

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON WEDNESDAY, 5 DECEMBER 2012 AT 5:30 PM

---

---

	Page
1. DECLARATION OF MEETING.....	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED) .....	1
3. DISCLAIMER (TO BE READ ALOUD BY PRESIDING MEMBER).....	1
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	2
5 (SCM - 05/12/2012) - APOLOGIES & LEAVE OF ABSENCE .....	2
6 (SCM - 05/12/2012) - PUBLIC QUESTION TIME .....	2
7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS .....	7
8 (SCM - 05/12/2012) - PURPOSE OF MEETING .....	7
9. COUNCIL MATTERS.....	7
(MINUTE NO 4917) (SCM - 05/12/2012) - MEETING BEHIND CLOSED DOORS .....	7
(MINUTE NO 4918) (SCM - 05/12/2012) - EXTENSION OF TIME .....	7
9.1 (MINUTE NO 4919) (SCM - 05/12/2012) - PROPOSED NEW INTEGRATED REGIONAL AQUATIC AND RECREATION COMMUNITY FACILITY AT COCKBURN CENTRAL WEST (CR/M/117) (A LACQUIERE) (ATTACH).....	8
(MINUTE NO 4920) (SCM - 05/12/2012) - OPEN MEETING TO PUBLIC .....	15
10. (MINUTE NO 4921) (SCM - 05/12/2012) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995).....	15
11 (SCM - 05/12/2012) - CLOSURE OF MEETING .....	16



## CITY OF COCKBURN

### MINUTES OF SPECIAL COUNCIL MEETING HELD ON WEDNESDAY, 5 DECEMBER 2012 AT 5:30 PM

---

#### PRESENT:

##### ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mr K Allen	-	Deputy Mayor
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mrs C Reeve-Fowkes	-	Councillor
Mr S Pratt	-	Councillor
Mrs V Oliver	-	Councillor
Mr B Houwen	-	Councillor

##### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Administration & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works (Left at 6.45pm)
Mr D. Arndt	-	Director, Planning & Development
Ms S. Seymour-Eyles	-	Manager, Communications
Ms L. Boyanich	-	Media Liaison Officer
Mr J. Snobar	-	Media Liaison Officer
Ms V. Viljoen	-	PA to Chief Executive Officer

#### 1. DECLARATION OF MEETING

Presiding Member declared the meeting open at 5.33pm.

#### 2. APPOINTMENT OF PRESIDING MEMBER (If required)

N/A

#### 3. DISCLAIMER (To be read aloud by Presiding Member)

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written



advice from the Council prior to taking action on any matter that they may have before Council.

The Presiding Member reminded members of the public that, in accordance with the City's Standing Orders, the taking of photographs or electronic recording of the meeting was not permitted.

**4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)**

Nil

**5 (SCM - 05/12/2012) - APOLOGIES & LEAVE OF ABSENCE**

➤ Clr Tony Romano - Apology

**6 (SCM - 05/12/2012) - PUBLIC QUESTION TIME**

**Mr Chris Lewis, South Beach**

Q1 How will Council fund this project and its many and varied costs and guarantee not to increase rates?

A1 At present Council has set aside \$65M as part of its Plan to fund a Recreation and Leisure Centre at Cockburn Central West. In addition Council has applied for additional funding from the State Government and through Council's determination tonight, if approved, will apply for RDAF Funding from the Federal Government.

Once the extent of the additional grant funding is known, then the design for the Facility will be finalised to match the available funds. If State and Federal Government funding is not forthcoming then Council will build the facility to the provided level of funding noted above.

The extent of Fremantle Football Club's contribution to the overall project is a matter for them. It is the City's understanding that FFC's Board will make a decision on this matter in due course. The Heads of Agreement indicates FFC will construct their facility if they believe it is in their best interest and they have the funds to construct such a facility at the Cockburn Central West Site.

To date, Council's funding is a mix of municipal funds and debt. It is expected Council may borrow up to \$25M. The loan will be repaid using the recently adopted and introduced Developer Contribution Plan funds, which were introduced to build community assets such as the recreation and leisure facility. Because of this factor, the



repayment of the loan will not impact on the rates.

The contract for the leisure centre will be a fixed priced contract. A contingency factor for the construction will be built in as part of the capital cost or to the overall level of the available project funding once grant funds available from the State and Federal Government have been determined.

