



NOTES

April Council Agenda Briefing
Held in the Council Chamber
Tuesday 17 April 2007
Commencing at 5.30pm

Present:

Councillors:

J Best	Civic Ward
G W Gleeson	Civic Ward (from 5.43pm)
L M Macpherson	Como Beach Ward (from 6.05pm)
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 (Chairman)
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr M Kent	Director Financial and Information Services
Mr S Cope	Director Strategic and Regulatory Services
Mr L Croxford	Acting Director Infrastructure
Mr C Buttle	Manager Development Assessment
Ms D Gray	Manager Financial Services
Mr N Kegie	Manager Community, Culture and Recreation (until 5.45pm)
Mr R Bercov	Strategic Urban Planning Adviser (until 6.38pm)
Mrs K Russell	Minute Secretary

Apologies

Mayor, J Collins, JP	
Mr R E Burrows	Director Corporate and Community Services - ill

Gallery

Six members of the public and one member of the press were present.

OPENING

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

ITEMS THE SUBJECT OF THE AGENDA BRIEFING

The Chief Executive Officer commenced the presentation and gave a brief summary of each of the following reports on the April 2007 Council Agenda. Questions and points of clarification were raised by Members and responded to by the officers.

9.2.1 Disability Access and Inclusion Plan

This report present the Disability Access Plan for endorsement following the completion of the community consultation/submission period.

9.2.2 Graffiti Management

This report outlines a proposed Graffiti Management Program for the City.

Note: Cr Gleeson arrived 5.43pm

Manager Community, Culture and Recreation retired from the meeting at 5.45pm

9.3.1 Reconsideration of Conditions of Planning Approval

A request has been received to review two conditions of planning approval, relating to floor levels and eaves overhangs, for a proposed two storey single house at No.112 Angelo Street.

9.3.2 Public Transport Jetty - Mends Street

This report considers concept plans for the proposed second jetty at Mends Street. The Council previously recommended refusal for this structure and the associated extensions to the Bellhouse Café, however the Minister granted development approval.

9.3.3 Amendment No. 9 to TPS6 Re realignment of boundaries and building height Limits for five lots in South Perth Esplanade and Parker Street.

The purpose of Amendment No. 9 is to correct an inadvertent error appearing in part of the Scheme Map for Precinct 1 - Mill Point. This report outlines the submissions received following public advertising.

9.3.4 Healthy Rivers Action Plan

Swan River Trust has released a draft "Healthy Rivers Action Plan" for the Swan and Canning Rivers for community and local authority comment. This report reviews the draft plan and recommends a submission be sent to the Swan River Trust.

9.3.5 Application for Strata Title Certificate - Multiple Dwelling development 12-14 Stone Street

This report relates to an application for a Strata Title Certificate, however issues need to be addressed in relation to a number of variations from the approved building licence drawings.

Note: Cr Macpherson arrived at 6.05pm

9.4.1 Vacant Crown Land adjacent to Kwinana Freeway South from Canning Bridge

The Department for Planning and Infrastructure has identified a number of relatively small parcels of land south of the Canning Bridge acquired for, but not included in, the controlled access/Freeway reserve. Council is now requested to reaffirm its acceptance of the Management Orders on each of the identified lots.

Note: Cr Jamieson left the Chamber at 6.35pm and returned at 6.40pm

9.4.2 Metropolitan Regional Road Group Funding Submission

This report deals with a submission for consideration by Main Road for road grant funding of certain projects.

Note: Strategic Urban Planning Adviser retired from the meeting at 6.38pm

9.4.3 Tender for Mowing of Verges, Median Strips and Rights of Way

This report reviews the tenders received following the calling of tenders for mowing of verges, median strips and rights-of-way.

9.5.1 Planning Approvals Determined under Delegated Authority

This report advises Council of applications for planning approval determined under delegated authority during the month of March 2007.

Note: Cr Doherty left the Chamber at 6.42pm

9.5.2 Use of the Common Seal

This report details use of the Common Seal during March 2007.

9.5.3 South-East Metropolitan Regional Council - Re-Appointment of Council Delegates

The purpose of this report is to provide for continuity for the South East Metropolitan Regional Council (SEMRC) up to the ordinary elections of local government to be held on 20 October 2007.

9.6.1 Monthly Financial Management Accounts for March 2007

This report details the monthly management account summaries.

9.6.2 Monthly Statements of Funds, Investments and Debtors

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

9.6.3 Warrant of Payments

This report lists accounts paid by the CEO under delegated authority for the month of March 2007.

Note: Cr Doherty returned to the Chamber at 6.44pm

9.6.4 Financial Statements for Quarter Ended 31 March 2007'

This report presents an Operating Statement for the period ended 31 March 2007.

9.6.5 Budge Review for Quarter Ended 31 March 2007

This report deals with a review of the 2006/2007 Adopted Budget for the period to 31 March 2007.

9.7.1 Recommendation from CEO Evaluation Committee Meeting

This report considers recommendations arising from the CEO Evaluation Committee meetings held 28 March 2007 and 18 April 2007 which require a Council decision.

11.1 Notice of Motion Cr Ozsdolay

The CEO reported to the meeting, that in view of legal advice received, that he needed to speak with the 'mover' of the proposed Motion.

Closure

The Deputy Mayor closed the Agenda Briefing at 6.55pm.



NOTES

Plot Ratio Workshop

Held in the Council Chamber, Sandgate Street, South Perth
Wednesday 18 April 2007 commencing at 5.30pm

Present

Mayor J Collins, JP (until 6.35pm)

Councillors:

J Best	Civic Ward
G W Gleeson	Civic Ward
L M Macpherson	Como Beach Ward (from 6.00pm)
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
S Doherty	Moresby Ward (from 6.16pm)

Officers

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Mr L Croxford	Acting Director Infrastructure Services
Mr C Buttle	Manager Development Assessment
Mr R Bercov	Strategic Urban Planning Adviser
Mr S McLaughlin	Legal and Governance Officer
Mrs K Russell	Minute Secretary

Legal Advisers

Mr Denis McLeod	McLeods
Mr Craig Slarke	McLeods

Apologies

Cr S Doherty	Moresby Ward - anticipated late arrival
Cr B W Hearne	Como Beach Ward
Cr D S Smith	Mill Point Ward

OPENING

The Mayor opened the Workshop at 5.30pm, welcomed everyone in attendance, reiterated to Members that as it was a workshop, he would not be Chair and it was not part of the decision-making process but an opportunity for them to raise questions. He further advised that he would be leaving the meeting at 7.00pm to officiate at another function.

The Chief Executive Officer introduced Messrs McLeod and Slarke and advised that the Workshop came about following the Director Strategic and Regulatory Services' recent attendance at a briefing by Craig Slarke to the Local Government Planners' Association in relation to Section 23 of the *Strata Titles Act*. He said that in view of the issues in relation to the Stone Street development currently before Council it was felt that a similar briefing from Mr Slarke in relation to the research and investigation he has done on this issue would be beneficial. This also coincided with discussions with the Deputy Mayor in relation to seeking independent advice on this matter.

1. **Strata Title Act**

Mr Craig Slarke of McLeods gave a presentation on the following topics and responded to Members questions:

- *Strata Titles Act*
- Interpretation of Section 23 of *Strata Titles Act*
- Section 23 (1) of the *Strata Titles Act* - local government obligations
- Section 23 (2) of the *Strata Titles Act* - local government obligations including 'separate occupation' and Town Planning Scheme compliance / amenity issues.

Note: Cr Macpherson arrived at 6.05pm

2. **Questions in the Context of Development Nos. 12-14 Stone Street**

Mr Denis McLeod addressed the following questions in relation to the development at Nos. 12-14 Stone Street, South Perth and responded to Members questions.

- Whether the reference in Section 23(2) of the *Strata Titles Act* to the local planning scheme requires that plot ratio must comply
- Whether discretion is available to Council to approve plot ratio above the maximum specified in the TPS.
- If discretion is available to Council with respect to plot ratio to what extent discretion can be exercised
- Where there is some non-compliance with the planning approval, but the 'as constructed' building complies with the approved building plan, whether and what action the local government is obligated to take

Messrs Slarke and McLeod addressed the following questions and responded to Members questions:

- Sequence of issue of Certificate of Classification vs. local government Form 7 Strata Certificate.
- Liability of the City in the event that a Strata Title Certificate is not issued by Council at its April meeting.

Note Mayor Collins retired from the workshop at 6.35pm

- City of South Perth Council resolution 27/3/07 Item 11.3. Certification by accredited building professional as to height, setbacks and plot ratio - validity of this requirement under present legislation.

Points covered in discussion included:

- Section 23(2) Part (c) turns on the amenity impact of the building; what is or may be significant is a change that on consideration can be determined to have some material impact on amenity.
- The State Administrative Tribunal has given some guidance on the tests which should be applied in decision-making on such matters and these were summarised in the Heppingstone

- Local Government has a general discretion as to whether to take action, this partly depends on whether the variation is gross or insignificant
- The Strata Titles Act requires an inspection to be conducted prior to issue of a Form 7 Strata Certificate; there is no requirement in legislation that one inspection occur before the other and in practical terms it is logical to undertake the strata inspection first.

Note: The points covered above are a summary of the points covered in some depth at the workshop and should not be taken to represent legal or professional advice and no person should rely upon these Notes.

3. Closure

Cr Maddaford thanked Messrs McLeod and Slarke for their presentation which he stated had been very helpful. He then closed the Workshop at 7.00pm



NOTES

CONCEPT FORUM

- Waterford Triangle Stage 2 Project
 - Transfer Station Review
 - Future Waste Management Options
- Held in the Council Chamber, Sandgate Street, South Perth
Monday 23 April 2007 commencing at 5.30pm**

Present

Deputy Mayor, Cr R B Maddaford (Chairman)

Councillors:

L M Macpherson	Como Beach Ward (from 6.10pm)
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
K R Trent, RFD	Moresby Ward

Officers

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Glen Flood	Director Infrastructure Services
Mr S Camillo	Manager Environmental Health and Regulatory Services (from 6.00pm)

Apologies

Mayor J Collins, JP	
Cr S Doherty	Moresby Ward
Cr D S Smith	Mill Point Ward - leave of absence

OPENING

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

1. Waterford Triangle Stage 2 Project Timeline

The Chief Executive Officer, Mr Cliff Frewing introduced the subject of the briefing.

The Director Strategic and Regulatory Services advised that Council had considered the Waterford Triangle Stage 1 Community Engagement project at its February 2007 meeting and that the outcomes detailed in that report were:

- report publicly available on City website and libraries
- WAPC grant acquittal to be completed
- DPI participation sought to be in Stage 2 project
- WAPC Stage 2 funding application to be prepared
- Community Advisory Committee to be convened on receipt of WAPC advice

The Director Strategic and Regulatory Services advised that the content of the Stage 2 consultant brief would include:

- community engagement/consultation program
- infrastructure/servicing constraints and opportunities
- development of draft urban design concept
- development of precinct plan and Town Planning Scheme Amendment

The Director Strategic and Regulatory Services presented the following indicative draft timetable for Stage 2 of the project:

START DATE	DURATION (APPROX)	TASK
TBC	0 WEEKS	Advice of WAPC funding
TBC	4 WEEKS	Finalisation of consultant's brief
TBC	12 WEEKS	Tender Process/Consultant selection
TBC	4 WEEKS THEN ONGOING	Community engagement program
TBC	4 WEEKS THEN ONGOING	Liaison with servicing authorities
TBC	8 WEEKS	Development of draft Urban Design
TBC	4 WEEKS	Submission of interim report
TBC	8 WEEKS	Consultation on draft Precinct Plan
TBC	44 WEEKS	Total time to draft TPS Amendment stage

Council Members present requested that the Concept Forum briefing notes incorporate the tasks and timeline and that a letter be forwarded to stakeholders informing them of the status of the project. Council Members present favoured undertaking a site inspection on a Wednesday or Thursday at close of business hours and this would be arranged.

2. **Transfer Station Review**

The Chief Executive Officer introduced the subject of the briefing. The Manager Environmental Health and Regulatory Services provided an update on the current status of the Collier Park Waste Transfer Station, particularly:

- Background of the transfer station development
- Operating/rostering arrangements
- Buildings and Infrastructure
- Building maintenance plan
- Waste types and tonnages received
- Entry vouchers verses total usage
- Impact of verge side collections on waste tonnages received at transfer station
- Financial analysis - disposal to landfill
- Future directions for transfer station

The presentation provided the opportunity for Councillors to ask questions on the operating practices and waste separation/minimisation programs being conducted at the transfer station.

The presentation focused on the financial analysis and the true total cost for disposing of waste deposited at the transfer station and transported to landfill. This will be subject to further review and future fees and charges will be the subject of a further report to Council.

3. Future Waste Management Options

The Deputy Mayor introduced the topic. The Chief Executive Officer then made introductory comments . The Director Strategic and Regulatory Services presented a Power Point presentation including:

- City of South Perth waste management data
(ie. MSW/recyclable/greenwaste/kerbside/street and reserve tonnes collected)
- SEMRC Resource Recovery Feasibility Study - phases of the study and current position as at March 2007.
- RRF feasibility study key issues and findings to date including progress on consideration of sites
- Other issues with respect to SEMRC including CEO recruitment, additional participating member Councils and anticipated completion of the current feasibility study by October 2007.
- Future waste management options involving the SEMRC and other regional councils.

It was noted that the current CEO of SEMRC would deliver a briefing to Council on the progress of the RRF feasibility study in June 2007 and that further information would be circulated to Councillors via the Bulletin.

4. Declarations of Interest - Re Item 11.1 of the April 2007 Council Agenda

The Chief Executive Officer provided an update on Item 11.1 - Payment of Legal Fees contained in the April 2007 Council Agenda and provided a proforma Declaration of Interest.

5. Closure

The Deputy Mayor closed the Concept Forum at 7.35pm.



NOTES

CONCEPT FORUM

Collier Park Golf Course

**Held in the Council Chamber, Sandgate Street, South Perth
Tuesday 1 May 2007 commencing at 6.00pm**

Present

Mayor J Collins, JP

Councillors:

C A Cala	McDougall Ward
R Wells, JP	McDougall Ward
K R Trent, RFD	Moresby Ward

Officers

Mr R Burrows	Director Corporate and Community Services
Mr M Kent	Director Financial and Information Services (until 7.10pm)
Mr B Crosse	Manager Information Technology (until 7.10pm)
Mrs K Russell	Minute Secretary

Guests

Mr Ross Metherell)	
Ms Kathy Maxwell)	Rosetta Holdings Pty Ltd
Mr David Wilson)	
Mr Graham Partridge	Consultant for Rosetta Holdings

Apologies

Cr L M Macpherson	Como Beach Ward - leave of absence
Cr L P Ozsdolay	Manning Ward
Cr D S Smith	Mill Point Ward - leave of absence
Cr R B Maddaford	Mill Point Ward
Cr S Doherty	Moresby Ward

OPENING

The Mayor opened the Concept Forum at 6.00pm and welcomed the representatives from Rosetta Holdings to this important presentation. He apologised that several Councillors were unfortunately away and stressed that it was not due to a lack of interest on their part.

