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ORDINARY COUNCIL MEETING

**Minutes of the Ordinary Meeting of the City of South Perth Council
held in the Council Chamber, Sandgate Street, South Perth
Tuesday 22 April 2008 commencing at 7.00pm**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7.00pm, welcomed everyone in attendance, in particular Councillor Guffar Hussein visiting from Kafue Zambia. He then paid respect to the Noongar people, custodians of the land we are meeting on and acknowledged their deep feeling of attachment to this land.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 Activities Report Mayor Best (*Note: Attached to the back of Agenda paper*)

3.2 Audio Recording of Council Meeting

The Mayor reported that the meeting is being audio recorded in accordance with Council Policy P517 "Audio Recording of Council Meetings" and Clause 6.1.6 of the Standing Orders Local Law which states: "***A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member***" and stated that as Presiding Member he gave his permission for the Administration to record proceedings of the Council meeting.

4. ATTENDANCE

Present:

Mayor J Best

Councillors:

B Hearne	Como Beach Ward
I Hasleby	Civic Ward (until 9.18pm)
T Burrows	Manning Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall Ward
R Wells, JP	McDougall Ward (from 7.42pm)
R Grayden	Mill Point Ward
D Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Development and Community Services (until 9.02pm)
Mr M J Kent	Director Financial and Information Services
Mr L Croxford	Acting Director Infrastructure Services (until 9.02pm)
Mrs M Clarke	Manager Collier Park Village (until 9.02pm)
Ms D Gray	Manager Financial Services (until 9.02pm)
Mr R Kapur	Acting Manager Development Assessment (until 9.02pm)
Mr R Bercov	Strategic Urban Planning Adviser (until 8.25pm)
Mr O Hightower	Planning Officer (until 9.02pm)
Ms J Jumayao	Research/Projects Officer (until 9.02pm)
Mr S McLaughlin	Legal and Governance Officer (until 9.02pm)
Ms R Mulcahy	City Communications Officer (until 9.02pm)
Ms J Sethi	Minutes (Minute-taking training) (until 9.02pm)
Mrs K Russell	Minute Secretary

Gallery

There were 18 members of the public and 1 member of the press present

4.1 APOLOGIES

Cr R Wells, JP McDougall Ward - anticipated late arrival

4.2 APPROVED LEAVE OF ABSENCE

Cr G W Gleeson Civic Ward - Sustainability Development Conference
Cr P Best Como Beach Ward - Sustainability Development Conference

5. DECLARATION OF INTEREST

Nil

6. PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Council meeting held 26 March 2008 the following question was taken on notice:

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

Summary of Question

Has the City ever issued a demolition order on a property owner for failure to comply with a town planning scheme?

Summary of Response

A response was provided by the Chief Executive Officer, by letter dated 3 April 2008, a summary of which is as follows:

City officers are not aware of any such action.

6.2 PUBLIC QUESTION TIME : 22.4.2008

The Mayor advised that Public Question Time would be limited to 15 minutes and that questions, not statements must relate to the area of Council's responsibility. He advised that questions would be taken from the gallery on a rotational basis and requested that speakers state their name and residential address. The Mayor then opened Public Question Time at 7.08pm.

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

Summary of Question

Mr Drake referred to a question asked last month - *Re No. 11 Heppingstone Street, with respect to the Order from the City to the owners of 11 Heppingstone Street, South Perth will the City forward me copies of all correspondence or will I be obliged to make a FOI application to get it?* and stated that he did not appear to have received an answer?

Summary of Response

The Chief Executive Officer responded that he would follow this up.

Summary of Question

I have concerns about the response provided in relation to an article in the Southern Gazette newspaper 22 April which obviously came from the City. Does the City of South Perth know how to measure building height and building setbacks?

Summary of Response

The Mayor responded, yes.

Summary of Question

Does the City of South Perth know how high the building at 11 Heppingstone Street is?

Summary of Response

The Chief Executive Officer stated that he could not advise, without research, the building height but that this information has been part of previous reports to Council.

Summary of Question

For the benefit of the public gallery, Councillors, officers present - can you give me an undertaking to answer that question?

Summary of Response

The Chief Executive Officer said that the issue has been addressed in the past in reports presented to Council and also as part of answers provided to questions raised during public question time on a number of occasions.

Summary of Question

Does the City of South Perth know how far back the building at 11 Heppingstone Street is set from the building line?

Summary of Response

The Chief Executive Officer said that the City would have that information.

Summary of Question

Would it be made public?

Summary of Response

The Chief Executive Officer replied, yes.

Summary of Question

Does the building at 11 Heppingstone Street comply with the Grant of Planning Consent?

Summary of Response

The Chief Executive Officer said he did not believe he could add anything further to this matter which has been debated on many occasions here at Council and at the SAT.

Summary of Question

When is the City going to stop deceiving the residents of South Perth?

Summary of Response

The Mayor replied that the matter is before SAT. He said that the Minister has issued an Order for the building at 11 Heppingstone Street to be rectified and that we are relying on SAT to adjudicate and therefore need to wait for the outcome.

Summary of Response

The Chief Executive Officer stated that he wanted to make it clear that the City has never deceived the ratepayers in relation to 11 Heppingstone Street.

Summary of Question

Why does the article say that the building complies. SAT have found the building to be 100 sq.metres over plot ratio. This has technically been a 'defacto' finding by SAT and that will be found by the Supreme Court application.

Summary of Response

The Mayor responded that the Supreme Court was the best place to take the matter. He then asked the CEO for a comment.

The Chief Executive Officer said that unfortunately the City cannot be held responsible for what is quoted in the Southern Gazette newspaper. He confirmed that the article was certainly not part of any statement issued by the City but an article by the Southern Gazette newspaper which he had requested be retracted.

Close of Public Question Time

There being no further questions the Mayor closed Public Question time at 7.12pm

7. CONFIRMATION OF MINUTES / BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 26.3.2008

COUNCIL DECISION ITEM 7.1.1

Moved Cr Trent, Sec Cr Grayden

That the Minutes of the Ordinary Council Meeting held 26 March 2008 be taken as read and confirmed as a true and correct record.

CARRIED (10/0)

7.1.2 CEO Evaluation Committee Meetings Held: 15.4.08 and 21.4.08

COUNCIL DECISION ITEM 7.1.1

Moved Cr Burrows, Sec Cr Doherty

That the Minutes of the CEO Evaluation Committee Meetings Held 15 and 21 April 2008 be received.

CARRIED (10/0)

7.2 BRIEFINGS

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

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

As per Council Resolution 10.5.6 of the Ordinary Council Meeting held 26 June 2007:

- the "Work in Progress" *draft* Agenda to be made available to members of the public at the same time the Agenda is made available to Members of the Council; and
- applicants and other persons affected who wish to make Deputations on planning matters be invited to make their Deputations to the Agenda Briefing.

7.2.1 Agenda Briefing - March Ordinary Council Meeting Held: 18.3.2008

Officers of the City heard Deputations and presented background information and answered questions on items identified from the March Council Agenda. Notes from the Agenda Briefing are included as **Attachment 7.2.1**.

7.2.2 Concept Forum Strategic Financial Plan/Budget Meeting Held: 19.3.2008

Officers of the City presented background information on the Strategic Financial Plan / Budget Process and answered questions from Members. Notes from the Concept Forum are included as **Attachment 7.2.2**.

7.2.3 Concept Forum Town of Victoria Park Presentation McCallum Park/Taylor Reserve Project Meeting Held: 2.4.2008

A representative from the Town of Victoria Park presented an background information and an update on the McCallum Park/Taylor Reserve Project Master Plan and answered questions from Members.

Notes from the Concept Forum are included as **Attachment 7.2.3**.

7.2.4 Workshop 'Community Visioning Project' Meeting Held: 8.4.2008

Officers of the City presented an update on the 'Community Visioning' project and 'workshopped' proposed outcomes with Members.

Notes from the Concept Forum are included as **Attachment 7.2.4**.

COUNCIL DECISION ITEMS 7.2.1 TO 7.2.4 INCLUSIVE
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Moved Cr Doherty, Sec Cr Trent

That the comments and attached Notes under Items 7.2.1 to 7.2.4 inclusive on Council Agenda Briefings held since the last Ordinary Meeting of Council on 26 March 2008 be noted.

CARRIED (10/0)

8. PRESENTATIONS

8.1 PETITIONS -	A formal process where members of the community present a written request to the Council
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Nil

8.2 PRESENTATIONS -	Formal or Informal Occasions where Awards or Gifts may be Accepted by the Council on behalf of the Community.
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Nil

8.3 DEPUTATIONS -	A formal process where members of the community may, with prior permission , address the Council on Agenda items where they have a direct interest in the Agenda item.
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Note: Deputations in relation to Agenda Items 10.0.1, 10.3.2, 10.3.3 and 10.3.4 were heard at the April Council Agenda Briefing held on 15 April 2008.

Opening of Deputations

The Mayor opened Deputations at 7.15pm and advised that speakers would be permitted 10 minutes each to address the Members.

8.3.1. Mr Nik Mouzalidis, 249 Canning Highway, Como and also representing other adjoining neighbours Agenda Item 10.3.3
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Mr Mouzalidis spoke against the officer recommendation on the following points:

- background of proposal
- finished floor levels of Unit 2 / excessively high
- extreme disparity in ground and floor levels
- boundary wall / structural integrity problems - disagree
- plans processed by building department
- believe approval outside R Codes / no legal grounds for approval to be issued
- ask Council to give us time for a structural engineer to make an assessment

8.3.1. Mr Oscar Lewis, 2/108 Lockhart Street, Como (Applicant/Owner) Agenda Item 10.3.3
--

Mr Lewis spoke in favour of the officer recommendation on the following topics:

- background summary of approval for 3 Grouped Dwellings
- encroachment from 249 Canning Hwy - plans redrawn to accommodate issues raised
- new plans submitted to Council - amended plans with new levels approved
- understood approval meant work could proceed / instructed builder to go ahead
- did not realise Planning Approval was required for increased height level - work stopped
- acknowledge confusion between two approvals received
- increased height level was not to gain views as suggested but to prevent underpinning
- increased height will have no impact
- ask Council support the application for retrospective Planning Approval

Close of Deputations

The Mayor thanked the presenters for their comments and closed Deputations at 7.32pm

8.4 DELEGATES' REPORTS	Delegate's written reports to be submitted to the Minute Secretary prior to 4 April 2008 for inclusion in the Council Agenda.
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Nil

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Mayor advised the meeting of the en bloc method of dealing with the items on the Agenda. He then sought confirmation from the Chief Executive Officer that all the en bloc items had been discussed at the Agenda Briefing held on 15 April 2008.

The Chief Executive Officer confirmed that this was correct.

COUNCIL DECISION ITEM 9.0 - EN BLOC RESOLUTION

Moved Cr Trent, Sec Cr Hasleby

That the officer recommendations in relation to Agenda Items 10.0.1, 10.3.1, 10.4.1, 10.4.2, 10.4.3, 10.4.4, 10.5.1, 10.5.2, 10.5.3, 10.5.5, 10.6.1, 10.6.2, 10.6.3, 10.6.4 and 10.6.5. be carried en bloc.

CARRIED (10/0)

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Proposed Amendment No. 10 to Town Planning Scheme No. 6 to rezone portion of Pt. Lot 1 Burch Street, South Perth. Consideration of submissions

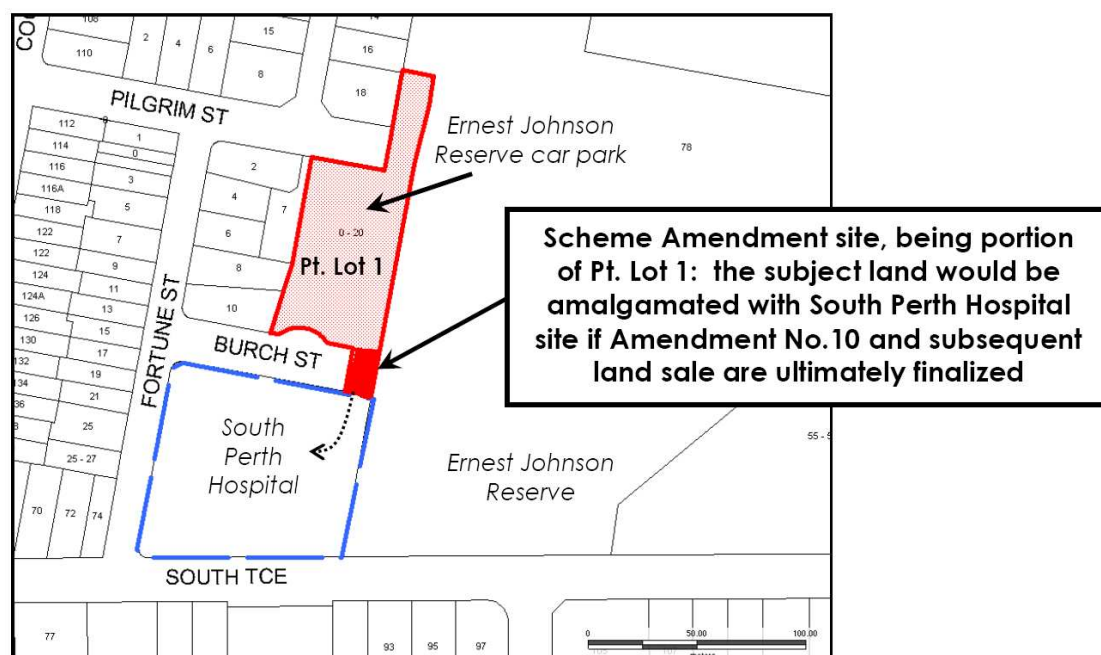
Location:	Portion of Pt. Lot 1 Burch Street, South Perth
Applicant:	South Perth Hospital
Lodgement Date:	8 October 2007
File Ref:	LP/209/10
Date:	1 April 2008
Author:	Gina Fraser, Senior Strategic Planning Officer
Reporting Officer:	Steve Cope, Director, Planning and Community Services

Summary

The rezoning proposal referred to as Amendment No. 10 to Town Planning Scheme No. 6 (TPS6) forms part of a long series of processes related to a request by the South Perth Hospital to purchase a piece of Council-owned land at the end for Burch Street, South Perth. The initial request was considered by the Council in July 2007, and the Scheme Amendment process initiated by the Council in November 2007 following the receipt of a formal request. Final approval of Amendment No. 10 by the Minister for Planning and Infrastructure is a prerequisite to the Council being able to initiate land sale procedures under the Local Government Act. The draft Amendment proposals have been advertised for community comment and submissions have been received. This report and the attached Report on Submissions, outline the comments contained in the submissions, and recommend that the proposed Scheme Amendment No. 10 proceed without modification.

Background

The location of the land which is the subject of Amendment No. 10 is shown below:



This report includes **Attachment 10.0.1** being the Report on Submissions referred to in this report.

The reasons for the proposed Amendment No. 10 were fully explained in the Officer's report to Council in November 2007. It was explained that the land which is the subject of this Scheme Amendment is owned by the Council. It forms part of the irregularly-shaped Pt. Lot 1 which also contains the Ernest Johnson Reserve car park. In July 2007, the Council considered a formal request by the South Perth Hospital to purchase the portion of this lot comprising a southerly 'protrusion' situated between the cul-de-sac end of Burch Street and the Ernest Johnson Reserve. The Hospital wishes to use this land for essential infrastructure equipment - fire management water tanks and pumps, air conditioning chillers and a bulk storage oxygen tank. The equipment and the intended treatment of the land is described more fully in the attached Amendment No. 10 report which was attached to the November 2007 Council Agenda item 10.3.9 and related Minutes.

Since endorsing the Amendment proposal in November 2007, full consultation procedures have been implemented. Details relating to the neighbour consultation are contained within the 'Consultation' section of this report and in the attached Report on Submissions at **Attachment 10.0.1**.

Comment

(a) Description of the Proposal

The background, purpose and content of Amendment No. 10 are fully described in the relevant November 2007 Council report (agenda item 10.3.9) and its attachments. The current report deals with the submissions which have been received in response to the public advertising of the draft Amendment proposals.

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

In terms of the general objectives listed within Clause 1.6 of TPS6, this Scheme Amendment process satisfies the following Scheme objectives:

- (d) Establish a community identity and 'sense of community' both at a City and precinct level and to encourage more community consultation in the decision-making process;*

- (e) *Ensure community aspirations and concerns are addressed through Scheme controls;*
 - (f) *Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development.*
- (c) **Other Matters to be Considered by Council: Clause 7.5 of No. 6 Town Planning Scheme**
The purpose of the Town Planning Scheme No. 6 and amendments to it, is to guide and control development within the City. Should TPS6 be amended in the manner proposed, the Council would later be involved in considering a development application for the subject land. At that time, the Council will be required to have due regard to a range of matters listed in clause 7.5 of TPS6 which are, in the opinion of the Council, relevant. The following listed matters are relevant to the Scheme Amendment process in that they would ultimately affect development of the land:
- (b) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
 - (i) *the preservation of the amenity of the locality;*
 - (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance.*
- (d) **Amendments to the Scheme: Clause 9.8 of No. 6 Town Planning Scheme**
Clause 9.8 of the Town Planning Scheme No. 6 relates to the Scheme Amendment process. Among other matters, the clause states:

“(4) The Council shall take into consideration any comments or submissions received in respect of a proposed amendment to the Scheme and shall only proceed with the amendment where it is satisfied the amendment would be consistent with the objectives of the Scheme and of the precinct, and would not be contrary to the public interest.”

Consultation

Following the Council's adoption of draft Amendment No. 10 in November 2009, the statutory advertising required by the Town Planning Regulations was undertaken in the manner resolved at the November 2007 Council meeting, for a period of more than 42 days, between 5 February and 21 March, 2008, inclusive. In line with the Council's Policy P104, the advertising process was timed to commence after the Christmas/New Year season of mid-December to mid-January in recognition of the special nature of this period, to ensure the fullest possible response. During this advertising period, a total of 50 residents were consulted, resulting in receipt of 12 submissions, being 5 in favour of the Amendment, 4 against it, and 3 from service authorities.

The submissions are discussed in detail in the Report on Submissions contained in **Attachment 10.0.1** which will be provided to the Western Australian Planning Commission for further consideration and recommendation to the Minister for Planning and Infrastructure.

Policy and Legislative Implications

The proposed Amendment No. 10, if approved by the Minister, will have the effect of amending the City's Town Planning Scheme No. 6.

