



City of Cockburn  
Annual General Meeting of Electors  
**Minutes**

For Wednesday, 24 February 2021

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# Annual General Meeting of Electors

## Wednesday, 24 February 2021

### Minutes

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#### Present

#### Elected Members

Mr L Howlett	-	Mayor (Presiding Member)
Mr K Allen	-	Councillor
Mr P Eva	-	Councillor
Mr M Separovich	-	Councillor
Ms C Stone	-	Councillor
Dr C Terblanche	-	Councillor
Mr T Widenbar	-	Councillor

#### In Attendance

Mr T Brun	-	Chief Executive Officer
Mr D Green	-	Director Governance and Community Services
Mr D Arndt	-	Director Planning and Development
Mr S Downing	-	Director Finance and Corporate Services
Mrs G Bowman	-	Executive Manager, Strategy and Governance
Mr A Lees	-	Acting Director, Engineering and Works
Mr J Fiori	-	Risk and Governance Advisor
Ms M Nugent	-	Media and Communications Officer
Mrs B Pinto	-	Governance Officer
Mrs S D'Agnone	-	Council Minute Officer

There were approximately 82 electors and one member of the press in attendance. The Attendance List has been registered in the City's records.

#### Apologies

Deputy Mayor Kirkwood	-	Apology
Cr P Corke	-	Apology
Cr L Smith	-	Apology

## **1. DECLARATION OF MEETING**

Mayor Howlett declared the meeting open at 7:00pm, welcomed all in attendance, and clarified that the meeting had been postponed from its original date of 2 February 2021, due to the COVID-19 lockdown announced by the state government.

Mayor Howlett acknowledged the Nyungar People, the traditional custodians of the land on which the meeting was being held, and paid respect to the Elders of the Nyungar Nation, both past and present and emerging, and extended that respect to Aboriginal and Torres Strait Islander people who may have been present.

Mayor Howlett advised COVID-19 pandemic restrictions were still in place and there continued to be a need for physical distancing. Accordingly, seating in the Council Chamber and the public gallery was set out to ensure physical distancing requirements were met, and requested that physical distancing requirements during the meeting and particularly when leaving the meeting were followed.

Mayor Howlett advised that only confirmed electors or ratepayers of the City were eligible to speak and/or vote at the Annual General Meeting, and that those eligible persons had been given a voting card for use when required during the meeting. Non electors were permitted to attend the meeting as observers only.

An elector is someone who is a resident in the district and on the Electoral Roll, or who owns property in the district and is therefore eligible to be on the Electoral Roll.

The Annual General Meeting of Electors will be conducted in accordance with Section 5.31 of the *Local Government Act 1995* and Clauses 17 and 18 of the *Local Government (Administration) Regulations 1996*. All decisions will be made by a simple majority.

## **2. PURPOSE OF MEETING**

The Annual General Meeting of Electors will be conducted in accordance with Section 5.31 of the *Local Government Act 1995* and Clauses 17 and 18 of the *Local Government (Administration) Regulations 1996*.

## **3. ANNUAL REPORT**

### **3.1 Annual Report 2019-2020**

- (a) Copies of the Annual Report are available on the website and at the door to Electors attending.
- (b) Questions to be answered by Presiding Member or appropriate staff.

## **4. GENERAL BUSINESS**

### **4.1 Written Questions**

Prior to the commencement of General Business, Mayor Howlett made the following statement:

The City has received 18 written questions relating to a number of different matters which include:

- Redevelopment of the Glen Iris Golf Course
- Animal Management and Exercise Plan
- Coogee Beach Caravan Park

As a pre-cursor to these ongoing matters, I ask ratepayers and residents to refrain from sending what can be viewed on some occasions as threatening emails or letters to Elected Members and staff; as this is of increasing concern.

Before moving to questions received in writing, I will read an overall statement relating to redevelopment of the Glen Iris Golf Course.

Since the sale of the property in early 2020, the City has received a number of enquiries from the existing residential community surrounding the former golf course land relating to the future of the area.

Whilst the new landowner has made it known they intend to seek redevelopment of the former golf course land for residential purposes, there is no proposal before Council for consideration at this point.

Many community members have directly contacted Elected Members seeking their position on the matter of any future proposals. Elected Members are not able to make a predetermined outcome on any matter that is, or will, come before Council. Council can only make a decision when it has all the details of the proposal, and has been able to assess such a proposal as part of a Council meeting.

It should also be clearly noted that the City is not the ultimate decision maker in the planning process for rezoning. This authority lies with the Western Australian Planning Commission and the Minister for Planning.

To assist with keeping the community updated, the City has a dedicated webpage addressing some of the frequently asked questions, which also contains information about planning processes and links to the developer's webpage and Community Engagement Officer. Residents are encouraged to access this information.

On behalf of Elected Members we understand the value residents' place on the amenity of the Glen Iris neighbourhood and the need for the community to be fully consulted when any proposals to change land use or rezoning of land have been received. I hope this information clarifies Council's role and position in respect to the status of the Glen Iris Estate.

Mayor Howlett advised that this information is equally applicable to the Coogee Beach Caravan Park. Elected Members cannot provide any predetermined outcome until the Council receives, through its administration, a report addressing any matters that come before the administration regarding the Coogee Caravan Park.

I will now proceed to the written questions that have been received.

#### **4.1.1 Peter Lampkin, Jandakot - Glen Iris Golf Course Estate**

With regards to the Glen Iris Golf Course, many of the responses I have received, as well as other residents is 'it is private land'. We feel that the City of Cockburn are more sympathetic to the developer Eastcourt Property, with the prospect of increased rates notices, rather than the interest and concerns of the 1500+ residents in the 750 homes currently living in the Glen Iris Estate/Turnbury Park. We all need City of Cockburn to stand by us.

Q1. What is the City of Cockburn going to do to stand by and support these residents and the wider community of Cockburn who face the prospect of losing this valuable amenity?

A1. The Director Planning and Development advised that, as previously indicated by Mayor Howlett, the City has not received any applications to redevelop the land at this time, nor have any assurances been given to the purchaser. The City continues to advise the process that is required to be followed should a proposal be submitted to the City.

The Golf Course area is currently zoned Special Use No. 1, which permits a golf course estate, private recreation, hotel, convention centre and associated uses. There is also a small area, approximately 2ha, upon which the former driving range was located, which is zoned Residential R40.

If the new owner proposes uses that fall outside the current zoning, they will need to submit an application to amend the scheme and change that zoning. This would involve consulting the community on the proposed change, in accordance with Planning Regulations.

The scheme amendment process would need the City's recommendation, however the approval is ultimately for the Western Australian Planning Commission and the Minister to provide.

At this stage, the City does not have any further details of how the landowners are intending to redevelop the golf course site. As such, the City is not in a position to formally comment on an unknown proposal.

#### **4.1.2 Hugh Evans, Jandakot**

As Mr Evans was not present at the meeting, his questions will be dealt with as correspondence and a response provided to Mr Evans.

#### **4.1.3 Rhonda Middleton, Jandakot**

As Ms Middleton was not present at the meeting, her questions will be dealt with as correspondence and a response provided to Ms Middleton.

#### 4.1.4 Leanne Chaproniere, Jandakot - Glen Iris Golf Course Estate

Bridge access on Twin Waters Pass. Ownership of the bridge at Twin Waters Pass in the Glen Iris Golf Course Estate.

Q1. Could the Council confirm who owns the bridge on Twin Waters Pass that provides access to in excess of 100 houses located on the inside of the previous Glen Iris Golf Course? We have heard that the developer is planning to remove the bridge.

A1. The Director Planning and Development advised the bridge and the road are dedicated as local roads, which are managed and maintained by the City.

Q2. Regarding applications to rezoning and redevelopment, what would your expectations be in regard to the planning scheme and scheme amendments?