1. Collier Park Golf Course Concept Plan

The Director Corporate and Community Services introduced the 'team' from Rosetta and their consultant, Graham Partridge and referred Members to the hard-copy of the presentation tabled at the commencement of the meeting.

The Lessee, Ross Metherell commenced the presentation by providing Members with a brief background on his personal involvement at the Collier Park Golf Course and also to that of Kathy Maxwell his life and business partner and David Wilson also a business partner. He gave a brief overview of the staff employed in the running of the golf course and then introduced Graham Partridge to present the proposal for the future of the course.

Mr Partridge gave a powerpoint presentation covering the following topics:

- History of Collier Park Golf Course
- Improvements at the Course
- Why Collier Park Golf Course is WA's Premier Public Golf Course
- Further Improvements / Upgrades Required
- Proposed Two-Level Automatic Covered Driving Range/Short Game Practice Facilities
- Lease Options
- Financial Considerations
- Visual Presentation of Proposed New Facilities

Questions were raised by Members and responded to by Rosetta Holdings.

The Mayor stated that looking back 25 years ago Collier Park Golf Course was a vision for the City to provide income and a facility for the community that could not afford private golf club fees. This has now resulted in a success story and 25 years on it is the City's icon and considered a major investment for the City. He said there are exciting times ahead with the vision for the future and how that vision turns out is up to Council as to how it goes forward. The Mayor thanked Ross for his contribution, acknowledged that the plan was conceptual at this stage and said he anticipated that Council will receive another briefing at a later date. He suggested Members now take the opportunity to analyse the proposal presented. The Mayor then thanked Rosetta Holdings for their presentation and again apologised for the lack of numbers which was due to timing.

Director Corporate and Community Services sought clarification on the 'other option' referred to and asked: Is this option predicated on the basis that a 21 year lease will still be entered into over and above the initial 2 year period requested? If this is correct is it then proposed that this 2 year period will be used to liaise with the City to get the details of the infrastructure in place?

Ross Metherell confirmed that this was correct.

The Mayor thanked everyone for their presentations and closed this part of the briefing at 7.10pm.

2. **Where to From Here - Future Options**

Following general discussion an indication was given by Members in attendance that:

- The Director Corporate and Community Services source an independent consultant with expertise in golf course financial analysis to provide a financial study along with relevant comments from the City's perspective, on the proposal presented to Council by Rosetta Holdings. It was also indicated that the Consultant be requested to provide comments on other options
- A further briefing be scheduled on this matter when the study is completed.

4. **Closure**

The Mayor closed the Concept Forum at 7.28pm.



NOTES

CONCEPT FORUM

Consultation Policy P104

**Held in the Council Chamber, Sandgate Street, South Perth
Tuesday 8 May 2007 commencing at 6.55pm**

Present

Mayor J Collins, JP (Chairman)

Councillors:

J Best	Civic Ward
G W Gleeson	Civic Ward
B W Hearne	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
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Strategic and Regulatory Services
Mr C Buttle	Manager Development Assessment
Mr R Bercov	Strategic Urban Planning Adviser
Mrs G Fraser	Senior Strategic Planning Officer
Mrs K Russell	Minute Secretary

Apologies

Cr L M Macpherson	Como Beach Ward - leave of absence
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OPENING

The Mayor opened the Concept Forum at 6.55pm and welcomed everyone in attendance.

The Chief Executive Officer reported to the meeting that the night's presentation covered a review of Policy P104 and was the first of many projects proposed to be undertaken by Rod Bercov, the Strategic Urban Planning Adviser and Gina Fraser, the Senior Strategic Planning Officer following the recent 'split' of the Planning Department which enabled them to now concentrate on strategic and policy matters. He said that the purpose of the presentation was to go through the elements of principal change in policy P104 which was the subject of a report on the May Council Agenda.

1. Review of Policy P104 “Neighbour and Community Consultation in Planning Processes”

The Strategic Urban Planning Adviser presented an overview of the review of Policy P104 and covered the following topics:

- Background -
 - Council Policy P104 is the City’s first neighbour consultation Policy for Planning processes.
 - Became operative on 26 July 2005.
 - P104 is a Council Policy and a ‘Planning Policy’ - is therefore subject to processes prescribed in TPS6 for planning policies.
 - This is the first review of Policy P104
- Factors taken into account -
 - Input by the Planning Team based on use of P104 since July 2005.
 - Input from Cr Doherty in response to an open invitation to all Council Members.
 - Input from Executive Management Team
 - Input from Legal and Governance Officer.
 - Detailed re-examination of the entire Policy
- Major changes throughout -
 - General improvement, clarification, consistency, corrections and additions.
 - Reference in P104 to ‘Director’ now expanded to refer to relevant Managers.
- Clause 1 ‘Extent of consultation’ -
 - Simplification and clarification of ‘Area 3’ definition and diagrams.
- Clause 2 ‘Preparation of submissions’ -
 - New clause.
 - Factors submitters should bear in mind when preparing a submission to enable the Council to make a balanced assessment of a proposal.
- Clause 3 ‘Council’s processing and consideration of submissions’ -
 - New clause.
 - Explanation of how Council deals with submissions.
- Clause 4 ‘Applications for planning approval’ -
 - Generally no consultation where the City is not the decision-maker.
 - New provisions re consultation during public holidays, eg. Christmas/New Year period
- Clause 7 ‘Heritage List’ -
 - New clause.
 - Consultation provisions-combination of ‘Policy’ requirements/ ‘MHI’ current practice.
- Clause 8 ‘Municipal Heritage Inventory’ -
 - New clause.
 - Consultation provisions are based on current practice.
- Consultation Matrix
- Council Members’ Input

2. Where to From Here

Following general discussion together with input from Members the following areas were identified for investigation/modification:

- Matrix - areas of use and alternative format
- legal advice be sought in relation to making planning/building plans available to the public
- develop consultation process for community forums
- notification to a greater number of neighbouring residents
- accommodating comments from submitters 'remote' from development site
- likely need for Scheme Amendment to TPS6
- issues relating to Delegated Authority to Director/Managers

It was agreed that the report on the review of Policy P104 proposed for inclusion on the May Council Agenda be withdrawn pending further research being carried out and incorporating the suggestions/comments made by Members.

As a consequence the Strategic Urban Planning Adviser stated that it would take several months to carry out the proposed investigations/changes and the reviewed policy would then be presented to another briefing before being the subject of a report to Council.

4. Closure

The Mayor closed the Concept Forum at 8.00pm.



Our Ref: 805/2/11/2
 Enquiries: Neil Robinson
 Your Ref: WA6/L389

CITY OF SOUTH PERTH	
9 FEB 2007	
Doc ID No:	
File No:	WA6/L389
Original To:	LP/206
M/CO	
Action <input type="checkbox"/>	Info <input checked="" type="checkbox"/>
File <input type="checkbox"/>	

Chief Executive Officer
 City of South Perth
 Civic Centre
 Cnr Sandgate St and South Tce
 SOUTH PERTH WA 6151

Dear Sir

WATERFORD FORESHORE RESERVE

I refer to your letter of 19 January 2007 regarding the naming of the above referred area as the "Andrew Thomson Conservation Reserve" in recognition of his outstanding contribution to the South Perth community.

I am pleased to be able to advise that the Western Australian Planning Commission, as the current owner of Lot 389, is prepared to support this Council initiative.

As a related matter, it may be an opportune time for the future tenure of Lot 389 to be consolidated with the City of South Perth by the possible amalgamation of the property with the adjoining Crown Reserve 37712.

The Reserve, once created, could be given a purpose, which reflects its conservation value.

I am prepared to support a recommendation to the WAPC that it transfer its interest in Lot 389 to the State of Western Australia, free of cost, to enable it to be amalgamated with Reserve 37712 with a Management Order issued in favour of the City.

You may wish to consider this issue and advise me of your decision in due course.

Should you require any further information or assistance regarding this matter please do not hesitate to contact me on 9264 7529 or 0428 951 905.

Yours faithfully

Neil Robinson
 for Secretary
 Western Australian Planning Commission

6 February 2007



LOT 389, Waterford Foreshore.



SCANNED

CITY OF SOUTH PERTH	
10 APR 2007	
Doc ID No:	479431
File No:	MA3/30
Original To:	PS
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/>

4th April, 2007

Mr Rod Bercov
Manager Development Services
City of South Perth
South Perth WA 6151

Dear Rod

RE: Development at 30 Manning Road, Como

Thank you for your email on Friday, 31st March 2007 in respect of the proposed modifications to the existing carport at our home.

To reiterate we are keen to meet the objective of the Residential Design Codes in respect of 'Streetscape Requirements' in order to contribute towards an attractive streetscape onto Manning Road, ensure adequate privacy, security and open space for our home and provide an attractive setting for ours and that of neighbouring buildings. It is our aim to meet this objective and the 'Performance Criteria' relating to the set back of the carport so as not to detract from the streetscape or appearance of the dwelling, or obstruct views of our three storey dwelling from the street and vice versa.

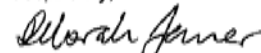
As you would be aware entry to the existing carport is from the right of way to the western side of the property. The current carport runs parallel to Manning Road to the south and is setback some 18m from this street boundary as shown on the attached site plan. As discussed earlier we are seeking to infill the piers of the carport facing onto Manning Road with windows and frenchdoors in sympathy with the character of the existing dwelling as shown on the revised drawings (as attached).

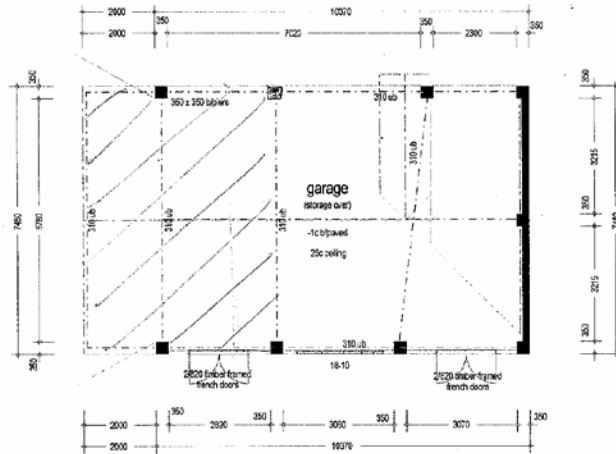
Combined with the landscaping of the front garden as shown on the site plan (as attached) this will greatly enhance the appearance of the structure and screen from view any vehicles parked within the carport from Manning Road.

As promoted under the City of South Perth - Draft Residential Policy we are keen to retain the current hipped carport roof so the shape, profile, materials and colour of the roof are in harmony and proportion with the roofs of our existing home (see attached photograph 1). We believe abruptly cutting of the side of the carport roof and introducing a significant gable end to the carport may break up the symmetry and balance of the current roof shapes on the site (see attached photograph 2).

It is our intent to present an attractive residence with landscaped gardens to the street whilst still achieving an adequate level of privacy for our family and some protection from the visual and acoustic impact of Manning Road and Mt Henry Tavern (see attached photograph 3). The Council's favourable consideration of our request would meet the performance criteria under the Residential Design Codes and would add considerably to the visual amenity of the site and streetscape of Manning Road.

Yours truly,


Deborah Jenner



Great Living Design
 14 Quarry Way,
 Mandurah, W.A. 6210
 Office - 081 9877 Fax - 081 3210
 Email - greatliving@gn.com.au

Instructions for light grey dimension lines are to be used. These are for reference only and are not to be used for construction. All dimensions are in millimeters unless otherwise stated. Do not scale from this drawing. Check all dimensions on site prior to setting out and commencing any work.

Clients 1: _____
 Signature 2: _____
 Witness _____
 Date _____

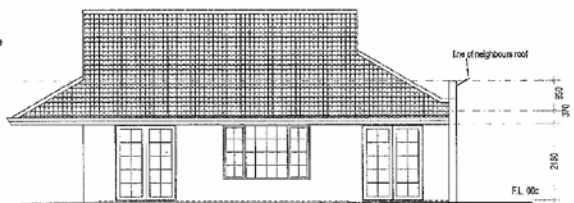
Drawn: _____ Date: _____
 PJ: 2/04/2007
 X: X

Floor Plan & Elevation
 Job No: Ver 1 Sheet: 2 of 2

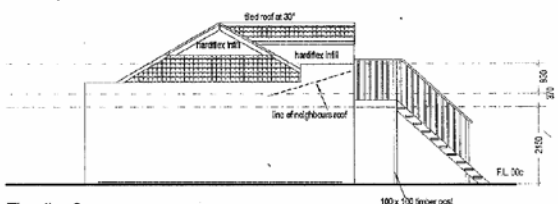
CLIENT: Jenner
 ADDRESS: 30 Manning Road
 ComoT
 SUBURB

FILE: C:\Documents\3rd\Living\Drawings\040407\Floor Plan & Elevation.dwg
 Last Printed: 04/04/07 Time: 11:00:00 AM

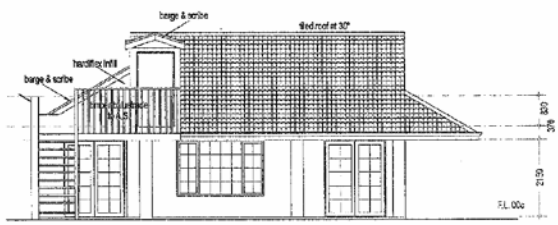
350 x 250 b/w/w



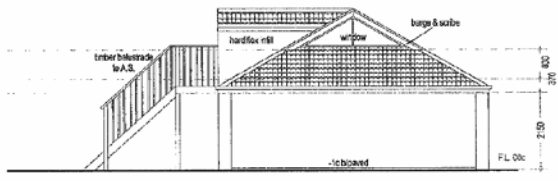
Elevation 1
Street Frontage



Elevation 2



Elevation 3



Elevation 4

Great Living Design
 14 Quarry Way,
 Manly, NSW, 1522
 Phone: 9515 9977 Fax: 9515 2210
 Email: g.living@manly.com.au

The Author warrants that the design and construction of the building or other structure, and the design and construction of the building or other structure, shall be in accordance with the relevant building codes and standards, and that the design and construction of the building or other structure, shall be in accordance with the relevant building codes and standards, and that the design and construction of the building or other structure, shall be in accordance with the relevant building codes and standards.

Do not scale from this drawing or make all dimensions on site prior to taking out and commencing of any work.