Various elements of the statutory Scheme Amendment process are set out in clause 9.8 of the City’s Town Planning Scheme No. 6, in Council Policy P104 relating to ‘Neighbour and Community Consultation in planning Processes’, and in the *Town Planning Regulations*. The process as it relates to the proposed Amendment No. 10 is set out below, together with a time frame associated with each stage of the process. Those stages which have been completed (including consideration at the April 2007 Council meeting) are shown shaded.

Stage of Amendment Process	Time Frame
Preliminary consultation under Policy P104	Not applicable
Council adoption of decision to initiate Amendment No. 10 to TPS6	27 November 2007 Council meeting
Council adoption of draft Scheme Amendment No. 10 proposals for advertising purposes	27 November 2007 Council meeting
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period <i>(Receipt of EPA response not requiring environmental assessment:</i>	18 December 2007 8 January 2008)
Public advertising period of not less than 42 days <i>(Not to be undertaken between mid-December and mid-January)</i>	Tuesday, 5 February to Friday, 21 March 2008 (46 days)
Council consideration of Report on Submissions in relation to Amendment No. 10 proposals	23 April 2007 Council meeting
Referral to the WAPC and Minister for consideration: <ul style="list-style-type: none"> • Report on Submissions, including Council’s recommendation on the proposed Amendment No. 10; • Three signed and sealed copies of Amendment No. 10 documents for final approval 	Early May 2008
Minister’s final determination of Amendment No. 10 and publication in <i>Government Gazette</i>	Unknown

Should Amendment No. 10 be finally approved by the Minister for Planning and Infrastructure and the land rezoning to ‘Private Institution’, the City will be free to proceed with the sale of the subject land in accordance with relevant processes.

Financial Implications

The issue has some financial implications, to the extent that a Planning Fee has been paid by the South Perth Hospital. The initial ‘up-front’ estimated fee was \$8,000. A log is being retained with respect to officers’ time spent on this project, and the fee will be reviewed at the end of the process. As the fee represents actual time incurred by officers in processing the Scheme Amendment, any unspent fee will be returned to the applicant.

Strategic Implications

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

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

Sustainability Implications

The amendment proposal has been assessed according to various sustainability parameters. One of the key outcomes of this Amendment which has been examined by the City and also referred to by submitters, is the loss of one of the two large trees on the amendment site. The two trees are a kurrajong and a jacaranda. While the kurrajong will be retained and protected within the infrastructure compound, the jacaranda will need to be removed. Rather than merely removing the tree, the City requires that the tree be transplanted to the nearby reserve.

In addition to the relocation of the jacaranda, the applicant has expressed a willingness to undertake other landscaping both within and beyond the subject land in order to reduce the visual impact of the infrastructure. This, and other design concerns, will be fully addressed at the time of any future development application, should this Amendment be approved by the Minister.

Community consultation has been undertaken in accordance with all requirements, including the Council's November 2007 resolution, and all submissions have been fully assessed.

Conclusion

having regard to all of the matters discussed in this report and in the attached Report on Submissions, the conclusion is that, for the reasons contained in these reports, the Council should recommend to the Western Australian Planning Commission and the Minister for Planning and Infrastructure that the proposed Amendment No. 10 proceed without modification.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.0.1
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That

- (a) the Western Australian Planning Commission be advised that Council recommends that:
 - (i) Submissions 1.1 to 5 inclusive, supporting the proposed Amendment No. 10, be generally **UPHELD**;
 - (ii) Submissions 2.1 to 2.4 inclusive, opposing the proposed Amendment No. 10, be generally **NOT UPHELD**; and
 - (iii) Amendment No. 10 **proceed without modification**;
- (b) the Report on Submissions containing the Schedule of Submissions, **Attachment 10.0.1** and three executed copies of the Amendment No. 10 document, be forwarded to the Western Australian Planning Commission for final determination by the Minister for Planning and Infrastructure;
- (c) the South Perth Hospital be advised:
 - (i) of the comments contained in the submissions from the service authorities with respect to their requirements; and
 - (ii) that certain comments made by neighbouring residents in the submissions on Amendment No. 10 will need to be addressed as part of any future application for the development of the subject land; and
- (d) the Submitters be thanked for their participation and advised of the above resolution.

CARRIED EN BLOC RESOLUTION

10.0.2 Collier Park Hostel Proposed Strategic Plan (<i>Item 10.0.2 Dec 2007 Council Meeting</i>)

Location:	City of South Perth
Applicant:	Council (Collier Park Hostel)
File Ref:	CS/501/4
Date:	4 April 2008
Author:	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to progress a review of the decision made by Council in 2006 to retain ownership/management of the Collier Park Hostel following adoption of a resolution in December 2007 to review ownership options.

Background

The operations of the Collier Park Hostel have been under review for some time and have been the subject of both internal and consultants' reports. Following receipt of the report prepared by consultants Southern Cross Care a comprehensive report was prepared and considered by Council at a Special Council meeting held on 31 October 2006. At that meeting Council resolved as follows:

"That....

- (a) Council retain ownership and management of the Collier Park Hostel and that further reports to improve the financial viability of the facility, as identified in the Southern Cross Care report be submitted to Council as soon as practicable; and*
- (b) an external consultant be appointed to assist the City in identifying and implementing the operational initiatives outlined in the Southern Cross Care report."*

A copy of the officers October 2006 report is attached at **Confidential Attachment 10.0.2(a)**.

As a result of the October 2006 resolution a series of reports aimed at improving the financial viability of the Hostel were presented to Council over a period of time. The first such report was presented to the December 2006 meeting, refer **Attachment 10.0.2(b)** where Council resolved as follows:

That....

(b) Council:

- (i) set the Accommodation Bond for entry to the Collier Park Hostel at the level determined by the DHA as the maximum level before the pensioner subsidy is not payable (currently \$128,500) and that the level of the bond be adjusted on a quarterly basis in accordance with the figure set by the DHA;*
- (ii) set the interest rate on outstanding Accommodation Bonds for entry to the Collier Park Hostel at the level determined by the DHA at the maximum level (currently 10.19%) and that the level of the interest rate be adjusted on a quarterly basis in accordance with the figure set by the DHA;*
- (iii) determine the number of concessional residents the Collier Park Hostel will admit and structure the waiting list accordingly;*
- (iv) accept residents who can pay part bonds; and*
- (v) ensure all prospective residents on the waiting list provide a copy of asset assessment, review applications to identify what level of bond could realistically be sustained without risking empty beds and then make a decision whether to increase Accommodation Bond to \$180,000.*

In January 2007 Susan Clarke and Associates were engaged to review and identify options to improve administration and financial operations within the Collier Park Hostel.

The terms of reference were:

- (a) Review the training and staffing structure of the Hostel.*
- (b) Review current Resident Classification Scale (RCS) levels.*
- (c) Compare different skills mix required to meet relevant (RCS) levels.*
- (d) Make recommendations as appropriate.*

A progress report, following the appointment of the consultant to assist the City to implement operational initiatives at Collier Park Hostel, was presented to the May 2007 Council meeting. **Attachment 10.0.2(c)** refers.

In addition it was advised that the organisational structure had been reviewed and numerous adjustments made to improve efficiencies.

In May 2007, as a result of a Notice of Motion, Council resolved as follows:

That a Strategic Plan be prepared for the Collier Park Village to provide the City with a means to identify present and future opportunities. This plan will be developed in consultation with the Collier Park Residents Committee and include the following:

- (a) that further to the appointment of consultants for the implementation of the operational initiatives outlined in the Southern Cross Care Report for the improved financial viability of the Collier Park Hostel, a report be submitted to the next available Council meeting on the extent and costing for building works that would be required to enable the facility to extend its service to that of a High Care Provider;*
- (b) that as a matter of urgency, a Feasibility Study be undertaken to explore the future options for the Collier Park Village Community Centre, with a view of utilising the whole Centre for the operational use of the Independent Living Units and the Hostel and the creation of a possible Adult Day Therapy Centre;*
- (c) future expansion opportunities for additional Independent Living Units and the upgrade of the existing units;*
- (d) future amenities that reflect the changing life style of retirees; and*
- (e) Ownership options.*

In response to the **May 2007** Council resolution and as part of the Strategic Planning process a Workshop, facilitated by Helen Hardcastle "Learning Horizons", was held on **14 August 2007**. Representatives from the Collier Park Village Residents' Committee also participated in the Workshop.

A further progress report, following the appointment of the consultant to assist the City to implement operational initiatives at Collier Park Hostel, was presented to the November 2007 Council meeting. **Attachment 10.0.2(d)** refers.

To further progress the **May 2007** Council resolution and report was presented to the **December 2007** meeting where Council resolved as follows:

That....

- (b) representatives from MeathCare and Settlers Lifestyle Villages be invited to address Council at a briefing on their philosophy towards aged health care and independent living; and*
- (c) following the presentations referred to in part (b) above, a further Future Directions Workshop be held in February 2008 and representatives of the Collier Park Village be invited to participate in the discussions.*

Comment

In response to the **December 2007** Council resolution, presentations were arranged by MeathCare and Settlers Lifestyle Villages at a Council Member Briefing held on 6 February 2008. Representatives from the Collier Park Residents' Committee attended the presentations which were held at the Collier Park Community Centre and were preceded by a tour of the Hostel facility by the Members present.

Following the Briefing a *Future Directions Workshop* was held and the following outcomes were decided upon:

That the CEO would review and summarise the subject matter and present an 'Options Paper' to Councillors for further consideration as soon as possible.

Notes from the briefing were circulated to Councillors in Bulletin No. 7 on 22 February 2008. It is clear from the notes of the briefing that there was general consensus to again review the ownership / management structure of the Hostel. It was also clear that there was general consensus that if the ownership / management was to change, a move to a church / charitable based “not for profit” organisation would be preferred to a privately owned commercial aged care operator.

Despite all the changes made in recent years to improve operational efficiency, it remains clear that a 40 bed Hostel operated independently remains unviable. Council has received consistent independent advice on this subject. Not only this, because of the age and design of the facility economies of scale are difficult to achieve. Because of these and other difficulties (including the ongoing skills shortage issues) there is increasing evidence that Local Governments are withdrawing from operating these sort of facilities after having fulfilling the initial objectives of ensuring provision of the service within their communities. There is no shortage of Hostel type facilities within or adjacent to the City.

In addition to the above, it is also clear that in recent years the provision of aged care facilities and related services is a very big business which is very competitive. Businesses in the form of large corporate entities which specialise in this area of aged care now dominate the market for the benefit of residents. It is unlikely that Local Government would be able to match the level of services provided by these corporate entities. These organisations are also able to take advantage of economies of scale and specialisation which is not possible from operating a 40 bed hostel as part of a very diversely operated local government.

In addition to the above, the general shift in emphasis to cater for more high care residents (with a view to improving the financial performance of the centre) will result in significantly increased capital expenditure as the facility will need to be maintained to a higher level of standard. This was mooted in the Southern Cross Care Report but further advice is now being sought to ascertain exact requirements. There exists therefore an opportunity for the City to review its decision to retain control of the ownership / management of the Collier Park Hostel for the benefit of not only the residents (who would almost certainly receive enhanced services if relocated) but the decision would result in increased revenue that could be allocated to other more traditional services provided by the City.

If Council wishes to proceed with further market testing, it is suggested that in the first instance a draft Brief be prepared calling for expressions of interest for the ownership / management of the Collier Park Village Hostel for Council’s consideration.

Consultation

Consultants advice sought on previous occasions, the most recent of which was a comprehensive report prepared by Southern Cross Homes which was considered by Council in October 2006.

Other consultants have been engaged to improve operational and financial efficiencies and internal reviews have been conducted.

Representatives from the Collier Park Residents Committee participated in the previous ‘Future Directions workshop’ in August 2007. It is again recommended that representatives be involved in any future planning workshop on this topic.

Policy and Legislative Implications

Review of financial issues associated with the Collier Park Hostel consistent with Council resolution.

Resolution of the Hostel operation will enable expansion of the Collier Park Village to be reviewed without encumbrance of Hostel building footprint.

Financial Implications

Operational costs of the Collier Park Hostel have traditionally exceeded operational revenue. Recent financial results are as follows:-

	Operating Revenue	Operating Expenditure (Excluding Non cash)	Operating Loss	Capital
	\$	\$	\$	\$
2004/2005	1,058,549	1,130,047	71,498 +	99,931
2005/2006	1,153,020	1,235,423	82,403 +	53,452
2006/2007	1,261,558	1,366,439	104,881 +	34,472
2007/2008	Estimate 1,297,900	1,361,780	63,890 +	62,017

Strategic Implications

This matter is in line with Goal 2 of the Strategic Plan: *To foster a sense of Community and a prosperous business environment.*

Sustainability Implications

The Collier Park Hostel is not sustainable from a financial point of view. Whilst it can be regarded as a service provided to ratepayers the residents do not pay rates. The high level of subsidisation is a possible cause for concern (approximately \$3,750 per Hostel resident.)

Note: Cr Wells arrived at 7.42pm

OFFICER RECOMMENDATION AND COUNCIL DECISION 10.0.2

Moved Cr Doherty, Sec Cr Cala

That a Brief be prepared inviting “not for profit” organisations to lodge Expressions of Interest for the ownership / management of the Collier Park Village Hostel.

CARRIED (10/1)

10.1 GOAL 1 : CUSTOMER FOCUS
Nil

10.2 GOAL 2: COMMUNITY ENRICHMENT
Nil

10.3 GOAL 3: ENVIRONMENTAL MANAGEMENT

10.3.1 Proposed Additions / Alterations to a Grouped Dwelling - Lot 240 (No. 134A) Lockhart Street, Como

Location: Lot 240 (No. 134A) Lockhart Street, Como
 Applicant: Joe Roque
 Lodgement Date: 10 December 2007
 File Ref: 11.2007.637 LO1/134
 Date: 1 April 2008
 Author: Owen Hightower, Planning Officer
 Reporting Officer: Steve Cope, Director, Development and Community Services

Summary

An application for planning approval has been received for additions and alterations to a grouped dwelling on Lot 240 (No. 134A) Lockhart Street, Como. The proposal has been assessed having regard to the City's existing General Guidelines for Residential Development (Planning Policy P_370T). The proposal does not comply with the provisions of the policy as the colours and materials of the additions are inconsistent with the existing development. Therefore it is recommended that the application be refused.

Background

The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	1063 sq. metres
Building height limit	7.0 metres
Development potential	Two dwellings
Maximum Plot ratio	Not applicable

This report includes plans of the proposal referred as **Confidential Attachment 10.3.1**.

The location of the development site is shown below:



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

3. The exercise of a discretionary power

- (i) *Proposals involving the exercise of a discretionary power which, in the opinion of the delegated officer, should be refused. In this instance, the reason for refusal would be a significant departure from the Scheme, relevant planning policies or local laws.*

Comments

(a) Description of the proposal

The applicant has proposed to construct an additional room and patio under the main roof of the existing grouped dwelling. The existing grouped dwelling has dark brown tiled roof. The additions are proposed to have a colorbond roof of 'surfmist' colour, a light grey colour (refer **Confidential Attachment 10.3.1**).

The proposal complies with all relevant provisions except for the requirement explained under (b) of the comments section.

(b) General Design Guidelines for Residential Development (Planning Policy P_370T)

The abovementioned policy outlines '*Additions and alterations to an existing building shall be designed in such a way that they match the existing dwelling*'. This has been consistently applied in the recent past to additions under the main roof, requiring both colours and materials to additions to match.

In addition to the above, at Council's February 2008 meeting, the City considered the Draft Residential Design Policy Manual which included draft Planning Policy "Additions to Existing Dwellings". Whilst all policies were deferred on the basis that additional modification was required to the "Sustainable Design" Policy, Council expressed no concerns in relation to the provisions of the "Additions to Existing Dwellings" Policy.

The draft policy objectives include '*ensur(ing) that the design, materials and colours of additions to an existing dwelling match, or are compatible with the existing dwelling*'. The policy further prescribes that '*any proposed addition and alterations forming part of an existing dwelling are to match the existing dwelling with respect to design, materials and external colours*'.

Based on this draft policy, the additions should be required not only to match in colour but also materials. The proposed additions, therefore do not comply with the intentions of the current policy or the draft policy relating to additions to existing dwellings.

(c) Clause 7.5 of TPS6: Other Matters to be Considered by Council

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in Clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (f) *any planning policy, strategy or plan adopted by the Council under the provisions of Clause 9.6 of this Scheme;*
- (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*

Consultation

(a) **Neighbour consultation**

Neighbour consultation was not required under the City's Consultation Policy.

Policy and Legislative Implications

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

Financial Implications

There are no financial implications in relation to this proposal

Strategic Implications

This matter relates to Goal 3 "Environmental Management" identified within the Council's Strategic Plan. Goal 3 is expressed in the following terms: *To effectively manage, enhance and maintain the City's unique natural and built environment.*

Sustainability Implications

The proposed surfmist colorbond roof is thermally efficient and environmentally sustainable as compared to the existing dark brown colour. However, a combination of these two contrasting colours on the roof of a dwelling is seen to be undesirable from the visual amenity point of view. With a view to achieving an environmentally sustainable design as well as demonstrating compliance with the City's residential design guidelines, and noting the applicant's preference for surfmist colorbond roofing material, the officers suggest that the existing tiled roof be removed and the entire house be re-roofed with the proposed surfmist colorbond roof.

Conclusion

The proposal does not comply with the current General Design Guidelines for Residential Development Policy or the City's draft Additions to Existing Dwellings Policy. Based on the above, it is considered the proposal does not meet the intentions and objectives of the City's Planning Policy P370_T and is therefore recommended for refusal.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.3.1
--

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for additions / alteration to a Grouped Dwelling on Lot 240 (No. 134A) Lockhart Street, Como **be refused** for the following reasons:

- (a) the materials and colours of the proposed additions do not match with the existing dwelling, thus conflicting with Clause 5 of the Council Policy P370_T "General Design Guidelines for Residential Development"; and
- (b) the proposed development conflicts with the "Matters to be Considered by Council" in Clause 7.5 of the City of South Perth Town Planning Scheme No. 6 with particular reference to the following sub-clauses:
 - (f) *any planning policy, strategy or plan adopted by the Council under the provisions of Clause 9.6 of this Scheme;*
 - (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance.*
- (c) **Standard Advice Notes**
651 (appeal rights).

