

Ordinary Council Meeting – 9 June 2022

Public Question Time Summary of Questions and Responses



Anthony Certoma, Coogee

Agenda Item 18.1 Minutes – Expenditure Review Committee (ERC) Meeting 19 May 2022

Q1. What is the role of the newly formed Expenditure Review Committee?

A1. The Chief Financial Officer advised the ERC have seven roles to perform:

1. Review each Service Level Plan produced for all units established in accordance with the City's adopted Organisation Structure to ensure that each Plan contains sufficient information related to the need, standards, resourcing and benchmarking.
2. Assess all expenditure proposals not otherwise allocated in the City's annual budget and make recommendations to Council on whether the proposals should be accepted.
3. Responsibility for assessing and recommending the allocation of funding in the Major Donations and Significant Sponsorship Categories of the "Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships) Policy, as well as considering applications for funding proposals received outside of established guidelines.
4. Monitor the expenditure of funds from the annual allocation of funds to the Grants, Donations and Sponsorship Budget.
5. Responsibility for reviewing the Community Funding Guidelines and recommending any proposed amendments, as considered appropriate.
6. Responsibility for the review of the annual community events program funded by Council and to recommend a calendar of events for the following financial year.

Q2. Will the ERC review significant expenditure items that ratepayers or community associations highlight or recommend being reviewed in order to achieve better efficiencies or outcomes? If not, why not?

A2. The Chief Financial Officer advised that, as noted in his response to Question 1 above, the role of the ERC does not include referrals from external groups, however this does not preclude ratepayers from asking questions at Council meetings.

Q3. In July/August 2021 Community Consultation was conducted on verge collection methods. This included in person and online workshops, pop-up chats, Facebook live and the online survey, which closed on 19th August, 2021.

Where have the details and results of this extensive community consultation been published for the community to review?

A3. The Chief of Operations advised that results were posted to the consultation participants via newsletter and as a project update on the Bulk Verge Engagement Page on 8 June 2022. The information was released on this date to ensure all Elected Members were cognisant of the consultation response prior to release to the community.

Q4. Doesn't the community have the rightful expectation that the summary paper on the results be published for community consideration prior to alternative options being put forward and considered?

Otherwise, what was the point of the Community Consultation in the first place?

A4. The Chief of Operations advised the community consultation was to gauge the visions and values of the community, so that the Council could consider options that best reflect these values.

Q5. Is it reasonable to conclude that a reduction in the level of service collection of hard and green waste from two to one per year is likely to lead and in fact inconvenience property owners by increasing presentations to the Henderson Waste Recovery Park?

A5. The Chief of Operations advised no. As outlined in the report, research by the Western Australian Local Government Association indicates that the amount of hard waste collected by local governments providing one collection a year is very similar to the amount generated per household from two collections a year.

Q6. In evaluating the additional investment required it appears that the requirements for Option 4 (which is being recommended to Council to vote for as part of the recommendations of the ERC meeting of 19 May 2022) being an extra \$988,000 in Capital Expenditure and \$663,000 in Operation Expenditure are greater than utilising the current system, being Option 1, with additional crew which requires an extra \$953,000 in Capital Expenditure and \$568,000 in Operation Expenditure.

What compelling reasons would Council have to want to consider spending an additional \$35,000 in Capital Expenditure and a further \$95,000 in Operation Expenditure over the current collection system?

A6. The Chief of Operations advised the major reasons are: greater recovery and reuse of waste materials, new diverted waste stream revenues, waste separated at source, reduced material to landfill, improved neighbourhood amenity, and greater flexibility for every property owner.

Q7. Why would you consider changing a system that “the consultation highlights that the current collection program is highly valued” and “residents were satisfied with the existing verge collection system” and “it is evident the scheduled two x two hard and green waste collection service has established good recycling behaviours by our residents”?

A7. The Chief of Operations advised the consultation responses highlighted that the current delivery method posed challenges around amenity of the street, waste recovery and timing issues. The current service is also unsustainable and does not meet the City’s Waste reduction targets.

