



**Fleur Allen, Hamilton Hill**

Agenda Item 12.2 Manning Park Trails

Q1. What is the City of Cockburn's definition of mountain bikes, to be able to exclude them from Manning Park?

A1. The Chief of Built and Natural Environment advised the definition as any bicycle designed for off road use and used in that manner.

Q2. Where are the designated cycle paths in Manning Park?

A2. The Chief of Built and Natural Environment advised they are the existing dual use paths in the parkland areas around Manning Lake, which are used by recreational cyclists.

Q3. What does the City propose to provide for families with children between the ages of 10 to 15 to promote physical fitness?

A3. The Chief of Built and Natural Environment advised there are a range of activities that families can be involved in that do not involve riding mountain bikes in the upland areas of Manning Park. For example, running, walking, swimming, gym classes, sporting activities such as soccer, football, netball, basketball, little athletics, surf lifesaving, activities at Cockburn ARC.

The City has also constructed a number of pump tracks at various locations around the City.

Q4. What does the City propose to provide to encourage physical activities for multiple generations which mountain bike riding does provide for?

A4. The Chief of Built and Natural Environment advised the proposal before Council is not about restricting families from riding mountain bikes. The recommendation, which is subject to consideration at tonight's Council meeting, is proposing to exclude mountain bikes only from the upland areas of Manning Park.

Q5. Why is this extreme recommendation of excluding mountain bikes even being considered when over 60 per cent of respondents of the Concept Plan felt the Draft Plan was good or very good?

A5. The Chief of Built and Natural Environment advised there are concerns regarding the adverse impacts on the natural environment, including threatened ecological communities and priority fauna.

Q6. Why isn't the Concept Plan being continued and improved upon rather than being dismissed?

A6. The Chief of Built and Natural Environment advised that at this time the recommendation has not been adopted by Council. The proposal for Council consideration is based on the assessment that mountain bike trails cannot be effectively accommodated within the upland area of Manning Park without adverse impacts on the flora, fauna and heritage values.

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**Rebecca Getty, Hamilton Hill**

Agenda Item 12.2 Manning Park Trails

Q1. How does the Council intend to balance the community needs to access a unique natural resource in an urban location, for health, education and mental wellbeing, with the needs for conservation (with or without MTB)?

A1. The Chief of Built and Natural Environment advised that the Council, in September 2018, adopted the Manning Park Master Plan, which guides the management and development of Manning Park.

The Master Plan has five guiding themes:

1. Address, access, and identity
2. Heritage
3. Environment
4. Amenity and Infrastructure
5. Program and activation

The City has been progressively implementing the actions identified in the Master Plan since its adoption.

Q2. Are there assurances that a trail network will still be preserved?

Conservation is of course important, but many people of all ages also use the network of trails to explore and appreciate nature, for mental health and wellbeing, for education, to immerse in nature and to unleash a sense of exploration.

To have such a valuable green resource so close to urban development is really special and it would be a shame if the Council was to exclude all activity using the trail network

A2. The Chief of Built and Natural Environment advised the walking trail network in Manning Park is not proposed to be closed.

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**Tom Burton, Jandakot**

Subject: Berrigan Drive Speed Limit and North Lake Road Train Level Crossing

Q1. Is it the City of Cockburn or the Main Road Department to have the speed limit along the entire length of Berrigan Drive set at 60 mph and having the train level crossing at North Lake Road, South Lake levelled out?

A1. The Chief of Built and Natural Environment advised that Main Roads WA have sole responsibility for the identification, approval, and implementation of speed zones in Western Australia.

In relation to rail crossings, the City, Main Roads WA and the rail operator are joint parties to the Interface Agreement - Public Road & Rail Crossing, which sets out responsibilities in relation to the various rail crossings in Cockburn.

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**Janette Mouttet, Jandakot**

Subject: Conflict of Interest

Q1. Is it correct that your Employee Code of Conduct 1.2 in part states:  
The Code is established in accordance with Section 5.51A of the Local Government Act 1995 and Part 4A of the Local Government Act Regulations 1996, which incorporates these fundamental aims:

Disclosing defined Conflicts of Interest...?

A1. The Executive Governance and Strategy advised the Employee Code of Conduct is available on the City's website. Clause 1.2 lists numerous fundamental aims, including disclosing defined Conflicts of Interest.

Q2. Why did Mr Davis, author of the Report 13.1, 9 December 2021 Ordinary Council Meeting, Glen Iris Golf Course infill recommendation, not disclose his business interest on the report, regarding potential to derive personal benefit?

A2. The Executive Governance and Strategy advised Mr Davis did disclose his business interest to the City at the commencement of his employment. The City determined there was no Conflict of Interest in relation to his business interests and the proposed redevelopment of the former Glen Iris Golf Course, therefore no declaration of interest was required on the report.

All reports that are presented to Council are reviewed and approved by the supervisor, the Head of Business Unit, the Executive Committee and the CEO.

Q3. Are you aware Mr Davis stated to three people that the infill of the course would be good for his business, as he owned Muzz Buzz Southlake just up the road?

A3. The Executive Governance and Strategy advised the City has no record of any alleged conversations.

Q4. How can it not be a registered City of Cockburn Conflict of Interest, noting Mr Davis's own words, of which three people are willing to fill out stat decs?

Q5. Are you aware at another WA Council Ashburton, he was required to note any disclosure of interest re financial, proximity or impartiality interests? Why did City of Cockburn/Mr Davis not have transparency disclosures declared on the 13.1 report?