The operating costs for the new leisure complex are currently being reviewed, initially by Coffey Sports Management and then further by an accounting firm. The extent of any subsidy to users (ratepayers and residents) beyond the subsidy provided to current users of the South Lake Leisure Centre will be presented to Council when the Business Plan is finalised for Councillors to make their decision to proceed or not. The subsidy provided to users in 2011/12, as stated in the Financial Statements recently presented to Council, was equivalent to \$1.17 per person accessing the Facility. This figure is inclusive of depreciation which the Council cash backs. When the business case is presented to Council the extent of any subsidy will be detailed for Council to make its determination. The impact on rates going forward will again be discussed in the Business Plan.

Q2 Can Council guarantee that this big project will not force it to retreat from other commitments, some already made and overdue, to build promised sports and community facilities throughout the city?

A2 At present Council has not resolved to defer or expedite any project on the Plan for the District, and that will be a matter for Council when it determines those projects.

Q3 Will Council guarantee that its private participant, the Fremantle Dockers, will not be asked to bridge any financial shortfalls if the project gets into trouble in future years?

A3 The Heads of Agreement outlines the obligations of each party to the project and the subsequent contract for the actual development will be even more specific ensuring that both parties, Council and the FFC, understand their exact obligations and responsibilities to the development.

**Ms Mary Jenkins, Spearwood**

Q1 Has the cost of running the field for the Dockers been assessed with regard to the water usage, because it is going to be great in this area and if the Dockers did come here will they be charged for every drop of water they use on their playing field? The ratepayers should not be responsible.

A1 The allocation of water bores is provided by the Water Authority who give a licence. They have considered that the water to be taken for



use by the oval is sustainable and it is licensed, so the City anticipates it should not be an issue in terms of the sustainability of the water usage. The complex and overall development will have a lot of sustainable initiatives included in the design, which will incorporate things such as energy conservation and water conservation for both the active reserves and the complex – initiatives that are not in existence at our current facilities.

**Mr Geoffrey Sach, Coogee**

Q1 Has the City of Cockburn advised the Minister for Local Government of its proposed expenditure of cash reserves of \$65M of Municipal funds?

A1 The City is not required under the Local Government Act to advise the Minister for Local Government when it uses Reserve Funds. The City uses them in accordance with the Local Government Act and budgeted for each year, which it is doing in this instance.

Q2 Has the City of Cockburn obtained independent financial advice on the financial viability and sustainability of building the community aquatic centre and its impact on ratepayers' future rate increases.

A2 As indicated in the response to Mr Lewis, the intention is to seek a third party accounting firm to check the numbers. That will form part of the Business Plan that comes back to Council. At the present time, the City already provides a subsidy for the South Lake Leisure Centre users to the tune of \$1.17 per person who accesses that facility.

Q3 What is the City of Cockburn's current credit rating?

A3 The City does not have a credit rating, per se, such as a Triple A. Councils are not rated by any of the major credit rating agencies and it is not planned to get a credit rating from them. The City will apply for a loan using credit with the WATC, which is the State Government Treasury Financing Corporation, and will use the State Government's rating to borrow the funds for the building of a community asset, such as the leisure centre at Cockburn Central West. That is what Treasury has set up the corporation for and that is what the City will utilise. The interest rate is approximately 3.5% using the State Government's credit facility.

Q4 What is the estimated credit rating of the City of Cockburn following financial commitments to build the aquatic centre, taking into account any future operating costs consequential to the forecast interest rate increases?

A4 The City is not using all its Reserve. There is approximately \$55M in Reserves and the City is not going to use those Reserves which have been put aside for other purposes.



Q4a In the meeting Minutes it says there are \$65M of Municipal Funds – what is that made up of?

A4a The \$65M is broken up into two numbers - \$40M of Municipal Funds which is general cash that is available; and \$25M of borrowings.

Q4b With that \$40M, does that mean that money will be used to build?

A4b The City will use the Municipal Funds over the next three years, if Council so wishes, to build the facility. The City will allocate funds out of the budget. The City will then borrow \$25M from the WATC, if they approve that, to fund the balance of the \$65M which is the City's contribution to build the leisure centre as we now know it.