Footnote A full list of Standard Conditions and Advice Notes is available for inspection at the Council Offices during normal business hours.
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CARRIED EN BLOC RESOLUTION

10.3.2 Proposed Additions to an Existing Single House - Lot 7 (No. 55) Hensman Street, South Perth

Location: Lot 7 (No. 55) Hensman Street, South Perth
 Applicant: Iain Watson
 Lodgement Date: 30 January 2008
 File Ref: 11.2008.38.1 HE3/55
 Date: 1 April 2008
 Author: Lloyd Anderson, Planning Officer
 Reporting Officer: Steve Cope, Director Development and Community Services

Summary

This application for planning approval is for additions on Lot 7 (No. 55) Hensman Street, South Perth. Specifically the issue is the carport located within the front setback area, forward of the existing dwelling. The proposed carport is intended to replace soft landscaping.

Additions and alterations are compliant with car parking bay dimensions prescribed by the City’s Town Planning Scheme No. 6 (TPS6), colours and materials to match the existing building, and carport incorporating half brick piers in accordance with Policy 370_T “General Design Guidelines for Residential Development”.

None the less, the proposed carport conflicts with the requirements of “Residential Design Codes 2002 (R-Codes)”, P370_T “General Design Guidelines for Residential Development” and Policy 3 “Car parking Access, Siting, and Design” of the Draft Policy P350 Residential Design Policy Manual, and is also seen to be incompatible to the existing Hensman Street streetscape for the following reasons:

- (a) Where it is possible to achieve the required setback, the carport be located behind a 3.0 metre setback line from the street alignment when cars are parked parallel to the street;
- (b) Carports located within the front setback area is not a characteristic of the subject focus area of Hensman Street between Coode Street and Sandgate Street; and
- (c) Significant amount of paving is proposed within the front setback area.

Accordingly, it is recommended that the application **be refused**.

Background

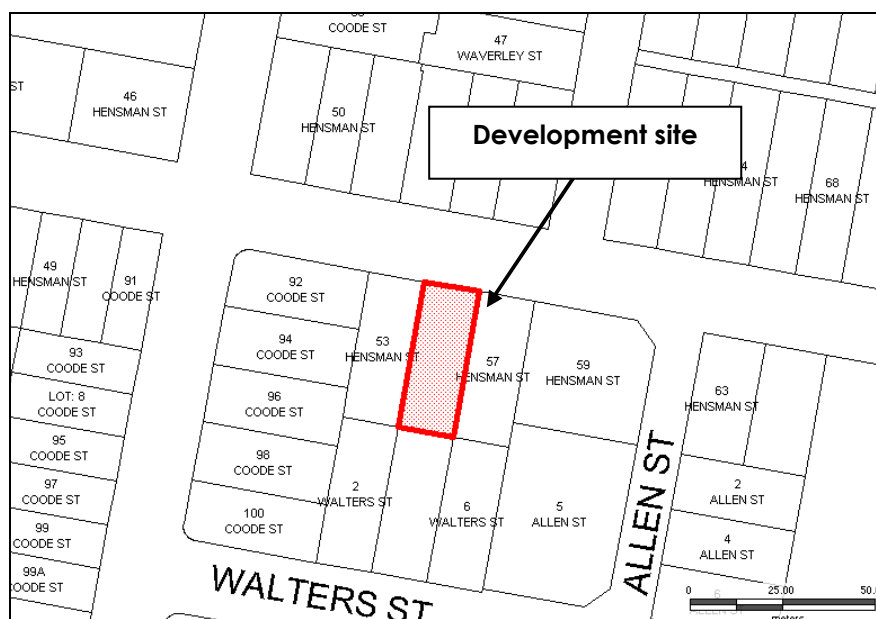
The development site details are as follows:

Zoning	Residential
Density coding	R15
Lot area	612 sq. metres
Building height limit	7.0 metres
Development potential	Single House
Maximum plot ratio	Not applicable

This report includes the following attachments:

- Confidential Attachment 10.3.2(a)** Plans of the proposed development.
- Attachment 10.3.2(b)** Letter from the applicant.

The location of the development site is shown below:



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

“The exercise of a discretionary power

Proposals involving the exercise of a discretionary power which, in the opinion of the delegated officer, should be refused. In this instance, the reason for refusal would be a significant departure from the Scheme, relevant planning policies or local laws.”

Comments

(a) Description of the proposal

This application for planning approval is for additions and alterations on Lot 7 (No. 55) Hensman Street, South Perth. The proposal incorporates additions to the rear including a meals room, living room and alfresco area as well as a carport within the front setback area. The proposal also incorporates alterations to the existing carport.

Specifically, the issue is the carport located within the front setback area, forward of the existing dwelling. Where it is possible to achieve the required setback, the general expectation is to locate the carport in such a manner that it complies with the setback requirements and has regard to the existing streetscape which is characterised by soft landscaping visible in the front setback areas of dwellings along the street.

(b) Residential Design Codes 2002

The proposed carport does not comply with Clause 3.2.3 “*Set Back of Garages and Carports*” of the R-Codes. The carport is required to have a 3.0 metre setback from the street alignment when cars are parked parallel to the street.

(c) Policy P370_T “General Design Guidelines for Residential Development”

Council Policy P370_T “General Design Guidelines for Residential Development” requires that:

*“In the case of existing dwellings which do have space behind the front setback line to accommodate car parking, the siting of carports within the front setback area will **not** be permitted **unless**:*

- (i) *such siting is consistent with the established streetscape character attributable to the existence of other carports within the front setback area, in the section of the street in which the new carport is proposed to be located; and*
- (ii) *the design and construction materials of the proposed carport are compatible with the existing dwelling.”*

The ‘focus area’ means the section of a street extending from one cross intersection to the next cross intersection, together with the residential properties fronting on to that section of the street.

In this case, the siting of a carport within the front setback area is not consistent with the predominant character of Hensman Street, and the most important point is that the dwelling has on site parking provision behind the street setback line.

In addition a secondary element of design compatibility as per Council Policy P370_T “General Design Guidelines for Residential Development” is the extent and nature of site landscaping visible from the street. In this instance the landscaping will be significantly reduced because of the extent of the proposed hardstand within the front setback area.

(d) Draft Policy P350 “Residential Design Policy Manual”

Draft Policy P350 states:

- (iv) *Where a carport is proposed to be sited within the front setback area of an existing dwelling and two existing roof covered parking bays complying with the minimum dimensions prescribed in TPS6 are already located behind a 4.5 metre street setback, or there is a practical location to provide such bays behind the 4.5 metre street setback;*
 - (A) *neither of those existing parking bays is permitted to be converted to another use; and*
 - (B) *a setback of less than 4.5 metres will not be permitted for the proposed carport, unless the focus area is characterised by at least one-third of the lots already having carports in the front setback area.*

Even though the policy is still in draft form, noting that the policy has been presented before the Council and its contents have been agreed to in principle, the intent of the policy should still be observed. Point (B) states that one third of the lots would need to have carports in the front setback area which is not the case in focus area and therefore does not meet this requirement. It is suggested that a setback of less than 4.5 metres for a carport should not be permitted in this case. Officers conclude the objective of the policy has not been achieved.

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

Having regard to the preceding comments, in terms of the general objectives listed within Clause 1.6 of TPS6, the proposal is considered not to meet the following objective:

- (f) *Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development.*

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

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in Clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (f) *any planning policy, strategy or plan adopted by the Council under the provisions of Clause 9.6 of this Scheme;*
- (i) *the preservation of the amenity of the locality;*
- (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*
- (n) *the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details.*

Consultation

In accordance with the provisions of Policy P104 “Neighbour and Community Consultation in Town Planning Processes”, it was necessary to undertake neighbour consultation with respect to the proposed development to both adjoining property owners. Only one side neighbour has provided comments and outlined his concerns. These concerns relate the building licence (Building Department) related matters such as disposal of rain water from the roof and potential damage to the boundary fence. These concerns are not related to the planning provisions.

Policy and Legislative Implications

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

Financial Implications

The issue has no impact in this area.

Strategic Implications

This matter relates to Goal 3 “Environmental Management” identified within the Council’s Strategic Plan. Goal 3 is expressed in the following terms: *To effectively manage, enhance and maintain the City’s unique natural and built environment.*

Sustainability Implications

This proposed development has been designed keeping in mind the sustainable design principles. The proposal maximises solar access to habitable rooms and private outdoor spaces. By virtue of north-south orientation of the lot, the development also allows solar access to the adjoining properties.

Conclusion

The proposed development conflicts with the provisions of the R-Codes, Council Policy P370_T “General Design Guidelines for Residential Development” and Draft Policy P350 as the carport is proposed to be located within the street setback area and approved car parking already exists behind the prescribed street setback line. The proposed development is seen to adversely impact upon the visual amenity of the Hensman Street streetscape; it is recommended that the application be refused.

OFFICER RECOMMENDATION ITEM 10.3.2

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for additions to an existing Single House on Lot 7 (No. 55) Hensman Street **be refused**, for the following reasons:

- (a) The subject property has sufficient accessible space for the provision of two car parking bays behind the front setback line. Therefore, a carport within the front setback area is inconsistent with the provisions contained within the Residential Design Codes 2002 as well as Clause 11(d) of Council Policy P370_T, "General Design Guidelines for Residential Development".
- (b) The proposal is inconsistent with the existing streetscape character of Hensman Street.
- (c) Approval of the proposed development would be contrary to the orderly and proper planning of the locality.
- (d) The proposed development conflicts with the "Scheme Objectives" identified in Clause 1.6 of the City of South Perth Town Planning Scheme No. 6.
- (e) The proposed development conflicts with the "Matters to be Considered by Council" in Clause 7.5 of the City of South Perth Town Planning Scheme No. 6.
- (f) **Standard Advice Notes**
651 (appeal rights).

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

OFFICER RECOMMENDATION

Cr Grayden moved the officer recommendation. The officer recommendation lapsed for want of a Secunder.

LAPSED

MOTION

Moved Cr Hasleby, Sec Cr Hearne

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for additions to an existing Single House on Lot 7 (No. 55) Hensman Street **be approved** subject to the following conditions:
- (c) **Standard Conditions**
416 (street trees), 425 (colours), 455 (fencing), 456 (fencing), 457 (fencing), 470 (filling and retaining), 471 (filling and retaining), 625 (visual truncations), 660 (validity of approval).
- (d) **Standard Important Footnotes**
646 (landscape), 648 (not an authorisation to commence construction), 649A (minor variations), 651 (appeal rights).

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

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

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Hasleby Opening for the Motion

- carport proposed demonstrates compatibility with other similar residential developments
- proposed carport will not detract from streetscape
- landscaping proposed between carport and front/side boundaries
- landscaping proposed will ensure visual amenity is maintained
- additions/alterations are compliant with car parking dimensions prescribed by TPS6
- believe proposal a compromise / safe option
- colours/materials of additions match existing building and carport
- additions/alterations proposed in accordance with P370_T Design Guidelines
- urge Councillors support alternative Motion

Cr Hearne for the Motion

- support Cr Hasleby's comments
- where Council is able to exercise discretion would like to see an *alternative* motion included in the officer report following the officer recommendation
- parking a critical issue / option proposed still keeps integrity of South Perth
- believe compromise proposed is the best option we can hope for
- screening / landscaping proposed addresses amenity issues
- support alternative Motion

Cr Grayden against the Motion

- acknowledge the compromise put forward
- believe proposal is not compatible with the area in question
- acknowledge there may be similar examples nearby
- believe proposal for area in question will be an eyesore / affect amenity of the street and be detrimental to the streetscape in general
- against the Motion

Cr Cala for the Motion

- a 'measure' in situations like this is that the applicants have tried to comply with the rules
- have a situation with an existing house and have to look at a compromise
- compromise is trying to mitigate rules as much as possible by having a side entrance
- proposal creates a better view / outlook without moving windows etc
- a proposal that would comply would create a less attractive outcome
- support the alternative Motion

Cr Hasleby closing for the Motion

- looked at compromise proposed
- believe we should be able to accommodate request
- applicant has tried to keep within design regulations / R Codes with a design that is acceptable to all of us
- ask Members support the Motion

COUNCIL DECISION ITEM 10.3.2

The Mayor put the Motion

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for additions to an existing Single House on Lot 7 (No. 55) Hensman Street **be approved** subject to the following conditions:

(c) **Standard Conditions**

416 (street trees), 425 (colours), 455 (fencing), 456 (fencing), 457 (fencing), 470 (filling and retaining), 471 (filling and retaining), 625 (visual truncations), 660 (validity of approval).

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

(d) **Standard Important Footnotes**

646 (landscape), 648 (not an authorisation to commence construction), 649A (minor variations), 651 (appeal rights).

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

CARRIED (9/2)

Reasons for Change

Council agreed that the proposal was an acceptable compromise that would not be detrimental to the existing streetscape.

10.3.3 Retrospective Planning Approval : Three Grouped Dwellings - Lot 333 (No. 251) Canning Highway, Como

Location: Lot 333 (No. 251) Canning Highway, Como
Applicant: O. Lewis
Lodgement Date: 7 March 2008
File Ref: 11.2008.108 CA6/251
Date: 1 April 2008
Author: Owen Hightower, Planning Officer
Reporting Officer: Steve Cope, Director, Development and Community Services

Summary

The City has received an application for retrospective approval for Three Grouped Dwellings. Approval for a similar development was granted in August 2006. The changes to the original approval include the following:

- (a) The construction material for walls has been changed from the approved rendered 'formcraft' panels to painted rendered brickwork.
- (b) Approved roof tiles have been changed to colorbond roof.
- (c) The boundary wall has been setback 200mm from the side boundary.
- (d) The finished floor level of Dwelling 2 has been increased by 1.0 metre from 29.80RL to 30.80RL and ground level by approximately 0.8m from 29.90RL to 30.7RL .

The main issue considered in the above changes in the variance in floor level to Unit 2. The floor slab and footings of Dwelling 2 have been poured on the construction site with a finished floor level of 30.80RL, which is 1.0 metre higher than the approved level. Having regard to Clause 7.12 “Approval of Existing Development” of the City’s Town Planning Scheme No. 6 (TPS6), the Council may grant planning approval to a development already commenced or completed regardless of when it was commenced or completed. Such planning approval shall have the same effect for all purposes as if it had been granted prior to the commencement or completion of the development.

Having carried out an assessment of the impact of these variations on the adjoining property owners in light of the associated provisions of TPS6 relating to finished floor and ground levels, it is recommended Council grant approval for the variance in levels and also the changes in materials.

Background

The development site details are as follows:

Zoning	Residential
Density coding	R40
Lot area	974 sq. metres
Building height limit	7.0 metres
Development potential	3 units
Maximum Plot ratio	Not applicable

This report includes the following attachments:

- Confidential Attachment 10.3.3(a)** Plans of the proposal.
- Attachment 10.3.3(b)** Adjoining landowner’s submission.

The location of the development site is shown below:



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

3. ***The exercise of a discretionary power***

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

Comment

(a) **Background**

Planning approval was granted in August 2006 for Three Grouped Dwellings on the subject site with a building licence being issued in April 2007. In October 2007 the City received amended building licence plans highlighting changes in relation to the building related requirements. In addition, a site plan with a heading “stormwater disposal” was submitted which also identified a change in the proposed floor level of Dwelling 2 from the previously approved level of 29.80RL to 30.80RL. These amended building licence plans were subsequently approved. The applicant has explained that the approved floor level was required to be raised to ensure structural integrity of the adjoining properties boundary wall.

In early 2008, the City received an email from an adjoining landowner expressing concerns relating to the construction being undertaken on the subject site, particularly in relation to the finished floor levels. On Monday, 4 March Council officers attended the site to inspect the works being undertaken and evaluate them against the approved plans. It was identified at that time that the plans approved in April 2007 were different to the plans being used for the construction works. The Planning Officers informed the contractor and builder that the works being undertaken were inconsistent with the building licence issued in April 2007 and instructed that the works should cease immediately. Works continued to be carried out contrary to the Planning Officer’s advice, upon which the builder was informed that the City would follow up action in accordance with the Planning and Development Act 2005.

A meeting was held with the owner of the property the same day where it was clarified that the works being undertaken were inconsistent with the planning approval and building licence issued in April 2007. It was acknowledged that the works were consistent with the approved amended building licence issued in October 2007. The owner was informed that irrespective of the building licence approval, planning approval for the change in ground and floor levels is still required.

The City usually avoids this issue occurring by checking all building licence plans to ensure they are consistent with the planning approval issued. It is important to note that the internal procedure undertaken by the City’s Development Services Department to ensure consistency between planning and building plans is not a requirement under any legislation and is rather an additional task the city provides to assist in avoiding situations such as this. It is actually the responsibility of the applicant in each case to identify all proposed amendments and to ensure that all approvals have been granted by the relevant authority in relation to any development.

The owner / applicant has now lodged an application for planning approval for the change in ground and floor level to Dwelling 2 consistent with what has been constructed on-site [refer ***Confidential Attachment 10.3.3(a)***].

In assessing the proposed variation, a number of planning matters have been assessed that could be effected by the change in ground and floor levels. These planning matters including boundary walls, overlooking, overshadowing, setbacks from boundaries and building height.

(b) Boundary walls

The proposed change in ground and floor levels has led to the increase in the height of the proposed boundary wall. Since the wall is located directly abutting an existing boundary wall of the adjoining northern property, the increase in its height is seen to have no impact on the amenity of the adjoining property.

(c) Overlooking

An increase in ground and floor levels had the potential to result in overlooking from the ground floor. All effected habitable room windows on the ground floors are sufficiently setback from the boundaries, thus comply with the acceptable development provisions of the Residential Design Codes. The raised ground levels to the courtyard area will also not impact on overlooking as the proposed dividing fence is required to be 1.8 metres as measured from the higher side. Since the resulting retaining wall and fence will be standing adjoining the driveway on the adjoining property, they are seen to have no adverse amenity impact.

(d) Overshadowing

Overshadowing of the adjoining property is permitted to a maximum of 35%. The previous approval overshadowed the property by a total of 12%. The one metre increase to the level of Dwelling 2 will not significantly increase overshadowing so as to result in non-compliance.

(e) Setbacks

The change in levels in the building did not result in any changes to setback requirements as required under the R-Codes and therefore the proposed setbacks still comply.

(f) Building height

The permitted building height for the subject property, in accordance with Clause 6.2 "Building Height Limits" is 7.0 metres, which is measured as the height of an external wall which rises to the highest altitude, from a point which is the highest point of natural ground level under the footprint of the building. The proposed building height of Dwelling 2 is 6.0 metres based on the above calculation and therefore, remains well under the permitted building height.

