

M I N U T E S

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ORDINARY COUNCIL MEETING

**Minutes of the Ordinary Meeting of the City of South Perth Council
held in the Council Chamber, Sandgate Street
Tuesday 26 September 2006 commencing at 7.00pm**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7.00pm and welcomed everyone to the first Ordinary Council meeting held in the newly refurbished Council Chamber. He said he hoped that the wonderful new facilities would encourage as many ratepayers as possible to attend Council meetings in the future. The Mayor then welcomed newly elected Councillor James Best, representing the Civic Ward, to his first Council meeting.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Present

Mayor J Collins, JP (Chairman)

Councillors:

J Best	Civic Ward
G W Gleeson	Civic Ward
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 G Flood	Director Infrastructure Services
Mr M Kent	Director Financial and Information Services
Mr C Buttle	Acting, Manager Development Services
Mr S Camillo	Manager Environmental Health and Regulatory Services (until 8.20pm)
Ms D Gray	Manager Financial Services
Mr N Kegie	Manager Community, Culture and Recreation (until 8.03pm)
Ms S Cairns	City Communications Officer
Mr S McLaughlin	Legal and Governance Officer
Mrs K Russell	Minute Secretary

Gallery

Approximately 30 members of the public and 1 member of the press present.

Apologies

Cr S Doherty Moresby Ward - leave of absence

4. DECLARATION OF INTEREST

Nil

5. PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Council meeting held 22 August 2006 the following questions were taken on notice:

5.1.1. Mr Geoff Defrenne, 24 Kennard Street, Kensington

Summary of Question

Re.Canning Highway Road Reserve. Last November there was an article in the Southern Gazette stating that the DPI had plans to review the land use possibilities and road reserve requirements along Canning Highway. I asked a question on that article. The question was taken on notice and the reply, in summary, was: *“that a study was proposed in 2006 to include all matters relating to Canning Highway, including land use adjacent to the highway.”*

1. Since December 2005, has the DPI been in contact with the City regarding the proposed study?
2. If there has been contact, what has been the subject(s) of the contact?
3. Has there been any contact or suggestion with the City in relation to increasing the residential zoning along either or both sides of the highway?
4. Will the Council consult the residents of the City early regarding any proposed changes that may be suggested?
5. Will the City consult with the residents before reaching any agreement with the DPI?

Summary of Response

A response was provided by the Chief Executive Officer, by letter dated 6 September 2006 a summary of which is as follows:

1. There had been no contact from officers of the Department for Planning and Infrastructure prior to the Council meeting regarding the proposed Study. Following the Council meeting contact was made with the Department for Planning and Infrastructure.
2. During 2005 the Department for Planning and Infrastructure undertook a significant organisational restructuring resulting in many of the Engineers/Planners previously involved with the Canning Highway Study now no longer working in that area. From current advice there is no immediate intention to reopen the Canning Highway Study or to announce a timetable for the Study.
3. In the context of Network City (the planning strategy for Perth Metropolitan and Peel Regions) the Key Activity Corridor Concept would apply to Canning Highway however how that would relate to the existing land use zoning under Town Planning Scheme 6 has not been discussed with the City.
- 4/5 Councils commitment to the Consultation and Communication Strategy will ensure that residents within the affected areas will be consulted on the Study (to the extent available to it as a participant to the Study) as and when it commences.

5.1.2. Mr Geoff Defrenne, 24 Kennard Street, Kensington

Summary of Question

Re 180 Mill Point Road. Last month I asked the cost and how many sq.meters of Sir James Mitchell Park the builder of 180 Mill Point Road was able to use during the construction of the building. The response was \$13,500 for the use of 675 sq.meters. Given that this is not a social booking therefore commercial rates apply:

1. Is the Council aware that in accordance with Fees and Charges Schedule the commercial booking rate is \$300 per day?
2. Is the Council aware that while \$13,500 may appear to be a reasonable fee, it only represents 45 days at the current rate?
3. Is the Council aware the builder has been occupying the site for more than 45 days?
4. Did the Council approve a lesser amount per day than that in the Fees and Charges Schedule?
5. The Council, in June 2002 granted planning consent for the building at 180 Mill Point Road. Planning Condition (1) states: "*The validity of this approval shall cease if construction is not substantially commenced within 12 months of the date of grant of Planning Consent.*" Given that a building license was not issued until July 2005:
6. When was Planning Consent issued for the building currently under construction?
7. Was the Planning Consent issued under delegated authority or by full Council?
8. Is the building under construction a multiple building or a grouped dwelling?

Summary of Response

A response was provided by the Chief Executive Officer, by letter dated 7 September 2006 in relation to questions 1 - 4, a summary of which is as follows:

1. The commercial rate for bookings greater than one day in Sir James Mitchell Park is a negotiated fee.
2. Refer answer to Question 1 above, the fee is considered reasonable under the circumstances.
3. Yes.
4. No. The fees and charges schedule allows for the price for a commercial booking in Sir James Mitchell Park greater than one day to be negotiated.

A response was provided by the Chief Executive Officer, by letter dated 4 September 2006 in relation to questions 5 - 8, a summary of which is as follows:

5. This is a preamble to Questions 6, 7 and 8 rather than a separate question.
6. 25 June 2002. This was followed by a building licence for a major retaining wall and other site works which were completed within 12 months of the date of grant of Planning Consent.
7. The Planning Consent was issued at the Council meeting held on 25 June 2002.
8. The development comprises four Grouped Dwellings.

Summary of Question

Re Temporary Staff. At the July briefing session there were questions raised about the amount and cost of temporary staff used. The CEO said it was not known how much would be spent on temporary staff for the next year. At the July Council meeting I asked a series of questions regarding the cost of temporary staff. At the August briefing session I believe the CEO in response to a question said he had been aware since September last year that the payments for temporary staff exceeded \$50,000, therefore required to go out to tender. This had been reported in the Annual Compliance Return.

1. When did the CEO become aware that the cost of temporary staff for the 2005/2006 year would or did exceed one million dollars?
2. Was this expenditure of one million dollars for temporary staff budgeted for?
3. When did the CEO become aware that the cost of temporary staff would nearly double from \$553,000 in 2004/05 to over \$1,000,000 in 2005/06?
4. Has the CEO advised the Council of the huge increase in the cost of temporary staff?
5. Of the suppliers of temporary staff over the last three years:
 - (a) What is the name of the 3 largest suppliers of temporary staff in each of the years?
 - (b) What was the gross amount paid to each of the three largest suppliers?
 - (c) Did any of these amounts exceed \$50,000?

Summary of Response

A response was provided by the Chief Executive Officer, by letter dated 8 September 2006 a summary of which is as follows:

1. Towards the end of the financial year.
2. Yes, but not specifically. The Budget provides for a full compliment of staff positions. It is then up to the administration as to the 'mix' of full-time / temporary staff positions.
3. There was never any intention to use temporary staff agencies to the extent used during the year. Temporary staff were used on a needs basis and is directly related to the national skills shortage. As a result, it is not possible to identify a time frame.
4. Yes.
- 5.(a) The largest suppliers of Temporary Staff are: Flexi-staff, Drake Australia, Hayes Personnel, J Five Health and Flexi-Health.
- 5.(b)

Suppliers	2005/2006	2004/2005	2003/2004
Flexi Staff	\$438,588	\$360,930	\$286,591
Drake	\$198,665	\$ 92,328	\$144,769
Hays Personnel	\$269,164	\$ 45,318	-
Flexi Health	-	\$ 57,569	-
J Five Health	-		\$117,485

- 5.(c) Yes.

5.2 PUBLIC QUESTION TIME :26.9.2006

Opening of Public Question Time

The Mayor advised that Public Question Time would be limited to 15 minutes and that 2 minutes would be allowed to formulate questions, not statements, and that questions must relate to the area of Council's responsibility. He further stated that questions would be taken from the gallery on a rotational basis, with written questions being dealt with first and requested that speakers state their name and residential address. The Mayor then opened Public Question Time at 7.03pm.

5.2.1. Mr Geoff Defrenne, 24 Kennard Street, Kensington

The following questions were provided in writing at the commencement of the meeting. The Mayor read the questions aloud.

Summary of Question

Last month I asked a series of questions regarding the Canning Highway Road Reserve. In response to Question 5: *Will the City consult with the residents before reaching any agreement with the DPI?* : The response was satisfactory to the extent available to it as a participant to the Study.

1. Will the residents be advised when such a study is being taken and has commenced?

Summary of Response

Director Strategic and Regulatory Services advised that the Study will be undertaken and managed by the Department of Planning and Infrastructure and therefore the City is not able to comment on how the Study will be managed, however the City will certainly have input and will keep residents informed.

Summary of Question

In response to my question on the hire of Sir James Mitchell Park land adjacent to No. 180 Mill Point Road, the City responded that it was a 'negotiated fee' as it was over one day hire:

1. Where in the Schedule of Charges does it say that hire in excess of one day is negotiated?
2. If the negotiated fee is an approved fee, will the Council in its published Schedule of Charges make a note that the fees in excess of one day are by negotiation?
3. On what basis was the fee of \$13,500 for the use of 675 sq.metres calculated?
4. Is there a time period that the hire goes for?
5. Is it possible for the building to be substantially commenced without first obtaining a building licence?

Summary of Response

The Mayor stated that the questions were taken on notice.

5.2.2. Ms Eleanor Costello, 19 Fortune Street, South Perth

Summary of Question

Ms Costello referred to her application for development at 19 Fortune Street submitted in June and stated she was aware of the staff shortage issues but asked: Why are applications for Planning Approval taking so long?

Summary of Response

The Director Strategic and Regulatory Services stated that he was aware of the particular application. He said he acknowledged the planning department has experienced some staff shortage which has affected the processing time of applications which is the main reason for the delay and that this issue was being addressed.

5.2.3. Mr Barrie Drake, 2 Scenic Crescent, South Perth

Summary of Question

What is the procedure to be followed. How can I have a matter listed as an Agenda item?

Summary of Response

The Mayor advised that Mr Drake could approach his Ward Councillors to put forward a Notice of Motion or alternatively if the CEO believed that the matter in question required a report on a particular issue then a report would be included on the Agenda.

The Chief Executive Officer suggested Mr Drake contact him in relation to the matter of concern in order that he could assist with the appropriate course of action.

Summary of Question

At the July 2006 Council Meeting I asked a question about Agenda Item 9.3.6 of the Council Meeting held 23 March 2005. The question related to the home theatre at the 4th level of the apartment block at No. 11 Heppingstone Street, South Perth. This home theatre is 23 sq.metres in area and is fitted with a split system reverse cycle air conditioner, power points, satellite, TV points and free-to-air TV sockets. Your reply to my question about this home theatre was that the 23 sq.metre room at level 4 of this building is a storage area and that there is no evidence that this storage area is being used for human habitation.

1. What evidence to you have about the 23 sq.metre area at level 4 of this building?
2. Have you made any attempt to gather evidence?

Summary of Response

The Mayor referred to a meeting with the Minister for Planning and Infrastructure and others to discuss this matter. At that meeting it was established that the area referred to was used as a camera surveillance room.

The Chief Executive Officer stated that during the meeting referred to, the confirmation given at that time was that the room was being used for surveillance of the building and other storage purposes. He said he had no reason to believe that this is not the case.

The Mayor advised that the questions relating to evidence were taken on notice.

5.2.4. Ms Eleanor Costello, 19 Fortune Street, South Perth

Summary of Question

Ms Costello stated that she did not believe her previous question had been adequately answered. She asked why is it that some applications submitted via building companies are taking 4 weeks whereas applications submitted by local residents are taking up to 16 weeks. Why is my application taking so long?

Summary of Response

The Director Strategic and Regulatory Services stated that the application in question was a particularly complex one. He further stated that he would follow up progress of the application and advise Ms Costello accordingly.

5.2.5. Mr Geoff Defrenne, 24 Kennard Street, Kensington

The following questions were provided in writing at the commencement of the meeting. The Mayor read the questions aloud.

Summary of Question

The CEO has advised that he is aware of the requirement to tender for expenditure and payment to an individual company or individual of over \$50,000. In relation to temporary staff the payments of over \$50,000 to separate companies in:

2003/04	three companies, the largest by a factor of more than 5
2004/05	three companies, the largest by a factor of more than 7; and
2005/06	three companies, the largest by a factor of more than 8

1. Has the *Local Government Act 1995*, any other written law or regulation been breached by these excessive payments?
2. If so, what are they?
3. If there has been a breach of any law what are the maximum penalties for such breaches?

4. Who is responsible for such breaches?
5. Since 1 July 2005 what are the staff positions that have been advertised?
6. When were they advertised?
7. When were the positions filled?
8. Last Saturday the City advertised for four golf course grounds persons.
9. Are any of these positions new positions?
10. When did these positions become vacant?

Summary of Response

The Mayor advised that the questions were taken on notice.

The Chief Executive Officer stated that additional staff may have to be employed in order to research answers to the questions relating to vacancies advertised since 2005. He said that this was not an insignificant research task and may incur additional costs in researching these questions.

The Mayor asked the Chief Executive Officer if timing would also be an issue? The Chief Executive Officer confirmed that it would.

5.2.6. Mr Barrie Drake, 2 Scenic Crescent, South Perth

Summary of Question

The State Administrative Tribunal heard a matter which was referred to them by the Minister for Planning and Infrastructure. This referral was as a result of a letter of complaint I sent about the height, size and setback location of the property at No. 11 Heppingstone Street, South Perth. The matter was considered on Appeal and the Minister advised me that I was the Applicant and that the City of South Perth was the Respondent. The matter was heard on 6 - 9 September 2005 and the report and recommendations were handed down on 14 October 2005. It was found that the property owners failed to observe the requirements of the 'Grant of Planning Consent' dated 8 January 2001. My question is: Why hasn't the City of South Perth issued the property owners of No. 11 Heppingstone Street, South Perth with a Section 10 to remedy the breach of the Grant of Planning Consent?

Summary of Response

The Mayor advised that the question was taken on notice.

Summary of Question

With respect to my previous question regarding No. 11 Heppingstone Street, has the City of South Perth paid any legal costs that the property owners have incurred which relate to this matter?

Summary of Response

The Mayor advised that the question was taken on notice.

Summary of Question

Why is the City defending the property owners now that it has been proven that they have committed an offence and that they are in breach of the Grant of Planning Consent?

Summary of Response

The Mayor advised that the question was taken on notice.

5.2.7. Mr Geoff Defrenne, 24 Kennard Street, Kensington

The following questions were provided in writing at the commencement of the meeting. The Mayor read the questions aloud.

Summary of Question

In relation to the new Council Chamber, was Planning Consent for the new building extensions granted under Delegated Authority or by full Council? Does the parking as provided comply with the Town Planning Scheme?

Summary of Response

The Director Strategic and Regulatory Services advised that Planning Approval was granted under Delegated Authority. He further stated that no parking provisions under Town Planning Scheme No. 6 which prevails, apply in this case.

Summary of Question

Are there cameras in the black domes in the Council Chamber? If so, are they in operation?

Summary of Response

The Director Financial and Information Services advised that the 'black domes' serve no other purposes other than to accommodate the use of microphones in the Chamber.

Close of Public Question Time

There being no further questions the Mayor closed Public Question Time at 7.22pm

6. CONFIRMATION OF MINUTES / BRIEFINGS

6.1 MINUTES

6.1.1 Audit and Governance Committee Meeting Held: 16.8.2006

MOTION

Cr Maddaford moved that the Minutes of the Meeting of the Audit and Governance Committee held 16 August 2006 be received. Sec Cr Macpherson.

Cr Jamieson against the Motion

- ask Members to vote against the Motion
- submitted a Motion for inclusion on the next Agenda of the Audit and Governance Committee - defer consideration of this Motion until then

The Mayor reminded Cr Jamieson that the Motion was only to 'receive' the Minutes of the last meeting of the Audit and Governance Committee and that he needed to be more concise if he required an Amendment. He also said that Standing Orders had not been followed with respect to proposed amendment of Minutes.

FORESHADOWED MOTION : CR JAMIESON

Cr Jamieson foreshadowed he would be moving that the following comments be included in the Minutes of the Audit and Governance Committee Minutes of 16 August under Item 4.2 and following the heading "2 Questions Without Notice":

Question by Cr Jamieson to the CEO

How did questions without notice operate at Swan?

Response by CEO

I don't know. I have not been there for 16 months.

Question by Cr Jamieson to the CEO

How did questions without notice operate at Swan when you were there?

Response by CEO

I don't remember.

COUNCIL DECISION ITEM 6.1.1

The Mayor put the Motion

That the Minutes of the Meeting of the Audit and Governance Committee held 16 August 2006 be received.

CARRIED (8/4)

NOTE: CRS BEST, JAMIESON, SMITH AND WELLS REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION.

6.1.2 Ordinary Council Meeting Held: 22.8.2006

6.1.3 Special Council Committee Meeting Held: 29.8.2006

COUNCIL DECISION ITEMS 6.1.2 AND 6.1.3

Moved Cr Ozsdolay, Sec Cr Wells

That the Minutes of the Ordinary Council Meeting held 22 August and the Special Council Meeting Held 29 August 2006 be taken as read and confirmed as a true and correct record.

CARRIED (12/0)

6.2 BRIEFINGS

The following Briefings which have taken place since the last Ordinary Council meeting, are in line with the 'Best Practice' approach to Council Policy P516 "Agenda Briefings, Concept Forums and Workshops", and document to the public the subject of each Briefing. The practice of listing and commenting on briefing sessions, not open to the public, is recommended by the Department of Local Government and Regional Development's "Council Forums Paper" as a way of advising the public and being on public record.

Note: As per Council Resolution 11.1 of the Ordinary Council Meeting held 21 December 2004 Council Agenda Briefings, with the exception of *Confidential* items, are now open to the public.

6.2.1 Agenda Briefing - August Ordinary Council Meeting Held: 15.8.2006

Officers of the City presented background information and answered questions on specific items identified from the August Council Agenda. Notes from the Agenda Briefing are included as **Attachment 6.2.1.**

6.2.2 Concept Forum on Investment Review and SEMRC Future Waste Management Held: 5.9.2006

Representatives from Grange Securities gave a presentation on Investments. Officers of the City presented an overview on SEMRC Future Waste Management. Questions were raised by Members and responded to. Notes from the Agenda Briefing are included as **Attachment 6.2.2.**

6.2.3 Concept Forum on Senior Citizen's Centres and Builders/Developers Compliance Review Held: 6.9.2006

Officers of the City presented an overview on the review of the Senior Citizen's Centres and a powerpoint presentation was given on Building legislation, Building inspections and the legislative requirements. Questions were raised by Members and responded to by officers. Notes from the Agenda Briefing are included as **Attachment 6.2.3.**

6.2.4 Concept Forum on Civic Triangle Held: 12.9.2006

Mr John Syme or Syme Marmion and Officers of the City gave a presentation on options in relation to the Civic Triangle and responded to questions raised by Members. Notes from the Agenda Briefing are included as **Attachment 6.2.4.**

MOTION

Cr Cala moved that the comments and attached Notes under Items 6.2.1 to 6.2.4 inclusive on Council Agenda Briefings held since the last Ordinary Meeting of Council on 22 August 2006 be noted. Sec Cr Macpherson.

