



NOTES

October Council Agenda Briefing Held in the Council Chamber Tuesday 17 October 2006 Commencing at 5.30pm

Present:

Mayor, J Collins, JP (Chairman)

Councillors:

J Best	Civic Ward
G W Gleeson	Civic Ward
B W Hearne	Como Beach Ward (from 5.32pm)
L M Macpherson	Como Beach Ward (from 5.59pm)
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward (from 5.39pm)
C A Cala	McDougall Ward
R Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services (until 7.23pm)
Mr M Kent	Director Financial and Information Services (until 7.23pm)
Mr M Taylor	Acting Director Infrastructure Services (until 7.23pm)
Mr R Bercov	Manager Development Services (until 7.23pm)
Mrs M Clarke	Manager Collier Park Village
Ms D Gray	Manager Financial Services (until 7.23pm)
Mr N Kegie	Manager Community, Culture and Recreation (until 7.23pm)
Mr S McLaughlin	Legal and Governance Officer
Mrs K Russell	Minute Secretary

Gallery

Four members of the public were present.

OPENING

The Mayor opened the Agenda Briefing at 5.30pm and welcomed everyone in attendance. He then advised the public present that they were not permitted to ask questions or interject in the proceedings and he reminded Members that Agenda Briefings were not part of the decision-making process but an opportunity for them to raise questions on the Items presented in order to make informed decisions.

Note: Cr Hearne arrived at 5.32pm

ITEMS THE SUBJECT OF THE AGENDA BRIEFING

The Chief Executive Officer commenced the presentation and gave a brief summary of each of the following reports on the October 2006 Council Agenda. Questions and points of clarification were raised by Members and responded to by the officers.

9.0.1 Upgrading of Telephone Booths with Signage Panels

Council considered a report on this matter at its September meeting. The officer recommendation for approval was put and was LOST. The application is now re-listed to provide Council with the opportunity to record its reasons for declining to approve the application.

9.0.2 Canning Mews SAT Appeal Outcomes

This report identifies outcomes from the Canning Mews SAT Appeal and the actions taken.

Note: Cr Ozsdolay arrived at 5.39pm

9.0.3 Como Beach Landscape Project

The original tenders for this project were called in July and a report presented to the August Council Meeting where the tenders were not accepted. The project specification was subsequently re-written and the project re-advertised. This report deals with the four tenders received following tender closure on 22 September.

9.2.1 Community Sport and Recreation Facility Funding Program - Annual Grants

This report considers applications from Community Groups and Local Government Authorities to provide funding assistance for the development of sport and recreation facilities.

Note: Cr Macpherson arrived at 5.59pm

9.3.1 Network City and Planning for the South Perth and Canning Bridge Railway Stations

The purpose of this report is to consider what further action should be taken by Council to plan for the railway stations proposed in conjunction with the Southern Suburbs Railway.

9.3.2 Outbuilding Addition to Single House. 6 Lansdowne Road, Kensington

Following a request by the applicant this report is referred to Council in order that the delegated **refusal** decision can be reviewed.

DECLARATION OF INTEREST :CR HEARNE : ITEM 9.3.3

"As I have a relative who lives diagonally across from the proposed development site I wish to declare a Conflict of Interest in Agenda Item 9.3.3 on the October Council Agenda. I will leave the Council Chamber and not participate in the debate or vote on this matter."

Note: Cr Hearne left the Chamber at 6.08pm

9.3.3 Single Bedroom Dwellings, cnr Barker Avenue and Park Street, Como

This report deals with an application comprising of 23 Single Bedroom Dwellings.

Note: Cr Doherty left the Chamber at 6.40pm and returned at 6.42pm.
Cr Hearne returned to the Chamber at 6.42pm

9.3.4 Flood Lighting - Ernest Johnson Oval

This report deals with an application for flood lighting for Ernest Johnson Oval.

9.4.1 Supply and Delivery of PVC and Polythene Associated Fittings/Sprinklers

Tenders were invited and received for the supply and delivery of PVC and polythene associated fittings and sprinklers.

9.5.1 Local Government Accountability

This report proposes a submission be made to the Western Australian Local Government Association in response to its invitation for submissions on the report prepared by the Public Accounts Committee, into Local Government Accountability.

IMPARTIALITY INTEREST - CEO - ITEM 9.5.2

Note: As the City's CEO is a signatory to the State/Local Government Agreements referred to in this report and is the author of this report, he has declared an Impartiality Interest.

9.5.2 Changes to Local Government Voting System

Council's direction is sought in relation to the contents of the recent amendments contained in the Local Government Amendment Bill 2006 which was tabled in Parliament on 27 September 2006.

9.6.1 Monthly Financial Management Accounts for September 2006

Monthly management account summaries are presented comparing actual performance against budget expectations.

9.6.2 Monthly Statement of Funds, Investments and Debtors at 30 September 2006

This report presents to Council a statement summarising the effectiveness of treasury management for the month of September 2006.

9.6.3 Warrant of Payments Listing

A list of accounts paid by the CEO under delegated authority between 1 September 2006 and 30 September 2006 is presented for information.

9.6.4 Statutory Financial Statements for Quarter ended 30 September 2006

An Operating Statement is provided for the period ended 30 September 2006.

9.6.5 Budget Review for the Quarter ended 30 September

This report provides a review the 2006/2007 Adopted Budget for the period to 30 September 2006.

9.7.1 Standing Orders Local Law 2006 referred from Audit & Governance Committee

This report provides the draft Standing Orders Local Law for approval to advertise.

9.7.2 Policy Review referred from Audit & Governance Committee

This report presents revised Policies for adoption.

9.7.3 Presentation of Annual Audit Report and Management Letter referred from Audit and Governance Committee

MEETING CLOSED TO THE PUBLIC

The Agenda Briefing was closed to the public at 7.23pm while *Confidential* item 13.1.1 was discussed.

Note: The members of the public gallery and the following officers left the Chamber at 7.23pm.

Mr S Cope	Director Strategic and Regulatory Services
Mr M Kent	Director Financial and Information Services
Mr M Taylor	Acting Director Infrastructure Services
Mr R Bercov	Manager Development Services
Ms D Gray	Manager Financial Services
Mr N Kegie	Manager Community, Culture and Recreation

13.1.1 Aged Care Services Review *Confidential Report*

This report presents outcomes and recommendations following a review of Aged Care Services

Closure

The Mayor closed the October Council Agenda Briefing at 7.48pm.



NOTES
WORKSHOP
Multi-Purpose Community Centre
Held in the Council Chamber, Sandgate Street
Monday 13 November 2006 commencing at 5.30pm

Present:

Mayor J Collins, JP

Councillors:

J Best	Civic Ward
L M Macpherson	Como Beach Ward
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
K R Trent, RFD	Moresby Ward

Officers:

S Cope	Director Strategic and Regulatory Services
N Kegie	Manager Community, Culture and Recreation
N Jameson	Grants and Consultation Officer

Workshop facilitator:

Ms L Whitehead	Managing Director CATALYSE
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Apologies

Cr G W Gleeson	Civic Ward - leave of absence
Cr B W Hearne	Como Beach Ward
Cr S Doherty	Moresby Ward

OPENING

The Mayor opened the Workshop at 5.30pm and welcomed everyone in attendance.

1. Multi-purpose Community Centre

The Manager Community Culture and Recreation advised that the purpose of the Workshop was to provide an opportunity for Elected Members to contribute to the consultative phase of the Feasibility Study currently being undertaken to determine the best use of the community facilities to be redeveloped in the Civic Centre complex. He then provided some background information about the Main and Lesser Halls and Walter Murdoch Library and the consultation that is currently underway with community groups, staff and other stakeholders to gather information for consideration when developing a design brief for the complex.

The Manager Community Culture and Recreation introduced Ms Lisa Whitehead, who is undertaking the Feasibility Study, to facilitate the Workshop.

Elected Members provided comments on a number of key discussion points:

Council Expectations

What are Councillors expectations for the development?

- Council should review Piney Lakes as a sustainable example
- Cater for the needs of the South Perth community and the new building must be sustainable and cater for current and future trends.
- Currently many of the large user groups are attracted from outside South Perth, should be a focus on provision of resources for residents.
- The new building should take into account the library and its future needs
- The new building should be sympathetic with the surrounding environment and consider close residents
- The building be designed to attract activities and services that increase usage
- The building be a significant investment for the community's future
- The greater focus should be on provision of services and space for the residents of South Perth, but needs to be sustainable, it will still need to supplement use by user groups from outside the City.
- The need for a 'hall' to cater for 300-400 people at once is not great
- There was some opposition to the suggestion that Council run a coffee shop as part of the redevelopment - it may work in opposition to Council interests and in competition with existing cafes in the area.
- The new building should be innovatively designed and essential to incorporate Environmentally Sustainable Design (ESD) principles
- Should have state of the art water efficiency, power conservation, heating/cooling environmental benefits
- The City should be leading the way in WA LGAs to build a sustainable community facility (eg. Council House in Melbourne - case study of practical application of ESD design that saves up to 80% on water/power costs - will save significant amounts on running costs and the building is proposed to have a 20 year pay-back because of the savings)
- The City should make the larger/significant investment now to reap the future benefits
- Community feedback suggests that the large hall is essential
- Should be able to facilitate cross-generational programs
- The coffee lounge should be a consideration
- The new community halls area should connect better with the library and administration building - currently the three are separate 'monuments'
- The new facility should be turned around to take advantage of the pleasant vistas over the park

Infrastructure Considerations

What works and what does not?

- May be a little premature to answer this question as Councillors are unsure of the community's needs
- The refurbishment should make better use of space than the existing building and should cater for multiple uses
- Need to look at breaking up space for more flexible use
- Needs to be quality and high standard space
- Needs exhibition space
- The current stage is under-utilised
- The new facility should take advantage of the park vistas out the back of the hall
- The space between the hall and the library is redundant due to the air conditioner units that are in the way
- The kitchen needs replacing
- Toilets upgraded
- Main hall ceiling lowered
- Access issues addressed
- The building needs to be completely reworked

- Whether it is a refurbishment or a rebuild will depend on whether the building shell is structurally sound

- Museum area
- Flexible rooms
- Vision for future
- Design will be determined by who will be using the space
- The big question is whether to refurbish or rebuild
- Difficult to do enduring and leading ESD building that will stand the test of time with a refurbishment
- What infrastructure requirements will depend on the uses and user groups of the facility - they will determine what the infrastructure requirements are - we need to identify the needs of the community
- Library is currently too small - in rebuilding, Council needs to define what a library of the future will look like and the needs of the community - this is a huge opportunity and should be enduring for more than 50 years

Community Needs

Who will use the centre and what are their needs?

- Need to cater for large and small groups, this can be done through the break-up of space
- Cater for multiple uses
- Existing tenants such as arts and crafts groups, rose society and church groups
- Weddings
- New facility should still be affordable for community groups
- Pioneer luncheon
- The Learning Centre (400 members)
- Classes - languages, pottery, arts and crafts
- Conference facility, similar to Technology Park
- Investigate all potential user groups - community uses given preference
- Need to develop a hierarchy of needs and consider sports and recreational activities in existence at George Burnett Leisure Centre
- Need to consider transport issues - George Burnett is south of Canning Highway - could be a focal point for sport and recreation with smaller satellite programs offered at spaces such as this development (judo, yoga, Prime Movers, Pilates)
- School functions - they currently go outside the locality for their functions
- Arts centre, display areas, gallery
- General City of South Perth requirements (Pioneers Luncheon etc)
- Investigate short-term day care and playgroups
- Health related groups (yoga, Pilates, support) - needs of older citizens

Alternative Spaces

What other spaces are available in the local area?

- The City needs to be active in marketing the alternative spaces in the area
- Como Bowling Club, Como Hotel, St Pius, Church Halls, Collins Street Hall, Collier Park Village
- Manning Hall, Golf Club, Aquinas, South Perth Senior Citizens
- Proximity is a key issue - the community should be able to access spaces close to their residence
- Technology Park, Curtin University, Murdoch College
- Transport will be a greater issue in the future

Funding Model

How can the City fund this development?

- Rates base
- Sponsorship from South Perth businesses
- Borrow funds
- Sell/release existing assets
- Business sponsorship could be considered

- Leasing space to commercial enterprises such as a cafe/coffee shop

Branding Preferences

How should this facility be named?

- Civic Centre
- Community Centre
- Cultural Centre
- The name needs to reflect and give a greater sense of what is here
- 'Hall' gives the impression of a large 'barn-like' area - this is not the direction the development is heading - more multi-purpose
- Civic Community Centre
- 'Community' in the name is essential

Additional Comments

It is imperative that Council informs the community throughout the entire process - let them know early what is happening and ensure they are given an opportunity to comment.

There should be a viewing period where residents can look at proposed design options and provide further feedback

Ms Whitehead thanked Elected Members for their input and advised that this feedback would be included in her final report which should be ready in December 2006.

2. Closure

The Mayor closed the Workshop at 6.50pm and thanked everyone for their attendance.



NOTES

CONCEPT FORUM

- George Burnett Park Leisure Centre
 - Disability / Access and Inclusion Plan
- Held in the Council Chamber, Sandgate Street
Tuesday 14 November 2006 commencing at 5.30pm**

Present:

Mayor J Collins, JP (until 6.30pm)

Councillors:

B W Hearne	Como Beach Ward
L M Macpherson	Como Beach Ward
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
R Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Mr N Kegie	Manager Community, Culture and Recreation

Apologies

Cr G W Gleeson	Civic Ward - leave of absence
Cr S Doherty	Moresby Ward

OPENING

The Mayor opened the Concept Forum at 5.30pm and welcomed everyone in attendance.

1. George Burnett Leisure Centre

The Manager Community Culture and Recreation briefed Elected Members on an Expression of Interest (EOI) process that officers have undertaken regarding the potential to establish a Health and Fitness Venture at the George Burnett Leisure Centre (GBLC). The Manager Community Culture and recreation advised that officers were considering bringing this as a report to the November meeting of Council. The Briefing covered the following points:

- Background information about the GBLC including current usage, staffing, overview of expenditure and revenue, promotion of the GBLC and other City facilities in the community.
- Analysis of the utilisation of the GBLC and the capacity of the GBLC to host additional activities
- An outline of the EOI process undertaken and the summary of the two responses received

- Progressing the process by calling for tenders from the two EOI respondents

Feedback from Elected Members covered the following points:

- The area proposed for the venture seemed too small to be viable
- Consideration of an activity such as the one proposed should consider future plans for the overall usage of the GBLC
- Further analysis of existing operating and salary costs associated with the GBLC should be undertaken
- Any proposed activities should consider the possible expansion of the GBLC
- Any calls for tenders should not be restricted
- The brief for a tender should outline a larger area than that detailed in the original EOI document and should document the financial expectations of the City
- A request for distribution to elected members of details of the current usage of the GBLC and the schedule of fees charged
- Future use of the GBLC should consider non recreational uses such as child care
- As it is likely that the potential expansion of the GBLC would not be completed until 2010 or 2011 there is merit in looking at a venture such as that proposed in the interim

This feedback was received by officers for consideration.

Note: This part of the Concept Forum concluded at 6.30pm.
The Mayor retired from the briefing at 6.30pm.

2. **Disability / Access and Inclusion Plan**

The Manager Community Culture and Recreation briefed Elected Members on the development of a draft Disability Access and Inclusion Plan (DAIP) for the City. The briefing covered:

- The new requirements for Local Government Authorities with regard to Disability Services Planning
- How the City has been including Disability Planning to date and how that has changed
- An overview of the draft DAIP - how it has been developed and how it will be implemented.

The Manager Community Culture and Recreation Manager outlined changes in 2004 to the *Disability Services Act* that have implications for the way Local Government Authorities develop and report Disability Service Plans. The presentation covered the following points:

- Prior to 2004 LGAs were required to develop and maintain Disability Services plans, however the 2004 amendments require LGAs to undertake more significant community consultation when developing the plan and require LGAs to report annually on the progress of the plan to council and to the Disability Services Commission.
- The 2004 amendments require Local Government Authorities to lodge either a draft DAIP or their existing plan with the Disability Services Commission by July 31 2005 and then to lodge a completed plan which has been endorsed by Council by 31 July 2007.
- The City lodged its existing plan with the Disability Services Commission prior to 31 July 2006 as required and has a well developed draft DAIP which should be ready for consideration as a draft at the December 2006 Council meeting. If endorsed at that meeting the DAIP would be available for public comment and then brought back to Council for consideration at the February 2007 meeting.

A summary of the objectives and strategies of the draft DAIP was distributed to Elected Members at the Briefing along with information from the Disability Services Commission regarding the development of Disability Access and Inclusion Plan and also information regarding trends and projections in disability in Western Australia. Full versions of the draft plan have been made available for the consideration of Elected Members who were asked to provide any additional feedback by 1 December 2006.

Preliminary feedback from Elected Members at the Briefing related to the abuse of the ACROD parking permit system, considering the location of ACROD parking bays to allow for optimum manoeuvrability of vehicles and wheelchairs, and consideration of infrastructure requirements including pavement access for 'gophers'.

3. Closure

The Deputy Mayor closed the Concept Forum at 7.10pm and thanked everyone for their attendance.