(g) Maximum ground and floor levels

Under the Scheme, the finished floor and ground levels of dwellings is required to '*generally achieve equal cutting below and filling above the ground level*' [C16.10(1)]. For the subject site the permitted maximum floor level for the building and ground level for the courtyard would be 30.40RL and 29.90RL respectively. The variation proposed to these acceptable levels figure is 0.4m and 0.8m respectively.

Council may permit the floor and ground levels to be varied provided that it would not have any adverse affect on the amenity of neighbouring properties in relation to visual impact and overshadowing. Additionally, the floor level must maintain a visually balanced streetscape having regard to the floor levels of buildings on the adjoining lots.

Overshadowing has been addressed previously where it was outlined that the raise in levels would not unreasonably affect the amenity of adjoining neighbours.

With regard to visual impact, visual privacy and also visual impact by way of bulk must be considered. Visual privacy has been addressed previously where it was identified there would be no impact as a result of the floor level change. In assessing the bulk impact it is necessary to consider the setbacks and building heights as these set the parameters for permitted bulk of a building. As the proposed building fully complies with all setback requirements and is well within the permitted building height, it can be determined that the proposed building is within the boundaries of permissible 'bulk' allowable under the Scheme and the R-Codes. Therefore the proposed floor level will have no adverse affect on adjoining landowners by way of visual impact'.

In relation to streetscape, the change of floor levels applies to proposed Unit 2, which is located directly behind the unit fronting the street and setback 26.5 metres from the street. Based on these two factors, the change in floor levels would not be actually evident from the street and therefore would have no impact on the streetscape of Canning Highway. Furthermore, the property to the north has a finished floor level approximately 0.4m higher than equal cutting and filling for that site which is notably visible from the street.

Consultation

(a) Neighbour consultation

Neighbour consultation for the proposed retrospective approval was not required under the City's Consultation Policy. Two letters were submitted by adjoining land owners [refer **Attachment 10.3.3(b)**]. The submissions refer to streetscape, bulk and visual privacy. All these issues are considered to be adequately addressed in the above comments.

Policy and Legislative Implications

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

Financial Implications

There are no financial implications as a result of this proposal.

Strategic Implications

This matter relates to Goal 3 "Environmental Management" identified within the Council's Strategic Plan. Goal 3 is expressed in the following terms: *To effectively manage, enhance and maintain the City's unique natural and built environment.*

Sustainability Implications

The proposed variation to the previously granted planning approval is seen to have no impact on environmental sustainability.

Conclusion

The existing slab that has been poured approximately 1.0 metre above the approved height with respect to the planning approval. It is acknowledged that the works and constructed floor level of Dwelling 2 are approved under building legislation through the building licence and furthermore appreciated that the builders and owners may have confused the difference between the two approvals. It is however, the responsibility of landowners to ensure all approvals are issued, which has not happened in this instance.

In accordance with the provisions of the Scheme relating to approvals for existing development, the proposal must be considered irrespective of the works being undertaken and the context to which those works were undertaken.

Having regard to the assessment undertaken in relation to the impact of the raised ground levels on to Dwelling 2, and the discretion available to Council to allow variations to maximum floor levels under the Scheme, it is considered the raised floor level will result in no adverse impact on the amenity of the area. Furthermore, it remains contained within the 'envelope' otherwise permitted through setback and height requirements for a grouped dwelling under the R-Codes and the Scheme and therefore is considered not to result in any increase by way of visual impact to adjoining landowners or the streetscape.

As such it is recommended the proposed changes to the original approved plans and the retrospective approval for the change in floor level to Unit 2 be granted subject to standard conditions.

OFFICER RECOMMENDATION ITEM 10.3.3

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for Three Grouped Dwellings on Lot 333 (No. 251) Canning Highway, Como **be approved**, subject to:

(a) **Standard Conditions**

340 (boundary walls), 377 (clothes drying), 377(crossover), 427(colours), 455 (type / height fence permitted), 456 (existing fence not removed until new ready), 470 (filling / excavation), 471 (retain immediately after excavation), 625 (driveway truncation).

(b) **Standard Advice Notes**

646 (landscaping), 651 (appeal rights).

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

MOTION

Cr Cala moved the officer recommendation, Sec Cr Trent

FORESHADOWED MOTION

Cr Smith foreshadowed that if the current Motion is Lost he would be moving that the application be approved subject to the dominant Unit 2 being reduced in height by 4 brick tiers which evens out the compaction of all 3 units.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.3.3

The Mayor put the Motion

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for Three Grouped Dwellings on Lot 333 (No. 251) Canning Highway, Como **be approved**, subject to:

(a) **Standard Conditions**

340 (boundary walls), 377 (clothes drying), 377(crossover), 427(colours), 455 (type / height fence permitted), 456 (existing fence not removed until new ready), 470 (filling / excavation), 471 (retain immediately after excavation), 625 (driveway truncation).

(b) **Standard Advice Notes**

646 (landscaping), 651 (appeal rights).

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

CARRIED (7/4)

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

10.3.4 Proposed Single House - Lot 230 (No. 37) Swanview Terrace, South Perth

Location: Lot 230 (No. 37) Swanview Terrace, South Perth
 Applicant: Vennon Pty Ltd
 Lodgement Date: 4 February 2008
 File Ref: 11.2008.51 SW3/37
 Date: 1 April 2008
 Author: Owen Hightower, Planning Officer
 Reporting Officer: Steve Cope, Director, Development and Community Services

Summary

The City has received an application for a Single House on Lot 230 (No. 37) Swanview Terrace, South Perth. The proposal is considered to be incompatible with existing buildings within the streetscape and therefore does not 'promote strong design compatibility between existing and proposed buildings' as required by the City's General Design Guidelines for Residential Development (Planning Policy P_370T). As such, it is recommended Council refuse the application.

Background

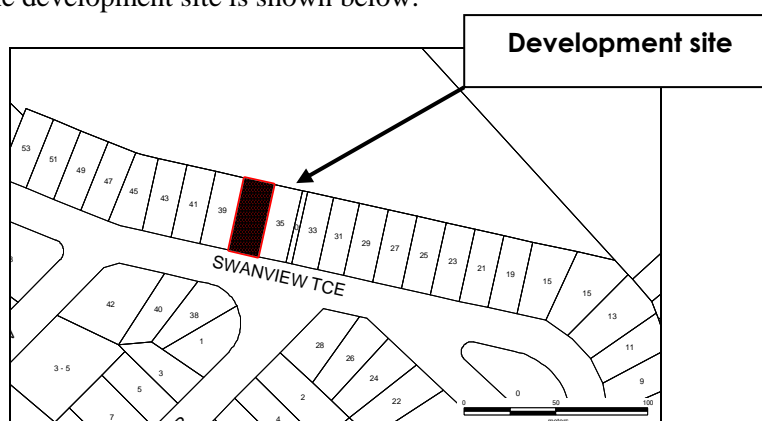
The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	647 sq. metres
Building height limit	7.0 metres
Development potential	Single House
Maximum Plot ratio	Not applicable

This report includes the following attachments:

- Confidential Attachment 10.3.4(a)** Plans of the proposal.
- Attachment 10.3.4(b)** Applicant's submission.
- Attachment 10.3.4(c)** Photos of surrounding properties within the focus area.

The location of the development site is shown below:



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

3. The exercise of a discretionary power

- (i) *Proposals involving the exercise of a discretionary power which, in the opinion of the delegated officer, should be refused. In this instance, the reason for refusal would be a significant departure from the Scheme, relevant planning policies or local laws.*

Comment

(a) Background

A similar application was refused by Council's August 2007 Council Meeting for the following reasons:

- (a) *The proposed development exceeds the 7.0 metre building height limit prescribed by Clause 6.2 "Building Height Limit" of the Town Planning Scheme No. 6.*
- (b) *The proposed roof form does not demonstrate design compatibility with the existing streetscape character, hence conflicts with the City's Policy P370_T "General Design Guidelines for Residential Development".*
- (c) *The proposed front fence does not comply with Clauses 3.2.5 "Street Walls and Fences" and 3.2.6 "Sightlines at Vehicle Access Points and Street Corners" of the Residential Design Codes 2002.*
- (d) *The proposed boundary setbacks do not comply with Clause 3.3.1 and table 1 of the Residential Design Codes 2002.*
- (e) *The proposed driveways and crossovers do not comply with Clause 3.5.4 "Vehicular Access" of the Residential Design Codes 2002.*

It is considered that the current application for approval has resolved all of the above issues except for Point (b). The design has not changed from the original approval. Refer **Confidential Attachment 10.3.4(a)**.

(b) General Design Guidelines for Residential Development (Planning Policy P_370T)

An assessment was undertaken against the above Planning Policy (the "Design Guidelines") with respect to the compatibility of the proposal with existing development located in the focus area. The Design Guidelines outline that 'All residential development shall be designed in a manner that will preserve or enhance desired streetscape character'. The 'extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm'[Cl7.5(n)] is also required to be given consideration under the Scheme in assessing the proposed development.

In considering the above, the contributors to the 'streetscape character' of Swanview Terrace must be outlined. As shown Photo 1 below, the skyline travelling along Swanview Terrace is affected by the two storey dwellings. Furthermore, it is evident from the photo there is a clear consistency or 'rhythm' of roof form and pitch angle shared amongst existing two storey dwellings.

With reference to Photo 2 below, the form and shape of two storey dwellings are a prominent feature of the streetscape when viewed from Ranelagh Crescent travelling towards Swanview Terrace. Again, it is evident there is an established rhythm between existing dwellings within the focus area both in form of the whole building and the roof shape.

As such, design compatibility is considered relevant in preserving the existing streetscape character of Swanview Terrace.



Photo 1 - View down Swanview Terrace



Photo 2 - View At the corner of Ranelagh Crescent and Swanview Terrace



Photo 3 - View from Ranelagh Crescent travelling towards Swanview Terrace

In assessing design compatibility between the existing and the proposed, a number of factors must be considered including scale, colour, form or shape and rhythm (a regularly repeated of the primary design element or elements amongst dwellings on the street). Having considered the proposed two storey dwelling in relation to the existing two storey dwellings within the focus area [refer **Attachment 10.3.4(c)**], the following comments are being provided.

Scale

The proposal is consistent with the scale of existing developments with regards to its height and setbacks from the street. However, the proposed upper floor setback is not consistent with the existing buildings, thus results in a greater ‘bulk’ as perceived from the street.

Colour

Colour is not clarified in the proposal however, a condition could adequately address this matter if required.

Form or Shape

The form and shape of the proposal is clearly inconsistent with existing buildings in the focus area. The proposal incorporates a number of ‘modern’ design elements including flat and skillion roofs (mono-pitched). The skillion roof being at a pitch of 10 degrees in comparison with the 25 to 35 degree hip or gable roof pitches of existing development is seen to be incompatible. Furthermore, the proposed design could be described as ‘square or cubical’ in shape in the way it presents to the street, in comparison to the ‘prism-like or pyramidal’ presentation of the roof lines of existing development.

Rhythm

The existing buildings demonstrate a clearly established rhythm incorporating hipped and gable roof lines with slope that ranges between 25 to 35 degrees. The proposal incorporates a 'mono-pitch' at 10 degrees, nearly a flat roof when seen from the human eye level, and does not maintain the consistent rhythm visible in the streetscape evident in the photos. Refer **Attachment 10.3.4(c)**. Furthermore it is located within the middle of the street and prominently visible from an intersection resulting in an undesirable impact on the existing streetscape character.

The proposed development does not demonstrate design compatibility with existing development in the focus area and therefore does not meet the main objective of the policy, which is to '*preserve or enhance desired streetscape character, and to promote strong design compatibility between existing and proposed residential buildings*'. The proposal also fails to demonstrate '*harmony with neighbouring and existing buildings within the focus area*'.

(c) City of South Perth Town Planning Scheme Objectives

An objective of the City of South Perth Town Planning Scheme No. 6 includes '*facilitat(ing) a diversity of dwelling styles in appropriate locations which retain the desired streetscape character, and in older areas of the district, the existing built form character,*' [C11.6(2)(c)]. The Hurlingham precinct is recognised as an older area of South Perth and therefore maintaining the existing built form character is recognised within the Scheme as a primary objective. As the proposal fails to demonstrate consistency in the built form character of the precinct it also does not meet the above objective of the Scheme.

(d) Design Advisory Consultants (DAC)

The proposal was referred to the DAC for comment who provided contrary advice to the Planning Officer's comments above. The DAC outlined that they supported the proposed contemporary roof form and observed it to be acceptable from the streetscape perspective. The DAC members perform an advisory role for Council. In this instance, whilst acknowledging the DAC architect's comments recognising consistency with the streetscape, the Planning Team does not share this view.

Consultation

(b) Neighbour consultation

The City's Consultation Policy did not require the application to be referred to neighbours in this instance.

Policy and Legislative Implications

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

Financial Implications

Should the application be refused the applicant could appeal the decision at the State administrative Tribunal

Strategic Implications

This matter relates to Goal 3 “Environmental Management” identified within the Council’s Strategic Plan. Goal 3 is expressed in the following terms: *To effectively manage, enhance and maintain the City’s unique natural and built environment.*

Sustainability Implications

The issue being discussed in relation to streetscape compatibility is seen to have no significant impact on environmental sustainability.

Conclusion

The proposed development fails to meet the overriding objectives of the Scheme and also the General Design Guidelines for Residential Development. As such, in the interests of orderly and proper planning it is recommended that application be refused in order to maintain the existing built form character of the Hurlingham precinct.

OFFICER RECOMMENDATION ITEM 10.3.4

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a Single House on Lot 230 (No. 37) Street **be refused** for the following reason(s):

- (a) The proposal is not satisfactory in relation to the relevant matters applicable to the application referred to in Clause 7.5 of the City of South Perth Town Planning Scheme No. 6 with particular reference to:
 - (a) *the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme.*
 - (f) *any planning policy, strategy or plan adopted by the Council under the provisions of Clause 9.6 of this Scheme.*
 - (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance.*
 - (n) *the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details.*
- (b) **Standard Advice Notes**
651 (appeal rights).

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

OFFICER RECOMMENDATION

Cr Grayden moved the officer recommendation. The officer recommendation Lapsed for want of a Secunder. LAPSED

MOTION

Moved Cr Hasleby, Sec Cr Hearne

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, the application for a Single House upon Lot 230 (No. 37) Swanview Terrace, South Perth be approved subject to the following conditions:
- (c) **Standard Conditions**
377 (clothes drying), 390 (crossovers), 416 (street trees), 427 (design), 455 (fencing), 456 (fencing), 457 (fencing), 470 (filling and retaining), 471 (filling and retaining), 625 (visual truncations), 660 (validity of approval).

Footnote:	A full list of Standard Conditions and Important Notes is available for inspection at the Council Offices during normal business hours.
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- (d) **Standard Important Footnotes**
646 (landscape), 648 (not an authorisation to commence construction), 649A (minor variations), 651 (appeal rights).

Footnote:	A full list of Standard Conditions and Important Notes is available for inspection at the Council Offices during normal business hours.
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MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Hasleby Opening for the Motion

- issue is a Single House contemporary in design - possibly not to everyones liking
- point is the mono-pitched roof / proposal raises issues re skillion roof design
- many similar issues come before Council for determination
- need to look at skillion roof design more closely/come up with something more definitive
- design fits in well with other residences in Swanview Terrace
- design in keeping with modern streetscape of that area
- issue outstanding is skillion roof proposed does not demonstrate design compatibility
- refer Attachment 10.3.4(b) to Agenda - supporting letter from designer
- DAC support proposed roof form from streetscape perspective
- ask Council use discretion and support alternative Motion

Cr Hearne for the Motion

- endorse Cr Hasleby's comments
- support the alternative Motion

Cr Grayden against the Motion

- concerns this is not just simply a matter of the skillion roof form
- officer recommendation raises a number of issue ie bulk / shape / impact on streetscape
- have a 'one-liner' from DAC - acceptable to streetscape
- at Agenda Briefing asked for further information on DAC comments - information received provided no background to support DAC making this comment
- can only base a decision on officer report / recommendation
- against alternative Motion

Cr Hasleby closing for Motion

- appreciate Cr Grayden's comments
- proposal a modern design / good fit for size of block
- skillion roof proposed good for area
- suggest 37 Swanview Terrace is a little avant-garde for 2008
- believe proposal fits well with the particular locale

COUNCIL DECISION ITEM 10.3.4

The Mayor Put the Motion

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, the application for a Single House upon Lot 230 (No. 37) Swanview Terrace, South Perth be approved subject to the following conditions:

(c) **Standard Conditions**

377 (clothes drying), 390 (crossovers), 416 (street trees), 427 (design), 455 (fencing), 456 (fencing), 457 (fencing), 470 (filling and retaining), 471 (filling and retaining), 625 (visual truncations), 660 (validity of approval).

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

(d) **Standard Important Footnotes**

646 (landscape), 648 (not an authorisation to commence construction), 649A (minor variations), 651 (appeal rights).

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

CARRIED (10/1)

Reason for Change

Council was of the opinion that the contemporary roof form proposed would not be detrimental to the amenity of the streetscape in the area.

10.4 GOAL 4: INFRASTRUCTURE

10.4.1 State BlackSpot 2006/07 Program - Mends Street / South Perth Esplanade Upgrade

Location: City of South Perth
Applicant: Council
File Ref: RO/402
Date: 3 April 2008
Author/Reporting Officer : Les Croxford, Acting Director Infrastructure Services

Summary

Progress on the implementation of a roundabout at the intersection of Mends Street and the South Perth Esplanade has been delayed as serious design issues were identified internally and with Main Roads. This report addresses those issues and recommends that an alternative treatment rather than a roundabout be installed at or near the intersection.

Background

The Mends Street/South Perth Esplanade intersection was identified in the 2006/07 submission as meeting the basic criteria for funding under the State BlackSpot Program. In the previous five years to December 2004 six crashers involving property were recorded at the intersection. From the qualifying treatments available, the roundabout was the most likely to result in a reduction in crashes.

The submission was prepared on the basis of a “mini” roundabout requiring minimal alterations to existing kerblines and other infrastructure. The Benefit to Cost Ratio of the “mini” roundabout ensured its inclusion on the program.

Comment

Notwithstanding its inclusion on the program the project still needed to be approved by Main Roads Western Australia Traffic Branch for lining and signing.