Cr Jamieson against the Motion

At the Agenda Briefing on 15 August and during part of the discussion the Mayor made a derogatory comment. I requested the comment recorded in the Minutes. The Minutes do not reflect my request.

Mayor Collins asked: What was the comment? Cr Jamieson stated that he did not recall but asked: Who made the decision not to record the comment in the Minutes?

MOTION

Cr Macpherson Moved that the Motion be put. Sec Cr Maddaford

CARRIED (9/3)

NOTE: CRS BEST, JAMIESON AND SMITH REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

COUNCIL DECISION ITEMS 6.2.1 TO 6.2.4 INCLUSIVE

The Mayor put the Motion

That the comments and attached Notes under Items 6.2.1 to 6.2.4 inclusive on Council Agenda Briefings held since the last Ordinary Meeting of Council on 22 August 2006 be noted.

CARRIED (9/3)

NOTE: CRS BEST, JAMIESON AND SMITH REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

7. PRESENTATIONS

7.1 PETITIONS -

A formal process where members of the community present a written request to the Council

Nil

7.2 PRESENTATIONS - Formal or Informal Occasions where Awards or Gifts may be Accepted by the Council on behalf of the Community.
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7.2.1 Ranger Team of the Year

The Chief Executive Officer reported that the Ranger Team had received recognition, in the form of an award presented to them last week at a function held in Rockingham, for the valuable work they perform within the Community by: ...*showing the way in providing excellent community services*..... He then presented a brief summary of the Ranger Services Team programs, as follows:

- Educational service to local schools including pre-primary through to High School
- Junior Ranger Program - An educational program to help children understand the role of a Ranger
- Neighbourhood Watch Meetings and neighbourhood 'Connected Communities' BBQ's organised by the Safer City Officer
- 'Eyes on the Street' program run in conjunction with the WA Police Service.
- Operating a busy pound and have undertaken a successful re-homing program in conjunction with the Southern Gazette newspaper to advertise all stray/homeless dogs - hence the City's dog euthanasia rate has dropped dramatically.
- Monitoring reserves and waterways with accomplished 'push bike patrols'.
- Late night weekend patrols to monitor 'hot spots'

Mayor Collins requested that the Chief Executive Officer pass on to the Ranger Team the Council's congratulations for their achievements.

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.
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Opening of Deputations

The Mayor opened Deputations at 7.40pm and advised that speakers would be permitted 10 minutes each to address the Members.

7.3.1. Mr Frank Arangio representing South Perth Junior Football Club	Agenda Item 9.2.1
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Mr Frank Arangio spoke in favour of the officer recommendation and raised the following points:

- volunteer organisation representing 400 South Perth ratepayers
- keeping costs to parents down / encourages greater participation
- re-direction of available funds re equipment etc for benefit of children
- club vital to community - builds life-skills not just football skills
- community involvement / sense of belonging
- tangible benefit the club can demonstrate in helping the youth of the City

7.3.2. Mr John Roche, representing WA Duck Tours Agenda Item 9.3.4

Mr Roche spoke against the officer Recommendation in relation to the following points:

- WA Duck Tours currently has Ministerial Approval to conduct this business in and around the Swan River. WA Duck Tours is a family owned and Perth based business
- Information suggests current applicant is a syndicate of 6/8 international (Korean) business men with no direct links to Perth other than for business interests
- there has been no consultation with the Sir James Mitchell Park Community Advisory Group in relation to a second operator conducting operations from within the Park
- conducting such business from within the Park will detract from the appeal of this passive recreational area / facility
- how will Council determine responsibility for repairs/maintenance to the boat ramp
- a second operator may impact on public access to the ramp as the applicant wants to base operations within the park and use the ramp as both entry/exit point

Close of Deputations

The Mayor closed Deputations at 7.55pm and thanked the two speakers for their comments.

7.4 DELEGATE'S REPORTS

Delegate's written reports to be submitted to the Minute Secretary prior to **8 September 2006** for inclusion in the Council Agenda.

Nil

8. ANNOUNCEMENTS FROM THE CHAIRPERSON

8.1 Method of Dealing with Agenda Business

The Mayor advised the meeting of the en bloc method of dealing with the items on the Agenda. He then sought confirmation from the Chief Executive Officer that all the en bloc items had been discussed at the Agenda Briefing held on 19 September 2006.

The Chief Executive Officer confirmed that this was correct.

COUNCIL DECISION ITEM 8.1- EN BLOC RESOLUTION

Moved Cr Cr Cala, Sec Cr Macpherson

That the officer recommendations in relation to Agenda Items 9.0.1, 9.0.2, 9.0.3, 9.2.2, 9.3.1, 9.5.1, 9.5.3, 9.6.1 and 9.6.2 be carried en bloc.

CARRIED (12/0)

Note: The Director Infrastructure Services left the Chamber at 7.58pm

9. REPORTS

9.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETING

9.0.1 Progress Report on Sewerage Disposal Options Sir James Mitchell Park

STATEMENT DIRECTOR STRATEGIC AND REGULATORY SERVICES - ITEM 9.0.1

The Director Strategic and Regulatory Services provided the following written information prior to the commencement of the Council Meeting:

Following the Council Agenda Briefing on Tuesday, 19 September, the final version of the report Item 9.0.1 was settled on Thursday 21 September. However an earlier version of the report was inadvertently included in the Council Agenda circulated to Councillors.

A copy of the final version of the report is now circulated with changes highlighted in red. There is no impact on the report recommendation. To clarify the changes, the following key points are noted in relation to the project timetable:

- A funding source for potential capital works associated with sewerage disposal options has not been determined. A range of funding scenarios could be considered including the State Government, assuming some responsibility towards the provision of these facilities on Crown Land.
- Due to administrative deadlines for submission of reports to the October Council meeting, and to enable Council to properly consider the consultant's report, including any capital cost implications, it is likely that a report would be submitted to the November Council meeting.
- If capital costs exceed the tender threshold, and funding has been determined, then tenders could be called early in 2007, (approximately February/March) and capital works could subsequently be commissioned (approximately April/May).

Note: The modified officer report referred to above was provided to Members at the commencement of the Meeting and is as follows:

<p>9.0.1 Progress Report on Sewerage Disposal Options for Sir James Mitchell Park <i>(Item 11.2 referred from Council meeting 22.8.06 and Item 7.1 referred from Special Council Meeting 29.8.06)</i></p>
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Location: Sir James Mitchell Park
Applicant: Council
File Ref: RC/112
Date: 8 September 2006
Author: Sebastian Camillo, Manager Environmental Health and Regulatory Services
Reporting Officer: Steve Cope, Director, Strategic and Regulatory Services

Summary

To consider the progress of the Working Group investigating the available options for the containment and disposal of sewage from large events staged on Sir James Mitchell Park.

Background

A progress report was presented to the August 2006 Council meeting. At that meeting it was resolved:

“That

- Council notes the report from the Manager Environmental Health and Regulatory Services regarding some of the issues to be addressed by the Working Party;*
- other than the issues from part (a) of this motion, the progress to date is noted; and*
- the Working Party provide a written report on its progress, findings and recommended future reporting to the September 2006 Ordinary Meeting of Council.”*

Comment

The Working Group met on the 28 August 2006 and consisted of representatives from the following agencies and consultancies;

- City of South Perth
- Water Corp
- Department of Health
- Swan River Trust
- Department of Environment (apology)
- Parsons Brinckenhoff - Civil Engineering Consultants
- ITT Flyte - Pump Station Providers (technical support)

The meeting commenced with an overview of the Working Group's purpose and to determine and investigate the best possible options available to the City for the storage and disposal of sewage waste from large events on the Sir James Mitchell Park foreshore.

The working group were advised that with the increasing demand for private functions and particularly the impending number of large events scheduled to occur on the Sir James Mitchell Park foreshore, the urgency to expedite the progress of this matter would be paramount.

The following options were discussed and considered:

Private Pump Station Package.

The private pump station is a fully contained submersible pump and storage tank combination. The Working Group identified that there would be several problems proceeding with such an option particularly the cost of pumping ground water present during installation which will add significant costs to the overall project.

Additionally, acid sulphate soils could provide concern to the installation, without taking the appropriate precautions. Acid sulphate soils are the common name given to soils containing iron sulphides. This is when seawater mixes with land sediments containing iron oxides and organic matter. The resulting chemical reaction produces large quantities of iron sulphides in the waterlogged sediments. When exposed to air, these sulphides oxidise to produce sulphuric acid, hence the name acid sulphate soils. They are found along the northern coastline of Western Australia, and around Perth. One tonne of iron sulphide can produce about 1.5 tonnes of sulphuric acid when oxidised. Acid Sulphate Soils may cause acid runoffs increasing releases of acid into the aquatic and marine environment which may harm fish. Fish kills and certain types of algal blooms is a possible sign of acid release.

The Working Group concluded that with all the preventative measures required to address the acid sulphate issues and additional installation costs, the indicative costs for such an option would be in the order of up to \$150,000 per pump station.

To adequately service the foreshore area for large public events using this form of sewage disposal the Working Group suggested that up to 5 units would be required. This option was not supported by the Working Group at this stage.

Sewage Holding Tanks.

Sewage holding tanks are large vessels buried under the ground which contain the contents from temporary toilet facilities above ground level. The temporary toilets would typically consist of individual cubicles or banks of toilets connected and discharging into the holding tank. The contents would be pumped periodically or at the end of the event.

The concerns relating to the installation of such tanks would be similar to the private pump stations. This option was not supported by the Working Group at this stage.

Mobile Chemical/Transportable Toilets (multi units)

Mobile chemical toilets come in multiple banks of up to 16 per bank, depending on the supplier. These units including dedicated urinal banks which have up to 20 metres of trough and multiple units have a holding capacity of up to 4,000 litres for each or could connect directly into Water Corporations Sewerage network, by gravitational flow.

Storage or Gravity Discharge to Sewer.

The Water Corporation representative on the Working Group confirmed that the main Sewerage Line followed the Mill Point Road boundary of Sir James Mitchell Park and gravitated to the Armagh Street, Pump Station in Victoria Park.

He confirmed that it could be possible to design and install sewerage connection points on this line along the Sir James Mitchell Park. The consultant engineers on the Working Group supported the concept of gravity connection toilet facilities into the Water Corporations Sewerage network as the best option.

This was also supported by the Working Group as the best option for the City.

To determine an indicative cost and design of the installation of connection points into the Water Corporations Sewerage network which meets Water Corporations design guidelines, the City would require the design work to be outsourced to a Consulting Engineering firm to undertake research, design and provide indicative costs associated with the installation of the connection points. The research, design and reporting work would be in the order of \$10,000 payable by the City.

Upon receipt of the design and report from the consultant, the City and/or the consultant would put the initial submission to the Water Corporation for approval. An indicative timeline for the application process and project timetable, subject to adequate funding being available in the current budget (assuming the City agrees that it is its responsibility to bear the initial construction costs and barring any circumstances which may be unforeseen at the present time) is as follows:

Project Timetable

September - Appoint consultant to research, design and provide indicative costs and prepare initial application submission to Water Corporation. The consultant would require at least 2 weeks to undertake this work and return to the City.

November - Council to consider the Consultant's report.

December/January - Submit the initial and any subsequent submissions to the Water Corporation / Swan River Trust for approval. This would require a 6 to 8 week process period.

February / March - Call Tenders / Assess Tenders.

April / May - Install connection points as approved by the Water Corporation / Swan River Trust. This would take up to 2 to 3 weeks per connection point.

The cost of installing the connection points is unknown, at this stage and may be subject to tendering and purchasing processes if the projected costs exceed the tender threshold of \$50,000. Responsibility for the cost of installing the connection points remains to be determined.

Chemical Cubicles (Individual Units).

The Working Group considered that there was still a need for individual chemical cubicles, where connection into the Water Corporations Sewerage network was not possible.

Pee Mates and Kros Mobile Urinals.

The Working Group discussed the pee mate and the kros mobile urinals as alternative options for large scale events. The Working Group concluded that they were not feasible options due to the inherent issues that they would create. Particularly, health and hygiene issues in handling and disposing of disposable cardboard products after they have been contaminated with urine.

Consultation

Consultation has occurred with the Working Group representatives of the following external organisations:

- Water Corp
- Department of Health
- Department of Water
- Department of Environment
- Parsons Brinckenhoff - Civil Engineering Consultants
- ITT Flyte - Pump Station Providers

Policy and Legislative Implications

Report consistent with Council resolution

Financial Implications

The recommended course of action will have financial implications for the City. Funding of \$10,000 previously quarantined in the Waste Management Reserve for the purposes of addressing this issue will return to the Municipal fund in the first quarter budget review.

Strategic Implications

In accordance with Goal 3 of the City's Strategic Plan, Environmental Management. In particular, reference is made to Strategy 3.2 which involves *the development and implementation of a sustainability strategy and management system to co-ordinate initiatives contained in associated management plans and to ensure City's environment is managed in a sustainable way.*

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.0.1</p>
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That...

- (a) the City appoint an Engineering Consultant to advise an indicative cost and design for the installation of connection points into the Water Corporations Sewerage network which meets Water Corporations design guidelines;
- (b) costs incurred for the research and design of the connection points into the Water Corporation's Sewerage network be made available from the Waste Management Reserve; and
- (c) the Working Party provides a further report on its findings to the soonest Ordinary meeting of Council.

CARRIED EN BLOC RESOLUTION

Note: Director Infrastructure Services returned to the Chamber at 8.00pm

9.0.2 Canning Mews SAT Appeal Outcomes (*Item 11.2 referred from Council Meeting 22.8. and Item 7.1 referred from Special Council Meeting 29.8.06*)

Location: City of South Perth
Applicant: Council
File Ref: N/A
Date: 8 September 2006
Author/Reporting Officer: Chief Executive Officer

Summary

The purpose of the report is to request deferral of a report required in response to Council Resolution Item 7.1 of the Special Council Meeting Held 29 August 2006.

Background

At the Council Meeting held 25 July 2006 Council resolved at Item 11.1 as follows:

That....

- (a) *Council prepare a report on Outcomes and Lessons Learned from the Canning Mews Council Agenda Items and the subsequent SAT appeal;*
- (b) *the report shall include a grid layout containing but not limited to:*
 - (i) *text from the CEOs memorandum dated 25 July 2005;*
 - (ii) *blank or Tick from the CEOs memorandum dated 25 July 2005;*
 - (iii) *tick, cross or blank representing the SAT outcome;*
 - (iv) *a text description of the SAT outcome; and*
 - (v) *lessons learned.*
- (c) *the report shall include other details that make the outcomes and lessons learned readily identifiable at a high-level and with suitable content to explain the outcomes and lessons learned and how they are to be managed;*
- ~~(d) *the lessons learned and a Management Plan be established in an internal Workshop; and*~~
- (e) *the report shall be on the Council meeting Agenda no later than the September 2006 Ordinary Council meeting.*

The date of Tuesday 29 August 2006 was set for the Workshop. However there was some disagreement as to the interpretation of the expression "internal workshop" and as a result Cr Jamieson lodged a Notice of Motion for consideration by Council at the Meeting to be held on 22 August 2006. This matter was subsequently deferred at the August Ordinary Council Meeting for consideration at the Special Council Meeting held 29 August 2006.

At the Special Council Meeting Council resolved as follows:

That....

- (a) *consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:*
 - (d) *the lessons learned and a Management Plan be established in an internal Workshop;*
- (b) *Item 11.1 part (d) insofar as it relates to the Minutes of the Ordinary Council Minutes dated 25 July 2006 be revoked; and*
- (c) *no further action be taken in respect to the holding of a Facilitated Workshop on the Canning Mews SAT appeal outcomes.*

Comment

As a result of this resolution it now appears the Administration will be required to prepare the report and as a consequence there will not be sufficient time to prepare the report for presentation to the September Council Meeting.

Consultation

This issue has no impact on this particular area.

Policy and Legislative Implications

Nil

Financial Implications

There are no financial implications.

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.*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.0.2

That a report on the Outcomes and Lessons Learned from the Canning Mews SAT Appeal as detailed in Council Resolution Item 11.1 of the July Council Meeting be deferred to the October Ordinary meeting of Council.

CARRIED EN BLOC RESOLUTION

9.0.3 Community Partnerships 2006/2007

Location:	Council
Applicant:	City of South Perth
File Ref:	GS/102
Date:	8 September 2006
Author:	Neil Kegie, Manager Community Culture & Recreation
Reporting Officer:	Steve Cope, Director Statutory & Regulatory Services

Summary

To consider expanding the Community Partnerships program to include a new partnership agreement with the youth based organisation *Millennium Kids Incorporated*.

Background

In 2003 the City established Community Partnership Agreements with Southcare Incorporated and Perth Zoo, and in 2004 established a Community Partnership with the South Perth Church of Christ. Community Partnership Agreements are monitored, reviewed and updated annually.

This report follows a decision made at the August meeting of Council:

‘That Council endorses the expansion of the Community Partnerships program through the development of a Community Partnership Agreement subject to negotiating an agreement that is acceptable to Council with Millennium Kids incorporated’.

Through its Strategic Plan, Connected Community Plan, Sustainability Strategy and Funding Assistance Program, the City of South Perth articulates a commitment to developing partnerships with organisations for the benefit of the City of South Perth community.

Community Partnerships is a category in the City's Funding Assistance program that enables the City to enter into partnerships with identified organisations that provide major benefits to the City of South Perth Community.

Community Partnership Agreements can provide for funding of initiatives by external organisation to assist in meeting the City's objectives as well consolidating existing partnering arrangements. These agreements can also outline initiatives aimed at increasing community networking, information sharing and capacity building for the City, external organisations and the City of South Perth community.

Millennium Kids has collaborated with the City of South Perth since inception in 1999. The Millennium Kids precursor, the Kids Helping Kids Environmental Conference launch in 1996, was a direct result of the collaboration between the City of South Perth and South Perth Primary School, where a partnership was formed to support young people and their environmental endeavours through practical action projects. This partnership saw the beginning of a youth organisation that empowered young people to be aware and active in their environment. The program has worked with and supported schools and young people in the City of South Perth with City of South Perth support since that time representing the voice of young people locally, regionally and internationally.

Millennium Kids continues to have close links with the City's Youth Advisory Council with 5 YAC members over the past 3 years having been either Millennium Kids Youth Board members or involved in the development and coordination of Millennium Kids projects. In addition most YAC members who attended Primary schools in the City over the past seven years would have been exposed to, or involved in Millennium Kids projects. Eight of the fifteen current Millennium Kids Youth Board representatives are from the City of South Perth.

This Community Partnership Agreement relates solely to initiatives to be implemented within the City of South Perth.

Comment

This Partnership Agreement consolidates a range of initiatives currently in place between the City and Millennium Kids as well as articulating ways that the City and Millennium Kids can work together towards the City's stated sustainability objectives. The partnership has four areas of focus:

1. Exploring the waterways - a program developed by the City in collaboration with Millennium Kids that will be delivered by Millennium Kids to schools in the City of South Perth.
2. Travelsmart - continuation of the delivery of the Travelsmart program to schools in the City of South Perth
3. Development of links with the City's Youth Advisory Council (YAC) - Historically there have been strong links between Millennium Kids and the City's YAC with many Millennium Kids going on to become YAC members. Millennium Kids can 'add value' to the YAC by providing information and collaborative opportunities in sustainability education and the City's YAC will provide input into project in which Millennium Kids are involved. The City is in a fortunate position because of the ongoing relationship with Millennium Kids, to provide the YAC with excellent opportunities in sustainability education.
4. Ongoing development of initiatives in areas related to sustainability in the City of South Perth.

