicated dump truck.

Submission

N/A

Report

The 21 tonne excavator primarily removes steel from the active face. The intention is that the 14 tonne excavator will recover smaller steel objects, plastic, mattresses and wood as well as completing sundry tasks throughout the site.

RFT08/2013 Plant (Dry) Hire Services (yet to be awarded), was advertised to ensure that the addition of these two machines to the HWRP operations could not be sourced cheaper through outsourcing the plant. There were 14 tender submissions received and once evaluation was complete, the results were compared with the City’s business case for the purchase of these machines. This determined that there was a greater financial benefit to the City for hiring these 2 excavators. As a consequence, the funds allocated for these two machines will not be utilised.

RFT08/2013 also called for the dry hire of a back-up track dozer for 18 months and a dump truck (transportation of daily cover) for 3 years. Upon comparison with the City’s business case, it was determined advantageous for the City to purchase a second hand 30 tonne dump truck.

The purpose of this report is to obtain approval from Council to use the funds allocated for the purchase of the 2 excavators in the 13/14 budget from the Waste Reserve for the purchase of a second hand 30 tonne dump truck to the value of $250,000.

Strategic Plan/Policy Implications

Environment & Sustainability

- A community that uses resources in a sustainable manner.

- Community and businesses that are supported to reduce resource consumption recycle and manage waste.

Budget/Financial Implications

The 21 tonne excavator (Capital Works Job No. (CW) 7780 for $217,000) and the 14 tonne excavator (CW 7781 for $180,000) were budgeted for purchase in 2013/14 financial year as a carry forward from the 2012/13 Budget. The funds were to be transferred from the Waste and Recycling Reserve. The total funds required were $397,000.

Whilst at the Ordinary Council Meeting held 10 November 2011 Minute 4673, Council approved the purchase of the 14 and 21 tonne excavators, the financial and operational environment has changed, leading to the requirement to modify the budget to allow for the purchase of a dump truck only. A business case and financial analysis was undertaken to demonstrate that the purchase option was better than the lease/rent option.

It is recommended that a new CW be created for the dump truck and the net return to the Waste and Recycling Reserve will be $147,000.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

All tenderers have been advised of the amended scope to RFT08/2013.

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

Nil.

16.3 (MINUTE NO 5210) (OCM 14/11/2013) - COCKBURN SOUND COASTAL ALLIANCE COASTAL VULNERABILITY STUDY REPORT & WEBSITE (064/010) (D VICKERY) (ATTACH)

RECOMMENDATION
That Council

(1) endorses the Cockburn Sound Coastal Alliance's Coastal Vulnerability Study Report and associated erosion and inundation hazard mapping;

(2) endorses the Cockburn Sound Coastal Alliance launching a website to inform the public of the CSCA's activities; and

(3) endorses the Cockburn Sound Coastal Alliance providing a link on its website and by whatever other means enable the public to access the Coastal Vulnerability Study Report and associated inundation and erosion hazard maps, on the basis that suitable disclaimers accompany the report and maps.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The City of Cockburn joined with the adjacent Councils of Fremantle, Kwinana and Rockingham, the Department of Defence (Defence Support Group) and the Cockburn Sound Management Council to form the Cockburn Sound Coastal Alliance (CSCA) in 2011. The scope of the Alliance is to build and share knowledge concerning the vulnerability of the shared coastline of Cockburn Sound and Owen

Anchorage to the effects of climate change including sea level rise and assist in the development of strategies to address those identified vulnerabilities.

A formal Terms of Reference and Memorandum of Understanding (MOU) for the CSCA were signed by the CEO's or Chairpersons of the member Councils and agencies in October 2011. Subsequently in August 2013 Perth Regional NRM also became a member of the Alliance and signatory to the MOU. Additionally representatives of the Department of Transport (Coastal Infrastructure Branch) and DEC (Climate Change Unit) actively assist the Alliance in its initiatives.

In June 2012 the City of Cockburn, on behalf of the CSCA, awarded a contract (RFT09/2012) to a consortia of Consultants headed up by Coastal Zone Management Pty Ltd to undertake a Cockburn Sound Coastal Vulnerability Study. This is the first of 4 stages of the Alliance's Cockburn Sound Coastal Vulnerability and Flexible Adaptation Pathways Project (refer Attachment 1 for a schematic of the project's stages).

The scope of the Coastal Vulnerability Study Stage 1 was to assess and model the ocean and sediment transfer processes occurring in Cockburn Sound and Owen Anchorage and project the potential erosion and inundation of the coast from Fremantle Fishing Boat Harbour down to Point Peron in Rockingham and the east coast of Garden Island through to the Year 2110 based on various storm event and sea level rise scenarios. The scenarios considered were various levels of storm intensity (measured in terms of Annual Recurrence Interval (ARI) including a 500 year intensity storm) and sea level rise (SLR) values of 0.0m (current day), 0.5m, 0.9m and 1.5m.