NOTES

CONCEPT FORUM

- Public Open Space Review
 - Waterford Triangle
- Held in the Council Chamber, Sandgate Street
Wednesday 15 November 2006 commencing at 5.30pm**

Present:

Mayor J Collins, JP (from 6.30pm)

Councillors:

J Best	Civic Ward
B W Hearne	Como Beach Ward
L M Macpherson	Como Beach Ward (from 5.50pm)
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Mr R Bercov	Manager Development Services
Mr S Camillo	Manager Environmental Health and Regulatory Services (from 6.15pm)
Ms E Miller	Administrative Assistant (from 6.15pm)

Presenters

Professor Daniela Stehlik; and	
Ms Bronwyn Kitching	Alcoa Research Centre

Apologies

Cr G W Gleeson	Civic Ward - leave of absence
Cr C A Cala	McDougall Ward
Cr R Wells, JP	McDougall Ward

OPENING

In the absence of the Mayor, the Deputy Mayor opened the Concept Forum at 5.30pm and welcomed everyone in attendance.

1. Public Open Space Review

The Director Strategic and Regulatory Services explained that the purpose of the briefing was to outline and gain Councillor feedback on a proposed study process for review of Public Open Space in the City of South Perth. He then outlined a notional study process including the following stages:

- Prepare an inventory of Public Open Space
- Categorise public open space into hierarchy of use and function
- Determine oversupply or under supply of Public Open Space within residential neighbourhoods according to WAPC criteria
- Identify policy principles for a Public Open Space strategy
- Consider future provision and distribution of Public Open Space
- Determine criteria for development and maintenance of Public Open Space
- Questions and answers

Questions were taken and responded to on the following:

- Digital mapping and calculation of the area of dual use pathways and other improvements
- Public Open Space and school sites
- Glossary of definitions required
- Involvement of government stakeholders.

Outcome

Generally it was the view of Council Members present that further detail was required to be provided and considered before this project could proceed.

2. Waterford Triangle

The Director Strategic and Regulatory Services introduced Professor Daniela Stehlik, Director and Bronwyn Kitching, Project Officer from the Alcoa Research Centre for Stronger Communities at Curtin University of Technology.

Professor Stehlik provided background to the study and advised that the Alcoa Research Centre would receive feedback on the draft study report prior to submission of the final draft. Ms Kitching presented a PowerPoint presentation covering in summary:

Study Aims

- To identify & document the aspirations of stakeholders
- To enable future considerations for precinct
- To establish a demographic profile

Methodology

- Action research framework
- History of precinct & current context analysed
- Environmental scan undertaken
- 2 Stakeholder groups identified
 - Non-Ratepayers and Residents
 - Ratepayers and Residents
- 2 Forums /Workshops facilitated
- Curtin Architecture Student designs incorporated into discussion
- Questionnaire developed and survey undertaken
- Media releases enabled

Recommendations

City of South Perth considers establishing a Community Advisory Group to assist in developing a Precinct Plan which considers:

- Utilising local responsive strategies
- Local public awareness opportunities
- Innovative solutions to density issues
- An amendment to Town Planning Scheme No 6 in partnership with key stakeholders

Ms Kitching spoke on each of the draft recommendations and invited feedback and suggestions from **Members**.

Questions were raised by Members and responded to by the presenters.

Comments / Outcome

Members raised the following comments / concerns:

- the urgent need for sewerage works to overcome public health concerns
- the perceived need for upgrade of street lighting and concerns about anti-social behaviour
- consideration of strategies to achieve physical redevelopment of the area and encouragement to landowners to upgrade
- the desirability of the eventual development outcome being compatible with and complementary to the Technology Precinct
- the importance of disseminating information to landowners / stakeholders including placing updates on the City website.

The consensus was that staff and Council Members would give some further consideration to the draft report recommendations and provide any further feedback to the Alcoa Research Centre prior to the final report being presented to Council in December.

3. Closure

The Mayor closed the Concept Forum at 7.30pm and thanked everyone for their attendance.

9.3.2 Proposed change of use from Shop to Cafe/Restaurant. Lot 192 (No. 78) Banksia Terrace, Kensington

7.3 DEPUTATIONS - *A formal process where members of the community may, with prior permission, address the Council on Agenda items where they have a direct interest in the Agenda item.*

Opening of Deputations

The Mayor opened Deputations at 7.24pm and advised that speakers would be permitted 10 minutes each to address the Members.

7.3.1. Mr James McAvoy, 24 Brandon Street, South Perth Agenda Item 9.3.2

Mr McAvoy, on behalf of his wife the applicant, spoke in favour of the proposal but against the officer recommendation in particular as it relates to conditions of planning approval as follows:

- proposed low key café will enhance community spirit / provide quality healthy food
- consulted with local people / Kensington Primary school /worked with neighbours
- consulted with KCA and carried out more consultation
- Kensington Primary School support proposal
- seek modification to conditions re: location of rubbish storage areas; removal of garage and shed; re-design of car parking area; and driveway

7.3.2. Mr John Hughes. 101 Gwenyfred Road, Kensington - Representing Kensington Primary School Agenda Item 9.3.2

Mr Hughes, in support of the proposed Café spoke on the following items:

- Kensington Primary School Council provided a letter of support for proposal
- community asset - focal point/very much in favour of proposal
- conditions requested to be upheld as part of operation of café can be influenced by standards we set at school
- café to provide healthy school lunches - school community supports the proposal

7.3.3. Mr Chris Groom, 5 Hovia Terrace, South Perth Agenda Item 9.3.2

Mr Groom spoke in favour of the proposal and against some of the conditions contained in the recommendation:

- support officer recommendation for café
- in keeping with City of South Perth slogan
- Kensington Primary School focal point of community - café will bring community together
- TPS6 encourages development that enhances the character of the City
- concerns raised by some have been addressed
- conditions need to be modified re: removal of garage / shed; land occupied by shed; re-design of car parking area, car park and accessway and drainage.

7.3.4. Mr Ryan Sedgwick, 80 Banksia Terrace, Kensington Agenda Item 9.3.2

Mr Sedgwick spoke against the officer recommendation on the following points:

- proposal not about a café but about a 'change of use' from local shop to café/restaurant
- once café/restaurant approved this is permanent
- if existing owners sell to another owner new owner could change to restaurant

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- Class 1 restaurant does not required Council approval - liquor licence could change with new owners - disagree with any type of restaurant
- as an adjoining neighbour have issues in relation to noise, vehicles/patrons leaving the café, operating hours, deliveries to café, parking on street/verge
- four of the five adjoining neighbours are against the proposed café

Note: Cr Gleeson left the Chamber at 8.12pm

7.3.5 Mrs Audrey Rozario, 76 Banksia Terrace, Kensington Agenda Item 9.3.2

Mrs Rozario spoke against the officer recommendation on the following topics:

- as an adjoining neighbour, with young children, opening hours will impact on life style
- if proposed café is targeting parents/children no need to extend opening hours
- traffic / parking issues - limited street parking for café patrons
- increased traffic will impact on safety of children crossing road
- extend opening hours and the next step will be an application for a liquor licence
- object to being misquoted in Mr McAvoy's letter attached to Agenda

Close of Deputations

The Mayor closed Deputations at 8.15pm and thanked everyone for their comments.

9.3.2 Proposed change of use from Shop to Cafe/Restaurant. Lot 192 (No. 78) Banksia Terrace, Kensington
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Location: Lot 192 (No. 78) Banksia Terrace, Kensington
 Applicant: Anne Janett McAvoy
 File Ref: 11/1577 11.2006.313.GJF BA2/78
 Date: 1 August 2006
 Author: Gina Fraser, Senior Planning Officer
 Reporting Officer: Steve Cope, Director, Strategic and Regulatory Services

Summary

The application for planning approval relates to the conversion of an existing Shop and House to a Café/Restaurant. The proposal is classified as a 'DC' (discretionary with consultation) use in the Local Commercial zone and has resulted in several objections from neighbours. The Council's consideration is sought in regard to this discretionary classification, concerns expressed by some neighbours with respect to aspects of the application, and a setback variation. The recommendation is for **approval**, subject to a number of standard and special conditions.

Background

The development site details are as follows:

Zoning:	Local Commercial
Density coding:	R15
Lot area:	737 sq. metres
Building Height Limit:	7 metres
Development Potential:	Local commercial or residential development including: 'P' (Permitted) Uses - Home Office, Local Shop. 'D' (Discretionary) Uses - Single House, Ancillary Accommodation. Grouped Dwelling, Single Bedroom Dwelling, Home Occupation, Service

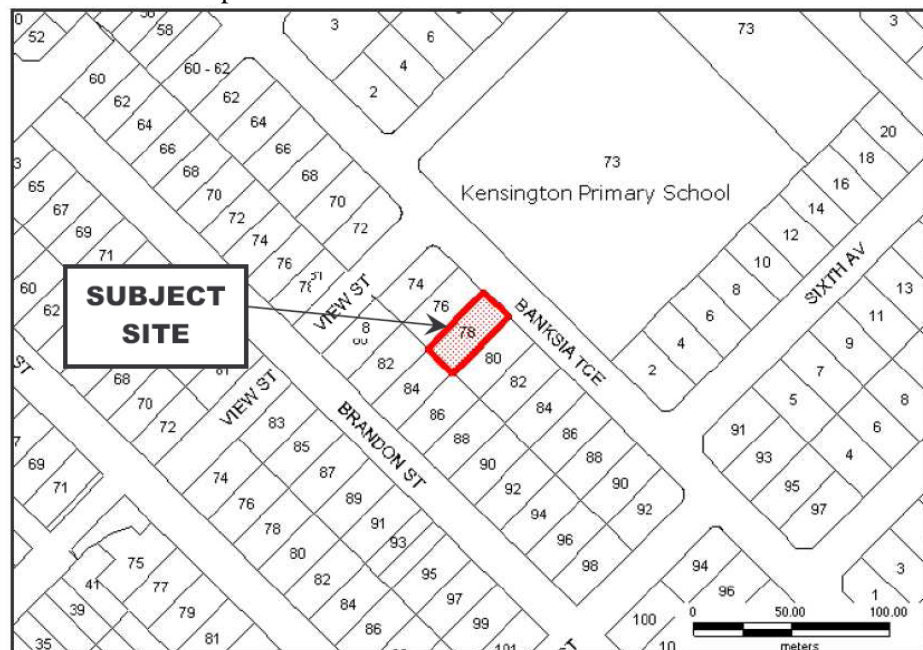
	Industry, Mixed Development, Office, Shop, Telecommunications Infrastructure. 'DC' (Discretionary with Consultation) Uses - Bed and Breakfast Accommodation, <i>Café/Restaurant</i> , Consulting Rooms, Radio and Television Installation, Take-Away Food Outlet, Veterinary Clinic.
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The City has no record of when the shop was originally built. It does not appear on the City's first aerial photograph taken in 1930, but it is possible that it was built during the first half of the 20th century and served as a 'tuck shop' to the Kensington Primary School, directly opposite, the first part of which was constructed in 1926. The subject premises originally operated as a house with a shop front, and continued to operate in this form until recently. The use of the premises for commercial purposes in part, therefore, is not new, even though the site is adjoined by low density residential development on both sides and at the rear. The new element is that for the first time, approval is now sought for conversion of the entire building to commercial use, namely Café/Restaurant.

This report includes the following attachments:

- **Confidential Attachment 9.3.2(a):** Plans of the proposal
- **Attachment 9.3.2(b):** Applicant's submission
- **Attachment 9.3.2(c):** Schedule of Submissions

The location of the development site is shown below.



Comment

(a) Delegation

In accordance with Council Delegation DC342, the proposal is referred to a Council meeting because it falls within the following categories described in the Delegation:

3. *The Exercise of a Discretionary Power*

- (iii) *Proposals representing a significant departure from the Scheme incorporating the Residential Design Codes, relevant Planning Policies and Local Laws where it is proposed to grant planning approval.*

The main variation in this case is the zero setback of the existing building from the Banksia Terrace boundary,

6. *Amenity Impact*

In considering any application, the delegated officers shall take into consideration the impact of the proposal on the general amenity of the area. If any significant doubt exists, the proposal shall be referred to a Council meeting for determination.

The City is of the opinion that the proposal will not have a detrimental impact on the amenity of the area, provided that the on-site parking facilities are up-graded and evening opening hours are appropriately restricted. Neighbours raise various concerns which are discussed in this report. The report also contains discussion regarding an existing garage/shed and other car parking details with amenity implications which warrant a Council decision.

7. *Neighbour Comments*

In considering any application, the assigned delegate shall fully consider any comments made by any affected land owner or occupier before determining the application.

Some neighbours' comments on the proposal warrant Council consideration in relation to possible future amenity impacts.

(b) *Change of Use*

The last approved use of the site was for a Florist, incorporating floral art classes, which was approved under delegated authority in April 1996. Those approved plans indicated that portion of the house would remain residential, and the shop front was to be used for the business operations. The current proposal involves the conversion of both the House and Shop to Café/Restaurant. The applicant advises that it is not the immediate intention to operate the establishment as a 'restaurant', but as a low-key café for the local community and for the Kensington Primary School. The applicant makes particular mention of the desire to enhance the local community vibrancy by providing a facility currently lacking in the area, which will be readily accessible to local residents, to parents visiting the Kensington Primary School and to people riding past on the dedicated cycle path connecting to the foreshore. It would provide a place of recreation for local residents, and an alternative place at which to hold small group or community meetings. A 'Community Notice Board' is planned to be provided. No external changes to the building are proposed, other than repainting. *(A detailed description of the proposal is contained in the applicant's submission comprising **Attachment 9.3.2(b)**)*

The applicant has since modified and 'down-sized' the proposal to the extent that it would be classified as a 'Class 3 Food Premises' under the relevant Health regulations. This means that only limited food preparation would be carried out, most of the food being pre-prepared. Such an establishment would be similar to a lunch bar. As originally submitted, the premises would have been a 'Class 1 Food Premises', capable of extensive food preparation, such as a restaurant. Nevertheless, under the Town Planning Scheme No. 6 (TPS6) even a small café is classified as a 'Café/Restaurant', provided that the food would be predominantly eaten on the premises. The use is defined in TPS6 as follows:

“ ‘Café/Restaurant’ : means any land or building used primarily for the preparation and serving of meals or refreshments for consumption on the premises.”

(c) Parking

TPS6 requirements: The car parking requirement for a Café/Restaurant in Table 6 of TPS6 is 1 car bay per 5 sq. metres of dining area. From the plans provided, an area of approximately 40 sq. metres could be used as dining area. This includes the customer seating area (25 sq. metres), a 'Mothers' Lounge' (10.5 sq. metres) and a 'Stroller/Pram Park' area (7 sq. metres). A total of seven car bays are proposed to be provided on site. This amount of parking would support up to 35 sq. metres of dining area. Although the dining floor space could be reduced to match the number of car parking bays provided, the applicant also hopes to attract people living within walking distance of the property. However, it is suggested that, in line with the parking requirements of Table 6 of TPS6, the dining area be limited to 35 sq. metres.

Existing garage/shed: The rear parking area is accessed from a driveway running down the side of the building adjacent to No. 80 Banksia Terrace. An existing detached brick garage/shed, approved in 1968, stands at the end of the driveway. The applicant advises that the garage/shed is used for storage. The appearance of this outbuilding is not particularly attractive. By virtue of its location, the outbuilding at the head of the driveway also impedes the view between the street and the customer car park at the rear, and causes an awkward vehicular manoeuvre for drivers entering or leaving the car park. Although the resulting 'zig-zag' movement can be made comfortably, the situation is not ideal, and this arrangement would not be permitted for a new development.

The access to the car park complies with Australian Standards in terms of turning movements, but due to its location, the outbuilding blocks the view of vehicles in the car park and could result in a 'clash' of vehicles arriving and leaving at the same time, while drivers are also having to negotiate the awkward bends in the access way. The car park cannot be seen from the street, which is an undesirable situation as it will discourage patrons from using the car park rather than parking in the street. The removal of the garage/shed would greatly enhance safety, ease of use of the car park by vehicles entering and leaving the site, and the appearance of the site.

The applicant's preference is for the garage/shed to remain. If the Council decides to allow retention of the garage/shed, then signs should be provided, clearly visible from the street, indicating the location of the customer car park at the rear of the site, and warning of the unusual driveway manoeuvre ahead.

In addition, and particularly if the garage/shed is to remain, a dedicated turning bay should be provided within the car park, to enable all vehicles to return to the street in a forward gear. While this is not a usual requirement in a low density residential street, the particular location of the site opposite a busy Primary School and on a dedicated cycle path, with road calming devices in Banksia Terrace, emphasise the desirability of such a facility.

Under clause 6.3 (6) of TPS6, the Council is required to have regard to, and may impose conditions relating to, a range of design issues relating to parking. Clause 6.3 (6) reads as follows:

- “(6) When considering an application for planning approval for development in respect of which car parking bays are required to be provided under the Scheme, the Council shall have regard to, and may impose conditions as to:*
- (a) the location of any existing and proposed public or private footpath or way and any vehicle crossings;*

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- (b) *the effect the location of the bays and access ways is likely to have on pedestrian and vehicular movement both on the development site and in the adjacent street;*
- (c) *the suitability and adequacy of proposed screening or natural planting in relation to the bays and access ways; ...”.*

In relation to parts (a) and (b) of this clause, and as part of the applicant’s duty of care, he is investigating other safety features, such as:

- placing one or more mirrors in a strategic place to assist drivers to see pedestrians when leaving the site;
- reducing the height of the neighbour’s front fence and the common fence on the side boundary near the entrance to the driveway to the normally required height of 0.75 metres; and
- installing a warning flasher near the driveway entrance at the street to warn pedestrians of vehicles approaching the street from the driveway.