A draft Partnership Agreement is provided as **Attachment 9.0.3** to this report. Included in the agreement is a requirement for Millennium Kids to provide to the City its most recent audited financial statements, proof of incorporation, and details of current office bearers and Board members.

Consultation

Internal consultation between relevant City Departments as well as with Millennium Kids Incorporated.

Policy and Legislative Implications

This report relates to Policy P202 *Funding Assistance* which states:

Level 1. Community Partnerships

The City may enter into Community Partnerships with identified organisations that provide a major benefit to the City of South Perth community.

Financial Implications

There are no additional financial implications resulting from the development of a Community Partnership agreement with Millennium Kids as the agreement consolidates existing joint initiatives and planned involvement in initiatives between the City and Millennium Kids that would be undertaken whether or not the partnership agreement was in place.

Strategic Implications

This report relates the following Goals and strategies in the City's Strategic Plan 2004 - 2008:

Goal 2: Community Enrichment - To foster a strong sense of community and a prosperous business environment

Strategy 2.2 - Develop community partnerships that will be mutually beneficial with stakeholder groups including educational institutions, service clubs, the business community and other organisations.

Goal 3: Environmental Management - To sustainably manage and maintain the City's unique, natural and built environment.

Strategy 3.3 - Ensure future development and current maintenance of the river foreshore, wetlands, lakes, bushlands and parks is properly planned and sustainable, and that interaction with the built environment is harmonious and of benefit to the community.

Goal 5: Organisational Effectiveness - To be a professional and efficient organisation

Strategy 5.6 - Develop and implement initiatives to improve knowledge management, internal communication, information sharing and customer service between departments.

Goal 6: Financial Viability - To provide responsible and sustainable management of the City's financial resources

Strategy 6.2 - Maximise community benefit and value for money from City expenditures and use of our assets.

And to the following strategies in the City's Connected Community Plan 2005 - 2008

1.16 - Continue to implement the Travelsmart Local Action Plan, advocate for appropriate public transport to link Community Focal points and acknowledge that increasing the number of pedestrians, cycling and utilisation of public transport contributes to a connected community.

3.2 - Coordinate specific youth focused events and support activities such as the Student Scholarship program.

3.3 - Assist and resource the YAC to plan and implement a range of activities

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.0.3

That Council endorses the development of a Community Partnership Agreement between the City and Millennium Kids incorporated as detailed in **Attachment 9.0.3**

CARRIED EN BLOC RESOLUTION

Note: Manager Community, Culture and Recreation retired from the meeting at 8.03pm.

9.1 GOAL 1 : CUSTOMER FOCUS
Nil

9.2 GOAL 2: COMMUNITY ENRICHMENT

9.2.1 Support for Junior Sport

Location:	Council
Applicant:	City of South Perth
File Ref:	GS/102
Date:	8 September 2006
Authors:	Neil Kegie, Manager Community Culture and Recreation
Reporting Officer:	Steve Cope, Director Statutory and Regulatory Services

Summary

The purpose of this report is to consider ways that the City can further support Junior Sports activity in the City of South Perth.

Background

The City recognises the importance of sport and recreation to the community and the role that sporting clubs, schools and colleges play in providing opportunities for young people to participate in organised sporting activities. The City also recognises the significant health and social benefits associated with these types of activities. As such, the City develops and maintains reserves for the purpose of providing facilities that can be used by external organisations for organised sport.

Representation has been made to the City on behalf of the South Perth Primary School and South Perth Junior Football Club to consider additional support of junior sporting activity through a reduction of hire fees for parks and reserves for junior sporting activities.

The City currently recovers fees for the usage of reserves to contribute to the ongoing maintenance costs of these facilities. Total maintenance cost of active reserves (those used for organised sport) is approximately \$450,000 (2006/07 budget) with approximately

\$65,000 to be recovered in ground hire fees. Fees are charged in line with the City's goal of introducing a 'user pays' philosophy regarding the City's programs and facilities. Usage of reserves falls into two categories:

1. Casual usage - 'one off' bookings for activities such as school sports days and sports carnivals. This represents a small proportion of total usage with approximately \$800 recovered per year from schools and other organisations based in the City of South. Schools typically pay between \$35 and \$50 for this type of booking with other charges applicable where additional bins or rangers services are required.
2. Junior Player fees for seasonal usage - regular bookings for training and fixtures. This is the most significant form of usage with fees charged at a concession rate for junior sport. Approximately \$15,000 of the \$65,000 ground hire anticipated in the 2006/07 budget is in junior player fees. Approximately half of the junior fees are paid by community based sporting clubs and half from schools. Organisations typically pay between \$100 and \$2,600 for junior player fees depending on the number of juniors involved.

The City takes bookings and allocates grounds for seasonal usage twice per year; once for the winter sports season (1 April - 30 September) and once for the summer sports season (1 October - 31 March). The City would continue to administer its grounds booking and allocation system whether or not fees applied. In the event that the recommendation of this report is accepted the only difference to the current system is that no junior player fees would apply to community based sporting organisations based in the City. Organisations that booked reserves under the seasonal usage system for the winter season (1 April 2005 - 30 September 2005) and summer season (1 October 2005 - 31 March 2006) include;

Community Sporting Clubs based in the City
Manning Rippers Junior Football Club
South Perth Junior Hockey
South Perth Junior Football
South Perth Womens Hockey (juniors)
South Perth Junior Rugby League

Schools based in the City
Aquinas College
Penrhos College
Wesley College
Clontarf Aboriginal College
St Columbus

Organisations based outside the City
Trinity College
School Sport WA
WA Development Trust (state junior 16s)

Comment

Minimising or eliminating fees for junior sports activities is a strategy that can provide additional assistance for schools and other sporting organisations. There are a number of related issues to be considered in making such a decision.

This issue is currently being considered by the Western Australian Local Government Association which has formed a Recreation and Leisure Group that is consulting with a range of stakeholders with view to providing Local Government Authorities with some guiding principles in this area. Local Government Authorities have identified a range of related issues with many looking to review their fee charging models, and the relationship between fees and the costs associated with facility development and maintenance. These issues include:

- The development of new reserves and sporting facilities in growth areas
- Maintenance and upgrading costs associated with ageing facilities
- Costs associated with statutory requirement to modify facilities (eg disability access)
- Capacity of schools and sporting organisations to pay
- Increased usage of council facilities by schools as a result of amalgamations of schools or the sale of school reserves and facilities
- LGAs assisting organisations to increase their capacity to contribute rather than assuming responsibility for additional costs
- Increased pressure on rates as a result of reducing or waiving fees

A waiver of casual ground hire fees would not have significant financial implications for the City and is a strategy that could be implemented to increase the level of support provided by the City for junior sports activity. However the issue of junior player fees for seasonal usage requires more detailed consideration given the points detailed above, as well as having more significant short and longer term financial implications.

Of the seasonal users paying junior player fees, community based sporting organisations would receive the most benefit from a waiver of fees as they are run by volunteers and rely on fundraising efforts of members as well as player fees to meet costs.

Schools, and particularly the secondary colleges in the area are run on a more commercial basis and are better positioned to meet these costs. Waiving of fees for schools and therefore subsidising to a greater extent the maintenance of grounds may also be considered a cost shifting exercise to Local Government .

The findings of the WALGA Recreation and Leisure group which are expected in the first half of 2007 should provide valuable information for LGAs on this issue. A further review of junior sporting fees when this information is available would be considered beneficial.

Consultation

The City has been contacted by one Primary School and by one junior sporting club regarding the waiving of ground hire and player fees. City officers have consulted with the Western Australian Local Government Association, Department of Sport and Recreation and a number of other Local Government Authorities in the preparation of this report.

Policy and Legislative Implications

No policy implications

Financial Implications

Reduction of approximately \$800 per financial year in casual grounds hire relating to use by schools and colleges based in the City of South Perth and reduction of approximately \$8,700 per financial year relating to junior player fees seasonal usage by sporting organisations based in the City of South Perth.

Strategic Implications

The contents of this report relate to Strategy 6.3 of the City's Strategic Plan 2004 - 2008
“Identify opportunities to introduce a ‘user pays’ fee charging model and develop strategies to implement this philosophy where appropriate, whilst continuing to recognise community service obligations.”

OFFICER RECOMMENDATION ITEM 9.2.1
--

That the City:

- (a) waives immediately the fee for casual hiring of active reserves for the purposes of junior sporting activities to schools and colleges within the City of South Perth with additional charges associated with extra bins or rangers services still applicable;
- (b) waives immediately junior player fees for community based sporting clubs based in the City of South Perth;
- (c) contacts all schools and community based junior sporting organisations in the City advising of this decision; and
- (d) takes into account the findings of the Western Australian Local Government Association's review of junior player fees in the 2007/08 budgeting process.

COMMENT ON DEPUTATION

The Mayor requested an officer comment on the Deputation.

The Chief Executive Officer stated that corresponding issues as raised had been considered by the Administration.

MOTION

Cr Maddaford moved the officer recommendation. Sec Cr Trent

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Maddaford opening for the Motion

- support waiving of fees
- South Perth Primary charged for use of Morris Mundy Reserve
- need to support our local schools
- support Motion

Cr Trent for the Motion

- South Perth located central metro area
- users from outside the district benefit from use of our facilities
- need to be aware proposal is only for South Perth based clubs
- ovals need to be maintained or will cost a lot of money

Cr Smith for the Motion

- should not be any equivocation to waive fee
- do not want differentiation between sporting clubs / primary schools
- recommendation does not go far enough

The Chief Executive Officer stated that there may be issues for extending the waiver to all schools in the Municipality and suggested that a report on this subject be prepared for consideration by Council.

AMENDMENT

Moved Cr Smith, Sec Cr Wells, That the following additional part (e) be included in the Motion:

- (e) consider a further report at the next Council Meeting to include primary schools within the City of South Perth receiving exemption as per part (b) above.

Cr Macpherson point of clarification - should this Motion go through, could the report include any schools that charge other organisations for the use of their sporting facilities / clubs etc. The Mayor said the comment was noted.

Cr Hearne point of clarification Do we charge for Ranger Services and if so what are they and will Rangers be monitoring the state of reserves/ovals?

The Mayor responded that the sporting clubs are responsible leaving the ovals / reserves in pristine condition. He said if this was not happening then the relative clubs should be made aware of their responsibilities.

Cr Best point of clarification what about activities undertaken by juniors not on grass, eg aerobics in halls - do not see the equity in Motion and would like the provision of halls to be included in indoor activities.

The Chief Executive Officer stated the report only applied to active reserves.

Cr Gleeson point of clarification - Some time ago this Council must have approved the 'user pays' Policy - would it therefore now require an Absolute Majority to change this and to waive fees?

The Chief Executive Officer confirmed that it just needs a 'majority' vote.

The Mayor put the Amendment.

CARRIED (12/0)

COUNCIL DECISION ITEM 9.2.1

The Mayor put the Amended Motion

That the City

- (a) waives immediately the fee for casual hiring of active reserves for the purposes of junior sporting activities to schools and colleges within the City of South Perth with additional charges associated with extra bins or rangers services still applicable;
- (b) waives immediately junior player fees for community based sporting clubs based in the City of South Perth;
- (c) contacts all schools and community based junior sporting organisations in the City advising of this decision;
- (d) takes into account the findings of the Western Australian Local Government Association's review of junior player fees in the 2007/08 budgeting process; and
- (e) consider a further report to the earliest available Council Meeting to include primary schools within the City of South Perth receiving exemption as per part (b) above.

CARRIED (12/0)

Reason for Change

Additional part (e) included to give consideration to primary schools receiving exemption to fees.

Note: Manager Community Culture and Recreation retired from the meeting at 8.03pm

9.2.2 Perth International Arts Festival 2007 Closing Event

Location: City of South Perth
Applicant: Council
File Ref: PR/554
Date: 14 September 2006
Author: Neil Kegie
Manager Community Culture & Recreation
Reporting Officer: Steve Cope, Director, Strategic and Regulatory Services

Summary

To consider the use of Sir James Mitchell Park by the Perth International Arts Festival to hold the closing event of the 2007 Perth International Arts Festival.

Background

An approach has been made to the City by the Perth International Arts Festival to hold a free community event on Sir James Mitchell Park on Saturday 3 March to Close the 2007 Festival. The event is a concert by world music artists Entran Finatawa from Niger, and Habib Koite and Bamada from Mali with an expected audience of between 5,000 and 10,000 people.

Comment

Founded in 1953 by The University of Western Australia, the Perth International Arts Festival is the oldest international arts festival in Australia and Western Australia's premier cultural event. The Festival has significant experience in mounting, promoting and managing outdoor events of the type proposed. This event would be the finale of the 2007 Festival and the last for outgoing Artistic Director of the Perth Festival, Lindy Hume. The City last hosted significant Perth Festival events in 2000 with a special concert on Sir James Mitchell Park and a Fireworks Closing event featuring the international performance company "Group F".

The community event proposed is of a scale slightly smaller than the City's Fiesta opening concerts which have attracted up to 20,000 people at the same venue. Festival organisers anticipate an audience of between 5,000 and 10,000 based on past experience of similar events and the popularity of the performers. The concert would run from 6pm - 9pm on Saturday 3 March which is part of the Labour Day Long weekend. The artists are from Africa in keeping with the Festival's 'Desert' theme and consideration is being given to including Camel Rides at the event.

Stage orientation would be in the Southwest corner of the reserve with the stage and sound projecting in a North Easterly direction (towards the river/Coode St jetty). Infrastructure required includes a 12 metre by 9 metre stage, backstage marquee, toilets and food vendors. As this is not a large amount of infrastructure, the impact on users of the reserve would not be significant with no impact at all on the reserve pathways. Parking is proposed for the eastern and of the reserve adjacent to Coode Street, with no requirement for road closures anticipated.

As is the case with larger events, a fee and bond are to be negotiated subject to the nature of the event and impact on the reserve. In recommending a fee officers considered the not for profit community nature of the event and relatively low impact on regular users of the reserve other than on the day of the event itself. The recommended park restorative bond takes into account the anticipated impact of vehicles and infrastructure on the reserve surface,

The Perth Festival will be required to comply with the City's conditions regarding Health regulations and reserve hire. These would include;

- Approval by the City of the final layout of all elements of the event
- Lodgment, prior to the event of a \$2,500 fee for the hire of the reserve and a \$10,000, refundable park restoration bond with the City
- Provision of First Aid services for the event
- Provision of security for the entire period of use including set up, the event and pack down
- Provision of crowd control measures at the event
- Provision of an the required number of toilets
- Provision of the required number of bins including recycling bins at the hirer's expense
- Evidence of adequate Public Liability insurance
- Relevant licenses from the City relating to temporary buildings (marquees) and food stall licenses
- Requirements for food handling and noise levels are met
- Requirements relating to animal rides are met, if applicable
- Maintaining a clean and tidy site for the entire duration of use
- Confirmation in a Memorandum of Understanding between the Perth International Arts Festival and the City of all arrangements prior to the production of any promotional material for the event

This event would take place two weeks before the opening of Fiesta 2007 and is seen as an opportunity to promote the City's own community based festival. It is also seen as an opportunity to provide residents with access to an excellent international cultural experience at no cost to the City.

This project would compliment an existing arrangement that the City has in place with the Perth Festival which is in part focusing on the work of May Gibbs. The Festival is mounting a play based on Gibbs' "Snugglepot and Cuddlepie" with a complementary exhibition to be mounted at the City's Heritage House Cultural Centre. Through these two projects the City will have significant exposure in the Festival program showcasing two of the City's greatest assets, the river foreshore and Heritage House, to the wider community.

The Perth International Arts Festival is seeking to secure an endorsement for this event at the September council meeting in order to meet printing deadlines for its promotional campaign in mid October.

Consultation

The City has consulted with the Perth International Arts Festival on the contents of this report.

Policy and Legislative Implications

Nil

Financial Implications

Lodgment prior to the event of a grounds hire fee of \$2,500 and a \$10,000 refundable parks restorative bond.

Strategic Implications

The contents of this report relate to strategy 2.7 of the City's Strategic Plan 2004 - 2008 *Develop strategic directions for events, arts including public art, leisure, recreation and heritage that encourages a vibrant and participative community. This includes initiatives related to the George Burnett Leisure Centre, Libraries, parks, river, Fiesta and other community programs*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.2.2

That the Perth International Arts Festival be advised that Council endorses the use of Sir James Mitchell Park for the Festival closing event on Saturday 3 March 2007 subject to compliance with the City's conditions regarding Health regulations and reserve hire including; following conditions;

- Approval by the City of the final layout of all elements of the event
- Lodgment, prior to the event of a \$2,500 fee for the hire of the reserve and a \$10,000, refundable park restoration bond with the City
- Provision of First Aid services for the event
- Provision of security for the entire period of use including set up, the event and pack down
- Provision of crowd control measures at the event
- Provision of the required number of toilets
- Provision of the required number of bins including recycling bins at the hirer's expense
- Evidence of adequate Public Liability insurance
- Relevant licenses from the City relating to temporary buildings (marquees) and food stall licenses
- Requirements for food handling and noise levels are met
- Requirements relating to animal rides are met, if applicable
- Maintaining a clean and tidy site for the entire duration of use
- Confirmation in a Memorandum of Understanding between the Perth International Arts Festival and the City of all arrangements prior to the production of any promotional material for the event

CARRIED EN BLOC RESOLUTION

9.2.3 Red Bull Air Race 2006 Request for Reconsideration of Conditions of Approval

Location:	City of South Perth
Applicant:	Council
File Ref:	RC/112
Date:	15 September 2006
Author:	Sebastian Camillo Manager Environmental Health and Regulatory Services
Reporting Officer:	Steve Cope, Director, Strategic and Regulatory Services

Summary

To consider a written request from Events Corporation Western Australia (Events Corp) for Council to reconsider three conditions placed on their "Conditions of Approval" for the use of Sir James Mitchell Park to hold a Red Bull Air Race over Perth Waters on the Swan River in November 2006.

Background

At its meeting of the 27 June 2006, Council considered a request from Events Corp to permit the use of Sir James Mitchell Park to erect temporary structures and to accommodate up to 250,000 people to view the Red Bull Air Race in November 2006. Council resolved as follows:

Item 9.2.2

"That....