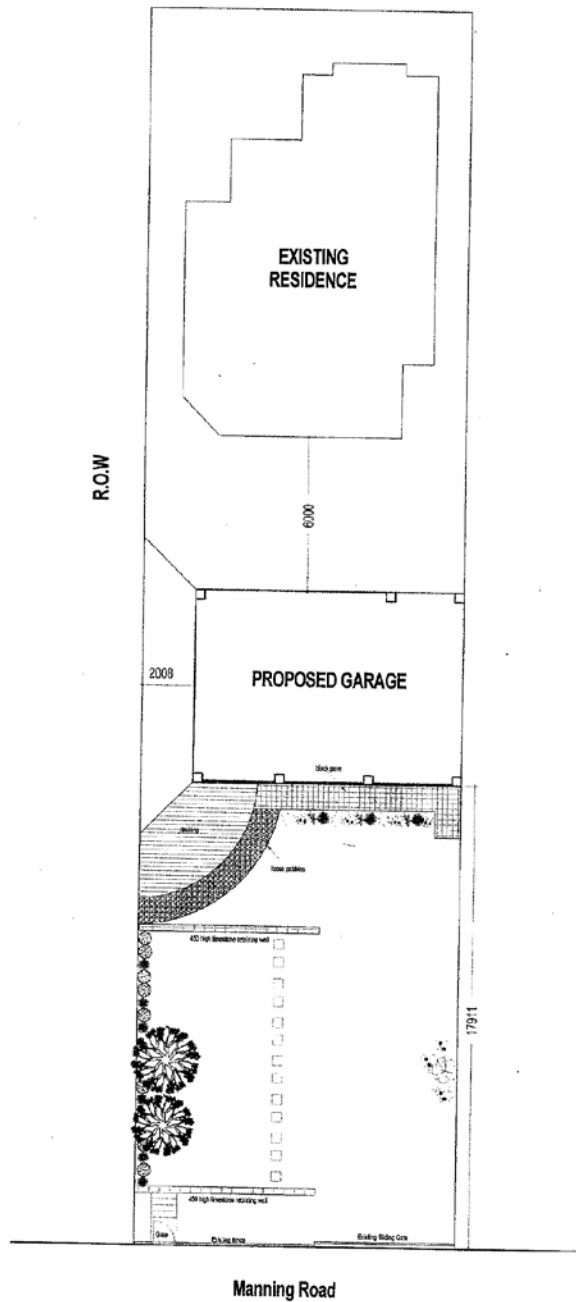
Clients 1: _____
 Signature 2: _____
 Witness: _____
 Date: _____

Drawn: P.J. Date: 2/04/2007
 X X

Site Plan
 Job No: Ver 1 | Sheet: 1 of 2

CLIENT: Jenner
 ADDRESS: 30 Manning Road
 COMPT
 SUBURB

P/E: C:\Users\peter\Documents\20070401.dwg
 Last Printed: 06/02/07 Time Printed: 8:30 AM





30 Manning Road Como



Photograph taken from the street verge on the south side of Manning Road



Photograph taken from the right of way adjacent to the subject site

Enquiries: Mr Rod Bercov on 9474 0770 or
or email: rodb@southperth.wa.gov.au

Our Ref: MA3.30
11.2006.333.RHB

15 January 2007

Ms D C Jenner
1/30 Manning Road
COMO WA 615

Dear Ms Jenner

PROPOSED CARPORT ADDITION TO SINGLE HOUSE. LOT 287 (UNIT 1, NO. 30)
MANNING ROAD, COMO.

Thank you for your letter dated 3 November 2006 and the accompanying drawings relating to the proposed modifications to the existing carport at the above address. I regret the delay in responding, and now advise as follows:

The submitted drawings are not satisfactory in relation to the following:

1. The submitted drawings nominate the scale as being 1:100, however the drawings are not to scale. It is therefore not possible to accurately assess the details.
2. The City's letter dated 11 October 2006 records the outcome of the site meeting held on 5 September which I attended in company with Team Leader, Building Services, Mr Azad Mahmood. At the site meeting I advised that the westerly segment of the existing structure is required to be removed. The demolition needs to extend as far as the second pier. The first two piers near the right-of-way are to be demolished. If there is to be any portion of the roof projecting westwards beyond the second pier, this was to be in the form of an overhanging eave. At the site meeting it was not agreed that any such roof overhang could be supported by piers. This requirement is reflected in item 1 of the City's letter dated 11 October 2006.
3. The submitted drawings relating to the proposed modifications do not reflect the position expressed in the previous paragraph. Those drawings show that the two westernmost piers are to be retained. Elevation C also indicates that the existing roof will remain in place, and that a "remote controlled door" is to be installed.
4. At the site meeting on 5 September, Mr Mahmood advised that, when the westernmost columns are removed, a new column will need to be constructed on the northern side of the carport in line with the second existing column on the southern side. This is necessary to maintain adequate structural support for the modified roof. The submitted drawings do not show a proposed new column in this location.

5. Your letter states that you intend to remove the attic, however the submitted drawings indicate that the attic, together with the staircase leading to it will be retained.

6. The column spacing shown on the floor plan appears to be accurate in relation to the "as built" structure. The floor plan shows a consistent spacing of 3033mm between each pair of columns. However the elevation drawings are inconsistent with the floor plan in relation to the spacing of the columns. The elevations indicate an extremely wide separation between the second and third columns, with a much closer spacing between the other columns.

7. Your letter states that the parapet wall on the eastern boundary is to be extended above the roof tiles of the adjoining residence by four courses. However this is not reflected on the submitted drawings.

With regard to the fencing, portico and retaining wall drawings submitted on 11 July 2006, I also confirm previous advice conveyed by telephone on 11 August 2006. During that conversation I advised that these details are not adequate. Subsequently, during the site meeting on 5 September, you indicated that you do not intend to proceed with those works if the City allows the carport to be modified rather than being totally demolished. I confirm that the City will not be giving further consideration to those July 2006 drawings and that approval will not be granted for this construction.

I also refer to your letter dated 1 January 2007, in which you advised that the City's Building Services Department returned your building licence application because required additional information had not been received. In this respect, I advise that, when you have resolved the outstanding "Planning" issues and planning approval has been granted based on satisfactory revised drawings, you will need to submit the necessary working drawings to the Building Services Department, which are consistent with the approved "Planning" drawings. Your building licence application will then be re-activated.

Please now arrange for revised drawings to be submitted, appropriately addressing all of the matters referred to above.

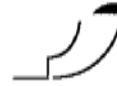
Should you wish to discuss this matter further prior to submitting revised drawings, please contact either Mr Mahmood on 9474 0743 or the undersigned on 9474 0770.

Yours faithfully

ROD BERCOV
MANAGER, DEVELOPMENT SERVICES

PETER JODRELL
ARCHITECT

ABN 49 445 504 559



Ref: 061501d

15 February 2007

City of South Perth
Sandgate Street
SOUTH PERTH WA 6151

Attention: Frank Polglaze

Dear Frank

**RE: 20 GREENOCK AVENUE & 249 COODE STREET, COMO
PROPOSED THREE SINGLE HOUSES & TWO GROUPED DWELLINGS**

Further to our previous discussions with you we are now pleased to enclose our Application for Planning Consent for the above project.

The site is located in Precinct 8 and has a Dual Density Coding of R20/30. We request that Council consider our application on the basis of R30 and believe that we can achieve the following 7 Performance Criteria as required by Schedule 3 (Page S3 – 10) of the Council's Planning Scheme.

Geographic / Historic Criteria

- (ii) The site is adjoined on at least two boundaries by lots which have been resubdivided or redeveloped with a greater number of dwellings than previously existed.
- (vi) The site has boundaries to two public streets.
- (vii) The site is situated north of Cale Street
- (viii) At least 80% of the originally subdivided lots on the same side of the street have been resubdivided or redeveloped.

Design Quality Criteria

- (x) Car parking is provided in excess of the number of bays required by R Codes (20B has an additional car bay [No 3])
- (xi) The proposal involves the amalgamation of 2 lots.
- (xii) The proposal incorporates the retention of at least one appropriate tree.
We propose retaining the following trees:
 - Peppermint tree – 20 Greenock Avenue (verge)
 - Eucalypt – 20 Greenock Avenue
 - Chinese Tallow – 249 Coode Street

An arboriculturalist's report has been commissioned and will be supplied to Council under separate cover.

Our proposal opts for the creation of three single houses on green titles and two grouped dwellings in a battleaxe configuration. We enclose the subdivision plan including the minimum lot dimensions and areas for your consideration.

The design proposals for all houses is based on the desire to maximise the benefits of solar passive design by the careful placement of living areas to best capture the winter sun to the north, whilst

2/27 Clydesdale Street COMO WA 6152

Telephone (08) 9450 4315 Facsimile (08) 9450 4316 Email pjodrell@bigpond.net.au

TOQUE NOMINEES PTY LTD AS TRUSTEE FOR THE JODRELL FAMILY TRUST TRADING AS PETER JODRELL ARCHITECT ACN NO 606 971 177 ABN NO 49 445 504 559

minimising east and west windows. Where these are necessary, shading devices will assist in controlling sun penetration.

Setbacks generally comply with R Code requirements with regard to front setbacks. Number 249 and 249A Coode Street have 4.5 metre setbacks to garages and 7.5 metres to Study and Entry Foyer. Upper levels are a minimum of 4.5 metres from the street. 20 Greenock Avenue is located 4.0 metres from the street to western portion of the building and drops back to 6.0 metres at the garage to ensure compatibility with the adjoining block of flats. The upper level Bedroom 1 over the garage cantilevers forward to 5.4 metres from the street.

The design incorporates a number of zero lot lines for garages adjoining neighbouring lots. 20 Greenock Avenue proposes a boundary wall to the east boundary. This will have minimal impact on the neighbour as their wall (located 1.5 metres from the boundary) has no habitable windows in it. 249 Coode Street proposes a boundary wall to the north boundary. This wall adjoins the driveway of the grouped dwellings to the north and will have no impact on any outdoor living areas.

249A and 20B both have boundary walls on the southern boundary. These adjoin the block of flats on the corner and it is noted that this development uses this area for service yards (clothes lines) and carparking for the corner unit. We believe the impact on this area will be minimal. This boundary will have a total of 15.8 metres of boundary wall for an overall length of boundary (excl. setback of 4 metres) of 34.4 metres = 46%. R Codes allow for up to 67% in R30.

All boundary walls will be a maximum 3300mm high. Upper levels are set back away from the boundaries to comply with R Code requirements.

With regard to Council policy relating to houses with zero lot lines to both sides (249 & 249A) we request Council's consideration of our proposal indicating setbacks of 4500 and 7500 for the separate portions of the building for the following reasons:

- Our designs are attempting to place outdoor living areas to the northern side of each lot for good solar passive outcomes.
- The properties on either side are already redeveloped and clearly demonstrate that neither come to the boundary. This will provide the break between buildings that Council is seeking.
- The Gull service station to the east presents a large limestone retaining wall to the street and our building will have no impact in this direction.

The Privacy requirements of the Code have been carefully considered and we believe that our proposal will meet these requirements. Balconies to Houses 20, 20A and 20B meet the 7500mm setback requirements.

The building design for Houses 249, 249A 20A & 20B opts for a combination of 15° pitched roofs and sections of flat parapeted walls. These pitched roofs are generally located at the upper levels in mono pitched sections. The sections of the building that are single storey have been designed with flat roofs and parapets to reduce the height of these areas and to allow windows above these roofs to maintain reasonable sill heights for a better presentation of these upstairs rooms. House 20 proposes a parapeted flat roof contemporary design.

Materials proposed to be used are as follows:

Walls	Rendered and painted brickwork Face Midland Georgian bricks Colorbond miniorb corrugated sheeting Rectified tile cladding
Windows & Doors	Powdercoated aluminium
Roofs	Colorbond custom orb sheeting to pitched roofs Colorbond Spandek to flat roofs
Paving	Selected precast concrete 400 x 400 mm pavers
Garage Doors	Selected Colorbond panelift doors

We now look forward to your consideration of our application. Please give me a call if you have any queries or you need anything further. Our client's cheque for \$ 2,815.00 is attached.

Yours faithfully



Peter Jodrell Architect

PETER JODRELL
ARCHITECT

ABN 49 445 504 559

SCANNED

Ref: 061503d

28 February 2007

City of South Perth
Sandgate Street
SOUTH PERTH WA 6151

CITY OF SOUTH PERTH - 1 MAR 2007		
Doc ID No:	473832	
File No:	COG/249 + GR1/20	
Original To:	PS	
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/>	File <input type="checkbox"/>

Attention: Jordan Ennis

Dear Jordan

**RE: PROPOSED 3 SINGLE HOUSES AND 2 GROUPED DWELLINGS
20 GREENOCK AVENUE & 249 COODE STREET, COMO**

Further to our Development Application for the above project, we have now received the D.A.C. comments together with your advice on matters required to be attended to.

We now enclose 3 copies of our revised submission which include the following amendments and additional information:

- Streetscape Compatibility**
The elevational forms of houses 249 and 249A have been modified to incorporate 30° pitched roofs. The location of the upper levels has been adjusted so that the bedroom sits centrally over the garages below. In addition a roofed portico has been added to 249A to differentiate this house from 249. Different materials are now proposed for each house (in part) and rectified stone cladding to the lower level of House 249A will provide a significant point of difference between the two houses.
- Shadow Diagram**
This is now included in our submission and indicates an overshadowing of the existing carport and drying areas of 169.7m² or 22.01% of the site area. This falls within the allowable 35% under the R Codes. We note that the overshadowing does not impact on any private outdoor living areas or balconies.
- Elevations**
Elevations of all houses have now been upgraded and finalised and we have included an elevation that includes the neighbouring properties on Coode Street, to better demonstrate the streetscape compatibility, and the side setbacks between existing and proposed buildings. It also clearly demonstrates the single story nature and scale of the adjoining buildings. The widths of our upper levels we believe provide an appropriately scaled and compatible insertion into the streetscape.
- Contours and Floor Levels**
These are now noted on the drawings.
- Truncation to Northwest corner of House 20.**
This has now been increased to 4.25 metres.

2/27 Clydesdale Street COMO WA 6152
Telephone (08) 9450 4315 Facsimile (08) 9450 4316 Email pjodrell@bigpond.net.au
TOQUE NOMINEES PTY LTD AS TRUSTEE FOR THE JODRELL FAMILY TRUST TRADING AS PETER JODRELL ARCHITECT ACN NO 008 971 172 ABN NO 49 445 504 559

"

We suggest as a further enhancement of this precinct that Council consider the placement of some appropriate street trees on the Gull Service Station side of Coode Street to provide some screening relief to the imposing elevations of this structure. This will also have the effect of providing a visual buffer between a 24-hour commercial use and a residential street (Coode Street).

We now look forward to Council's consideration of this proposal. Please don't hesitate to ring me if you need anything further.