The Consultants completed and presented their Cockburn Sound Coastal Vulnerability Report and associated appendices and inundation and erosion maps to the CSCA's member representatives over the period February – March 2013. Subsequent to that various briefings have been provided to the various Local Government councils and other CSCA member agencies by their respective member representatives, including one to the City of Cockburn's elected members on the 28th February 2013 (refer to Attachment 2 for a Summary of the study and the Executive Summary of the report).

In July 2013 the City of Cockburn (on behalf of the CSCA) has subsequently awarded the Stage 2 contract RFT 03/2013 to a consortia of Consultants led by Oceanica BMT Pty Ltd.

This contract is to:

1. Undertake a value and risk assessment of those identified assets at risk, in consultation with the principal Stakeholders.
2. Develop “first pass” adaptation plans that would address those identified threats. Such plans may include planned retreat, modification or protection actions as outlined in State Planning Policy 2.6.

In parallel to the commissioning of the Stage 2 contract, a CSCA representative working group led by the City’s Coastal Project Coordinator developed a communication package including a website that outlines the CSCA’s membership and activities to date (refer to Attachment 3). Encompassed in the website is a proposed link to the Stage 1 Coastal Vulnerability Report and associated inundation and erosion hazard maps. The hazard maps have been integrated into each of the participating local authorities GIS Intramaps viewer for internal staff reference and it is proposed that the CSCA website and individual Council websites will enable the public to access the same hazard maps down to a reduced level of resolution and with embodied disclaimers (refer to Attachment 4). This item seeks Councils endorsement for the website and its general content.

Submission

N/A

Report

The Cockburn Sound Coastal Vulnerability Report and its Appendices and associated hazard maps prepared by the Consultants under the City of Cockburn’s Contract RFT 09/2012 detail in respect to various scenarios of storm event and sea level rise up to the year 2110:

1. Potential projected recession of the coastline from erosion.
2. Potential areas of inundation erosion related recession of the coastline.

The Coastal Vulnerability Study report and maps cover the full length of the coastline from the Fremantle fishing boat harbour down to Point Peron in the City of Rockingham, and the east side coast of Garden Island. Modelling associated with the more severe scenarios indicate some potential significant widths of shoreline retreat caused by erosion and wide areas of projected inundation associated with sea level rise and storm surge.

As would be expected, the extent of projected potential coastline recession arising from erosion varies down the coast depending on the

geomorphology of the area, being minimal in sections of coastline predominately of a rock nature, such as at Naval Base, whereas much more extensive in areas predominately comprising sand formation, such as south of Catherine Point groyne in North Coogee.

Similarly the extent of projected potential inundation from flooding from the sea varies down the coastline on account of the varying topography, being quite a bit more extensive in parts of the Cities of Fremantle and Rockingham as compared to within the City of Cockburn or Kwinana.

For the most part the projected erosion related coastline recession will impact upon Council or State or Federal Government administered land and assets, the main exception to this being industrial lots fronting the coast in the City of Kwinana. Separately areas of projected inundation include both Council and other government administered land and assets and privately owned property areas.

As articulated in the various riders and disclaimers within the report, the projected erosion and inundation hazard lines and areas are general in nature for any section of coastline and are based on various assumptions concerning retention of existing protection structures and such, and are not meant in themselves to be used for planning of setbacks or to take the place of more site specific coastal vulnerability assessments for a particular development.

Prior to launching the website and releasing the Stage 1 report and maps detailing projected potential erosion or inundation of coastal areas including private property it was thought prudent to seek legal advice concerning this release. Advice was sought from the City's legal advisers McLeods Pty Ltd in regard to the proposed content of the website, proposed wording of disclaimers and the proposed release of the Cockburn Sound Coastal Vulnerability Report and hazard maps to the public via the website or other means (refer to attachment under Confidential cover).

It is evident from the legal advice sought that prior to launching the CSCA website and before the CSCA or any of the participating local governments or other agencies release the Stage 1 Coastal Vulnerability Report and associated erosion and inundation hazard maps to the public, that each local authority passes a resolution to endorse the release of the report and hazard mapping subject to the limitations placed on the information through the various disclaimers prepared (refer Attachment 4). Accordingly each of the participating local authorities (Fremantle, Cockburn, Kwinana and Rockingham) are being asked to present an item to their Council for this purpose.