The City favours the first two of these initiatives.

Car park construction: The surface of the existing car park has been provided with a layer of blue-metal stones compacted into the earth. The applicant proposes to resurface the car park with the same material, and to mark the car bays by rows of bricks inset into the surface. While a solid pavement material is normally required, the applicant maintains that the proposed kind of surface is firm, dust-free and well drained, as required by clause 6.3 (10) of TPS6. That clause reads as follows:

- “ (10) *Car parking bays and access ways shall be:*
- (a) *constructed of hard-standing, dust-free surfaces;*
 - (b) *graded and drained in such a way as to prevent water flowing there from onto adjoining land, or into garages or carports on the site, or onto any street, except in the latter instance, to the extent approved by the Council;*
 - (c) *clearly marked on site in accordance with an approved plan; and*
 - (d) *maintained in good condition at all times.”*

The City has consistently interpreted this requirement to mean that a car parking surface should be constructed of a material such as brick or block paving, concrete, bitumen, or the like, with drainage into soak wells on site or directly into the City’s street drainage system.

The applicant maintains that this is excessive for a small area containing only six cars for a small local business, and that the current arrangement meets Council’s specifications. A site inspection has shown that the existing material is firm, well drained, and in keeping with the ‘rustic’ design of landscaping at the rear of the building. However, the loose form of the proposed paving sets a precedent for a reduction in the standard of parking area construction. There is no reference in the application to any intention to edge the car park, or to delineate the planting beds along the fences.

The Council has no adopted policy regarding different materials being acceptable for different sized car parks. The City is of the view that the size of the car parking area, and the nature of the business involved, are not relevant factors which might mitigate against requiring construction of a car park to the standard universally required elsewhere in the district.

The City’s engineers advise that compacted blue metal or any road base material is not appropriate for a car park surface because it is not sufficiently self draining or durable.

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Car parking areas need to have the same infrastructure as on a road (kerbing, drainage grates if needed etc.). The paving proposal is therefore not acceptable.

The driveway is currently paved with cement flagstones, some of which are in disrepair and in need of replacement.

In the past, the site has retained a residential component. The current application is the first submitted to the Council involving the commercial use of the entire site. It is considered that both the car parking area at the rear and the driveway leading to it, should be repaved, delineated, marked, drained and maintained. A material such as brick paving, concrete, blocks, bitumen or the like should be used, with drainage into soak wells on site.

Car park design: An issue has been identified with regard to the slight change of levels within the site. The existing garage/shed has a path around it at a lower level than the main car park, the level difference of about half a metre being retained by a low brick retaining wall. A car parking bay is proposed to be located adjacent to this retaining wall. There is a need for some protective marking or safety barrier along the retaining wall to protect drivers from the drop in ground level. This issue will be a problem if the garage/shed remains on site as there is no opportunity to rationalise the difference in ground levels. The removal of the outbuilding would enable this rear area to be regraded and designed more appropriately.

In view of the manoeuvre difficulties identified above, a turning bay should be provided within the car park to enable all cars to enter the street in a forward gear, and to assist in movements within the car park. This is considered necessary with or without the removal of the garage/shed, to assist vehicles returning to the street in the event that all car bays at the rear of the site are occupied. The single-lane driveway access also impedes vehicular movement when vehicles attempt to enter and leave the site at the same time.

(d) Setbacks

Under Table 3 of TPS6, buildings in the Local Commercial zone are required to be set back 1.5 metres from the street, and nil from other boundaries. The subject building has the following setbacks:

- Zero front setback;
- 1.0 metre for an 8.0 metre long section of wall facing the north-western boundary;
- 4.2 metres for the remainder of that wall towards the front of the site; and
- 3.8 metres for the whole length of the south-eastern side of the site where the main driveway is located.

Clause 5.1 (4) of TPS6 reads as follows:

“(4) Notwithstanding the minimum setbacks prescribed in Table 3:

- (a) in any non-residential zone where a development site has a common boundary with land in the Residential zone:

 - (i) the Council may require a building on the development site to be set back a greater distance from the street than the setback prescribed in Table 3, in order to protect the amenity of the adjoining land in the residential zone. In such cases, the setback area in front of the building shall contain landscaping visible from the adjoining residential site; and*
 - (ii) the setback from that common boundary shall be the same as that prescribed for Grouped Dwellings on the adjoining residential land, unless otherwise prescribed by the Council.”**

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The front setback required under the R-Codes for the residential R15 coded lots alongside the subject site, is 6.0 metres average with a minimum of 3.0 metres.

The application involves an existing building. While TPS6 requirements are not retrospective, the proposed change of use of the site causes the proposal to need to be assessed fully as though it were a new development. In the current application, the building has, in part, a zero setback from Banksia Terrace. This requires the Council's discretionary approval under clause 7.8 of TPS6. This clause empowers the Council to permit variations from certain Scheme provisions if it is satisfied that:

- such a variation would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;
- enforced compliance would have an adverse impact on the users of the property or of the precinct; and
- the proposed development meets the objectives for the City and the precinct.

In view of the building having existed with a zero setback for many years as a commercial operation, it has become well established within the streetscape of Banksia Terrace and this part of the precinct, and therefore fits comfortably within the orderly and proper planning of the locality for the type of building that it is and the function it fulfils. An enforced removal of the portion of the building forward of the 3.0 metre setback line would cause immense damage to the building and would probably result in demolition. It is therefore considered that the existing zero setback of the front wall of the building should be accepted for the proposed change of use.

Under clause 5.1(4) and Table 3 of TPS6, Council discretion is sought for the zero setback at the front of the existing building. The building complies with R-Code side boundary setbacks for a Grouped Dwelling on land coded R15, as required by TPS6.

(e) **Fencing**

Existing fencing comprises fibro 'Super-Six' sheeting along the south-eastern side of the site and along the rear. While this fencing is partly capped and partly uncapped due to historical successive fencing by surrounding neighbours, the fencing is predominantly in reasonable condition, and with minor repair to individual sheets and completion of capping, would be acceptable. The recommendation in this report includes a condition relating to this matter.

Along the north-western side boundary, the fencing comprises a relatively new limestone block fence which is at a height of 1800 from the neighbour's lower ground level. This fence matches the improvements on that adjoining lot. The applicant's site rises gradually towards the rear, causing the height of fencing in this part of the site to be approximately 1200mm on the side of the development site. It is considered that the existing fencing should remain, but be raised to a height of 1800 from the ground level of the development site, with a material mutually acceptable to the applicant and the neighbour. Lattice is the usually accepted material for this purpose. A recommended standard condition No. 455 of planning approval deals with this matter.

(f) **Operating hours**

The applicant advises that it is the intention of the operation to service predominantly local residents and the Kensington Primary School, while also being available for local community groups to use the café for their meetings in the evenings. To cater for these events, the applicant requests consent for the opening hours of 8.00am to 10.00pm every day of the week. This length of opening hours is of concern to some neighbours. It is therefore considered that the opening hours should be until 9.00pm only.

(g) Heritage

In the current 2004-06 review of the City's Municipal Heritage Inventory (MHI), the City is considering the addition of approximately twenty new places, being predominantly schools, churches and small or corner shops. The subject site has not been included in this exercise, and is not proposed to be listed in the MHI.

(h) Scheme Objectives: Clause 1.6 of No. 6 Town Planning Scheme

Scheme Objectives are listed in Clause 1.6 of TPS6. The proposal has been assessed according to the listed Scheme Objectives, as follows:

- (1) *The overriding objective of the Scheme is to require and encourage performance-based development in each of the 14 precincts of the City in a manner which retains and enhances the attributes of the City and recognises individual precinct objectives and desired future character as specified in the Precinct Plan for each precinct.*

The proposed development is considered to meet this overriding objective. The precinct community's aspirations listed in the draft Precinct Plan for Precinct 6 - Kensington, simply express the objectives for the area:

- *Protect heritage buildings and create a unique historical image and identity.*
- *Preserve the precinct's single residential character/amenity.*
- *Decrease or maintain the existing R15 density coding.*
- *Develop and utilise Design Guidelines.*
- *Encourage increased use of landscaping, especially around commercial areas.*
- *Maintain street trees and streetscapes.*
- *Improve, maintain and enhance public open space and recreation areas.*
- *Retain local shops, but improve their physical appearance and range of services.*

The proposal has also been assessed under, and has been found to meet, the following relevant general objectives listed in clause 1.6(2) of TPS6:

- Objective (a) Maintain the City's predominantly residential character and amenity;*
- Objective (d) Establish a community identity and 'sense of community' both at a City and precinct level and to encourage more community consultation in the decision-making process;*
- Objective (e) Ensure community aspirations and concerns are addressed through Scheme controls;*
- Objective (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*
- Objective (g) Protect residential areas from the encroachment of inappropriate uses;*
- Objective (h) Utilise and build on existing community facilities and services and make more efficient and effective use of new services and facilities;*
- Objective (i) Create a hierarchy of commercial centres according to their respective designated functions, so as to meet the various shopping and other commercial needs of the community;*
- Objective (j) In all commercial centres, promote an appropriate range of land uses consistent with:*
- (i) the designated function of each centre as set out in the Local Commercial Strategy; and*
 - (ii) the preservation of the amenity of the locality.*

(i) Other Matters to be Considered by Council: Clause 7.5 of No. 6 Town Planning Scheme

In addition to the issues relating to technical compliance of the project under TPS6, as discussed above, in considering an application for planning approval, the Council is required to have due regard to, and may impose conditions with respect to, other matters listed in clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (a) *the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (b) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
- (f) *any planning policy, strategy or plan adopted by the Council under the provisions of clause 9.6 of this Scheme;*
- (i) *the preservation of the amenity of the locality;*
- (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*
- (m) *the need for new or replacement boundary fencing having regard to its appearance and the maintenance of visual privacy upon the occupiers of the development site and adjoining lots;*
- (n) *the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details;*
- (p) *any social issues that have an effect on the amenity of the locality;*
- (t) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (v) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (w) *any relevant submissions received on the application, including those received from any authority or committee consulted under clause 7.4;*

The proposal is considered satisfactory in relation to each of the above matters. However, having regard to the comments in the 'Parking' section of this report, it is considered that the following matter has not been satisfactorily dealt with, with respect to the existing garage on the site:

- (s) *whether the proposed access and egress to and from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the site.*

(j) Local Commercial Strategy

The proposal has been assessed against to the strategy for Local Commercial Centres set out in the Council's Local Commercial Strategy (LCS) which was adopted in March 2004. The proposal is considered to meet the following relevant statements:

“Objective for Local Centres:

To recognise, reinforce and retain the important role that small corner stores and Local Centres play in fulfilling the daily shopping and commercial requirements of residents of the City.

Recommended Actions for Local Centres:

- *In considering a change from one commercial use to another within a Local Commercial zone, Council should aim to ensure that such use will not adversely impact on adjoining residential amenity and can preferably be demonstrated as serving local shopping needs or aspirations. The Council will have regard to the impact of the development on adjacent residential areas, as well as the demand for such facilities to serve the adjacent local community.”*

Consultation**(a) Design Advisory Consultants**

The proposal to convert the existing House and Shop to a Café/Restaurant was not required to be referred to the Design Advisory Consultants for comment.

(b) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Policy P104 ‘Neighbour and Community Consultation in Town Planning Processes’. The owners of properties within ‘Area 2’ as identified in Council Policy P104 for a Café/Restaurant, were notified and invited to comment. Owners at Nos. 76 and 80 Banksia Terrace; Nos. 82, 84 and 86 Brandon Street; and the Principal, Kensington Primary School were invited to inspect the application and to submit comments during a 21-day period. A total of seven neighbour consultation notices were mailed to individual property owners and occupiers. In addition, a sign was placed on the site inviting comment from any other interested person. The applicant also distributed an information sheet, including plans, to those neighbours, inviting inspection of and comment on the application. The applicant’s information sheet is provided as part of **Attachment 9.3.2(b)**.

During the advertising period, six submissions were received by the City, two in favour of, and four against the proposal. The applicant has also provided the City with further comments received from the same neighbours. All of the submissions have been summarised and responses provided to all comments, in **Attachment 9.3.2(c)** to this report.

The comments in favour of the proposal generally refer to:

- Provision of a much needed facility in the area;
- Fostering of a community spirit in Kensington;
- No objection, or support for, the proposal generally.

The comments objecting to the proposal can be categorised into the following general topics, although they are more specifically referred to in the Schedule of Submissions contained in **Attachment 9.3.2(c)**:

- Parking, traffic, access and safety issues
- Increased noise - cars, patrons, restaurant operations generally
- Patron behaviour, particularly if alcohol is available
- Loss of vegetation from the site
- Cooking fumes
- Long trading hours
- Proposed location of bins near bedroom windows

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- Increase in vermin
- Change of character from residential to commercial

An Officer response to all of the issues raised is contained in the Schedule of Submissions.

(c) Manager, Engineering Infrastructure

One of the City's Engineering officers was invited to comment on the applicant's preferred car parking pavement material. His advice is that compacted blue metal or any road base is not desirable due to problems of durability and unreliable drainage.

(d) Environmental Health Department

The City's Manager, Environmental Health Services has provided comments as follows:

1. Bin Store Location /Construction

The application shows the bin store located to the rear of premises in close proximity to an adjoining residence. It is preferable that the bin store be located to the front of the premises. This would facilitate ease of access for servicing and minimise the risk of odour/fly problems affecting neighbours.

Note: Standard bin enclosure conditions have been specified and these are included in the Officer recommendation in this report.

2. Specification Details

Kitchen walls in Class 1 food premises to be finished by tiling to ceiling height rather than painted hardwall plaster as detailed in specification.

3. Other Potential Concerns

Businesses of this type often generate a number of types of complaints from neighbours as a result of their operation. Most common are:

- **Noise**

- Noise associated with the operation of plant and equipment e.g. coolroom compressor, piped or amplified music.
- Noise associated with customers entering and leaving the premises e.g. vehicular noise, horns tooting, car doors opening and closing, loud conversation / antisocial behaviour both on the premises (car park) and street.

- **Odours**

Odours arising from cooking effluvia may be offensive to neighbours.

These Environmental Health issues have been brought to the attention of the applicant by way of a footnote to the recommended planning approval. It is the applicant's responsibility to liaise with the City's Environmental Health department to ensure satisfaction of all of the relevant requirements.

Policy and Legislative Implications

Comments in relation to various relevant provisions of the No. 6 Town Planning Scheme, the R-Codes and Council policies and strategies have been provided elsewhere in this report.

Financial Implications

The issue has no impact on this particular area.

Strategic Implications

This matter relates to Goal 3 "Environmental Management" identified within the Council's Strategic Plan. Goal 3 is expressed in the following terms:

To effectively manage, enhance and maintain the City's unique natural and built environment.

Conclusion

Having regard to all of the discussion elsewhere in this report, the conclusion drawn is that the proposal should be conditionally approved. It will provide a community facility which, it appears, will be valued by the community. Amenity concerns are adequately addressed by way of the recommended conditions of approval.

OFFICER RECOMMENDATION ITEM 9.3.2
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That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for proposed change of use from House and Shop to Cafe/Restaurant of Lot 192 (No. 78) Banksia Terrace, Kensington, **be approved**, subject to:

(a) **Standard Conditions**

352, 354, 445, 455, 456, 505, 508, 661, 664.

Footnote: A full list of Standard Conditions and Important Notes is available for inspection at the Council Offices during normal business hours.
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(b) **Specific Conditions:**

(i) Revised drawings shall be submitted for approval by the City, such drawings incorporating the following:

(A) The rubbish storage area shall be relocated to, designed and constructed at the front of the site. In addition to any other requirements, the rubbish storage area shall be in accordance with the specifications of the Manager, Environmental Health and Regulatory Services, and shall include the following:

1. tap connected to an adequate supply of water;
2. smooth, impervious walls constructed of approved materials not less than 1.5 metres in height;
3. an access way of not less than 1 metre in width for 240 litre mobile garbage bin or 1.5 metre width for 1100 litre mobile garbage bin, fitted with a self-closing gate;
4. smooth, impervious floor of not less than 74 mm thickness, evenly graded and adequately drained to a minimum 100 mm diameter industrial graded floor waste;
5. easy access to allow for the removal of containers from the site;
6. the minimum size of the bin enclosure is to be as directed by the City's Manager, Environmental Health and Regulatory Services at a general rate of 1.5m² per 240 litre bin or 2.5 m² per 1100 litre bin.

(B) The existing garage/shed shall be removed.

(C) A designated turning bay shall be provided within the car park and clearly identified on site by means of a sign bearing the words '*No Parking - Turning Bay Only*'.

(D) The proposed treatment and regrading of the land occupied by the existing garage/shed which is to be removed. The revised drawings shall include details relating to the removal of the low brick retaining wall alongside car bay No. 3 and the regrading of the land prior to reconstruction of the car park as required under Condition (b)(iv).

(E) The car parking area and access way shall be redesigned to facilitate greater ease of vehicle manoeuvre.

