

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 10 JULY 2014 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 10 JULY 2014 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Ms L Wetton	-	Councillor
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	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
Mrs Jadranka Kiurski	-	Acting Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Ms H. Jestribeek	-	Media & Communication Officer
Mrs L Jakovich	-	PA to Directors of Planning and Development & Engineering and Works

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.00 pm and made the following announcements:

The Presiding Member welcomed Mrs Jadranka Kiurski, Acting Director Engineering & Works to tonight's meeting.

At the June 2014 meeting I omitted to move a vote of thanks to the Executive Group and members of staff, and in particular to Mr Stuart Downing, Director Finance & Administration and his staff for the preparation of the City's 2014/2015 Budget. We know that the preparation of the budget involves an



extended period of preparation, deliberation and prioritising prior to Council's deliberation and decision.

On behalf of Council I thank all officers for their input in developing the 2014/2015 budget.

During this week the City has been hosting a variety of events in celebration of NAIDOC week. In fact, last Friday night at the Cockburn Youth Centre the first activity involved a show titled 'Deadly Moves', followed by a Flag Raising Ceremony on Monday, the unveiling of the City's latest acquisition of Aboriginal artwork and then morning tea, a lunch in the Seniors Centre, a series of activities for children in the City's three libraries and tomorrow morning the unveiling of artwork created by Darryl Bellotti, Aboriginal Youth Outreach Officer and a number of young people at the Cockburn Youth Centre commencing at 9.30am.

On Saturday 28 June 2014 I unveiled a Bird ID Panel that is displayed in the Narma Kularck Bird Hide at Bibra Lake. The Bird ID Panels had been painted by Carol Richards, a member of the Friends of the Cockburn Wetlands Education Centre. They depict a variety of local birds and will be a great resource for anyone visiting Bibra Lake. Councillors Houwen, Eva and Wetton were also in attendance to celebrate the occasion.

On 18 June Councillors Portelli, Eva and Mubarakai together with my wife Pat and I were invited to dine with the Hon Melissa Parke MP, Member for Fremantle in the Members Dining room at Parliament House, Canberra.

On 19 June 2014, the Hon Melissa Parke MP mentioned our visit to Canberra to attend the National General Assembly of Local Government, the Regional Development Forum and the National Growth Area Alliance Forum in Parliament. The Hon Melissa Parke also referred to Cockburn's growth and development and encouraged Members to consider the National Growth Areas Alliance advocacy campaign, titled 'Bring the Basics within Reach – Jobs and Services for Growing Outer Suburbs'.

The Presiding Member thanked the Hon Melissa Parke MP for the hospitality afforded to our delegation during our visit to Canberra. During our visit to Canberra we also took the opportunity to visit His Excellency, Dr Damir Kusen, the Croatian Ambassador to Australia at the Croatian Embassy. His Excellency was very pleased to receive our visit and spoke very highly of his visit to the City of Cockburn earlier in the year when he was welcomed with didgeridoo playing by Timmy Kelly and a Spirit Dance.

On Saturday 28 June, the WA Croatian Council together with the Croatian Consulate in Perth hosted a dinner to celebrate 'Dan Drzavnost' – the 25th Statehood Day of the Republic of Croatia. My wife Pat & I attended a most enjoyable evening.



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 (OCM 10/7/2014) - APOLOGIES AND LEAVE OF ABSENCE

Clr L Smith – Apology

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 10/7/2014) - PUBLIC QUESTION TIME

Questions on the Agenda submitted

Mr Paul Fielder, Spearwood

Item 14.3 – Phoenix Revitalisation Strategy – Scheme Amendment No. 96.

As Mr Fielder was not present at the meeting, the Presiding Member announced that this question will be responded to in writing.

Mr Michael Separovich, Munster

Question not on the Agenda

Q1. In the 2014-2015 Budget year, the amount we are spending on lighting is going to go up to \$2M, and it is expected to go up



another 36% next year, I am wondering what the City is doing to mitigate those costs and what are we doing regarding environmental offsets.

- A1. The City has just completed its audit of its power use in terms of booking its conversion across to solar power. We have done a comprehensive analysis across all the facilities within the budget year and found an allocation of \$200,000 to convert to Octane. It will be our recommendation to move on a number of projects now prioritised for that expenditure with a pay back within 3–4 years. We are doing a significant amount to reduce our power use. The project list includes some areas currently in the City that are subject to boundary proposals from alternate local governments so the final prioritisation will wait for the outcome of the local government reform.

8. CONFIRMATION OF MINUTES

8.1 **(MINUTE NO 5325)** (OCM 10/7/2014) - ORDINARY COUNCIL MEETING 12 JUNE 2014

RECOMMENDATION

That Council accepts the Minutes of the Ordinary Council Meeting held on Thursday 12 June 2014, as a true and accurate record.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr P Eva that the recommendation be adopted.

CARRIED 8/0

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

9.1 **(MINUTE NO 5326)** (OCM 10/7/2014) - LEAVE OF ABSENCE - CLR KEVIN ALLEN (083/005)

RECOMMENDATION

That Council grant a Leave of Absence to Clr Kevin Allen in respect of the July 2014 Ordinary Council Meeting, pursuant to Section 2.25 of the Local Government Act, 1995.



COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr B Houwen that the recommendation be adopted.

CARRIED 8/0

Background

Pursuant to the provisions of Sec.2.25 of the Local Government Act, 1995, Council is able to grant Members leave of absence from attending Council meetings.

Submission

N/A

Report

Clr Kevin Allen has applied for a Leave of Absence from the July 2014 Ordinary Council Meeting as he will be in the Eastern States due to work commitments.

Strategic Plan/Policy Implications

Leading & Listening

- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

N/A

Legal Implications

Sec.2.25(1) of the Local Government Act, 1995, refers.

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.

10. DEPUTATIONS AND PETITIONS

Nil

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

Nil

12. DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER

Nil

13. COUNCIL MATTERS

NOTE: AT THIS POINT IN THE MEETING, THE TIME BEING 7:11 PM, THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COUNCIL:

13.1	14.1	15.1	16.1	17.1
	14.2			
	14.3			

13.1 (MINUTE NO 5327) (OCM 10/7/2014) - MINUTES OF THE COCKBURN COMMUNITY EVENTS COMMITTEE MEETING - 19/6/2014 (001/005) (D GREEN) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Cockburn Community Events Committee Meeting held on Thursday, 19 June 2014, and adopts the recommendations contained therein.



COUNCIL DECISION

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

CARRIED 8/0

Background

The Cockburn Community Events Committee conducted a meeting on 19 June 2014. The Minutes of the meeting are required to be presented.

Submission

N/A

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.

The primary focus of this meeting was to consider the proposed Calendar of Events for 2014/15.

Strategic Plan/Policy Implications**Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.
- Communities that are connected, inclusive and promote intergenerational opportunities.
- Communities that take pride and aspire to a greater sense of community.
- People of all ages and abilities to have equal access to our facilities and services in our communities.
- Promotion of active and healthy communities.



- The significance and richness of our local Indigenous people and diverse multicultural community will be recognised and celebrated.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Minutes of the Cockburn Community Events Committee – 19/6/2014.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

- 14.1 **(MINUTE NO 5328) (OCM 10/7/2014) - COCKBURN CENTRAL ACTIVITY CENTRE PLAN - ENDORSE FOR ADVERTISING LOCATION: VARIOUS - OWNER: VARIOUS APPLICANT: CITY OF COCKBURN - (110/088) (C HOSSEN) (ATTACH)**

RECOMMENDATION

That Council endorse the Cockburn Central Activity Centre Plan for the purposes of community consultation.

COUNCIL DECISION

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

CARRIED 8/0



Background

The purpose of this report is to present the Cockburn Central Activity Centre Plan to Council for consideration of endorsement for the purposes of community consultation.

The Cockburn Central Activity Centre Plan was identified in the City's Annual Business Plan 2013-14 as a key initiative. The City's Strategic Plan supports this idea through identifying the desire for Cockburn Central to grow in a sustainable manner into a Strategic Regional Centre.

The Activity Centre Plan has been prepared to inform the delivery of the Cockburn Central Activity Centre to reach its aspirational target of a Strategic Metropolitan Centre by 2031. The Study Area accounts for approximately 1428 ha, equivalent to 27% of the total area of the City.

The Study Area is broadly bound by Berrigan Drive and Jandakot Road in the north, the future Banjup Urban Precincts and Lyon Road in the east, Bartram Road to the South and the boundary of Lake Yangebup and Thompsons Lake to the West.

The size and form of the Study Area was selected to allow the appropriate framing of the Central Core Precinct of the Activity Centre, which includes the immediate surrounds of the Cockburn Central Station.

Currently Cockburn Central is identified as a Secondary Centre by Directions 2031 and State Planning Policy 4.2 ("SPP 4.2"). Secondary Centres, being the third level of centre offer a wide range of services, facilities and employment opportunities.

Cockburn Central, unlike many of the 18 other Secondary Centres, is not a wholly retail dominated centre. The centre currently features a broad mix of uses including: retail, high density residential, mixed use developments, offices and multiple community facilities. This coupled with the high quality public transport links, sets Cockburn Central apart from the other Secondary Centres across the metropolitan region. This trend of diversification is expected to continue with projects such as Cockburn Central West and Muriel Court.