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- A responsive, accountable and sustainable organisation.
- A culture of risk management and compliance with relevant legislation, policy and guidelines.

Environment & Sustainability

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.

Budget/Financial Implications

N/A

Legal Implications

The recommendations are in accord with the legal advice received and provide the appropriate legal protection to the City and its officers acting in good faith in use and referral to the Coastal Vulnerability Study and its associated documents.

Community Consultation

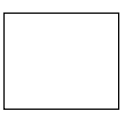
None to date. Community consultation occurs in the CSCA's third stage of its Cockburn Sound Coastal Vulnerability & Flexible Adaptation Pathways Project, anticipated to occur mid-2014.

Attachment(s)

1. CSCA's Cockburn Sound Coastal Vulnerability & Flexible Adaptation Pathways Project flowchart.
2. Coastal Vulnerability Study Report 2 Page Summary & Executive Summary.
3. Draft media release and website text/presentation.
4. Disclaimers for release of information

Under Separate Cover

5. Legal Advice from McLeods Barristers & Solicitors entitled 'Climate Change Issues' dated 4 October 2013 is confidential and supplied under separate cover.



Advice to Proponent(s)/Submissioners

N/A.

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

Nil.

17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (MINUTE NO 5211) (OCM 14/11/2013) - APPOINTMENT OF BUSH FIRE CONTROL OFFICER (028/027) (R AVARD)

RECOMMENDATION
That Council:

(1) request the Department of Fire and Emergency Services (DFES), under Section 38A of the Bush Fire Act 1954, appoint Mr Terry Wegwermer as the City of Cockburn Chief Bush Fire Control Officer;

(2) revoke the appointment of Mr Leslie Woodcock as the City of Cockburn Chief Bushfire Control Officer; and

(3) write to Mr Woodcock thanking him for his services to the Fire and Emergency Services in the City of Cockburn.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

Council, at its meeting of 30 June, 2003, resolved to enter an arrangement with the Department of Fire and Emergency Services (DFES) for the employment of a jointly funded Community Emergency Services Manager. A significant role of this position is that of the Chief Bush Fire Control Officer.

DFES advertised the position of the Community Emergency Services Manager contract prior to a permanent position being advertised and

filled. The interim contract position was filled by Mr Leslie Woodcock who has taken up a similar position with another authority.

Submission

N/A

Report

The Department of Fire and Emergency Services (DFES) advertised the permanent position of Community Emergency Services Manager and have selected Mr Terry Wegwermer for the position. This position also fulfils the role of Chief Bushfire Control Officer for the City of Cockburn. Under Section 38A of the Bush Fires Act 1954 (the Act) DFES is empowered, at the request of a Local Government, to appoint a member of its staff (as defined in the DFES Act) for the district of that Local Government for the purpose of the Act.

Accordingly, a Council decision is required to make a formal application to DFES to appoint a Chief Bush Fire Control Officer employed by DFES for the City of Cockburn.

Strategic Plan/Policy Implications

Community & Lifestyle
- Safe communities and to improve the community's sense of safety.

Environment & Sustainability
- Identification and minimisation of impacts to human health risk.

Budget/Financial Implications

Costs associated with the position are included in the 2013/14 Municipal Budget

Legal Implications

Bush Fire Officers are required to be appointed by Council under the Bush Fires Act, 1954

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

17.2 (MINUTE NO 5212) (OCM 14/11/2013) - RECREATION TRADERS LICENCE - 2013/14 KITE SURFING LICENCES, WOODMAN POINT FORESHORE (111/006) (A LACQUIERE) (ATTACH)

RECOMMENDATION
That Council

(1) endorse the conditions applied for Recreation Traders Licences awarded to Elemental Surf, Kite Surf SUP and Perth Kite Surfing School; and

(2) review the number of licences in a report to be presented to Council in July 2014 for further consideration of future licences for Kite Surfing at Woodman Point.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

At its Ordinary meeting of Council of February 2013 it was resolved to prohibit kite surfing and other commercial operations at Woodman Point until a formal licencing process was formed to approve such activities on Council managed reserves and foreshores. The policy was initiated due to complaints received by the public and unauthorised commercial operators in relation to safety concerns at Woodman Point caused by the high number of Kite Surfing Schools operating in the area.

Council adopted a Recreation Traders License Policy (SC52) at its Ordinary meeting of June 2013. The purpose of the Recreation and Leisure Traders policy is to provide guidelines to prospective applicants

to operate on reserves and foreshores under the control of the City, to be issued under the City of Cockburn's Local Laws Part III, 3.4 (n) & (o) and Part VI. The Recreation and Leisure Traders Licence as defined under policy SC52 applies to a person or groups conducting recreational and leisure service for monetary gain on the City's reserves or foreshores. Types of operations may include, but are not limited to fitness classes, equipment hire businesses, tours, carnival rides and personal training.