While mini roundabouts have been trialled and/or implemented elsewhere in the metropolitan area they no longer are acceptable treatments under the guidelines prepared/used by MRWA for regulatory signage unless certain essential elements are met:

- the roundabout must be identified by the standard Regulatory signage;
- traffic flow on each of the intersecting streets must be separated by a raised traffic island sufficient in size to accommodate the Regulatory sign; and
- the central island must be constructed in such a form so as to permit most classes of vehicle movement.

The most recent mini roundabout within the metropolitan area has been installed by the City of Perth contrary to the directions of Main Roads. The lining and signing has been effected by the City of Perth. The City of Perth has accepted responsibility for the above and will defend its actions should the need ever arise. This is not a position the City of South Perth should contemplate.

To meet the basic requirements of Main Roads the kerblines of Mends Street would need to be shifted closer to the building line, thus reducing further the available area for pedestrians and regulatory signs would need to be installed in the middle of Mends Street. The result from meeting the above requirements is in the opinion of the City officer is an unacceptable streetscape outcome.

Traffic speeds in Mends Street are commensurate with its status as a “pedestrian precinct” as terminating road traffic is required to Give Way to any approaching traffic on the Esplanade. It is clear many drivers in Mends Street effect the U Turn at the intersection to drive through the precinct, a movement which is permissible under the Road Traffic Code providing the movement can be undertaken safely. The responsibility is then on the driver effecting the U Turn to only undertake the movement if it is safe to do so. The nature of the crashes recorded clearly indicate this movement is being attempted when it is not safe or the driver effecting the U Turn has misjudged the approach speed of vehicles on the Esplanade.

Accepting that a reduction in the approach speeds of vehicles in the Esplanade about to enter the pedestrian precinct is very desirable for pedestrians crossing over from Sir James Mitchell Park and the Ferry Terminal and would assist motorists who effect the U Turn, it is suggested the City:

- not proceed with the roundabout;
- re-allocate the City contribution of \$16,667 to the installation of raised plateau type speed reducing measures in the Esplanade each side of Mends Street; and
- effect the works as soon as practicable prior to 30 June 2008.

Consultation

A number of alternatives were discussed with Main Roads but without success. There has been no consultation with the public.

Policy and Legislative Implications

There are no Policy or Legislative implications

Financial Implications

The net effect of the proposal not to proceed with the roundabout treatment will not impact on the 2007/08 Budget.

Strategic Implications

This report is consistent with Goal 4 Infrastructure of the City's Strategic Plan 2004 - 2008 "To Sustainably manage, enhance and maintain the City's Infrastructure Assets"

Sustainability Implications

This item has been assessed in accordance with the general principles of social, economic and environmental consequences. As the significant factors behind the recommendation are streetscape amenity and efficiency in the allocation of resources it is felt that the recommended outcome satisfies all three having positive and social benefits at a reduced cost.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.1
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That....

- (a) the City install "plateau type" speed reducing measures in South Perth Esplanade each side of Mends Street; and
- (b) Main Roads Western Australia, the administrator of the BlackSpot Program, be advised that the City will not proceed with the installation of a roundabout at the intersection of Mends Street and South Perth Esplanade.

CARRIED EN BLOC RESOLUTION

10.4.2 Angelo Street Drainage Sump - Reinforced Concrete Slab-over to Enable Extension of the Car Park.
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Location:	City of South Perth
Applicant:	Council
File Ref:	6/2008
Date:	3 April 2008
Author / Reporting Officer:	Les Croxford, Acting Director Infrastructure Services

Summary

Tender 6/2008 was advertised in the West Australian newspaper on Saturday 8 March 2008. This report outlines the tender and assessment process and recommends acceptance of the tender with a price clarification prior to entering into a contract.

Background

The drainage sump forms part of the district drainage system. It exists to provide for the intense storm event that occurs infrequently and unable to be handled by the downstream piped network. The drainage sump services Strickland Street and a wider catchment area off Angelo Street.

Being part of the commercial precinct of Angelo Street the sump has been designed for the 1:100 year storm event which is consistent with best practice for structures of this form.

Progress on the drainage design and the structural design has been delayed with both consultants over extended in the current economic climate.

Eleven sets of documents were collected by interested contractors. At the close of the tender period only one tender had been received.

Comment

Tenders were invited on the basis of undertaking all of the concrete works necessary to construct a slab over the drainage sump. The earthworks associated with the sump were to be undertaken by the City. The concrete contractor was to receive the site ready to receive the concrete deck.

As part of the documentation required to be submitted by the Consultant Engineer was a detailed estimate of the work activities associated with the drainage sump. The estimated cost of the concrete works as provided by the structural consultant (based on typical unit rates) was \$343,671 excluding GST.

Prior to the close of the tender period two contractors sought clarification on certain aspects of the tender document and in particular “alternative” tenders as both felt the structural design did not provide for the “most cost efficient method” for achieving the required outcome. Essentially the design consisted of a “two way spanning” slab with drop panels at each column. This design would have produced a relatively uncluttered and flat underside to the slab with maximum headroom, factors that are not critical to the end structure. Both contractors were advised to submit a conforming tender to be considered as well as the alternative bid.

Unfortunately at the close of the tender period only one submission from G and G Contractors Pty Ltd had been received. G and G Contractors Pty Ltd had been one of the contractors who had sought clarification on the alternative bid. In a post tender interview with the contractor it was revealed that it had been his intention to supply the alternative but failed to do so due to lack of time.

The tender submitted by G and G Contractors is for the lump sum price of \$431,574 excluding GST.

Evaluation of tender received was based on the following criteria.

1	Demonstrated Ability to perform to time and budget	15%
2	Works record and experience	10%
3	Financial capacity and other work and financial commitments	5%
4	Satisfactory resources to complete works	10%
5	Price	60%

The tender assessment report is provided as a **Confidential Attachment 10.4.2** and recommends that the tender of G and G Contractors Pty Ltd be accepted.

The tender of G and G Contractors contains all completed schedules and satisfies in all respects the qualitative and quantitative criteria listed in the Invitation to Tender.

The contractor however is adamant that cost efficiency can be achieved by:

- Modifying the design to be a “one way” spanning slab with cross beams;
- Utilising and integrating precast concrete “formwork” into the slab design;
- Utilising circular columns rather than square to enable the use of “disposable spiral lock” formwork; and
- Increasing the depth of pad footings to remove/reduce the use of “screw piles” in the foundations.

Overall the net savings from the above would be in the order of \$70K and reduce the construction time by approximately three weeks.

The above changes have been discussed with the Structural Engineer who acknowledges that significant savings could be achieved with an alternative design if the amount of “form work” necessary to support the slab during “curing” could be reduced.

As provided for in the Local Government (Functions and General) Regulations Council can accept the Officer recommendation to accept the tender of G and G Contractors and authorise the CEO to negotiate with G and G Contractors Pty Ltd, following acceptance of the tender but prior to awarding the contract, to clarify pricing on the amended structural design and construction methodology of their tender.

Consultation

There has been no public consultation in respect to this matter.

Policy and Legislative Implications

Section 3.57 of the Local Government Act 1995 (as amended) requires a local government to call tenders when the expected value is likely to exceed \$100,000. Part 4 of the Local Government (Functions and General) Regulations 1996 sets regulations on how tenders must be called and accepted.

Policy P605 - *Purchasing & Invoice Approval;*

Policy P607 - *Tenders and Expressions of Interest.*

Regulation 20 of the Local Government (Functions and General) Regulations - *Variations of Requirement before entering into Contract* states:

- (1) *If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.*

Financial Implications

There are no financial implications as a result of this report. Full cost of the works has been provided in the current 2007/08 Budget.

Strategic Implications

The proposal to amend the Budget to facilitate additional works or variations to existing projects as a result of external circumstances is consistent with Goal 4 Infrastructure - Strategy 4.1 *“Develop appropriate plans, strategies and management systems to ensure public infrastructure assets (roads, drains, footpaths etc) are maintained to a responsible level.”*

Sustainability Implications

This item has been assessed against the three principles of social, economic and environmental consequences. The end result will be a cost effective use of “vacant land” as an extension of the parking area to meet the expected demands within the commercial precinct.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.2
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That....

- (a) the Tender of G and G Contractors Pty Ltd for the Construction of a Reinforced Concrete Slab Cover Drainage Basin be accepted; and
- (b) Council delegate to the CEO authority to negotiate with G and G Contractor Pty Ltd prior to entering into a contract to clarify aspects of their pricing for this project.

CARRIED EN BLOC RESOLUTION

10.4.3 Metropolitan Regional Road Group Funding Submission - 2009/10

Location:	City of South Perth
Applicant:	Council
File Ref:	GS/117
Date:	3 April 2008
Author:	Trevor Quinn, Acting Manager Engineering Infrastructure
Reporting Officer:	Les Croxford, Acting Director Infrastructure Services

Summary

The City is invited to submit for assessment and consideration by Main Roads, certain projects for funding under the Metropolitan Regional Road Grant (MRRG) program. The closing date for the submission is 2 May 2008 and will detail projects for commencement and completion within the financial year 2009/10.

To assist in the development of the submission the City maintains a list of eligible projects in a Five Year Rolling Program. This report lists the projects being put forward for the 2009/10 financial year and the Five Year Program.

Background

The Metropolitan Regional Road Group is part of the Commonwealth/State Government road funding arrangement whereby 25% of Commonwealth road funds is allocated to roads under the care control and maintenance by local government. The funding program is administered by MRWA through a Steering Committee. WALGA is represented on the Committee.

The percentage of funding directly allocated to local government is determined under a formula established with WALGA. The percentage of funding to Local Governments is split between metropolitan and country local governments with the greater proportion to the metropolitan area. Of the funding to metropolitan local governments the majority is only available for works on the designated Road Hierarchy for local distributor class roads or above. Funding for local roads is limited to the direct grant which is provided to every local government. The direct grant is approximately \$53,000 to South Perth. The balance of the funds is assigned to the distributor class roads.

Funding for the distributor class roads can be either for:

- Rehabilitation works - primarily pavement resurfacing, pavement strengthening, minor improvements such as re-kerbing, etc to an already existing distributor class road; or
- Improvement works - includes widening of existing roads to typically four lanes or second carriageway to form a dual carriage, a new connection to an existing road network or total reconstruction of an existing roadway.

The City has been successful in the past with Rehabilitation projects due mainly to the age of the network, the high traffic volumes and the extent of pavement cracking. As a developed local government the City has not submitted funding under the improvement component and would not in the foreseeable future include any improvement works with the possible exception of the south bound on-ramp from Manning Road once the road reserve has been secured. Generally improvement works have been awarded to the developing local governments of Swan, Gosnells, Armadale, Cockburn, Wanneroo etc. Local Government is required to contribute one third of the project costs.

Sections of distributor class roads have been independently assessed in accordance with the technical criteria for rehabilitation projects.

Comment

The table below lists the road rehabilitation projects under consideration for the 2009/10 MRRG program. These projects are currently being assessed by an independent consultant specialising in Road Pavement Management Systems.

ROAD	REHABILITATION	PROJECT COST	GRANT
South Tce	Asphalt overlay Anstey St to Coode St	\$15,620	\$10,413
Walanna Dve	Asphalt overlay Lower Nth to Jackson Rd	\$23,760	\$15,840
Mill Point Rd	& Asphalt overlay Mends to Labouchere	\$104,832	\$69,888
Mill Point Rd	SAMI & Asphalt overlay Murray to Douglas	\$107,616	\$71,744

Consultation

There has been no direct community consultation with regards to the rehabilitation projects being submitted for funding approval. Consultation will be undertaken, if required, for those projects for which funding is approved.

Policy and Legislative Implications

Policy P412: Road Rehabilitation Prioritisation applies and has been adhered to in the formulation of the City's submission. Any project that results in a change of level or alignment of the thoroughfare will be subject to the consultation requirements of section 3.51 of the Local Government Act 1995.

Financial Implications

Funding is based on a two thirds contribution to the total cost of the project MRRG, with a one third contribution from municipal funds. Occasionally works outside of the rehabilitation guidelines may be necessary as part of the project and additional funds will be needed.

The City's one third contribution to the project cost is consistent with the projected funding within the Strategic Financial Plan.

It should be noted that the rolling five year program is indicative only and will vary with future investigation and detailed assessment. Should Council adopt the program then budget allowances will be required in the five year capital works program as shown in the table below.

Year	Project	Proposed Works	Estimated Cost
2009/10	South Terrace (Anstey to Coode)	SAMI & overlay	\$15,620
2009/10	Walanna Drive (Lowan Nth-Jackson)	SAMI & overlay	\$23,760
2009/10	Mill Point Road (Mends to Labouchere)	SAMI & overlay	\$104,832
2009/10	Mill Point Road (Murray to Douglas)	SAMI & overlay	\$107,616
2010/11	Elderfield Road (Manning to Trumper)	SAMI & overlay	\$49,140
2010/11	Mill Point Road (Onslow to Parker)	SAMI & overlay	\$38,000
2011/12	Mill Point Road (Parker to Mends)	SAMI & overlay	\$37,000
2011/12	South Terrace (Strickland to Anstey)	SAMI & overlay	\$84,000
2012/13	Coode Street (South to Comer)	SAMI & overlay	\$25,700
2012/13	Coode Street (Thelma to Preston)	SAMI & overlay	\$27,700
2013/14	Mill Point Road (Onslow to Coode)	SAMI & overlay	\$32,000
2013/14	Way Road (Canning to Mill Point)	SAMI & overlay	\$120,000

Strategic Implications

This program of works is consistent with the following Goal in the City's Strategic Plan 2004-2008:

Goal 4 - Infrastructure - *"To sustainably manage, enhance and maintain the City's infrastructure assets"*.

Strategy 4.1: *"Develop plans, strategies and management systems to ensure Public Infrastructure Assets (roads, drains, footpaths, river wall, community buildings etc) are maintained to a responsible level"*

MRRG Local Road Rehabilitation funding reduces the cost of remedial works on selected local government roads by up to two thirds. In the case of rehabilitation funding, the only criteria for a road to be eligible for consideration are:

- the road must carry more than 2000 vehicles per day; and
- be classified as a distributor road in the City's road hierarchy.

Road maintenance is an unavoidable expense, and if Council can attract more funding through this program then the overall maintenance expense to Council will be reduced substantially. Savings in this area will reduce the cost of required works to ratepayers and free up funds for other required projects.

Sustainability Implications

This issue has been assessed against the three principles social, environment and economics. On going maintenance and the preservation of public assets ensures a sustainable City.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.3
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That the distributor road projects to be assessed and considered by Main Roads Western Australia for funding in the 2009/10 Metropolitan Region Road Grant program, as detailed in report Item 10.4.3 of the April 2008 Council Agenda, be endorsed.

CARRIED EN BLOC RESOLUTION

10.4.4 Challenger Reserve Pavilion - Proposed Alterations and Additions. Review of Tender Submissions
--

Location:	Challenger Reserve, Salter Point
Applicant:	Council
File Ref:	Tender 4/2008
Date:	2 April 2008
Author:	Gil Masters, Buildings and Assets Coordinator
Reporting Officer:	Les Croxford Acting Director Infrastructure Services

Summary

Tenders have been received for proposed additions and alterations to the Challenger Sports Pavilion (Tender 4/2008). This report outlines the assessment process and recommends the tender submitted by CPD Group Pty Ltd for the lump sum amount of \$308,448 plus GST be accepted.

The recommended tender exceeds the budget allocation, however due to the fact that work is not programmed to commence until July 2008, it is proposed that an additional allocation of \$95,000 be allocated for the project in the 2008/09 Infrastructure Capital Works budget.

Background

Challenger Pavilion is located on Challenger Reserve and is positioned adjacent to the Manning Eagles Bowling Club and the Manning Tennis Club. The Pavilion is currently used in winter by the South Perth United Soccer Club. The Club is thriving, particularly with its junior program, so a refurbished pavilion will be most welcome.

The “Future Directions and Needs Study for Sporting and Recreational Clubs” report prepared for the City in 2006 recommended that Challenger Pavilion be upgraded in accordance with the “District Pavilion” model.

The rationale is as follows:

District sporting pavilions should be provided on single grounds that cater for 1 – 2 sports. These facilities should be multi-purpose in design and should include the following basic elements.

- Four toilet / change rooms;
- A kitchen / kiosk;
- A social / meeting room;
- Equipment storage facilities;
- Shaded spectator seating;
- Adequate building security.

A preliminary design was prepared and meetings held with representatives from the soccer club to finalise the drawings and prepare documentation for tender.

Comment

Tenders were invited on 19 January 2008 and closed at 10.00 am Tuesday 4 March 2008. At the close of tenders three submissions were received. The prices submitted are listed below.

Tenderer	Tendered Price (ex GST)
CPD Group Pty Ltd	\$293,760
Classic Contractors	\$420,215
ZD Construction 93 Pty Ltd	\$409,660

A qualitative evaluation of tenders was then completed based on the following criteria (as listed in the request for tender (RFT)):

Qualitative Criteria	Weighting %
1. Referees	10%
2. Compliance to Submission documentation	15%
3. Practical Completion Period	15%
4. Price	60%
Total	100%

The evaluation process has resulted in the following scores:

CPD Group Pty Ltd	ZD Construction 93 Pty Ltd	Classic Contractors
9.0	5.23	7.07

The South Perth United Soccer Club will be utilising the pavilion until the end of July. It is therefore recommended that the refurbishment commences at that time. This makes good sense, rather than forcing the club to put up with the refurbishment or temporarily housing them elsewhere.

In view of this the CPD Group were contacted about their preparedness to hold their price for that period. CPD advised that project commencement in July would result in a 5% increase in their price. This is still considerably less than their competitors who would more than likely need to do the same.

Tenderer	Revised Price (ex GST)
CPD Group Pty Ltd	\$308,448

Analysis of the tenders against the assessment criteria show that the tender submitted by CPD Group to be the best priced and best value for the City and is therefore recommended for acceptance by Council. The Tender Assessment Report is provided and details the process followed. **Confidential Attachment 10.4.4** refers.

Consultation

This project has required extensive liaison with the South Perth United Soccer Club over design aspects for the refurbished pavilion.

Public tenders were advertised in accordance with the *Local Government Act (1995)*.

Policy and Legislative Implications

Section 3.57 of the Local Government Act 1995 (as amended) requires a local government to call tenders when the expected value is likely to exceed \$100,000. Part 4 of the Local Government (Functions and General) Regulations 1996 sets regulations on how tenders must be called and accepted.