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- (F) An area of 94 sq. metres or 10% of the site, comprising landscaped area shall be provided, as prescribed by Table 3 of Town Planning Scheme No. 6.
- (ii) The dining area of the proposed Café/Restaurant shall not exceed 35 sq. metres, including any alfresco seating area.
- (iii) Opening hours of the proposed Café/Restaurant shall be not longer than 8.00am to 9.00pm on any day.
- (iv) The car parking area at the rear of the site and the access way leading to it from the street, shall be:
- (A) repaved using brick, block or other segmented paving material, bitumen or concrete;
- (B) graded and drained into soak wells on the site or into the street drainage system;
- (C) clearly marked on site to delineate the parking bays in accordance with an approved plan; and
- (D) maintained in good condition at all times.
- (v) Having regard to clause 6.3 (6) of Town Planning Scheme No. 6, the existing brick garage/shed shall be removed due to its unsuitable location in relation to visibility of the car park from the street, together with the obstruction of drivers' view of the car park from the driveway and the resultant safety hazard and adverse effect upon orderly movement of vehicles within the car park.
- (vi) The masonry fence along the north-western side boundary of the site shall be raised to 1.8 metres in height, so as to provide adequate visual privacy to the adjoining neighbour. The fence height at any point shall be measured from the higher ground level adjacent to the fence. The material used to raise the height of the fence shall be selected in discussion with the adjoining neighbour or in the case of a dispute, in discussion with the City.
- (vii) One or more mirrors shall be provided at the driveway entrance to assist drivers exiting the site to see approaching pedestrians; or alternatively 1.5 metre x 1.5 metre visibility truncations shall be provided by way of modifications to the existing fences and the building.

(c) **Standard Important Footnotes**

645, 646, 648, 651.

<p>Footnote: A full list of Standard Conditions and Important Notes is available for inspection at the Council Offices during normal business hours.</p>

- (d) the applicant be advised that:
- (i) In relation to condition (b)(vii) above, concerning the existing fence along the south-eastern side boundary of the site, the applicant is encouraged to liaise with the owners of the property at No. 80 Banksia Terrace to achieve the required visual truncation for fencing where a driveway meets the street boundary. Unless an effective mirror is provided, no fencing or other obstruction on either property is permitted to be higher than 750mm within 1.5 metres of the point at which the applicant's driveway meets the street boundary.
- (ii) This planning approval does not relate to any signs. A separate application for planning approval is required to be submitted for any proposed signs. A Signs Licence is also required to be obtained prior to erection of any proposed sign.
- (iii) The City's Manager, Environmental Health and Regulatory Services has identified several issues which need to be addressed in relation to this application. The issues are identified in a memorandum dated 27 July 2006, attached to the planning approval. It is the applicant's responsibility to liaise with the City's Environmental Health department to ensure satisfaction of all of the relevant requirements.

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COMMENT ON DEPUTATION ITEM 9.3.2

The Mayor requested an officer comment on the Deputations in relation to Item 9.3.2

The Director Strategic and Regulatory Services stated that the conditions contained with the officer recommendation section of the report do attempt to address concerns raised in relation to the impact on the surrounding area and that based on that suggested no change to the officer report.

OFFICER RECOMMENDATION

Note: Officer recommendation Lapsed for want of a Mover.

MOTION

Moved Cr Doherty, Sec Cr Trent

That the officer recommendation be amended at the clauses hereunder to read as follows:

(b)(i)(A) The rubbish storage area shall be relocated to, designed and constructed at the rear of the main building on the south eastern side.

~~The rubbish storage area shall be relocated to, designed and constructed at the front of the site.~~ In addition to any other requirements, the rubbish storage area shall be in accordance with the specifications of the Manager, Environmental Health and Regulatory Services, and shall include the following:

1. tap connected to an adequate supply of water;
2. smooth, impervious walls constructed of approved materials not less than 1.5 metres in height;
3. an access way of not less than 1 metre in width for 240 litre mobile garbage bin or 1.5 metre width for 1100 litre mobile garbage bin, fitted with a self-closing gate;
4. smooth, impervious floor of not less than 74 mm thickness, evenly graded and adequately drained to a minimum 100 mm diameter industrial graded floor waste;
5. easy access to allow for the removal of containers from the site;
6. the minimum size of the bin enclosure is to be as directed by the City's Manager, Environmental Health and Regulatory Services at a general rate of 1.5m² per 240 litre bin or 2.5 m² per 1100 litre bin.

(b)(i)(B) ~~The existing garage/shed shall be removed.~~ Signs shall be provided, clearly visible from the street, indicating the location of the customer car park at the rear of the site, and warning of the unusual driveway manoeuvre ahead.

(b)(i)(D) ~~The proposed treatment and regrading of the land occupied by the existing garage/shed which is to be removed.~~ The revised drawings shall include details relating to the removal of the low brick retaining wall alongside car bay No. 3 ~~and including the regrading of the land prior to reconstruction of the car park as required under Condition (b)(iv).~~

~~(b)(iii) Opening hours of the proposed Café/Restaurant shall be not longer than 8.00am to 9.00pm on any day.~~

(b)(iii) Opening hours of the proposed Cafe/Restaurant shall be restricted to the hours between:

- (A) 8.00am and 9.00pm Sunday to Thursday: and
- (B) 8.00am and 10.00pm Friday and Saturday.

If the Council receives any complaints within six months of the date of grant of this approval in respect of the extended closing time on Fridays and Saturdays, and decides that those complaints are valid in relation to amenity impact, the Council will require the closing time on those days to be changed to 9.00pm.

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- (b)(iv) The car parking area at the rear of the site and the access way leading to it from the street, shall be:
- (A) ~~re-paved using brick, block or other segmented paving material, bitumen or concrete;~~
- (B) ~~graded and drained into soak wells on the site or into the street drainage system;~~
- (AC) clearly marked on site to delineate the parking bays in accordance with an approved plan.
- (BD) maintained in good condition at all times.
- (b)(v) ~~Having regard to clause 6.3 (6) of Town Planning Scheme No. 6, the existing brick garage/shed shall be removed due to its unsuitable location in relation to visibility of the car park from the street, together with the obstruction of drivers' view of the car park from the driveway and the resultant safety hazard and adverse effect upon orderly movement of vehicles within the car park.~~

ALTERNATIVE MOTION

The Mayor advised that the Alternative Motion had only been circulated just prior to the commencement of the Council meeting and as such there was no opportunity for officer input. He requested the Director Strategic and Regulatory Services to comment on the suggested changes / legalities to the recommendation.

The Director Strategic and Regulatory Services advised that he was not aware of any legalities in relation to the amended clauses but could comment on the strategic principles of the proposed changes. He said that the relocation of the rubbish storage area would necessitate the inclusion of the precise location. The modified clause does not specify the precise location and this would need to be discussed with the applicant. The deletion of the condition requiring the removal of the existing shed/garage with the requirement for signage is self explanatory and the officer report states that the accessway / vehicle manoeuvrability complies with Australian Standards. In relation to the opening hours he said that the way the replacement condition is worded it allows for Council to act and review opening hours if proven complaints are received. He advised that there was a different view in the officer report in relation to the treatment of the car park area to that of the amended condition to block pave the car park and said there is no impediment on Council to remove that condition.

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Doherty point of clarification Deputations referred to any future owner being able to convert the café to a restaurant. Would the requirements that the current applicant needs to comply with apply to a new owner eg opening hours etc

The Director Strategic and Regulatory Services advised that under TPS6 there is no difference between a café and restaurant. It was the same 'use class'. He said he noted that in the current application the kitchen was down graded not to allow cooking and that may present a difficulty if it was converted to a restaurant. Also the hours as currently proposed might prove to be too restrictive for a restaurant and are more in keeping with a café or small scale restaurant.

Cr Doherty opening for the Motion

- support application for café
- Doherty family home several houses up from proposed café - could be perceived bias
- volume of cars parking in area always been an issue
- establishment of café will create a community hub - opportunity for people to gather
- conditions imposed will ensure due process is followed
- applicant has proposed to move the bins to rear of the building on the south eastern side significantly away from the bedroom windows of the concerned neighbours.

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- parking and access-way as per the officer report indicates proposal is compliant with the Australian Standard.
- shed is a positive - blocks the view of cars from the street / acts as a deterrent to drive quickly in and out of the car parking area
- previous approval identical in respect to parking surface - no issues raised re surface
- condition re opening hours can be monitored and reviewed if necessary
- seek support for amended Motion

Cr Trent for the Motion

- been in the area since 1976 - have extensive knowledge of the area
- sympathy for adjoining neighbours
- believe Kensington community will benefit from proposed café
- in years gone by had many deli's/small shops creating a sense of community
- adopt the Motion and breath live back into the area

Cr Smith against the Motion

- no doubt community and school for this proposal
- having been through a similar exercise have disquiets as do those that are opposed
- it is what happens if the property/business is sold on
- know only too well the manoeuvrings that go on between kiosk to café to restaurant
- once you approve a café - next thing it is a restaurant - its happened before
- accept the down sizing of the kitchen
- change in ownership could mean an upgraded kitchen to restaurant standard
- upgraded kitchen leads to next step - apply for a liquor licence
- not against principal of community café but need a 'safeguard'
- look at reduced business hours
- defer applicant - need protection from café going to restaurant

Cr Gleeson against the Motion

- change of zoning - once shop becomes café / restaurant - it is permanent
- traffic flow dangerous to children
- traffic impact study in 1980 resulted in traffic calming devices being implemented in front of Kensington Primary School to make it safer
- 25 years in hospitality industry - you can never gauge patronage from day to day
- potential to increase patronage to café/restaurant
- parking for café patrons an issue
- constant traffic using accessway past adjoining neighbours bedroom windows - noise
- accessway not a hard surface and 5 metres away from school - how can this be safe for children
- hypocritical - have traffic calming in place and we are considering this proposal right outside Kensington Primary School
- refused a sign for Como High School at roundabout outside school as it was a danger
- here we are proposing to approve this café with its traffic issues - is that not a danger

Cr Macpherson point of clarification Heard some of the local schools are going to be amalgamated and we have heard a lot of the café business is coming from the school, find this odd if schools do amalgamate.

The Mayor advised that Kensington Primary School was not one of the school proposed to be amalgamated.

Cr Doherty closing for the Motion

- believe cafe will bring life to Banksia Terrace
- trust applicant and what he is saying
- applicant has made changes in response to concerns raised

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- applicant has owned shop for 19 years - café proposal will be his super
- believe people in Kensington will walk to this café
- school supportive of application which reflects how important facility will be
- need to make progress
- encourage Councillors support Motion.

The Mayor put the Motion
(2/9)

LOST

COUNCIL DECISION ITEM 9.3.2

Moved Cr Smith, Sec Cr Hearne

That this application for planning approval for proposed change of use from House and Shop to Cafe/Restaurant of Lot 192 (No. 78) Banksia Terrace, Kensington, **be deferred** pending further investigation as to the possible 'change of use' being to "Tea Room".

CARRIED (10/1)

NOTE: CR GLEESON REQUESTED HE BE RECORDED AS HAVING VOTED AGAINST THE MOTION

Attachment 9.3.2 (c) to the August 2006 Council Agenda**SCHEDULE OF SUBMISSIONS**

Proposed change of use from Shop to Cafe/Restaurant. Lot 192 (No. 78) Banksia Terrace, Kensington

1. Comments Supporting the Proposal

(a) Submitter's Supporting Comments to the City	Officer Response
We believe it can only benefit all who live in the vicinity.	The submitter refers to the lack of community facilities of this kind in the immediate area, and alludes to the need for such. The comment is NOTED .
It will add to the family-type community of Kensington - Kensington is in desperate need of community atmosphere.	The submitter refers to the lack of community facilities of this kind in the immediate area, and alludes to the need for such. The comment is NOTED .
Kensington needs a café and maybe this will be the start of a few more cafés and shops in the area.	The submitter refers to the lack of community facilities of this kind in the immediate area, and alludes to the need for such. The extent of future commercial development will be controlled by the zoning of the land and the normal planning processes, including neighbour consultation in some cases. The subject land is zoned 'Local Commercial' which does permit some small-scale locally oriented commercial uses. The comment is NOTED .
Have been speaking to other residents who are very excited about the proposal.	It is not known if the other un-named residents have made their own written submission. The comment indicates some degree of wider community support without being specific as the extent. The comment is NOTED .

(b) Submitter's Supporting Comments to the Applicant	Officer Response
<p>The proposal is supported on proviso that the planning and operation of the café takes into consideration:</p> <ul style="list-style-type: none"> ▪ The movement of vehicles from the café car park across the footpath and into Banksia Terrace. The installation of a visual and audible alarm adjacent to the footpath is highly recommended; ▪ Advice to the school of any unaccompanied child using the café during school hours; ▪ A commitment not to sell items to pupils unaccompanied by an adult, that contravenes the school's 'Healthy Eating Healthy Life' policy; ▪ A commitment to sell items to children in keeping with the school's 'Healthy Eating Healthy Life' policy. 	The submitter refers to pedestrian safety issues and to a school policy. While the City is keenly committed to safety of all residents and visitors of all ages, the City is unable to comment on the school's internal policies. To the extent that the application will be assessed in the normal way, taking into account parking, access and safety issues, the comment is UPHELD .
<p>We have no objection to:</p> <ul style="list-style-type: none"> ▪ establishment of the café ▪ the proposed style of business ▪ The reduction in car parking at the rear ▪ The proposed surface material of the car park. 	The neighbour's support for the proposal is NOTED , particularly in relation to the proposed paving material for the car park.

We support this wonderful business idea and look forward to using this great community café.	The neighbour's support for the proposal is NOTED .
Neighbour has no objection to the proposal and hasn't noticed any problems during the past eight years.	The neighbour's support for the proposal is NOTED .
We have no objection to the proposed café.	The neighbour's support for the proposal is NOTED .
Based on the information provided, the proposal should go ahead.	The neighbour's support for the proposal is NOTED .
<p>Further to our <i>(submitter and applicant)</i> meeting on the site of your proposed development in Banksia Terrace Kensington on Friday 28 July 2006 I understand that there are a few areas of the proposed development that officers of the City of South Perth have noted as possibly requiring modification/ rectification prior to approval of the proposal. Based on our discussions I make comment on the potential areas of concern raised by the Council officers. My comments are made in my capacity as a professional Engineer and as a Member of the Institution of Engineers Australia.</p> <p>1. Access to Car Parking Area- I believe that the available access along the existing driveway on the left hand side of the property, in front of the garage and then on the right side of the garage to access the proposed parking area at the rear of the property is both adequate & appropriate. It should be noted that vehicles accessing/ egressing the proposed car park will be travelling at low speed thus ensuring that the required manoeuvres can easily be carried out. It should be noted that the nature of the site is not conducive to or should either allow or encourage high speed vehicle movement. Particularly as a result of the potential for a mix of pedestrians (patrons) and vehicles. The pedestrian movements could be patrons leaving the front or the rear of the premises or general pedestrian movements along the footpath at the front of the property. It could be argued that the location of the garage is a positive feature in that it acts as a traffic calming mechanism by ensuring that site traffic operates at a speed appropriate to the environment.</p> <p>2. Car Park Surfacing- I understand from our discussions that the Council officers have made reference to a requirement to this area to be sealed given to prevent the creation of dust given the nature of the proposed development. I believe that the crushed rock surfacing of the car parking area at the rear of the property, whilst not being sealed with a bituminous or asphaltic surface, will still satisfy the requirement of not generating dust especially in light of the discussion in item 1 above regarding the speed of vehicles accessing/ egressing the site. One of the characteristics of crushed rock road base is that over time there is a natural cementing action that binds the particles together. Additionally a considerable proportion of the particles are of a larger size and thus not prone to creating dust.</p>	All of the matters referred to in this submission are discussed in detail in the report 9.3.2.