Q8. Currently the City has approximately 46,000 residential rateable properties which apparently are too much for one verge collection team to efficiently handle. Has the City determined how many properties one crew can handle on a timely basis? Is it 35,000 properties or some other figure?

By introducing a second crew, won’t this double the number of properties that can be effectively covered over the next 10+ years?

A8. The Chief of Operations advised there are currently no defined property numbers per crew as the volume of waste per residential property fluctuates depending on their waste behaviours at that time of collection. A pre-booked service will be quantifiable enabling resources to align with demand.

Q9. Port Coogee has one of the lowest crime rates in the City of Cockburn yet has the highest number of Mobile CCTV units. Why are these not being redeployed to areas of most need such as Hamilton Hill, Spearwood and Coolbellup which have up to four times the crime rate?

A9. The Chief of Community Services advised there are two CCTV units located at the Port Coogee Marina for asset security purposes. Both of these units were installed at the Marina when purchased by the City and are likely to remain in place for the foreseeable future to continue on with asset security protection.

There are also two additional CCTV units have been installed at the Chelydra Point Beach location to monitor a dog on-leash beach area. A CCTV mobile unit was most suited to this coastal location. These units are likely to remain in place and be replaced by new units recommended by the City and added to the mobile fleet, which can then be moved to other locations along with the other five mobile CCTV units.

Q10. On page 94 and 95 of 741 of the Agenda, eleven items have been removed from the Draft Community and Crime Prevention Plan 2022-2027 as a result of the 12 April 2022 Elected Member Briefing. However, it also states that "some of the above items may still occur, but either be funded as part of

existing business as usual operating expenses or at a reduced level so that dedicated funding is not required."

Which items in particular may still occur and why will they occur given the Elected Members' feedback to remove them in the first place?

- A10. The Chief of Community Services advised some of the items listed within the report have been identified as business as usual activities and will be captured by relevant service unit plans and budgets approved by Council, and may still occur.

Accordingly, these have been removed to avoid confusion as to what is an existing service to what is a new service or activity. For example, items such as supporting Neighbourhood Watch events will continue to occur without the need for a new dedicated budget because it is an existing service that the City provides.

It is important to note that the Elected Members have not prescriptively requested removal of all 11 items. Based on feedback regarding the number of actions and type of actions that should be included within the draft Plan, the administration has removed items that reflect Elected Member feedback from the briefing session.

Maureen Fisher-Sim, Hamilton Hill

Agenda Item 18.1 Expenditure Review Committee Meeting 19 May 2022 Minutes

- Q1. I am here as part of the Executive Team of the Friends of the Community. I am following up on Agenda Item 18.1, to do with the BMX and Friends of the Community building in Bibra Lake. I would like to know, where to from here, what is the next step in the process, and what is the timeline?

- A1. The Chief Executive Officer explained that the Expenditure Review Committee has considered a variety of items that will have to go through the budget process later this month at a Special Council Meeting on 23 June 2022, which will deal with the Budget. Within the Budget are the capital expenditure items and Malibar Park is one of those items listed for consideration. Pending adoption of the Budget by Council, the City would then proceed on that basis.

John Esplin, North Coogee

Item 17.2 Parking Restrictions- Lancier Way, North Coogee

Q1. I am the complainant as we cannot get out of our driveway and still have difficulty getting out of our driveway due to the lack of any guidance to the residents on what is happening here.

Since we still can't get out of our driveway, I am wondering if Council has made any recommendation on this laneway in Lancier way?

A1. The Chief of Community Services advised that Council will be considering this item later in the meeting, and that the officer recommendation is that Council approves the installation of 'No Parking on Road' signage.

Peter Scott, Spearwood

Subject: Bicycle Paths in Cockburn

Q1. Will the Cockburn Council commit to improving walking and bicycle infrastructure significantly?