A2. The Director advised, that as previously stated, there are currently no applications that have been submitted to the City by the current landowner.

If the landowner is proposing any uses that fall outside current zoning, they will be required to apply for a scheme amendment to change zoning of the land.

If the current landowners do lodge a scheme amendment, there are certain requirements they must fulfil, in particular public consultation. The City is bound by planning regulations to comply with those requirements around how they are advertised and who they are advertised to.

Following the closure of submissions, the City would reconsider the matter and provide a recommendation to the Planning Commission. The Planning Commission would then assess the City's determination and make a recommendation to the Planning Minister. The Minister would then ultimately make a determination on the scheme amendment.

Q3. Ongoing Health Monitoring. Can the Council outline its priority actions to immediately mitigate the excessive dust that it has been advised by a large number of residents is being created by ongoing works within the Golf Course land?

A3. The Director advised the City has been dealing with a small number of ongoing complaints involving dust.

The City has been monitoring the situation and working with residents to define the extent of the dust being released to determine whether it is excessive.

Recent weeks in Perth have been extremely hot and dry with unusually strong easterly winds, so there is a lot of dust around everywhere, not only in Glen Iris.

The City has, however, been in contact with the landowner, who has made a commitment to secure the site to prevent vehicle access, establish internal access roads, install dust fencing, and hydro mulch any sites where dust may be emanating.

#### **4.1.5 Neil Bell, Jandakot - Glen Iris Golf Course Estate**

Pertinent to the Glen Iris Golf Course Estate redevelopment and property development in general, property developers may engage with the local community through focus-workshops, under the banner of public consultation.

In some instances these workshops are manipulated to align with the developer's agenda and inputs from attendees and the community ignored.

In the case of Eastcourt/Acumen and Glen Iris, there have been numerous complaints submitted to Council alleging misleading and deceptive conduct, and evidence exists of failure by Acumen to adhere to the Workshops' agreed Code of Conduct and Terms of Reference.

It is understood that outcomes of public consultation are integral to the planning process and attendant decisions by WAPC to approve/deny.

Q1. Will Council, as elected representatives of the community, support enactment of local-legislation, banning Cockburn Shire property development submissions by developers, and any agents or representatives, who have been determined to have engaged in misleading and deceptive conduct?

Q2. Will Council, as elected representatives of the community, take steps to investigate Eastcourt/Acumen to determine whether their conduct within the scope of the Glen Iris Golf Course redevelopment public consultation has been misleading and deceptive?

A1,2. The Director Planning and Development advised that community engagement activities undertaken by Eastcourt and Acumen in 2020 and early 2021 do not form part of the City's formal planning assessment process. Rather Acumen have chosen to undertake pre-engagement activities at their own will to assist them in preparation of a proposal for the development of the area.

When a proposal is received the City will follow a due process set out largely for the City to follow in accordance with the Planning and Development Act and the Regulations. This includes engaging with affected landowners, residents and the relevant agencies and service providers to ensure an effective assessment process is undertaken.

The City is not able to make a determination on whether any private consultation undertaken is misleading or deceptive. The City will undertake its own consultation to determine the position of residents on any proposal to rezone the land.

#### **4.1.6 Annabelle Outschoorn, Jandakot - Glen Iris Golf Course Estate**

Q1. Does City of Cockburn object to residents of the Glen Iris Golf Course Estate displaying signage on their own private property, expressing their views of the proposed development, and if so, please provide the legislation which shows that this is not permitted, even if it is within their own property boundaries?

A1. The Director Planning and Development advised the City is aware that signs were being placed by residents within verge areas. The City's *Consolidated Local Laws 2000* make provision for signs not to be erected within verges or any public areas.

Should residents wish to promote signs then there may be scope to undertake this behind their front property boundary line.

The signs that were displayed on Council verges were in contravention of the City's Local Laws and as a result were removed and impounded by City rangers.

#### **4.1.7 Janette Mouttet, Jandakot - Glen Iris Golf Course Estate**

My questions are related to the two (2) species of West Australian Black Cockatoos that roost and forage at the 54.9 hectare, 18-hole Glen Iris Golf Course, Jandakot.

Q1. Is the City of Cockburn aware that Black Carnaby Cockatoos and Red Tail Black Cockatoos frolic, rest or sleep in the mature tall trees, generally located next to the water bodies at the Glen Iris Golf Course?

A1. The Director Planning and Development advised that no, the City is not aware, however if there are any trees that are identified as known roosting or feeding sites and they are proposed to be removed, the proponent is obligated to refer the matter to the Federal Department of Agriculture, Water and Environment.

Q2. Is Council aware that with Eastcourt Property Group removing the water source from the golf course, water bodies and golf course grass land/ vegetation, that there has been severe loss, degradation and impact to the surrounding feeding and watering habitat of the two black cockatoos?

A2. The Director advised that, given that black cockatoos are highly mobile, the removal of artificial water bodies is unlikely to be considered to be a significant threat to these species, under the EPBC Act. The Federal Department of Agriculture, Water and Environment, however, would make that determination.

Q3. Council aware that both Black Cockatoos are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) under endangered/vulnerable classifications?

A3. The Director answered yes.

Q4. Are Council aware that these classifications make threatened species and ecologic communities a matter of national environmental significance under the EPBC Act?

A4. The Director answered yes.



- Q5. Did Council seek guidance from the Australian Government Department of the Environment before allowing Eastcourt Property Group to impact the Black Cockatoo water source?
- A5. The Director advised no, the City has no authority to prevent draining of artificial lakes on privately owned land.
- Q6. Did Eastcourt or the company they have engaged - Acumen Development Solutions (or any other company) provide Council any condition audit and/or any technical information via way of a professional analysis report, that stated that the golf course pumps and pipes were at end of their design life or alternately no longer functional.
- A6. The Director advised no, noting that this is privately owned infrastructure, located on privately owned land.
- Q7. Does the Council take the official stance that due to it being private land the property developer was within their rights to drain the six out of seven golf course lakes to date?
- A7. The Director advised that, given the land is privately owned land, the landowner is within their rights to drain the lakes. The City has been informed that the landowner has taken reasonable steps to protect various species associated with those lakes.
- Q8. Is Council aware if Eastcourt have sought permission from the Australian Government Department of the Environment before removing the threatened cockatoo species water sources?
- A8. The Director answered yes.
- Q9. Is City of Cockburn aware that the Australian Government Department of the Environment takes compliance with the EPBC Act very seriously and investigates alleged breaches by landowners, developers and Councils?
- A9. The Director answered yes.
- Q10. Is Council aware that there is more than one hectare of cockatoo vital banksia woodland habitat at the Glen Iris Golf Course?
- A10. The Director advised City Officers have not seen any detailed flora studies that identify Banksia Eucalypt Woodland, a threatened ecological community, as existing on the golf course site.
- Q11. Is the City of Cockburn Council planning to be advocating on behalf of Carnabys black cockatoos now that there is going to be artwork that features and promotes them at the Cockburn Central Station and includes portrayals in the same artwork of banksias, trees, wind and water?
- A11. The Director advised that the City will always advocate for the protection of wildlife however it is the Federal Department of Agriculture, Water and Environment and/or state agencies such as the Department of Water and Environmental Regulation, that are the ultimate decision makers in that regard.

#### **4.1.8 Jason Silvester, Jandakot - Glen Iris Golf Course Estate**

Q1. What protection can they provide to the existing healthy trees and bushes on the land? As we understand it, the developer may remove some if not all trees and bushes.

A1. The Director Planning and Development advised that any rezoning to facilitate any redevelopment for residential development, or any other use within the SU1 zone, is required to be supported by a detailed Flora and Fauna Study. This study would then be considered alongside any other planning considerations to determine whether any vegetation removal is justified.