Yours faithfully



Peter Jodrell Architect

HODGE + COLLARD
ARCHITECTS

SCANNED

CITY OF SOUTH PERTH	
12 APR 2007	
DocID No:	479863
File No:	M13 32
Project No:	PS
Author:	
Checked:	<input checked="" type="checkbox"/>

11th April 2007

Chief Executive Officer
City of South Perth
Civic Centre
Cnr Sandgate Street & South Terrace
SOUTH PERTH WA 6151

ATTENTION: Mr Christian Buttle – Manager Development Assessment
Our Ref: 94.04 T

Dear Sir,

**RE: PROPOSED APARTMENTS
52 MILL POINT ROAD, SOUTH PERTH**

The development approval for the above project expires on the 23rd May 2007 and, on behalf of the owners, we request a twelve (12) month extension.

For various reasons the development has not been 'substantially commenced' within the life of the development approval, however it is the owner's firm intention to proceed in the very near future.

Yours faithfully



Peter Hodge

c.c. Mr A. Bonavita – Sureland Property Group



22 February 2007

South Perth City Council
SOUTH PERTH

On behalf of the Windsor Hotel South Perth Pty Ltd I give my authority for Parking
Asset Management to act on our behalf.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G C Ogden', is written over a faint, circular stamp or watermark.

G C Ogden
Director
Windsor Hotel South Perth Pty Ltd

PARKING ASSET MANAGEMENT (WA) PTY LTD



ABN: 14 092 214 278
SPECIALIST OPERATORS • MANAGERS • CONSULTANTS
PO Box 8453 Perth Business Centre, PERTH WA 6849
Telephone: (08) 9463 6688 Fax: (08) 9463 6689

23rd March 2007

Sebastian Camillo
Manager Environmental Health
& Regulatory Services
City of South Perth
Civic centre, Cnr Sandgate St & South Tce
SOUTH PERTH WA 6151

Dear Sebastian Camillo

RE: Windsor Hotel Public Car Park -112 Mill Point Road, SOUTH PERTH

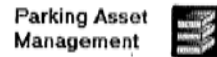
Further to our recent meeting please find attached the application for Planning Approval and the parking management plan on behalf of the owners Windsor Hotel South Perth Pty Ltd.

If you have any other queries please do not hesitate to contact the undersign.

Yours sincerely
PARKING ASSET MANAGEMENT PTY LTD

Alf Wilson
General Manager





PARKING MANAGEMENT PLAN

**Windsor Hotel Public Car Park
112 Mill Point Road, SOUTH PERTH**

GENERAL OVERVIEW

The parking associated with this building is to serve the patrons and tenants of Windsor Hotel Bar and Restaurant and the general public who visit South Perth only. As the City of South Perth is aware the site currently attracts majority all day commuters who park all day for *free* and catch the ferry into the City of Perth and within the City of South Perth. By introducing a fee-paying car park it will not only discourage all day parkers but also service the increasing demand of casual parkers who visit the Windsor Hotel and other surrounding businesses within a tolerable walking distance. This currently has not been achievable as the car park is *Full* before 10am and has had a direct negative impact in the business operations.

The Windsor Hotel car park will operate seven days a week with core trading hours of:

Monday, Tuesday, Wednesday and Thursday	7.00am to 11.00pm
Friday	7.00am to 12.00am
Saturday	7.00am to 12.00am
Sunday	7.00am to 10.00pm

To cater for Hotel patrons and bonafied visitors to South Perth only, it is proposed that the fee-paying car park operates 7 days a week between 7am to 12am. Outside these hours, the car park will be free of charge. These trading hours may be extended to cater for various ad hoc events and activities.

Customer / Public Parking

The open lot car park comprises one hundred and seventeen (117) self park fee paying bays situated at 112 Mill Point Road, South Perth, with entry/ exit on Mill Point Road and entry off Mends Street. The 117 self park bays include 3 disable bays, 3 staff bays and 6 bays for 15 minute bottle shop browsing to be free of charge adjacent to the bottle shop entrance. There will be sufficient signage outlining the fee-paying areas and the 6 free 15-minute bays for the bottle shop.

Eg: Proposed Parking Rate Structure

Monday – Sunday

0-1 hour	\$2.00
1-2 hours	\$4.00
2-3 hours	\$6.00
3-4 hours	\$8.00
4-5 hours	\$9.50
5-6 hours	\$11.00
6-7 hours	\$12.50
7-8 hours	\$14.00

* note these rates may change subject to market rate within the area (1km radius)

The public would purchase tickets from the Pay & Display machines located conveniently throughout the car park.

Tenant Parking

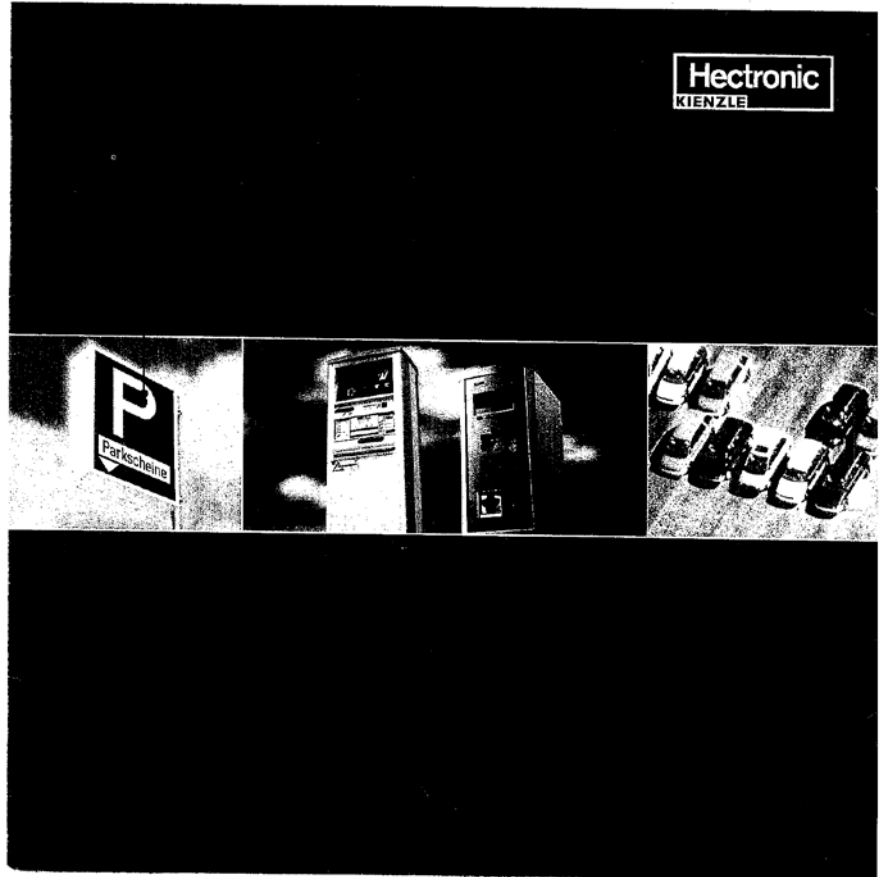
The three (3) tenant bays are located rear of the bottle shop and restaurant. These bays would be clearly marked as tenant bays. They will access and exit the car park via Mill Point Road. The tenants will be issued with a parking permit clearly marked as Windsor Hotel Staff.

Disabled Parking

The public car park entails three disabled bays located of the Mends Street entry of the car park. The provision of disabled bays is in accordance with the Australian Standards. All disabled bays would be clearly marked and set aside for their exclusive use.

Enforcement

The owners will elect to enter into an agreement with the City of South Perth or Parking Enforcement Services Pty Ltd limited only to monitoring and infringing parkers who fail to purchase a Pay & Display ticket; overstay their allocated paid time or parkers who park in a disabled bay failing to display a valid access/disabled permit.



The main image shows a tall parking meter with a 'P' sign on top. The meter has a coin slot and a display. Below the main image is a table with technical specifications.

Technical details	
Dimensions	H 1595 mm, W 405 mm, D 311 mm
External housing material	Extruded aluminium, material thickness min. 4 mm, surface anodised matt silver (other colours on request)
Weight	approx. 80 - 110 kg, depending on configuration

SCANNED

Our Ref: 5399

1 May 2007

Chief Executive Officer
City of South Perth
Cnr Sandgate Street and South Terrace
SOUTH PERTH WA 6151

CITY OF SOUTH PERTH	
8 MAY 2007	
Doc ID No:	483944
File No:	M3/112
Original To:	D/KES PS
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/> File <input type="checkbox"/>

GREG ROWE & associates

Attention: Mr Steve Cope – Director of Strategic and Regulatory Services

Dear Sir

RE: LOTS 52, 53 & 100 (NO. 112) MILL POINT ROAD, SOUTH PERTH
WINDSOR HOTEL CAR PARK

Greg Rowe and Associates acts on behalf of Windsor Hotel South Perth Pty Ltd which represents the interests of Mr Geof Ogden, the owner of the Windsor Hotel, 112 Mill Point Road, South Perth ("Windsor Hotel"). We have been engaged to provide supplementary information to a Form of Application for Plan Approval lodged with the City of South Perth ("Council") on 23 March 2007 ("Application").

We have been asked to investigate the Application currently being assessed by Council, namely the use classification of the proposed car parking situation, and its relationship to that which is currently and already approved and operational under Council's TPS No. 6.

The Council's TPS No. 6 defines a "Public Parking Station" as:

"... means any land or building used primarily for public car parking but does not include any of a public road used for parking or a taxi rank, or any land or buildings in which cars are displayed for sale. ..."

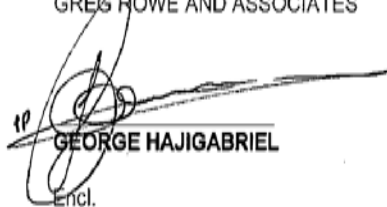
We are of the view and it is the position, the existing car park, which complements the Windsor Hotel and drive through bottle shop, is consistent with the definition of a "Public Parking Station" under Council's TPS No 6 in that it provides parking for the public using the Windsor Hotel. That is, the existing car park is used by the public and therefore meets the definition of a "Public Parking Station" under TPS No. 6.

The Application currently before Council merely seeks approval for the repairing of the existing bitumen and the installation of three (3) electronic pay and display machines. It is for this reason we believe the consideration of the proposal as a "change in use" is not consistent with the definition of the current classification of the Windsor Hotel car park. That is to say, there is no change in the use of the relevant portion of that part of the Windsor Hotel from the existing use as a car park for the public frequenting the Windsor Hotel. It should also be understood that a "Public Parking Station", under the provisions of TPS 6 is a permitted "P" use in the "Mends Street Centre Commercial" zone.

PERTH OFFICE / LEVEL 3/369/NEWCASTLE STREET / NORTHBRIDGE WESTERN AUSTRALIA 6003 / tel (08) 9221 1991 / fax (08) 9221 1919 / email gra@greg-rowe.com / web www.greg-rowe.com
 MANDURAH OFFICE / SUITE 1 / LEVEL 2/69 PINJARRA ROAD / MANDURAH WESTERN AUSTRALIA 6210 / tel (08) 9582 8288 / fax (08) 9581 2588 / P O BOX 3406 / MANDURAH EAST WESTERN AUSTRALIA 6210

Consistent with the above, we respectfully request Council's planning staff assess and determine the Application under delegated authority. Should you have any queries with respect to this matter, please do not hesitate to contact either Mr Lynden Semmens or the undersigned on (08) 9221 1991.

Yours Faithfully,
GREG ROWE AND ASSOCIATES


GEORGE HAJIGABRIEL

Encl.

5051_06dec02L_ls

SCANNED

34 Swan view Tce
MAYLANDS WA 6051

3rd April, 2007

Mr C Buttle
Planning Department
City of South Perth
Sandgate St
SOUTH PERTH WA 6151

CITY OF SOUTH PERTH		
4 APR 2007		
Doc ID No:	479075	
File No:	LA1/92	
Original To:	PS	
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/>	File <input type="checkbox"/>

Dear Christian

**VARIATION TO POLICY P370-T
DEVELOPMENT IN "BATTLE-AXE" STYLE**

As you are aware we have submitted an application for a Building License for Lot 11, 92 Labouchere Road on 28.3.07. Our offer to purchase the sub-divided front Green Title Lot will be settled within the fortnight.

Also as you are aware we are friends with the original owners Ross and Kathy Bell. From the time we first discussed purchasing the land both the Bells and ourselves have talked of having different colours and finishes to our respective buildings. And as our Lot was planned to be a Green Title we did not think that this was an issue.

We jointly selected a designer as we all decided it was beneficial to use the same builder and to have all the buildings erected at the same time, although under separate contracts. On January 8th Lisette Turkington emailed Daniel (our Designer) bringing to his attention the City policy regarding Development in "Battle-Axe" Style and suggesting he make us aware of this requirement.

Due to the fact our Lot was a Green Title we had thought that gave us the right to individual and unique selections, and that our building surfaces and colour would have no bearing on that selected by the Bells for their buildings on the Survey Strata Lot development to the rear of our Lot.

From my telephone discussion with you following this email we are aware that we may have to apply for a variation, and that "previous applicants have been able to achieve their desired outcome".

In case this should be so, we wish to apply for a Variation so as not to delay the issuing of building licenses (the Bell's application should be submitted this week) and request that this application be considered concurrently with the License applications.

On the 31st March Ray and I took a brief drive within a portion of the City boundaries and rapidly discovered lots of evidence that contradict Policy P370-T. We have enclosed photographic evidence of our findings to support our variation application.

The fact that our buildings are to be two storey reduces the visual impact as compared to single level viewed from either the pedestrian or vehicle aspect.

We consider that the front elevation of our prospective home will enhance the Labouchere Road precinct – as there is evidence of a fair bit of “blandness” along the stretch. The fact that the rear buildings will only be visible very briefly by passers-by, due to the 4 metre side access, should surely support this application.

Due to concern for security, and internal roof space dust and dirt reduction, our selection of Colorbond for the roofing material is in contrast to the Bells preference for tiles. This should provide pleasing aesthetic variation and will not be offensive to sight.

Our external lighting and landscaping will further enhance the visual aspect from the street. We are very much looking forward to living in our new abode and will be very proud of its presentation.

We anticipate a favourable response to this application and look forward to hearing from you in the near future.

Yours sincerely

The image shows two handwritten signatures in black ink. The signature on the left is 'Ray Sandon' and the signature on the right is 'Liz Sandon'. Both are written in a cursive, flowing style.

Ray and Liz Sandon

Encl.