A1. The City's Integrated Transport Strategy aims to improve walking and cycling networks through *'Facilitating safe, efficient, connected and sustainable movement around the City, managing traffic congestion, advocating for improved public transport and supporting alternative means of travel.'*

Q2. Given the hazardous and increasing car congestion and noise pollution in Cockburn, will the Council help reduce car dependency and improve bicycle paths? For example, there are no clearly designated, practical, and safe bicycle paths from eastern suburbs to the main Mandurah railway line, or the Perth to Mandurah bicycle network.

A2. The City has adopted a Long-Term Cycle Network Plan.

Connections to the Freeway Principal Shared path along the railway line have been completed recently at Armadale Road and Cockburn Central.

Connections via local shared paths from residential areas are also available via Rowley, Gibbs, Berrigan and Roe and are servicing the majority of residents.

Q3. Bicycle riders are forced to ride on unsafe, hazardous roads, including Coolbellup Avenue (unsafe drop-offs). As other Councils (Rockingham) significantly invest in improving bicycle paths (with the many commercial and environmental benefits) will Cockburn risk falling behind?

A3. The City's performance with bicycle infrastructure is subject to audit by the Office of the Auditor General. It is an area the City is proud to perform comparatively well in.

Tom Burton, Jandakot

Subject: Glen Iris Forum

- Q1. Now that COVID restrictions have been lifted can submissions from the public regarding the Glen Iris rezoning issue be rescheduled to a one-on-one open forum in Council which was the initial plan prior to COVID lockdown, because there are many elderly residents that do not understand Zoom and all that technological stuff, and therefore are being denied their legal right to make a submission regarding this extremely important issue.
- A1. Any resident is welcome to attend the City's offices during business hours and speak directly to a City planner, likewise, they can telephone a City planner. This is the standard practice for all planning consultations. For this proposal, the standard practice has been supplemented by the online Community Forum. This also ensures that community members who may not be able to attend our offices due to work or isolation requirements have another option available to them.

Janette Mouttet, Jandakot

Subject: Glen Iris Golf Course Estate

- Q1. Does Structure Plan mean a plan for coordination of future subdivision and zoning of an area of land? If not, please define.
- A1. Yes, that is the general intent of structure planning and is the term defined in the Planning Regulations since 2015.
- Q2. Is it correct Town Planning Scheme #3, Table 8 SU1 states under the 'Conditions' column "Structure Plan adopted to guide Subdivision, land use and Development–Glen Iris Golf Course Estate"?
- A2. Yes.
- Q3. Is it correct that the City of Cockburn has no record of a Structure Plan for GIGCE even though it's noted as a Condition re: guidance of SU1?
- A3. The current zoning and special conditions were adopted in 2002, long after the golf course and surrounding residential estate had been developed. Until recently, there has been no proposal that has triggered the need to adopt a structure plan to guide further subdivision or development.
- Q4. Is it correct Mr Arndt, in your letter to the Hon Swinbourn MLC, Standing Committee on Environment and Public Affairs dated 2 September 2020, you stated 'The 'Special Use No. 1 zoning was adopted to facilitate the golf course estate in the mid-1990s and at the time included a Structure Plan, which guided the subdivision, land use and development of the area'?

- A4. In the City's submission to the Standing Committee on Environment and Public Affairs, responding to a petition against the redevelopment of the former Glen Iris golf course, the City explained that the extent, arrangement and zoning of the golf course and surrounding land has evolved over time.

What most people consider to be the golf course estate occurred via a series of scheme amendments in the 1990s, each of which were accompanied by a Development Concept Plan (or similar), which then guided the WAPC's assessment of more detailed subdivision proposals over various portions of the estate.

There was no formal requirement for a comprehensive structure plan at that time.