#### **4.1.9 Ian Readwin, Jandakot**

As Mr Readwin was not present at the meeting, his questions will be dealt with as correspondence and a response provided to Mr Readwin.

#### **4.1.10 Reg Ferguson**

As Mr Ferguson was not present at the meeting, his questions will be dealt with as correspondence and a response provided to Mr Ferguson.

#### **4.1.11 Pam Coughlin, Jandakot – Glen Iris Golf Course Estate**

Q1. As my home now backs onto a dust bowl, rather than the pristine golf course which I believed was forever, and purchased at a premium price, I request my rates be reduced significantly?

A1. The Director Finance and Corporate Services advised the City does not set or participate in the valuation process to determine residential, commercial, industrial, rural or vacant land values used for the rating of all properties.

This process is undertaken by The Valuer General of WA, in the State Government's Landgate Department, wholly independent of Local Government in Western Australia.

If a ratepayer believes the value of their property has been impacted by dust or the loss of amenity, a written objection can be lodged to the Valuer General's Office.

The Director offered to meet with Ms Coughlin after the meeting to fully explain the process to her.

#### **4.1.12 Priyanka Bhattacharjee, Aubin Grove – Anti Social Behaviour**

As Mr Bhattacharjee was not present at the meeting, his questions will be dealt with as correspondence and a response provided to Mr Bhattacharjee.

#### **4.1.13 Tracey Atkins, North Coogee - Animal Management and Exercise Plan**

As Ms Atkins was not present at the meeting, her questions will be dealt with as correspondence and a response provided to Ms Atkins.

#### **4.1.14 Lucia Benova, Spearwood - Animal Management and Exercise Plan**

Q1. Does the City have a current proposed timeline of the phasing out of the current Ammunition Jetty and the build of the new one?

A1. The Acting Director Engineering and Works advised the Ammunition Jetty is managed by the Department of Transport. All queries on the demolition and construction program should to be directed to this department.

#### **4.1.15 Daniel Anderson, Lake Coogee - Animal Management and Exercise Plan**

We completed an online consultation questionnaire for this topic and there was no indication that dogs would be banned, there was even the suggestion that it would become an off-lead dog area.

Q1. How was the decision made to ban dogs completely from this beach when the online consultation survey process made no mention of a complete dog ban from this beach?

A1. The Director Governance and Community Services advised Council's decision of 9 July 2020 to advertise the Draft Plan for public comment contained a recommendation for the beach area south of the Ammunition Jetty to be changed from a 'dog on leash only' area to a 'dog off leash' exercise area.

In addition, Council requested an assessment on the impacts to local birdlife such a decision may have.

During the subsequent consultation process, the following organisations provided submissions strongly opposed to the area being accessible to dogs at all:

- Department of Sport and Recreation (Woodman Point Recreation Camp)
- Department of Parks and Wildlife (Woodman Point Regional Park)
- Woodman Point Regional Park Community Advisory Committee
- Birdlife
- Conservation Council of WA
- Coogee Beach Progress Association
- Jervoise Bay Sailing Club
- Integrate Sustainability (Environmental Impact Assessment)

Also, a large number of individual submissions were received (97 of 155, or 63%) directly objecting to allowing dogs on the relevant beach area.

Council considered this collective information when considering the future status of the beach, and made its decision on 10 September 2020 accordingly.

7.37pm Cr Widenbar departed the meeting and returned at 7.39pm.

- Q2. Will there be fenced off areas planned for the Coogee beach and Woodman Point areas and if so what will be the consultation process with key stakeholders and users of the beach?
- A2. The Director advised that there are no plans to install any fencing at Coogee Beach or Woodman Point.

#### **4.1.16 Jillian Spruyt, Coogee - Coogee Beach Caravan Park**

- Q1. Do we have the assurance that the statement and email from Planning and Development Director Daniel Arndt, will be honoured?

That the City are committed to help the residents, being that the City's expectation is that Discovery Parks will contact the park residents and commence discussions with them on what their intentions are on the potential redevelopment of the park, and that after one on one meetings with the residents, if an amicable solution is not accommodated, and the residents needs are not met, the City will not proceed with the lease, or sign the agreement to let Discovery Parks redevelop?

- A1. The Director Planning and Development advised Discovery Parks have publicly stated to affected residents that they will have individual one-on-one meetings with all potentially impacted residents to determine their respective needs, abilities and expectations, in relation to their individual sites.

Discovery Parks have advised the City that they are sending out correspondence in the following days that will clearly indicate how the process will evolve in terms on undertaking the one on one meetings.

They have also advised that these discussions will include examining whether there are alternative options or alternative accommodation within their network.

Following the outcomes of those discussions, the City will make a determination on Discovery Park's redevelopment plans and the entering into a new lease.

- Q2. Are the City going to stick by us?
- A2. The Director advised that the City will have to make that determination following the conclusion of any consultation undertaken by residents, and look at that in respect to what is being proposed by Discovery Parks, and any other requirements that are considered by the lease.
- Q3. Will you assure us that any concerns that still remain after the one on one meetings with Discovery Parks, to which I was personally asked by Mr Brun to keep Mr Arndt in the loop, that the City will remain and continue to assist us, until the residents' concerns are met?
- A3. The Director advised that the City will continue to work with all parties to ensure that, wherever possible, resident concerns are considered.

#### **4.1.17 Edeltraud Mueller, Coogee - Coogee Beach Caravan Park**

Q1. When we looked at the plans for the future development of Coogee Beach Caravan Park we discovered that a fence is proposed for around the Coogee Beach Caravan Park.

Our question is if the Coogee Beach Caravan Park is part of the community as it is now, with six entrances from the eastern side and four entrances off the beach side, how is the intended proposal by the City to have low fence childproof gated entrances going to affect the Cockburn community as a whole accessing the beach and surrounds?

A1. The Director Planning and Development advised there have been no formal redevelopment plans lodged by Discovery Parks with the City.

It should be noted that the Coogee Caravan Park is a private lease site and as such the owners have a legal right to restrict public access to the site in order to provide security to the residents within the park.

The beach access points are controlled by the City in order to manage and control the environmental impact on the dunal vegetation.

Q2. In the Business Plan it states 'Key facilities that future leasing could consider as part of the development that will require investment included but are not limited to: 16 items – two of which were fencing, provision of lockable gates', and that all comes from the City of Cockburn. That is under your Business Plan.

A2. The Director advised the City has made it very clear that for any prospective lessee, that the expectation is that there would be significant upgrades to park infrastructure and listed a number of items that infrastructure could include. It does not say that these items have to be included, however it is an indication of what could be included in the infrastructure upgrades that could be included.

The determination of fencing and gates to the park will be determined in respect of providing security to all resident in the park.

#### **4.1.18 Sally Newsome, Coogee - Coogee Beach Caravan Park**

The reason permanent residents live in Coogee Beach Caravan Park is that Fleetwood were the Park Operators who held the City of Cockburn's head lease.

This was not a beautiful area in the 1980s through the next 30 years until Port Coogee was built. Tourism was not a big earner for this Caravan Park and park home rents contributed to Fleetwood Parks' financial viability.

Our new Park Operator is Discovery Parks with a very different vision of creating a Tourist Precinct, which does not include 40 of the park homes and their owners currently living here.

Residents paid a higher price for their houses because the head lease is held by the City of Cockburn and the Caravan Park is on an A-Class Reserve. People believed they were protected, as did Mr Fran Logan, when discussing Woodman Point and Coogee Beach Caravan Parks (extract from Hansard 13 April 2011) 'as part of the

Woodman Point A-class reserve. Therefore, there is no threat to residents of those parks being moved on’.

Mr Troy Buswell said “I suspect that will be the model that eventually most caravan parks will be”.