The implementation of a Recreation Traders Licence ensures that:

- Traders do not negatively impact on the community.
- Traders have the relevant qualifications and insurances in place.
- Traders have appropriate risk and safety management plans in place.
- There is a process in place for assessment and authorisation by the City.
- The reserves and foreshores are managed appropriately and safely.

Submission

The City recently forwarded a license and conditions to one of the successful operators (Elemental Surf) on 21 October 2013. The owner of Elemental Surf, Mrs. Caroline Bradley, has since written to the City (See attachment 1) requesting the Council to amend the conditions set within the license.

Report

Following the adoption of the Recreation Traders Policy in June, the City's administration implemented a process for traders to formally seek approval from the City to conduct authorised activities on Council managed reserves and foreshores.

On 23 July 2013, expressions of interest were called for Kite Surfing Schools wishing to operate a commercial business at Woodman Point. The City advertised the expressions in the Cockburn Gazette, on the City`s website and informed known operators in the area of the process to apply. Applications closed on 30 August at 5.00pm with six submissions received for evaluation as outlined below.

Applicant's Name:

Elemental Surf:
Kite Surf SUP:
Loose Kites:
Ocean Adventures:
Perth Kite Surfing School:
Soulkite:

Following the closing of expressions of interest, a panel of members was formed to evaluate the submissions received. The panel was selected to ensure there was a wide range of experience from staff that had a broad understanding of specific aspects relevant to the licence. The following staff members appointed to the panel were:

Name and Position

Mr Adrian Lacquiere - Recreation Services Coordinator
Mr Phillip Oorjitham - Environmental Health Coordinator
Mr Bruce Mentz - Ranger & Community Safety Services Manager
Mr Anton Lees - Manager Parks & Environment
Mr Nathan Johnston - Recreation Development Officer

The City also invited Mr Darren Ellis (President) and Mr Drew Norton (Vice President) of the WA Kite Surfing Association (WAKSA) to provide a briefing to the panel prior to the panel making a decision. The representatives from WAKSA did not take part in the evaluation process and verbally confirmed they had no conflicting interests with any of the schools who had made a submission. WAKSA provided the panel with enough information for the members to comfortably make an informed decision on the number of licences and the conditions that should apply. The representatives from WAKSA recommended the following to be considered:

1. The best location to teach kite surfing is from the main beach that faces south.
2. Instructors must be accredited with the International Kite Boarding Organisation or British Kite Surfing Association.
3. Suggest maximum 2 instructors per school and no more than two clients per instructor.
4. No more than three schools operating at Woodman Point.
5. Schools to operate no closer than 100m and must allow room for other schools to operate.
6. When classes should not take place due to wind strength.

In assessing the 6 submissions the panel took into account the history of the schools, risk management, safety, environmental issues and overall operations. The decision to award licences to 3 schools was based on the information provided by WAKSA who confirmed that up to 3 schools could operate safely along a 1km stretch of beach on the southern side of Woodman Point subject to the considerations advised above.

On the completion of the panel's assessment of all applications the following operators were ranked as the top three and subsequently

would be awarded licences up to May 2014, with extension subject to an internal review.

- Elemental Surf
- Kite Surf SUP
- Perth Kite Surfing School

The City wrote to above operators on Friday 11 October 2013, advising that they were the successful applicants for a Recreation Traders Licence to conduct kite surfing lessons at Woodman Point, subject to payment of the licence fee of $1,500.

Prior to the official licence being sent to Elemental Surf, on 15 October the City received email correspondence from Elemental Surf owner Mrs Caroline Bradley in regards to her concerns on the restrictions being placed on the number of instructors and participants per school. The City responded on 17 October advising that the conditions on the number of instructors would remain for this season and reiterated that a review would occur in May 2014 on the licences issued. Mrs Bradley advised that she would seek to appeal the conditions set within the licence and was advised to write to the City to raise the matter for consideration. Mrs Bradley has since written to the City requesting the following matters as be formally considered by Council:

1. Limit the number of schools to 1 or 2 schools only, allowing Elemental Surf to keep their regular number of instructors.
2. Re-evaluate the commercial operating zone and decrease the size given the close proximity to the dog beach.