<p>The likelihood of dust creation is far higher from garden beds of sand, especially black sand as is typically found in developed areas of Perth. The reason for this is that the black sand contains fine traces of organic matter. When this material dries out it very easily becomes airborne as anyone who has dug in a dry garden can attest. Whilst the likelihood of dust creation is far higher from unmulched, unreticulated garden beds, it should be noted that the garden bed areas of the proposed development site are both well mulched and reticulated, I am unaware of any requirement to treat garden areas to prevent the creation of dust.</p> <p>3. Identification of Car Parking Bays- During our discussions there was reference made to the requirement to identify the limits of the car parking bays. I agree that this could easily be done using any one of the techniques that you suggested. Those techniques include installing a white painted timber or bricks/ brick pavers into the crushed rock roadbase surface to delineate the edge of the car parking bays. It should be noted that given that it is only proposed to have 3 bays on both sides the width of the area available is more than enough to easily provide the required number of bays and is not contingent on providing minimum permissible width bays.</p> <p>4. Car Turn Around Area- As noted in item 3 above the area available for car parking is considerably greater than that required to provide the minimum required number of bays for the proposed development. Consequently there are generous areas to allow for vehicles to turn around prior to exiting from the car parking area.</p>	
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2. Comments Opposing the Proposal

(a) Submitter's Opposing Comments to the City	Officer Response
<p>This is unacceptable as Kensington is a residential area, not a business precinct - it will adversely impact on residential amenity in regard to:</p> <ul style="list-style-type: none"> ▪ increased noise ▪ traffic problems in vicinity of primary school clashing with pick-up and drop-off of children ▪ safety issues for children crossing road unattended by parents ▪ congestion of parking in the street - teachers, parents and visitors currently fill parking bays and also park on the street ▪ will the parking at the rear of the site be for staff as well as patrons? ▪ will the car park at the rear be brightly lit for safety reasons? If so, this will disturb residential neighbours ▪ access into the car park is impeded by a large garage / shed - it is likely that this will act as a disincentive to patrons parking in the rear of the site - it also prevents proper vehicle manoeuvring in the car park 	<p>Some neighbours have expressed general amenity concerns with respect to the application. Issues relate mainly to noise, pedestrian safety, The applicant has undertaken to keep music and general noise to a minimum, and to access the bins during daylight hours only.</p> <ul style="list-style-type: none"> ▪ As a small local café with limited seating capacity, the number of vehicles using the site will be low. Any increase to the dining area beyond 35 sq. metres will require Council approval, and all aspects of any such proposal would be assessed at the time. To this extent, the comment is UPHELD. ▪ A total number of seven car bays is to be provided on the site. The City's TPS6 does not specify whether these are to be used by patrons or staff. In respect of the total number of car bays provided, the proposal complies. To this extent, comments relating a likely

<ul style="list-style-type: none"> ▪ where will overflow patrons park - limited space in the street ▪ unwanted yobbos around and over fences - security issues, damage in the area, invasion of privacy ▪ loss of vegetation from the site (eg. a big wattle tree) ▪ cooking fumes / odours / emissions could permeate surrounding residential properties; car fumes will add to this pollution ▪ proposed trading hours are too long - should be restricted to 6 days Monday to Saturday, 08:00 to 18:00; or 08:00 to 16:00 ▪ noise could extend into the early hours of the morning, allowing additional hours for clearing up after the restaurant closes at 10.00pm ▪ deliveries to be restricted to week days only ▪ location of garbage bins is opposite bedroom windows of adjoining house - please relocate bins ▪ proposed car park will be noisy when people gather to chat after enjoying an evening out with friends. 	<p>increase in vehicles, are NOT UPHELD.</p> <ul style="list-style-type: none"> ▪ No night lighting is proposed for the car park. The comment is NOT UPHELD. ▪ While there might be an overall reduction in the amount of landscaping on the site, the total amount is required to amount to 10% of the land area - that is, 74 sq. metres. The application is required to comply with this requirement. To this extent, the comment is NOT UPHELD. ▪ The City's Environmental Health department suggest that the bin store be located at the front of the site for ease of access from the street. Specifications have been provided. This will alleviate the effect of any fumes in proximity to the neighbour's bedroom, as the proposed location would be adjacent to the neighbour's garage. The comment is UPHELD. ▪ In recognition of possible disturbance late at night, opening hours are proposed to be restricted to 8.00am to 9.00pm. The comment is UPHELD.
<p>Rats and mice are currently prevalent in the area thus encouraging stray cats and dogs - this will get worse with quantities of food and waste on the site.</p>	<p>Correct application of health requirements should not result in any increase in vermin in the area. The comment is NOT UPHELD.</p>
<p>Prefer site to remain as a residence - was originally a house with a small shop at the front.</p>	<p>The TPS6 does not require the site to contain a residential component. It is appreciated that the property was originally partially residential with a shop front and that this combination continued for many years. However, the current proposal is also acceptable under the provisions of TPS6, subject to its detailed assessment under the provisions and objectives of TPS6. The comment is NOT UPHELD.</p>
<p>Have concerns about possible future alcohol consumption and possible behavioural effects on patrons.</p>	<p>The City is not responsible for the issue of a liquor licence of any kind for the premises. If the applicants apply to the Liquor Licensing Court for such, this process will be advertised in the press and comments invited before a licence is issued.</p>

(b) Submitter's Opposing Comments to the Applicant	Officer Response
<p>Residents object to long opening hours until 10.00pm, as requested. This could cause major disturbance to us. Suggest opening until 16:00 or 18:00 at the latest.</p>	<p>The submitter fears regular, long opening hours, even though the applicant alludes to occasional use of the café for community meetings until this hour. Unless controlled by conditions of approval, there is no limit to how frequently the café may remain open until the approved hour. It is therefore the intention to limit opening hours to the last customer being accepted at 18:00. The comment is UPHELD.</p>
<ul style="list-style-type: none"> ▪ This should no longer be a business site, but revert to residential. ▪ Rear parking over the sewer is not acceptable. 	<ul style="list-style-type: none"> ▪ The TPS6 does not require the site to contain a residential component. It is appreciated that the property was originally

<ul style="list-style-type: none">▪ Please do not encourage stray cats and crows to the area.▪ Any damage to existing dividing fences to be made good.	<p>partially residential with a shop front and that this combination continued for many years. However, the current proposal is also acceptable under the provisions of TPS6, subject to its detailed assessment under the provisions and objectives of TPS6. The comment is NOT UPHELD.</p> <ul style="list-style-type: none">▪ The proposal indicates a clearance of the car bays from the sewer. The comment is NOT UPHELD.▪ The onus is on the applicant to ensure that the establishment, if approved, complies with all health requirements, and does not attract animals or insects. The comment is UPHELD.▪ The onus is on the applicant to ensure that any damage to fencing arising from the establishment or operation of the business, if it should be approved, is made good at the applicant's expense. The comment is UPHELD.
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Environmental Health Services Planning Approval Comments

Details	
Proposed Development: (Property address)	78 Banksia Terrace, Kensington
Application: (Type)	Change of use from flower design school to cafe.
Officer: Department:	Steve Sullivan EH & RS
Date:	27/7/06

The following comments are made with respect to the above proposal.

1 Bin Store Location /Construction

The application shows the bin store located to the rear of premises in close proximity to an adjoining residence. It is preferable that the bin store be located to the front of the premises. This would facilitate ease of access for servicing and minimise the risk of odour/fly problems affecting neighbours.

The standard bin enclosure condition would require

- (a) A tap connected to an adequate supply of water;
- (b) Smooth, impervious walls constructed of approved materials not less than 1.5 m in height;
- (c) An access way of not less than 1 metre in width for 240 litre mobile garbage bin or 1.5 metre width for 1100 litre mobile garbage bin, fitted with a self-closing gate;

- (d) Smooth, impervious floor of not less than 74 mm thickness, evenly graded and adequately drained to a minimum 100 mm diameter industrial graded floor waste;
- (e) Easy access to allow for the removal of containers;
- (f) The minimum size of the bin enclosure is to the satisfaction of the City's Manager, Environmental Health & Regulatory Services at a general rate of 1.5 m² per 240 litre bin or 2.5 m² per 1100 litre bin.

2 Specification Details

Kitchen walls in Class One food premises to be finished by tiling to ceiling height rather than painted hardwall plaster as detailed in specification.

3 Other Potential Concerns

Businesses of this type often generate a number of types of complaints from neighbours as a result of their operation. Most common are:

Noise

Noise associated with the operation of plant and equipment e.g. coolroom compressor, piped or amplified music.

Noise associated with customers entering and leaving the premises e.g. vehicular noise, horns tooting, car doors opening and closing , loud conversation / antisocial behaviour both on the premises (carpark) and street.

Odours

Odours arising from cooking effluvia may be offensive to neighbours.

Steve Sullivan
Environmental Health Officer

City of
South Perth



Civic Centre
Sandgate Street
SOUTH PERTH WA 6151
Ph: (08) 9474 0777

GUIDELINES FOR THE ESTABLISHMENT OF A FOOD PREMISES

JULY 2002

CITY OF SOUTH PERTH
ENVIRONMENTAL HEALTH SERVICES

1.0 INTRODUCTION

These basic guidelines are designed to provide summary information regarding the legislative and Local Government requirements for the construction of food premises within the City of South Perth. A premises that is designed and constructed in accordance with the regulations will be easy to clean, reduce vermin entry and reduce the probability of bacterial contamination to food products. A correctly designed premises will improve efficiency and the overall success of the business!

All food premises and vehicles must be designed and constructed to:

- 1.1 Limit the risk of contamination of food products;
- 1.2 Enable easy cleaning by ensuring that all surfaces and areas are smooth, durable, impervious and washable and accessible;
- 1.3 Prevent the entry of pests and vectors of disease; and
- 1.4 Provide a logical and continuous work flow.

Prior to alterations or installations taking place an onsite meeting with an Environmental Health Officer is required in order to discuss your proposal in detail so that any potential problems areas can be identified.

2.0 LEGISLATION

The Health Act 1911 (as amended) defines 'Food Premises' as:

“a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public, either directly or indirectly, and includes eating houses, food stores, premises, places or food vehicles.”

All work must conform in all respects with the requirements of the Health (Food Hygiene) Regulations 1993, the Health Act 1911 (as amended) and the Australian Food Standards Code.

Food premises proprietors have a legal responsibility to comply with legislation. It is important to note that food laws make it an offence to offer food to the customer that is not of the nature, substance and quality demanded, to adulterate food or to sell food which is not of the prescribed standard.

Schedule 3 of these Regulations has classified Food Premises into five (5) different classes of premises.

3.0 CLASSIFICATION OF FOOD PREMISES

CLASS ONE

- (1) Food premises and vehicles in which:-
- (a) extensive food preparation or cooking is carried out;
 - (b) the foods by their nature are subject to spoilage, rapid bacterial growth or require a high level of protection; and
 - (c) the nature of the activity requires specific finishes, equipment or facilities.

Examples:- Restaurant
Pastry Cooking
Café
Hotel/Tavern (kitchen)
Caterer
Butcher

CLASS TWO

- (1) Food premises and vehicles in which preparation, reconstitution, special storage or packaging of food in undertaken and where no direct sale to the public in involved.

Examples:- Poultry Processing
Seafood Processing
Preparation of Dairy Products

CLASS THREE

- (1) Food premises and food vehicles in which:-
- (a) limited food preparation is carried out including heating of food for sale;
 - (b) most of the food used in a prepared form and requires only refrigerated or dry storage; or
 - (c) the nature demands basic finishes and fixtures.

Examples:- Lunch bar (sandwich making only)
Bakery (bread only)
Delicatessen (minor food preparation)
Health Food Shop

CLASS FOUR

- (1) Food Premises and vehicles in which food handling is limited to dispensing, without preparation, pre-prepared or packaged foods.

Examples:- Confectionary
Supermarket (groceries only)
Cake shop (no cooking)

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CLASS FIVE

- (1) Food premises and vehicles in which the food sold is fruit, vegetables or is wholly contained within protective packages which do not require refrigeration or special storage conditions.

Examples:- Greengrocer/ Fruit & Vegetable Market
Warehouse (dry store)
Liquor Store

4.0 SUBMISSION OF PLANS

Detailed scaled drawings of all proposed food premises and alterations to existing premises must be submitted to Council's Environmental Health Services Section and approval obtained prior to commencement of work.

An application for approval to construct or establish a food premises (refer to attached form) must be completed and returned to Council's Environmental Health Services Section together with:-

Scaled floor plans and specifications which include the following details:

- i) the use of every room;
- ii) the structural finishes of every wall, floor and ceiling;
- iii) the position and type of every fixture and fitting;
- iv) all sanitary conveniences, change rooms, ventilating systems, drains, grease traps and provision for waste disposal;
- v) detailed plans and specifications of the mechanical exhaust system if cooking is to take place in the food premises;
- vi) detailed plans and specification of the cool room/freezer, if one is proposed to be installed;
- vii) the estimated number of gender of every person, including the proprietor or proprietors, engaged in the preparation, manufacture, processing, cooking or serving of meals; and
- viii) floor plan of all dining areas.

5.0 CONSTRUCTION

Part 3 of the Health (Food Hygiene) Regulations 1993 provide full details of the method of construction, materials and internal finishes approved for food premises.

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ENVIRONMENTAL HEALTH SERVICES

5.1 KITCHEN FLOOR AREA

- (1) Floor area to be not less than 25 per centum of the floor area of the room or rooms and any outside area where meals are served to, or consumed by the public.
- (2) For the purpose of 8.1.1 above, the floor area of the kitchen does not include any floor area occupied by a scullery, food store room, cool room or refrigerator.

5.2 REFUSE ROOMS AND RUBBISH ENCLOSURES

The location of the refuse area is to be to the satisfaction of the Manager, Environmental Health Services. The refuse receptacle area is to be provided with:

- (a) a tap connected to an adequate supply of water;
- (b) smooth impervious walls constructed of approved material not less than 1.8 metres in height;
- (c) an access way not less than 1 metre in width for a 240 litre MGB or 1.5 metre width for 1100 litre MGB, fitted with a self closing gate;
- (d) smooth impervious floor of not less than 75mm thickness, evenly graded and adequately drained to a minimum 100mm diameter industrial grade floor waste;
- (e) easy access to allow for the removal of containers;
- (f) a floor area of rubbish room as determined upon application, by Manager, Environmental Health Services; and
- (g) internal bin areas to be sealed from other internal rooms and be provided with mechanical ventilation capable of exhausting not less than 5 litres of air per second per 1 square metre of floor area, ducted to the outside air.

5.3 REFUSE BIN HOISTS

Vertical lift food conveyor and refuse bin hoists to:

- (a) have a framework of angle iron, channel, "T" iron, tubular framing or other approved material;
- (b) have an internal, compartment of approved metal or fibreglass with rounded internal angles;
- (c) where the lift is located within the walls, have those walls rendered to a smooth finish or covered with approved metal;

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- (d) be free from cracks and crevices and be easily accessible throughout for cleaning; and
- (e) be vermin proof.

5.4 HAND WASHING FACILITIES

Part 4 of the Health (Food Hygiene) Regulations provide details of handbasins.

- (1) Food premises and vehicles must be provided with handbasins:-
 - (a) within or adjacent to each toilet facility;
 - (b) in the food preparation area; and
 - (c) in any part of the food premises where the nature of the activities performed is such that hands may contaminate food.
- (2) Each hand basin:-
 - (a) must be of adequate size;
 - (b) must be provided at all times with a piped supply of warm water or of hot water and cold water delivered through a common outlet;
 - (c) must be connected to an approved waste disposal system;
 - (d) must not be installed under counters, cabinets, consoles or similar fixtures and fittings (it must have unobstructed access at all times); and
 - (e) must be supplied with soap (preferably in a dispenser) and single use towels (eg, paper towels), or other approved hand drying facilities.
- (3) In Class 1 and Class 2 food premises, hand basins must be installed which can be operated other than by hand (eg, elbow, foot operated or electronic sensor).

5.5 SANITARY CONVENIENCES

(1) STAFF TOILETS

Separate sanitary conveniences for each sex to be provided for employees and constructed in accordance with the Metropolitan Water Supply, Sewerage and Drainage Board Local Laws, the Sewerage (Lighting, Ventilation and Construction) Regulations 1971 and the Building Code of Australia. Sanitary conveniences are to be provided in accordance with the following table:

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ENVIRONMENTAL HEALTH SERVICES

MALES	
W.C'S	1 to 20
WASH BASIN	1 to 30
URINAL	1 per 25 up to 50, then 1 per 50 thereafter

FEMALES	
W.C'S	1 to 15
WASH BASIN	1 to 30

(2) PATRON TOILETS

Separate sanitary conveniences for each sex to be provided for patrons and constructed in accordance with the Metropolitan Water Supply, Sewerage and Drainage Board Local Laws, the Sewerage (Lighting, Ventilation and Construction) Regulations 1971 and the Building Code of Australia. Sanitary conveniences are to be provided in accordance with the following table:

MALES	
W.C'S	1 to 100, then 1 per 200 thereafter
WASH BASIN	1 to 50, 1 for next 150 then 1 per 200 thereafter
URINAL	1 to 50

FEMALES	
W.C'S	1 per 25 up to 50, then 1 per 50 thereafter
WASH BASIN	1 to 50, 1 for next 150, then 1 per 200 thereafter

5.6 KITCHEN EXHAUST HOODS

A mechanical exhaust system is required in any kitchen or cooking area (dependent upon the total power wattage of the appliances), for the purpose of the local exhaust of heat, fumes and vapours arising from cooking and/or heating appliances.

(1) STANDARD

The Health (Food Hygiene) Regulations require that all exhaust canopies comply with the Australian Standards AS 1668.2 - 1991 for construction and performance.

(2) PLANS

Detailed plans and specifications of all exhaust hoods must be submitted to Council's Environmental Health Services Section for approval prior to construction or installation. These plans should be submitted with the overall plans and specifications of the proposed food premises.

An Environmental Health Officer can assist in understanding the requirements for Kitchen Exhaust Hoods and provide the associated guidelines.

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5.7 WALLS

- (1) Internal wall surfaces must:-
- (a) be smooth, durable, resistant to corrosion, non-toxic, impervious to water and non-absorbent (eg, brick, concrete, blocks, reinforced plaster panels, gyprock or similar material finished with glazed tiles, stainless steel sheeting or smooth hardwall plaster;
 - (b) be free from cracks, crevices, cavities and other defects;
 - (c) be finished in a light colour;
 - (d) not have any skirting, picture rail, architrave, cover strip or other moulding fitted to it; and
 - (e) have angles coved to a minimum radius of 6mm.
- (2) TILING
- (a) Class 1 and Class 2 food premises must be tiled to full wall height, if tiles are chosen for the internal wall surface cover.
 - (b) Class 3 food premises must be tiled to a height of 600mm above benches, hand basins, sinks and similar work areas.
- (3) LEDGES AND WINDOW SILLS
- (a) All ledges or window sills are to be splayed to not less than 45° and finished with rounded edges.
 - (b) All joints and edges must be completely sealed.
 - (c) A ledge or window sill that is located in an area where food is prepared must be at least 300mm above the top of any bench or appliance below the ledge/window sill.
- (4) PREFORMED MATERIAL
- Preformed material must be made of rigid, foam-filled sandwich/colourbond boards and comply with items specified in (1).
- (5) STUD WALLS
- All double panelling stud walls to be closed and the internal void filled with tightly packed fibreglass wool or other suitable material (eg, polystyrene foam).
- (6) DWARF WALLS
- The top course of any brick counter or dwarf wall is to be of solid brick or if of extruded or moulded bricks, all cavities to be filled with mortar for vermin control and to be splayed downwards at an angle of 45 degrees.