Mr Fran Logan “I think that is a good model, to look at that land that is already part of a reserve that can be leased’.

Mr Troy Buswell “It takes the value of the land out of the proposition”

Q1. I am asking, would Councillors please consider including clauses into the new head lease to safeguard residents of this Park who are under the control of whichever park operator the Council appoints?

A1. The Director Planning and Development advised that in accordance with the Management Order for the reserve, the site can only be used for the purposes of a Caravan Park, and as such the Coogee Beach Caravan Park is required to provide predominantly short-stay, affordable, accommodation, primarily for leisure tourists.

As set out in State Planning Bulletin 49 – Caravan Parks states: ‘where there is any long-stay accommodation, this is required to complement the short-stay sites with a priority given to locating short-stay accommodation on those areas of the site providing the highest tourism amenity. As such any lease for the site needs to clearly reflect the City’s statutory obligations in respect to the use of the reserve, and that cannot be contrary to those obligations’.

A more measured approach for the Coogee Beach Caravan Park Development. Residents of the Coogee Beach Caravan Park request:

Q2. A more gentle approach to the development which allows some of the impacted residents to stay. A few who are now very elderly and unwell, having lived here for 30 to 40 years. They would be dreadfully affected by relocation.

A2. The Director advised Discovery Parks has stated it will engage with residents on a case by case basis to help find alternative options or alternative accommodation within its network should those residents’ current sites be required for any future redevelopment.

Q3. A more reasonable approach that ensures the development isn’t built at the expense of residents’ life-savings.

A3. The Director advised the City will take a balanced approach in respect to any proposed redevelopment, acknowledging that the park requires significant upgrading to bring it to acceptable standards for a Caravan Park.

Q4. A more sensitive approach to the A Class Reserve we live in, with its precious ecosystem and unique native wildlife.

A5. The Director advised that any proposed redevelopment will also need to minimise any potential environmental impacts.

Q5. A more informed approach encompassing the history of this place. The quiet healing properties of the bushland and the sunsets might be more beneficial to the wider Cockburn community than a tourist precinct. Residents of Coogee

Beach Caravan Park ask Councillors to support a more measured approach for the proposed redevelopment?

- A5. The Management Order for the reserve, the site can only be used for the purposes of a Caravan Park, and as such the Coogee Beach Caravan Park is required to provide predominantly short-stay accommodation primarily for leisure tourists.

Under the State Planning Bulletin 49 – Caravan Parks, which the City is legally required to pay due regard to, states that where there is any long-stay accommodation, this should complement the short-stay sites with a priority given to locating short-stay accommodation on those areas of the site providing the highest tourism amenity.

#### **4.1.19 Neil Smith, Coogee - Coogee Beach Caravan Park**

- Q1. I am apparently in the area that is impacted by what the developer plans to do. I am asking if there are Councillors here who would support a development plan which targets elderly, aged people, some sick people, would they vote to support an inhumane cruelty to elderly people?

- A1. Mayor Howlett explained that Elected Members are not able to prejudge or make a decision on a matter before it comes to Council. The administration prepare a report that is then considered by Council.

No Elected Member can say they will support this matter now, or at any time up until a report is received from the City's administration. No Elected Members are able to provide that security or support in response to your question, but I thank you for your question.

7.55pm The Risk and Governance Advisor departed the meeting and returned at 7.58pm.

#### **4.1.20 Jillian Spruyt, Coogee - Coogee Beach Caravan Park**

- Q1. We are having one on one talks and you just said that we may be relocated to other parks belonging to Discovery Parks, like Woodman Point. I don't understand why anyone would want to go there, if I am considered a caravan on a short term accommodation.

- A1. The Director Planning and Development advised the City is unable to comment on individuals' situations, as the City is not party to any periodic agreements that those long stay individuals may have with Discovery Parks as the lessee.

Further, it is up to each individual landowner to have those discussions with Discovery Parks. At the conclusion of the discussions, the City will look at any redevelopment plans that Discovery Parks has for the caravan parks and weight up what the benefits are and what the resultant actions that the redevelopment will have on some of those long stay residents.

#### **4.1.21 Edeltraud Mueller, Coogee - Coogee Beach Caravan Park**

Q1. You say we are only a Caravan Park. I have lived there for 21 years. Originally Fleetwood was allowed by the City to have houses there and they put park homes there. So how come the City has allowed park homes on the caravan park for all those years, when we pay site fees which partly go to Council rates?

A1. The Director Planning and Development reiterated the City is governed by the Management Order. The reserve is owned by the crown and the state government then determines what powers the City can undertake in relation to the site.

It is very clear that the only use the City is permitted to let occur is that of a caravan park.

The legal definitions of Caravan Parks are then contained within the suitable legislation.

As previously indicated, the state government has also produced a State Planning Bulletin to add further clarification on how a caravan park should be developed.

The State Planning Bulletin states Caravan Parks can include vacant sites, caravans and park homes, so these can be considered, however, the main element is that all those structures or buildings have to be removable structures, that is they can be removed from one site to another site, or from within the caravan park to outside the caravan park. This is a statutory obligation to which the City is required to comply with.

Q2. The homes can be moved but you don't class them as a caravan. What do you class them as?

A2. The Director advised the classifications for caravans are those that have wheels and axels and are able to be moved. Park homes are defined as structures that can be relocated, that is they can be physically moved and are not attached to the ground they are located on. As indicated before, under the State Planning Bulletin, both these types of accommodation can be considered within a caravan park.

Q3. Our home has got wheels underneath it, so is it a park home or a caravan?

A3. The Director advised that, as he was not familiar with Ms Mueller's particular park home, the question would be taken on notice.

#### **4.1.22 Deanna Curran, Hamilton Hill – Animal Management and Exercise Plan**

Q1. Regarding the submissions and comments put forward, through Birdlife, they actually misled a lot of their followers, saying that the beach was already off leash. So how do those comments get used to close down the beach?

A1. The Director Governance and Community Services advised that information was provided in the report to Council and subsequently adopted, so Council did take that into consideration.



- Q2. Regarding the submissions, Birdlife said that people didn't need to be a resident of Cockburn, so how come you will accept submissions from them that don't even live here, but people here today that may not live just in Cockburn, but outside, can't actually say a vote. How is that allowed?
- A2. The Director advised that, in relation to the Annual General Meeting, it is a requirement that only electors of the City of Cockburn are permitted to vote.
- Q3. I am talking about in general. Because we were told that our online submission, to get the beach back wouldn't be accepted, because you couldn't guarantee who lived here. We were told we had to use your written format, which we have done. Then we were told we had to highlight who live here and those who doesn't. How can people who want to support to bring the beach back, who travel to use this beach, bring money to this area, how can you then cause that to then say we are not going to allow them, but we are going to allow them to shut the beach?
- A3. The Director advised that, with a hard copy petition, as long as it is able to be identified who the signatory is, for the purposes of providing that information to Council, that is acceptable, and he does not know where Ms Curran got the information that that was not acceptable.
- Q4. How many submissions are from the Birdlife followers who were all misled by saying it was already an off-leash beach. I have proof of them misleading people. It was already an off-leash beach. So there was no damage being done, people were taking care of their dogs, walking on-lead. So all of a sudden it was being passed by people that don't even live here.
- A4. The Director advised that was a part of the Council decision, on which he could not comment.

#### **4.1.23 Michelle Abbot de Rivera, Coogee Beach Caravan Park**

- Q1. With the City of Cockburn's lease expiring on 16 July 2022, and with the proposed amendment on the Management Order being changed from 21 years to 42 years, am I correct in saying the proposed redevelopment is not actually Discovery Park's idea, but it is actually the City of Cockburn's idea?
- A1. The Director Planning and Development explained that Discover Parks have a lease with the City which expires in June 2022. The City does not have a lease on the land. There is a Management Order in place over the land itself, but there is not actually a lease.