(a) *Events Corp be advised that Council endorses the conduct of the proposed Red Bull Air Race including the use of Sir James Mitchell Park subject to the satisfactory negotiation of the following conditions and requirements, to be incorporated within a binding document setting out the terms under which Events Corp would cover all costs and event management obligations incurred for the proposed Red Bull Air Race:*

- (1) *A hire charge of \$35,000 plus \$20,000 for post event restoration for the use of the Sir James Mitchell Park is to be lodged with the City and payment must be made prior to the event;*
- (2) *An additional all purpose bond of \$50,000, is to be lodged with the City, prior to the event, with any damage or costs incurred by the City to be deducted from the bond monies;*
- (3) *Public Liability Cover to the amount of \$100,000,000 is to be arranged by the Events Corp and jointly made out to the Events Corp and City of South Perth to indemnify the City against any damage, injury or death to persons or property;*
- (4) *The event is to be held between the hours of 8.30 am to 5.00 pm on air race days;*
- (5) *The area is to be left in a clean and tidy condition with no damage caused, with Events Corp being responsible for all the cleanup costs;*
- (6) *Due to limited power and water on site, any requirements outside of these services, is the responsibility of Events Corp;*
- (7) *Events Corp will undertake any set up from 7.00 am to 5.00 pm, if the equipment to be erected cannot be installed in the hours approved on the days of the event. The equipment and structures to be removed within 4 days following after the event;*
- (8) *Events Corp will be permitted to carry out / construct the following activities;*
 - *Aqua Compound – (fenced, including Ellam Street car park)*
 - *6 x 40ft Storage Containers*
 - *220 volt Generator*
 - *2 x 10 cube compressors*
 - *International Infrastructure Compound (fenced, western end - Coode Street car park)*
 - *Temporary Office Containers*
 - *Storage Containers*
 - *Toilets (for staff)*
 - *Catering (for staff)*
 - *Generators*
 - *Authorised staff and VIP Parking (eastern end Coode Street car park)*
 - *Helipad*
 - *Festival Area*
 - *Race Tower*

- *Media Centre*
 - *Energy Centre*
 - *Speaker Boxes (Commentary)*
 - *Prize Giving Podium*
 - *5 x Merchandise containers*
 - *Festival – Static Displays, Aviation Expo and Interactive Zones*
 - *Other Infrastructure – Sir James Mitchell Park*
 - *Police Emergency Control Compound (ECC) and Operational Compounds*
 - *7 x large video screens (Vidi Walls), scaffold mounted*
 - *Toilets – requirements for public*
 - *Shade shelters (Property of City of South Perth)*
 - *Catering vendors*
- (9) *Events Corp will be required to construct an alternative shared use path around any area assigned to the Race Organiser, where the assigned area obstructs or partially obstructs the existing path, with such path being constructed to the AustRoads Guidelines 14 Bicycles;*
- (10) *Events Corp will be required to construct pavements or otherwise increase the load bearing capacity of those areas requiring heavy vehicle access, so as to minimise the impact on the park or any public infrastructure located either above, on or below ground;*
- (11) *Events Corp is to liaise with the City regarding:*
- *The layout of the event which is to be submitted at least 2 (two) weeks prior commencement;*
 - *The layout of the reticulation system, positioning of marquees and vehicles for parking and fencing surrounding the proposed venue;*
 - *Provision of adequate fencing surrounding the proposed venue;*
- (12) *Events Corp is to liaise with the City's, Environmental Health and Regulatory Services to ensure:*
- *Provision of a direct connection for portable toilets to the existing Minister's Sewerage Scheme. Should this not prove to be feasible within the relevant regulatory framework adequate portable toilet facilities with approved disposal systems to be provided at Events Corp expense;*
 - *Requirements for food handling and noise levels are met;*
 - *Adequate rubbish bins are provided at Events Corp's expense;*
 - *All rubbish bins to be serviced and litter removed from the reserve daily;*
- (13) *Events Corp is to apply to the City's Building Services to obtain:*
- *A building licence for the erection of any temporary structure/marquee on Sir James Mitchell Park;*
 - *Approval for signage and sponsorship requirements*
- (14) *Events Corp to provide an effective media and communications campaign to ensure that all residents and visitors to the event understand the restrictions that will apply throughout the City; and*
- (15) *Events Corp to be responsible for all costs associated with the planning and implementation of parking measures including preparation of parking plans, residents information brochures, advertising and communication plan to effected residents and general public, sign installation and removal, labour costs and other costs associated with road barriers and access control points.*
- (b) *Council authorise the following arrangements relating to road closures and parking restrictions;*
- (i) *the Temporary Road Closures bounded by Labouchere Road to Angelo Street to Douglas Avenue to Mill Point Road to Ellam Street which will be closed from 7.00 am to 5.00 pm on Sunday 19 November 2006, as described in the report;*

- (ii) implementation of Parking Restrictions bounded by Labouchere Road to South Terrace to Canning Highway to Ellam Street on Sunday 19 November 2006 as described in the report; and*
- (c) an Agreement be prepared by the City's legal representatives at the cost of Events Corp outlining the conditions of reserve hire and specifically requiring that all costs associated with the event including any unforeseen costs be met by Events Corp; and*
- (d) the City form a Working Party to investigate the available technologies, re-usability, required approvals and indicative costing for appropriate sewage management initiatives to cater for large numbers of event patrons attending major events staged on Sir James Mitchell Park and the river foreshore. The working party may include Council member representation. The working party is to provide a written report to Council at the August 2006 ordinary council meeting to:
 - (i) advise on progress on addressing these and any other related logistical considerations;*
 - (ii) advise on future activities of the working party; and*
 - (iii) recommend future reporting of the working group to Council.**

The conditions of approval were provided to Events Corp on the 11 July 2006 as approved by Council.

Comment

Events Corp have now written to the City requesting that conditions (a)(1), (a)(2) and (c), be reconsidered and amended by combining a(1) and a(2) as follows:

- (a)(1) A hire charge of \$35,000 for the use of Sir James Mitchell Park is paid to the City prior to the event. A memorandum of understanding (MOU) will be created between the City of South Perth and Tourism WA stating that Tourism WA will pay for all restoration costs on Sir James Mitchell Park, the cost is estimated at approximately \$20,000 but would not have a limit. Tourism WA will be responsible for costs should the total be above \$20,000. The City of South Perth will provide a record of all restoration charges to Tourism WA. Tourism WA will pay restoration charges upon receipt of an invoice and record of charges.

With condition (c) being replaced with an amended condition as follows:

- (c) A memorandum of understanding (MOU) is to be prepared by Tourism WA to meet the City's requirements at the cost of Tourism WA, outlining the conditions of reserve hire and specifically requiring that all costs associated with the event including any unforeseen items be met by Tourism WA.

The amendments as suggested by Events Corp would eliminate the need for an up front payment of \$20,000 poste event restoration charge and \$50,000 Bond. Events Corp is a division of Tourism WA which is a State Government Department. Events Corp have been responsible for attracting many large state events, impacting on many local governments such as Rally Australia, Gravity Games, Iron man (Busselton), and X (Cross) Adventure.

Events Corp has developed a firm reputation with local governments in ensuring that all event venues are restored to the pre-event condition and covering all costs, accordingly. This was further confirmed by an Event Corp's representative during the Red Bull Air Race briefing to Council on 6 June 2006. A representative from the City of Perth has confirmed that Events Corp pay all poste event restoration of Langley Reserve following Rally Australia.

Consultation

Consultation has occurred between officers from the City and Events Corp.

Policy and Legislative Implications

Nil.

Financial Implications

The recommended course of action will have financial implications for the City, in that costs for post-event restoration will need to be recovered from Events Corp.

Strategic Implications

Events Corp propose to manage the event in accordance with Goal 6 of the City's Strategic Plan, Financial Viability. In particular, reference is made to Strategy 6.3 which identifies opportunities to introduce a 'user pays' fee charging model and develop strategies to implement this philosophy where appropriate, whilst continuing to recognise community service obligations.

OFFICER RECOMMENDATION ITEM 9.2.3
--

Moved Cr Ozsdolay, Sec Cr Wells

That....

(a) consideration be given to revoking Item 9.2.2 parts (a)(1), (a)(2) and (c) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 27 June 2006:

(a) *Events Corp be advised that Council endorses the conduct of the proposed Red Bull Air Race including the use of Sir James Mitchell Park subject to the satisfactory negotiation of the following conditions and requirements, to be incorporated within a binding document setting out the terms under which Events Corp would cover all costs and event management obligations incurred for the proposed Red Bull Air Race:*

(1) *A hire charge of \$35,000 plus \$20,000 for post event restoration for the use of the Sir James Mitchell Park is to be lodged with the City and payment must be made prior to the event;*

(2) *An additional all purpose bond of \$50,000, is to be lodged with the City, prior to the event, with any damage or costs incurred by the City to be deducted from the bond monies;*

(c) *an Agreement be prepared by the City's legal representatives at the cost of Events Corp outlining the conditions of reserve hire and specifically requiring that all costs associated with the event including any unforeseen costs be met by Events Corp;*

CARRIED BY REQUIRED ONE THIRD MEMBERS(12/0)

(b) Item 9.2.2 parts (a)(1), (a)(2) and (c) insofar as it relates to the Minutes of the Ordinary Council Meeting dated 27 June 2006 be revoked;

CARRIED BY REQUIRED ABSOLUTE MAJORITY (12/0)

- (c) Events Corp is advised that:
- (i) In relation to the use of Sir James Mitchell Park by Tourism WA for the Red Bull Air Race to be held in November 2006, the following hire charges apply:
 - (A) Hire charge of \$35,000 to be paid prior to the event; and
 - (B) all park restoration costs being the responsibility of Tourism WA.
 - (ii) A Memorandum of Understanding (MOU) be prepared by Tourism WA to meet the City's requirements at the cost of Tourism WA, outlining all the conditions of reserve hire and specifically requiring that all costs associated with the event (including any unforeseen items) is met by Tourism WA.
- CARRIED (12/0)

Note: Manager Environmental Health and Regulatory Services retired from the meeting at 8.20pm

9.3 GOAL 3: ENVIRONMENTAL MANAGEMENT

9.3.1 Proposed Addns/Alterations, Wesley College, Coode Street, South Perth

Location: Lot 500 (No. 40) Coode Street, Wesley College
 Applicant: James Christou and Partners, Architects
 File Ref: 11/230 11.2006.334.1.GJF CO6.40
 Date: 1 September 2006
 Author: Gina Fraser, Senior Planning Officer
 Reporting Officer: Steve Cope, Director, Strategic and Regulatory Services

Summary

The application involves the substantial upgrading and expansion of an existing building in the centre of the Wesley College campus, known as the 'Joseph Green Centre'. The applicant seeks approval in relation to clause 6.1(d) of Town Planning Scheme No. 6 (TPS6), which provides the Council with the ability to approve additions to an existing building which already exceeds the prescribed Building Height Limit. The recommendation is for **approval**, subject to a number of standard conditions.

Background

The development site details are as follows:

Zoning:	Private Institution
Density coding:	R15
Lot area:	7.1943 hectares
Building Height Limit:	7 metres
Development Potential:	"Educational Establishment" is a 'P' (Permitted) Use in the Private Institution zone.

This report includes the following attachments:

- **Confidential Attachment 9.3.1(a):** Plans of the proposal
- **Attachment 9.3.1(b):** Applicant's submission
- **Attachment 9.3.1(c):** Letter from Heritage Council dated 8 September 2006
- **Attachment 9.3.1(d):** Extent of Required Amalgamation

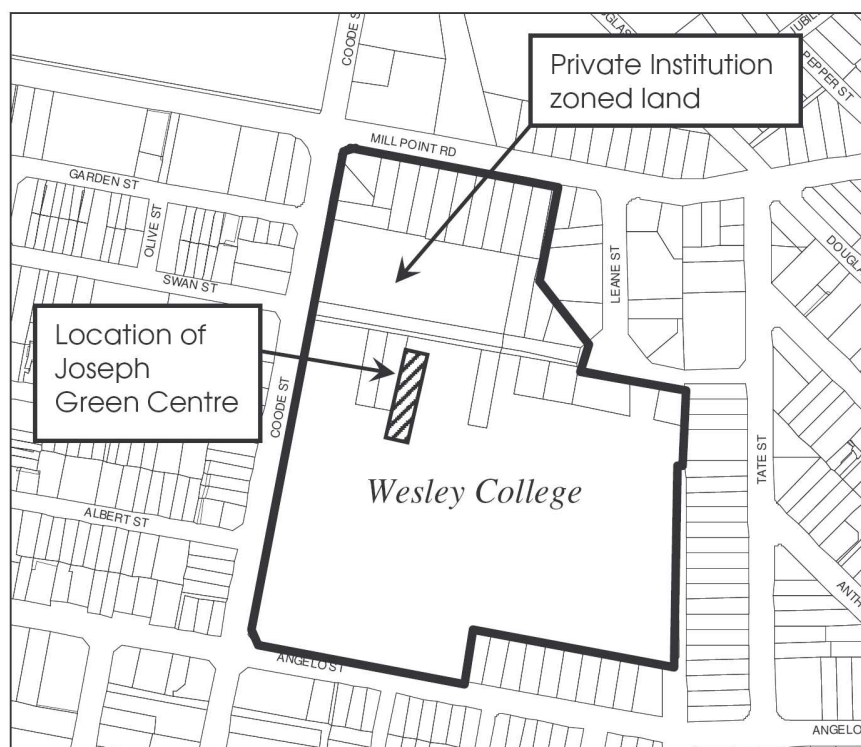
Wesley College dates from about 1923. The building known as the ‘Joseph Green Centre’ was built in the early 1970s and is approaching 35 years of age. A detailed background and description of the current proposals for the building is provided in the applicant’s submission contained in **Attachment 9.3.1(b)**. The applicant describes problems with the function and fabric of the existing building, and the need for better facilities for the college as outlined in the Master Plan previously considered by the City. The proposal involves significant additions and alterations to the existing building, including some additional building above the prescribed Building Height Limit, to the same height as the existing building. This aspect of the proposal is discussed further below.

The following table provides a comparison of the existing building and proposed upgraded facility:

	Existing building	Proposed upgraded building
Ground floor	Laundry, service yard, dining room and kitchen.	Café dining room (66 seats), upgraded kitchen, boarders’ dining hall (160 seats), new paved terrace.
Intermediate floor	Arts and crafts, computer, music, metal work and recreation rooms, and canteen kitchen.	Music and multimedia studios, lounge and practice rooms, multimedia resource café, rehearsal studio 1, science and performing arts collegiates and tutorial rooms.
Auditorium level	Music rooms, auditorium, gallery	Knowledge and learning centre rooms, drama studio theatre, auditorium/hall, pre-function and lobby areas
Gallery level	Music room, void over auditorium, lecture theatre gallery, balcony, lost property, old boys’ room.	Boardroom, staff dining area (100-150 seats, flexible) void over new drama theatre, void over refurbished auditorium, gallery lecture theatre

The proposal is part of the College’s ongoing upgrading program, involving the major refurbishment and redevelopment of an existing building known as the ‘Joseph Green Centre’. In a letter supporting the proposal, the applicant advises that *“the College’s intention is to maintain an ongoing programme of building upgrade and new development which reinforces the Wesley College “feel” and contributes to its sense of place. Several buildings on Campus have been identified as being non-conforming in terms of their image, materials and aesthetic contribution to the overall Wesley College Campus image.”* As an application involving additions and alterations to an existing building, City Officers were satisfied that it was not necessary to assess the application in conjunction with an updated “Master Plan” in this instance. However, it would be appropriate for any future development applications for new buildings to be consistent with an adopted Master Plan.

The location of the development site is shown below.



The proposal is referred to a Council meeting because it falls within the following categories described in the Council Delegation DC342:

2. **Large Scale Development proposals**
 - (ii) *Proposals involving buildings 9.0 metres high or higher based upon the Scheme definition of the term “height”. This applies to both new developments and additions to existing buildings resulting in the building exceeding the nominated height.*
3. **The Exercise of a Discretionary Power**
 - (iii) *Proposals representing a significant departure from the Scheme ... where it is proposed to grant planning approval.*

Comment

(a) Building Height

Scheme provisions

The land comprising Wesley College has a Building Height Limit of 7.0 metres. The proposed building will be 10.73 metres high, measured according to the provisions of clause 6.2(1)(a) and (b) of TPS6.

The proposal is to substantially upgrade and expand an existing building on the campus, known as the ‘Joseph Green Centre’. The highest point of the ground level under the building is in the south-western corner. Measured from this point, the existing building height is 10.73 metres. The proposed additions maintain this same height.

In the case of additions to an existing building which already exceeds the building height limit prescribed by TPS6 for the site, clause 6.2(1)(d) of TPS6 permits a variation in building height to the same extent, subject to several qualifying provisions. The clause reads as follows:

“6.2 Building Height Limits

(1)(d) Notwithstanding the provisions of paragraph (a) and in addition to the extent of variation permitted under paragraphs (b) and (c) and clause 6.1, in the case of an existing building which exceeds the prescribed Building Height Limit, the Council may approve additions to that building above the prescribed Building Height Limit, provided that:

- (i) subject to clauses 6.11(8) and 7.8, the additions will not extend the plot ratio area of the building beyond the prescribed maximum;*
- (ii) walls of the additions will not extend to a greater height than the highest wall of the existing building;*
- (iii) in the Council’s opinion, the additions will contribute positively to the visual enhancement of the building, the scale and character of the streetscape, the preservation or improvement of the amenity of the area, and the objectives for the precinct;*
- (iv) in the Council’s opinion, there will not be a significant adverse impact upon adjoining neighbouring properties; and*
- (v) advertising of the proposed additions has been undertaken in accordance with the provisions of clause 7.3.”*

The proposal meets all of the listed qualifying provisions and can therefore be considered by the Council under this clause.

Current proposal

The site has a fall of over 7.0 metres from south to north, ranging from 15.0 metres above Australian Height Datum in the south-western corner, to approximately 7.7 metres at the north-eastern corner of the building. Under the provisions of TPS6, building height is measured from the highest point of the ground level under the building. Both the existing building and the proposed additions exceed the prescribed 7.0 metre building height limit, the actual height being 10.73 metres.

Most of the additional floor space will be located at the northern end of the building facing the former Swan Street. While much of the proposed upgrading and alteration works are to be internal, the proposal increases the floor space above the 7.0 metres building height limit, by a total of 1,310 sq. metres on the upper two levels of the building. This additional area comprises 595 sq. metres on each of the ‘Auditorium’ and ‘Gallery’ levels including a ‘link bridge’ and ‘stair’ of 60 sq. metres on each level. The new area at the Gallery level includes an open ‘Terrace’ of 165 sq. metres, which provides both an external space from which to enjoy city and river views, and also allows the main Gallery building to be set back further from the former Swan Street accessway and from the Middle School to the north.