It is recommended that Council endorse the Cockburn Central Activity Centre Plan for the purposes of community consultation.

Submission

The City of Cockburn has prepared the Activity Centre Plan, with key input delivered through a process of public engagement which included



the release of a discussion paper to invoke thoughts and aspirations of the community for the future of the activity centre.

Report

The Cockburn Central Activity Centre Plan is a City level strategic document designed to provide broad direction for the development of Cockburn Central Activity Centre through to 2031.

The Plan will assist in the creation of a connected, vibrant and responsive Activity Centre as desired in the State Government's Directions 2031 and Beyond and State Planning Policy 4.2. The Activity Centre Plan does not form the basis of an Activity Centre Structure Plan as outlined in State Planning Policy 4.2. However, the Plan Implementation Framework recommends the need for the City to undertake a comprehensive Activity Centre Structure Plan over the Core Area of the Plan. The endorsement of such a document is seen as important in achieving the overarching goals of the Plan going forward.

Cockburn Central has evolved quickly from being a small district level activity centre focused on a small internalised shopping centre in the early 2000's to a vibrant mixed use activity centre today. The continued evolution of the Cockburn Gateways Shopping City, Success Central and the Cockburn Central Town Centre has led to a Centre like no other in Perth. This coupled with the current planning over Muriel Court Structure Plan area and the Cockburn Central West Structure Plan precinct, sees a strong and prosperous future for the Centre.

With the recent and planned investments in civic, educational and commercial infrastructure, Cockburn Central is in a unique setting to be an Activity Centre, well positioned, to help achieve the State Government's Directions 2031 goals and objectives. This is something the City and other stakeholders should be proud of, but to ensure that this success continues, broad strategic direction is required.

The Plan builds on the work of the City's Local Commercial and Activity Centre Strategy ("LCACS") and is designed to operate in conjunction with the City's Housing Affordability and Diversity Strategy, Economic Development Directions Strategy and Integrated Transport Strategy. The integration of these documents and fulfilment of the aims of LCACS is vital in achieving the identified goals of the Activity Centre and the Vision of the Plan.

The Plan has three parts:

1. Discussion Paper;
2. Background and Issues Paper; and
3. The Plan (Implementation Framework).



The Discussion Paper formed the initial part of The Plan and was used to create interest and attempt to draw out visionary ideas from the community, business leaders and interested parties. The Plan provided for 4 broad topics of discussion based around the 'Themes' of the Plan. The Discussion Paper unlike the other two parts of the Plan is a standalone document.

The Discussion Paper goals were as follows:

- Identify opportunities for the Cockburn Central Activity Centre to grow.
- To stimulate discussion and encourage ideas.
- Identify new issues that are important to the future of the area.

Significant community feedback was received during the formal advertising of the Discussion Paper; this is discussed later in this report. This information was utilised to further refine the Plan and also in the formulation of the Implementation Framework. See Attachment 3 for the Schedule of Submissions to see how each specific submission has been responded to.

The Background and Issues Paper (the second section of the document) forms the investigative segment of the Plan, and looks into the following:

- Documents findings of background studies;
- Site analysis;
- Contextual analysis;
- Assessment of existing structure planning;
- Discussion of issues affecting the Activity Centre.

Finally, the Implementation Plan utilises the information gathered in the previous two stages to formulate an implementation framework going forward. The Plan will provide the basis and direction for statutory decisions and advocacy going forward.

The Vision of the Plan

Cockburn Central positioned as a Strategic Metropolitan Centre and the most influential Activity Centre in the South West Metropolitan Sub-Region by 2031.

Originally the Vision of the Plan identified a desire for Cockburn Central to be a Primary Centre under State Planning Policy 4.2 and Directions 2031. It was noted during advertising that the WAPC has determined to remove the 'Primary Centre' designation from the planning framework. Therefore the Vision of the Plan, being aspirational, has been modified as per above.



Drivers and Opportunities

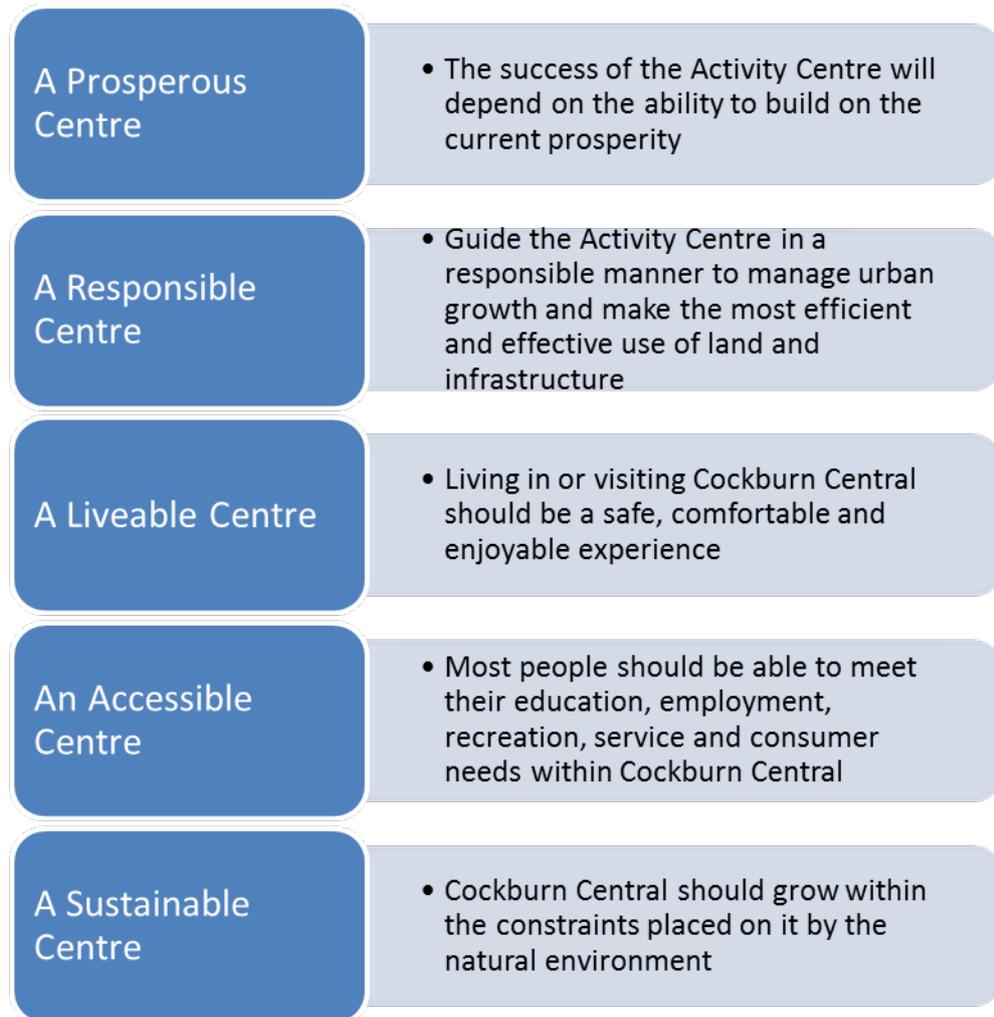
Cockburn Central has all the key requirements to become the most influential Activity Centre in the South West Metropolitan Region. The identified drivers and opportunities for the Centre are:

- A diverse mixed use centre;
- Good transport infrastructure and public transport links;
- A growing population catchment;
- Compact Centre with extensive future development sites;
- Strong links to the surrounding natural environment;
- High quality Civic Infrastructure.

Themes of the Plan

The Plan is based around five key strategic themes; through which the shape, form and function of the future Cockburn Central Strategic Metropolitan Centre will be drawn.





The five key themes are drawn from Directions 2031 and all future statutory planning instruments and initiatives of the City would be expected to justify how they consistent with the five key themes.

Each theme is supported by an overarching objective drawn from the City's Strategic Plan, Commercial and Activity Centre Strategy and Directions 2031 and will be used, in conjunction with the overarching themes, to guide the formulation of the Activity Centre Plan and future decisions of the City within the Plan's area.

Discussion

Cockburn Central is identified as the highest level Activity Centre within the City's boundary. However it has constantly been identified as having the ability to perform more effectively against the standard indicators of intensity, diversity, employment, accessibility, economic activation and urban form. This was examined particularly in the City's Local Commercial and Activity Centres Strategy.



It is clear that there is significant scope for improvement in the performance metrics of Cockburn Central. Increased performance is expected as the Centre grows; however there is currently a lack of consistent planning to manage and maximise this growth.

The intent of the Activity Centre Plan is to analyse the area to date, identify major issues and constraints and provide a comprehensive set of implementable strategic actions and processes to move the Centre towards its vision.

To date the Centre has been developed mainly around existing land uses and infrastructure. What is clear is that there is now the need to create a strategic document that can tie together the different precincts of the Activity Centre.