The Reserve is subject to a Management Order. The Management Order grants the City the power to manage and maintain the Reserve, and also to issues a lease for the purposes of a Caravan Park. That lease expires in July 2022.

The City has therefore embarked on a process of trying to identify a suitable proponent to take on a new lease over the site. As part of that process, the City also recognises that most of the infrastructure within the Caravan Park needs to be replaced or significantly upgraded.

Part of that Expression of Interest process that the City followed was to try and work out potential operators who would be financial enough to invest to replace and upgrade existing infrastructure.

The other objective, as clearly outlined previously, is that the City is required to comply with a number of statutory obligations, in that a Caravan Park is required to be predominately short stay accommodation, and that is not the current case that exists. The City are also looking at an operator that can facilitate the change to bring the Caravan Park into line with the statutory obligations that the City must comply with.

Q2. Was it the City of Cockburn's initial plan for the redevelopment, not Discovery Parks?

A2. The Director advised, as previously stated, the City was looking at organisations that were able to take on the lease of the sight and provide significant investment into the site, to bring it up to the standards that would be expected of a modern Caravan Park.

Discover Parks came back and indicated they would be able to, but in order to facilitate that, they would need to look at redevelopment of the park, or portions of the park, to increase or look at the tourist short stay accommodation component. That is in line with the state government's bulletin which the City must legally pay due regard to.

Q3. Are any Council Members aware of the conditions and why they were put on this Reserve A Class land in the first place, like what the actual intent was with the conditions placed on it?

A3. The Director advised the conditions that are required on Council are clearly stated in relation to the Management Order and the relevant legislation associated with Caravan Parks and camping grounds.

Q4. The land was bequeathed by the Powell family to the commonwealth with two conditions imposed on it. One condition was that it must remain a Caravan Park. No too sure where you get your definition of a Caravan Park, according the Landgate and ALSO other federal parliament offices, it is totally different from what you believe it is with only the short stay on it, are you aware of why those conditions were imposed on the bequeathed land in the first place, by Walter Powell. What he wanted it to stay as and why?

A5. The Director advised Council is required to comply with the legislation and the indication in terms of the Management Order. The history, in terms of the site, does not have any bearing on that as it is purely on the basis of Council's legal and statutory obligations, which must be fulfilled.

The definitions of a Caravan Park are clearly explained within the legislation, and as indicated previously, is also further clearly clarified through State Planning Bulletin 49, relating to Caravan Parks, which then goes on to clarify how a Caravan Park should be developed and operated.

- Q6. So you are saying that the City of Cockburn is not on a lease for that particular land?
- A6. The Director reiterated the site is a crown reserve with a Management Order, which is made out to the City. There is no lease between the state government, or the crown, and the City. The City then has the power to enter into a lease with a third party, which in this case is Discovery Parks.

#### **4.1.24 Michael Smith, Jandakot - Glen Iris Golf Course Estate**

- Q1. Should a large number of priority species exist in a place like Glen Iris - I refer to the quendas. If these animals do not relocate well, you cannot dump them in the bush. They are territorial, they are argumentative. If large numbers existed, what would the City do with these animals, would they provide specialised accommodation because there could be large numbers?

- A1. The Director Planning and Development advised prior to a rezoning application being approved, a detailed Flora and Fauna Study would be required to be submitted. The study would provide information on what species of flora and fauna exist on the property and would indicate how that flora and fauna would be accommodated within any development.

As no application has been lodged, the City does not have details of any Flora and Fauna studies that have been undertaken, however as I said, that would be an obligation that the proponent would have to provide before Council would consider a proposal to change the zoning.

- Q2. If you have a large number of a specific priority 4 animal, where would you put it?

- A2. The Director advised he could not provide an answer to a hypothetical question when there is no information or details available on how large a population of quendas exists on Glen Iris, or other details on their habitats within the Glen Iris Estate.

As indicated, that would have to be part of a Flora and Fauna Study that would need to be submitted. On that basis, the City would then have to make a determination as to what would be appropriate in respect to those fauna populations.

- Q3. I accept your comments, but the question is: Cockburn is a very environmentally friendly Council. If you had a large number of any specific rare species that could not be put in the bush, would you provide facilities to take care of those animals, irrespective of Glen Iris or any other development?

- A3. The Director reiterated that he could not comment on a hypothetical situation, and that the City's experienced officers would need to assess the available information. Every situation is going to be different, and is going to be handled differently. Once again, it will depend on actual specifics, like the type of fauna, the numbers, the size of the area where they are located. As a result, I cannot provide an answer to your hypothetical question.

#### **4.1.25 Leanne Chaproniere, Jandakot – Glen Iris Golf Course Estate**

We have a couple of late questions because information was received from Acumen late yesterday afternoon.

There is a proposal by Acumen to engage in preliminary earthworks without a development application having been lodged with any relevant authority.

Having purchased the land in April 2020, Eastcourt, in only a few weeks thereafter took the unilateral decision to drain five of the seven lakes that existed on the land. As we have already heard, it is their land and they can do what they like with it at the moment.

No consultation was undertaken, the lakes have been there for a number of generations. Acumen's reason for doing that, and I quote 'to ensure these unfenced waterbodies do not pose a drowning risk to the community'.

Even being drunk on the 18<sup>th</sup> hole has not given anyone stead to drown in the lakes. JRRA advised Acumen that very point while highlighting that there are many similar, unfenced waterbodies throughout the Cockburn Council area, none of which have resulted in a single drowning.

The plan will need to be approved prior to any clearing of the earthworks, which Acumen has stated, in the course of draining the five lakes. They did this clandestinely at night, and punctured all of the liners.

This has resulted in a disgusting odour from the unilateral, ill informed decision of Acumen to drain the lakes in the first instance, and is affecting the health and wellbeing of residents, evidence of which was obtained by a personal visit to a household by a Council Officer to verify the extend of the disgusting odour. The odour continues unabated and they have met with Council who have given them three options:

One option was to put water back in the lakes, which Acumen have said no to.

The second option was to lightly apply crushed limestone to the problem areas to solve the odour issues, and this was the option suggested by Council.

Acumen have stated they are planning to cover the whole area of the lake beds and fill them in with clear sand. The volume of filling these lakes with clear sand and the earthworks necessary for a significant amount, would be the trucks, bobcats, front end loaders, vibrators, compactors etc. We feel that this is surreptitiously an act of attempting to do land works by saying they are stopping odour on the lakes.

- Q1. Will Council permit significant preliminary earthworks to be conducted via a maintenance proposal?
- Q2. Why is Council considering any proposal from Acumen to execute significant preliminary earthworks whilst no development application has been lodged?
- Q3. Will Council be providing Acumen with tacit approval without having the facts of schedule, quantity of trucks, entry/exit points?
- Q4. Will Council hold Acumen accountable to its own commitment of preparing a Fauna Management Plan in consultation with relevant authorities to be approved prior to any clearing or earthworks commencing?

Q5. Why is the Council, given the extent of the disgusting odour and its health effects on local residents, not insisting Acumen adopt the Council's proposal that a light application of crushed limestone is made to the lake beds immediately?

Acumen has recently confirmed that they are reliant upon the services of Native ARC for a wide range of activities which, when considered in totality, in JRRA's (Jandakot Resident Ratepayers Association) view, is well beyond what is considered to be appropriate and acceptable not only for a volunteer organisation, but also for the prevailing, fragile eco system.

Q6. Why has Council not insisted on a Fauna Management Plan to be submitted by Acumen, given the extent of now known fauna management activities and their impact?

Q7. Why is Council permitting such extensive fauna management activities to be conducted by a private landowner using extensive services of a voluntary organisation, rather than an accredited organisation in accordance with approval policies and procedures?