To qualify for Council consideration of the additions above 7.0 metres height, the proposal must meet the criteria listed in clause 6.2(1)(d) of TPS6. Each of the criteria has been discussed in the applicant’s submission. Those comments, together with the City’s responses, are presented below:

TPS6 criteria	Applicant's comment	Response
(i) <i>Subject to clauses 6.11(8) and 7.8, the additions will not extend the plot ratio area of the building beyond the prescribed maximum;</i>	(i) The new additions to the Joseph Green Centre will not take the plot ratio area of the Campus beyond the prescribed maximum.	This criterion is satisfactorily met.
(ii) <i>Walls of the additions will not extend to a greater height than the highest wall of the existing building;</i>	(ii) The walls of the additions (including screening to rooftop A/C plant and equipment) will not extend to a greater height than the highest wall of the existing building. (The height of the highest parapet wall is RL 25.73m).	This criterion is satisfactorily met. As measured under the provisions of TPS6, the wall height is 10.73 metres.
(iii) <i>In the Council's opinion, the additions will contribute positively to the visual enhancement of the building, the scale and character of the streetscape, the preservation or improvement of the amenity of the area, and the objectives for the precinct;</i>	(iii) The additions contribute positively to the visual enhancement of the building, the scale and character of the street-scape, the preservation or improvement of the amenity of the area, and the objectives of the precinct by: <ul style="list-style-type: none"> ○ Reducing the overall bulk and mass of the building with articulation, transparency, introduction of lightweight panel cladding and solar louvers. ○ Introducing the street café concept which provides activity and a social hub for the Campus. ○ Use of architectural image, colour, detailing and form which express a sense of place and relate to the adjacent Middle School, Design and Technology Art Centre and the redeveloped Boarding House. It is an architectural solution which contributes to the maintenance and evolution of a Wesley College character. ○ Relating to Swan Street with a well proportioned three storey building (with the upper Gallery level set back) and provision of an active street edge. The existing footpath is maintained and daily use by surrounding residents as a walking route is encouraged. ○ The building demonstrating school activities and a positive learning community within the wider Precinct. 	This criterion is satisfactorily met. Refer also to Design Advisory Consultants' comments in the 'Consultation' section of this report.
(iv) <i>In the Council's opinion, there will not be a significant adverse impact upon adjoining neighbouring properties;</i>	(iv) The Joseph Green Centre is located at the epicentre of the Wesley College Campus. The proposed extensions will not overlook any of the adjoining neighbouring properties. The College invites Council to visit the existing building and examine the current views from which the views from the proposed new additions can be anticipated. The activities proposed within the new additions will have no impact upon adjoining neighbouring properties. Note: There are only two adjoining neighbouring properties on the northern end of the Campus (fronting Leane Street and Mill Point Road).	This criterion is satisfactorily met.

TPS6 criteria	Applicant's comment	Response
(v) <i>Advertising of the proposed additions has been undertaken in accordance with the provisions of clause 7.3."</i>	The College will provide additional information materials to Council to facilitate the advertising of the proposal in order to ensure that residents are fully informed of the nature of the application.	This criterion is satisfactorily met. Neighbour consultation has been undertaken by the City as required by Council Policy P104.

TPS6 specifically makes provision for additions to existing buildings which exceed the current Building Height Limits to enable those buildings to be maintained and upgraded in line with current expectations and needs. In the current case, the building is located within the centre of the campus, and will not impinge on surrounding residents. The proposed alterations and additions will enhance both the campus's and the City's image. It is considered that the additions above the height of 7.0 metres should be approved.

(b) Traffic and Parking

The proposal enhances existing teaching facilities already provided within the campus, and will not result in an increase in overall staff or student numbers at the college. No new classrooms are being provided within the proposal. In terms of TPS6 requirements, this means that car parking demand is not increasing. Table 6 of TPS6 requires provision of 1.5 car bays per classroom.

(c) Heritage

The Wesley College campus has been listed in the City's Municipal Heritage Inventory since 1994, and has been classified as a 'Category B' place with high local heritage significance. The individual buildings on the campus are not separately graded, so the building in question has not been individually 'rated'. Being one of the more 'recent' buildings on campus, it is not seen as imperative that the building remains unchanged. Local heritage makes some allowance for the changing needs in the use of the building and recognises these changes as part of the ongoing history and heritage of the place.

The Heritage Council of Western Australia is currently considering Wesley College for possible listing in the State Register of Heritage Places. Therefore, the application has been referred to the Heritage Council in line with the City's responsibilities under the Heritage Act. The response from the Heritage Council is provided in **Attachment 9.3.1(c)** to this report. Further comments are also made in the 'Consultation' section of this report. The Heritage Council concludes that there is no major impediment to the upgrading taking place during their heritage assessment of the campus.

(d) Subdivision/Amalgamation

Comparison between the proposed plans and the City's records, indicate that the proposed expanded building extends across an 'internal' lot boundary. Wesley College owns both affected lots. Historically, Wesley College has expanded by purchasing individual lots within the area generally bounded by Coode Street, Mill Point Road, Leane Street and Angelo Street. From time to time, bundles of lots have been amalgamated, but some of the original individual lots still remain.

As part of a development approval granted on 17 December 1998, portion of the land comprising Wesley College was required to be amalgamated. It is not known why all of the individual lots were not required to be amalgamated at that time. In any case, the City's records show that this did not occur. It is standard practice to require amalgamation when a building extends across two lots, as in the current and numerous other cases within the campus. A Council condition has already been imposed for this purpose, but although the Western Australian Planning Commission approved the subdivision/amalgamation application in October 2000, apparently it was not acted upon by the College and a new Certificate of Title was not prepared. The subdivision/amalgamation approval was valid for three years and lapsed on 25 October 2003. A new subdivision application is now required. A condition of approval is now recommended which will have the effect of requiring the College to undertake the required amalgamation of all lots which collectively comprise the whole campus prior to a building licence being issued for the current application. **Attachment 9.3.1(d)** comprises a plan indicating the extent of the required amalgamation.

(e) **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.*

Wesley College is one of the City's many regional facilities. It is situated within Precinct 3 - South Perth Central. The only objective within the Precinct Plan for this precinct which specifically relates to Wesley College is as follows:

"To encourage the orderly expansion and long term retention of Wesley College but to ensure that any further development of the school in the future does not have a substantial adverse impact on surrounding properties in terms of amenity, privacy and overlooking, overshadowing, reflective glare, access, traffic volumes, loss of significant on-site vegetation or unreasonable loss of views from residential properties. In this regard an Impact Assessment Report may be required to accompany any such proposals addressing each of these issues."

In this case, the proposal is for the upgrading and expansion of one building located in the centre of the site, and will not affect any of the surrounding residential neighbours. An Impact Assessment Report is not considered necessary in this instance.

In terms of the general objectives listed within clause 1.6 of TPS6, the project meets the following relevant objectives:

- (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;*
- (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;*
- (h) *Utilise and build on existing community facilities and services and make more efficient and effective use of new services and facilities;*

- (k) *Recognise and preserve areas, buildings and sites of heritage value; and*
- (l) *Recognise and facilitate the continued presence of significant regional land uses within the City and minimise the conflict between such land use and local precinct planning.*

(f) 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;*
- (h) *the preservation of any object or place of heritage significance that has been entered in the Register within the meaning of the Heritage of Western Australia Act, 1990 (as amended), or which is included in the Heritage List under clause 6.11, and the effect of the proposal on the character or appearance of that object or place;*
- (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;*
- (k) *the potential adverse visual impact of exposed plumbing fittings in a conspicuous location on any external face of a building;*
- (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;*
- (o) *the cultural significance of any place or area affected by the development;*
- (p) *any social issues that have an effect on the amenity of the locality;*
- (q) *the topographic nature or geographic location of the land;*
- (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;*
- (u) *whether adequate provision has been made for access by disabled persons;*
- (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.

Consultation

(a) Design Advisory Consultants

The proposal was referred to the Design Advisory Consultants on two occasions. The first occasion was on 17 July 2006, when the proposal was presented by the applicants. At that meeting, the DAC architects commented as follows:

“The Advisory Architects complimented the applicant on the proposed additions in terms of planning and internal layout. However, they raised queries regarding the elevation treatment in relation to the character of the completed building and its harmony with existing buildings on the campus. In this regard, they made a number of suggestions including the use of terracotta cladding panels and modified treatment to elements on different parts of the elevations. The Advisory Architects saw a need for more consistent ‘language’ in the progression from the ground storey to the uppermost level.

Having regard to the preceding comments, the Advisory Architects requested a palette of materials and colours, coupled with modified detailing on all elevations, for consideration, at the next Design Advisory Consultants’ meeting.”

Following some design changes which reflected the DAC comments, the proposal was presented again on 21 August 2006. Two design options for the elevational treatment were presented for consideration. The DAC architects advised as follows:

*“The Advisory Architects generally favoured the revised elevation treatment depicted on the drawing identified as **Option 1**, however they considered that, at the ground floor level the detailing of the elevations submitted previously, should be retained.”*

When advised of the DAC comments, the applicants responded as follows:

“Detail Aesthetics - Approval of North Elevation Option 2 :

The DAC comment regarding a preference for North Elevation Option 1 is not supported by the Applicant who clearly stated a preference for North Elevation Option 2 as submitted to Council.

The difference between these two options is very minor and is very much an architectural / aesthetic detailing preference which is not of substantial consequence to the overall appearance of the building, however, Wesley College’s brief clearly required of their Architect that the redevelopment proposal give a lighter more open appearance to the building and Elevation Option 2 provides this aesthetic preference better than Elevation Option 1, as suggested by the DAC who were not privy to the client’s brief.

Approval of either option will constitute orderly and proper planning. Whilst the planning approval process should seek a good design outcome (it should) not direct the very detailed aesthetic issues. Minor design differences will inevitably arise when different architectural opinions are sought - neither opinion is necessarily more valid than the other, and the client’s preference should be respected.

It should be noted that Wesley College have agreed with the request of the DAC to clad the building with the Terracade Panel material as suggested by the DAC. The DAC’s reasons for this material are supported by the College’s Architect and Wesley College Executive who recognise the long term cost benefit of a more durable finished cladding.

Wesley College seek Council’s support to allow Wesley College to determine the fine grain level of aesthetic detailing - it is after all their building and Wesley seek the appearance of Elevation Option 2.”

While the DAC comments are normally upheld and implemented by the City as part of the approval process, the applicant has provided reasons why the client prefers another option. Both Option 1 and Option 2 provide aesthetically very pleasing outcomes, with only minor variation. In this instance, it is suggested that the **Option 2** elevation treatment be approved.

(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 were notified and invited to comment within 14 days. A total of 65 neighbour consultation notices were mailed to individual property owners and occupiers. The applicant provided a comprehensive set of coloured drawings which were mailed to the residents along with the City’s Notice.

During the advertising period, two submissions were received by the City, one in favour of, and one against the proposal. The latter submission is summarised and responses provided to all comments, in the following table:

Summary of Submitters’ Comments	Response
<p>We do not agree with the proposed redevelopment of the Joseph Green Centre exceeding the prescribed building height limit. The building restrictions are in place to prevent this area of South Perth becoming a mass of high rise buildings as on the Peninsula. The aim is to have enough “openness” to maintain the character of the area and once certain properties are allowed to develop with modifications to the planning restrictions then more and more will attempt to do so, hence we are against any exceptions to the restrictions.</p> <p>It already appears that some of the properties on Mill Point Road and also on the peninsula are pushing the absolute limit of the restrictions in all aspects of surface area and height. Approving exceptions is therefore not acceptable to us.</p>	<p>The City agrees with the principle expressed by the submitter. Variations from prescriptive height controls are never considered by the Council, and in such circumstances, approval is not within the power of the Council. However, the current proposal is specifically allowed for in TPS6, and rarely occurs.</p> <p>A variation from the prescribed building height limit may only be considered by the Council in cases of additions to an existing building which already exceeds the height limit, as provided in clause 6.2(1)(d) and only in cases where all of the stated criteria are met. In the current case, the criteria are satisfactorily met.</p> <p>Therefore, the comment is NOT UPHELD.</p>

(c) Manager, Engineering Infrastructure

No new roads, car bays or accessways are proposed with this application. However, it is the applicant’s responsibility to liaise with the City’s Engineering Infrastructure department to ensure satisfaction of any relevant requirements that may be identified prior to the issuing of a building licence.

(d) Environmental Health Department

The City’s Manager, Environmental Health Services advises that the project will need to comply with all applicable conditions under the *Health (Public Building) Regulations 1992* and the *Health (Food Hygiene) Regulations 1993*. This will be brought to the attention of the applicant by way of a footnote on 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.

(e) **Heritage Council of Western Australia**

As advised above, the Heritage Council of Western Australia is currently considering the possible listing of Wesley College in its State Register of Heritage Places. In fulfilment of the City's responsibility under the Heritage Act to cooperate with the Heritage Council in the carrying out of its processes, the City advised the Heritage Council of the major upgrading works proposed for the Joseph Green Centre. The Heritage Council has concluded that the proposed enhancement of the building is compatible with its intended use, and has no objection to the application.

Policy and Legislative Implications

Comments in relation to various relevant provisions of the No. 6 Town Planning Scheme 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. The additions will enhance and upgrade the existing building, Wesley College generally, and the image of the City as a well maintained and well ordered place. The upgrading of the college is in line with both TPS6 and Precinct objectives. Being located in the centre of the site, the enlarged building will not be visible from, nor have an impact on, surrounding residents. The proposal should be supported.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.3.1

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 alterations and additions to an Educational Establishment, the Joseph Green Centre at Wesley College, Lot 500 (No. 40) Coode Street, South Perth, **be approved**, subject to:

- (a) The external materials and colour finish of the proposed additions shall match with those of the existing building.
- (b) All plumbing fittings on external walls shall be concealed from external view as required by clause 7.5 (k) of Town Planning Scheme No. 6.
- (c) The land bordered on the plan identified as **Attachment 9.3.1(d)** to the September Council Meeting Agenda, shall be amalgamated on a compiled Diagram of Survey and application for a new Certificate of Title shall be lodged with the Land Titles Office. A building licence may not be issued until the new Certificate of Title is issued. [Refer to Important Note (c).]
- (d) The validity of this approval shall cease if construction is not substantially commenced within 24 months of the date of planning approval.

Important Footnotes

- (a) This planning approval is **not** an authorisation to commence construction. A **building licence must be obtained** from Council’s Building Services Department prior to commencing any work of a structural nature.
- (b) If you are aggrieved by aspects of the decision where discretion has been exercised, you may lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.
- (c) The amalgamation procedure leading to the issuing of a new certificate of title extends over approximately 3 months and a building licence may not be issued until the new title has been issued. Therefore, to avoid delay in obtaining a building licence, it is important for the applicant to commence the amalgamation procedure without delay. A licensed surveyor should be engaged for this purpose.
- (d) In view of the Wesley College Board’s clear preference expressed by the applicant for the elevation treatment identified as ‘Option 2’ for the Joseph Green Centre, the Council now supports this design option.
- (e) The City’s Manager, Environmental Health and Regulatory Services has identified the need for this application to comply with all applicable conditions under the *Health (Public Building) Regulations 1992* and the *Health (Food Hygiene) Regulations 1993*. It is the applicant’s responsibility to liaise with the City’s Environmental Health department to ensure satisfaction of all of the relevant requirements.
- (f) It is the applicant’s responsibility to liaise with the City’s Engineering department to ensure satisfaction of any relevant requirements.

CARRIED EN BLOC RESOLUTION

9.3.2 Proposed Use Not Listed: Community Radio Station. Murray Street cnr McNabb Loop, Como

Location: Lot 706 (Loc. 3298) Murray St cnr McNabb Loop, Como
 Applicant: Fewster & Stone, Custom Home Designers, Master Builders.
 File Ref: MU2
 Date: 5 September 2006
 Author: Gina Fraser, Senior Planning Officer
 Reporting Officer: Steve Cope, Director, Strategic and Regulatory Services

Summary

The application is for a ‘Community Radio Station’ (Sonshine 98.5FM), which is proposed to be situated in the south-eastern corner of the South Perth Church of Christ site in Como. The use does not fall within any Town Planning Scheme No. 6 definition and hence has been assessed as a ‘Use Not Listed’. Council’s discretionary approval is sought for the use on this basis. The recommendation is for **approval**, subject to a number of standard and special conditions.

Background

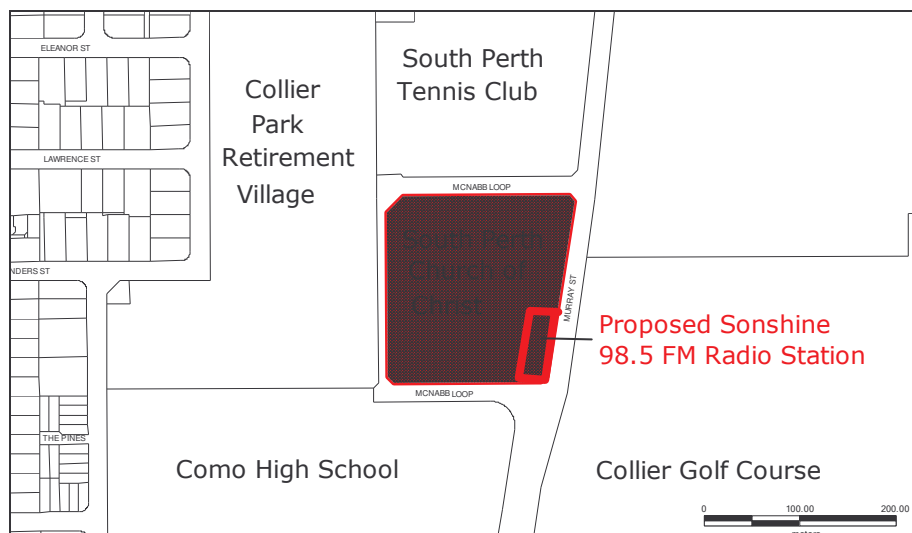
The development site details are as follows:

Zoning:	Private Institution
Density coding:	R30
Lot area:	35,047 sq. metres
Building Height Limit:	7.0 metres
Development Potential:	‘Community Radio Station’ is not a listed use within the meaning of Town Planning Scheme No. 6. However, as a ‘Use Not Listed’, the proposal may be considered by the Council under clause 3.3(7) of Town Planning Scheme No. 6.

The application is for a discrete proposal for a Community Radio Station which will operate independently of the main use on the site, which is the South Perth Church of Christ. The South Perth Church of Christ Inc is listed as the owner of the land. The proposal comprises a single-storey building with associated antenna and car parking.

This report includes **Confidential Attachment 9.3.2(a)**, being plans of the proposal.

The location of the development site is shown below.



The site was acquired by the South Perth Church of Christ under a Crown Grant in 1992. The Crown Grant states that the land is to "be used and held solely in trust for the purpose of 'Church Purposes' ". The South Perth Church of Christ have advised City Officers that they received Ministerial approval for use of portion of the land for this Christian-based community radio station a couple of years ago and that more recently, Ministerial approval has also been obtained by the Church for a lease to Sunshine FM.

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

1. Specified Uses

(viii) *Uses not listed in Table 1 of the Scheme being considered under Clause 3.3(7) of the Scheme.*

Comment

(a) Proposed Use

The proposal is a Community Radio Station. This precise use is not listed in Table 1 of Town Planning Scheme No. 6 (TPS6) which sets out the permissibility of listed uses. Associated definitions in TPS6 are 'Radio and Television Installation' and 'Religious Activities', which read as follows:

'Radio and Television Installation' : means any land or building used for the transmission, relay and reception of signals and pictures for commercial purposes."

'Religious Activities' : means services or activities provided or conducted by a religious body or institution in connection with public worship, the State Emergency Services, children's crafts, the promotion of health, geriatric supportive care, youth training and welfare and similar community services undertaken within a building designed and equipped for such activities."

The proposed community-based radio station does not fit either of these definitions. Clause 3.3(7) enables the Council to consider the proposal, provided that it is advertised for community comment under clause 7.3 of the Scheme. This process has been undertaken, and is discussed further under the 'Consultation' section of this report.

(b) Description of the proposal

Land and building: A land area of 3,055 sq. metres of the 'parent lot' has been surveyed and delineated for the proposed use. The site will remain part of the main site and will not be fenced. The proposed building will contain meeting rooms, studios, recording booths, and numerous other areas associated with the activities of the community radio station. Details of proposed materials and finished have not yet been provided, but will be required prior to the issue of a building licence. A standard condition relates to this matter. This is considered satisfactory at this stage, owing to the relatively isolated location of the building.