As Cockburn Central is a relatively new Activity Centre, this has not lead to critical issues arising at this stage, nor has it lead to inappropriate development. However, as the Core and Frame area continue to develop, planning each precinct in an unorganised manner has the potential to lead to a Centre that does not function effectively.

The Activity Centre Plan through its Implementation framework attempts to establish a holistic vision for the Centre to ensure that its maximum potential can be reached.

Implementation Items

The Implementation Framework will provide broad guidance towards this vision; through the identification of a range of initiatives and actions. These items are linked to the key theme of the Plan and also allocated an expected timeframe to indicate importance.

Due to the strategic nature of the Plan, a number of implementation actions are identified as advocacy items. The City would have limited ability to facilitate the outcome, but see the outcome as vital for the fulfilment of the vision of the Plan.

A breakdown of the Implementation items, their associated actions and timeframes can be seen in Attachment 2.

Each Implementation Item is supported by a list of observations and issues that are a summary of the relevant matters raised in the background and issues portion of the report. These summarised points are included in the table to provide easily identifiable rationale for each item.



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.

A Prosperous City

- Sustainable development that ensures Cockburn Central becomes a Strategic Regional Centre.

Moving Around

- An integrated transport system which balances environmental impacts and community needs.

Budget/Financial Implications

There are no specific financial implications associated with adopting this Plan for community consultation. Future planning and infrastructure delivery at and around Cockburn Central will realise a financial cost, however these will be considered as part of those future actions and decisions of Council in respect of the Activity Centre. This Plan seeks to provide a strategic framework to help guide future decisions for the area.

Legal Implications

Nil

Community Consultation

The Activity Centre Plan Discussion paper was extensively advertised to the community, major landholders and interested parties in the Activity Centre Plan boundary, state authorities and the wider community through an advert in the Cockburn Gazette.

The above recommendation requires the Activity Centre Plan to be advertised prior to be presented back to Council for final adoption.

Attachment(s)

1. Activity Centre Plan
2. Implementation Schedule
3. Discussion Paper – Schedule of Submissions



Advice to Proponent(s)/Submissioners

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the 10 July 2014 Council Meeting.

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

Nil.

14.2 (MINUTE NO 5329) (OCM 10/7/2014) - LIMESTONE WALL AND RUINS - PROPOSED INCLUSION ON THE LOCAL GOVERNMENT INVENTORY AND HERITAGE LIST (095/001) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) advertise the proposed inclusion of Limestone Wall and Ruins, Munster (Lot 103 West Churchill Avenue) on the Local Government Inventory as shown in Attachment 1 for a period of 21 days;
- (2) advertise the proposed inclusion of Limestone Wall and Ruins, Munster (Lot 103 West Churchill Avenue) on the Heritage List pursuant to clause 7.1.3 of City of Cockburn Town Planning Scheme No. 3 for a period of 21 days; and
- (3) liaise with the landowner of Lot 103 West Churchill Avenue, Munster to consider modification to the Munster Phase 2 Structure Plan to facilitate retention of the limestone wall.

COUNCIL DECISION

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

CARRIED 8/0

Background

In March 2014 the City was advised by a consultant acting on behalf of the landowner of Lot 103 West Churchill Avenue, Munster that there was a stone wall located on that land which had possible heritage



significance. The landowner subsequently requested that the stone wall be included on the City's Heritage List so that it is afforded protection.

The City engaged Eddie Marcus of History Now to undertake a heritage assessment of the place and make a recommendation regarding its heritage significance, and whether it should be included on the City of Cockburn Local Government Inventory ("LGI") and/or Heritage List.

The purpose of this report is for Council to consider whether to proceed with advertising of the proposed inclusion of the Limestone Wall and Ruins, Munster on the Heritage List and Local Government Inventory.

Submission

NA.

Report

There is a substantial limestone wall and stone ruins located on Lot 103 West Churchill Avenue, Munster. The limestone wall comprises a section of dry stone wall located on the southern boundary of Lot 103 West Churchill Avenue, Munster, directly adjacent to the end of Velaluka Drive. It runs east west along part of the length of the southern boundary of the lot, and is up to 2m in height. The northern side of the wall is concealed by a row of shrubs.

The ruins are located approximately 12m to the north of the wall. They are approximately 0.5m high and form a rectangle. They are set amongst a small Olive grove. One remnant storage shed is easy to read on site, although there appear to be the remains of various other walls and structures in the immediate area. A couple of remnant buildings, including a cement-fibre shed, appear to have been associated with the market gardening business previously carried out on the site.

Both the stone wall and the stone ruins are constructed as double skin walls, with smaller rubble infill. This technique does not appear to be common in Western Australia, and may have been introduced from Croatia.

The City engaged Eddie Marcus from History Now to undertake a heritage assessment of the stone wall and ruins, and to make a recommendation regarding whether they have heritage significance and are worthy of inclusion on the City of Cockburn LGI and/or Heritage List.



The City's LGI is a comprehensive register of places in the City of Cockburn that are considered to have heritage significance. Each place is assigned a 'Management Category', which indicates its level of significance.

In considering whether a place should be included on the LGI the assessment criteria set out in the 'Criteria for the Assessment of Local Heritage Places and Areas' published by the Heritage Council is used. The following assessment criteria are used in this process:

- * Aesthetic value;
- * Historic value;
- * Research value;
- * Social value;
- * Rarity;
- * Representativeness;
- * Condition, Integrity and Authenticity.

Each place on the LGI is also allocated an assigned management category, which provides an indication of the level of significance of the place, as follows:

- A – Exceptional significance
- B – Considerable significance
- C – Significant
- D – Some Significance

The heritage consultant has assessed the stone wall and ruins using these criteria, and considers that the place has heritage significance as follows:

- * Limestone Wall and Ruins, Munster, is significant for its association with the market garden industry, which was the predominant source of employment in the area for most of the 20th century.
- * Limestone Wall and Ruins, Munster, has high archaeological potential to reveal aspects of the market gardening industry from the mid-20th century.
- * Limestone Wall and Ruins, Munster, has scientific value as representing a method of dry stone walling uncommon in Western Australia.
- * Limestone Wall and Ruins, Munster, is associated with Jakov and Jakubina Vidovich, Croatian (Slavic) market gardeners who arrived in Western Australia in 1939, and who settled in Munster in 1946.



- * Limestone Wall and Ruins, Munster, if appropriately interpreted, has the potential to be an educational/ recreational resource for the community, demonstrating the market gardening industry in the City of Cockburn.

The heritage consultant has recommended that the place be included on the LGI as a 'Management Category B' place, having considerable significance, being very important to the heritage of the locality, with conservation of the place being highly desirable; and any alterations of extensions being sympathetic to the heritage values of the place.

The heritage consultant has also recommended that this place be included on the Heritage List pursuant to Town Planning Scheme No. 3 ("Scheme"), where it will be afforded a greater level of statutory protection than it would be if not included. Inclusion on the Heritage List means that planning approval would be required prior to any works being undertaken to wall.

In accordance with clause 7.1.1 of the Scheme Council is required to establish and maintain a Heritage List to identify those places which are of cultural heritage significance and worthy of conservation pursuant to the Scheme. Pursuant to clause 7.1.2 of the Scheme Council is to include on the Heritage List such places on the LGI that it considers to be appropriate. Currently all Management Category A and B places on the LGI are also included on the Heritage List because these are the places with the most heritage significance. Therefore inclusion of this place on the Heritage List is consistent with the City's approach to heritage listing.

A Draft Place record has been prepared by the Heritage Consultant, and is included at Attachment 1.

Clause 7.1.3 of the Scheme sets out the process for including a place on the Heritage List, requiring the owner and occupier of the place to be notified in writing, with reasons for the proposed entry. The proposal is to be advertised for a period of 21 days, with other consultation undertaken as deemed appropriate. Subsequently submissions are to be considered by Council in resolving whether to include the place on the Heritage List.

Given the recommendation of the heritage consultant, it is recommended that Council advertise the proposed inclusion of Limestone Wall and Ruins, Munster on the Local Government Inventory and Heritage List for a period of 21 days.



Munster Phase 2 Structure Plan

There is an approved Structure Plan for the subject land and surrounding area that includes a large proportion of the lot for 'Residential R20' development, a portion of Public Open Space, and an east west road (see Attachment 2). This Structure Plan was originally endorsed in 2005 and did not consider the stone wall and ruins. The proposed east west road would make retention of the wall very difficult and likely impossible. The landowner supports the retention of the stone wall, and the City will work with the landowner to investigate potential modifications to the Structure Plan to facilitate its retention. A concept plan is included in Attachment 3 demonstrating an example of how the Structure Plan could be redesigned to retain the limestone wall.

Conclusion

Based on the assessment undertaken by the heritage consultant and the advice provided, it is recommended that Council advertise the proposed inclusion of Limestone Wall and Ruins on the Local Government Inventory and Heritage List for a period of 21 days.

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.

Community & Lifestyle

- Communities that take pride and aspire to a greater sense of community.
- Conservation of our heritage and areas of cultural significance.

Budget/Financial Implications

The heritage assessment of the Limestone Wall and Ruins, Munster was undertaken using Strategic Planning general municipal funds.