Q8. Will Council advise Acumen to cease from the relocation of any fauna from the land until the Fauna Management Plan has been approved?

Q9. Will Council advise Acumen that they should make water available to fauna, should the current levels drop to unsatisfactory levels?

Mayor Howlett advised Ms Chaproniere her questions will be taken on notice and responded to in writing by the City's administration.

#### **4.1.26 Janette Mouttet, Jandakot – Glen Iris Golf Course Estate**

Q1. Are City of Cockburn aware that many homes abut and surround the Glen Iris Golf Course aren't tucked away in a corner of the estate?

Q2. Are you aware that Glen Iris Gold Course Estate and Turnbury Turn property owners paid a premium to live in the estate?

Q3. What did the City of Cockburn do to protect all Glen Iris Golf Course Estate and Turnbury Green residents and from not having the golf course land for perpetuity, when it first went through planning, back in, say, 1995?

A1,2,3. The Director Planning and Development advised the Glen Iris Golf Course, when it was first established, was established on privately owned land as a privately owned and operated golf course, and is therefore no different to any other privately owned land whereby Council granted approval for them to use that privately owned land as a golf course. It was not the case that they were required to maintain it as a golf course in perpetuity, as it was privately owned land.

Q4. So are you aware that there were annexures that everybody still has on their Certificate of Title, where houses have to be built six metres back from the golf course, and that is still valid with the Land Titles Office?

- A4. The Director advised there is no requirement for the owners of the land to maintain a golf course, and confirmed that the City is aware there are terms on the title regarding the requirement of setbacks. In the future, if the land use changes and the golf course was removed, those requirements would no longer be applicable.
- Q5. So you are aware that 200 people who are living in the estate, surrounding a golf course, not just tucked away in the corner, that those people set their houses back, they set their sheds back, they put glass for views that are now going to be overlooking other people's dirty laundry if you approve this?

#### **4.1.27 Neil Smith, Coogee - Coogee Beach Caravan Park**

- Q1. If there is a perception that the Council is condoning or supporting something that is inhumane, is there a process or some avenue that people can apply to, to have the Management Order cancelled or dropped altogether?
- A1. The Director Planning and Development advised the Management Order is determined by the state government. The City can make requests relating to the Management Order, however it cannot dictate any changes to the Management Order.

The City has gone through a process of asking questions about the Management Order, and a statement has been received back stating very clearly that the City is required to comply with the provisions that the site can only be used as a Caravan Park in accordance with the applicable legislation.

- Q2. But the government can cancel the order?
- A2. The Director advised the government can only cancel the Management Order if it is found the City has not been in compliance with the provisions of that Management Order.

#### **4.1.28 Robert Stewart, Jandakot – Glen Iris Golf Course Estate**

- Q1. In relation to the Glen Iris Estate, a number of questions have been asked and answers given. What are there parameters or limitations or restrictions that are placed on the current owner of the former golf course in terms of making changes to the land? For example, removal of trees, filling in of the former lakes, movement of mounds of sand, things or that nature?
- A1. The Director Planning and Development advised that, as with any privately owned property, there are certain requirements that need Council approval and there are others that do not require Council approval.

For example, trees. If a tree is on a privately owned property, there is no legislation currently within the City of Cockburn that controls or allows Council to prohibit removal of trees, in the same way as with any other residential property.

Similarly with lakes, the lakes in the Glen Iris Estate are artificial lakes which were created as part of the golf course area. They are privately owned, and the

owners are within their rights to drain the lakes, in the same way that any residential property owner could drain a fish pond.

There are, however, parameters involved if landowners are looking at earthworks within the site. City officers have been in contact with Eastcourt as they are aware that Eastcourt are considering looking at putting fill in the lakes.

That constitutes an area which does require a Council approval. If you are altering the contours of the natural land by greater than 500mm, you need to obtain prior Council approval.

This has been made very clear to the owners of the golf course area, indicating that if they do choose to carry out any actions that require a Council approval, then they need to make an application for that approval and it will be assessed in due course.

#### **4.1.29 Karin Klicker, Coogee - Coogee Beach Caravan Park**

Q1. I have heard lots in your answers tonight, and I am hearing short stay tourists mentioned a lot, that the Management Order says short stay and tourists. Who do we contact to have the Management Order changed?

A1. The Director Planning and Development advised the Management Order is governed by the state government. The Management Order states clearly that the only purpose the reserve can be used for is a Caravan Park.

You then go to the respected legislation to determine the definition of a Caravan Park, and that is where you start talking about Caravan Parks being primarily for short term tourist accommodation.

It is not the Management Order, it is the legislation that is then used to determine what is meant by a Caravan Park. It is the legislation that is then used to determine what is a Caravan Park.

Q2. So the legislation has to change?

A2. The Director Planning and Development advised the either the purpose of the reserve has to change from Caravan Park, which would require a change to the Metropolitan Regional Scheme, or alternatively as you pointed out, the definition and the requirements of a Caravan Park under the legislation would have to change.

Q3. I sent a very rough proposal to you and the CEO which clearly showed that Discovery Park could build 20 cabins immediately without moving anybody. Have you had a look at my proposal?

A3. The Director Planning and Development advised he had looked at Ms Klicker's proposal and had forwarded it onto Discover Parks for their consideration. As previously advised, Discover Parks have indicated their intentions, however they have not yet lodged an formal development application.

#### **4.1.30 Daniel Anderson, Lake Coogee – Animal Management and Exercise Plan**

My question relates to the consultation process at Coogee Beach and dogs not being allowed on that beach. The initial consultation process didn't pose that option to ratepayers in the City and the reasons the decision was made to ban dogs was based on large associations that may have vested interests that may not have been looked at, as well as environmental agencies that were consulted.

Q1. The questions was never posed to ratepayers within the City of whether or not they would support a dog ban versus a dog on-lead beach. I am trying to understand how that is a fair process, given that ratepayers should be consulted?

A1. The Director Governance and Community Services reiterated that, as part of the Council decision of 9 July, 2020, there was a recommendation within the report to Council that the beach area south of the Ammunition Jetty be changed from an on-lead only area to a dog off-leash exercise area.

Council wanted that to go out to public consultation, and it was that process that drew the amount of submissions that opposed dogs having access to that beach. That was not only the large organisation that you mentioned, it was also 97 out of 155 individual submissions.

That was the information that was provided to Council and a decision was subsequently made at the following Ordinary Council Meeting on 10 September 2020.

Q2. The response might have potentially been different and had more opposition to it from pro dog owners at the beach if that option had been put forward. I guess you had a lot of submissions from people who had a vested interest in having dogs banned, but that was never on the cards. People were really happy taking their dogs there. Would the Council consider opening that process up again to see if that response was fair the first time you put it out?

A2. The Director advised it would be a decision for Council to reverse the recommendation, however as it stands, that is not an option for Council.

Q3. How does Council reverse the decision?

A3. The Director advised there is a motion coming up later in the meeting requesting Council to revisit its decision.



#### **4.1.31 David Stocks, Jandakot – Glen Iris Golf Course Estate**

I have lived in Glen Iris for eighteen years and in that time I have seen huge developments happening in Treeby and Beeliar. Wouldn't it be right if the Council left green land of the golf course for all the people to enjoy, not just the people of Glen Iris. For our children and our grandchildren to enjoy. Once it is built on it is gone.

Developers bought it, that is fine if that's what the people want, but people don't want it. I don't know anybody who has said: 'Oh yes, let's put some more houses in there'.

Q1. Wouldn't it be better if the Council purchased it and used it for the community, for the ratepayers that live in there, who could all enjoy it for generation to come?

A1. The Director Planning and Development advised the Glen Iris Golf Course is a privately owned property that is not currently for sale. As the current landowners have indicated they have no intentions of selling the land, there is no opportunity for Council to consider purchasing the land.