Policy P605 - *Purchasing & Invoice Approval*;
Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

The City has allocated \$250,000 in 2007/08 Capital Works budget to implement this project. Approximately \$13,000 has already been spent on preliminaries including design work. It is considered the project should have a \$20,000 contingency amount to cover any unforeseen issues.

The preferred tendered price therefore exceeds the budget allocation by \$95,000. It is proposed to cover the short fall by recommending an additional allocation in the 2008/09 Infrastructure Capital Works program.

Strategic Implications

This item is consistent with Strategy 4.1 of Goal 4 "Infrastructure" of the City's Strategic Plan. *"To sustainably manage, enhance and maintain the City's infrastructure assets."*

Sustainability Implications

Challenger Pavilion will be refurbished to use less water and energy. This will have the benefit of reducing the City's greenhouse gas emissions, but will also reduce the cost of operating the building with the added benefit of assisting sporting club sustainability.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.4
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That....

- (a) the tender submitted by CPD Group Pty Ltd for proposed additions and alterations to the Challenger Sports Pavilion for the revised lump sum amount (due to a delayed commencement date) of \$308,448 plus GST, be accepted; and
- (b) due to a budget shortfall, an additional budget of \$95,000 be allocated in the 2008/09 Infrastructure Capital Works budget to complete the project.

CARRIED EN BLOC RESOLUTION

10.5 GOAL 5: ORGANISATIONAL EFFECTIVENESS

10.5.1 Applications for Planning Approval Determined Under Delegated Authority.
--

Location:	City of South Perth
Applicant:	Council
File Ref:	Not applicable
Date:	1 April 2008
Author:	Rajiv Kapur, Acting Manager, Development Assessment
Reporting Officer:	Steve Cope, Director Development and Community Services

Summary

The purpose of this report is to advise Council of applications for planning approval determined under delegated authority during the month of March 2008.

Background

At the Council meeting held on 24 October 2006, Council resolved as follows:

“That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the

(b) exercise of Delegated Authority from Development Services under Town Planning Scheme No. 6, as currently provided in the Councillor’s Bulletin.”

The great majority (over 90%) of applications for planning approval are processed by the Planning Officers and determined under delegated authority rather than at Council meetings. This report provides information relating to the applications dealt with under delegated authority.

Comment

Council Delegation DC342 “Town Planning Scheme No. 6” identifies the extent of delegated authority conferred upon City Officers in relation to applications for planning approval. Delegation DC342 guides the administrative process regarding referral of applications to Council meetings or determination under delegated authority.

Consultation

During the month of March 2008, thirty (30) development applications were determined under delegated authority [**Attachment 10.5.1** refers].

Policy and Legislative Implications

The issue has no impact on this particular area.

Financial Implications

The issue has no impact on this particular area.

Strategic Implications

The report is aligned to Goal 5 “Organisational Effectiveness” within the Council’s Strategic Plan. Goal 5 is expressed in the following terms: *To be a professional, effective and efficient organisation.*

Sustainability Implications

Reporting on determination of applications under Delegated Authority contributes to the City’s sustainability by promoting effective communication.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.1
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That the report and **Attachments 10.5.1** relating to delegated determination of applications for planning approval during the months of March 2008, be received.

CARRIED EN BLOC RESOLUTION

10.5.2 Use of the Common Seal

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/106
Date:	4 April 2008
Author:	Sean McLaughlin, Legal and Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

To provide a report to Council on the use of the Common Seal.

Background

At the October 2006 Ordinary Council Meeting the following resolution was adopted:

That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the use of the Common Seal, listing seal number; date sealed; department; meeting date / item number and reason for use.

Comment

Clause 21.1 of the City’s Standing Orders Local Law 2007 provides that the CEO is responsible for the safe custody and proper use of the common seal.

In addition, clause 21.1 requires the CEO to record in a register:

- (i) the date on which the common seal was affixed to a document;
- (ii) the nature of the document; and
- (iii) the parties described in the document to which the common seal was affixed.

Register

Extracts from the Register for the month of March 2008 appear below.

March 2008

Nature of document	Parties	Date Seal Affixed
S. 70A Certificate [TLA]	CoSP & Mina Shamshinejad-Ghazvini	6 March 2008
Lease	CoSP & Hensman Park Tennis Club	7 March 2008
Registration of Lease	CoSP & Hensman Park Tennis Club	7 March 2008
Lease	CoSP & Manning Rippers Football Club	18 March 2008
Registration of Lease	CoSP & Manning Rippers Football Club	18 March 2008

Note: The register is maintained on an electronic data base and is available for inspection.

Consultation

Not applicable.

Policy and Legislative Implications

Clause 21 of the City's Standing Orders Local Law 2002 describes the requirements for the safe custody and proper use of the common seal.

Financial Implications

Nil.

Strategic Implications

The report aligns to Goal 5 "Organisational Effectiveness" within the Council's Strategic Plan. Goal 5 is expressed in the following terms: *To be a professional, effective and efficient organisation.*

Sustainability Implications

Reporting of the use of the Common Seal contributes to the City's sustainability by promoting effective communication.

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.2</p>

That the report on the use of the 'Common Seal' for the month of March 2008 be received.

CARRIED EN BLOC RESOLUTION

<p>10.5.3 Community Advisory Groups - Annual Review</p>
--

Location: City of South Perth
 Applicant: Council
 File Ref: N/A
 Date: 7 April 2008
 Author/Reporting Officer: Cliff Frewing, Chief Executive Officer.

Summary

The City has four Community Advisory Groups established by resolution of Council in accordance with Policy P502. Policy P502 requires the Chief Executive to provide a report to Council detailing the activities and achievements of each group and reviewing its terms of reference. As the last report to Council was in May 2005, this report covers the period since that time.

Background

The City recognises the important role community advisory groups play in providing advice to the City and the contribution that community members make in the decision-making processes of the City. Council may by resolution establish an advisory group for a particular purpose which is identified in the terms of reference. Policy P502 was adopted by Council at its October 2002 meeting to formalise the arrangements for establishing new and reviewing existing advisory groups. Advisory groups established under this policy are to be distinguished from committees established under the *Local Government Act*.

During the period under review, the City has operated a number of Advisory Groups which draw their membership from the community. Currently, the following Advisory Groups are in operation:

- (i) Travelsmart RoadWise Advisory Group
This group was established in September 2000 to oversee the implementation of the City's Travelsmart Local Action Plan and to advise on issues related to road safety.
- (ii) Sir James Mitchell Park Community Advisory Group
This group was established in June 2000 to oversee the implementation of the Sir James Mitchell Park Management Plan, jointly developed with the Swan River Trust.
- (iii) Community Sustainability Advisory Group
This group operated from 1999 until 2005 as the Environmental Advisory Group but was re-badged in February 2005 to give the group a more strategic focus on sustainability.
- (iv) Youth Advisory Council (YAC)
The YAC is made up of young people aged between 13 and 20 - who live, work or study in the City of South Perth. The three main purposes of the group are:
 - to identify and develop young leaders within our Community;
 - to act as a key communication link between young people and the City; and
 - to promote the role of local government and encourage young people to participate in it.

Each group is supported by a City officer who is responsible for convening and presiding at meetings, recording the group's views and communicating this information to the City.

Comment

Summary of Activities / Achievements

Travelsmart RoadWise Advisory Group

TravelSmart is a behaviour change program to reduce the community's dependence on car travel and help preserve the environment and quality of life.

RoadWise is a local government and community road safety program. It aims to contribute to the long term vision of the Road Safety Council in eliminating road crashes as a major cause of premature death and injury by increasing community support, partnerships and participation.

The TravelSmart Roadwise Advisory Group has been in existence at the City of South Perth since 2004. TravelSmart is, at its core, both a health promotion and sustainability program based on behaviour change principles relating to transport choices.

The group currently has six members who meet on the second Wednesday of each month. There are two vacancies - (i) community representative and (ii) South Perth Chamber of Commerce and Industry.

Members of the TravelSmart Roadwise Advisory Group had input into and have been active supporting and having input into the following regular annual events:

- Child Car restraint Checking stations,
- Bike Week Events,
- Inaugural National Ride to School Day 2008,
- Walk Safely to School Day,
- Safety in Schools Week,
- Be Active WA Day,
- Community Safety Month,
- Safe Routes to School/Quiet Routes to School,
- Get on Board, Walking School Bus,
- Bike Skills training, other Roadwise campaigns such as the Fiesta event entitled "Skippers Club."

The TravelSmart Roadwise Advisory Group has had input into the following:

- Review of text and design of TravelSmart and Roadwise resources;
- Review of the Local Action Plan and local Bike Plan;
- Assisting to distribute bin stickers "Please Slow Down - Consider our Kids";
- Development of the current Local TravelSmart and Roadwise Action Plan; and
- Regular articles and advertisements published in the Southern Gazette.

Terms of Reference

The Terms of Reference for the TravelSmart Roadwise Advisory Group is at **Attachment 10.5.3(a)**.

Whether the TravelSmart Roadwise Advisory Group continues in its current form still requires further consideration. There are two good reasons why a change could be considered namely:

- there is difficulty in "recruiting" community representatives and will most likely become more difficult in the future; and
- there is significant correlation in the TravelSmart and Sustainability principles.

While there is general support from the members for the group to remain unchanged and meetings held monthly, officers have considered the merit of embracing TravelSmart under the Community Sustainability Advisory Group, and believe a better alignment of the Sustainability and TravelSmart Programs could result if the change was effected.

Should this be actioned following detailed assessment the TravelSmart/Roadwise Officer would be retained within Infrastructure Services and have an involvement with the CSAG. Many members of the CSAG have a high level of interest in TravelSmart. The separation between the TravelSmart and Sustainability programs is artificial and administrative only.

An officer group comprising WALGA, Police Services and City representatives would continue to meet regularly to exchange information on Roadwise matters. Consultation with the local community in Roadwise matters could be achieved with bi-annual forums.

Sir James Mitchell Park Advisory Group

The Sir James Mitchell Park Advisory Group met four times during 2007. The major issues that were involved with included:

- Provision of advice on the development of detailed plans for the SJMP Foreshore Renovation Plan;
- Review of the proposed shared pathway in SJMP;
- Provision of tree poisoning signs for the park;
- Review of proposal and provision of advice to the City about an amphibious vehicle operation proposed to operate from the Coode Street boat ramp;
- Discussion and provision of advice to officers about proposals for the 2008 Skyworks;
- Discussion and provision of advice to officers about the 2007 Red Bull Air race;
- General advice to officers on park works and proposals.

Terms of Reference

To provide advice to Council on the development, management and maintenance of Sir James Mitchell Park, with particular reference to the actions of the Sir James Mitchell Park Foreshore Management Plan. No amendment required.

Refer **Attachment 10.5.3(b)**.

Community Sustainability Advisory Group

The Sustainability Advisory Group was formed in February 2005 and was previously known as the Community Environmental Advisory Group.

The City Sustainability Coordinator was engaged in January 2006 and developed Terms of Reference for the group. The Terms of Reference directed the focus of the group to a more strategic aspect of community sustainability. The membership was expanded from six to eight, with advertisements placed in the local media attracting applicants from the City's resident community to add to the already quality membership. The group represents an excellent example of diversity. Meetings are conducted on a six-weekly cycle and on a monthly basis when required.

Input and participation of the group (in chronological order) includes:

2006

- Advice on the sustainability website content and format
- Review of the Sustainability Strategy
- Review of environmental community information brochures
- July 2006 - presentation by Dr. Bob Humphries of the Water Corporation - 'A Day in the Life' - a day of living sustainably
- Provided feedback on draft ESD Building design policy
- Attended the David Suzuki lecture - Sept 2006
- Members participated in the World Cleanup Day in conjunction with SEMRC on 16 September, to promote the eradication of plastic shopping bags - 800 reusable bags were given out to the community
- Presentation by Manager, City Environment, on Sustainable Development Beyond 2030 conference
- Manager, Community Development, presented an overview of City programs.

2007

- Living Sustainably Workshop was conducted to facilitate some ideas around developing a 'living sustainably' program
- Development of a sustainability slogan to be adopted by the Fiesta program - '*Sustainability - we are all in it together*'
- Development and distribution of a sustainability checklist for retailers participating in the Mends St Carnivale - March 2007
- Packing and stuffing merchandise and information for the Mends St Carnivale - 250 bags packed
- Participation at sustainability display at Carnivale
- Participation at the City's Open Day to commemorate the new Council Chambers - March 2007
- Senior Environmental Health Officer presented an overview of City programs
- Participation in City Resource Recovery Day - Saturday 1 September
- Participation in the Grey-water Recycling and Composting Workshops to celebrate *Sustainable September*
- Participation in the City's Household Energy Audit project
- Presentation by the City's TravelSmart Officer on City programs - October 2007

2008

Presentation by Strategic Urban Planning Advisor on draft Town Planning Scheme policies - February 2008.

Terms of reference

Refer **Attachment 10.5.3(c)**. Review of the role of group has been initiated and is ongoing at this point.

Youth Advisory Council

The current YAC membership in 2008 is nine (9) members, made up of seven girls from Penhros, one boy from Como Secondary College and one boy from Wesley College.

Meetings are held monthly on a Monday. During February meetings are being held weekly since October for planning of YACStac. There were 14 meetings held in 2007.

Meeting discussion topics have included:-

- Youth Event at Fiesta '08 - Brainstorming
- Marketing Strategies for promotion of YACStac
- Applying for grants from Office of Children and Youth and Western Australian Music Industry for Fiesta Youth Event.
- Australia Day Youth Area planning.
- Format & structure of YAC meetings
- Survey development

Peninsular/Bulletin

- Recruitment of new YAC. This article was promoting YAC to the community to encourage additional membership.
- WAMI (Rampage Forum) YAC attending the Forum.
- Youth Activity Area YAC involvement.

2005/2006

YAC membership over the year stood at 23 official members with between 13 - 18 of those members actively attending meetings and workshops.

There were 10 Formal YAC meeting over the year and various other team meetings such as: Fiesta (YACJAM & Unwind) working party, Ben Whitehouse consultation, Australia Day feedback for environmental health and various other smaller meetings.

Opportunities for YAC members

- Sir James Mitchell Park - workshop and invitations to join advisory group
- Sustainability Advisory Group - Workshop about sustainability and committee members sought.
- Rotary youth leadership awards - nominations requested
- Big Buzz Youth Festival - Nitty Gritty - opportunity to get involved.
- Young Endeavour - opportunity to attend through community scholarship
- Rotary Youth Leadership Camps - opportunity for YAC members to attend.

Other Activities

- Piercing Information Kit - given to be distributed
- Presentations to schools - to recruit members
- Leadership Training and Orientation Day
- RAAMMPAGE Events training and funding
- YACJAM - Successful event run at George Burnett Leisure Centre throughout Fiesta.
- Contributed to the Fiesta Millennium Kids Roadshow event at GBLC
- Contributed to the United Nations Youth Dialogue with Ben Whitehouse.

Terms of reference

the City of South Perth Youth Advisory Council 'Charter of Responsibilities' is at **Attachment 10.5.3(d)**.

Consultation

The City officers responsible for supporting each of the advisory groups have provided the information for this report.

Policy and Legislative Implications

The City has established community advisory groups in accordance with policy P502.

Financial Implications

The operation of Community Advisory Groups has a small financial impact on the operation of the City.

Strategic Implications

The report aligns to Goal 5 "Organisational Effectiveness" within the Council's Strategic Plan. Goal 5 is expressed in the following terms: *To be a professional, effective and efficient organisation.*

Sustainability Implications

The creation of Advisory Groups contributes to the City's sustainability by promoting effective communication and community participation. .

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.3
--

That Council receive report item 10.5.3 of the April 2008 Council Agenda on the City's Community Advisory Groups and acknowledges their significant contribution to the success of the City's operations.

CARRIED EN BLOC RESOLUTION

10.5.4 Inquiry into the City of South Perth 2007

Location:	City of South Perth
Applicant:	Council
File Ref:	GR/405
Date:	3 April 2008
Author and Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to detail the actions of Council in response to the Recommendations contained in the 2006 Inquiry Report into the City of South Perth.

Background

On 20 June 2006, the Director-General of the Department of Local Government and Regional Development authorised an Inquiry into the City of South Perth pursuant to section 8.3(2) of the *Local Government Act* (the Act) to inquire into and report on matters concerning the City.

Following completion of the inquiry, the Authorised Person prepared a report on the outcome of the inquiry which upon being tabled in State Parliament was forwarded to the City and subsequently made publicly available. The Report made 15 Findings and 7 Recommendations.

The Minister subsequently advised that the City was required to respond to the recommendations contained in the Report by 16 July 2007. A response was provided to the Minister within the time specified and a further interim report was provided to the Minister on September 2007.

Attachment 10.5.4 to this report is a summary of the actions that Council has taken in response to the Inquiry Recommendations in concluding the matter.

Council considered the report and recommendations on a number of occasions, as follows:

- 22 May 2007 - Council considered preliminary approach to appointment of mediator
- 6 June 2007 - Council adopted its response to the Inquiry Recommendations
- 10 July 2007 - Council adopted to advise Minister for Local Government of Council's resolutions made and the proposed actions and responses contained in the report which set out the things that the City has done or proposes do, to give effect to the seven (7) Recommendations of the Inquiry Report.
- 28 August 2007 - Council adopted a recommendation to appoint a mediator

Comment

The attached submission, **Attachment 10.5.4**, records in detail Council's actions in addressing the recommendations contained in the Inquiry Report and it is proposed that the submission be forwarded to the Minister advising that the City has now fully complied with all of the requirements in relation to the Inquiry Report.

It is confidently believed that the compliance with the Inquiry Report recommendations - particularly Recommendation 1 in relation to mediation, has had a beneficial impact on the way in which the elected members and administration operate and interact with each other.

Other evidence based examples of the success of the City's approach to compliance with the Inquiry Report Recommendations include:

- The Department has not been physically present monitoring Council meetings since November 2007;
- In relation to the Council Meetings since the new Council was elected (including April 2008):
 - No Notices of Motion have been lodged (compared with 11 for the same period leading up to the October 2007 elections);
 - The average time taken for Council Meetings has reduced from 3 hours 52 minutes to 3 hours 3 minutes - a reduction of close to 25%.

Consultation

The Director-General of the Department of Local Government and Regional Development was consulted on matters relating to the implementation of recommendations in the Report. Other individuals and organisations as mentioned have been contacted regarding provision of services.