Car parking and access: The proposal includes car parking for 23 cars. There is no Scheme provision for minimum car parking provision on site. The General Manager of the Station advises that the building is to accommodate 20 full time staff, who will be accommodated within the bays to be provided.

Vehicular access to the site is proposed to be from Murray Street, the carriageway of which will need to be extended at least as far as the proposed car park entrance which is to the north of the building. The Manager, Engineering Infrastructure has provided advice in this respect. His comments are contained in the 'Consultation' section of this report.

In June 2004, the Council considered the matter of an extension of Murray Street, and resolved as follows:

- "That in response to their request, the South Perth Church of Christ be advised that:*
- (a) an extension of Murray Street southwards from McNabb Loop (north) to the southern boundary only of McNabb Loop (south) would be supported conditional upon:*
 - (i) the maximum (Council) contribution payable for the work being \$58,000 representing 50% of the estimated costs of the work;*
 - (ii) approval being obtained for an appropriate development on the site requiring access from Murray Street;*
 - (iii) the construction of Murray Street being project managed by Infrastructure Services; and*
 - (iv) the project not being included onto the Forward Works Program until at least 2005/06.*
 - (b) any proposal to part construct Murray Street south to McNabb Loop (south) does not affect or reduce the impact of the earlier resolutions to not provide a vehicle link of Murray Street from Thelma Street through to Jackson Road and/or Henley Street."*

The current proposal presents an opportunity for the Council to approve a development which relies on Murray Street for its only vehicular access. In June 2004, the cost to construct a 7.0 metre wide carriageway and install local drainage (soak wells or similar) was calculated as \$108,820 plus GST. It is possible that costs have increased in the past two years. The precise design and construction cost cannot be ascertained until a specific road design has been prepared and valued. The 2004

resolution set the principle for the Council and the applicant to share the cost equally. Based on current design and construction costs it is estimated that the works should be no greater than \$75,000 however the applicant will be liable for full payment of 50% of actual road extension costs. The Manager, Engineering Infrastructure suggests that the applicant be invited to commission the design and construction of the road extension to 'Industry Standard Specifications for Residential Streets', under the management of the City, so as to be aware at all times of the actual costs of the project.

Transmission requirements: The antenna which is required as part of the operation of the station will be fixed to the roof. The applicant advises that it is proposed to be 3.0 metres high measured above the roof ridge, and a total of 11.0 metres high measured above the ground. The antenna is classified as being a No. F13. The studio transmitter link output is in the order of 10 watts, and the signal output is 'one-way' carrying the Sonshine FM signal from Como to the transmission site at Bickley. There is a 'red area' hazard boundary (no access area) of 0.1 metre around the antenna, which the applicant is aware of. The Australian Communications Authority (ACA) confirms that the proposal is required to comply with the requirements of the Telecommunications Act and related regulations. Under the Telecommunications Act, an antenna extending no more than 3.0 metres above the roof is deemed to be a 'Low Impact Facility'. The proposal has been processed as such.

Sign: The proposal includes a simple sign containing the Station's logo, which comprises the station's frequency of "98.5", within an oval shape measuring approximately 3.0 metres wide and 1.8 metres from top to bottom. The sign is proposed to be fixed to the gable end of the building, facing north, into the Church of Christ site. The main entry to the building will be from this side. The logo would be of low key colouring, comprising white numerals within a navy blue oval shape with green edging. The proposed logo sign complies with the provisions of both clause 6.12 of TPS6 relating to signs, and also Council Policy P382 relating to signs.

Other: The plans indicate that approximately seven trees will be removed from the site in order to accommodate the proposed building. The *pinus pinaster* trees form part of the original Collier Pine Plantation established in 1926. These trees are not protected by the City.

Other more detailed general requirements of the Manager, Engineering Infrastructure are contained in the 'Consultation' section of this report.

(c) **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 and the general objectives of the Scheme.

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

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, 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:

- (f) any planning policy, strategy or plan adopted by the Council under the provisions of clause 9.6 of this Scheme:*

Council Policy P104 guided the extent and manner of the neighbour consultation process.

- (i) the preservation of the amenity of the locality:*

This is always of prime concern in assessing any application. In this case, there are no directly adjacent or nearby residents, and no adverse amenity impact.

- (j) all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance:*

The proposal has been considered by the City's Design Advisory Consultants. Their comments are provided in the 'Consultation' part of this report, below.

- (o) the cultural significance of any place or area affected by the development:*

The site is long established for use as church-based community services.

- (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:*

The City is negotiating with the South Perth Church of Christ for construction of an extended portion of Murray Street to service the proposed use.

- (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:*

A landscaping plan will be required in the usual way.

(e) Conclusion

As a 'Use Not Listed', there are no specific Town Planning Scheme provisions relating to the development. However, Council must consider relevant matters listed in clause 7.5 of the No. 6 Scheme, as listed above, and these have been satisfactorily met. The proposal should therefore be approved.

Consultation

(a) Design Advisory Consultants' Comments

The design of the proposal was considered by the City's Design Advisory Consultants at their meeting held on 17 July 2006. The proposal was favourably received by the Consultants. Their more specific comments are summarised below:

"The Advisory Architects held no objections to the design of the building, however they expressed concern about the proposed sign projecting above the ridge of the roof. They considered that no sign should project above the ridge line. Further, it was suggested that the identifying sign should be placed on the gable end of the building noting that this is the direction from which it would be viewed from vantage points beyond the site."

The relevant notes of the consultants' group were forwarded to the applicant, and the suggested change has since been effected. A roof sign is no longer proposed, but has been relocated onto the gable end of the building, as suggested.

(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 land within 'Area 2' (ie. Collier Park Golf Course, South Perth Tennis Club, Collier Park Village, and Como High School) were invited to inspect the application and to submit comments during a 14-day period. During the advertising period, no submissions were received.

(c) Manager, Engineering Infrastructure

The Manager, Engineering Infrastructure, has commented on a range of issues relating to car parking and traffic, arising from the proposal. His comments are as follows:

- Having access to a constructed road would be a requirement for occupancy. The City will construct the required length of Murray Street when construction is to take place.
- The Church of Christ is to pay half the construction cost of the Murray Street extension.
- Minimum car bay size is 2.5m wide by 5.5m long. At blind aisles the end bays shall be 1m wider than the adjacent bays. This being the case, the last two bays should be increased to at least 3.5 metres.
- Crossovers are to be constructed to City of South Perth specifications. Paths to be continuous through the crossover. If brick paved crossover, a concrete apron is to be constructed at the kerblines.
- No part of the crossover is to be higher or lower than the existing level of the verge.
- Footpath to be continuous through crossover.
- Crossover to be at ground level. At a point 1500mm from face of kerb path level to be at least 100mm above road level or top of kerb, whichever is the lesser.
- Property line levels are to be higher than the top of the kerb and set by the existing in situ concrete path.
- Stormwater drainage is to be designed in accordance with the requirements of Policy P415 - *Stormwater drainage Requirements for Proposed Buildings* and associated Management Practice for the Como Precinct.
- A drainage design is to be submitted by a Hydraulics Engineer detailing the system including on site storage.
- The ability to store stormwater run off from the design event on site for re-use is encouraged. The stormwater drainage system is to be designed for a 1:10 year Annual Recurrence Interval (ARI). Soak wells can be included in the design.

(d) Legal Advice

The City's legal officer, Mr Sean McLaughlin, has spoken to the applicant who advises that the South Perth Church of Christ obtained Ministerial approval for their proposed use about two years ago, and more recently obtained Ministerial approval for a lease to Sonshine FM.

Mr McLaughlin has also briefly conferred with Barbara Callanan of Mullins Hancock Solicitors, who confirms the City's general view that this is not a 'Planning' matter that needs to influence the Council's determination of this application.

(e) Other City Departments

The Team Leader, Building Services had no comments to make on the proposal at this stage; however, if approved, the proposal will be the subject of a building licence application which will be thoroughly examined at a later stage.

The Manager, Environmental Health Services provided standard comments which will also need to be addressed by the applicant. A footnote to this effect has been added to the recommended planning approval.

Policy and Legislative Implications

Comments in relation to various relevant provisions of the No. 6 Town Planning Scheme and Council policies have been provided elsewhere in this report. Council Policy P394 relating to Telecommunications Infrastructure, refers to 'low impact facilities'. It is the Council policy to support low impact facilities.

Financial Implications

The issue has some impact on this particular area, to the extent of:

- (a) payment of the required Planning Fee by the applicant; and
- (b) the City recouping from the applicant the 50% share of the actual design and construction costs associated with the extension of Murray Street at the completion of these works
- (c) the City providing for the 50% share of the design and construction costs associated with the extension of Murray Street. Depending on the timing of the works an appropriate budget allocation (estimated at \$75,000 maximum) is to be provided by way of a budget review if the works fall within the current financial year or alternatively accommodated in future financial year budgets.

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.

**OFFICER RECOMMENDATION AND
COUNCIL DECISION ITEM 9.3.2**

Moved Cr Trent, Sec Cr Gleeson

That...

(a) 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 a 'Use Not Listed' (Community Radio Station) on Lot 706 (Loc. 3298) Murray Street cnr McNabb Loop, Como, **be approved**, subject to:

(i) **Standard Conditions**

352, 354, 390, 427, 445, 508, 511, 660, 664.

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

(ii) **Specific Conditions:**

(A) The width of the two car bays at the western end of the car park shall be increased to 3.5 metres;

(B) The applicant shall pay to the City 50% towards the cost (estimated to be \$75,000 **Footnote: (E) refers**) of construction of the extended portion of Murray Street southwards to McNabb Loop (south), prior to a building licence being issued;

(C) As required by the Telecommunications (Low Impact Facilities) Determination 1997 as amended, the antenna is to be colour-matched to its background.

(iii) **Standard Important Footnotes**

640, 646, 648, 649, 651.

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

(iv) the applicant be advised that:

(A) The owner or applicant should liaise with the Manager, Engineering Infrastructure with regard to the satisfaction of relevant requirements.

(B) The owner or applicant should liaise with the Manager, Environmental Health and Regulatory Services with regard to relevant requirements.

(C) The owner or applicant should liaise with the Australian Communications Authority with respect to their requirements for the facility.

(D) The current application has been approved on the basis of the antenna details provided as part of this application. The proposed antenna constitutes a 'Low Impact Facility'. Should the need for a different antenna arise in the future, a new application for planning approval will be required at that time.

(E) The applicant be advised that the City is committed to the principle of equally sharing the cost of design and construction of the Murray Street extension southwards to McNabb Loop (south). It is estimated that the half share of the roadworks is likely to be less than \$75,000 however the applicant will be responsible for payment of half of the actual final cost of the road extension. -The applicant is invited to liaise with the City with a view to the applicant commissioning the road design and construction to 'Industry Standard Specifications for Residential Streets', under the management of the City, if desired.

- (b) Council agreement to part construct Murray Street southwards to McNabb Loop (south) does not affect or reduce the impact of the earlier resolutions to not provide a vehicle link of Murray Street from Thelma Street through to Jackson Road and/or Henley Street.
- (c) the City provide for the 50% share of the design and construction costs associated with the extension of Murray Street. Depending on the timing of the works an appropriate budget allocation (estimated at \$75,000) is to be provided by way of a budget review if the works fall within the current financial year or alternatively accommodated in future financial year budgets.

CARRIED (7/5)

Note: Cr Macpherson left the Chamber at 8.30pm and returned at 8.35pm.

9.3.3 Proposed Upgrading of Telephone Booths with Signage Panels

Location:	Various street reserves in commercial centres
Applicant:	The Planning Group
File Ref:	RO/105
Date:	4 September 2006
Author:	Rod Bercov, Manager Development Services
Reporting Officer:	Steve Cope, Director Strategic and Regulatory Services

Summary

The application for planning approval relates to the placement of “third party” commercial advertising on nine telephone booths situated within commercial centres dispersed throughout the City. The recommendation is for approval for the proposed advertising on five of the booths and for refusal in respect of the remaining booths situated in the Mends Street, Angelo Street and Preston Street shopping precincts.

Background

This report includes **Attachment 9.3.3** being the applicant’s report on the proposal which identifies the location of the affected telephone booths. All of the booths are situated in streets within commercial zones.

The application is being referred to the Council meeting under Clause 6 of Council Delegation DC342, which reads as follows:

“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 telephone booths are situated within street reserves adjacent to properties at the following addresses:

- 25 Preston Street, Como
- 47 George Street, Kensington
- 1 Birdwood Avenue, Como
- 77 Angelo Street, South Perth
- 391 Mill Point Road, South Perth
- 13 Mends Street, South Perth
- 39 Mends Street, South Perth
- 39 Walanna Drive, Karawara
- Ley Street (cnr Manning Road), Como

Each of these sites is identified in the report comprising **Attachment 9.3.3**.

Attachment 9.3.3 includes specifications for the proposed new style of telephone booth, the manner in which the advertising panels will be mounted on the booths and the proposed orientation of the advertising panel in each of the proposed locations.

The applicant advises that advertising will be subject to compliance with the Australian Advertising Code of Ethics.

The new telephone booths and associated advertising will be installed by a company known as Adbooth. In the supporting report, the applicants advise that Adbooth has obtained over 700 approvals nationally, with the majority being in metropolitan Melbourne. There are also a number of approvals from NSW and in Brisbane.

Comment

The Council has previously considered commercial advertising on bus shelters and has entered into an agreement with an advertising company for this purpose, however this agreement did not extend to the Mends Street and Angelo Street shopping centres. These two centres and the Preston Street centre have had the benefit of substantial streetscape improvement works, in which the City has sought to create a consistent theme in paving treatments, landscaping and street furniture so as to complement the built form and enhance the overall amenity of the commercial precincts. It is therefore considered that commercial advertising within the street reserve would be unsuitable in these centres. For the same reason, the advertising on telephone booths in these centres is not supported.

All of the identified sites are situated within commercial centres. The proposed 'third party' commercial advertising on telephone booths situated in commercial centres is supported, with the exception of the Mends Street, Angelo Street and Preston Street centres. The officers would not have supported such advertising on booths in residential areas, however no such booths are included in the proposal.

In their report, the applicant expresses the view that, since Telstra advertising is already displayed on telephone booths throughout the district, the character and amenity of the various localities will not be affected by the change to third party commercial advertising. The City officers support this view in general, but do not support this view so far as the Mends Street, Angelo Street and Preston Street centres are concerned. In these centres, it is considered that commercial advertising in the street reserves will have an adverse visual impact, having regard to the manner in which the streetscapes have been upgraded in recent years. As stated above, in consideration of the upgrading of these two centres, the Council was not prepared to permit advertising on bus shelters in the Mends Street and Angelo Street precincts.

The remaining five (5) proposed locations adjoin sites zoned District Centre Commercial (Walanna Drive), Highway Commercial (Mill Point Road, Birdwood Avenue, Ley Street) or Local Commercial (George Street). Those adjoining sites contain land uses which are district, neighbourhood or local shops and in one case, a service station. The five remaining sites exhibit a different character to that of the Mends Street, Angelo Street and Preston Street commercial centres. Arguably there has been less opportunity for the creation of a consistent streetscape theme than in the Mends Street, Angelo Street and Preston Street centres.

Scheme Objectives: Clause 1.6 of No. 6 Town Planning Scheme

The proposal has also been assessed under the following relevant general objectives listed in Clause 1.6(2) of TPS6:

- Objective (h)** *Utilise and build on existing community facilities and services and make more efficient and effective use of new services and facilities; and*
- Objective (j)** *In all commercial centres, promote an appropriate range of land uses consistent with:*
- (i) ...
 - (ii) *the preservation of the amenity of the locality.*

Aside from the concern about commercial advertising in Mends Street, Angelo Street and Preston Street, the proposal has been found to meet these objectives.

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

In considering an application for planning approval, the Council is required to have due regard to, and may impose conditions with respect to the matters listed in Clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposal. 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;*
- (i) *the preservation of the amenity of the locality;*

Aside from the concern about commercial advertising in Mends Street, Angelo Street and Preston Street, the proposal has been found to be satisfactory in relation to these matters.

Consultation

In accordance with Council Policy P104, no neighbour consultation was required in this instance.

The City's Manager Engineering Infrastructure was consulted to confirm that the recommendation in this report is consistent with the approach taken by Council previously when considering a proposal for advertising on bus shelters.

Policy and Legislative Implications

Under the City's No. 6 Town Planning Scheme, the proposed signage requires the submission of an application for planning approval. Clause 6.12(6) of TPS6 states that:

“When determining an application for planning approval for a sign, the Council shall examine the application in the light of the objectives of the Scheme and the precinct, and with particular regard to the character, amenity, historic or landscape significance and traffic safety, within the locality.”

Having considered the current proposal against the provisions of Clause 6.12(6), the conclusion reached is that all of the proposed signs should be approved with the exception of those in the Mends Street, Angelo Street and Preston Street centres. In those centres, it is considered that the proposed advertising signage would not be compatible with the character of the locality.

Financial Implications

This 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.

OFFICER RECOMMENDATION ITEM 9.3.3
--

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 commercial advertising signage be **approved**, so far as it relates to the telephone booths within street reserves adjacent to the properties at:

- 47 George Street, Kensington
- 1 Birdwood Avenue, Como
- 391 Mill Point Road, South Perth
- 39 Walanna Drive, Karawara
- Ley Street (cnr Manning Road), Como

subject to the following conditions:

- (a) No commercial advertising signage shall be placed on the telephone booths within the Mends Street, Angelo Street and Preston Street shopping centres.
- (b) The validity of this approval shall cease if the proposed signs are not installed within 24 months of the date of planning approval.

Important Footnote

If you are aggrieved by aspects of the decision where discretion has been exercised, you may lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.

MOTION

Cr Trent moved the officer recommendation, Sec Cr Maddaford

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Trent opening for the Motion

- officers taken time to look at proposal
- not throughout City
- gauge community reaction to proposal
- if Telstra take proposal further - community can respond
- support Motion

Cr Best against the Motion

- advertising on telephone booths impacts on community
- where is consistency in having some approved and not others
- setting a precedent
- what happens when we approve in not upgraded areas and upgrade later
- if not ok in Angelo and Mends Streets - not ok for rest of City
- against Motion

Cr Gleeson point of clarification - refer Cr Best’s comments - why is application for some areas and not others?

Director Strategic and Regulatory Services advised that it is a matter for Council to decide. He said that it was a question of how Council would go if the advertising were to be challenged. He said Council has previously considered commercial advertising on bus shelters and has entered into an agreement with an advertising company for this purpose, however this agreement did not extend to the Mends Street and Angelo Street shopping centres. These two centres and the Preston Street centre have had the benefit of substantial streetscape improvement works, in which the City has sought to create a consistent theme in paving treatments, landscaping and street furniture so as to complement the built form and enhance the overall amenity of the commercial precincts. It is therefore considered that commercial advertising within the street reserve would be unsuitable in these centres. For the same reason, the advertising on telephone booths in these centres is not supported.