Q2. Was the Council ever approached to buy the land?

A2. The Director advised that the previous owners of the Golf Course made enquiries on whether Council would be interested in purchasing the property, to which the City requested detailed financials of the operations of the golf course. The requested information was never provided and there has been no further contact to or from the previous landowners.

Q3. Wouldn't it be better if the Council now did a compulsory purchase?

A3. The Chief Executive Officer advised it is an option for the City to look at compulsory acquisition for public open space in any case, wherever it is across the City, where it deems to be of value.

On initial assessment of this property, there would not be any justification to spend that level of funds for this open space. There are a multitude of areas that are already provided as part of developer contributions.

There are areas of significant environmental value that may be more significant. If the City was considering acquiring land, it would have to balance where the best value was for it. There have been no reports indicating this area would be such an area, compared to the whole City that we are looking at, and it would be at considerable cost, which is something that is really important. It may be of benefit to a specific community, but it may not be the best value for money.

The City is always looking for opportunities where it can create better open space provision and protection across the whole district. This area may be put forward, but on face value, my advice would be that this area would not rate highly, given other significant that other environmental and strategic spaces that would out-rate it, however it would ultimately be Council's decision to endorse any appropriations to buy land.

8.41pm Cr Widenbar departed the meeting and returned at 8.46pm.

#### **4.1.32 Wolfgang Jovanovic, Jandakot – Glen Iris Golf Course Estate**

Q1. Is Council aware that environmental studies have determined that 56 hectares of land produces enough oxygen to support 135,000 people?

A1. The Director Planning and Development advised the question would be taken no notice and referred to one of the City's experts.

Q2. What goes on is that the actual value in the land, has got some value, and I think Council needs to do some studies in order for the Council to determine whether or not there is value in buying the property, because I think it goes beyond Council awareness.

#### **4.1.33 Robyn Feaver, Coogee – Animal Management and Exercise Plan**

1. I find you saying you have 97 people against the dogs on lead out of 155, how many thousand dog owners are there in this Council, and why wasn't it made more public, because nobody in my area knows that this is going on?

2. I would love if you could look at it again, that you have got , how many people have you got paying dog fee licences?

We have been down at the beach for over 40 years, and there has never been a problem with dogs off-leads. The adults don't give a hoot what the dogs are doing. Can you look at it from that point of view?

Everything together, surely over a percentage higher than 97 of 155, which is pathetic and unreasonable. Is there any way that you can do this on a wider range for how many animals are owned, and percentage?

A1,2 The Chief Executive Officer reiterated the Directors previous comments, in that when there is a proposal to amend a Local Law, comments are received back and Council makes a decision. Council can at any time revisit their Local Laws and go through the due process. What is happening tonight is exactly that.

There is a motion later in this meeting, which if it gets carried by the electors tonight, will go back to the Elected Members for consideration of the Local Law. That provides a mechanism to review the Local Law should the Council determine. If there is an approach to amend that Local Law, as per the Act, it will have to go back out for community consultation again. We may receive back the same or different submissions, however there is a clear process to go through.

Submissions were received last year and the Council determination was made on what was received. There is now, as is always the case in local government, an opportunity to represent the case and petition Council to review Local Laws and policies, and that is what is happening tonight.

3. If you went on Facebook and looked at Council's submission, and offered to answer it, whether it was considered or not is another question, because people seem to be very, very confused on the site that you put up. When they actually did answer it, who were they saying that too because nobody was listening. It seems like it needs to be more clear. There are lots of people who don't go

the meetings but they would like to have a say, and it wasn't very clear whether you were saying they were even going to be viewed. Is there a possibility of doing that again to reach people and listen on what they have to say?

- A3. The Chief Executive Officer advised he was not aware of any problems with the public consultation, but that he would take Ms Feaver's question on notice.

Facebook is not the only stream that the City relies on obtain public comments. There are many other statutory processes that are undertaken. The City is aware some people are on Facebook and some are not.

The Chief Executive Officer was interested in Ms Feaver's comments regarding the lack of awareness or misunderstanding. He advised he is happy to review the process, however, ultimately that Local Law process went through in the proper way and it is now in place. He advised he would be mindful of what Ms Feaver and others have raised, and will review the process for public engagement.

There is an opportunity now, as will happen later in the meeting, where there will be a motion put forward, and if it is carried, will have to be considered by Elected Members at a future meeting. This may present an opportunity to revisit the Local Law and go through public consultation again.

#### **4.1.34 Wanda Keightley, Coolbellup - Animal Management and Exercise Plan**

- Q1. As of the 2019 Census, there were 114,000 people in the City of Cockburn. You say you have passed this legislation based on 155 receipts, so I would ask you to seriously consider reviewing this, and look at your system of polling residents because clearly it is failing.

- A1. The Chief Executive Officer explained one of the misunderstandings when state or local government or various authorities go out to seek public comment is that this somehow forms a poll or referendum or a majority vote. That is not what is occurring when authorities go out for public comment. What they are going out for is to seek submissions from members of the public or stakeholders etc. and they use that submission process to inform their own decision making process.

Caution should always be used when people say 'we only have 200, or if there was 200 and the majority was more than one way or another, because it is not meant to be there as a sample representation as a poll. They are very different things, and most things that have statutory authorities, you will nearly always have the majority as objections because the general public does not respond if they are happy.

Out of approximately 120,000 people living in the City, we would rarely get more than several hundred submissions. We are pleased if we get that level of take up, but it is not to imply that it is a vote or a poll.

The City does not do these things as referendums, they are merely a way for concerned people or interested parties to put forward their views, and these views are really important to Elected Members when they come to make their decision and vote. They do not rely on them as a poll to say yes or no, it is

purely the arguments that are put forward that are important, and this is why the City encourages residents to get involved in local democracy, but don't mistake that that process is a poll.

#### **4.1.35 Leanne Chaproniere, Jandakot – Glen Iris Golf Course Estate**

I am a bit taken aback Mr Brun, that somebody that has been in the job for 24 days, would recommend to Council that in your short time here, seeing this land as something that you could not recommend to buy, without knowing all the facts. The facts are that it is not just about 1,700 people who live there, it is about 52 hectares of land that is an 18 hole golf course.

Every golf course in Australia, you can't get a tee off time, golf is booming. This year alone, there has been a 17.5% rise in golfers in Australia. Even under COVID, every course in WA is making money. It's not just about spending money on space, it's about making money.

The City of Cockburn is about tourism, about people, about health, about welfare, and this is a golf course that you are just going to cement under.

Council voted for this to be zoned Special Use 1 Golf Course, Convention, Hotel, all those years ago, and all we are asking Council to do is keep that zoning that you voted on all those years ago to remain that zoning, and please don't make up your mind in 24 days. Maybe have some meetings with people and see the Business Plan that has been done for the City of Cockburn, to make this a place for you to make money out of.

A1. The Chief Executive Officer explained his comments were in response to a specific question regarding the possibility of the City purchasing the property as public open space, and not as a golf course. He was responding to a question about the environmental values of the area and highlighted that there are other pristine areas which may be appropriate for this local government to acquire as part of its Open Space Strategy.

I did not say that would be my final assessment, however on initial assessment, given the outstanding priorities the city already has, and the significant planning about where public open space priorities are, it is unlikely that the City will direct considerable funds for that area on the basis of it being an open space reservation. That is what was being answered, not the point Ms Chaproniere made.

The Chief Executive Officer explained that, ultimately, these decisions are made by Elected Members, however he would provide the best recommendations possible and best value for money for the district as a whole.

My first priority is to make sure the City invests wisely, that it provides sustainable infrastructure services and provides public open space for the community as a whole, and deliver the best value for money for the rates we collect.