Policy Implications

A new policy P517 "Audio Recording of Council Meetings" relevant to recommendation R4 was developed and adopted by Council and audio recording of Council Meetings now occurs.

Financial Implications

The 2007/08 Budget contained a provision of \$100 000 to implement the recommendations in response to the Inquiry Report. It is anticipated that most of this sum will be spent in complying with the Minister's directives.

Strategic Implications

Consistent with the Strategic Plan: Goal 5 "Organisational Effectiveness" *To be a professional, effective and efficient organisation.*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.4
--

Moved Cr Doherty, Sec Cr Cala

That....

- (a) the submission contained at **Attachment 10.5.4** be approved by Council; and
- (b) the CEO and the Mayor be authorised to sign the submission on behalf of Elected Members and the administration as the City's final response to the Inquiry Recommendations.

CARRIED (7/4)

NOTE: CRS HASLEBY, OZSDOLAY, SMITH AND WELLS REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

Note: Strategic Urban Planning Adviser retired from the meeting at 8.25pm

10.5.5 WALGA Systematic Sustainability Study <i>The Journey 'Sustainability into the Future'</i>
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Location: City of South Perth
Applicant: Council
File Ref: EM/11
Date: 3 April 2008
Author: Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to endorse the responses to the recommendations contained in the WALGA draft report *The Journey - Local Government Sustainability into the Future*.

Background

The Draft report by the WALGA SSS Taskforce: *The Journey - Local Government Sustainability into the Future* was released to Local Government at an Industry Forum on Thursday, 28 February 2008. The document proposes a new structure for Local Government “to improve delivery of services to communities while retaining local representation” and is open for feedback and comments from Local Governments.

The beginnings of these processes can be dated to 2004 when, as part of the lead-up to the 2005 State election both major political parties made statements heralding the future reform of the Local Government Sector.

Comment

This Systemic Sustainability Study Panel (the Panel) was supported by the commissioning of a report by Access Economics, *Local Government Finances in Western Australia* (June 2006). Based on the analysis by Access Economics and from their extensive consultation with Local Government representatives from throughout WA, the Panel framed 41 Recommendations for further action. The Association formed a Taskforce of its State Council to oversee the process. This Taskforce resolved to carry forward the SSS Panel recommendations. The Panel Report *In Your Hands* (the SSS Panel Report) was released in December 2006 and referred for further input from an industry forum ‘The Journey’ in April 2007.

The WALGA Taskforce then convened five Working Parties made up of Councillors and senior Local Government managers from across the State. These Working Parties addressed the following themes from the SSS Panel Report:

- leadership for change
- finance
- revenue
- services
- capability.

The Working Parties concluded their investigations and reported to the WALGA Taskforce in December 2007 and January 2008. The Report entitled “The Journey : Sustainability into the Future” is constructed around the outputs of these working parties, with sections dealing with each of the identified themes. The Report identifies 61 recommendations and the purpose of this document is to provide a response to WALGA in relation to each of the recommendations.

A submission to the WALGA recommendations has been prepared and is attached as **Attachment 10.5.5**.

Consultation

Industry-wide involvement resulted in the SSS Report. The Report and recommendations have now been provided to each local government for comment as part of the consultation process.

Policy and Legislative Implications

The motive behind the WALGA SSS Report is sustainable local government and it is appropriate that Council provides feedback to WALGA on its recommendations contained in the Report.

Financial Implications

Nil at this time.

Strategic Implications

Consistent with the Strategic Plan: Goal 5 “Organisational Effectiveness” *To be a professional, effective and efficient organisation.*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.5
--

That

- (a) Council endorses the recommendations contained in the submission at **Attachment 10.5.5**; and
- (b) the CEO provide WALGA with a copy of the City’s response.

CARRIED EN BLOC RESOLUTION

10.5.6 Review of Collier Park Golf Course Lease
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Location:	Collier Park Golf Course
Applicant:	Council
File Ref:	PR/301
Date:	7 April 2008
Authors:	Mark Taylor, Manager City Environment
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report seeks Council endorsement of the negotiated terms of the proposed two year interim lease extension to Rosetta Holdings Pty Ltd and approval to initiate the required public consultation process as per section 3.58 of the *Local Government Act*.

Background

As previously advised in the November 2007 Confidential Report to Council, Rosetta Holdings Pty Ltd was initially contracted for three years in 1984 to operate the newly developed Collier Park Golf Course facility. In 1987 the first 5 year operating lease (plus a five year extension option) was entered into with Rosetta.

Under the lease agreement Rosetta is entitled to occupy the Pro Shop, Cart Store and Kiosk at the Collier Park Golf Course. Rosetta manages the commercial operations of the Golf Course including collecting green fees on behalf of the City and is entitled to 8% of the green fees as a management fee. Rosetta also operates the driving range, sells golf equipment, runs the kiosk, and hires golf carts and buggies.

Rosetta, during this period has also constructed, at its own expense (via a self supporting loan from the City) the Kiosk and Amenities building which abuts the Pro Shop and provides all equipment and consumables in order to operate the business.

The City is responsible for the operation and maintenance of the golf course grounds including the driving range and practice areas. This includes the employment of the Golf Course Superintendent and maintenance staff.

The lease was extended by Council again in 1996, 1998 and most recently on 29 November 2002 for a further five year period. That lease expired on 28 November 2007. The current arrangements will continue as per the lease hold-over clause on a month by month basis.

Council at the November 2007 meeting resolved as follows:

“That ...

- (a) the Council endorses the proposal to negotiate an interim 2 year lease extension with Rosetta Holdings Pty Ltd to explore golf course development opportunities at Collier Park Golf Course, prior to considering longer term lease options; and*
- (b) the renegotiated terms of the 2 year lease extension be brought back before Council at its February 2008 meeting for endorsement. Should the renegotiated terms be endorsed, the public consultation process as required under section 3.58 of the Local Government Act be initiated.”*

Comment

It was not possible to obtain the specialised advice and finalise negotiations in order to report to the February Council meeting.

Essentially, the proposed lease document for the two year extension will be a variation and extension of the existing lease document with the following proposed modifications:

1. A phased increase in rental return from the Pro Shop / Car Store;
2. A phased introduction of return from the operation of the Driving Range based on a percentage of the gross revenue. This is standard practice at other public golf courses;
3. Replacement of the current arrangement of “return from bar sales” to a fixed rental agreement for the Car / Bar / Club House. This will also be phased in;

The City has sought a market valuation of the lease. Mr Graham Packer a Licensed Valuer with McGees Property with input from Brad Carey of DTZ, the City’s Financial Advisors on this project, undertook the valuation appraisal on behalf of the City. **Confidential Attachments 10.5.6** refer.

The table below outlines the proposed revenue changes.

	Café / Bar / Club House	Pro Shop / Cart Store	Driving Range	Total
Current Arrangement	\$10,000	\$60,000	\$0	\$70,000
McGee's Valuation	\$20,000	\$90,000	\$40,000	\$150,000
Proposed Lease Fees (Year 1)	\$15,000	\$75,000	\$20,000	\$110,000
Proposed Lease Fees (Year 2)	\$20,000	\$90,000	\$30,000	\$140,000

The increase in lease income to the City under the proposed arrangement will be \$40,000 (an increase of 57% over the current income) in the first year and \$70,000 (an increase of 100% over the current income) in the second year.

Please note from the table that the proposed interim two year lease annual payment is marginally less than the valuation provided by McGees Property. The proposed annual lease figure has been established and is proposed to be phased in, in recognition of the following:

- A gesture of 'good will' in recognition of the long term partnership between the City and Rosetta Holdings in effectively building the golf course business and facilities over the past twenty three years;
- Rosetta's commitment to actively contribute to longer term planning activities to be undertaken over the next two years;
- Accommodation of any course development investigative activities which will compromise course operation over the period of the two year interim lease;
- Some recognition of financial risk to the City in the event that Rosetta withdrew from current roll-over arrangements;
- The short term nature of the Lease and the impacts this has on Rosetta's supply and staffing contracts and general business operations; and
- The significant increase in total rent (\$70,000 to \$150,000) without notice will affect business operations.

The phasing in of the new arrangements is to assist Rosetta financially restructure their operation.

The negotiated terms of this draft interim two year lease have been considered and endorsed by Rosetta Holdings Pty Ltd. Should the public notice review not present any obstacle to proceed, Rosetta are happy to finalise the lease arrangement with the City and work closely with the staff to assist with the longer term planning and development of the course facilities.

Should Council adopt the officer's recommendation, apart from its obvious intent, City officers will be engaging consultants and conducting research in relation to the longer term ie potential lease arrangements after the initial two year period. It is open to Council to take the view that given the long term nature and success of the business relationship with the golf course controller Rosetta Holdings, recognition that commercial returns from the golf course have now been negotiated and acknowledgement that the current controller wishes to inject further capital investment to improve facilities, the lease should be expanded for a further term.

Unless this occurs in the short term, it is clear that no major improvement in facilities will occur within the next 3 years or so and as a consequence of the uncertainty, the market share and position of the Collier Park Golf Course may slide. An alternative course of action is that during the remainder of 2008 (but within the two year lease extension period) officer not take any action with respect to tendering out the golf course operations but discuss possible further lease extension conditions with the current controller. This aspect will be considered further when a report is prepared in relation to any public submissions received.

Consultation

Council has been regularly informed and updated during the course this process through reports, Concept Briefings and Memorandum with regard to progress of this lease reconsideration issue. In addition regular contact has been maintained with the lessee to ensure that they also have been kept abreast of the City's intentions with regard to their current lease.

Expert advice has been sought through McGees Property (valuers), DTZ (financial advisors) and Woodhouse Legal (lease drafting) to ensure that the matter is progressed in a manner consistent with the market in which the facility operates and in accordance with relevant legislation.

This report proposes the initiation of a two week public consultation process as per Section 3.58 of the *Local Government Act* which relates to the disposition of property.

Following the two week public notice period a report will be presented to Council considering any community feedback and seeking direction with regard to formalising the lease arrangements. In this subsequent report it is planned to provide a broad outline of the longer term plans for the development of the course.

Policy and Legislative Implications

Policy P609 "Lease of City Owned Buildings" applies.

Section 3.58 of the *Local Government Act* relating to Disposition of Property is also relevant.

In addition the requirements of the *Commercial Tenancies (Retail Shop Agreements) Act 1985* apply as outlined in the comments section of this report.

Financial Implications

The renegotiation of the proposed two year lease has a direct effect on the return the City receives from the course. Over the past twelve months the return from the course to the Municipal Fund was \$374,288 after meeting all operating costs and the provision for future asset replacement.

The proposed interim lease offers an increase in return to the City in the order of \$40,000 in the first year for the term of the two year lease and \$70,000 in the second year.

Strategic Implications

It should be noted that in a strategic sense the proposal to put in place an interim lease allows time for appropriate long term planning of one of the City's most valuable assets. This will ensure that future long term financial return from this facility is maximised and a best possible use is made of this important City asset.

The relevant sections of the City's Strategic Plan relating to this proposed course of action are:

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

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

Goal 5 - Organisational Effectiveness - *To be a professional, effective and efficient organisation.*

Strategy 5.3 - *Develop partnerships with organisations which provide mutually beneficial opportunities for resource sharing and the exchange of ideas.*

Sustainability Implications

The aim of this report is to achieve a more sustainable financial return to the City from the Collier Park Golf Course lease.

OFFICER RECOMMENDATION ITEM 10.5.6

That

- (a) Council direct the City to initiate the required public consultation process for an interim two year lease as prescribed under section 3.58 of the *Local Government Act (1995)* relating to the *Disposition of Property* ; and
- (b) a report be presented to the earliest meeting of Council following the community consultation process, outlining feedback received and to give consideration to formalising the lease.

MOTION

Cr Hearne moved the officer recommendation, Sec Cr Ozsdolay

AMENDMENT

Cr Hearne, with the concurrence of the Seconder, suggested that part (a) of the Motion be amended by the words *direct the City* in the first line being amended to read *requests the CEO*. Seconder concurred.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.6
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The Mayor put the Amended Motion

That

- (a) Council requests the CEO to initiate the required public consultation process for an interim two year lease as prescribed under section 3.58 of the *Local Government Act (1995)* relating to the *Disposition of Property* ; and
- (b) a report be presented to the earliest meeting of Council following the community consultation process, outlining feedback received and to give consideration to formalising the lease.

CARRIED (11/0)

10.6 GOAL 6: FINANCIAL VIABILITY

10.6.1 Monthly Financial Management Accounts - March 2008

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 7 April 2008
Author / Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

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

Background

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

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

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

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

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

A summary of budgeted revenues and expenditures (grouped by department and directorate) is also provided each month. This schedule reflects a reconciliation of movements between the 2007/2008 Adopted Budget and the 2007/2008 Amended Budget including the introduction of the capital expenditure items carried forward from 2006/2007.

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

Comment

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

- Balance Sheet - **Attachments 10.6.1(1)(A) and 10.6.1(1)(B)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment 10.6.1(2)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment 10.6.1(3)**
- Summary of Capital Items - **Attachment 10.6.1(4)**
- Schedule of Significant Variances - **Attachment 10.6.1(5)**
- Reconciliation of Budget Movements - **Attachment 10.6.1(6)(A) and 10.6.1(6)(B)**
- Rate Setting Statement - **Attachment 10.6.1(7)**

Operating Revenue to 31 March 2008 is \$31.71M which represents 101% of the \$31.37M year to date budget. The major factor contributing to this favourable variance (over 60% of the difference) is significantly better than anticipated investment revenue performance due to higher volumes of cash held and higher investment rates on offer. Rates revenue performance remains strong - and ahead of budget (due to the VGO advising of new interim valuations since the rates strike). Unbudgeted grant funds for the Poetry Park project at McDougall Park and for water conservation initiatives at the Collier Park Golf Course, higher parking infringement revenue, higher RCS subsidies being earned at the Collier Park Hostel (although these come with an offsetting cost burden for carers) and insurance recoveries have all had a favourable impact. Activity was much lower than anticipated in the Building Services area but was better than expected for Planning due to the receipt of the fee for the Gull Service Station site on Canning Highway.

Investment performance, the unbudgeted grant funds and sale proceeds from the remnant land at 213-215 Mill Point Rd will all be considered in the Q3 Budget Review.

Unfavourable variances that previously existed in relation to less than expected revenue from rubbish service levies and a slightly slower than anticipated start to the year at the golf course are correcting - but still exist. An investigation into the waste services revenue is continuing but has moved much more slowly than had been hoped for. The City has also received unbudgeted revenue for the amenity value of street trees that have had to be removed in this period and for the development of the Manning Primary School Kiss & Drive project. These will also be addressed in the Q3 Budget Review.

Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances **Attachment 10.6.1(5)**.

Operating Expenditure to 31 March 2008 is \$23.92M which represents 100% of the year to date budget of \$23.94M. Operating Expenditure to date is around 1% favourable in the Administration area, 1% over budget in the Infrastructure Services area and 4% under for the golf course. There are however a number of over and under budget line items within this balanced result.

Most of the favourable variances in the administration areas again relate to budgeted (but vacant) staff positions, although other factors such as savings on bank fees, consultants and non planning legal advice are also significant contributors. Offsetting these is a significant escalation in cleaning costs for all City buildings and facilities (still under investigation) and a significant unfavourable variance in waste management costs after the SMRC facility at Canning Vale levied both a retrospective tipping fee and increased ongoing tonnage tipping rates above the levels indicated to the City at the time that our waste budget and rubbish service charges for 2007/2008 were established. Variances in the Infrastructure area that were of a timing nature earlier in the year for operational and maintenance activities have now reversed as the various programs have occurred - most notably in the areas of drainage, bus shelter and park maintenance. Golf Course expenditure remains favourable largely due to vacant staff positions and a timing difference for the consultant looking at leasing options for the course. Building maintenance activities are some 24% under budget due to the challenges of sourcing contractors for minor maintenance activities.

The salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 5.6% under the budget allocation for the 213.4 FTE positions approved by Council in the budget process - after agency staff invoices were received at month end. There are some off-setting increases in expenditure on consultants, particularly in the Human Resources and Building Services areas to ensure service continuity in spite of the vacancies.

Comment on the specific items contributing to the operating expenditure variances may be found in the Schedule of Significant Variances. **Attachment 10.6.1(5)**. Relevant items will be addressed in the Q3 Budget Review. This assists us in continuing to exercise dynamic treasury management and responding appropriately to emerging opportunities and changing circumstances.

Capital Revenue is disclosed as \$1.73M at 31 March against a budget of \$1.65M. The lease premiums and refurbishment levies from recently occupied units at the Collier Park Village represent the majority of this difference as the number of units turned over remains well ahead of expectations (it was behind predictions for the second half of last year) As this relates largely to the frailty of residents, it is very difficult to model accurately - but it is regularly monitored by senior management. Timing differences on grants for road works and foreshore erosion control projects also contribute to the variances at reporting date.

Capital Expenditure at 31 March 2008 is \$5.88M against a year to date budget of \$8.33M (representing 71% of the year to date budget). Overall, the City has now completed around 31% of the full year capital program including the carry forward works - although this is distorted by the UGP Project. Excluding the UGP project, which is outside the City's control, we have now completed around 52% of the full capital program. Progress on the capital program in March was adversely impacted by the unusually large number of public holidays in the month. A report on the progress of the individual projects in the capital works program is presented bi-monthly (next due in May) as Item 10.6.4 in that Council agenda.

A summary of the progress of the revised capital program (including the carry forward works approved by Council at the August meeting) by directorate is provided below. These numbers reflect the revised capital program after the Q2 Budget Review adjustments:

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	170,000	48,660	29%	195,000
Financial & Info Services	239,500	188,567	79%	360,000
Planning & Community Services	499,001	381,911	77%	1,167,500
Infrastructure Services	6,385,750	4,331,319	67%	9,290,560
Golf Course	228,478	119,238	52%	373,478
Underground Power	812,500	813,600	100%	7,115,000
Total	8,335,229	5,883,295	71%	18,501,538

Capital Expenditure relating to the former Corporate & Community Services directorate was re-classified among the other directorates in line with the revised organisational structure during the Christmas break and is now being reported under the new format.

Two thirds of the variance in the CEO area relates to unspent Council Members Discretionary Ward Funds (including carry forward funds from 2006/2007). The Director Financial & Information Services has contacted Council Members to clarify intentions in relation to the ward funding allocations and the agreed initiatives being progressed - but some funds have not yet been allocated. The remainder of the variance in this area relates to a timing difference on the City Visioning Project. Details of the variances relating to Capital Revenue and Capital Expenditure items are provided in **Attachment 10.6.1(5)** of this agenda.