Under policy SC52 clause (n), Council reserves the right '*to withdraw permission for the use of the site, to alter the location of the site and/or vary conditions of use in relation to any Recreational Traders Licence issued'.*

The decision to allow up to three commercial operators was based on the advice received from WAKSA who were specifically asked how many licences the foreshore could accommodate. Over the past years there have been reports of up to 8 schools in operation at Woodman Point and therefore the panel restricted the number of operators to 3, in accordance with the WAKSA recommendation. The number of instructors was restricted to a maximum of 2 per school at any one time with a maximum of 2 participants per instructor. This was deemed fair and appropriate by the panel members and allowed a controlled maximum number of clients being taught within the area at any one time. The area allowed for the commercial operators stretches approximately 1km with a condition that the schools remain at least 100m apart. It was considered safe to allow up to 6 instructors with up

to 2 students per instructor giving a total of 12 students on the beach at any one time.

Mrs Bradley has been operating Elemental Surf at the site without authority for a number of years and had requested between 4-5 instructors in her application. The condition set by the City to have a maximum of 2 instructors with a maximum of 2 students per instructor (Attachment 2) was based the maximum recommended number of schools operating at the same time allowing for a safe environment for lessons to be taught. If the request to reduce the number of licences to 2 instead of 3 is supported, the City could allow a maximum of 3 instructors per licence. That is maintaining the maximum of 12 students at any one time. Should Council resolve as such, a reassessment of the submissions received would be required and one licence withdrawn.

The Woodman Point location also has a stretch of approximately 450m as a gazetted dog exercise area as outlined on Attachment 3. Mrs Bradley considers that kite surfing should not be taught where there are dogs present due to the risk of dogs disrupting lessons. The City is unaware of any incidents and has received no reports to date in regards to conflict between dogs and kite surfers however as a matter of due diligence the City staff will monitor any potential conflicts between schools and the dog exercise area over the coming licence period. Should any conflicts of concern arise the City would reserve the right to alter conditions or reduce the number of licences according to the circumstances. The area is not a heavily used dog exercise area and tends to be even less popular when there are high wind conditions that suit kite surfing.

Strategic Plan/Policy Implications

Growing City

- Investment in industrial and commercial areas, provide employment, careers and increase economic capacity in the City.

Community & Lifestyle

- Promotion of active and healthy communities.

Leading & Listening

- A responsive, accountable and sustainable organisation.

- A culture of risk management and compliance with relevant legislation, policy and guidelines

Budget/Financial Implications

Licence Fees of $1500 per annum income to the City.

Legal Implications

The City of Cockburn Local Laws requires commercial operators to be licensed to regulate this activity. Licensees are required to have current Public Liability Insurance coverage of $10 million.

Community Consultation

Expressions of Interest were invited in the Cockburn Gazette and on Council`s website from 23 July – 30 August 2013.

Attachment(s)

1. Letter from Elemental Surf owner, Mrs Caroline Bradley.
2. Copy of Licence conditions.
3. Dog Exercise Area map.

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 14 November 2013 Council Meeting.

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

Nil.

18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

Nil

21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS

Nil

22. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

Nil

23. CONFIDENTIAL BUSINESS

23.1 (MINUTE NO 5213) (OCM 14/11/2013) - MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE & SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE - 5 NOVEMBER 2013

RECOMMENDATION
That Council receive the Minutes of the Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee Meeting held 5 November 2013, as attached to the Agenda, and adopt the recommendations therein.

COUNCIL DECISION
MOVED Clr L Smith SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

Background

The Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee met on 5 November 2013. The minutes of that meeting are required to be presented to Council and its recommendations considered by Council.

Submission

The minutes of the Committee meeting are attached to the Agenda. Items dealt with at the Committee meeting form the basis of the Minutes.

Report

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

Strategic Plan/Policy Implications

Leading & Listening
- A skilled and engaged workforce.
- A culture of risk management and compliance with relevant legislation, policy and guidelines.

Budget/Financial Implications

Committee Minutes refer.

Legal Implications

Committee Minutes refer.

Community Consultation

N/A

Attachment(s)

Minutes of the Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee 5 November 2013 are provided to the Elected Members as confidential attachments.

Advice to Proponent(s)/Submissioners

The CEO and Senior Staff have been advised that this item will be considered at the 14 November 2013 OCM.

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

Committee Minutes refer.

24 (MINUTE NO 5214) (OCM 14/11/2013) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION
That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

(1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;

(2) not duplicated, to an extent Council considers inappropriate, services

or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and

(3) managed efficiently and effectively.

COUNCIL DECISION
MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Wetton the recommendation be adopted.

CARRIED 10/0

25 (OCM 14/11/2013) - CLOSURE OF MEETING

The meeting closed at 8.22 p.m.

CONFIRMATION OF MINUTES

I, …….. (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: …… Date: ……../……../……..