Legal Implications

N/A.

Community Consultation

Community consultation will be undertaken in accordance with clause 7.1.3 of the Scheme, and the proposal will be advertised for a period of



21 days to the landowner, and an article included in the local newspaper.

Attachment(s)

- 1: Draft Local Government Inventory Place Record
- 2: Endorsed Structure Plan
- 3: Concept Plan for revised structure plan

Advice to Proponent(s)/Submissioners

The landowner has been advised that this matter is to be considered at the 10 July 2014 Council Meeting.

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

Nil.

14.3 (MINUTE NO 5330) (OCM 10/7/2014) - PHOENIX CENTRAL REVITALISATION STRATEGY - SCHEME AMENDMENT NO. 96 (COMMERCIAL REZONINGS) (109/029) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council:

- (1) endorse the Schedule of Submissions prepared in respect of Amendment No. 96 to City of Cockburn Town Planning Scheme No. 3 ("Scheme");
- (2) adopt Scheme Amendment No. 96 for final approval (with modification) for the purposes of:
 1. Deleting the objective of the 'Business' zone, clause 4.2.1 (f), and replacing it with the following objective for a new 'Mixed Use' zone:

Mixed Use Zone

 - (f) To provide for a mixed use environment that includes residential development and a range of compatible smaller scale commercial uses such as office, retail and eating establishments.
 2. Renaming the 'Business' Zone 'Mixed Use' in Table 1 (Zoning Table) of the Scheme, and modify the use class permissibility as follows:



Ancillary Accommodation (R-Code) – D to X
Bed and Breakfast – X to A
Child Care Premises – D to A
Dwelling (Aged or Dependent Persons) – X to D
Dwelling (Grouped) – X to D
Dwelling (Multiple) – X to D
Home Business – D to X
Home Office – A to P
House - Lodging – X to A
House - Single (R-Code) – A to X
Place of Worship – D to A
Residential Building (R-Code) – X to D
Tourist Accommodation – D to A
Betting Agency – X to A
Fast Food Outlet – X to D
Motel – X to A
Public Amusement – X to A
Recreation – Private – X to A
Consulting Rooms – P to D
Medical Centre – P to D
Hospital – D to X
Convenience Store – A to D
Shop – X to D
Home Store – A to X
Funeral Parlour – D to A
Hardware Store – D to X
Night Club – D to X
Veterinary Centre – D to X
Vehicle Disused – D to X

3. Replacing all references to the 'Business' zone with 'Mixed Use' zone throughout the Scheme.
4. Rezoning Lot 1000 Phoenix Road, Hamilton Hill, Lot 8 Rockingham Road, Hamilton Hill and Lots 500 and 501 Rockingham Road, Spearwood from 'Mixed Business' to 'Mixed Use' with a coding of 'R60'.
5. Rezoning Lots 16, 17, 24, 25, 61, 62, 91, 92, 96, 97, 100 and 21 Rockingham Road, Spearwood and Lot 101 Kent Street, Spearwood from 'Residential R40' to 'Mixed Use' and 'R60'.
6. Rezoning multiple lots broadly at the intersection of Rockingham Road and Spearwood Avenue, Spearwood from 'Residential R20' and 'Residential R40' to 'Mixed Use' and 'R60'.



7. Rezoning Lot 507 Lancaster Street, Spearwood from Residential R20' to 'District Centre'.
 8. Introducing a residential coding of R-AC3 to land zoned 'District Centre' under the Scheme.
 9. Deleting 'Restricted Use No. 11' from the Scheme Map and Schedule 3 of the Scheme.
 10. Rezoning Lot 155 (Public Access Way) Rockingham Road, Spearwood from 'Residential R40' to 'Local Reserve – Local Road' as shown on the Scheme Amendment Map (Attachment 2).
- (3) ensure the amendment documentation be signed and sealed and then submitted to the Western Australian Planning Commission along with the endorsed Schedule of Submissions with a request for the endorsement of final approval by the Hon. Minister for Planning; and
- (4) advise those parties that made a submission of Council's decision accordingly.

COUNCIL DECISION

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

CARRIED 8/0

Background

Phoenix Central Revitalisation Strategy

The Phoenix Central Revitalisation Strategy ("Revitalisation Strategy") provides a strategic framework for improvements to the Phoenix Town Centre, which includes the surrounding suburbs of Spearwood and Hamilton Hill. This is to specifically guide changes to the study area over the next ten years, focussed on the 800m walkable catchment surrounding the Phoenix Town Centre.

The process for preparing the Revitalisation Strategy was comprehensive and included an extensive community consultation program which began in October 2007 with a visioning phase. The



City subsequently held an Enquiry by Design workshop in November 2007 to prepare draft plans which were presented to the wider community for comment during May-June 2008. The Revitalisation Strategy was adopted by Council on 14 May 2009.

The Revitalisation Strategy included a proposed zoning plan for the area. This included an increase to the residential codings of various properties in parts of Spearwood and Hamilton Hill to increase the residential codings to 'Residential R30', 'Residential R30/R40', 'Residential R40', 'Residential R60' and 'Residential R80'. It also proposed the rezoning of an existing retirement village at Lot 431 Rodd Street, Hamilton Hill from 'Residential R35' to 'Residential R35/80' to enable redevelopment of the site to accommodate more aged accommodation.

These residential rezonings were implemented through Scheme Amendment No. 76 to City of Cockburn Town Planning Scheme No. 3 ("the Scheme") which was adopted by Council on 10 March 2010, and gazetted on 19 August 2010 when the new zonings took effect.

The Revitalisation Strategy also included proposed rezonings along a portion of Rockingham Road to facilitate mixed use development. Scheme Amendment No. 96 proposes to implement these zoning changes, and a number of other changes in line with the objectives of the Revitalisation Strategy. The proposal has been advertised for public comment, and the purpose of this report is for Council to consider the submissions received and make a decision regarding adoption of the Amendment.

Submission

N/A

Report

Amendment No. 96 proposes a number of modifications to the Scheme, primarily to implement the proposed commercial zoning changes outlined in the Revitalisation Strategy which was adopted by Council on 14 May 2009 (Minute No. 3956)

The proposed rezonings are broadly consistent with the proposed zoning plan contained within the Revitalisation Strategy (Attachment 1), and are outlined in detail below:



Proposed Mixed Use and R-AC3 Rezoning

Scheme Amendment No. 96 proposes to rezone a number of parcels of land to a new 'Mixed Use' zone, with the application of a residential coding of R-AC 3. These areas can be broadly defined as follows:

1. The west side of Rockingham Road between Kent Street and Phoenix Road;
2. The land surrounding the intersection of Spearwood Avenue and Rockingham Road; and
3. The north east corner of Rockingham Road and Phoenix Avenue.

In general this land is currently zoned 'Mixed Business', 'Residential R20' and 'Residential R40', as shown in Attachment 2.

The Revitalisation Strategy identified these parcels of land to be zoned 'Business' with a residential coding of 'R60'. The proposed rezoning of this area to 'Business/R60' in the Revitalisation Strategy was to facilitate mixed use development, including residential development. The Revitalisation Strategy acknowledged that the 'Business' zone in its current form was not appropriate, as reflected in Recommendation 5.4B: *'Strategic Planning Services to prepare a Scheme amendment to allow appropriate residential uses, including grouped and multiple dwellings and other uses compatible with residential development in the 'Business' zone.'*

Currently the objective of the 'Business' zone set out in the Scheme reflects an 'office' zone, as follows:

To provide for the development of offices and associated commercial uses.

This objective does not fit the intended vision for this area set out in the Revitalisation Strategy. Furthermore, the zone only allows for a restricted range of uses such as banks, restaurants, consulting rooms, and medical centre; and residential uses are not permissible. The zone therefore does not reflect the mixed use environment that was intended for this area, and the intention was for the range of permissible uses to be modified, as outlined in Recommendation 5.4B of the Revitalisation Strategy.

However, rather than just modifying the range of permissible uses, it is proposed that the 'Business' zone be renamed to the 'Mixed Use' zone to reflect the purpose of the zone more accurately. There are currently no properties in the City zoned 'Business', so these proposed changes do not affect any other land.



It is also recommended that the new 'Mixed Use' zone have the following objective:

To provide for a mixed use environment that includes residential development and a range of compatible smaller scale commercial uses such as office, retail and eating establishments.

It is proposed that a number of changes be made to the range of permissible uses to facilitate the potential for a vibrant mixed use area that allows residential development and uses that are compatible with residential development. The proposed changes to the zoning table (Table 1 of the Scheme) are set out in the recommendation, and in Attachment 3.

To summarise, it is proposed that uses that are not considered compatible with residential development be made 'X' uses (ie. uses that are not permitted) in the 'Mixed Use' zone. This includes uses such as hospital, and night club.

A number of other uses that are currently identified as 'P' uses in the 'Business' zone are proposed to be 'D' uses, whereby planning approval will be required. This will enable an assessment to be made of the appropriateness of the specific use in each circumstance. This includes uses such as consulting rooms, and medical centre. A number of uses are also proposed to be made 'A' uses so that they require advertising under the Scheme, such as child care premises, tourist accommodation, and place of worship, where issues such as parking and access will require careful consideration.