SCANNED

CHURCHILL CONSULTANCY

ABN 340 785 274 79

The Chief Executive Officer
City of South Perth
Cr Sandgate Street & South Terrace
South Perth W.A. 6151

21-3-2007

Attn: Mr Christian Buttle, Manager Development Assessment

Dear Christian,

PROPOSED ILLUMINATED STREET NAME SIGN : CANNING HWY / PRESTON ST COMO

Thank you for the Instrument of Determination forwarded to us in relation to our application to establish an Illuminated Street Sign at the above location. My client wishes to thank you and your fellow officers for assistance in presenting the matter to council for consideration.

Having had the opportunity to consider the conditions of approval, my client has requested that I seek leave of council to appeal condition (5) of the planning approval which states :

THE SIGN SHALL ONLY ADVERTISE THE 'PRESTON STREET PRECINCT' AND SHALL NOT DISPLAY ADVERTISING FOR ANY INDIVIDUAL BUSINESSES OR ANY TENANTS ON ANY PORTION OF THE ILLUMINATED DIRECTION SIGN.

The rationale which underpins this condition is set forth in the agenda report relating to the proposal which states, amongst other things, "It is considered inappropriate to confer some commercial advantage on some businesses while the same benefit is not afforded to others." As Como IGA and Karalee On Preston are jointly and solely funding the whole project, the imposition of this Clause (5) is fatal to it. Accordingly, I make the following submission :

1. PRECEDENT

The design of the sign the subject of our application was based upon the existing street signs in the City of South Perth, each of which being designed with the dual role of Shopping Centre Promotion as well as promoting the individual tenancies, either featuring the Anchor Tenant singularly, or in the case of Welwyn Av / Manning Rd, a complete tenant directory. Our rationale here was to present to council a format similar not only to the existing signs in City of South Perth but also to those in other municipalities where these signs are to be found.

(See various photographs provided).

1.)

93 CANNING ROAD KALAMUNDA W.A. 6076 PHONE (FAX) : 9293 3416 MOBILE : 041 992 8773

EMAIL: j.cc@bigpond.net.au

(2.

2. COMMERCIAL EQUITY

The perception of Commercial Inequity as expressed in the Agenda Report simply cannot be sustained by the facts, which are that the Anchor Tenants have, in the absence of any resolve to act on the part of the Precinct as a whole, taken on the burden of funding this sign for the benefit of the Precinct as a whole....In other words, all the other businesses benefit at no cost whatever to themselves by gaining potential customers which this sign will attract to the Precinct.

3. PERFORMANCE OF SIGN

Anchor Tenants of shopping centres occupy the largest rentable area of the centre and as a result, are the principal rent-payers of the centre. Anchor Tenants attract the majority of public response to the centre as a whole and the livelihood of smaller traders in any centre depends substantially upon the customer drawing power of the Anchor Tenants.

Of all the businesses in the Preston St Precinct the Karalee on Preston, being a Tavern and Restaurant, is particularly sought after by Tourists and Visitors and is a prominent customer attraction for the entire area. This aspect is particularly relevant when considering the overall objectives the sign is intended to fulfil in terms of promoting the precinct as a whole. The IGA Supermarket, while providing a convenient resource to the Local Community is, as their corporate slogan 'Supporting the Local Community' suggests, deeply involved in various ongoing civic projects within that community and accordingly, is deserving of particular support of council which the provision of this sign will provide.

To summarise the above, the effectiveness and performance of the sign is directly related to the display of the Anchor Tenants as a potent means of attracting customers into the Precinct where they will be exposed to and thus induced to access all the other businesses as a result. To restrict the promotion simply to that of the Precinct would emasculate the sign's functionality in terms of its potential to attract customers to the Preston Street Precinct.

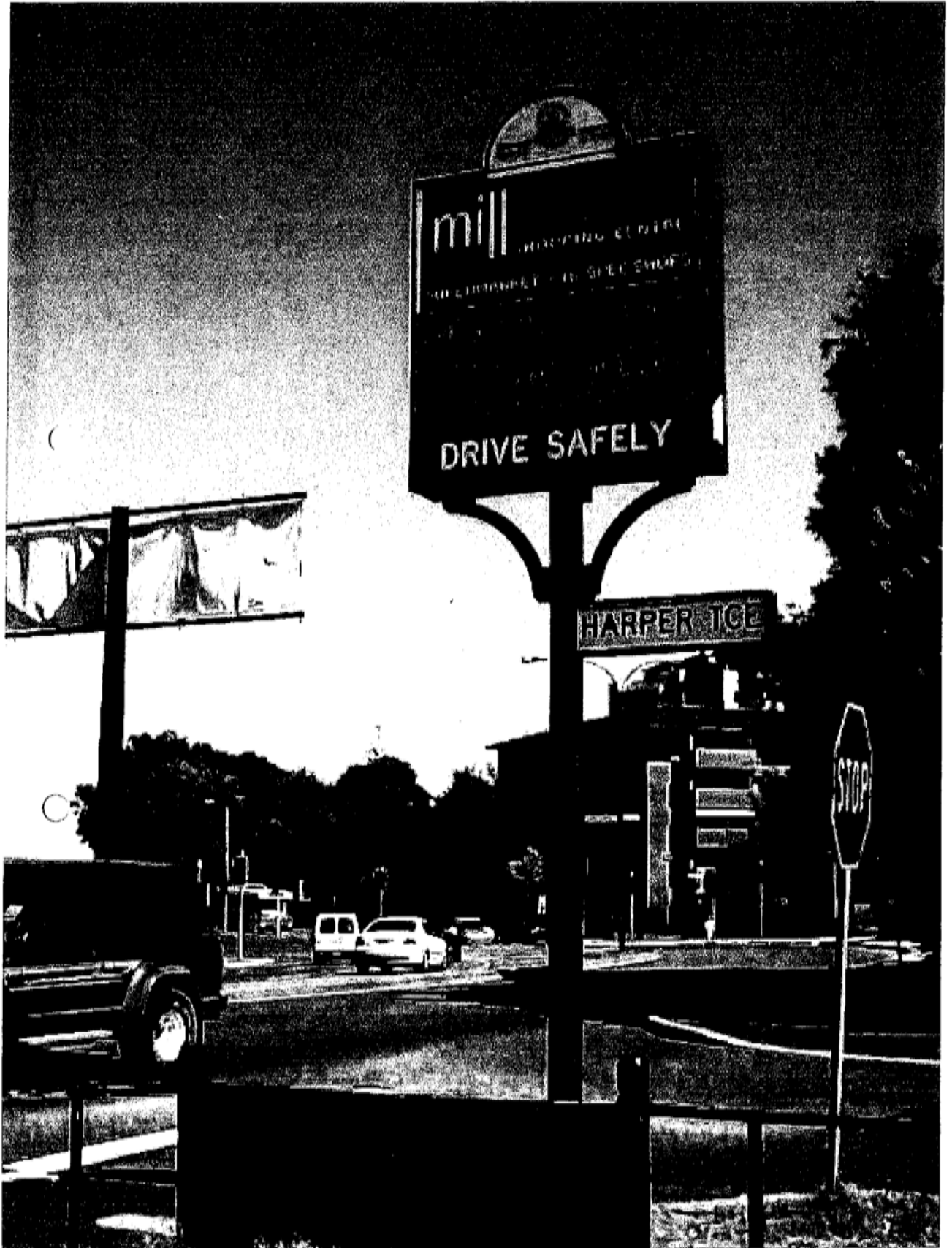
In conclusion, I feel sure it would be a disappointment to all the councillors who supported our Proposal should the project fail for reason of a condition in respect of which, had officers been aware of the exact initiative and resourcing behind the project, council might well have formed a quite different view in the matter of the sign's inscription and I very much regret if these aspects were not made sufficiently clear at the time of our original application to council.

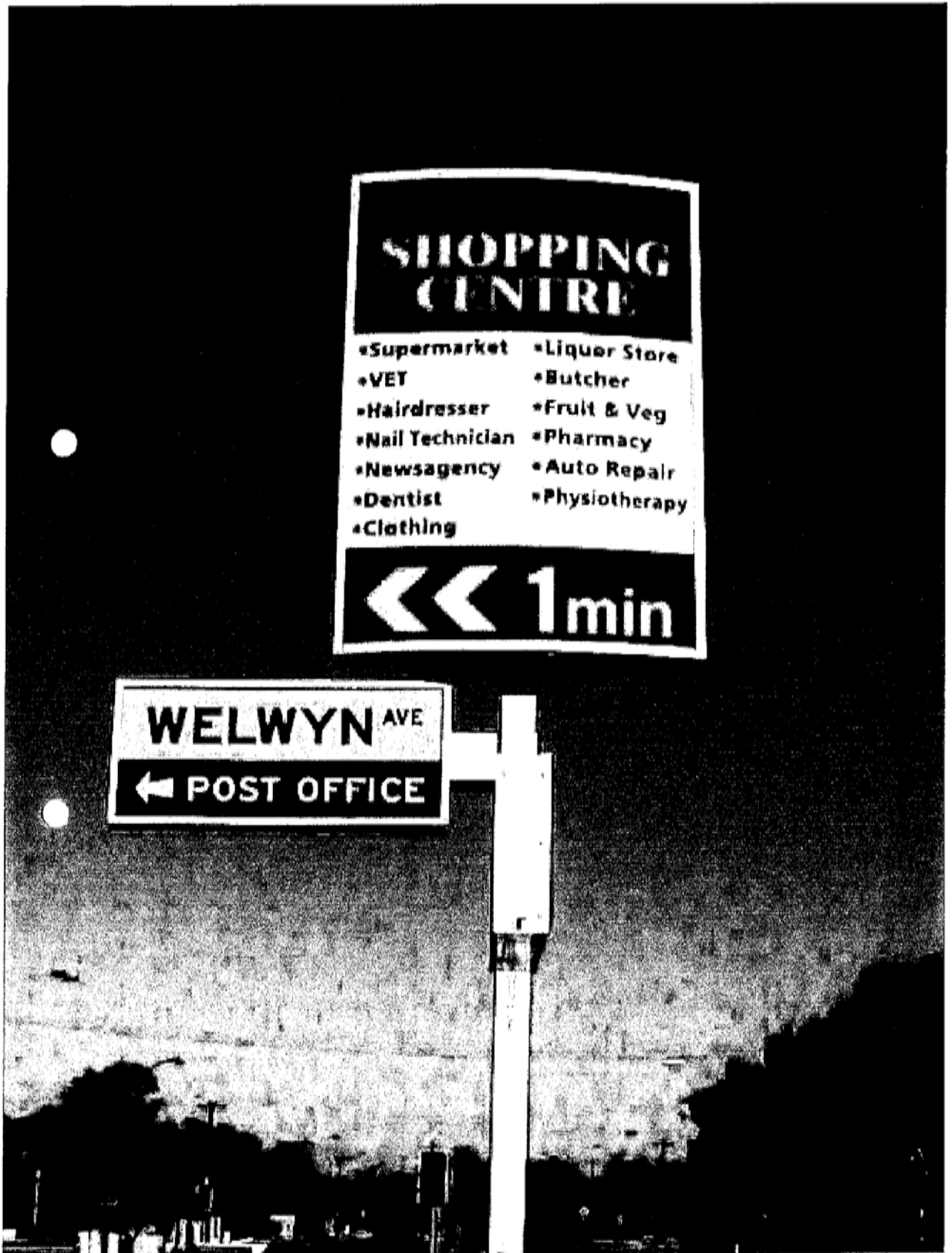
Christian, I trust that this submission will be of use in seeking a reconsideration of Condition (5) of the planning consent in respect of the approval. Please do not hesitate to contact me should you require anything further in support of this objective.

Best Regards,


John Churchill







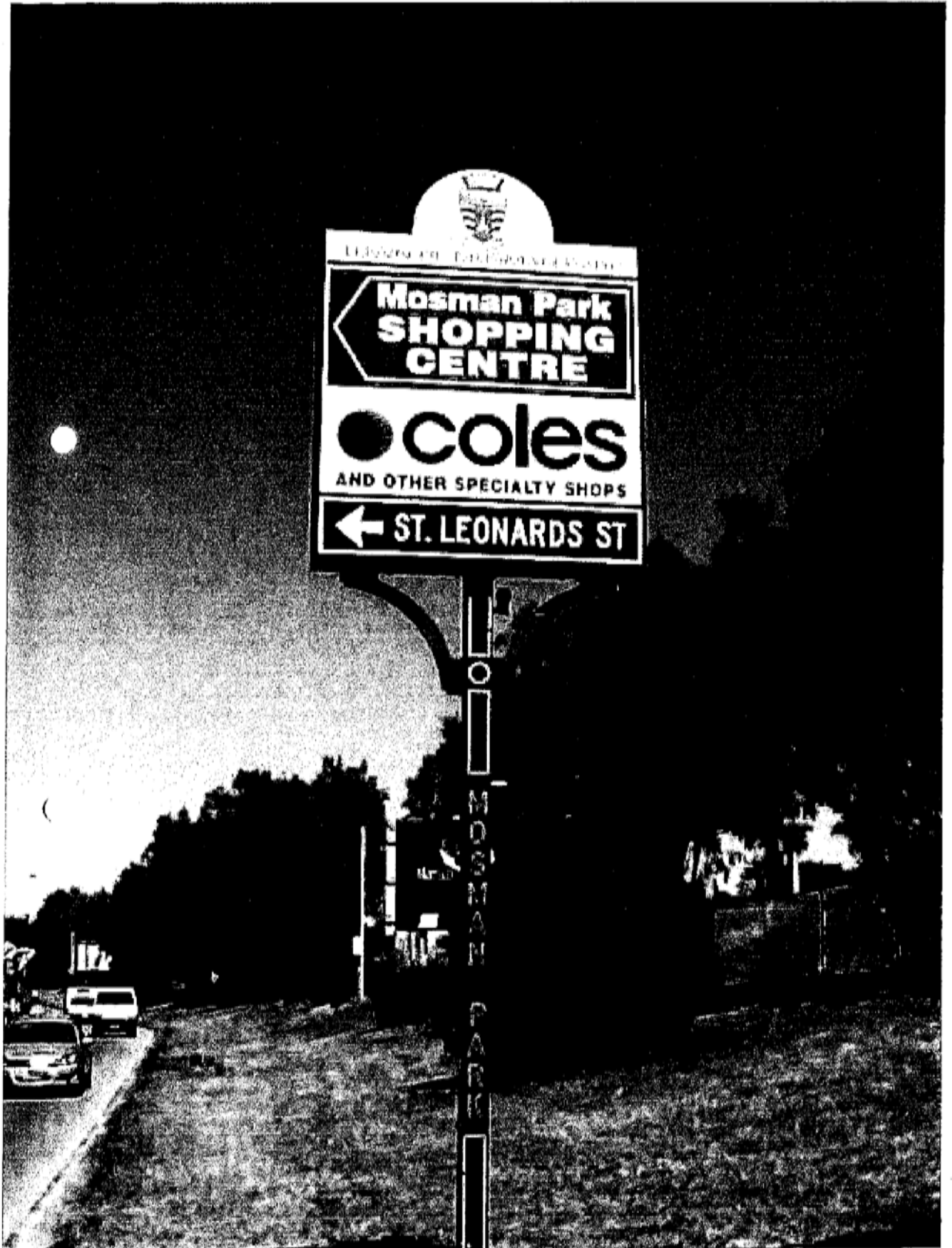
SHOPPING CENTRE

- Supermarket
- VET
- Hairdresser
- Nail Technician
- Newsagency
- Dentist
- Clothing
- Liquor Store
- Butcher
- Fruit & Veg
- Pharmacy
- Auto Repair
- Physiotherapy