Q5 Can the City of Cockburn guarantee that rates will not increase as a consequence of spending all its cash reserves in building the aquatic centre?

A5 The impact on rates from the construction of the Cockburn Central West facility will be presented in the Business Plan.

Q6 Is it a fact that all of the revenue accrued from the Development Fund for the next 10 years will be totally used to pay for the aquatic centre, to the exclusion of all other recreational requirements in the City of Cockburn during this period?

A6 The City has made some calculations based on how much we expect to get from that particular fund over the next 20 years, on an annualised basis. The City has looked at how much it is going to cost to service a \$25M loan in today's interest environment and does not believe all those funds that should be collected will be used just on this one project. The City believes there will be funds left over each year that will then be able to be used on an array of other projects which are outlined in the Development Contribution Plan that Council adopted some 12 months ago.

*Mr Sach requested a written response to these questions. The Presiding Member advised that the responses would appear in the Minutes of the meeting.*

### **Raymon Woodcock, Spearwood**

Q1 Who is the person or organisation responsible for this proposal and why?

A1 The City of Cockburn is responsible for the development of its community sports and recreation facilities in the context of developing the Cockburn Central West Precinct. The proposed development of a multi-use facility, i.e. the integrated use facility, is a project being put



forward by the City of Cockburn and the Fremantle Football Club.

Q2 Why should ratepayers subsidise a wealthy football club that is doing big business? I believe the Fremantle Football Club is the fourth wealthiest club in Australia to the tune of \$40M to \$50M. Why do we have to subsidise or why can't they pay for this facility themselves?

A2 This is not about subsidising the Fremantle Football Club and that is not something the City of Cockburn is proposing.

Q3 What is the correct name of the Fremantle Football Club and where is it registered, with the Department of Commerce or with ASIC?

A3 With regard to the name of the Fremantle Football Club specifically, we suggest you refer that question to them as they are best to advise what their name is and where they are registered.

Q4 Will ratepayers be billed or called upon to pay for the Fremantle Football Club's facilities at this new venture if it goes ahead?

A4 The ratepayers will not pay for the Fremantle Football Club, this is not about anyone doing cross-subsidising for either party. It is not the intention for either party to cross-subsidise each other – neither the Fremantle Football Club to cross-subsidise the development of our facilities, nor the City theirs. However, what the parties recognise in presenting this to Council tonight is there is a lot more that can be gained in developing a project collaboratively, particularly in terms of seeking external funding to make the overall project a much better, bigger and grander outcome than otherwise would be the case if the City tried to do it by itself.

**Mary Jenkins, Spearwood**

Q1 In relation to my question about water usage, the plan has two very large ovals. We are in a drought situation and it is going to get worse. I would like to know how we are going to keep these two greens and all the greenery around that is in the plan, how are they going to finance this and where are they going to get the water from? The previous explanation was not good enough.

A1 The proposal for the development of the precinct know as Cockburn Central West is to be undertaken by Landcorp. Landcorp have already been in discussions with the Department of Water who have clearly indicated to Landcorp's satisfaction that there is sufficient ground water allocation that can be utilised by this project to successfully irrigate all the areas of open space that have been indicated on the draft Structure Plan.





**7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS**

Nil

**8 (SCM - 05/12/2012) - PURPOSE OF MEETING**

The purpose of the meeting is to consider a Heads of Agreement between the City of Cockburn and the Fremantle Football Club for the development of an Integrated Regional and Aquatic Facility at Cockburn Central.

**9. COUNCIL MATTERS**

**(MINUTE NO 4917) (SCM - 05/12/2012) - MEETING BEHIND CLOSED DOORS**

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr V Oliver pursuant to Section 5.23(2)(c) of the Local Government Act 1995, that Council proceeds behind closed doors to consider Item 9.1.

**CARRIED 5/4**

**Reason for Decision**

As the subject matter is confidential, discussion will need to be conducted behind closed doors.

AT THIS POINT THE MEETING WENT BEHIND CLOSED DOORS, THE TIME BEING 5.57PM.

**(MINUTE NO 4918) (SCM - 05/12/2012) - EXTENSION OF TIME**

**COUNCIL DECISION**

MOVED Mayor L Howlett SECONDED Clr C Reeve-Fowkes that Council extend the meeting for a period of up to one hour, in accordance with Clause 4.14 of Council's Standing Orders Local Laws.