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ENVIRONMENTAL HEALTH SERVICES5.8 FLOORS

- (1) Floors must be:-
 - (a) smooth to facilitate cleaning, rigid, durable, slip resistant, resistant to corrosion, non-toxic and impervious to water (eg, vinyl, concrete, ceramic tiles);
 - (b) free from cracks and crevices;
 - (c) evenly graded to trap floor waste outlets (100mm diameter) connected to an approved waste disposal drainage system where cleaning operations or other activities release water or other liquids onto floors;
 - (d) coved (9.5mm radius) at the angle between the wall and floor; and
 - (e) slip resistant
- (2) If preformed material is used to cover the floor, ensure that:
 - (a) all joints and edges are sealed; and
 - (b) the preformed material continues up the walls and other vertical surfaces for at least 70mm above floor level.
- (3) Water and mould resistant additives must be added to ceramic tile grouting (eg, epoxy grout).

5.9 CEILING

- (1) The surfaces of ceilings in food handling areas must -
 - (a) be smooth, durable, resistant to corrosion, nontoxic, and impervious;
 - (b) be free from cracks, crevices and other defects; and
 - (c) be finished/painted in light colours.
- (2) In Classes 3, 4, and 5 food premises and food vehicles the ceiling in food handling areas may be comprised of preformed materials in the form of rigid panel's well fitted and sealed or suspended corrosive resistant metal T-bars and other mouldings.
- (3) Where an access panel cannot be avoided in a food preparation area, it must be finished flush with the surrounds and sealed.
- (4) Where food premises contain more than one level, the under surface of a slab and beam concrete floor must-

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- (a) be waterproof; and
 - (b) have supporting beams shaped to minimise the collection of dirt, dust or grease and to facilitate cleaning.
- (5) Junctions of walls and ceilings must be sealed.

5.10 CLEANING EQUIPMENT

- (1) Food premises and vehicles where eating utensils or drinking utensils are used, must have -
- (a) glass washing machines;
 - (b) dish washing machines;
 - (c) double bowl sinks;
 - (d) tubs consisting of 2 compartments;
 - (e) draining boards (stainless steel is recommended); and
 - (f) drying and storage facilities.

as required by an Environmental Health Officer in relation to the classification of the food premises or vehicles.

- (2) Where food is prepared on food premises or in a food vehicle, the appropriate number of sinks must be provided with an adequate supply of hot and cold water (hot water being not less than 75°C).

5.11 WATER SUPPLY

Provide an adequate supply of hot and cold water to sinks in food preparation areas.

5.12 LIGHTING

- (1) Food premises and vehicles must -
- (a) be provided at all times with natural or artificial lighting suitable for the activities conducted.
 - (b) comply with Australian Standard AS 1680-1976.
- (2) Light fittings must be constructed so that contamination of food with dirt, dust or any other material falling from the light fitting is prevented.
- (3) Light fittings must be provided with protective covers. Alternatively, install non-shatter or shatter-proof light fittings.

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5.13 COOLROOM

The coolroom/freezer is to be constructed as follows:

- (a) Internal and external finishes to be constructed of colourbond metal sheeting;
- (b) The floor to be properly sealed and have an even fall to an approved floor waste outlet located outside the coolroom and freezer;
- (c) Condensate to be discharged into the floor waste or drainage system via a trapped tundish;
- (d) Where the unit(s) are built with an inaccessible cavity between the top and the ceiling above, or between the walls of the room and the coolroom/freezer such cavities to be filled with fibreglass wool and sealed with approved metal trims;
- (e) Shelving or racks to be constructed of corrosion resistant, smooth material that does not absorb liquids or odours (ie, hot dipped galvanised metal);
- (f) The angle between the walls and floor in the coolroom/freezer to be coved with a minimum radius of 9.5mm;
- (g) Internal service lines to be stood 16mm off the walls;
- (h) Doors to be fitted with rubber seals and be capable of being opened from the inside at all times;
- (i) It is recommended that refrigerators plant be located externally or separated from food handling areas; and
- (j) Every coolroom/freezer must be equipped with a thermometer or thermograph indicating or recording temperature in the warmest part of the room accurate to \pm one degree Celsius and located so that it is easily readable.

5.14 EXCLUSION OF INSECTS

All external openings are to be protected so as to exclude the entry of pests and insects (eg, flies).

5.15 GREASE TRAPS

Any installation of a grease trap within the premises shall be subjected to the following conditions:

- (a) The grease trap is not to be installed in the kitchen or the food preparation area. The grease trap is to be installed outside the food handling premises;

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- (b) Approval for the installation shall be obtained from the Water Corporation WA (Industrial Waste Section);
- (c) The trap shall be constructed of solid impervious materials sealed to prevent the escape of odours;
- (d) The door shall be fitted with a gasket to provide a seal when closed;
- (e) Independent access to the trap be provided away from the food handling areas and where possible outside the building; and
- (f) It is recommended that the grease trap be provided with an evacuation pipe to ground level in order to facilitate the easy cleaning of the grease trap.

5.16 PIPES, DUCTS AND CONDUITS

Pipes, ducts, conduits and wiring must be -

- (a) concealed in walls, floors or ceiling; or
- (b) fixed in brackets so that there is a clearance of not less than 16mm between the wall; and
- (c) must not be installed in the junction of a floor and any vertical surface and spaces beneath fixtures, fittings and appliances.

5.17 FIXTURES, FITTINGS AND APPLIANCES

- (1) Every appliance must be constructed -
 - (a) of materials that are impervious to water, durable, nontoxic and resistant to corrosion (eg, stainless steel);
 - (b) so that it is free from cracks and crevices; and
 - (c) so vermin are excluded from the appliance.

(2) FIXTURES FIXED TO WALLS

Benches, cupboards, cabinets and other equipment which are fixed to walls to be:

- (a) Supported on metal legs which shall be at least 150mm high, smooth, free from angles, recesses and crevices; or
- (b) Placed on a concrete plinth at least 100mm in height, with a base of the equipment sealed to the plinth with a silicone sealer and overhanging the plinth (the plinth/floor junction to be coved to a radius of 9.5mm);
- (b) sealed to the walls to prevent access of vermin; and

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- (c) constructed without backs.
- (3) **FIXTURES NOT FIXED TO WALLS**
- Benches, cupboards, cabinets and other equipment which are not fixed to walls to be:
- (a) readily mobile, fitted with castors or wheels and with flexible leads where necessary to enable the equipment to be moved so that the floor beneath can be completely exposed for ease of cleaning; or
- (b) kept 150mm clear of walls, with sufficient space between cabinets to provide easy access for cleaning and 150mm off the floor;
- (c) where an appliance has a mass greater than 16kg it must be;
- (i) sealed to the adjacent surface; or
- (ii) mounted on wheels or castors capable of supporting it when loaded, to facilitate easy cleaning.
- (4) Work surfaces subject to high levels of liquid spillage, including draining boards, must be made of stainless steel.
- (5) An appliance that is located or mounted on a counter, bench, work table or similar surface must be -
- (a) located or mounted so that a clear space of not less than 75mm is maintained between -
- (i) the appliance and the surface; and
- (ii) the appliance and each adjacent wall or other vertical surface; and
- (b) sealed to the adjacent wall or other vertical surface.
- (6) Any plinths used to support appliances must be -
- (a) built as an integral part of the floor;
- (b) constructed of solid concrete or masonry;
- (c) finished to a smooth level surface;
- (d) of a height at least 100mm above the floor and flushed with the vertical surface of an appliance;
- (e) rounded or bull-nosed at exposed edges or corners; and

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- (f) coved at its junction with the floor or any wall or other adjacent surface to a radius of at least 9.5mm.
- (7) All brackets must be sealed to contact surfaces to avoid crevices, voids or inaccessible cavities.
- (8) Fixtures must not contain false or separate backs or bottoms.
- (9) Shelves comprising or forming part of a shelving unit must be at least 150mm above the floor.
- (10) A motor or compressor that forms part of a refrigerator, frozen food cabinet or similar equipment must be and mounted so that it cannot contaminate the food.

5.18 CHANGE ROOMS

- (1) Separate male and female change rooms must be provided for the use of those people engaged in food handling in Class 1 and 2 premises.
- (2) The change rooms must be:
 - (a) at least 3 square metres, with an additional 0.75 metres for each person in excess of 4;
 - (b) be separated from the food preparation area; and
 - (c) be provided with locker storage facilities for clothing, footwear and other personal items.

5.19 INSPECTION OPENINGS

Exposed pipes or openings for the inspection or cleaning of drainage shall not be installed in food premises or vehicles.

5.20 EXTERNAL/ALFRESCO DINING FLOORS

The floor of external dining areas is to be durable, non-absorbent material, graded to a drain and be finished in a smooth and even condition, so as to afford no lodgement of liquids.

6.0 NOTES

Further information relating to the contents of this document or food safety, in general, can be obtained by contacting Council's Environmental Health Services Section on 9474 0777. Copies of the Health (Food Hygiene) Regulations 1993 are available from:-

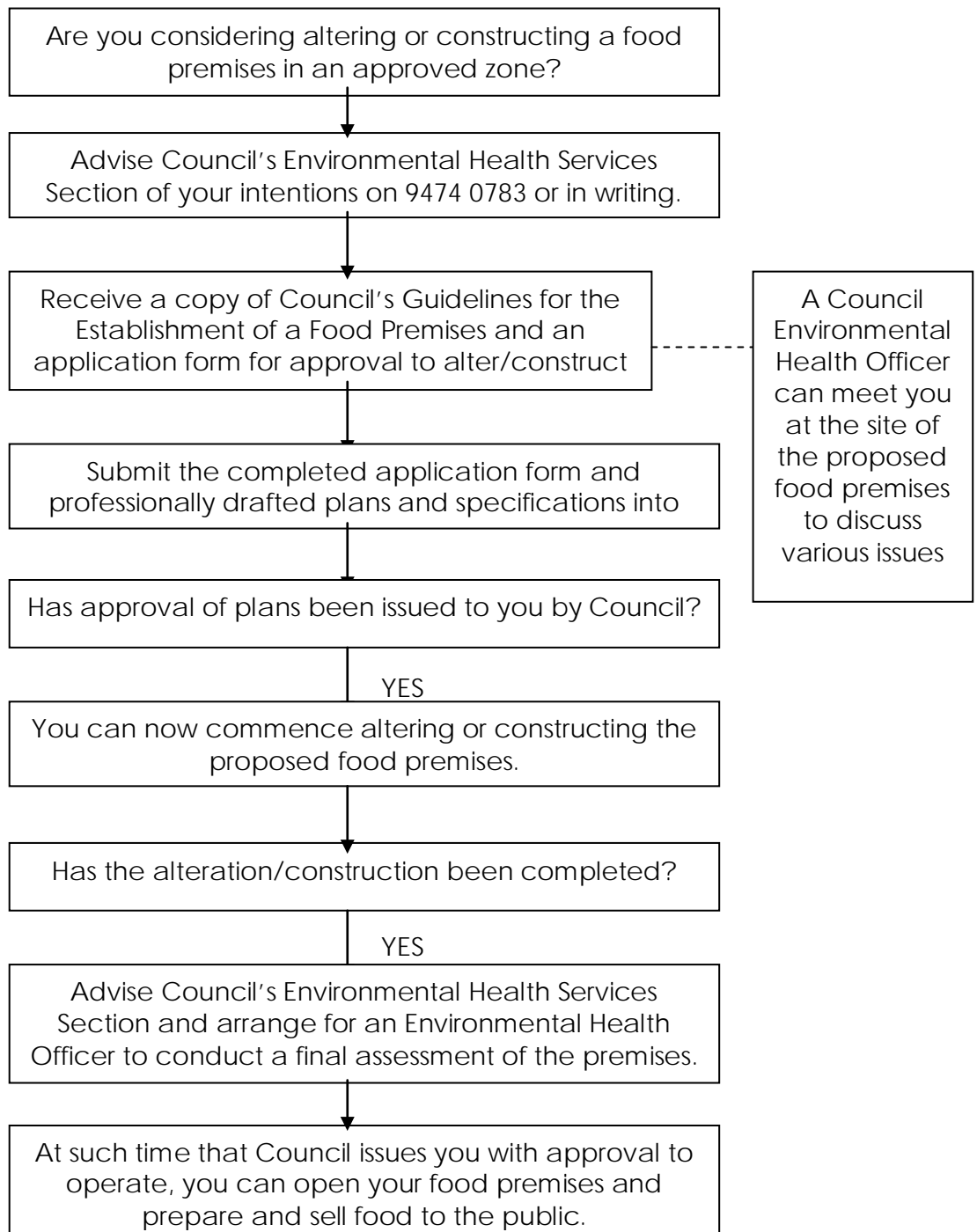
State Law Publisher
Ground Floor
10 William Street
PERTH WA 6000
Telephone (08) 9321 7688

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7.0 APPROVAL PROCESS

Council must be notified if you are planning to purchase or alter an existing food premises or construct a new food premises within the City of South Perth.

The following flowchart describes the correct procedure for the approval of the alteration or construction of a food premises:



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HEALTH ACT 1911 (AS AMENDED)

APPLICATION FOR APPROVAL TO CONSTRUCT OR
ESTABLISH A FOOD PREMISES/VEHICLE

I
Full Name(s)

of
Residential Address

Postcode Phone

hereby apply for approval to construct or establish the following:-

Premises Name

Premises Address

OR

Vehicle Make Vehicle Model

Registration No.

- Classified as a class 1
- 2 (Please tick one)
- 3
- 4
- 5

Main Use of Premises/Vehicle

.....

.....
Applicant's Signature

.....
Date



ANNUAL ELECTORS MEETING

Minutes of the Annual Electors Meeting to Receive the City's Annual Report, Financial Statements and Auditors Report for the Year Ended June 2006 held in the Council Chamber on Monday 6 November 2006 commencing at 7.00pm

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Mayor declared the meeting open at 7.00pm, welcomed everyone in attendance. He then ran through the 'order of business' stating that the meeting would be run in accordance with Standing Orders and that the public present would have the opportunity to ask questions relating to the business of Council or to propose Motions under 'Other Business' on the Agenda.

2. **RECORD OF ATTENDANCE / APOLOGIES**

Present

Mayor, Mr J Collins, JP (Chair)

Councillors:

J Best	Civic Ward
B W Hearne	Como Beach Ward
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
R D Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Mr G Flood	Director Infrastructure Service
Mr M Kent	Director, Financial and Information Services
Mr L Croxford	Manager Engineering Infrastructure
Ms D Gray	Manager Financial Services
Mrs K Russell	Minute Secretary

Gallery

There were 12 members of the public present

Apologies

Cr G W Gleeson	Civic Ward - leave of absence
Cr LM Macpherson	Como Beach Ward - leave of absence

3. PRESENTATION OF THE ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2006

The Mayor requested the CEO present an overview of the Annual Report for the year ended June 2006.

The Chief Executive Officer presented a summary of the year's activities with the 'focus' being on the City's Vision for the City of South Perth to be Perth's most liveable community celebrating our history and riverside location and creating the opportunities of the future.

Major Achievements 2005/2006

- New Council Administration and Civic building
- Network City – planning for railway stations
- Sustainability initiative
- Community Safety and Crime prevention Plan
- Integrated Transport Plan
- Certification of Enterprise Bargaining Agreements
- George Burnett Park Upgrade
- Maintained good community satisfaction rating (82%)

Council Commitment

South Perth Council Members make a significant commitment to the community.

During 2005/2006 they:

- attended 16 Council Meetings
- held 53 Briefing Sessions; and
- participated in 3 Facilitated Workshops

at which they considered and determined 207 matters. They also presented the City's views and lobbied on behalf of our community at a variety of other forums, conferences and meetings.

Staff Commitment

To strive for excellence in service delivery, to be responsive to our customers and to work proactively to deliver outcomes aligned to the strategic direction provided by Council.