1min

WELWYN AVE

← POST OFFICE



A Project for
ADSHEL
 Street Furniture Pty Ltd

1500
 405 740 405

1100 x 300 ILLUMINATED STREET SIGN
 TO A.S.1742 Pt 6 05-1
 150mm HIGH SERIES C TEXT
 MEDIUM SPACING TO A.S.1745 - 1975

CLIENT SIGNATURE:
 FINAL ARTWORK APPROVAL

<p>CHURCHILL CONSULTANCY 93 CANNING ROAD KALAMUNDA W.A. 6076 PHONE: 9293 3416 MOBILE: 041 992 8773 E-MAIL: cc@bigpond.net.au</p>	<p>CLIENT: PRESTON STREET PRECINCT INSTALLATION ADDRESS: CANNING HIGHWAY AND PRESTON STREET COMO TYPE OF SIGN: CAT. 2 ILLUMINATED DIRECTIONAL SIGN CLIENT ADDRESS: CONTACT: PIERRE SEQUEIRA PHONE: 8397 2248 FAX: MOBILE: 0419 941 881 EMAIL: sequeira@shel.net.au</p>
<p>DATE: 0-10-2006 SIZE OF SIGN: STD. 1.6M X 2M DIA DESIGNER: J. CHURCHILL REP: DESIGN NO: FILENAME: COMO IGA.CDR</p>	

A Project for
ADSHEL
 Street Furniture Pty Ltd

1950.
 405 740 405

2000 OVERALL

5400 OVERALL

2300 MIN.

1100 x 300 ILLUMINATED STREET SIGN
 TO A.S.1742 Pt 5 05-1

150mm HIGH SERIES C TEXT
 MEDIUM SPACING TO A.S.1745 - 1976

CLIENT SIGNATURE:
 FINAL ARTWORK APPROVAL

CLIENT: PRESTON STREET PRECINCT		DATE: 6-10-2005
INSTALLATION ADDRESS: CANNING HIGHWAY AND PRESTON STREET COMO		
TYPE OF SIGN: CAT. 2 ILLUMINATED DIRECTIONAL SIGN		SIZE OF SIGN: STD. 1.5M X 2M O/A
CLIENT ADDRESS:		DESIGNER: J. CHURCHILL
CONTACT: PIERRE DEQUEVIA		REP:
PHONE: 9397 3250	FAX:	DESIGN NO:
MODEL/EI 04191941 661	EMAIL: eequin@inet.net.au	FILENAME: COMO IGA COR

CHURCHILL CONSULTANCY

93 CANNING ROAD
 KALAMUNDA WA. 6076
 PHONE: 9293 3416
 MOBILE: 041 992 8773

ABN 340 785 274 79 E-MAIL: Lee@bigpond.net.au

93 CANNING ROAD
 KALAMUNDA WA. 6076
 PHONE: 9293 3416
 MOBILE: 041 992 8773

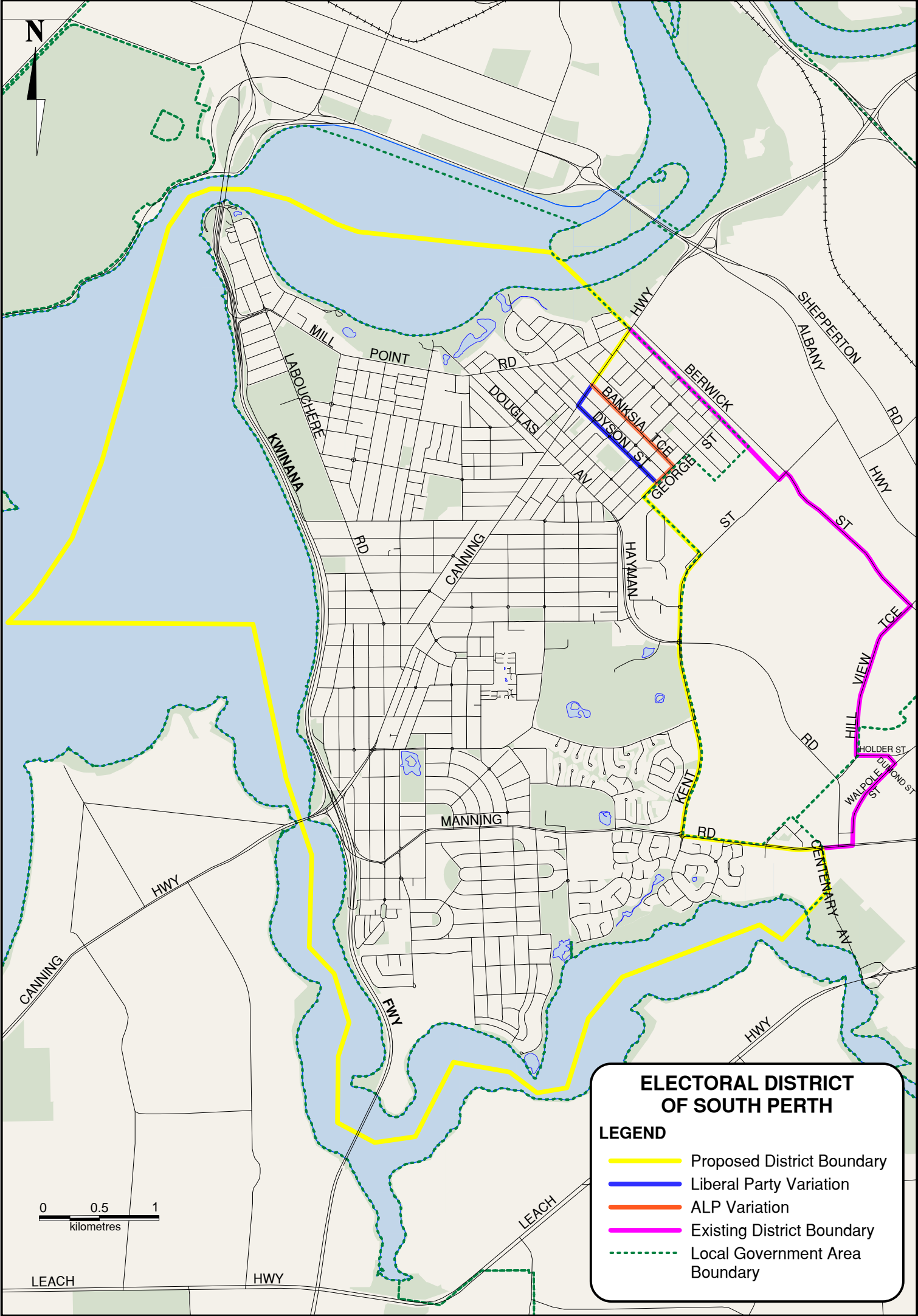
City of South Perth

List of Application for Planning Consent Determined Under Delegated Authority for the Period 1/04/2007 to 30/04/2007

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2006.00000420.001	DO2/63	24/04/2007	63 Douglas AVE SOUTH PERTH	Mr N Michalopoulos	Approved	Additions / Alterations to Single House
011.2006.00000518.001	p - PI2/5	2/04/2007	5 Pitt ST KENSINGTON	Mr T A Hams	Approved	Additions / Alterations to Single House
011.2006.00000622.001	KA1/34	23/04/2007	34 Karoo ST SOUTH PERTH	Mr M X Pilkington	Approved	Additions / Alterations to Single House
011.2007.00000016.001	11/5191	18/04/2007	77 Kardan CC KARAWARA	Mr M K O'Malley	Approved	Additions / Alterations to Single House
011.2007.00000017.001	BI1/42	12/04/2007	42 Bickley CRES MANNING	Perceptions	Approved	TWO STOREY GROUPED DWELLING
011.2007.00000020.001	- RO4/5	12/04/2007	5 Rose AVE SOUTH PERTH	Mr L Marchesani	Approved	ADDITIONS/ALTERATIONS TO GRPED DWELLT
011.2007.00000025.001	11/2501	12/04/2007	34 King ST KENSINGTON	Mr R K Pawell	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000028.001	DO2/56	30/04/2007	56 Douglas AVE SOUTH PERTH	Perceptions	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000032.001	WE1/48	24/04/2007	48 Welwyn AVE MANNING	Noor Di Virgilio & Associates	Approved	TWO GROUPED DWELLINGS
011.2007.00000034.001	KE3/58	3/04/2007	58 Kennard ST KENSINGTON	Marzia Design	Approved	Additions / Alterations to Single House
011.2007.00000057.001	01/81-83	30/04/2007	81 South Perth ESPL SOUTH PERTH	Hardie Finance Pty Ltd	Approved	ALTERATIONS TO MULTIPLE DWELLING (S)
011.2007.00000068.001	11/6570	4/04/2007	8 Ambou ST KENSINGTON	Ms T N Thomas	Approved	FENCE GREATER THAN 1.8 METRES
011.2007.00000074.001	11/2312	30/04/2007	34 Mary ST COMO	Mr S Fanderlinden	Refused	ADDITIONS/ALTERATIONS TO GRPED DWELLT
011.2007.00000086.001	- RI3/18	23/04/2007	18A River WY SALTER POINT	Mrs K A Burnett	Approved	FENCE GREATER THAN 1.8 METRES
011.2007.00000100.001	2/L3298	30/04/2007	Murray ST COMO	Mr G Faulkner	Approved	Additions / Alterations to Religious Act
011.2007.00000104.001	AN1/74	30/04/2007	74 Angelo ST SOUTH PERTH	Mr D MacPherson	Approved	Additions / Alterations to Café / Restau
011.2007.00000106.001	- SA4/50	12/04/2007	50 Saunders ST COMO	Mr L Casale	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000107.001	FO3/19	3/04/2007	19A Forward ST MANNING	Mr K Dhanak	Approved	HOME OCCUPATION
011.2007.00000108.001	11/3231	30/04/2007	370A - 370.00B Canning HWY COMO	Lekron Pty Ltd	Approved	Additions / Alterations to Indoor Sporti
011.2007.00000109.001	WE1/89	24/04/2007	89 Welwyn AVE SALTER POINT	Sovereign Building Company Pty ltd	Approved	TWO STOREY GROUPED DWELLING
011.2007.00000111.001	CO2/51	16/04/2007	51 Collins ST KENSINGTON	Mr D K Beaumont	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000113.001	RU1/8A	4/04/2007	8A Ruth ST COMO	CITY RESIDENCE PTY LTD	Approved	TWO STOREY SINGLE HOUSE

List of Application for Planning Consent Determined Under Delegated Authority for the Period 1/04/2007 to 30/04/2007

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000118.001	11/1364	13/04/2007	23 Buckley CRES MANNING	Dale Alcock Homes Pty Ltd	Approved	Single House
011.2007.00000128.001	11/2378	13/04/2007	26 Elizabeth ST SOUTH PERTH	Mr P P Bodycoat	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000132.001	11/5170	13/04/2007	4 Kwel CT KARAWARA	Mr V Chopra	Approved	Home Business
011.2007.00000139.001	GR2/64	20/04/2007	64 Griffin CRES MANNING	Ms E Y Wong	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000140.001	CO2/25	2/04/2007	25 Collins ST KENSINGTON	Ms E A Blair	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000142.001	RA1/45	2/04/2007	45 Ranelagh CRES SOUTH PERTH	Ms D B Baruffi	Approved	OUTBUILDING
011.2007.00000143.001	11/1118	2/04/2007	53 Jackson RD KARAWARA	Mr C A Gallagher	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000144.001	SE1/24	2/04/2007	24 Second AVE KENSINGTON	Mr M T Luhrs	Approved	Additions / Alterations to Single House
011.2007.00000146.001	FO3/19	2/04/2007	32 Ednah ST COMO	Addstyle Constructions	Approved	ADDITIONS/ALTERATIONS TO GRPED DWELLING
011.2007.00000147.001	SI2/24	3/04/2007	24 Sixth AVE KENSINGTON	Brian Winter's Patios & Carports	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000148.001	DO4/3	30/04/2007	3 Downey DR MANNING	City of South Perth	Approved	SENIOR CITIZENS CENTRE
011.2007.00000150.001	DE1/13	4/04/2007	13 Delamere AVE SOUTH PERTH	Heritage Outdoor	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000153.001	WO3/15	10/04/2007	15 Womil WY KARAWARA	Westral Outdoor Centre	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000158.001	11/1951	16/04/2007	19 Baldwin ST COMO	Dale Alcock Home Improvement	Approved	Additions / Alterations to Single House
011.2007.00000163.001	11/1254	26/04/2007	8 Leonora ST COMO	Abel Roofing	Approved	ADDITIONS/ALTERATIONS TO GRPED DWELLING
011.2007.00000164.001	11/1690	26/04/2007	37 Baldwin ST COMO	Abel Roofing	Approved	ADDITIONS/ALTERATIONS TO GRPED DWELLING
011.2007.00000168.001	BA3/22	26/04/2007	22 Barker AVE COMO	Abel Roofing	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000171.001	- VI3/39	26/04/2007	39 Vista ST KENSINGTON	Addstyle Constructions	Approved	Additions / Alterations to Single House
011.2007.00000172.001	1/L3815	30/04/2007	Thelma ST COMO	City Of South Perth	Approved	ADDITION TO PAVILION
011.2007.00000174.001	GH1/101	30/04/2007	101 Thelma ST COMO	Mr G Potts	Approved	ADDITIONS TO EDUCATIONAL ESTABLISHMENT
011.2007.00000181.001	11/4078	27/04/2007	93 Hobbs AVE COMO	PATIO LIVING	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000183.001	PE4/7	30/04/2007	7 Pether RD MANNING	Westral Outdoor Centre	Approved	PATIO ADDITION TO SINGLE HOUSE



ELECTORAL DISTRICT OF SOUTH PERTH

LEGEND

- Proposed District Boundary
- Liberal Party Variation
- ALP Variation
- Existing District Boundary
- Local Government Area Boundary

City of South Perth History of Recent Structural Changes

January 1995

Chief Executive Officer				
Business Services	Works	Technical Services	Corporate Services	Customer Services
Environment Recreation Collier Park Village Collier Park Golf Course	Technical Development Engineering Gardens Depot	Environmental Health Services Planning Services Building Services	Treasurer Accounting Senior Rates Clerk Records Information systems Human Resources Skillshare	Community Promotions Customer Relations Library Services Rangers