A number of uses that is not currently permissible in the 'Business' zone is proposed to be permissible in the new 'Mixed Use' zone. This includes grouped and multiple dwellings, and uses such as shop, public amusement, fast food outlet and private recreation, which will be subject to planning approval.

In addition to its proposed application in this area the proposed new 'Mixed Use' zone will be an important addition to the Scheme, providing a zone for use in areas where a mixed use environment is envisaged, such as 'shop-top' housing.

The draft Scheme Amendment proposed that rather than applying a coding of R60 to the area, a coding of R-AC3 be applied. R-AC3 is a relatively new residential zoning, introduced as part of the recent review into the Residential Design Codes.

It is proposed that a set of design guidelines will be created, through the Local Planning Policy process, to guide such development. Such a



policy will provide guidance to developers and ensure high quality development, sympathetic to the existing residential uses, is undertaken in areas zoned 'Mixed Use'.

Submissions received regarding proposed 'R-AC3' zoning

There were seven submissions received during the advertising period, with six objections received from landowners adjacent to the properties on Rockingham Road proposed to be rezoned to 'Mixed Use' with a coding of R-AC3.

The concerns that were raised related primarily to building heights and loss of privacy. The building heights permissible under the proposed R-AC3 coding are substantially higher than that permissible under a coding of R60. Under a coding of R-AC3 building heights of up to 21 metres (to the top of a pitched roof) could be possible, and this is substantially more than that permissible under a coding of R60 (12 metres).

In response to these concerns it is recommended that a coding of R60 be applied to this proposed 'Mixed Use' zone (all areas outside the 'District Centre' zone and Lot 507 Glendower Way), rather than R-AC3. A coding of R60 was identified for this area in the Phoenix Central Revitalisation Strategy, and is considered to be an appropriate interface with the adjacent existing R40 coding.

District Centre zone

The 'District Centre' zone in Spearwood currently accounts for 9.02 ha of land, with the majority of this is taken up by one landholding, the Phoenix Shopping Centre (5.75 ha). In total there are 11 lots and 2 strata lots within the current 'District Centre' zone.

Although the uses are primarily commercial in nature, there is a 21 strata multi-level residential building located at No. 3 Burgundy Crescent, Spearwood, adjacent to the Phoenix Shopping Centre.

Clause 5.8.3(b) of the Scheme stipulates that where residential development is permitted, other than in the 'Residential' zone and 'Regional Centre' zone, and a Residential Density Code has not been prescribed, all residential development shall be in accordance with the R60 density code.

This means that currently if residential development were to be proposed in the 'District Centre' zone a coding of R60 would be applicable.



However, it is recommended that a coding of R-AC-3 be applied to the land. With the identification of the Phoenix Centre as a District Centre in State Planning Policy No. 4.2 Activity Centres for Perth and Peel (“SPP 4.2”) it is considered appropriate to utilise R-AC3 over the originally recommended residential zoning of R60. This will allow for greater building heights, which are considered appropriate on the ‘District Centre’ zoned land. Design guidelines can ensure that development achieves an appropriate interface with residential zoned land.

In accordance with clause 6.2.3 of SPP 4.2 activity centres should be coded under the Residential Design Codes, applying activity centre and built form based controls to enable housing development that complements the desired scale and intensity of other development in the centre.

Deletion of Restricted Use No. 11

Currently ‘Restricted Use No. 11’ (‘RU11’) applies to the ‘District Centre’ zone in this area. RU11 restricts the number of supermarkets in this area to a maximum of two.

This restriction was imposed as a result of the City’s former Local Commercial Strategy (“LCS”) that was approved by Council in November 2002. The now superseded LCS recommended that there be no more than two supermarkets, on the basis that any more would undermine the potential viability of several important surrounding neighbourhood and local centres. This restriction was formalised through RU11 being introduced into the Scheme as part of Amendment No. 11 in 2005.

In 2010 a request to delete RU 11 was submitted to Council by the landowner of 218 (Strata Lots 3, 5 and 6) Rockingham Road, Spearwood. This was supported by Council on the following basis:

- * The City has embarked on the Phoenix Central Revitalisation Strategy, whereby over the coming future a large amount of urban consolidation and renewal will take place within the 800m catchment of the Phoenix Park District Centre.
- * Considering the age of the LCS (developed in 2002) and that planning considerations for the Phoenix Area have shifted significantly since then, it is considered that retail shopping demand stemming from the surrounding residential catchment and planned future growth is getting to the point which can sustain a further supermarket. Rather than take consumer patronage from surrounding Neighbourhood Centres, it is considered that an additional supermarket should serve the local catchment which is



growing significantly and planned to continually grow into the future.

However, Scheme Amendment No. 85 did not proceed at the request of the proponent, and therefore the RU11 still applies to the land.

The former LCS has now been superseded by the Local Commercial and Activity Centre Strategy, and restriction to the number of supermarkets was not included as a recommendation. It is not considered that an additional supermarket would generate levels of traffic that would exceed that which could be managed acceptably. It is therefore not considered there is any basis for the restriction to still apply, and accordingly it is recommended that Amendment No. 96 include the deletion of RU11.

Rezoning Lot 507 Lancaster Street

The proposed zoning plan included in the Revitalisation Strategy showed Lot 507 Lancaster Street, Spearwood being rezoned from Residential R20' to 'District Centre'. This lot is located on the corner of Lancaster Street and Glendower Way, adjacent to the 'District Centre' zone to the west, and 'Residential R80' zone to the north.

It is therefore proposed that this lot be rezoned to 'District Centre' with a residential coding of R-AC3.

Public Access Way rezoning

Scheme Amendment No. 96 proposes to rezone the public access way between Bolingbroke Street and Rockingham Road from Residential R40 to 'Local Reserve - Local Road'.

The intent is to retain this link important connection for pedestrian use, and the rezoning of this land facilitates this intent.

Proposed Design Guidelines Local Planning Policy

In accordance with the Revitalisation Strategy it is proposed that design guidelines be prepared for the 'Mixed Use' zone and 'District Centre' zone.

In particular this will be important to address the following key issues:

- * Vehicular access
- * Pedestrian access
- * Setbacks
- * Parking
- * Interface with residential development



- * Signage
- * Landscaping

The Design Guidelines will include guidelines for the 'District Centre' zone which will apply to the redevelopment of this land. These will be advertised for public comment later in the year.

Summary of Community Consultation

Seven submissions were received from landowners, and are summarised in Attachment 4. Six submissions were objections to the proposed R-AC3 coding for the 'Mixed Use' zone on the western side of Rockingham Road.

One submission requested inclusion in the proposed R-AC3 coding, however this property is included in an R40 coded area that was rezoned as part of the Phoenix Central Revitalisation Strategy, and this is considered to be an appropriate coding given the surrounding residential properties.

Conclusion

Amendment No. 96 proposes a number of modifications to the Scheme, primarily to implement the proposed commercial zoning changes outlined in the Revitalisation Strategy.

It is recommended that the proposed coding for the 'Mixed Use' zone on the western side of Rockingham Road, and the intersection of Spearwood Avenue and Rockingham Road be modified from R-AC3 as advertised, to R60 to ensure an appropriate interface with the R40 coded residential land to the rear.

It is therefore recommended that Council adopts Scheme Amendment No. 96 for final approval with modifications, as outlined in the staff recommendation.

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 associated Local Planning Policy (Design Guidelines) will be prepared by staff from Strategic and Statutory Planning Services.

Legal Implications

N/A.

Community Consultation

In accordance with the *Town Planning Regulations 1967* consultation was undertaken for 42 days. Letters were sent to affected landowners and government agencies inviting them to comment on the proposals, and an advertisement was included in the local newspaper.

Seven submissions were received from landowners, with six of these being objections to the proposed R-AC3 coding for the 'Mixed Use' zone on the western side of Rockingham Road.

Attachment(s)

1. Phoenix Central Revitalisation Strategy Zoning Plan
2. Proposed Scheme Amendment No. 96 Map (as advertised)
3. Proposed Table 1 – Zoning Table
4. Schedule of Submissions.

Advice to Proponent(s)/Submissioners

Submissioners have been advised that this matter is to be considered at the Ordinary Meeting of Council 10 July 2014.

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

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES**15.1 (MINUTE NO 5331) (OCM 10/7/2014) - LIST OF CREDITORS PAID - MAY 2014 (076/001) (N MAURICIO) (ATTACH)****RECOMMENDATION**

That Council adopt the List of Creditors paid for May 2014, as attached to the Agenda.



COUNCIL DECISION

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

CARRIED 8/0

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 May 2014, 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 – May 2014.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.2 (MINUTE NO 5332) (OCM 10/7/2014) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - MAY 2014 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Statement of Financial Activity and associated reports for May 2014, as attached to the Agenda; and
- (2) amend the 2013/14 Municipal Budget by:
 1. Reducing the budgeted expenditure against CW 4513-6200 Cockburn Central Super Clinic – Federal Government Grant by \$332,500.
 2. Reducing the corresponding funding from the GP Super Clinic Reserve budgeted against CW 4513-5603 by \$332,500.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0



Background

Regulations 1996 prescribes that a local government is to prepare each month a Statement of Financial Activity.