**4.1.36 Stewart Middleton, Jandakot – Glen Iris Golf Course Estate**

- Q1. Could you or Councillors think about the Glen Iris Golf Course that goes through the heart of our estate? How are they going to get these extra vehicles in and out of our estate? We only have two roads – in and out. It is going to be a nightmare.
- A1. Mayor Howlett advised that, as the Director previously stated, a Traffic Management Study will be required to be included in any application that is submitted to Council.

## 4.2 Motions On Notice

### 4.2.1 Anthony Certoma, Coogee - Ammunition Jetty

#### **MOTION**

Moved Anthony Certoma, Seconded Joanne Curry  
That the City of Cockburn Council reinstates access to the beach for that section from Ammunition Jetty (extending approximately 1.5 kms south) to the Cockburn Cement Jetty for dogs and designate it as 'on leash'.

**CARRIED 64/0**

#### **Reason**

This will allow the area to be returned to a safe on leash space for the community to enjoy.

9.08pm Cr Eva departed the meeting and returned at 9.14pm.

### 4.2.2 Ray Woodcock, Spearwood

#### **MOTION**

Moved Woodcock, Seconded Leanne Chaproniere  
That the City of Cockburn maintain January 26 as Australia Day.

**CARRIED 56/5**

#### **Reason**

I am not objecting to the Indigenous Aboriginals celebrating their days, but I feel there is a move to have the January 26 day removed, and that I object to.

### 4.2.3 Sally Newsome, Coogee – Coogee Beach Caravan Park

#### **MOTION**

Moved Sally Newsome, Seconded Jillian Spruyt  
The City of Cockburn includes clauses into the new head lease over Coogee Beach Caravan Park which safeguard the interests of long term residents who are under the control of whichever park operator the Council appoints, especially in regards to possible large scale development.

**CARRIED 65/0**

#### **Reason**

We need help, some of us have lived there for 40 years. I understand that we have to deal with whoever we have our tenancy agreement with and we can't approach the Council to help us unless we have a legal objection to what is happening, but we cannot afford to go into legal battle with Discovery Parks.

Some of the things that are happening which we feel is extremely unfair. We are not in a good position and we always thought that the City of Cockburn would help up and listen our worries.

#### 4.2.4 Jillian Spruyt, Coogee – Coogee Beach Caravan Park

**MOTION:**

MOVED Jillian Spruyt, Seconded Peter Newsome

That Council will remain committed after the one-on-one meetings with Discovery Park and continue to assist us until the residents' concerns are met and resolved at Coogee Caravan Park, not to the residents' detriment.

**CARRIED 65/0**

#### 4.3 Other Business

##### 4.3.1 Thomas Burton, Jandakot

I commenced playing golf at the old Lakes Golf Course in 1983 and I continued playing there as a member of the Swan Golf Club and the Riverton Golf Club, and more recently the Glen Iris Veterans, until these developers came in and kicked us out.

You couldn't get a tee off time back then because the course was run property. Unfortunately things declined and the course ran down.

Regardless of whether you guys were offered the course or not, I think you dropped the ball too early and did not pursue taking on a ready-made golf course that was there. It only needed a few touch ups. The President there, who was related to my wife, told me a lot of what was going on there. We had a restaurant which was catered, I had my mother's 90<sup>th</sup> birthday there, my wife's 70th there, something I could walk to for a beer.

23 years ago we left Kardinya, and at that stage my mother in law was on her own. We came to Jandakot and built a big home with a granny flat under the same roof and she lived with us for 20 years.

We approached Council at the time and asked if this would be a golf course. We were told it was privately owned land and it will always be that way.

We bought a block of land 23 years ago and built there, because we loved the lifestyle, the area, the environment. We have hardly any crime, because there are only two ways in and two ways out.

You dropped the ball too early, you should have pursued it and taken on a ready-made golf course.

I believe you are looking at building an 9 hole golf course in another 10 years, but I'm 80 now, I won't be here to enjoy it.

#### **4.3.2 Peter Newsome, Coogee**

Thank you to everybody in this room for supporting the vulnerable, elderly, sometimes unwell people in the Coogee Caravan Park.

They have been living there for many years and all they got was a letter from Discovery Parks telling them they were going to be evicted, due to a development program that is yet to be announced.

This is heartbreaking, but I would like to thank everybody for their support.

#### **4.3.3 David Stocks, Jandakot – Glen Iris Golf Course Estate**

A question to the gentleman that answered the question about purchasing the Glen Iris Golf Course. Why don't you listen to what the ratepayers are asking? All the people here and maybe people outside.

When you send the rates out again, you could ask the question 'would you like the Council to purchase it'. It wouldn't cost much to do it, and you would find out what the residents want, not what the developers wants.

Also I think it is appalling for the Coogee Caravan Park, people to be taken out of their homes, and for the community. People have lived there for years and years. It is not good for people or for their health.

With the golf course, Council should ask the electorate what they think. If you did that and people said no, problem solved.

#### **4.3.4 Janette Smith, Jandakot**

On your Cockburn website where it has Glen Iris Frequently Asked Questions, it says: 'I was told this would always be open space golf course'.

It says the city cannot comment on what others have previously stated, including developers of the original estate or people selling properties in the estate. The City is not part of those transactions. That I agree with.

In terms of the City's information, the land has never been indicated as public open space, or any other form of reserve, it has always been privately owned. I am not sure how people are supposed to know that the land was zoned as SU1.

My husband and I have been living in Glen Iris for nearly 22 years. In that time there have been rumours over many years that the golf course was going to be sold. I have rung the Council on every occasion, and spoken to one of your officers, and they would say 'no it is a golf course/public open space'.

The last time, when it was actually sold, I was told 'that is what we were led to believe'.

So I took the matter further. I had communications with Rachel Pleasant, who told me 'we have looked through your file and there is nothing in writing to support what you have said'.



If my word is not worth anything and I cannot rely on a representation made by one of your officers, especially as six years ago our home burnt down to the ground and we lost everything. At that point, again, the question was asked.

I can tell you now, after what we have lost and what it has cost for us to rebuild abutting the golf course, for what we bought, we would never have rebuilt had we known that the representations given by your officers that it was golf course/public open space, we would not be there today. Thank you.

#### **4.3.5 Janette Mouttet, Jandakot**

The Perron group have got a plan in which is supposedly 20 towers at Gateway Shopping Centre, doubling the size of the shopping centre, and yet we are being told that there is enough green space. If you go on Intramaps and look at the City's green space, it is an appalling retention when you take out the 54 hectares of the Glen Iris Golf Course.

#### **4.3.6 Angela Stocks, Jandakot**

It seems to me tonight, from many of the questions and answers, that the City seems not to have any powers, but one thing that I would ask, and maybe it is within your power, every time drive onto the estate, we are now looking at an estate that looks like it has been desecrated, by developers who still do not have the authority to make changes to the use of the golf course, so if anybody wants to sell their house now, and many of us do, owing to the possibility that we are going to get all these new houses then there is no chance of that because there is no maintenance any more

It would be nice for the Council to come and have a look at the entrance to what was a beautiful estate.

I am now facing a lake with a wonderful balcony, but what am I looking at? And who will compensate me. Who is going to make those walls bigger to accommodate back gardens? Are Eastcourt going to pay for a higher wall so that we abide by the swimming pool laws?

So I ask the Council to come and look at what they are doing to Glen Iris.

#### **4.3.7 Neil Smith, Coogee – Coogee Beach Caravan Park**

I would like to know if the Council and its Officers are confident they would survive a government enquiry into their administration of the Management Order.

## **5. CLOSURE OF MEETING**

Mayor Howlett thanked members of the gallery for their attendance and participation in the meeting, particularly their motions, and reminded everyone to obey COVID restrictions when departing the meeting.

The meeting closed at 9.41pm.