April 2000

Chief Executive Officer			
General Manager			
Collier Park Golf Course			
Corporate Services	Customer Services	Technical Services	Works
Financial Services Information Technology Leasing Property	Library Community Services Customer Services Collier Park Village Rangers	Planning Services Building Services Environmental Health	Infrastructure Parks and Reserves Construction and Maintenance

November 2000

Chief Executive Officer Organisational Leadership and Management Statutory Compliance and Internal Auditing Fiscal Strategy and Policy Management Macro Organisational Strategic Planning Principal Liaison - Elected Members Corporate Financial Services		
Corporate Management	Infrastructure Services	Strategic Development and Urban Planning
Human Resources Internal/External Communication Operational Staff Management Public Relations Customer Service Management Records Management Management of Council Meetings Library and Heritage Recreation, Cultural and Community Services	Construction and Maintenance Design and Administration Parks and Environment	City Planning Building Services City Projects Environmental Health and Regulatory Services

February 2001

Chief Executive Officer Governance/Members Liaison Human Resources Information Services			
Corporate and Community Services	Infrastructure Services	Strategic and Regulatory Services	Financial Services
Collier Park golf Course Collier Park Village Governance Library and Heritage Services Public Relations Recreation, Cultural and Community Development	Construction and Maintenance Engineering Design Parks and Environment	Building Services City Planning City Projects Environmental Health Rangers	Customer Services Debtors and Creditors Financial Management Payroll Rates and Property

City of South Perth Comparison of Local Government Structures

City of Armadale

Area [sq km]	560.4
Population:	55 600
Revenue:	\$32 629 499
No of Employees:	217

Chief Executive Officer			
Human Resources Public Relations			
Corporate Services	Community Services	Development Services	Technical Services
Business Services Finance Services Information Technology Administration and Governance	Community Development Library and Heritage Services Recreation Services Aquatic Centre Ranger and Emergency Services	Planning Services Building Services Health Services Environment	Design, Traffic and Development Engineering Administration Waste Services Parks and Reserves Property Management Support Services Civil Works

City of Belmont

Area [sq km]	40
Population:	30 960
Revenue:	\$33 787 680
No of Employees:	164.5

Chief Executive Officer		
Human Resources		
Corporate and Governance	Technical Services	Community and Statutory Services
Corporate Finance Information Technology Marketing and Communications Governance Property and Economic Development	Parks, Leisure and Environment Works	Building and customer Services Health and Ranger Services Planning Services Community and Library Services

City of Subiaco

Area [sq km] 7.1
 Population: 15 673
 Revenue: \$23 170 000
 No of Employees: 135

Chief Executive Officer			
Corporate Services	Community Services	Development Services	Technical Services
Finance Human Resources Information Services Admin Services	Community Care Library/Museum Community Development	Planning Services Building and Health Field Services	Parks Services Infrastructure Services Waste and Fleet Services

Town of Victoria Park

Area [sq km] 17.62
 Population: 15 673
 Revenue: \$23 170 000
 No of Employees: 135

Chief Executive Officer		
Statutory Functions Public Relations Agendas and Minutes		
Corporate and Customer Services	Technical Services	Sustainable Development
Community Development Financial Services Employee Relations Library Administration and Ranger Services Aqualife Centre Leisurelife Centre	Engineering Services Parks Services Waste Management Land and Assets Depot Building Maintenance	Building Services Environmental Health Services Planning Services Environmental Services

Town of Vincent

Area [sq km] 10.4
 Population: 25 918
 Revenue: \$26 352 237
 No of Employees: 192

Chief Executive Officer Human Resources Public Relations Customer Service Major Projects/Property		
Corporate Services	Environmental and Development Services	Technical Services
Information Systems Community Development Financial Services Beatty Park Leisure Centre	Library and Information Services Ranger Services and Community Safety Health Services Planning, Building and Heritage Services	Parks Services Engineering Design Services

Town of Cambridge

Area [sq km] 22
 Population: 24 508
 Revenue: \$27 542 000
 No of Employees: 152

Chief Executive Officer Human Resources Governance			
Corporate and Strategic	Community Development	Development and Sustainability	Infrastructure
Finance Corporate Information	Community Development Community Safety Facilities Management Bold Park Aquatic Centre Youth Services Senior Services Library Services Wembley Golf Complex	Development Compliance	Construction and Operations Engineering and Waste Management Parks and Landscape

City of Nedlands

Area [sq km] 20.6
 Population: 21 338
 Revenue: \$18 385 000
 No of Employees: 124

Chief Executive Officer			
Development Services	Corporate Services	Community Services	Business Support
City Assets Planning Services Property Services	Finance Corporate Services	Community Service Centres Community Development Sustainable Nedlands Infrastructure Services	Business Support Communications

City of Bayswater

Area [sq km] 32.8
 Population: 56 177
 Revenue: \$42 619 211
 No of Employees: 320

Chief Executive Officer			
Agendas and Minutes Public Relations Human Resources			
Finance	Technical Services	Administration and Community Services	Planning and Development
Accounting Purchasing and Grants Economic Development Payroll Accounts Payable and Receivable	Customer Services Engineering Environmental Health GIS Parks and Gardens Roadworks	Recreation Services Administration Records Switchboard Rangers and Security Services Community Services Public Libraries	Customer Services Planning Services Building Services Trades and Cleaners



AUDIT & GOVERNANCE COMMITTEE MEETING
Minutes of the Audit and Governance Committee Meeting
held in the Council Chamber, Sandgate Street, South Perth
Tuesday 8 May 2007 commencing at 5.30pm

1. OPENING

Cr Maddaford opened the meeting at 5.30pm and welcomed everyone in attendance.

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

Committee

Cr R B Maddaford	Mill Point Ward (Deputy Mayor) (Chair)
Cr L J Jamieson	Manning Ward
Cr L P Ozsdolay	Manning Ward
Cr R Wells, JP	McDougall Ward

Observers

Mayor J Collins, JP	
Cr J Best	Civic Ward (from 5.50pm)
Cr G W Gleeson	Civic Ward (from 5.35pm)
Cr B W Hearne	Como Beach Ward
Cr C A Cala	McDougall Ward
Cr S Doherty	Moresby Ward
Cr K R Trent, RFD	Moresby Ward
Cr D S Smith	Mill Point Ward (Deputy Member)

Officers

Mr C Frewing	Chief Executive Officer
Mr R Burrows	Director Corporate and Community Services
Mrs M Clarke	Manager Collier Park Village
Mr M Taylor	Manager City Environment
Mr S McLaughlin	Legal and Governance Officer
Mrs K Russell	Minute Secretary

Apologies

Cr L M Macpherson	Como Beach Ward - leave of absence
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Invited Consultant

Mr Chris Potter	Horwath Securities (WA) Pty Ltd (Auditor)
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3. CONFIRMATION OF MINUTES MEETING HELD: 13.3.2007

COMMITTEE DECISION ITEM 3

Moved Cr Ozsdolay, Sec Cr Wells

That the Minutes of the Audit and Governance Committee Meeting held 13 March 2007 be taken as read and confirmed as a true and correct record.

CARRIED (4/0)

4. REPORTS

4.1 Collier Park Village Hostel - Catering Tender Audit

Location:	City of South Perth
Applicant:	Council
Date:	4 May 2007
Author/Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to review an independent audit report prepared by Horwath Securities (WA) Pty Limited on the tender process for the provision of catering services to the Collier Park Village Hostel for a 3 year period commencing May 2006.

Background

At its meeting in March 2006, Council considered a report dealing with calling public tenders for the provision of meals for the residents at the Collier Park Village Hostel and resolved as follows:

That....

- (a) the tender of Medirest for the provision of catering services to the Collier Park Village Hostel, to the value of \$247,908 per year for the period of thirty six (36) months commencing 1 May 2006, with an option to extend the contract with an additional twenty four (24) months, be accepted; and*
- (b) it be noted that Medirest have confirmed that in the event the circumstances of the Hostel Management changed during the period of the tender contract that only six (6) months notice of cancellation of the contract would be required.*

Following the adoption of this resolution, a Notice of Motion was lodged for consideration at the April 2006 Council meeting in the following terms:

That....

- (a) Due to correspondence coming to the attention of this Council, regarding possible irregularities with the selection process and awarding of the annual tender for outsourcing of catering services for the Collier Park Village in March of this year, that this matter be referred to an independent auditor for a full investigation and a report back to Council at the earliest possible time. Should there be any adverse findings then the matter be referred to the Corruption and Crime Commission of Western Australia; and*
- (b) The Chief Executive Officer be authorised to call for quotations for the audit to be carried out and that the quotations be presented to the Audit and Governance Committee for approval.*

The process of appointment commenced by contacting the Certified Practising Accountants Australia (CPA) but after some time, the City was advised that none of its members contacted were in a position to assist the City on this occasion. The City then contacted The Institute of Chartered Accountants in Australia (ICA) and after the completion of formalities, the ICA nominated 6 firms they felt were suitable to conduct the audit.

Quotations were called in September 2006 and two responses were received. A report detailing the process and responses was prepared and considered at the September meeting of Council when it was resolved as follows:-

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.

Horwath Securities was appointed on 29 September 2006 and an initial draft report was received on 1 December 2006 followed by a supplementary draft report on 29 January 2007. The final report was received on 16 March 2007 and is the subject of this report.

Comment

1. Background

The City of South Perth has previously outsourced the catering services for the Collier Park Hostel under a contract which was tendered in September 2003. At the Ordinary Council Meeting held on 28 October 2003, Council approved a tender received from Brightwater Catering Services to provide a catering service to the Collier Park Village Hostel for a two year period. On 3 December 2005 the City advertised in the West Australian for fresh tenders for the provision of catering services for the Collier Park Hostel for a 3 year period. It is this later tender process which is under review.

Essentially, there are three areas to be reviewed. Firstly, the externally imposed statutory requirements detailed in the Local Government Act and associated Regulations. Secondly, internally imposed requirements such as Council Policies and Delegations and thirdly process issues associated with the tender specification and assessment of tenders received which are covered in the City's Local Government Purchasing and Tender Guide. Notwithstanding their importance, the Horwath report did not spend much time on the first two areas but concentrated its review and comments on the third area.

The Administration assessment of the City's performance in relation to all three areas is as follows:-

2. Legislative Compliance

Because of the express terms of the Council resolution, it is important that this report assess the tender process for regulatory compliance. The *Local Government Act* is the principal legislation that enables a Local Government to call tenders. The Act provides at S3.57 that tenders called are required to be in accordance with Regulations. The Local Government (Functions and General) Regulations 1996 provide the framework under which tenders are required to be called and processed.

This section of the report reviews the degree of compliance with these regulations for tender 19/2005 for the provision of a catering service to the Collier Park Village Hostel.

2.1 Tenders to be invited for contracts

At the time tenders were called in December 2005, Regulation 11 provided that competitive public tenders must be called for anticipated contract expenditure above \$50,000 unless one of the stated exemptions applies. No exemption applied in this instance.

Action: As it was known that the contract would be for an amount many times this sum, tenders were required to be called in accordance with the Regulations and arrangements were made to call tenders.

2.2 Requirements for publicly inviting tenders

Regulation 14 provides that State-wide notification of tenders must be provided.

Action: The City advertised this tender in the West Australian on 3 December 2005. The notice included details relating to a brief description of the tender, the name of a contact relating to the provision of further detailed information, where tenders should be submitted and a clearly stated tender deadline in accordance with this Regulation.

The detailed information refers to specifications, including provision of assessment criteria and method of tender delivery.

2.3 Timetable

Regulation 15 provides that the minimum time allowed to submit tenders is fourteen (14) days.

Action: The Tender closed at 2.00pm on Monday 19 December 2005. As a period of 15 clear days was allowed (but 17 days in total) the tender was compliant with this requirement.

2.4 Opening of tenders

Regulation 16 requires that tenders cannot be opened, examined, or assessed until the time after which further tenders cannot be submitted.

Action: The City has a "Tender box" which is located in the front counter reception where all tenders received are placed until the closing time specified in the notice. No tender was opened before the closing time. The tenders were opened shortly after 2.00 pm on 19 December. Although entitled to be present, there were no members of the public at the opening. In accordance with the Regulations, details of the tenders received were recorded in the Tenders Register.

2.5 Tenders Register

Regulation 17 provides that a Tenders Register is to record specified information which is available for public inspection.

Action: an inspection of the Register reveals that all relevant information required to be kept has been recorded in the Register.

2.6 Choice of tender

Regulation 18 provides the framework under which a tender may be rejected if not submitted in accordance with the conditions of tender.

Action: In total, 3 submissions were received in response to this tender. At the time of opening tenders, it was determined that all submissions received were compliant with the conditions of tender and were suitable for the purposes of evaluation and on this basis no tenders were excluded from consideration.

2.7 Tenderers to be notified

Regulation 19 requires that each tenderer be given written notice of the particulars of the successful tender.

Action: Following the Council decision in March 2006 to accept the successful tender, all tenderers were advised of the particulars of the successful tender.

Summary

Overall, the City had a very high degree of compliance with the statutory requirements as there are no identified anomalies or omissions in complying with either the Act or Regulations.

3. Policy and Delegations of Council

The Council has a Policy and Delegations that have relevance to calling public tenders. Policy P607 - Tenders and Expressions of Interest provides the operational framework and generally reflects the provisions of the Regulations detailed above. The Policy is supported by Delegation DC 651 - Inviting Tenders or Expressions of Interest and Delegation DC 607 - Acceptance of Tenders.

Action: The Policy and Delegation sets a figure of \$150,000 above which the CEO must refer tenders received to Council for decision. As the tender was for a sum significantly above this, the tenders received were referred to Council for decision.

Summary

The City has complied with the Policy and Delegations in force at the time.

4. Local Government Purchasing and Tender Guide

The City has also developed a comprehensive model Local Government Purchasing and Tender Guide. This Guide details many of the process issues that should be followed when conducting a tender.

The overall tender process has been conducted to a high compliance standard, and the following issues have been drawn on the basis of exception. This context should not be lost when considering matters of process and procedure, as comment has generally not been made in the Horwath Report relating to those areas that do follow the best practice model.

5. Background Administrative matters

There are a number of background administrative matters that are relevant and will be referred to during the course of the response to the Horwath report and these are as follows:

5.1 Evaluation Panel

An evaluation panel was assembled for this tender after the release to the market. The evaluation methodology was set and agreed prior to the release of the tender in accordance with recommended process. Members of the evaluation panel were:

Margaret Clarke:	Manager Collier Park Village (Chair)
Susan Evans:	Senior Nurse Collier Park Village
Pete Smith:	Tenders Contracts and Purchasing Officer

5.2 Selection criteria

The selection criteria contained in the tender specification and report to Council was as follows:

Price	50%
Experience	45%
References	5%

5.3 Tender responses

There were three responses to the tender as follows:

Aurum Catering
Brightwater Catering
Medirest

6. Horwath Report Findings

The Horwath Report dated 16 March 2007, which has previously been circulated, raises a number of procedural issues associated with the tender documentation and the process adopted in dealing with the assessment of the tenders received. The specific findings contained in the Horwath Report relating to these issues have been identified and appropriate responses are provided below.