Cr Gleeson closing for the Motion

- within the City there are thousands of bus shelters with advertising - thousands of vehicles pass by - we all live with signs - fact of life
- this application is for approval of four locations for telephone booths
- minor advertising for four telephone booths
- support officer recommendation - support Motion

COUNCIL DECISION ITEM 9.3.3(Note: This Item was re-listed at the October Meeting (Item 9.0.1) to allow Council to formally adopt reasons for refusal.

The Mayor put the Motion

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 commercial advertising signage be **approved**, so far as it relates to the telephone booths within street reserves adjacent to the properties at:

- 47 George Street, Kensington
- 1 Birdwood Avenue, Como
- 391 Mill Point Road, South Perth
- 39 Walanna Drive, Karawara
- Ley Street (cnr Manning Road), Como

subject to the following conditions:

- (a) No commercial advertising signage shall be placed on the telephone booths within the Mends Street, Angelo Street and Preston Street shopping centres.
- (b) The validity of this approval shall cease if the proposed signs are not installed within 24 months of the date of planning approval.

Important Footnote

If you are aggrieved by aspects of the decision where discretion has been exercised, you may lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.

LOST ON THE CASTING VOTE OF THE MAYOR (6/7)

9.3.4 Application re Amphibious Tours - Coode Street Boat Ramp

Location:	City of South Perth
Applicant:	Swan Duck Pty Ltd
File Ref:	GC/PR/9
Date:	8 September 2006
Author:	Mark Taylor Manager City Environment
Reporting Officer:	Glen Flood, Director Infrastructure Services

Summary

The Swan River Trust has referred to the City an application to conduct amphibious tours on the Swan River, utilising the Coode Street boat ramp as the entry and exit point. Similar applications have been considered and approved by Council in 2001, 2004 and in March

MINUTES : ORDINARY COUNCIL MEETING: 26 SEPTEMBER 2006

2006, but none have commenced business to date. It is recommended that this application also be approved subject to a range of conditions.

Background

The Swan River Trust has referred to the City an application by Swan Duck Pty Ltd to conduct an amphibious tour business on the river. The tour proposes to utilise the boat ramp at Coode Street within Sir James Mitchell Park as the entry and exit point. The City has until 30 September to provide comment to the Trust, which will in turn provide a recommendation to the Minister for Environment. The Minister will ultimately decide whether to approve the application or not.

Similar applications have been approved by the Trust following support from the City of South Perth in October 2001, February 2004 and March 2006. The first two applications did not commence business and their approvals subsequently lapsed. The most recent applicant, WA Duck Tours, still has an approval, however no formal advice has been received as to when this might commence. Now a new unrelated company (Swan Duck Pty Ltd) has made an application to the Trust seeking approval.

The applicant has submitted information in support of the proposal, including characteristics and specifications of the amphibious vehicle and hours of operation **Attachment 9.3.4** refers.

The amphibious vehicle is 12.4 metres long and 2.5 metres wide, capable of transporting 49 passengers. The vehicle is capable of driving on normal roads and down in to the water where it operates as a vessel.

The amphibious tours proposal is to undertake water based tours commencing and ending at the Coode Street boat ramp. It is proposed to operate up to six tours daily with each trip taking approximately one hour.

At the March 2006 meeting Council resolved to approve a similar application:

That the Swan River Trust and the applicant be advised that the City of South Perth will grant approval of the use of the Coode Street boat ramp for the amphibious tour vehicle for a period of 12 months subject to the following conditions:

- (a) a detailed assessment be carried out by a suitably qualified Structural Marine Engineer, appointed by the City of South Perth, on the suitability of the boat ramp for this type of operation taking into account the load factors experienced on the ramp whilst the vehicle is exiting the water;*
- (b) the applicant entering into a legal agreement with the City to bear all costs associated with the assessment and any necessary upgrading and future remedial works associated with the use of ramp and erosion around the ramp are to be carried out at the applicant's expense; and*
- (c) the applicant being required to:*
 - (i) observe, conform and perform in accordance with all State and Federal legislation including the Environmental Protection, Workers Compensation and Occupational Health, Safety and Welfare Acts; and*
 - (ii) hold a current public risk insurance policy covering both the applicant and the City against any claim against death or injury to persons or property.*

Comment

To assist the evaluation of the application, input has been sought from the Manager, Engineering Infrastructure, regarding the suitability of the Coode Street ramp.

The comments provided are as follows: -

- Concern is expressed about the ability of the ramp to support the weight of the vehicle. The ramp is basically a suspended concrete slab anchored to piles sunk into the riverbed. The riverbed at the end of the ramp is frequently washed away and there is concern that it may also be occurring beneath the slab.
- The design of the ramp creates width and manoeuvring restrictions in the vicinity of the ramp. This requires further assessment as to suitability of the vehicle.

Other concern includes future plans for the Coode Street ramp. The City has in the past expressed the view that Coode Street boat ramp should be downgraded, particularly now that the new personalised water craft or jet ski ramp has been constructed to the west of the Narrows Bridge. Consequently, any approval should be conditional on the potential likelihood of the ramp becoming unavailable in the future for this type of use.

A significant difference with this application in comparison to the previous is the applicant's intention is to commence and complete the tours at Coode Street. The applicant has not made it clear what he intends to do in regard to attracting his customers. Informal discussions with him indicate that he may wish to request approval to construct additional facilities within the park, however no formal application has been received.

Consultation

The application has been assessed in accordance with the Commercial Activity Statement and recommendations of the Sir James Mitchell Park Foreshore Management Plan which was developed with community consultation.

This application has not been specifically referred to the Sir James Mitchell Park Community Advisory Group as it is a similar operation to that commented on in March 2006. At that time, their comments were:

On balance the comments from the advisory group members indicate general support for the proposal with the following concerns:

- *The strength of the Coode Street boat ramp is questioned as to whether it is strong enough to take the vehicle and if not, who would pay for the strengthening of it?*
- *In the photograph the vehicle puts out a huge amount of spray and churns up the water, what effect would this have on the wildlife?*
- *What are the speed restrictions in the area of the amphibious route?*
- *Number of trips per day, if up to 8 as mentioned what impacts can this have on users of boat ramp area and car parks? This area can get crowded at certain times, will this usage increase frustrations in area?*
- *Issues such as noise levels, pollution from engines and waste etc, disturbance to wildlife in the area are of concern for the whole of the river, not just in the areas adjacent to the South Perth Foreshore, but these are within the responsibilities of the Swan River Trust.*
- *Although there are some concerns about this type of venture on the river, there are already a variety of water-based activities being carried out at the present time. So, as long as the recommendations of the COSP and the SRT are carried out I feel that this is one more opportunity for WA residents and tourists to gain a vision and insight into the beauty of the Swan River and its environs. As always consideration must be taken of the way in which this operation is carried out.*
- *Suggestions for access using ramp near Narrows may be worth considering, but I am not sure what facilities are at present in that area, and if the ramp would be able to support a vehicle of this nature. It would make for an interesting addition if utilised in conjunction with other tourism sites.*
- *I would like to express my support for the proposed Amphibious Vehicle Tours proposal on the Swan River. The proposal will be a much needed tourist attraction for our City.*

Policy and Legislative Implications

The principal policy guiding the City over use of the Coode Street boat ramp is the Sir James Mitchell Park Foreshore Management Plan (April 2001). The following Actions contained within the plan provide guidance when considering this application:

- Action 2: Commercial developments and special events should only be permitted in suitable locations which are chosen after careful consideration of social, environmental and physical planning criteria, in the context of the City of South Perth Policy for Commercial Activity on Sir James Mitchell Park.
- Action 5: Ensure any new water based activity likely to increase crowding on the foreshore be consistent with the infrastructure required to support the activity.

Appendix 1 “Commercial Activity on Sir James Mitchell Park” of the Sir James Mitchell Park Management Plan has been utilised in assessing this proposal.

In Section 1. - **Policy Statement**, the following points are made:

It is recognised that the area known as Sir James Mitchell Park has been created primarily as a regional passive recreation area, which contains significant environmental, conservation and public amenity areas. It is important that these values together with the integrity and amenity of the area are not compromised.

The City of South Perth recognises that limited commercial activity is necessary for the benefit of users however any such activity should be in harmony with the realised values of the parkland.

In Section 3. - **Commercial Activities** it states:

To ensure that a development is appropriate to the area preference will be given to developments which demonstrate a clear integration of water based and land-based activities and where the water based activity forms a significant part of the development.

Under Section 3.3.9 - **Impacts**, development proposals should be considered under the following criteria:

1. Impact on adjoining and adjacent residents

The applicant has not submitted details about noise output of the vehicle. These have been requested from the applicant and his response is set out below. Approval should be conditional on the vehicle meeting noise regulations as set under the *Environmental Protection Act (1986)*.

The manufacturer in the USA has never had to produce such figures as the machines are built on an existing truck chassis which would normally comply anyway. The engine is completely enclosed within the hull. Sound proofing materials built around the engine bay also enhance the noise reduction.

2. Environmental Impacts

The major impact of this operation would be during its water-based activities. Assessment of this is therefore the provenance of the Swan River Trust and DPI.

3. Social and Physical Environment

The site is compatible with the proposed use except for size and weight concerns as detailed with the boat ramp concerns.

- 4. Likely changes to foreshore**
Negligible, if utilising the provided ramp however there could be some erosion concern in the immediate vicinity of the ramp.
- 5. Pollution and erosion**
The major pollution concerns are during the vehicle's water based activities. Erosion, both in the vicinity of the ramp and the adjacent foreshore, is an issue of concern for the City and one that will require ongoing monitoring should the application be approved.
- 6. Public usage and likely impact on access**
The applicant's vehicle is large and will adversely impact access when it is in the vicinity of ramp, however due to the transient nature of the use; this is not considered to be a significant issue.
- 7. Protection of amenity values and without interruption to quiet enjoyment of the parkland by existing passive users**
The boat ramp is currently open for this type of use. Whilst this vehicle will be the largest accessing the ramp, there should not be any additional adverse impacts.
- 8. Public amenities**
Will have little or no impact on the public amenities along the foreshore.
- 9. Traffic and parking impact**
This may present an issue as this application has the amphibious vehicle entering and exiting the river at Coode Street. Consequently, the vehicle may be parked at the adjacent car park in between tours. No advice about this appears in the application.
- 10. Visual amenities**
The applicant's vehicle is large and could have an impact is it will be staying in the area during the day.
- 11. Complementary Activities**
This proposal does not figure strongly in this aspect and has very limited benefits for South Perth. There may be an opportunity to provide added value to South Perth by proposing that one location (eg Old Mill) is included in their cruise back to the City with added incentives offered to consider such aspects.

The Legislative implication of this application is that it is within the Swan River Trust's Management Area and as such is subject to the requirements of the Swan River Trust Act (1988). Council's resolution on this issue will be the subject of consideration by the Swan River Trust Board and then approval or otherwise, with conditions, by the Minister for Environment.

Financial Implications

The direct financial implications are difficult to determine at this stage. However conditions of any approval would need to address the financial risks associated with:

- Any resultant soil erosion costs will need to be met by the applicant.
- Initial ramp maintenance costs to be met by applicant.

Strategic Implications

The assessment of this application relates to the City's Strategic Plan Goal 3, Environmental Management. Strategy 3.3 is of particular relevance:

Ensure all future development and current maintenance of the river foreshore, wetlands, lakes, bushlands and parks is properly planned and sustainable and that interaction with the built environment is harmonious and of benefit to the community.

Conclusion

The amphibious tours proposal by Swan Duck Pty Ltd has been assessed against established policy and assessment criteria. Whilst the proposal does not conflict to any great extent with the assessment criteria, there are concerns about the suitability of the boat ramp for the operation.

Additional input has been provided by officers of the City in respect to the suitability of the ramp at Coode Street to accommodate a vehicle of this nature. The result is that a detailed assessment of the suitability of the ramp needs to be carried out before an approval is finally given. The City should also advise that it may in the future decide to downgrade or move the ramp at Coode Street, but this will be subject to future discussion. Consequently, a twelve month approval period is recommended.

In regard to the possibility of additional facilities being requested within the park, the City will need to consider any application received at that time in light of the recommendations of the Sir James Mitchell Park Foreshore Management Plan, statutory planning regulations and the requirements of the Swan River Trust.

There may be concern that there is already an approval for a company to commence a similar type of operation. Whether that application will become a reality is unknown, however contact has recently been made with City officers regarding aspects of the approval and it appears that the applicant still intends to pursue the commencement of an operation. Whether there is enough business for two operators is not known, but is outside the scope of this assessment.

Conditional approval of the application is recommended to Council.

OFFICER RECOMMENDATION ITEM 9.3.4
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That the Swan River Trust and the applicant be advised that the City of South Perth will grant approval for the use of the Coode Street boat ramp for Swan Duck Pty Ltd to operate an amphibious tour vehicle for a period of 12 months subject to the following conditions:

- (a) a detailed assessment be carried out by a suitably qualified Structural Marine Engineer, appointed by the City of South Perth, on the suitability of the boat ramp for this type of operation taking into account the load factors experienced on the ramp whilst the vehicle is exiting the water;
- (b) the applicant entering into a legal agreement with the City to bear all costs associated with the assessment and any necessary upgrading and future remedial works associated with the use of ramp and erosion around the ramp are to be carried out at the applicant's expense; and
- (c) the applicant being required to:
 - (i) observe, conform and perform in accordance with all State and Federal legislation including the Environmental Protection, Workers Compensation and Occupational Health, Safety and Welfare Acts; and
 - (ii) hold a current public risk insurance policy covering both the applicant and the City against any claim against death or injury to persons or property.

COMMENT ON DEPUTATION ITEM 9.3.4

The Mayor requested an officer comment on the Deputations in relation to Item 9.3.4

The Director Infrastructure Services pointed out that Council's resolution on this issue will be forwarded as a 'comment' to the Swan River Trust for consideration and recommendation to the Minister for the Environment who makes the final decision. He stated that Council is only required to comment in relation to the use of the ramp and that the Swan Duck set up on site is not an issue for consideration at this time. If they did propose to set up a ticketing facility then this would be the subject of a further application. Mr Flood confirmed that the previously approved applications for this type of proposal and the current proposal on the Agenda have all had the same conditions placed on them. He said that there was nothing to prevent the applicant who received approval in March/April 2006 and the current applicant getting together to share costs in relation to the legal agreement with the City and any upgrading/future remedial works associated with the use of ramp.

MOTION

Cr Gleeson moved the officer recommendation. Sec Cr Macpherson.

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Gleeson opening for the Motion

- only giving approval to Swan River Trust in relation to ramp - they have final say
- same conditions as previously approved applications for amphibious tours
- there would be no cost to the City for upgrade of ramp
- support officer recommendation

Cr Macpherson for the Motion

- summary of officer report states similar applications approved in 2001, 2004 and 2006
- same conditions apply to this applicant
- support the Motion

Cr Ozsdolay against the Motion

- March 2006 we approved application from another operator
- issued a licence for a 12 month trial
- trial period included by Council due to reservations re possible impact on ramp / river walls etc
- some reservations in relation to traffic issues / impact on residents
- approved trial with intention of assessing if reservations were founded
- believe to now approve a second application is premature
- see how current licence operates, then evaluate before looking at another application
- against the Motion

Cr Gleeson closing for the Motion

- Swan River Trust make the final decision - they may suggest a trial
- impact on river walls / ramp nothing to do with us cost-wise
- any ramp works, as stated in officer report, will be at applicant's expense
- may seem unreasonable to approve this application when the other operator has not yet started up - that business may not proceed - in any event that is business
- application goes to Swan River Trust for final approval
- to refuse this application believe it will be for no valid reason
- ask Members support Motion

The Mayor put the Motion

LOST (2/10)

NOTE: CR GLEESON REQUESTED IT BE RECORDED THAT HE VOTED **FOR** THE MOTION

COUNCIL DECISION ITEM 9.3.4

Moved Cr Trent, Sec Cr Maddaford

That the Swan River Trust and the applicant Swan Duck Pty Ltd be advised that as the City of South Perth granted approval in March 2006 for the use of the Coode Street boat ramp to WA Duck Tours to operate an amphibious tour vehicle for a trial period of 12 months and as that approval is still current Council will not consider another application until the effectiveness of that trial can be assessed.

CARRIED (11/1)

9.4 GOAL 4: INFRASTRUCTURE
Nil

9.5 GOAL 5: ORGANISATIONAL EFFECTIVENESS

9.5.1 Financial Interests Returns 2005 - 2006

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/201
Date:	7 September 2006
Author:	Sean McLaughlin, Legal & Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

Policy **P523 Submission of Annual Returns** which was adopted by Council in June 2005 provides for the presentation of a report to Council on the lodging of returns as soon as reasonably practicable after 31 August each year.

Background

Part 5 of the *Local Government Act 1995* (the Act) requires Council Members and 'designated employees' (that is, employees with delegated power) to lodge a statement of their financial interests within three months of the commencement of their term or employment respectively (Primary Return) and annually thereafter (Annual Return).

Comment

All Returns relating to Council Members and designated employees were lodged in accordance with the Act by or before 31 August 2006.

Consultation

Nil.

Policy and Legislative Implications

The report records compliance with the statutory requirements governing the lodgement of financial interest returns as required by the *Local Government Act 1995*.

Financial Implications

Nil.

Strategic Implications

The Policy is consistent with Strategic Goal 5:

“To be a professional, effective and efficient organisation.”

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.5.1

That the report on the lodging of Financial Interests Returns for 2005 - 2006 be received.

CARRIED EN BLOC RESOLUTION

9.5.2 2005/2006 Annual Report

Location:	City of South Perth
Applicant:	Council
File Ref:	KM/302
Date:	13 September 2006
Author/Reporting Officer	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to present for adoption, the Annual Report for the City of South Perth for the year ended 30 June 2006 and to set a date for the annual Electors' Meeting.

Background

Section 5.53 of the *Local Government Act* requires that the Annual Report be adopted by Council. This section also contains details of the contents required to be contained in the Annual Report.

Comment

The Annual Report has been prepared and is contained on the Agenda as **Attachment 9.5.2**. Following adoption at the Council meeting, Public Notice is required to be given that the document is available for inspection. An Annual Meeting of Electors is also required to be held within 56 days after receiving the Annual Report.

The 2005/2006 Annual Report incorporating the financial statements for the year, contains all of the necessary statutory requirements and has been designed with commercial principles in mind, ie it contains the full set of financial statements.

The audit for the 2005/2006 financial year has also been completed and the Auditors' Statement is contained in the report. Reports will be produced and will be made available at the Annual Electors Meeting.

It is proposed that pages **three to fourteen** of the 2005/2006 Annual Report will be summarised in a *report to the community*, to be printed in a newsletter style and format and distributed to the City's 20,000 households following the Annual Electors Meeting.

It is suggested that the Annual Meeting of Electors be set on a date determined by the Mayor and Chief Executive Officer. The date set will allow time for the Annual Report to be printed and to be available for inspection during the statutory advertising period (minimum 14 days).

Consultation

A Public Notice will be placed in the City Update regular column featured in the Southern Gazette newspaper advising of the availability of the Annual Report for public inspection together with details of the proposed Annual Electors Meeting. In addition, 20 000 copies of the Community Annual Report will be distributed to residences throughout the City.

Policy and Legislative Implications

Adoption of the Annual Report and holding of Annual Electors' Meeting required by the *Local Government Act*.