A4,5. The Executive Governance and Strategy referred to her response to Question 2.

- Q6. Is it correct that to Perth Now, City of Cockburn stated on 3 May 2022: The Code requires Elected Members disclose any interest which could, or be reasonably perceived to, adversely affect the impartiality of the Elected Member?
- A6. The Executive Governance and Strategy advised City responses to the media are published to the City's website. The response included the above statement.
- Q7. I ask therefore, why did the same transparency rule not apply to Mr Davis when authoring a very important recommendation regarding a complex scheme amendment for the currently closed Glen Iris Golf Course?
- A7. The Executive Governance and Strategy referred to her response to Question 2.
- Q8. Why is there no record on the City of Cockburn Register of Interests regarding Mr Davis and his nearby proximity business interest to the Glen Iris Golf Course, considering Mr Davis' own words regarding potential advantage if the course was to be infilled with housing?
- A8. The Executive Governance and Strategy advised that a Proximity Interest is an interest in a matter concerning development of land that adjoins a person's land, change to a planning scheme affecting land that adjoins a person's land, or change of land use to the person making the declaration. As previously stated, Mr Davis declared his business interest at the time of his employment.
- Q9. Can you confirm that at the time of him authoring the influencing the 13.1 Report, that Mr Davis owned Muzz Buzz South Lake?
- A9. The Executive Governance and Strategy referred to her response to Question 2.
- Q10. In fairness to the community, are you going to arrange a new author to conduct a brand-new recommendation report, considering Mr Davis' verbal statement of potential advantage? If not, how does that align with your 2030 Vision of accountability?
- A10. The Executive Governance and Strategy advised no, the City will not. The report for Council consideration was reviewed by the senior leadership in Planning Services and the Executive Committee.
- Q11. Did Mr Davis resign of his own volition in December 2021 or was his position terminated by the City of Cockburn?
- A11. The Executive Governance and Strategy advised employment matters are not for public discussion.

**Michael Smith, Jandakot**

Subject: Glen Iris Golf Course Estate - Advertising

Q1. Mr Arndt, your recent letter dated 14 April 2022 to residents of Glen Iris Golf Course Estate states: "more information on how to make a submission will be provided when the advertising period commences." Has the advertising period commenced; has not yet commenced, or the anticipated date when it will commence?

A1. The Chief of Built and Natural Environment advised the advertising period has yet to commence, as the documentation is currently being updated to reflect the recent advice from the Environmental Protection Authority (EPA).

WA Planning Commission and the EPA gave their respective approvals to proceed to advertise on 10 March and 20 April 2022 respectively.

At this stage we are expecting advertising to commence in late May.

Q2. If the advertising period has not yet commenced please confirm that you will be writing to all residents in Glen Iris to advise the commencement date of the advertising period and that a copy of the proposal and all technical reports will be available on the City's Comment on Cockburn webpage, as well as on the City of Cockburn Glen Iris webpage, at the City's offices, and at the Spearwood/ Cockburn Central libraries. Also, notification in Perth Now Cockburn newspaper?

A2. The Chief of Built and Natural Environment advised yes, the City will be writing to the residents advising when the advertising period will commence and ensuring there is advertising on the City's website, with copies of the proposed amendment and structure plan being available online and at the City's libraries at Spearwood and Cockburn Central. The City will also advertise in the local newspaper.

Q3. Please confirm that the advertising period is 60 days?

A3. The Chief of Built and Natural Environment advised yes, that is correct.

Q4. Why has the City of Cockburn not informed Glen Iris residents about the EPA's decision and why has the City of Cockburn not updated their City of Cockburn Glen Iris webpage regarding the EPA decision?

A4. The Chief of Built and Natural Environment advised that whilst City staff are currently focusing on finalising the documentation and making arrangements for advertising, they have now also updated the website to include to this information.

**Roy Craddock, Jandakot**

Subject: Glen Iris Estate – Community Forum

Q1. The Cockburn City Council Strategic Community Plan is an inspirational document that was developed following extensive community consultation.

Engagement of the community helps define what levels of service the community wants and what they are willing to pay for.

Why is the community forum on the Glen Iris Golf Course site not part of the formal feedback process?

A1. The Chief of Built and Natural Environment advised the Planning Regulations formally set out advertising requirements relating to scheme amendments, covering how, when and for how long.

The Community Forum is to ensure that the community has the opportunity to ask questions on the proposal and the process before they finalise their individual submissions, as well as to ensure they understand how to make a clear and effective submission.

It is important people take up the opportunity to submit their comments in writing through the formal process. This will ensure their submissions are presented to the decision makers.

Q2. It is disappointing to note the Cockburn City Council do not support residents of Glen Iris Golf Course Estate on the proposed redevelopment.

Why won't the Council at least accept in writing the questions through moderated question and answer component at the Forum and include them in submissions to Minister for Planning?

A2. The Chief of Built and Natural Environment advised Elected Members are not able to provide commitments of support or otherwise on any matter, until the matter is debated as part of a Council meeting.

As previously stated, the Community Forum will provide an opportunity for asking questions on the proposal and the process.

Questions that are not able to be answered at the Community Forum can be followed up afterwards and the City's webpage will continue to be updated as needed. This should assist community members in making a clear submission that conveys to the decision makers their thoughts and views on the proposal.

Submissions must be made in writing in accordance with processes under Planning Regulations.