**CARRIED 9/0**



**Reason for Decision**

Suspending standing Order 4.14 will allow Council sufficient time to conclude the business of Council.

**9.1 (MINUTE NO 4919) (SCM - 05/12/2012) - PROPOSED NEW INTEGRATED REGIONAL AQUATIC AND RECREATION COMMUNITY FACILITY AT COCKBURN CENTRAL WEST (CR/M/117) (A LACQUIERE) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) accept the Heads of Agreement between the City of Cockburn and the Fremantle Football Club; and
- (2) utilise the information contained in the Agreement as the basis for the preparation of a Business Plan, pursuant to Section 3.59 of the Local Government Act, 1995, to be presented to Council for consideration in February, 2013.

**COUNCIL DECISION**

MOVED Mayor L Howlett SECONDED Cllr S Pratt that Council:

- (1) accept the Heads of Agreement between the City of Cockburn and the Fremantle Football Club subject to amendments as agreed by Council behind closed doors; and
- (2) utilise the information contained in the Agreement as the basis for the preparation of a Business Plan, pursuant to Section 3.59 of the Local Government Act, 1995, to be presented to Council for consideration in February 2013.

**CARRIED 6/3**

**Reason for Decision**

The changes reflect drafting and grammatical improvements to various sections of the Heads of Agreement, as well as greater clarity to several elements of the Agreement.



## Background

Council's adopted *Plan for the District 2006 - 2016* identified the requirement for a new aquatic and recreation facility to replace South Lakes Leisure Centre. The location of the new facility has been planned to be within the Cockburn Central West (CCW) precinct as this would assist in the creation of a major development hub centrally located within the City.

The Fremantle Football Club (FFC), as part of a due diligence process to investigate alternative options to a Fremantle Oval redevelopment, identified the Cockburn Central site as an option. The Club entered discussions with the City to investigate the opportunity to integrate the Club's future facilities into the City's aquatic and recreation facility at CCW. A Memorandum of Understanding (MoU) was signed by the City with the FFC and the University of Notre Dame to explore the option of developing an integrated recreation, elite sport and education precinct on the site. The University of Notre Dame has since withdrawn its interest in proceeding with a joint development on the site.

The City has outlined a design concept for the aquatic and recreation component of the facility based on extensive community and stakeholder consultation with this concept being endorsed by the Council as the 'base build' design at the Special Council Meeting held on 20 September, 2012.

Further to the adoption of the 'base build' as part of the City's requirements, Council also resolved to;

"continue discussions and planning for the project under the Integrated Concept; combining the new Regional Aquatic and Recreation Community Facility, the Fremantle Football Club's Elite Athlete and Administration Centre and a component for a Tertiary Education Institute on the basis that each party will be responsible for its capital and operating costs for inclusion in a Heads of Agreement for consideration by Council."

In accordance with this resolution, the City and the FFC have worked together to develop concept plans and a cost estimate for an integrated facility proposed at the Cockburn Central West site. Cox Howlett and Bailey Woodland were contracted by both parties to prepare a master plan report and concept designs for an integrated facility. (Attachment 1). The concept includes the City's 'base build' requirements for an aquatic and recreation facility as option 1 and the inclusion of the FFC's training and administration facilities, space for a tertiary education institute and a potential function centre as option 2. The concept designs and report acknowledges the CCW site and the proposed development for the precinct in reference to the draft structure plan and background studies that have been completed to date. The report outlines the key relationships between the major



components of the proposed site development and how they will drive community engagement.

Development of an integrated facility of this nature would allow the City to submit a much stronger case for Federal and State government funding that otherwise may not be substantiated if presented as a stand-alone facility. The innovation and combination of community, elite sports and education coming together puts any submission for funding in a strong position, when compared to other stand-alone facilities seeking funding from the same pool.

### **Submission**

N/A

### **Report**

The prospect of an integrated facility that includes aquatic and recreation components, an elite sporting club and a tertiary education institution would be unique in Australia and become the benchmark for modern facilities of this kind. The development concept incorporates these components into a single integrated facility over multiple levels with the objective of minimising the ground level footprint, maximising capital economies of scale and facility use across the stakeholders while minimising operation costs.