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 closing funds of \$47.5M are currently \$21.5M higher than the YTD budget forecast. This comprises net favourable cash flow variances across the operating and capital programs as detailed later in this report.



The revised budget currently shows end of year closing funds of \$0.83M, unchanged from last month. This has predominantly resulted from several upwards adjustments to revenue and a \$0.16M balancing item in the mid-year review.

The budgeted closing funds will fluctuate throughout the year, due to the impact of Council decisions and budget recognition of additional revenue. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial summaries attached to this report

Operating Revenue

Consolidated operating revenue of \$116.0M is ahead of the YTD budget forecast by \$1.5M. Several significant variances comprise the majority of this amount:

- Revenue from property rates is \$0.77M higher than the YTD budget target.
- Underground power charges collected were \$0.12M ahead of budget.
- Final quarter of FAGS funding totalling \$0.42M received ahead of YTD budget.
- Interest on investments exceeded YTD budget by \$0.99M.
- Fees & charges across the Human Services business unit are 0.17M behind the YTD budget, mainly due to the out of school care and family day care programs.
- Workers compensation reimbursements are \$0.14M greater than the YTD budget.
- Development application fees are up by \$0.23M against the YTD budget, however building permits revenue is short \$0.20M.
- Income for the SLLC is down \$0.17M compared to YTD budget with lower membership fees a prime contributor to this result.
- Revenue from dog registration fees is \$0.16M greater than the full year budget due to the impact of changes made to the Dog Act.

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

Operating Expenditure

Operating expenditure (including asset depreciation) of \$96.1M was under the YTD budget by \$3.7M and comprised the following significant items:

- Material and Contracts (\$1.98M under YTD budget)
- Other Expenses (\$0.29M under YTD budget)
- Salaries & Direct On Costs (\$0.91M under YTD budget)
- Indirect Employee On Costs (\$0.33M under YTD budget)



- Utilities (\$0.22M under YTD budget)
- Depreciation (\$0.15M under YTD budget)

A more detailed explanation of the variances within each business unit is included in the attached financial report.

At a consolidated level, asset depreciation is tracking close to YTD budget, but there are significant variances at the asset class level:

- Parks Equipment depreciation is over budget by \$0.92M, impacted by a comprehensive asset pick up and revaluation exercise completed during 2012/13 year end.
- Road infrastructure depreciation is \$0.23M under YTD budget,
- Building depreciation is \$0.54M under YTD budget, and
- Plant & machinery depreciation is \$0.24M under YTD budget.

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

Nature or Type Classification	Actual \$M	Amended Budget \$M	Variance to Budget \$M
Employee Costs - Direct	36.28	37.19	0.91
Employee Costs - Indirect	0.58	0.91	0.33
Materials and Contracts	29.72	31.70	1.98
Utilities	3.82	4.04	0.22
Interest Expenses	0.09	0.09	0.00
Insurances	2.25	2.24	-0.01
Other Expenses	5.93	6.22	0.29
Depreciation (non-cash)	20.15	20.30	0.15

Capital Expenditure

The City's actual capital spend to the end of May was \$35.97M, representing an \$18.05M underspend on the YTD budget of \$54.02M.

The following table shows the budget variance analysis by asset class:

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	Annual Budget \$M	Committed Orders \$M
Buildings					
Infrastructure	22.14	28.20	6.06	34.08	7.80
Roads Infrastructure	7.74	14.34	6.60	18.67	1.89
Parks Landscaping & Infrastructure	2.42	3.27	0.85	6.49	1.08
Land Acquisition & Development	0.58	1.87	1.30	2.13	0.02
Landfill Infrastructure	0.28	0.69	0.41	1.70	0.06



Plant & Equipment	2.20	4.37	2.17	4.50	1.57
Information Technology	0.62	1.28	0.66	1.52	0.35
Totals	35.97	54.02	18.05	69.09	12.77

Further details on significant spending variances by project are disclosed in the attached CW Variance analysis report.

Capital Funding

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

Significant variances for May include:

- Transfers from financial reserves were \$9.24M behind budget.
- Road grants received were \$0.40M ahead of the cash flow budget.
- The \$0.17M balance of the CSRFF grant for the Coogee Beach Surf Club project reflected ahead of the YTD budget.
- Developer contributions received under the Community Infrastructure plan are \$4.06M ahead of the YTD budget.
- Developer contributions for roads infrastructure was collectively \$0.27M below the YTD budget forecast across all DCP areas.
- Unbudgeted POS cash in lieu contribution received of \$0.54M (restricted funds).
- Proceeds from the sale of plant were \$0.35M behind YTD budget targets, mainly due to outstanding trades on waste and other trucks.
- Proceeds of \$2.48M from the sale of land associated with the Quarimor Road industrial land development are \$1.48M ahead of the YTD cash flow budget of \$1.0M. The full year budget of \$3.2M will not be realised however as the sale of lot 4219 is yet to be achieved.
- Proceeds of \$0.51M from the sale of land at lot 2242 Amberley Way Hamilton Hill were received ahead of the YTD budget.
- Unrealised proceeds from the subdivision and sale of lot 40 Cervantes Loop and lot 23 Russell Road are contributing a \$1.17M budget variance at the end of May. Full year budget for the sale of both land holdings totals \$1.9M.

Cash & Investments

Council's cash and financial investments holding at May month end totalled \$117.0M down from \$124.8M the previous month.

\$64.2M represents the balance held in the cash backed reserves (\$66.6M previous month) and another \$2.8M represents funds held for other restricted purposes such as deposit and bond liabilities. The



remaining \$50.0M represents the cash and financial investment component of the City's working capital, available to fund current operations and commitments.

The City's investment portfolio made a weighted annualised return of 3.97% in May, little changed from 3.99% the previous month. Whilst this compares favourably against the BBSW 1 Year (implied) rate of 2.75% for the same period, there is an ongoing downward trend in the City's monthly performance. This is as a result of the low official cash rate (currently 2.50%) impacting renegotiated terms for investment renewals.

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 invested for terms ranging between three and twelve months in order to lock in the most beneficial rate and meet the City's cash flow requirements. Factors considered when investing include maximising the value offered within the current interest rate yield curve and mitigating cash flow liquidity risks.

The RBA has reduced rates over this latest period of quantitative easing by a total of 2.25%. However, the City's investment strategy of investing in terms nearing the extent of statutory limits (12 months) has served to moderate any negative impact on the City's overall interest earnings performance.

Given we are now at the bottom of the current interest rate cutting cycle (consensus view of most market analysts) this strategy has now been moderated in an effort to shorten the average duration for the investment portfolio. TD investments offering value over shorter terms (3 to 6 months) are now preferred, subject to cash flow planning. This will reduce risks associated with a potential increase in interest rates over the medium term.

Budget Revisions

The expenditure budget for the Cockburn GP Clinic & Integrated Health & Community Facility has been adjusted downwards by \$332,500 due to the remaining federal funding of the same amount having been doubled up in the carried forwards budget (budgeted as both a direct grant and as carried forward funds held in the GP Super Clinic Reserve). This has no net impact on the Municipal budget and reconciles the federal government funding for the project.



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

Budget amendment included in the recommendation has no net impact on the City's closing Municipal budget position.

Legal Implications

N/A

Community Consultation

N/A



Attachment(s)

Statement of Financial Activity and associated reports – May 2014.

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 5333) (OCM 10/7/2014) - CITY OF COCKBURN INTEGRATED TRANSPORT PLAN (163/007) (J KIURSKI / J MCDONALD) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the 2014 City of Cockburn Integrated Transport Plan; and
- (2) proceed to implement the short-term actions and plan for the implementation of the medium and long-term actions recommended by the ITP Implementation Plan.

COUNCIL DECISION

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

CARRIED 8/0

Background

At the Ordinary Council Meeting on 12 June 2014, Council resolved to defer this item until a more extensive briefing and/or workshop is provided to Elected Members on the Integrated Transport Plan.

A further briefing was provided to Council on 3 July 2014.



The City's Strategic Community Plan defines the vision for the City's movement network as "a robust, safe and integrated transport network that meets people and industry needs while minimising environmental impacts." In 2013 the City revised the existing District Traffic Study, and developed a new plan to provide the foundation for the future road network planning of the City. The District Traffic Study highlighted that it is not economically viable or sustainable to just increase road network capacity to alleviate forecast congestion and that an increasing mode shift away from private vehicle travel will be required for travel to/from and within the City.

To define how travel and access can be improved by considering all types of travel movement and improvements, Arup were engaged to complete a community survey and collect major public concerns on existing transport conditions which helped guide the preparation of an Integrated Transport Plan (ITP).

Arup completed their review in April 2014 and submitted a draft report. The report has since been revised and is now presented to Council for formal adoption, and is included in the attachment.