Goal 1 - Customer Focus - Major Achievements

- Customer Focus Model
- City Update / Peninsular features
- Customer Information Sheets
- New out of hours telephone answering service
- Out for Comment
- Numerous public consultation projects
- Enhanced City Website

Future Opportunity Goal 1

- Keep improving consultation

Goal 2 - Community Enrichment - Major Achievements

- Implement Community Plan
- Community partnerships
- Community funding program
- Fiesta community event
- Public Art initiatives
- Seniors / aged care & YAC
- Community Policing initiatives

Future Opportunities

- Sporting Clubs Study implementation
- Civic multi-purpose community centre planning

Goal 3 - Environmental Management - Major Achievements

- Sustainability Strategy adopted
- Integrated Transport plan adopted
- George Burnett Park landscaping
- Neil McDougal Park upgrade
- Cities for Climate Protection
- Waste Management Study
- Major indigenous consultation
- 36,150 new trees & shrubs planted
- Milestone 2 of ICLEI Water Campaign
- Only WA Council to be selected for Federal Government ARIES Initiative

Future Opportunity

- Reducing water usage

Environmental Management - Major Achievements

- Final Municipal Heritage Review presented for adoption
- 589 Planning applications – 94% under delegated authority
- 828 Building applications (worth \$115m)
- Town Planning Scheme consultation policy adopted
- Skyworks Strategy

Future Opportunities

- Precinct Studies – Network City
- Parking Management

Goal 4 - Infrastructure - Major Achievements

- Improved path network
- 35,500 M2 road rehabilitation
- Storm water drainage surveys
- Travelsmart / Roadwise projects
- Blackspot road works
- Irrigation upgrades
- George Burnett Park upgrade – 11,000 trees / shrubs

Future Opportunities

- Underground Power program
- Como beach / SJMP improvements

Goal 5 - Organisational Effectiveness - Major Achievements

- Administration building refurbishment
- Implementing Record Keeping Plan
- Online information sharing
- Standing Orders Local Law review
- 3 x 3year Enterprise Bargaining Agreements certified
- Major Council Performance survey conducted
- LGIS Diligence in Safety Gold Award

Future Opportunities

- Maintaining open processes
- Address Skills shortage issue

Goal 6 - Financial Viability Major Achievements

- Sustainable funding approach
- Best practice risk management strategy
- Timely & accountable financial management reporting
- High quality, well documented systems & procedures
- \$442K dividend from CPGC
- Improvement in CPV finances

Future Opportunity

- Maintain and enhance best practice approach

2005/2006 Financial Highlights

Key Indicators:

- Unqualified (clean) Audit Report
- Financially sustainable
- Overall financial position improved by 1% - Net Assets \$170.5M
- Total Revenue was 2.2% **above** budget at \$31.8M
- Rates Revenue was \$17.5M (budget \$17.4M)
- Non Rates Revenue of \$14.3M from other sources (fees, grants, interest, asset trade-in proceeds etc)
- Operating Expenses were only 0.5% over budget at \$30.5M
- \$8.9M worth of Capital Expenditure was completed
- Cash reserves are in place to support future financial sustainability
- Outstanding rates ratio down to 1.5% (last year 2.1%)
- Minimal commitment to servicing loan debt - 0.58%

Looking Forward

Key Focus Areas:

- Continuing emphasis on effective community consultation processes
- Further community safety initiatives
- Environmentally sustainable management
- Balancing financial, environmental & social aspects of sustainability
- Continue to enhance the Customer Focus Model
- Plan for the upgrade of community facilities at the Civic Centre
- Parking management strategies
- Responsible Building and Planning control
- Responsibly maintaining the City's infrastructure
- Keeping the community involved and informed

Conclusion

What is our role in the future?

By working collaboratively together as an Elected Council, a City Administration and a Community we can build for a sustainable future and truly become a connected community celebrating our history, our riverside location and creating the opportunities of the future.

The Mayor thanked the Chief Executive Officer for his presentation and commended him on the Annual Report. He stated that the Council and administration have faced a lot of issues during the year and delivered a very good result by looking at the initial Strategic Plan, revising that Plan and then moving on to adapt for change.

MOTION

Moved Sheila Perrot (Collier Park Village), Sec Clare McBeath, Coode Street, Como

That the Annual Report and Financial Statements for the year ended 30 June 2006 be received.

COMMENTS FOR / AGAINST MOTION - QUESTIONS / POINTS OF CLARIFICATION : ITEM 3

Mr Geoff Defrenne, 24 Kennard Street, Kensington

In relation to the Mayor's Report, is it the Mayor's Report or on behalf of the Councillors?

Mayor Collins stated that it was the Mayor's Report but that it also covered subjects on which the Councillors have been informed / involved.

Mr Defrenne referred to the refurbished Council Chamber and to a recent statement - *that the improved facilities assist towards open and accountable governance* and asked: How does the improved facilities make it open and accountable governance?

Mayor Collins stated this question has been raised and responded to previously. He said that what the public cannot see is the cabling installed to assist those with impaired hearing. Therefore anyone with impaired hearing can hear the meeting proceedings and that in itself is just one example of assisting with good governance.

Mr Defrenne asked for other examples of open and accountable governance.

Mayor Collins said that other examples of open and accountable governance was the public now being able to attend Council Agenda Briefing sessions, the amount of consultation between the Council and developers prior to applications being submitted to Council and the amount of information available on the City's website.

Mr Defrenne asked for more examples in relation to Council involvement with the Aged / Youth of the City.

Mayor Collins said in this regard information was well documented within the Annual Report, such as the Youth Advisory Council, scholarships to under privileged, supporting youth events, Pioneer Lunch etc.

Mr Defrenne during the year has there been any triple 'C' investigations into the City and is there anywhere that the City has not met expectations?

Mayor Collins replied that the Council decides whether the City has met expectations. The items on the Council Agenda are all decided by the Council. Personal views alone mean nothing until Council adopts a resolution.

Mr Defrenne has the City achieved in your expectations?

Mayor Collins said that his written report detailed the achievements.

Mr Defrenne referred to the Integrated Transport Policy mentioned in the report and asked: Will the CEO be issued with a bike?

Mayor Collins responded no.

Mr Defrenne should any employee make a claim, for example while using their own vehicle, would they be reimbursed?

Mayor Collins stated the question was hypothetical and would not be answered.

Mr Defrenne do employees use their own vehicles to carry out Council business?

Chief Executive Officer responded no and further stated that he was not aware of any employee making a claim for using their own non-motorised vehicle.

Mayor Collins advised that there was a item for discussion at the recent Audit and Governance Committee meeting held in October where it defines that reimbursement of costs associated with usage of bicycles used in attending Council business was deemed not an appropriate policy.

Director Infrastructure Services commented that the Infrastructure Services Directorate did have a couple of bikes which were used for Council work-related journeys.

Mr Defrenne in relation to salary bands what is the total benefits the CEO gets?

Mayor Collins advised that the information was available in the CEO's contract. A copy of which had been made available to Mr Defrenne.

Mr Defrenne Accounts Payable keeps increasing. Is there any reason why accounts payable are higher than the previous year?

Director Financial and Information Services stated that the accounts payable figure as disclosed in Note 11 did reflect that the current accounts payable was higher than the last year but had only increased by \$280,000. This was attributed to a late invoice for a progress payment on the administration building.

Mr Barrie Drake, 2 Scenic Crescent, South Perth. In relation to Council Rates, they seem to go up every year as more or less a fashionable thing to do. Looking at the Financial Statements there seems to be funds building up all the time. Could some thought be put into using some of this money for underground power rather than asking the ratepayers in the Como East area to contribute such a substantial amount? Help residents that have been in the City for many years.

Mayor Collins stated that the underground power is something the City wanted for all of the people in South Perth and that if it could have been implemented at the same time it would have been cheaper however Western Power say where it goes and when it goes in. He said there were 'staged payment options' and concessions available. The Mayor further advised that the City relies on its reserves to fund things such as waste management, maintenance of river walls etc. and while rate increases are kept to a minimum if rates were not increased for a period of time and then increased significantly it would not make for good management. As it is rates are going up less than CPI which he stated he believed is reasonable.

Director Financial and Information Services confirmed that the City's rates increase this year was less than CPI and that the City monitors the funding model to ensure a responsible balance between rates and non-rates funding. He said he believed it was a responsible approach bearing in mind that the City do not have the growth opportunities of places such as Mandurah. In relation to reserves it is important to realise funds are quarantined for specific purposes for example Collier Park Village and Hostel residents are entitled to receive a refund when they leave the facility and money is quarantined for this purpose. Other reserves are provided for in relation to waste management as well as for a number of future projects such as the proposed railway stations to accommodate the Perth to Mandurah rail link. With underground power it is important to note that both the State and Local Governments are required to consider the preferred funding model which recognises that a portion of funding comes from the State Government with the balance being levied from rate payers in the particular area but take the point that it is a financial impost. This is why we are always looking at financial models to take into account concessions and instalment payment options over extended periods.

Mr Drake asked how many millions does the City need to stay comfortable now and still put increases back into the system - where is the ceiling?

Mayor Collins said it will be for Council to decide whether reserves are spent, for example, on the Civic Upgrade or another project. He said that a previous Council had entered into non-project borrowings and did very little to get the cash position going, or support infrastructure enhancement, whereas this Council has taken a balanced and sustainable view for the future.

Mrs Perrot referred to Section 14 of the Annual Report 'Purpose of Reserves' and said that there is a perception within the community that the Collier Park Village is subsidised by ratepayers. She asked that consideration be given to including a few more words under this item in future to better identify where the funds come from.

Mayor Collins advised that the suggestion would be taken into consideration.

The Mayor put the Motion.

CARRIED

- 4. PRESENTATION OF THE AUDITOR'S REPORT FOR THE YEAR ENDED 30 JUNE 2006**
The Mayor referred those present to the Auditor's report on the last page of the Annual Report document.

MOTION

Moved June Davis, McNabb Loop, Como, Sec Roger Atkinson, Coode Street, Como

That the Auditor's Report for the year ended 30 June 2006 be received.

COMMENTS FOR / AGAINST MOTION - QUESTIONS / POINTS OF CLARIFICATION : ITEM 4

Mr Geoff Defrenne During the last four months there have been concerns about the cost of Temporary Staff and whether the cost exceeds the tender limit. Did the City advise the Auditors of where they may have exceeded the limit or of any other financial concerns. Were there areas where the City failed to advise the Auditors?

Mayor Collins clarified the questions raised as being:

- During the annual audit did any concerns get raised?
- In last year's Annual Report it was mentioned that some of the services of Temporary Staff exceeded \$50,000 - were there other areas that exceed \$50,000 and was this information available to the auditors?

Chief Executive Officer confirmed that there has certainly been no over-payment in relation to temporary staff. The City have acknowledged that payments have been made that are greater than \$50,000 to particular firms but that certainly does not mean a breach of the Act has occurred. In relation to the audit contract the audit is conducted by qualified auditors in accordance with the *Local Government Act, Local Government (Financial Management) Regulations 1996* and Australian Auditing Standards and is carried out under a compliance regime in line with the standards contained within those documents. The Auditor's opinion contained at the back of the Annual Report states that the financial statements are properly drawn up and statutory compliance achieved. He said he had no reason to expect that the City has not complied with the law and therefore no reference to any breach was referred to the auditors.

The Mayor put the Motion.

CARRIED

5. OTHER BUSINESS

The Mayor advised the gallery that he would accept questions / statements at this point in the meeting. He opened 'other business' at 8.05pm.

Mr Alan Richardson, Canning Highway, Como who decides where cycleways are put, is it Council or Main Roads?

Director Infrastructure Services advised that the City works with the Department of Planning and Infrastructure and Community Advisory Groups to establish where cycleways will be best located.

Mr Richardson referred to the cycleway in Thelma Street and to his letter to Council last year pointing out the stupidity of the proposal particularly in peak times because the cycleway reduced the carriageway to one lane. Mr Richardson also advised that he had not received a response to his letter before or after the path was installed.

Director Infrastructure Services stated that he was not aware of the particular letter referred to. He said he would investigate the matter and provide a written response to Mr Richardson.

Mr Roger Atkinson we waited a number of years for refurbishments to the Como foreshore. We are now waiting a couple of more years for the refurbishment of Como Beach. Will Council issue regular bulletins advising the public of what is happening with projects such as this? There may be a lot of people wondering what is happening at Como Beach.

Mayor Collins acknowledged that the Como Beach project has been on-going for quite some time. He said that it had recently come before Council however the tender received for the work was considered too excessive. This project is currently going out to tender again with the idea of completely upgrading this area.

Director Infrastructure Services stated that the administration were also frustrated with the approval process for this project which involved Swan River Trust approvals and the development of a Foreshore Heritage Masterplan to meet requirements under the *Aboriginal Affairs Act (1972)*. A clearance was granted by the Minister for Indigenous Affairs in June 2006 which will now enable the City to upgrade the foreshores however the process did take many months and that coupled with the building industry price increases put the project over budget. Currently the specifications for the project are being redone in order to reduce the scope of work.

Mr Defrenne the October 2006 Council Minutes show that the Mayor asked if there were any more questions from the public. Why were my questions 'tabled' rather than included in the Minutes?

Mayor Collins stated that public question time had expired. He said that as stated at the meeting, the balance of the questions, tabled by Mr Defrenne but not read out, were to be answered administratively. He further stated that during his time as Mayor that he believed that Mr Defrenne had been given every opportunity to ask questions.

Mr Defrenne last month Council issued a Stop Work Order on a shed being completed at No. 6 Lansdowne Road. In a copy of the City of Belmont Report in particular in relation to a building going on at 152 Mill Point Road where calculations differ between Belmont and the City of South Perth, is the building currently under construction being issued with a Stop Work Order?

Director Strategic and Regulatory Services stated that the matters raised in the City of Belmont Report were the subject of a Briefing to Councillors in July 2006 and Council were satisfied with the officer's findings.

Mayor Collins confirmed that the City will not be issuing a Stop Work Order for 152 Mill Point Road.

Mr Defrenne did Council make a decision at the Briefing session?

Mayor Collins confirmed that the matter had never come before a Council meeting for a determination but had been the subject of Briefing sessions.

Ms Clare McBeath, Coode Street, Como. in relation to parking problems in upper Coode Street and in our current climate of water restrictions could Council consider installing more embayments in upper Coode Street as a way of cutting down verge watering and addressing parking issues?

Director Infrastructure Services stated the question was taken on notice.

Mr Barrie Drake, 2 Scenic Crescent, South Perth at the last Council meeting I had five questions relating to No. 11 Heppingstone Street, South Perth. I was only permitted to asked two of the five questions. Can I now ask the remaining three questions?

Mayor Collins confirmed that the questions asked at the October Council Meeting would be responded to in writing and that a summary of the response would appear in the November Council Agenda. He then asked Mr Drake to ask the other three questions referred to.

Mr Drake

Question 3. What is the maximum permissible height of a building built on this site?

Question 4. Is a Multiple Dwelling allowed on this site?

Director Strategic and Regulatory Services stated the questions were taken on notice.

Mr Drake (cont'd)

Question 5. In the CEO's letter to me dated 12 October 2006 re questions I asked at the 26 September 2006 Council meeting, your response to my last question was: *As the building at 11 Heppingstone Street complies with the current Town Planning Scheme No. 6.....*". Is this statement correct? Do you still maintain that it complies?

Chief Executive Officer stated that he would review the correspondence referred to. The question was taken on notice.

Mr Roger Atkinson I attended the Canning Bridge Precinct train station community meeting conducted by Estell Consultants. Following that briefing there has been no community feedback provided. The 'Group' seemed to be in favour of increasing the density. What is the reaction from the City of South Perth to that meeting? Disappointed with total lack of feedback.

Director Strategic and Regulatory Services stated that since briefing the Community Forum the Consultants have prepared a summary of the Forum. Instructions have been given to place this information on the City's website. The community survey for the South Perth and Canning Bridge train station precinct studies is currently being undertaken. The study brief for the South Perth Network City Communities Program projects anticipated that a second stage, to be undertaken after the results of the current community engagement projects had been completed, would focus on the planning strategy and future proposals for the area.

Mayor Collins stated that Council is also keen to get this information because of the impost on the community.

Mr Defrenne No. 180 Mill Point Road is deemed to be a 'grouped dwelling' development but the R-Codes state: "*A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another.....*". Is there other information relating to one building being built over another where it is deemed a Grouped Dwelling rather than a Multiple Dwelling?

Director Strategic and Regulatory Services stated the question was taken on notice.

Mr Defrenne since Council Meetings returned to the Council Chamber there has been a Ranger on duty in the foyer. Would it not be cheaper to supply locks for the outer doors?

Mayor Collins stated that it was part of the world we live in today where security is of the utmost concern to everyone.

6. CLOSURE

The Mayor thanked everyone for their attendance and closed the meeting at 8.45pm.

These Minutes were confirmed at a meeting on 28 November 2006

Signed _____
Chairperson at the meeting at which the Minutes were confirmed



FUTURE DIRECTIONS & NEEDS STUDY
FOR SPORTING AND RECREATIONAL CLUBS 2006

REPORT RECOMMENDATIONS

1. Current and Future Trends Relating to Sporting and Recreation Clubs in the City of South Perth.

- 1.1 That Council only provides basic multipurpose pavilion facilities on district active reserves and that the design of these facilities be limited to include: toilets, four change rooms, an equipment store room, a kitchen-kiosk, a social-meeting room and shaded spectator seating.
- 1.2 That Council manages district pavilion facilities assuming responsibility for coordinating usage, building maintenance (including cleaning) and operating costs.
- 1.3 That Council makes district pavilion facilities available to sporting clubs via seasonal hire agreements.
- 1.4 That Council includes access to toilet change rooms within district pavilion facilities with reserve bookings.
- 1.5 That Council makes regional pavilion facilities available to sporting clubs through either a lease or licence agreement and that where appropriate overarching sports associations be established to manage the facilities.
- 1.6 That Council adopts a proactive approach to providing support services to sporting clubs and implements an integrated program similar to the City of Stirling's 'Club Forever' scheme.
- 1.7 That Council investigates the viability of incorporating a volunteer resource centre within the planned redevelopment of the Civic Centre halls.