The proposed facilities to be included in the City of Cockburn base build and the FFC base build are included in Schedule 4 of the Heads of Agreement (HOA) (Attachment 2).

A principle of the integrated development is that each party will be responsible for the funding of its own facilities and not subsidise the other party. Notwithstanding this, the two parties will make their best endeavours to maximise the external funding opportunities for the total project. Similarly, neither party will subsidize the operation of the other party. There are many opportunities to have reciprocal and mutually beneficial arrangements in place such as joint use of facilities that can be identified.

### ***Heads of Agreement***

The Heads of Agreement (HOA) (Attachment 2) document outlines the agreed matters between the two parties and the principles for agreement on other matters. The HOA between the City and the FFC provides an obligation for the two parties to proceed with the project subject to a number of conditions.

This agreement is non-binding until Council has considered and endorsed a Business Plan for the integrated facility as a requirement of the Local Government Act (LGA), 1995 (Section 3.59). Proceeding with



the integrated project is subject to external funding for both parties towards the entire project. The integrated facility Business Plan will be presented to Council for consideration in early 2013.

Included in the HOA are a number of schedules that provide a framework for inclusion of matters in the Development Agreement which will be required as the formal, legally binding document to enable the project to proceed.

### ***Land***

The Cockburn Central West site is currently owned by the WA Planning Commission (WAPC) and, prior to any development on site, the land will be transferred to Landcorp for development. The City has signed a Basis for Agreement with Landcorp that outlines the requirements for recreational facilities at this site, in order to secure early settlement of a developable portion of the CCW.

The Draft Structure Plan currently being developed will be presented to the City for comment and then formally advertised for public comment before final endorsement by Council. The development of the integrated facilities would see 3 lots created and allocated to the City on the following basis:

- Lot 1 – an area of approximately 2.6 hectares that will be leased to the City for a period of 50 years by the Crown with the power for the City to sublease. This site will accommodate the building infrastructure.
- Lot 2 – an area for an oval of Australian Football League (AFL) dimensions that will be under a Management Order to the City which will allow for the City to lease to an entity such as the FFC.
- Lot 3 – an area for the community playing fields and public open space that will be under a Management Order to the City for its care, control and management.

### ***Proposed Development Financing***

The final costing of the integrated facility (City of Cockburn and FFC components only) has been estimated at \$107M; however, this could be subject to change when further detailed planning is completed. Within the integrated model, development of the facility would also include an education component and at this stage the City is progressing discussions with a Tertiary Education Institution to partner. The potential for a function centre has also been considered, however, a demand analysis and business case will determine whether such facilities are required within this development.

It is emphasised, however, that the concept of the integrated option is to provide the City with more amenity and benefits for its residents,



without increasing the net cost to the City. It is anticipated that the City's portion of the project will not exceed \$82M to be comprised as follows:

- \$65M Municipal sources
- \$2M State Government (Community Sport & Recreation Facilities Fund) anticipated funding
- 15M Federal Government (Regional Development Australia Fund)

The State Government funding will be targeted separately by each party, with the City already submitting an application through the Community Sport & Recreation Facilities Fund administered by the Department of Sport and Recreation. This fund has a maximum funding allocation of \$4M and, given the regional importance of this facility, the City will be seeking the full funding allocation. The FFC will also be seeking funding through the State Government through a separate cabinet submission, with these funds being apportioned to the FFC's capital cost.

The Federal funding is being targeted against the Regional Development Australia Fund (RDAF). This fund provides for a maximum allocation of \$15M per project. With this likely to be the final funding round prior to the next Federal election, expressions of interest (EOI) have recently been called and will close on 6 December 2012. The City has a much stronger position to target a greater funding amount by partnering with the FFC and therefore a joint funding strategy has been proposed in line with the HOA.

In the event that the level of grant funding being proposed is not achieved, or this exceeds contingency provisions, the City & FFC will consider changes to the design including deferring components. Both parties will reserve the right to terminate the agreement should a significant level of funding shortfall occur.

### ***Development Timeline***

A general project milestone and estimated completion date is outlined below with a more detailed timeline outlined in Schedule 8 of the HOA.