- Q5. Why did Mr Arndt refer to this Structure Plan to Hon. Swinbourn, when the document cannot be produced when requested by JRRA?
- A5. The referring to a structure plan is consistent with the scheme provisions as related to Special Use 1 (SU1).
- Q6. Can you provide me with a copy of the Structure Plan, Mr Arndt, referenced to the Standing Committee?
- A6. As previously stated, there is no one single structure plan but there are several Development Concept Plans, which accompanied the scheme amendments.
- Q7. Could the Structure Plan being an important document, be unlocatable to prevent viewing of important evidence that supports the retention of SU1/GIGC?
- A7. No.
- Q8. Amendment #56 was referred to in Mr Arndt's letter to the Hon Swinbourn and included in 10.9.20 OCM Minutes but there is no evidence of this Amendment being received by Dept of Planning, Lands and Heritage, per FOI's response 19.10.20, why not?
- A8. In July 1990 the City conditionally resolved to initiate Amendment # 56, however the proponent chose not to accept those terms. The proposal stalled and was later superseded by others, most notably Amendment #82.
- Q9. If Mr Arndt's letter to the Hon Swinbourn includes reference to Amendments #56, 64, 82, 119 and 168 with Gazette dates, why does FOI say they have no record of #56, yet in Mr. Arndt's letter, he states 'Gazette date not clear'?

A9. In order to respond to subsequent requests for further detail, the City undertook a comprehensive archival review of its records.

In addition to the above, the City discovered that the Concept Plan previously attributed to Amendment #56, was a separate proposal the City prepared, as a means of coordinating three landowner proposals that were being separately pursued in the area at that time.

Amendment #64 is the only proposal that was finalised, but even that was subsequently adjusted and superseded by Amendment # 82.

Q10. Why did Mr Arndt state 'Gazette date not clear' if not actually gazetted, as to use these words the Gazette date must have been recorded; it was just illegible?

A10. At that time, the City were unable to locate a copy of the relevant Government Gazette, but that seemed of little importance in the context that the proposal had clearly been superseded by later proposals. Subsequent investigation determined that this was due to the amendment not proceeding.

Q11. Why would Mr Arndt put this notation if # 56 was not approved, did not receive WAPC approval and subsequent gazetting?

A11. It has since been surmised on further archival review, the amendment had been initiated but it had not been progressed further. Most amendments will progress to a formal conclusion; either approval and then gazettal or be refused. If an amendment is not progressed, then there is no Government Gazette date.

Q12. If the City of Cockburn did not adopt # 56, why was this incorrect information included in Ordinary Council Meeting Minutes and Mr Arndt's letter to Mr. Swinbourn?

A12. Information is provided based on what was known at the time. Development of this land at the time had a number of complexities, including multiple landholdings and multiple proposals.

Peter Lampkin, Jandakot

Subject: Glen Iris Golf Course – Privacy Issues

- Q1. Can you confirm a 70-page document that contained personal information that included Glen Iris Golf Course Estate residents' names and/or addresses and/or email addresses and/or mobile numbers, plus private and sometimes confidential comments from those residents who had communicated with the Glen Iris Estate Project Team, was uploaded by the City of Cockburn on the internet, displayed in two City of Cockburn public libraries, and an admin building?
- A1. Advertising of Scheme Amendment # 152 and Structure Plan commenced on 26 May 2022. The documents made available for inspection on the City's website included an 'Appendix 2 Community Engagement Register' which was prepared by the applicant, Glen Iris Estate, and included details of submissions made in relation to the Amendment and Structure Plan. It also included personal details of the submitters, including their name, address, phone and email details.
- Q2. Has the City of Cockburn self-reported this serious privacy breach to OAIC and if so on what date?
- A2. No, the City is not required to make any report, as the City has not contravened any federal or state privacy legislation.
- Q3. Given the City of Cockburn's attempt to notify residents of the privacy breach, please advise why the letter failed to disclose that in certain instances, private details also included email addresses and/or mobile numbers, yet acknowledgement of this was not included in that letter?"
- A3. The letter to residents advised those identified in Appendix 2 Community Engagement Register that the applicant gave consent to the City to remove Appendix 2 from their proposal in its entirety, and confirm the City had actioned the removal of that document, in hardcopy and electronic form.
- Q4. Following the closing date of 25/7/22 for submissions regarding Proposed Amendment #152, what is the time frame for the City of City of Cockburn to review the submissions and make its recommendation to the Minister for Planning?
- A4. The Planning Regulations require Council to make a determination within 90 days following the end of the submission period, unless otherwise extended by the WA Planning Commission.