2. Optimising Usage for Sport and Recreation Facilities

- 2.1 That in the medium term, Council investigates options for improving the internal layout of Morris Mundy Pavilion to enable increased use by playgroups and other non-sporting community organisations.
- 2.2 That Council replaces the current lease arrangement with Kensington Cricket Club with a seasonal hire agreement.
- 2.3 That, in the short term and as an interim measure, Council undertakes repairs at Collier Reserve Pavilion to accommodate the basic needs of the WA Gaelic Athletic Association, subject to a commitment from the WA Gaelic Athletic Association to continue to use Collier Reserve Pavilion via a seasonal hire agreement.
- 2.4 That the need for and future function of the Collier Reserve Pavilion be determined subject to the outcome of the Bill Grayden Pavilion Feasibility Study (see recommendation 2.2.20).
- 2.5 That in the short term, Council works with the committee of the South Perth United Football Club to facilitate a decision to relocate either the seniors or the whole club to an alternative ground.
- 2.6 That in the medium term, Council upgrade the Challenger Reserve Pavilion. The works to include renovation of the two existing change rooms, provision of two new change rooms, modernisation of the kitchen/ kiosk, renovation of the function room, provision of additional storage facilities, and improved building security.

- 2.7 That subject to the outcome of recommendation 2.2.5, Council replaces the current lease arrangement with South Perth United Football Club with a seasonal hire agreement.
- 2.8 That in the short term, Council facilitates negotiations between the South Perth United Football Club and the Manning Bowling Club to determine the potential for acceptable management and cost-sharing arrangements in relation to the Football Club sharing use of the Bowling Club's function facilities.
- 2.9 That in the medium term Council upgrade the James Miller Pavilion. The works to include renovation of the two existing change rooms, provision of two new change rooms, renovation of the function room, repairs and upgrading of electrical wiring and plumbing systems, provision of additional storage facilities, and improved building security.
- 2.10 That Council's plans to provide new multipurpose community facilities on the Bradshaw Crescent site be *district* in scale and designed to complement the regional facilities to be provided at the nearby George Burnett Leisure Centre.
- 2.11 That in the short term, planning for the upgrading of the James Miller Pavilion and the development of a district community facility on the Bradshaw Crescent site be undertaken concurrently to ensure these two facilities are complementary.
- 2.12 That Council forms a short term reference group with representatives of the Manning Rippers Football Club, users of Manning Hall and the Manning Primary School to provide input into the upgrading of the James Miller Pavilion and the development of a new district community facility at the Bradshaw Crescent site.
- 2.13 That Council replaces the current lease arrangement with Manning Rippers Football Club with a seasonal hire agreement.
- 2.14 That in the short term, Council enters into negotiation with Manning Primary School to enable community use of the school oval and encourage school use of the proposed community facilities (i.e. upgraded James Miller Pavilion and the District community facility at Bradshaw Crescent).
- 2.15 That Council works with the South Perth Junior Cricket Club to investigate options to provide a shade structure in close proximity to the cricket pitch on George Burnett Park.
- 2.16 That, in the long term, Council works with the South Perth Rugby League Football Club and the Southern Districts Touch Association to investigate the viability and benefits of establishing an overarching sports association to lease/ manage the George Burnett Pavilion.
- 2.17 That Council supports the proposal put forward by the Southern Districts Touch Association to develop female change rooms and a new office with meeting facilities at the George Burnett Pavilion.
- 2.18 That Council modifies the entrance to the existing change rooms at the George Burnett Pavilion to enable injured players to be brought through on a stretcher.
- 2.19 That, in the long term, Council investigates the need for floodlighting along the access road to the George Burnett Pavilion.
- 2.20 That in the short term, Council undertakes a feasibility study to investigate the viability of extending and upgrading the Bill Grayden Pavilion to provide a regional shared-use pavilion facility and that the study include an investigation of the benefits of establishing an overarching sports association to lease-manage the improved facilities.
- 2.21 That Council forms a short term reference group with representatives of the Trinity Aquinas Amateur Football Club, the South Perth Baseball Club, the WA Gaelic Athletic Association and Wesley College to provide input into the Bill Grayden Pavilion feasibility study.
- 2.22 That, in the short term and as an interim measure, Council upgrades the toilets-change rooms and provide additional storage facilities at the Ernest Johnson Pavilion.
- 2.23 That, in the medium term, Council undertakes a feasibility study to investigate the viability of either upgrading, extending or redeveloping the Ernest Johnson Pavilion to provide a regional shared-use pavilion facility, and that the study include an investigation of the benefits of establishing an overarching sports association to lease-manage the improved facilities.
- 2.24 That Council forms a short term reference group with representatives of the WAFC Umpires Association, the South Perth Junior Football Club, the South Perth Little Athletics Club, the South Perth Junior Cricket Club, the South Perth Cricket Club, the Como Bowling and Recreation Club, and the scout and guide groups to provide input into the Ernest Johnson Pavilion feasibility study.

- 2.25 That planning for the upgrading, extending or redevelopment of the Ernest Johnson Pavilion and the redevelopment of the South Perth Library and Civic Centre Halls be undertaken concurrently to ensure these projects are complementary and avoid duplication of facilities.
- 2.26 That, in the short term, Council undertakes a feasibility study to investigate the viability of renovating and upgrading the WCG Thomas Pavilion to provide:
- (a) a regional shared-use pavilion facility, or
 - (b) a modern multipurpose sporting and function facility not dissimilar to the Tomkins Park model in the City of Melville.
- 2.27 That the WCG Thomas Pavilion Feasibility Study includes an investigation of the benefits of establishing an overarching sports association to lease-manage the improved facilities.
- 2.28 That Council forms a short term reference group with representatives of WASP's Hockey Club, the South Perth Women's Hockey Club, the South Perth Cricket Club, the WA Hockey Association, the WA Cricket Association, and the Department of Sport and Recreation to provide input into the WCG Thomas Pavilion Feasibility Study.
- 2.29 That in the long term, Council investigates the potential to create a viable community hub at Murray and Thelma Streets by extending Murray Street to connect with Henley Street and facilitating the development of a neighbourhood shopping centre.
- 2.30 That Council works with the South Perth Lawn Tennis Club to assist with the preparation of a CSRFF application for three hard courts with floodlights.
- 2.31 That Council supports the establishment of a three-year old kindy program at the South Perth Lawn Tennis Club.
- 2.32 That Council supports the Hensman Park Tennis Club's CSRFF application to convert three grass courts to hard courts.
- 2.33 That Council installs security lighting at the Manning Tennis Club car park.
- 2.34 That Council transfers the lease of the Kensington Tennis Club courts to the Manning Tennis Club.
- 2.35 That Council consults with the Manning Tennis Club at the time of planning the new multipurpose community facilities at Bradshaw Crescent to identify the need for built amenities.
- 2.36 That in the short to medium term Council continues to support the operation of the Como Croquet Club at the Comer Reserve site.
- 2.37 That Council provides 'in principle' support for the South Perth Bowling Club's proposal to develop a bowling museum within its clubroom facilities.
- 2.38 That, in the short term, Council assists the Como Bowling and Recreation Club to upgrade the electrical system within the clubrooms to ensure the safety of its members.
- 2.39 That, in the medium term, Council considers the needs of the Como Bowling and Recreation Club within the scope of the Ernest Johnson Pavilion Feasibility Study, and the redevelopment of the Civic Centre Halls.
- 2.40 That Council includes the installation of 'crim mesh' and security lighting in all proposed sport and recreation facility redevelopment projects.
- 2.41 That Council follows up the South City Boxing Club to confirm their future facility requirements and to ascertain if they can be accommodated within any of the proposed facility developments.

3. Policy and Management Practice Framework

- 3.1 That Council adopts a policy framework for the provision of sport and recreation club buildings that recognises three categories of facilities. These are district shared-use sporting pavilions, regional shared-use sporting pavilions and exclusive use sporting clubrooms.
- 3.2 That Council develops two standard lease agreements, one for regional shared-use pavilions and one for exclusive use sporting clubrooms.
- 3.3 That Council makes district shared-use pavilion buildings available through seasonal and casual hire agreements.
- 3.4 That Council's lease fees for sport and recreation club buildings be based on a percentage of the insured (replacement) value of the building (suggest between 0.05% and 0.1%).
- 3.5 That Council implements a 'no-fee' policy in relation to junior sporting clubs using Council's active reserves and pavilion buildings.
- 3.6 That clubs/associations leasing sporting facilities, that can demonstrate broader community use be eligible for a rebate against their lease fee.
- 3.7 That clubs/associations borrowing funds to undertake capital improvements to Council sporting facilities be eligible for a rebate against their lease fee.
- 3.8 That Council insures all its own buildings, and in the case of leased buildings, passes on a portion of the premium cost to the leasing club/association.
- 3.9 That Council requires all clubs holding seasonal hire agreements or leases for Council sporting pavilions or clubrooms to complete and submit an annual return form.
- 3.10 That Council's Community Culture and Recreation Department be responsible for the management of all Council pavilions and sporting clubrooms.
- 3.11 That Council adopts a proactive approach to the management of all district shared-use pavilion buildings that includes coordination of bookings/usage, activating/programming, liaising with and supporting user clubs, and coordinating building maintenance, cleaning and security.
- 3.12 That Council employs a project officer to take carriage of all proposed sport and recreation facility projects.
- 3.13 That Council acknowledges the vital role of sport and recreation clubs in developing social capital and local community networks, and encourages sport and recreation clubs to implement community development initiatives that will strengthen linkages and relationships with the broader community.

28 November 2006

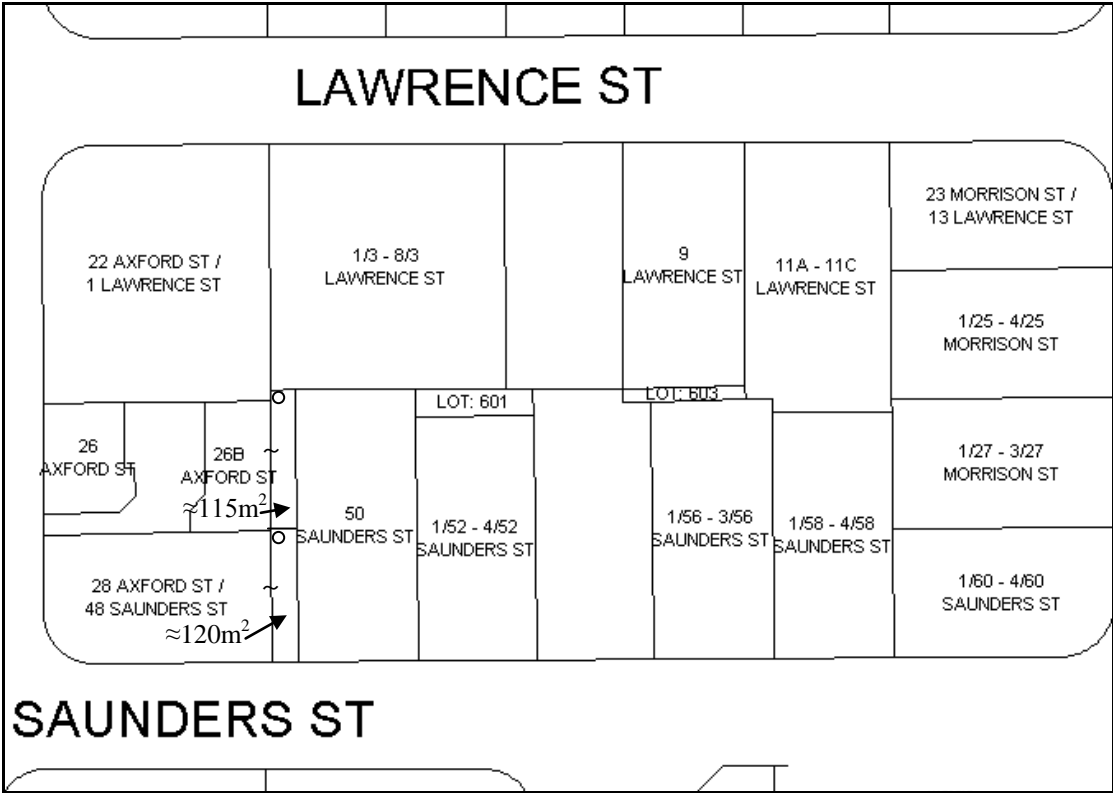


City of South Perth Submission
Draft Electricity Industry
(WA Renewable Energy Targets)
Amendment Bill 2005

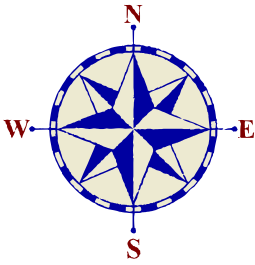
- In order for the City of South Perth to meet its Cities for Climate Protection targets and to fulfil the City's Greenhouse Action Plan, the City would encourage a more robust reduction in the proposed amendment, and would suggest that a 10% reduction by 2010 is not unreasonable - section 14A(3). The United Kingdom has a target of 10% by 2010 (CEFAS).
- A critical aspect of legislating reduction targets is to signal to the technology and manufacturing markets and industries in the renewable energy sector, so that this industry is able to meet demand. It is increasingly imperative that all sectors of the community be able to access renewable energy sources now.
- In section 14B, of the proposed amendment, the time required for retail licensees to submit to the Authority a renewable energy statement should be defined. The phrase "as soon as practicable" has no meaning and is therefore unacceptable. The City recommends that the period should be defined similarly to the Commonwealth legislation, to make this Bill effective.
- In section 134 of the proposed amendment, the words 'as soon as practicable' should be replaced with a defined period, to allow for relevant reporting on the effectiveness of this Bill.

28 November 2006

Right-of-Way No. 99 Proposed Closure Plan. November 2006



Notes:
Location of Sewer manholes are approximate only.
Land areas are approximate only.
Scale approximate only.



Attachment 9.5.2

No.	Nature of Document	Party 1	Party 2	Date
61	Hostel Respite Agreement	CoSP	Jean Manning	3/10/2006
62	CPV Lease Agreement	CoSP	Margaret Dunn	3/10/2006
63	Deed of Variation - CPV lease	CoSP	Dorothy Pauline Jeffery	5/10/2006
64	Hostel Respite Agreement	CoSP	Gwenneth Johnson	17/10/2006
65	Deed of Variation - CPV lease	CoSP	Mary Underwood	23/10/2006
66	Deed of Variation - CPV lease	CoSP	Gay Dawn Richards	23/10/2006
67	Deed of Gift	CoSP	Peteris Ciemitis	26/10/2006



Monthly List ' Use of Common Seal'

No.	Nature of Document	Party 1	Party 2	Date
61	Hostel Respite Agreement	CoSP	Jean Manning	3/10/2006
62	CPV Lease Agreement	CoSP	Margaret Dunn	3/10/2006
63	Deed of Variation - CPV lease	CoSP	Dorothy Pauline Jeffery	5/10/2006
64	Hostel Respite Agreement	CoSP	Gwenneth Johnson	17/10/2006
65	Deed of Variation - CPV lease	CoSP	Mary Underwood	23/10/2006
66	Deed of Variation - CPV lease	CoSP	Gay Dawn Richards	23/10/2006
67	Deed of Gift	CoSP	Peteris Ciemitis	26/10/2006

Attachment 11.2

Creditor Number	Payee	Cheque No	Date	Details	Contract No	Amount	Month Total	Financial YTD Total	12 Month Total
16482.02	Life, Universe, Anything	29368	15/10/2006	Supply and install office equipment	71638592	\$27,496.30			
16482.02	Life, Universe, Anything	29477	15/10/2006	Install compactus		\$6,479.80			
16482.02	Life, Universe, Anything	30193	27/10/2006	Office stationery	86628871	\$14,573.65			
16482.02	Life, Universe, Anything						\$48,549.75	\$180,740.27	\$660,132.15
22812.03	Jackson Lawn Mowing	30065	27/10/2006	Verge mowing	4728419	\$11,078.60			
22812.03	Jackson Lawn Mowing						\$11,078.60	\$39,486.80	\$39,486.80
44829.01	Antee Grafeetee Pty Ltd	29352	15/10/2006	Remove graffiti from City wall		\$12,689.35			
44829.01	Antee Grafeetee Pty Ltd	31490	27/10/2006	Remove graffiti from Path		\$5,117.85			
44829.01	Antee Grafeetee Pty Ltd						\$17,807.20	\$61,142.41	\$97,832.31
51488.01	Cleaning-all-away	30053	27/10/2006	Rubbish bin collection - Sep 06	542389012	\$172,161.29			
51488.01	Cleaning-all-away						\$172,161.29	\$516,483.87	\$2,065,935.48
87350.02	AAA Anything Pty Ltd	29441	15/10/2006	Fix vandalised irrigation pipes		\$4,090.30			
87350.02	AAA Anything Pty Ltd	29557	15/10/2006	Mend fence damaged by car		\$8,265.00			
87350.02	AAA Anything Pty Ltd	29912	15/10/2006	Returfing		\$4,722.85			
87350.02	AAA Anything Pty Ltd	30021	27/10/2006	Returfing		\$7,233.21			
87350.02	AAA Anything Pty Ltd	30078	27/10/2006	Repair Toilets		\$6,691.20			
87350.02	AAA Anything Pty Ltd	30162	27/10/2006	Install Bollards		\$5,138.95			
87350.02	AAA Anything Pty Ltd	30227	27/10/2006	Install Warning Signs		\$8,237.20			
87350.02	AAA Anything Pty Ltd	30283	27/10/2006	Install and remove temporary fencing		\$3,412.94			
87350.02	AAA Anything Pty Ltd						\$47,791.65	\$122,378.40	\$296,284.74