Submission

N/A

Report

The objectives of this study were to:

1. Undertake a community survey by using on-line engagement to review the existing transport conditions and identify issues in our existing network.
2. Identify the current and expected future transport situation through examination of 'Cockburn of Today' and 'Cockburn of Tomorrow'.
3. Examine existing transport infrastructure and travel patterns to articulate the future transport vision for the City.
4. Develop an implementation plan that identifies soft and hard measures to achieve the ITP vision.

During August 2013, Arup used an online Collaborative Map system to undertake a survey and obtain community input into the preparation of the ITP. Collaborative Map is a mapping application that is viewed in a standard internet browser and uses the Google Maps interface as its source of mapping data. It allows people to participate in engagement activities and provide information from their own computers, thus broadening the reach of engagement programs.



The information on existing transport conditions and issues has been classified under the following categories:

- Congestion
- Road safety
- Parking
- Freight
- Public Transport
- Cycling
- Walking

Over the month-long engagement period, a total of 612 unique comments were posted; there were 938 visits to the website and 2,360 votes (i.e. agree or disagree) were made on the comments. The 612 comments distributed across seven categories such as:

- Congestion – 26%
- Road safety – 30%
- Parking – 10%
- Freight – 2%
- Public Transport – 10%
- Cycling – 12%
- Walking – 10%

The most critical categories were congestion with 26% of the comments and road safety with 30%. The community linked the traffic congestion and road safety issues including driver behaviour, pedestrian crossing, cycling on roads and rat-running. The public transport and lack of bus services were strongly commented on and improvement was requested.

The existing and expected future transport situation and travel patterns have been considered to set objectives aimed to achieve the transport vision for Cockburn.

Cockburn of Today

The City's District Traffic Study (DTS), which was updated in 2013, considered future transport conditions in years 2020 and 2031 based on anticipated growth in land use, population, employment and the expected future transport situation. An outcome of the modelling shows a significant number of new trips going to be absorbed into the City's network and a need for a significant investment in road network upgrades.

The DTS identified current congestion issues at Kwinana Freeway and throughout the City of Cockburn especially Armadale Road, Stock Road, Beeliar Drive, Farrington Road, Berrigan Drive and Jandakot



Road, which is in correlation with the congestion locations raised by the community during the collaborative mapping survey. The feedback from the collaborative mapping highlighted the following sites as the congestion hot spots in the City of Cockburn.

- Gateway Shopping Centre access
- Beeliar Drive
- North Lake Road
- Armadale Road
- Cockburn Station Park 'N' Ride access
- Roe Highway / Kwinana Freeway interchange
- Russell Road / Gibbs Road around Kwinana Freeway ramps
- Kwinana Freeway.

The feedback from the collaborative mapping survey noted that the growing congestion also resulted from the conflict between heavy and light vehicles on the road network. There are some locations within the City that are not identified as primary freight routes, but carry a notable percentage of heavy vehicles such as Barrington Street in Bibra Lake where 16.6% of traffic using this route are heavy vehicles or 20% on Wattleup Road. Freight traffic passing through the east-west roads in Cockburn to access Fremantle Port, has been commented on and expressed as a safety issue in residential areas.

Public transport was a key focus of the community during the collaborative mapping survey. Congestion on the road network around Cockburn Central rail station, parking capacity and long delays to exit car parks, poor pedestrian connections between the station and Cockburn Central shopping centre and conflict between cyclists, buses and pedestrians was a common response from the survey.

The survey of the bus network coverage shows that there is a need for new and additional buses in areas such as Henderson industrial area, Bibra Lake, Aubin Grove, Port Coogee and servicing Jandakot Airport.

The outcome of the travel pattern survey conducted as part of the Collaborative Map process resulted in travel patterns where the priority has been given to the car mode as a more convenient way for commute trips. But the comparison of travel pattern in 2006 and 2011 Census Journey to Work and the result from the collaborative mapping survey shows greater tendency in using public transport and active travel modes of walking and cycling that indicate a growing shift toward a more sustainable mode. The community collaborative mapping results on travel mode share for work/ education trips, shown as:

- Car Driver 61%
- Car Passenger 1%
- Bus 3%



- Train 18%
- Cycle 12%
- Walk 5%

Cockburn of Tomorrow

WA Tomorrow (2012) predicts that the City of Cockburn could have between 121,900 and 141,600 residents by 2026. The population is expected to age with the greatest proportional increase in population in the over 55 year group.

The City of Cockburn has a large supply of undeveloped and underdeveloped urban and urban deferred zoned land at approximately 1,170ha (at 2012) which indicates that the majority of growth will be via new greenfield sites but this could be expected to run out around 2020/21.

Achieving the Directions 2031 and Beyond targets for employment self-sufficiency in the South-West sub-region (Cockburn, Kwinana and Rockingham) will require the creation of approximately 41,000 additional jobs by 2031. Directions 2031 set aspirations that 'all people should be able to easily meet their educational, employment, recreation, service and consumer needs within a reasonable distance of their home'.

Major transport projects in planning for the City of Cockburn include rapid transit connecting Fremantle, Cockburn Coast and Cockburn; a new rail station at Aubin Grove (Russell Road) and the westerly extension of Roe Highway. Road infrastructure likely to come under increasing pressure due to major projects includes:

- Farrington Road and Kwinana Freeway (driven by the Fiona Stanley Hospital).
- Russell and Rowley Roads (outer harbour and intermodal terminal).
- Cockburn Road, Rockingham Road, Spearwood Avenue and Hampton Road (associated with the Cockburn Coast development).

Potential issues of tomorrow are the increase in congestion as a result of roads and rail network growing, parking shortage, and growing in freight movements requiring emerging movements.

A review of the City of Today and the City of Tomorrow highlights a number of key existing and emerging issues, gaps and trends. The following gaps are the key drivers for the ITP to address:

1. Limited public transport provision to industrial areas, (Henderson, Jandakot Airport, Bibra Lake).



2. Limited public transport provision to link neighbourhood activity centres with district centres.
3. Potential lag of public transport provision in growth areas to the east of the municipality e.g. Banjup.
4. No bus priority and missed opportunities for bus priority around Cockburn Central.
5. Strategic planning focuses solely on road transport infrastructure for private vehicle travel and should reference the City's cycle and walking plans more strongly and in a more integrated way.
6. Some road projects are required to improve the permeability of travel through Cockburn, which is important for local accessibility and to permit the efficient movement of freight.
7. Funding gaps – numerous road network upgrades have been identified but most require state government funding. Funding has yet to be committed.
8. Lack of coordinated information on the impact of significant industrial and logistic related development in Cockburn and clear freight management strategy for Cockburn.

The ITP is proposed to provide a framework to guide the promotion, management and development of an integrated multi-mode movement network to improve access and accessibility for all and encourage and facilitate sustainable and active travel.

As the City continues to grow as a centre for tourism, an investment opportunity for businesses and an attractive place to live, work and visit, is our objective to have an ITP that will deliver a sustainable transportation system that is accessible by all, meets the needs of all and improves the quality of life for all.

By developing the ITP, Council will ensure that adequate opportunities are provided for the development and use of alternative modes of transport to the private car; to favour public transport, walking and cycling because they are safe and sustainable.

Strategic Plan/Policy Implications

Demographic Planning

- To ensure the planning of the City is based on an approach that has the potential to achieve high levels of convenience and prosperity for its citizens.
- To ensure development will enhance the levels of amenity currently enjoyed by the community.



Transport Optimisation

- To ensure the City develops a transport network that provides maximum utility for its users, while minimizing environmental and social impacts.
- To construct and maintain roads which are convenient and safe for vehicles, cyclists and pedestrians.

Budget/Financial Implications

The cost of the ITP development has been accommodated within the current 2013/14 adopted budget.

Legal Implications

N/A

Community Consultation

During August 2013, Arup used an online Collaborative Map system to undertake a survey and obtain community input into the preparation of the ITP.

Over the month-long engagement period, a total of 612 unique comments were posted; there were 938 visits to the website and 2,360 votes (i.e. agree or disagree) were made on the comments. Whilst the ITP seeks to establish a movement network which can support a transition from the motor vehicle to other modes of transport, understanding the current issues for community is also critical. The ITP has sought to address many of the issues identified during the consultation phase.

Attachment(s)

City of Cockburn Integrated Transport Plan

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 5334) (OCM 10/7/2014) - RECREATIONAL & LEISURE TRADERS LICENCE - REVIEW OF CONDITIONS (111/006) (N JOHNSTON) (ATTACH)**

RECOMMENDATION

That Council adopt the Recreation and Leisure Traders Licence Agreement and conditions for Kite Surfing Schools, as shown in the attachments to the Agenda.

COUNCIL DECISION

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

CARRIED 8/0

Background

At the Ordinary Council Meeting (OCM) held in February 2013, Council supported a recommendation to prohibit commercial schools from teaching kite surfing at Woodman Point. This was a necessary step to take as the area had become very popular with kite surfing and schools that were operating without any formal approval by the City. As a result of the popularity the foreshore was becoming unsafe for users.