6.1 Selection criteria not fully adhered to (finding 4.1)

Issue: The tender specifications referred to a Code of Practice for Cook Chill issued by the Health Department of WA in 1991. The Code refers to the chilling process and states that a rapid chilling food apparatus (a blast chiller) is essential; it then details the technical requirements of such a chilling process.

The Report suggests that (1) because of the specific nature of the requirements of the Code, the selection criteria in this regard should have been objectively applied in the tender evaluation and selection process.

Mention is also made in the Report that (2) Aurum preferred to provide a Cook Fresh service (and this was the basis of their tender) over a Cook Chill/Cook Fresh service; (3) the successful tenderer, Medirest, did not possess a rapid or blast chiller; and (4) Medirest currently provides a predominantly Cook Fresh service with occasional Cook Chill being performed.

Response 1: Given the withdrawal of Brightwater from the tender, this left Aurum who tendered for a Cook Fresh service and Medirest who tendered for a Cook Chill/Cook Fresh service. At this point in the evaluation process it would have been reasonable to conclude that only Medirest could have complied with the tender specification, assuming that it could meet the Health Department Code requirements referred to above.

The comment that the selection criterion should have included reference to the compliance with the Code of Practice is not supported. The requirement of the tender process was detailed at Part 3 of the Specifications - Scope of Work - which read in part:

“Most of the foods will be Cook Chill however there will be a requirement for the Contractor to prepare Cook Fresh dishes, for example gravy, some potato dishes, fried fish etc. The Contractor and the City’s Representative will on a continuous basis define these requirements which are usually brought about by suggestions/requests submitted by the residents.”

If a tender did not comply with this requirement it must be rejected as being non compliant – and it could not be assessed because it did not comply or meet the predetermined requirements of the specifications. This criticism in the Report would therefore not have assisted Aurum’s cause because of its stated position at tender of only providing a Cook Fresh food service.

The argument advanced that a Cook Fresh service may somehow be a healthier or superior service is not relevant to the assessment of a tender which called for a Cook Chill/Cook Fresh service. This is not to say that there may not be some merit in considering the provision of an exclusively Cook Fresh service in the future but it is not a relevant consideration for the purposes of this tender assessment.

Response 2: Noted; and see comments above.

Response 3: The refrigeration equipment installed and in use in the Collier Park Village Hostel kitchen whilst not able to meet the strict requirements of the 1991 Code for Cook Chill, is compliant with the necessary standards for Cook Chill food as defined in the Report at para. 4.3 (d) viz. “chilling in a refrigerator from a +60 degrees to 21 degrees or less within 2 hours and then to below 5 degrees within a further 4 hours”.

Response 4: Medirest continues to provide a Cook Chill/Cook Fresh service at the Hostel. The difference between the service formerly provided by Brightwater and Medirest is that Brightwater cooked the meals offsite and delivered onsite consistently with the Cook Chill method; whereas Medirest cooks meals onsite, chills in accordance with the definition set out in Response 3 above and adds the “fresh” component, i.e. vegetables and gravy as appropriate. The changing proportion between Cook Fresh and Cook Chill is in line with the Specifications - Scope of Work - set out in Response 1 above.

Conclusion: It is agreed that there is a degree of confusion regarding the terms Cook Chill and Cook Fresh and that they may be open to different interpretation. It is agreed that these terms, if they are to be used again, should be expressly defined in future tender documentation. Future tender documentation should also refer to contemporary standards or applicable Codes. It is also important to note that in order to provide Council with the most flexibility to make the best decision on its merits for the provision of a high standard food service to its residents, tenders should be called for the provision of a suitable food service that complies with all relevant aged care standards – so that Council retains appropriate discretion in its decision-making. The tender in question has done that - it complied with all relevant statutory aged care standards and provided flexibility to Council in its decision-making role.

6.2 Quality assurance criteria (finding 4.2)

Issue: The quality assurance criteria could have been more specific.

Response: The quality assurance criteria are clearly set out at para. 12 - Assuring Quality - in the General Conditions of Contract and explicitly describe what is required. Apart from a discussion about HACCP Accreditation (see below), the Report does not substantiate in what way the quality assurance criteria could be made more explicit.

Issue: The City required the tenderers to be HACCP compliant and should have ensured that the Collier Park Kitchen was HACCP compliant.

Response: HACCP Accreditation works as follows: once a company becomes accredited it must thereafter, to maintain the currency of its accreditation, ensure that regular audits are conducted with respect to each of its specific operations. This of necessity requires that the company, if it is to maintain its accreditation, conducts regular audits at Collier Park Village Hostel. In accordance with the HACCP accreditation procedure, Medirest provides the City with written advice at regular intervals of the results of these audits.

Conclusion: The City does not accept the analysis or findings of the Report on this point.

6.3 Technical definitions (finding 4.3)

Issue: The tender documentation could have been improved with some more contemporary technical definitions.

Response: Agreed – this point was acknowledged in 6.1 above.

Conclusion: Notwithstanding this deficiency in the tender documentation, no tenderer was advantaged or disadvantaged as a result of this condition. The responses received from each of the 3 tenderers were all deemed to be compliant with the conditions of tendering.

6.4 Suitability of key criterion Cook Chill/Cook Fresh food service (finding 4.4)

Issue: It is debatable whether the term Cook Chill/Cook Fresh should have been specified and included in the tender documentation.

Response: Agreed - the description of the required food service will need to be reviewed for future tenders. The City also agrees with the statement in the Report at para. 4.4 (b) that 'the essential requirement was for the reliable provision of safe, sufficient, nutritious, palatable and quality meals to the residents of CPH at a reasonable cost to CoSP' and notes that this requirement has been achieved.

Conclusion: As was noted in paragraph 6.1 above there is some confusion over these terms and in the future the terms should be more clearly defined or alternatively should not be used at all, in order to provide Council with flexibility in its decision-making.

6.5 Suitability and extent of tenderer selection and evaluation criteria (finding 4.5)

Issue: With hindsight, (1) a more extensive and thorough set of evaluation and selection criteria; (2) a division of responsibility between criteria setters and evaluators; and, (3) increase the number of members on the selection panel - might have obviated some of the issues that arose from the selection process.

Response 1: It is agreed that the selection criteria were somewhat limited given the importance of the tender in terms of service delivery and could have been expanded to cover more areas.

Response 2: The merit of this suggestion is not immediately apparent and the Report does not attempt to substantiate it. In fact it is the Administration's firm view that the principal requirement for an effective tender process is to ensure that at least one person who is knowledgeable about the tender requirements and specifications should be involved in *both* the preparation of the tender documentation and in the evaluation of the tenders received.

Response 3: The Administration believes that a three member evaluation panel is generally adequate particularly where the Director oversees the recommendation and either the Council or CEO makes the final decision.

It is also noted that the Report speculates rather than concludes that the Evaluation Panel may have subconsciously preferred the successful tenderer over the unsuccessful tenderer because of differences over use of terms such as the Cook Chill / Cook Fresh issue and "chef". The Evaluation Panel maintains that because of the withdrawal of the initially preferred tenderer, it was necessary to make further enquiries which resulted in new information becoming available rendering Aurum non compliant.

It is also noted that the Report acknowledges that the Panel found itself in the position of making the best decision on behalf of the residents of the Hostel – which is what would be expected of them.

Conclusion: Notwithstanding these qualifications, it is agreed that the selection criteria could have been expanded to include a range of other relevant factors. It is not agreed that separating preparation and assessment or adding evaluation panel members is desirable or necessary.

6.6 Sufficiency of time allowed to tenderers (finding 4.6)

Issue: Allowing more time for both tender preparation and for tenderers to prepare submissions should result in more, and more comprehensive tenders being received.

Response: There is no reason to believe that sufficient time was not allowed by the Tenders Officer to coordinate the preparation of the tender documentation prior to tenders being called in December 2005. It is agreed of course that sufficient time should be allowed for all relevant personnel to review the documentation. It is doubtful whether the minor deficiencies in the documentation discussed above are likely to have been avoided by an extended preparation time.

With respect to the number and comprehensiveness of the tenders received, it is possible that timing could have been an issue with calling the tenders although there is no evidence of this. Fourteen days is the statutory minimum and is generally regarded as being sufficient as most major firms have standard tender documentation readily available. On this occasion 17 days was allowed with 15 clear days being available.

It is also noteworthy that this part of the catering industry is quite small and only four tenders were received in the previous 2003 tender.

Conclusion: In principle, the Administration has no difficulty with major tenders being extended to say 3 weeks.

7. Recommendations

Recommendation 5.1.a - Sign off on tender documentation before being made public

Response – Agree. There is a greater role for the Legal & Governance Officer in this exercise because of his legal expertise, level of independence and because of the nature of the contractual obligations being entered into by the City.

Recommendation 5.1.b - Should be clear definition of technical terms

Response – Agree, as discussed above.

Recommendation 5.1.c - Should be explicit enunciation of all applicable laws

Response – Agree generally and agree in particular that catch-all phrases such as “all applicable laws and statutory requirements” should be avoided. However it is noted that in para. 12 of the General Conditions of Contract, a list of applicable laws are set out and explicit reference is made to both HACCP and Foodsafe.

Recommendation 5.1.d - Should use a more extensive list of evaluation criteria.

Response – Agree, as discussed above.

Recommendation 5.1.e - For significant RFT, persons from within or outside CoSP should be identified who have appropriate knowledge, skill and experience etc in specifying tender conditions and selection criteria.

Response – Agree and note that with respect to internal staff, this is currently done consistently with the City’s Tender Guidelines. It may be that with respect to unusual tender requirements, external advice should be sought.

Recommendation 5.1.f - Ensure a division of responsibilities between those staff who prepared tender documentation and those who assess tender responses.

Response – Disagree. The merit of this recommendation was not explored or substantiated in the Report. There is a passing reference to conflicts of interest which the City acknowledges may be an issue which is currently dealt with, consistently with Tender Manual, by ensuring that the membership of the Evaluation Panel is composed of officers from outside the directorate seeking the tendered goods or services. The Tenders Officer also sits on the Panel to ensure an independent presence.

Recommendation 5.1.g - For significant tenders, raise the minimum membership of the Panel to three or more.

Response – Agree, whilst noting that all significant tender evaluation panels as currently constituted are composed of at least three officers and sometimes four.

Recommendation 5.1.h - Consider determining a minimum number of evaluation criteria that is to apply to all tenders

Response – As discussed above, the Administration agrees that the list of evaluation criteria were too limited and could have been expanded for the tender under review. And whilst in general agreement with the recommendation it should be noted that the City’s Tender Manual contains a prescriptive list of half a dozen evaluation criteria which are generally used in tender documentation with some minor modification depending on the nature of the tender required. The list in the City’s Manual is very similar to the Bunbury Model set out in the Report both being based on the WALGA Tender & Purchasing Guidelines.

Recommendation 5.1.i – Consider benchmarking against reported practices of other local governments viz. Monash Council to improve CPV tender documentation in the future

Response – Agree. Although it is noted that all of the items listed in the Report at para. 5.1.h(ii) with respect to Monash’s Service Improvement Plan were clearly set out in the City’s tender documentation for the CPV Hostel Catering tender.

Recommendation 5.1.j – An Expressions of Interest (EOI) process might have avoided some of the confusions that arose over the CPH RFT

Response - Not agreed. If there were, as has been acknowledged, minor deficiencies in the tender documentation under review, an EOI process would not have made any difference to the outcome.

Also and for similar reasons, the Administration does not agree that an EOI process is a “preferred approach” to the tender process in the circumstances under review or generally. All it would do would be to increase the cost of the exercise and extend the time involved in obtaining the provision of the desired service.

8. Overall Conclusion

The tender for the provision of a catering service to the Collier Park Village Hostel met all statutory obligations and was fully compliant with the *Local Government Act* and the *Local Government (Functions and General) Regulations 1996*.

From a process and procedural standpoint there are a number of qualitative issues relating to the tender that have been highlighted. These are presented as a matter of business process improvement and do not invalidate or impact on the outcome of the tender. The City of South Perth can be satisfied that it has managed a robust and acceptable process of public tender.

One of the difficulties with a specialised tender of this nature is that it is called only periodically and in the case of Collier Park Village was the only tender called in the period since the previous tender of 2003. Because of this and consistently with Recommendation 5.1e discussed above, the City proposes to engage the WALGA Tender Bureau Service to assist with specialised and unusual tenders in future.

Consultation

WALGA Tender Bureau Service.

Policy and Legislative Implications

N/A

Financial Implications

No specific funding is contained in the budget for this assignment. A budget adjustment may be required at a later time when costs of the assignment are known.

Strategic Implications

No specific strategic implications at this time.

OFFICER RECOMMENDATION ITEM 4.1

That the Committee receives report Item 4.1 of the Audit and Governance Meeting 8 May 2007 and recommends that Council acknowledges the Administration's continuing efforts to improve the City's tender process as outlined in the report.

Note: Cr Gleeson arrived at 5.35pm.

DISCUSSION / QUESTIONS ITEM 4.1

The Chairman stated that prior to inviting Members to raise any questions / queries of the Consultant in relation to his report, he asked the Chief Executive Officer for any comment.

The Chief Executive Officer advised that he believed his report at Item 4.1 of the Agenda responded to the issues raised in the auditor's report.

Questions were raised by Members and responded to by Mr Potter. Following a request, Mr Potter then worked through, and made comment on, his suggested recommendations, as listed in the report at part 7.

Note: Cr Best arrived at 5.50pm

OFFICER RECOMMENDATION

Cr Ozsdolay moved the officer recommendation.

The Motion Lapsed for want of a Secunder.

(LAPSED)

COMMITTEE RECOMMENDATION ITEM 4.1

Moved Cr Jamieson, Sec Cr Wells

That the Audit and Governance Committee recommends Council...

- (a) accepts the report from Horwath Securities (WA) Pty Limited; and
- (b) notes the significant lapse of time from Council's request of April 2006 to now to table the report; and that the CEO is the officer responsible for implementing Council decisions.

CARRIED (3/1)

5. OTHER RELATED BUSINESS

Nil

6. CLOSURE

The Chairman thanked everyone for their attendance and closed the meeting at 6.50pm.

These Minutes were confirmed at a meeting held on _____ 2007

Signed _____

Chairperson at the meeting at which the Minutes were confirmed