Financial Implications

Nil

Strategic Implications

Action required in accordance with the *Local Government Act*. The recommendation of this report is consistent with Goal 5 "Organisational Effectiveness" identified within the Council's Strategic Plan. Goal 5 is expressed in the following terms: *To be a professional, effective and efficient organisation.*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.5.2

Moved Cr Trent, Sec Cr Wells

That....

(a) the City of South Perth Annual Report incorporating the financial statements for the year ended 30 June 2006 be adopted; and
CARRIED BY REQUIRED ABSOLUTE MAJORITY (9/3)

(b) the Annual Meeting of Electors be held on a date to be determined by the Mayor and Chief Executive Officer 2006.

CARRIED (12/0)

NOTE: CRS BEST, JAMIESON AND SMITH REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION TO ADOPT THE ANNUAL REPORT.

9.5.3 Appointment of Audit Assignment - Catering Tender Collier Park Village Hostel
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Location:	City of South Perth
Applicant:	Council
File Ref:	Ten 19/2005
Date:	19 September 2006
Author:	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to appoint a contractor to carry an audit on the Catering Tender for the Collier Park Village Hostel.

Background

In May 2006 the Terms of Reference for the audit of the Collier Park Village Hostel Catering Tender was set by Council as follows:

That the process in relation to the selection and awarding of the annual tender for the outsourcing of catering services for the Collier Park Hostel be audited and a report be presented to Council at the earliest possible time.

Initially CPA Australia was contacted to provide names of suitable firms to conduct the audit but later advised that they were unable to locate any suitable firms that were able to conduct the audit. The Institute of Chartered Accountants (ICA) was then contacted who advised on 31 August 2006 the names of six firms they thought could conduct the audit. These six firms were invited to provide a quotation to carry out the work.

Comment

The Project Brief was forwarded to the following six nominated firms provided by ICA, requesting them to provide quotations to the City by the closing date of 12 noon 18 September, 2006. Of the six names PKF and Bentleys MRI have since declined the assignment:

- BDO
- Horwarth
- PKF (*declined*)
- Grant Thornton
- Bentleys MRI (*declined*)
- RSM Bird Cameron

It was originally anticipated that a report would be prepared for consideration by the Audit and Governance Committee to be held on Monday 25 September 2006 and that a report would be provided to Council for its meeting on Tuesday 26 September with a recommendation from the Audit and Governance Committee.

On reflection the time line for proper consideration was deemed to be too tight and in addition the CEO was unable to attend the Audit and Governance Committee Meeting scheduled for 25 September 2006. Following discussion with the Chairman of the Audit and Governance Committee Councillor Barry Maddaford it was agreed to defer the Audit and Governance Committee for a period of two weeks which would allow a more appropriate period of time for all Committee Recommendations to be reported and considered by Council as they would form part of the October Council meeting Agenda.

Notwithstanding this, it was also agreed that since Council had resolved to appoint the contractor it was agreed that a report would be prepared following the closing date for submissions (18 September 2006) and would be included on the September Council meeting Agenda for consideration.

Following the closing date of 12 noon 18 September quotations have been received from only two of the six nominated firms provided with the Project Brief. They are:

Organisation	Cost
RSM Bird Cameron Chartered Accountants	\$ 24,400.00
Horwath Securities (WA) Pty Ltd	\$ 14,000.00

Both firms are considered to be suitable and qualified to conduct the assignment and have been recommended by the ICA.

Consultation

Consultation has occurred with CPA Australia and with the Institute of Chartered Accountants (ICA) in relation to acquiring names of firms prepared to carry out the audit.

Policy and Legislative Implications

The value of the audit assignment is well within the amount that the Chief Executive Officer has delegated power to approve however in accordance with the Council resolution the awarding of the assignment is referred to Council for approval.

Financial Implications

No specific funding is contained in the budget for this assignment. A budget adjustment will be required at a later time and will be addressed during the first quarter Budget Review.

Strategic Implications

In line with Strategic Plan Goal 5: Organisational Effectiveness.

‘To be a professional, effective and efficient organisation.’

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.5.3

That Horwath Securities (WA) Pty Limited be appointed to conduct the audit assignment of the Collier Park Village Hostel meals tender at a cost of \$14,000.

CARRIED EN BLOC RESOLUTION

9.6 GOAL 6: FINANCIAL VIABILITY

9.6.1 Monthly Financial Management Accounts – August 2006
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Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	9 September 2006
Author / Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

Monthly management account summaries compiled according to the major functional classifications compare actual performance against budget expectations. These are presented to Council with comment provided on the significant financial variances disclosed in those reports.

Background

Local Government (Financial Management) Regulation 34 requires the City to present monthly financial reports to Council in a format reflecting relevant accounting principles. A management account format, reflecting the organisational structure, reporting lines and accountability mechanisms inherent within that structure is considered the most suitable format to monitor progress against the Budget. Information provided to Council is a summary of the detailed line-by-line information supplied to the City’s departmental managers to enable them to monitor the financial performance of the areas of the City’s operations under their control. This format is consistent with the structure of the budget information provided to Council and published in the 2006/2007 Annual Budget.

Combining the Summary of Operating Revenues and Expenditures with the Summary of Capital Items gives a consolidated view of all operations under Council’s control and it measures actual financial performance against budget expectations.

Regulation 35 of the Local Government (Financial Management) Regulations requires significant variances between budgeted and actual results to be identified and comment provided on those identified variances. The City has adopted a definition of 'significant variances' of \$5,000 or 5% of the project or line item value - whichever is the greater. Whilst this is the statutory requirement, the City provides comment on a number of lesser variances where it believes this assists in discharging accountability.

To be an effective management tool, the 'budget' against which actual performance is compared is phased throughout the year to reflect the cyclical pattern of cash collections and expenditures during the year rather than simply being a proportional (number of expired months) share of the annual budget. The annual budget has been phased throughout the year based on anticipated project commencement dates and expected cash usage patterns. This provides more meaningful comparison between actual and budgeted figures at various stages of the year. It also permits more effective management and control over the resources that Council has at its disposal.

The local government budget is a dynamic document and will necessarily be progressively amended throughout the year to take advantage of changed circumstances and new opportunities. This is consistent with principles of responsible financial cash management. Whilst the original adopted budget is relevant at July when rates are struck, it should, and indeed is required to, be regularly monitored and reviewed throughout the year. Thus the Adopted Budget evolves into the Amended Budget via the regular (quarterly) Budget Reviews.

For comparative purposes, a summary of budgeted revenues and expenditures (grouped by department and directorate) is provided throughout the year. This schedule reflects a reconciliation of movements between the 2006/2007 Adopted Budget and the 2006/2007 Amended Budget - including the introduction of the capital expenditure items carried forward from 2005/2006.

A monthly Balance Sheet detailing the City's assets and liabilities and giving a comparison of the value of those assets and liabilities with the relevant values for the equivalent time in the previous year is also provided. Presenting the Balance Sheet on a monthly, rather than annual, basis provides greater financial accountability to the community and gives the opportunity for more timely intervention and corrective action by management where required.

Comment

The major components of the monthly management account summaries presented are:

- Balance Sheet – **Attachments 9.6.1(1)(A) and 9.6.1(1)(B)**
- Summary of Operating Revenue and Expenditure (for all departments except for Infrastructure Services) – **Attachment 9.6.1(2)**
- Summary of Operating Revenue and Expenditure for Infrastructure Services - **Attachment 9.6.1(3)**
- Summary of Capital Items – **Attachment 9.6.1(4)**
- Schedule of Significant Variances – **Attachment 9.6.1 (5)**
- Reconciliation of Budget Movements - **Attachment 9.6.1 (6)**

Operating Revenue to 31 August 2006 is \$23.30M which represents 100% of the Year to Date Budget of \$23.20M. The small favourable variance is due to slightly higher than budgeted rates revenue and parking revenue – partly offset by slightly below expected revenues from rubbish service levies. Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances. **Attachment 9.6.1(5).**

Operating Expenditure to 31 August 2006 is \$4.80M - which represents 94% of the Year to Date Budget of \$5.12M. Operating Expenditure is around 6% favourable in the Administration area - and 7% favourable in the Infrastructure Services area.

The favourable variance in the Administration area is related to a number of smaller favourable variances which are mainly of a timing nature. There are currently several staff positions vacant which is also contributing to the favourable position in the short term. The only significant unfavourable variance at this time is legal expenses which are ahead of the anticipated budget due to costs incurred in defending the Moylan matter. This expenditure is in line with the earlier Council decision on this issue.

The favourable timing differences in the Infrastructure area have arisen largely whilst detailed maintenance programs for the various activities such as parks maintenance, streetscape maintenance, building maintenance and environmental maintenance are developed and scheduled - to ensure that maintenance activities are conducted in a timely, efficient and coordinated manner. These programs are now coming on line and the timing differences will begin to reverse in the upcoming months. Programs for other infrastructure activities such as drainage and roads maintenance are also being developed and implemented at present. Comment on the specific items contributing to the operating expenditure variances may be found in the Schedule of Significant Variances. **Attachment 9.6.1(5)**.

Capital Revenue is \$0.25M at 31 August – against a budget of \$0.17M. The favourable variance relates mainly to revenue received for contributions towards the car park at South Perth Community Hospital. The Q1 Budget Review in October will recognise this revenue and provide for the associated expenditure.

Capital Expenditure at 31 August is \$0.79M against a year to date budget of \$0.65M Most of the capital expenditure program is phased to commence from August to allow time for the administration staff to program works across the year to assist in the efficient management of the program. Capital Expenditure to date is composed mainly of ‘residual costs’ associated with unfinished projects carried forward from 2005/2006 into the new financial year.

A summary of the progress of the capital program (including approved carry forward works) by directorate is provided below:

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO / Financial & Info Services	247,500	362,380	146%	1,852,000
Corp & Community Services	81,500	25,967	32%	1,301,454
Strategic & Reg Services	14,200	3,357	24%	86,500
Infrastructure Services	307,000	395,170	128%	7,636,549
Underground Power	-	-	-	4,820,000
Total	650,200	786,874	121%	13,748,503

Further comment on the variances relating to Capital Revenue & Capital Expenditure items may be found in **Attachment 9.6.1 (5)** .

Consultation

This financial report is prepared to provide financial information to Council and to evidence the soundness of the administration’s financial management. It also provides information and discharges financial accountability to the City’s ratepayers.

Strategic Implications

This report deals with matters of financial management which directly relate to the key result area of Financial Viability identified in the City's Strategic Plan – *'To provide responsible and sustainable management of the City' financial resources'*.

Policy and Legislative Implications

In accordance with the requirements of the Section 6.4 of the *Local Government Act* and *Local Government Financial Management Regulations 34 & 35*.

Financial Implications

The attachments to this report compare actual financial performance to budgeted financial performance for the period.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.6.1

That

- (a) the monthly Balance Sheet and Financial Summaries provided as **Attachment 9.6.1(1-4)** be received; and
- (b) the Schedule of Significant Variances provided as **Attachment 9.6.1(5)** be accepted as having discharged Councils' statutory obligations under *Local Government (Financial Management) Regulation 35*.
- (c) the Summary of Budget Movements and Budget Reconciliation Schedule for 2006/2007 provided as **Attachment 9.6.1(6)(A)** and **9.6.1(6)(B)** be received.

CARRIED EN BLOC RESOLUTION

9.6.2 Monthly Statement of Funds, Investments & Debtors at 31 August 2006

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	8 September 2006
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

This report presents to Council a statement summarising the effectiveness of treasury management for the month including:

- The level of controlled Municipal, Trust and Reserve funds at month end.
- An analysis of the City's investments in suitable money market instruments to demonstrate the diversification strategy across financial institutions.
- Statistical information regarding the level of outstanding monies pertaining to Rates and General Debtors.

Background

Effective cash management is an integral part of proper business management. Responsibility for management and investment of the City's cash resources has been delegated to the City's Director Financial and Information Services and the Manager Financial Services. These officers also have responsibility for the management of the City's Debtor function and oversight of collection of outstanding debts.

In order to discharge accountability for the exercise of these delegations, a monthly report is presented detailing the levels of cash holdings on behalf of the Municipal and Trust Funds as well as the funds held in "cash backed" Reserves. Significant holdings of money market

instruments are involved so an analysis of cash holdings showing the relative levels of investment with each financial institution is provided. Statistics on the spread of investments to diversify risk provide an effective tool by which Council can monitor the prudence and effectiveness with which the delegations are being exercised. Finally, a comparative analysis of the levels of outstanding rates and general debtors relative to the equivalent stage of the previous year is provided to monitor the effectiveness of cash collections.

Comment

(a) Cash Holdings

Total funds at month end of \$33.7M compare very favourably to \$32.8M at the equivalent stage of last year. This is due to several factors including the very good cash collections from rates levied in July (1.7% ahead of last year) and the positive cash flow implications of the City changing the way in which it remits its ESL collections to FESA (we will now be making pre-determined quarterly remittances rather than the actual monthly collections remittance approach used in previous years). After adjusting for this cash flow impact and the lesser level of funds quarantined for carry forward capital works compared to last year, the net position is in fact improved relative to August 2005/2006.

Monies taken into the new year and those collected subsequently are invested in secure financial instruments to generate interest income until those monies are required to fund operations or projects later in the year as construction initiatives progress.

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$16.9M (compared to \$17.3M in 2005/2006). **Attachment 9.6.2(1)**. The major reason for the slightly reduced level of funds held compared to last year is that funds relating to carried forward capital works have a much lesser value than at 31 August last year.

(b) Investments

Total investment in short term money market instruments at month end is \$33.5M compared to \$32.5M last year. The difference again relates to improved cash collections and the timing implications of the changed ESL remittance arrangements – despite the City having considerably less funds held for carry forward works than the figure at the same time last year.

Funds held are responsibly spread across various institutions to diversify risk as shown in **Attachment 9.6.2(2)**. Interest revenues (received and accrued) for the year to date total \$0.25M, which slightly up from \$0.23M at the same time last year. This is primarily attributable to higher cash holdings and the higher interest rates prevailing at this time.

The average rate of return for the year to date is 6.06%. The anticipated yield on investments yet to mature is currently 6.15%- reflecting astute selection of investments after considering our cash flow management needs. The City actively manages its treasury funds to pursue responsible, low risk investment opportunities that generate interest revenue to supplement its rates income.

(c) Major Debtor Classifications

The level of outstanding rates relative to the equivalent time last year is shown in **Attachment 9.6.2(3)**. Rates collections to the end of August 2006 represent 61.2% of total rates levied compared to 60.5% at the equivalent stage of the previous year.

This is the City's best ever rates collection result as at the end of August - and suggests that the 2006/2007 rating strategy and the communication strategy supporting our rates notice and budget were both very successful.

The City has again offered a range of appropriate, convenient and user friendly payment methods in 2006/2007. As is evident from the rates collection results, the early payment incentive scheme (generously sponsored by local businesses) has again had a very positive impact on rates collections this year. Automated payment models were well supported with 18% paying by internet, 18% via BPay and 48% by Aust Post Billpay.

Those ratepayers who paid their rates in full by the due date of 23 August 2006 have all been entered into the Rates Early Payment Incentive Prize Draw which will be performed in two stages – the first to select the prize winners at the September Council Briefing and the second at which those ratepayers will actually receive their prize at a date to be determined in October.

General debtors stand at \$1.8M at 31 August 2006 compared to \$1.5M at the same time last year. The major difference is the higher level of outstanding debtors for infringements and sundry debtors – such as road grants receivable.

Consultation

This financial report is prepared for Council and the City's management to evidence the soundness of financial management being employed by the administration. It also provides information that discharges accountability to our ratepayers. Community consultation is not a required part of these responsibilities.

Strategic Implications

This report deals with matters of financial management which directly relate to the key result area of Financial Viability identified in the City's Strategic Plan – *'To provide responsible and sustainable management of the City's financial resources'*.

Policy and Legislative Implications

Consistent with the requirements of Policy P603 - Investment of Surplus Funds and Delegation DM603. The provisions of Local Government Financial Management Regulation 19 are also relevant to the content of this report.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.6.2

That the 31 August 2006 Statement of Funds, Investment and Debtors comprising:

- Summary of All Council Funds as per **Attachment 9.6.2(1)**
 - Summary of Cash Investments as per **Attachment 9.6.2(2)**
 - Statement of Major Debtor Categories as per **Attachment 9.6.2(3)**
- be received.

CARRIED EN BLOC RESOLUTION

9.6.3 Warrant of Payments Listing
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Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	8 September 2006
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent ,Director Financial and Information Services

Summary

A list of accounts paid by the CEO under delegated authority between 1 August 2006 and 31 August 2006 is presented for information to the 26 September 2006 Council meeting.

Background

Local Government Financial Management Regulation 11 requires a local government to develop procedures to ensure the proper approval and authorisation of accounts for payment. These controls relate to the organisational purchasing and invoice approval procedures documented in the City's Policy P605 - Purchasing and Invoice Approval.

They are supported by Delegation DM605 which sets the authorised purchasing approval limits for individual officers. These processes and their application are subjected to detailed scrutiny by the City's Auditors each year during the conduct of the Annual Audit. Once an invoice has been approved for payment by an authorised officer, payment to the relevant party must be made from either the Municipal Fund or the Trust Fund and the transaction recorded in the City's financial records.

Comment

A list of payments made since the last list was presented is prepared and presented to the next ordinary meeting of Council and recorded in the minutes of that meeting. It is important to acknowledge that the presentation of this list (Warrant of Payments) is for information purposes only as part of the responsible discharge of accountability. Payments made under this delegation can not be individually debated or withdrawn.

Consultation

This is a financial report prepared to provide financial information to Council and the City's administration to provide evidence of the soundness of financial management being employed by the administration. It also provides information and discharges financial accountability to the City's ratepayers.

Strategic Implications

This report deals with matters of financial management which directly relate to the key result area of Financial Viability identified in the City's Strategic Plan – *'To provide responsible and sustainable management of the City's financial resources'*.

Policy and Legislative Implications

Consistent with the requirements of Policy P605 - Purchasing and Invoice Approval & supported by Delegation DM605.

Financial Implications

Payment of authorised amounts within existing budget provisions.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.6.3

Moved Cr Maddaford, Cr Cala

That the Warrant of Payments for the month of August 2006 as detailed in the Report of the Director Financial and Information Services, **Attachment 9.6.3**, be received.

CARRIED (11/1)

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

10. APPLICATIONS FOR LEAVE OF ABSENCE

10.1 Request for Leave of Absence - Cr Hearne 8.10.2006 - 15.10.2006 inclusive

Moved Cr Trent, Sec Cr Ozsdolay

That Cr Hearne be granted leave of absence from all meetings from 8 October until 15 October 2006 inclusive.

CARRIED (12/0)

11. COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
Nil

13. MEETING CLOSED TO PUBLIC

13.1 Matters for which the Meeting May be Closed.

Nil

13.2 Public Reading of Resolutions that may be made Public.

Nil

14. CLOSURE

The Mayor closed the meeting at 9.30pm and thanked everyone for their attendance.

DISCLAIMER

The minutes of meetings of the Council of the City of South Perth include a dot point summary of comments made by and attributed to individuals during discussion or debate on some items considered by the Council.

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate.

Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These Minutes were confirmed at a meeting on 24 October 2006

Signed _____

Chairperson at the meeting at which the Minutes were confirmed.