At the OCM held in June 2013, the Council approved a 'Recreation and Traders Licence' to ensure effective management occurs of recreation activities along the Cockburn coastline and public reserves and that those operating had the appropriate qualification, insurances and approvals. The introduction of a licence was also a necessary measure to minimise any potential conflict between operators and other reserve users, adjoining residents and/or local businesses, as well as ensuring there would be no environmental damage associated with such commercial operations

The key objective of the Recreation and Leisure Traders Licence was to provide a formal process to assess requests and provide appropriate approvals and guidelines under delegated authority. The Recreation and Leisure Traders Licence is only required for those individuals or groups making a commercial gain from recreation activities on the City's reserves and foreshores.



From 23 July 2013 to 30 August 2013, the City advertised for kite surfing schools to apply for a Recreation and Leisure Traders Licence to operate at Woodman Point. Six applications were received by the deadline and evaluation by a selection panel consisting of five officers from a range of departments within the City. The panel was assisted by two committee members from WA Kite Surfing Association (WAKSA) who attended as Advisors prior to the formal evaluation process.

In September 2013 the City awarded three licences for the purpose of teaching kite surfing at Woodman Point. The licences were awarded to:

1. Elemental Surf
2. Kite Surf SUP
3. Perth Kite Surfing School

This being the first time that the City had awarded the licences, each school was granted a licence to operate until May 2014 at which time a review would take place.

In October 2013 one of the successful schools opted to appeal the conditions set within the current licence and took the matter to the 14 November 2013 Council meeting. The Licensee was appealing against the following items:

1. Sections of the operating area were unsafe as foreshore landing occurred in a dog exercise area;
2. The number of instructors per school was insufficient therefore making schools unviable to operate;
3. The maximum wind strength to operate in was lower than insurance standards.

At the meeting Council endorsed:

1. The current conditions set applied for the Recreation Traders Licences awarded to Elemental Surf, Kite Surf SUP and Perth Kite Surfing and;
2. A review of 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

As a result of the above grievances the owner of Elemental Surf referred the matter to the State Administration Tribunal (SAT) for appeal. Staff used information from the hearings and various meetings to assist with the review into the kite surfing school licences at Woodman Point.



Submission

N/A

Report

On Friday 13 December 2013 staff attended SAT along with the respondent (Caroline Bradley from Elemental Surf) where grievances were tabled. The outcome of the hearing was for the matter to be brought back to SAT after a mediation meeting was conducted on site on 10 January 2014.

At the mediation meeting held on 10 January the primary focus was to look at the operating area on site to understand the conditions experienced by operators. Elemental Surf was in attendance however the other licence holders did not attend. A second meeting was held on 31 January 2014 to further discuss the licence conditions.

At the meeting on 31 January two of the three licence holders attended and discussed the conditions and management for future licence holders. The matter was again brought back to SAT on the 21 February 2014 however as the original appeal was against the current conditions on a licence that would terminate on May 2014, it was agreed that the case would be closed on the basis that further mediation between the City and the licence holders would take place prior to advertising expressions of interest for the summer 2014/15 operating season.

On 1 April 2014, a meeting was held at the City with the all three licence holders facilitated by a SAT representative and the President of the WA Kite surfing Association (WAKSA). It was agreed at the meeting that the license holders and WASKA work through an agreed set of conditions to inform the City. The City and the SAT representative did not participate in the discussions and let the group privately discuss the matters. The group resolved to provide the following conditions and feedback to the City for consideration:

1. Number of schools operating in the area to be reduced to two;
2. Number of instructors per school to be six (6);
3. Each school to be issued six (6) arm bands each identifying them as licensed instructors;
4. The operating zone to be adjusted with two separate school zones, with each school being rostered to an alternate zone week on/ week off;
5. Dog beach signage to be improved;
6. Council will explore placing bins or improving existing bins;
7. It will be advised through signage that only licensed schools can operate in the area designated;
8. Council to further investigate security.



The City has taken this feedback on board and the majority of conditions seemed reasonable. The City did however object to one particular suggestion around the number of instructors the group recommended. The group felt comfortable increasing the number of instructors to six per licence holder (currently 2) which could see up to 48 students participating. Under the International Kitesurfing Organisation (IKO) standards an accredited instructor may teach up to a maximum of 4 students per class. The City is concerned that this would create the same issues in overcrowding and conflict with other beach users if six instructors per school were allowed. The City has taken on board the desire to allow more instructors by the group however believes that no more than 3 instructors per school should be granted as this would allow up to 24 students at any one time.

On 6 May 2014 staff again arranged another meeting with the license holders and WAKSA to further discuss the number of instructors per school and raised the concerns on behalf of the City to the group. The outcome of the meeting was that no general consensus could be reached on a specific number of instructors per school. The owner of Elemental Surf could not attend this meeting.

On 9 May staff attended a Kite Surfing School Workshop hosted by Surf Life Saving WA in conjunction with Department of Sport and Recreation (DSR) to discuss the current environment of kite surfing as a sport and how local governments as the licencing authority could be assisted with setting standards and conditions. The Department of Sport and Recreation will be developing guidelines for local government later in 2014. This will become a key document for local government in maintaining a level consistency of standards for kite surfing in WA.

Over the last 6 months the City has gained a good understanding of kite surfing as sport, the profile of Woodman Point as a unique location for sport and the way local kite surfing schools operate in WA. The City of Cockburn is one of the few local governments to implement conditions and standards for kite surfing licences and the decisions made are being closely monitored by other local authorities who are experiencing similar issues. The discussions and information has led to the following changes that are being recommended to the licence conditions.

1. *The number of kite surfing licences that are granted to be reduced from three schools to two.*

Three was considered too many for the operating area. Reducing the number to two still provides a choice for participants and it prevents one school from having exclusive access to the foreshore.



2. *The kite surfing lesson area is divided into two zones A and B.*
This will allow each school to have their own designated foreshore area to operate in. Schools would alternate on a week to week basis between Zone A and B. Zone A is regarded as the better location due to the close proximity to a car park.
3. *Wind conditions*
The maximum wind condition that a school can operate to be increased by two knots to 25 knots. This will now align with kite surfing insurance standards.
4. *The number of instructors per school increased by one.*
The number of Instructors teaching at any one time per school to be increased from two to three. This increase will mean that there will a maximum of six instructors on the beach which is the same number from this season. This increase will assist schools become more viable. The number of students in a teaching group must comply with International Kite Surfing Organisation (IKO) standards, (ie.4).
5. *School operating area shifted west.*
Operating area to be moved west to prevent students and instructors from returning to the foreshore in a designated dog exercise area.
6. *Instructor identification*
Each instructor to be wearing an arm band to identify them as having approval to instruct at Woodman Point. The arm band to be provided by the City to the schools at the commencement of the operating period and cancelled upon expiry.

Staff will continue to consult with WAKSA, DSR, SLSAW and other local governments during the period of this licence.

Throughout the review, staff were continually reminded that Woodman Point is one of the best locations in the world for beginner and experienced kite surfers. Secondly, staff were continually made aware of the lack of amenities, signage and security presence in the area. There are no shower/toilet facilities and security - an issue for the schools as the parking is isolated and recently seen a number of car break-ins. Staff will liaise with WAKSA and successful licence holders about ways in which to improve this area.



Strategic Plan/Policy Implications

Community & Lifestyle

- Promotion of active and healthy communities.

Leading & Listening

- 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

N/A

Community Consultation

The City has consulted with (WA Kite Surfing Association) WAKSA, Surf Life Saving WA, representatives of commercial schools and other local Government Authorities that have similar licences in place.

Attachment(s)

1. Recreation and Leisure Traders Licence Agreement & updated Conditions
2. Licence Operator map.
3. State Administration Tribunal Order

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 10 July 2014 Council Meeting.

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

Local Government has care, control and management of beach foreshore facilities for licensing purposes.



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 (OCM 10/7/2014) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE - FREIGHT RAILWAY

Councillor Philip Eva announced the following:

Can officers please investigate and report on the following:

1. Who are the stakeholders in Rail Freight?
2. Railway line owner? Rail stock and locomotives?
3. Who is responsible for security and maintenance of the Railway land corridor that runs through Cockburn?
4. To whom are the users accountable to? What Laws cover them?
5. What is the reporting hierarchy?
6. What is the State Governments responsibility?'
7. What is the Federal Governments Responsibility?
8. What powers does the Local Government have over these entities? Including the railway users?
9. Who is accountable for securing and maintaining the fencing to the borders?
10. Who is responsible for securing the area from unauthorized use?
11. Who is responsible for monitoring rail safety?
12. How does the community report issues?
13. What issues have arisen the past 24 months; raised by the community?
14. What issues have been discovered by City of Cockburn officers?
15. What are the top 10 most dangerous goods transported via railway thru the City of Cockburn?
16. What would be needed to cause a catastrophic event?
 - A derailment at slow speed



- A derailment at fast speed.
 - Exposure to water to the cargo
17. Do we have any risk assessments, if so what are they?

Can the City please provide a report to Council for the OCM in September 2014 on the above?

23. CONFIDENTIAL BUSINESS

Nil

24. (MINUTE NO 5335) (OCM 10/7/2014) - 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 8/0

25. (OCM 10/7/2014) - CLOSURE OF MEETING

The Meeting closed at 7.15 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:/...../.....