<b>Milestone</b>	<b>Estimated Completion</b>
HOA presented to Council	5 December 2012
Commonwealth RDAF – EOI submission	6 December 2012
CSRFF funding notification	January 2013
Architectural and Design Services Tender Called	February 2013
Business Plan Completed to LGA requirements	February 2013
Commonwealth RDAF - EOI Notification	13 February 2013
Development Agreement Signed	April 2013



Lease Arrangements Finalised	April 2013
RDAF – Full Application due	13 April 2013
Council Final Design and funding approval	October 2013
Council decision on Construction Tender	December 2013
Building Construction Commenced	March 2014
Building Construction Completed	December 2015
Official Opening	February 2016

In conclusion, the Heads of Agreement sets out the matters that have been agreed between the City of Cockburn and the Fremantle Football Club and for other issues, the principles on which agreements will be negotiated in the future, prior to final consideration by Council. Until such time that the outcome of the various funding applications submitted by the parties individually and collectively are known, the final terms of the Development Agreement cannot be readily determined. The HOA does provide a strong indication of the level of commitment of the parties to the project to external funding bodies.

### **Strategic Plan/Policy Implications**

#### **Growing City**

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

#### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.
- Partnerships that help provide community infrastructure.

#### **Community & Lifestyle**

- People of all ages and abilities to have equal access to our facilities and services in our communities.
- Promotion of active and healthy communities.

#### **Leading & Listening**

- Manage our financial and infrastructure assets to provide a sustainable future.

#### **A Prosperous City**

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



- Investment in the local economy to achieve a broad base of services and activities.

### **Moving Around**

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

### **Budget/Financial Implications**

The City has committed to the revised 'base build' of \$82M for the proposed aquatic and recreation facility. The integrated facility has only been progressed on the principal that the City would not cross subsidise any capital or future operating components for other parties involved.

All other capital projects currently proposed as part of the *Plan for the District* can still be accommodated within the life of that Plan. However, the timing and scope of each of these will be subject to review, when Council considers the development of its Community Business Plan in early 2013.

### **Legal Implications**

Subsequent to a Council resolution on this matter, section 3.59 of the Local Government Act, 1995, requires the preparation and adoption of a Business Plan prior to the further development of this proposal.

Subject to the project proceeding, the HOA would be followed by a Development Agreement that outlines the specific commercial arrangements between the City and the FFC for inclusion into a lease arrangement.

### **Community Consultation**

As reported previously, extensive consultation was undertaken as part of the development of this proposal that included community groups, sporting groups, residents, State sporting associations and the Department of Sport and Recreation. The proposed facility is consistent with the needs identified in the Department's *State Aquatic Sports Facility Strategic Plan*.

### **Attachment(s)**

1. Cockburn Regional Integrated Aquatic and Recreation Community Facility, Concept Plans and Design Report
2. Heads of Agreement – *Confidential Attachment* under separate cover.





**Advice to Proponent(s)/Submissioners**

FFC has been advised that this matter is to be considered by Council at a Special Council Meeting to be held on 5 December, 2012.

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

Nil

**(MINUTE NO 4920) (SCM - 05/12/2012) - OPEN MEETING TO PUBLIC**

**COUNCIL DECISION**

MOVED Clr S Pratt SECONDED Clr C Reeve-Fowkes that Council open the meeting to the public.

**CARRIED 9/0**

**Reason for Decision**

Opening the meeting to the public will allow the Presiding Member to inform the public of Council's decision.

AT THIS POINT THE MEETING WAS OPENED TO THE PUBLIC, THE TIME BEING 7.47PM.

THE PRESIDING MEMBER THEN READ OUT THE DECISION OF COUNCIL.

AT THIS POINT DEPUTY MAYOR KEVIN ALLEN, CLR VAL OLIVER AND CLR BART HOUWEN REQUESTED THEIR VOTE AGAINST ITEM 9.1 (MINUTE NO 4919) BE RECORDED.

**10. (MINUTE NO 4921) (SCM - 05/12/2012) - 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 Clr Y Mubarakai SECONDED Deputy Mayor K Allen that the recommendation be adopted.

**CARRIED 9/0**

**11 (SCM - 05/12/2012) - CLOSURE OF MEETING**

MEETING CLOSED AT 7.49PM

**CONFIRMATION OF MINUTES**

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

Signed: ..... Date: ...../...../.....