The attachments to this report also include a Rate Setting Statement (required under Regulation 34 of the Local Government Financial Management Regulations). As advised in the director's report to the last Audit & Governance Committee, this schedule is only relevant or meaningful at the date that rates are struck - hence it is provided monthly simply to achieve statutory compliance.

Consultation

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

Policy and Legislative Implications

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

Financial Implications

The attachments to this report compare actual financial performance to budgeted financial performance for the period. This provides for timely identification of and responses to variances.

Strategic Implications

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

Sustainability Implications

This report primarily addresses the 'Financial' dimension of sustainability. It achieves this on two levels. Firstly, it promotes accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances. Secondly, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.1
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That

- (a) the monthly Balance Sheet and Financial Summaries provided as **Attachment 10.6.1(1-4)** be received;
- (b) the Schedule of Significant Variances provided as **Attachment 10.6.1(5)** be accepted as having discharged Council's statutory obligations under Local Government (Financial Management) Regulation 34.
- (c) the Summary of Budget Movements and Budget Reconciliation Schedule for 2007/2008 provided as **Attachment 10.6.1(6)(A)** and **10.6.1(6)(B)** be received.
- (d) the Rate Setting Statement provided as **Attachment 10.6.1 (7)** be received.

CARRIED EN BLOC RESOLUTION

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 March 2008
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Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	7 April 2008
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

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

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

Background

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

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

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

Comment

(a) Cash Holdings

Total funds at month end of \$31.89M compare very favourably to \$28.39M at the equivalent stage of last year. The difference primarily relates to higher holdings of cash backed reserves whilst Municipal Funds are lower due to the budgeted UGP Revenue not yet having been billed yet. The free cash position continues to be favourably impacted by excellent rates collections to date - with collections within 1% of last year's best ever result. Our customer friendly payment methods, prompt and pro-active debt collection actions and the Rates Early Payment Incentive Prize have all contributed positively to this very pleasing result.

The net Municipal cash position is weaker relative to March 2007 by around \$2.2M - but this is largely due to a \$3.1M transfer of funds quarantined for future capital projects into Reserves during March. Monies brought into the year (and our subsequent cash collections) are invested in secure financial instruments to generate interest until those monies are required to fund operations and projects later in the year. Astute selection of appropriate financial investments means that the City does not have any exposure to higher risk investment instruments such as CDOs (the sub prime mortgage market).

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$8.9M (compared to \$11.2M in 2006/2007). **Attachment 10.6.2(1)**.

Considering future cash demands for capital and operating expenditure for the remainder of the year, and likely cash inflows (as budgeted) during the same period, the City currently anticipates finishing the year slightly ahead of the budgeted cash position (after allowing for quarantined / committed funds for carry forward works). This will be re-assessed on an ongoing basis throughout the remainder of the year as it is a fundamental input to the budget process.

(b) Investments

Total investment in money market instruments at month end is \$30.11M compared to \$28.15M at the same time last year. Although the split between Municipal & Reserve Funds has changed, the overall difference still relates to good cash collections, higher reserve cash holdings and delayed outflows for capital projects.

The portfolio currently comprises at-call cash, term deposits, bank bills and floating rate notes. Analysis of the composition of the investment portfolio shows that approximately 80% of the funds are invested in securities having a S&P rating of A1 (short term) or better. The remainder are invested in BBB+ rated securities.

This ensures credit quality and is in accordance with Policy P603 and Dept of Local Government Operational guidelines. All investments currently have a term to maturity of less than 1 year - which is considered prudent in times of rising interest rates as it allows greater flexibility to respond to future positive changes in rates.

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are within the 25% maximum limit prescribed in Policy P603. The counter-party mix across the portfolio is shown in **Attachment 10.6.2(2)**.

Interest revenues (received and accrued) for the year to date total \$1.73M - significantly up from \$1.41M at this time last year. This result is attributable to higher cash holdings, rising interest rates and timely, effective treasury management. During the year it is necessary to balance between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs. The City actively manages its treasury funds to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The average rate of return on financial instruments for the year to date is 7.05% with the anticipated yield on investments yet to mature currently at 7.65%. This reflects careful selection of investments to meet our immediate cash needs. At-call cash deposits used to balance daily operational cash needs have been providing a return of 6.50% since November 2007 and 7.0% since early March. The month end holding of these funds was higher on at reporting date as Finance staff re-balanced the portfolio (completed in early April 2008) as part of our treasury management activities.

(c) Major Debtor Classifications

The level of outstanding rates relative to the same time last year is shown in **Attachment 10.6.2(3)**. Rates collections to the end of March 2008 (after the due dates for the final rates instalment) represent 95.8% of total rates levied compared to 95.9% at the equivalent stage of the previous year. This suggests that collections to date remain strong - being within 0.1% in advance of last year's best ever collection result. This continues to provide evidence that the rating and communication strategies used for the 2007/2008 rates strike have again established a good foundation for successful rates collections this year. Of the 4% of total rates yet to be collected, one commercial rates debtor represents around one twentieth of this amount - accordingly this debtor is being targeted for collection action.

The range of appropriate, convenient and user friendly payment methods offered by the City, combined with the early payment incentive scheme (generously sponsored by local businesses) supported by timely and efficient follow up actions by the City's Rates Officer in relation to outstanding debts, have also had a very positive impact on rates collections. General debtors stand at \$1.80M at 31 March 2008 compared to \$0.9M at the same time last year. However, this 'difference' is entirely attributable to an invoice for \$0.63M in grants from the Swan River Trust (billed March), accrual of grants relating to the skyshow, sponsorship of the Fiesta, Poetry Park, SEDO and Main Road Grants (\$0.1M). These are all entirely collectible debts and represent only a timing difference.

Consultation

This financial report is prepared provide evidence of the soundness of financial management being employed whilst discharging our accountability to our ratepayers.

Policy and Legislative Implications

Consistent with the requirements of Policy P603 - Investment of Surplus Funds and Delegation DC603. Local Government (Financial Management) Regulation 19, 28 & 49 are also relevant to this report as is The DOLG Operational Guideline 19.

Financial Implications

The financial implications of this report are as noted in part (a) to (c) of the Comment section of the report. Overall, the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the collectability of debts.

Strategic Implications

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

Sustainability Implications

This report addresses the 'Financial' dimension of sustainability by ensuring that the City exercises prudent but dynamic treasury management to effectively manage and grow our cash resources and convert debt into cash in a timely manner.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.2

That Council receives the 31 March 2008 Statement of Funds, Investment & Debtors comprising:

- Summary of All Council Funds as per **Attachment 10.6.2(1)**
- Summary of Cash Investments as per **Attachment 10.6.2(2)**
- Statement of Major Debtor Categories as per **Attachment 10.6.2(3)**

CARRIED EN BLOC RESOLUTION

10.6.3 Warrant of Payments Listing

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	6 April 2008
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 March 2008 and 31 March 2008 is presented to Council for information.

Background

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

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

Comment

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

Consultation

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

Policy and Legislative Implications

Consistent with Policy P605 - Purchasing and Invoice Approval and Delegation DM605.

Financial Implications

Payment of authorised amounts within existing budget provisions.

Strategic Implications

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

Sustainability Implications

This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

**OFFICER RECOMMENDATION AND
COUNCIL DECISION ITEM 10.6.3**

That the Warrant of Payments for the month of March 2008 as detailed in the Report of the Director Financial and Information Services, **Attachment 10.6.3**, be received.

CARRIED EN BLOC RESOLUTION

10.6.4 Statutory Financial Statements for Quarter ended 31 March 2008

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	8 April 2008
Author/Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

In accordance with statutory requirements, an Income Statement is provided for the period ended 31 March 2008. Revenues and expenditures are disclosed by the local government programs specified in Schedule 1 of the Local Government Financial Management Regulations (1996) and presented by nature and type classification. Statutory schedules comparing actual performance to budget for the period in relation to Rating and General Purpose Revenue are also provided.

Background

The Local Government (Financial Management) Regulations 1996 require the City to produce financial statements in the specified statutory format and to submit those statements to Council for adoption. The statutory Income Statement emphasises the City's operations classified by the programs specified in the Schedule to the Local Government Financial Management Regulations - rather than focussing on capital expenditures.

Although the monthly management accounts presented in departmental format are believed to be the most effective mechanism for the City's Administration and Council in monitoring financial progress against the budget; the highly summarised, program-classified statutory Income Statement is mandated by the legislation because it is required by the Australian Bureau of Statistics and Grants Commission - who are able to derive some comparisons on a broadly aggregated basis despite the limited validity or integrity of comparisons made on an individual basis.

The statutory format Income Statement is to be accompanied by a Schedule of General Purpose Revenue and supported by a supplementary Schedule of Rating Information for the corresponding period. Although not mandated by the legislation, a Statement of Financial Position as at the end of the period is also included to provide a more complete and accountable set of financial reports.

Comment

Total statutory classified Operating Revenue for the period of \$33.43M compares favourably with the year to date budget of \$33.02M. This represents 101% of the year to date budget. Analysing the Operating Revenues by nature and type, the significant favourable variances are in Fees & Charges (Housing program) which relates to the much higher than expected turnover of units at the Collier Park Village and Interest Revenue (as discussed in Agenda

Item 10.6.2) which continues to be well ahead of expectations due to good investment performance. Grants and Subsidies are above budget due to higher RCS subsidies at the CPH and success in securing unbudgeted riverbank grant funding.

The principal variances disclosed by program are the favourable variances in the General Purpose Funding and Housing programs. General Purpose Funding is favourably impacted by the extra interest revenue generated from excellent investment performance (refer Agenda Item 10.6.2). A significant favourable variance in the Housing Program is due to the higher turnover of units at Collier Park Village. Revenue in the Community Amenities program is below budget expectations due to a shortfall on expected billing for rubbish service charges. Although this has been partially addressed so far, further investigation and remedial action is being undertaken by the administration with assistance from the external contractor at present.

The remainder of programs are close to budget expectations for the year to date in when analysed in aggregate. Individual significant variances are separately identified and addressed by either appropriate management action or by the items being included in the Q3 Budget Review.

Operating Expenditure classified according to statutory principles to 31 March 2008 totals \$23.92M and is very close to a year to date Budget of \$23.94M. Analysing those Operating Expenditure items by nature and type, Employee Cost are 5.3% under budget (as expected due to the previously noted vacant positions). Materials & Contracts are also 1.9% under budget for the year to date - and this has corrected in recent months. Utilities & Insurances are around 9% over budget due to increased charges and retrospective adjustments to prior year workers compensation insurance premiums.

Most programs have small variances with the more significant being in the Governance, Law & Order, Recreation & Culture and Transport programs. The favourable variance in the Governance and Law & Order programs relate mostly to vacant staff positions.

Timing differences on building maintenance expenditure activities and golf course maintenance have all impacted favourably on the Recreation and Culture program. The Transport program is also favourably impacted by timing differences in the delivery of maintenance works - although these should continue to correct later in the year. Relevant items are being addressed by management action or are included in the Q3 Budget Review.

The Schedule of Rating Information shows that as at 31 March 2008, the City had levied some \$19.42M in residential and commercial rates compared to a budget of \$19.41M.

Salaries for budgeted and approved positions were around 5.6% below budget expectations to March 2008. There are currently a number of vacancies that are being filled in the Human Resources, Planning Services, Golf Course, Engineering, Finance, Information Technology, Library and Community, Culture & Recreation areas that are being recruited for. In the Human Resources and Building Services areas, consultants are also being used to ensure service continuity during the periods of staff vacancies.

The Statement of Financial Position provides a comparison of asset and liability categories at 31 March 2008 and at an equivalent time in the 2006/2007 financial year. Current Assets stand at \$35.17M as at 31 March 2008 compared to \$30.57M in March 2007. The major aspects of this change are the much higher level of cash and investment funds resulting from quarantined cash backed reserves - plus funds held for significant construction projects later in the year. Cash backed reserves are approx \$3.2M higher than at the equivalent time last year whilst Municipal funds are a little lower - because funds relating to some capital works that can not be completed this year have already been transferred to Reserves. Receivables are higher than at March 2008 due to a number of successful grant applications having been recognised in the accounts in March but not yet collected. Rates collections to date are excellent - being within 0.1% of last year's result.

Non Current Assets of \$180.84M compare with \$172.03 at March 2007. This increase reflects the higher valuation of infrastructure assets after these classes of asset were re-valued at 30 June 2007. Non current receivables relating to self supporting loans have reduced relative to last year.

Current Liabilities are disclosed as \$4.82M compared to a balance of \$4.02M at 31 March 2007. The principal reason for this is the apparently much higher value of creditor invoices outstanding from suppliers was two large payments totalling \$1.0M that were recognised in the accounts at 31 March but the funds were not transmitted until 1 April. Employee entitlements accrued and cash backed in accordance with statutory requirements are also some \$0.10M lower than at the equivalent time last year.

Non-Current Liabilities stand at \$25.44M at 31 March 2008 compared with \$24.23M last year. This is distorted by a much higher (additional \$1.6M) holding of refundable monies for the leaseholder liability at the Collier Park Complex this year because of the leasing of previously vacated units at the village at higher values. City borrowings undertaken as part of the overall funding package are \$0.3M lower than at the same time last financial year whilst non current Trust Funds have also been reduced by \$0.2M relative to last year.

Consultation

As this is a comparative financial information report primarily intended to provide management information to Council in addition to discharging statutory obligations, community consultation is not a relevant consideration in this matter.

Policy and Legislative Implications

Actions to be taken are in accordance with Section 6.4 of the *Local Government Act* and the Local Government Financial Management Regulations.

Financial Implications

The attachments to this report compare actual financial activity to the year to date budget for those revenue and expenditure items.

Strategic Implications

This report deals with matters of financial management which directly relate to the key result area of Financial Viability identified in the City's Strategic Plan Goal 6 - *'To provide responsible and sustainable management of the City' financial resources'*.

Sustainability Implications

This report primarily addresses the 'Financial' dimension of sustainability. It achieves this on two levels. Firstly, it promotes accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances. Secondly, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.4

That Council receive the statutory Financial Statements for the period ending 31 March 2008 comprising:

- Income Statement **Attachment 10.6.4(1)(A) and 10.6.4(1)(B)**
- Schedule of General Purpose Funding **Attachment 10.6.4(2)**
- Schedule of Rating Information **Attachment 10.6.4(3)**
- Statement of Financial Position **Attachment 10.6.4(4)(A)**
- Statement of Change in Equity **Attachment 10.6.4(4)(B)**

CARRIED EN BLOC RESOLUTION

10.6.5 Budget Review for the Quarter ended 31 March 2008

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 10 April 2008
Author/Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

A review the 2007/2008 Adopted Budget for the period to 31 March 2008 has been undertaken within the context of the approved budget programs. Comment on the identified variances and suggested funding options for those identified variances are provided. Where new opportunities have presented themselves, or where these may have been identified since the budget was adopted, they have also been included - providing that funding has been able to be sourced or re-deployed.

The Budget Review recognises two primary groups of adjustments

- those that increase the Budget Closing Position
(new funding opportunities or savings on operational costs)
- those that decrease the Budget Closing Position
(reduction in anticipated funding or new / additional costs)

The underlying theme of the review is to ensure that a 'balanced budget' funding philosophy is retained. Wherever possible, those service areas seeking additional funds to what was originally approved for them in the budget development process are encouraged to seek / generate funding or to find offsetting savings in their own areas.

Background

Under the *Local Government Act 1995* and the Local Government (Financial Management) Regulations, Council is required to review the Adopted Budget and assess actual values against budgeted values for the period at least once a year - after the December quarter.

This requirement recognises the dynamic nature of local government activities and the need to continually reassess projects competing for limited funds - to ensure that community benefit from available funding is maximised. It should also recognise emerging beneficial opportunities and react to changing circumstances throughout the financial year so that the City makes responsible and sustainable use of the financial resources at its disposal.

Although not required to perform budget reviews at greater frequency, the City chooses to conduct a Budget Review at the end of the September, December and March quarters each year - believing that this approach provides more dynamic and effective treasury management than simply conducting the one statutory half yearly review. The results of the Half Yearly (Q2) Budget Review are forwarded to the Department of Local Government for their review after they are endorsed by Council. This requirement allows the Department to provide a value-adding service in assessing the ongoing financial sustainability of each of the local governments in the state - based on the information contained in the Budget Review. However, local governments are encouraged to undertake more frequent budget reviews if they desire - as this is good financial management practice. The City takes this opportunity each quarter.

Comments in the Budget Review are made on variances that have either crystallised or are quantifiable as future items - but not on items that simply reflect a timing difference (scheduled for one side of the budget review period - but not spent until the period following the budget review).

Comment

The Budget Review is presented in three parts :

- Amendments resulting from normal operations in the quarter under review **Attachment 10.6.5(1)**

These are items which will directly affect the Municipal Surplus. The City's Financial Services team critically examine recorded revenue and expenditure accounts to identify potential review items. The potential impact of these items on the budget closing position is carefully balanced against available cash resources to ensure that the City's financial stability and sustainability is maintained. The effect on the Closing Position (increase / decrease) and an explanation for the change is provided for each item.

- Items funded by transfers to or from existing Cash Reserves are shown as **Attachment 10.6.5(2)**.

These items reflect transfers back to the Municipal Fund of monies previously quarantined in Cash-Backed Reserves or planned transfers to Reserves. Where monies have previously been provided for projects scheduled in the current year, but further investigations suggest that it would be prudent to defer such projects until they can be responsibly incorporated within larger integrated precinct projects identified within the Strategic Financial Plan (SFP), they may be returned to a Reserve for use in a future year. There is no impact on the Municipal Surplus for these items as funds have been previously provided.

- Cost Neutral Budget Re-allocation **Attachment 10.6.5(3)**

These items represent the re-distribution of funds already provided in the Budget adopted by Council on 10 July 2007.

Primarily these items relate to changes to more accurately attribute costs to those cost centres causing the costs to be incurred. There is no impost on the Municipal Surplus for these items as funds have already been provided within the existing budget.

Where quantifiable savings have arisen from completed projects, funds may be redirected towards other proposals which did not receive funding during the budget development process due to the limited cash resources available.

This section also includes amendments to "Non-Cash" items such as Depreciation or the Carrying Costs (book value) of Assets Disposed of. These items have no direct impact on either the projected Closing Position or the City's cash resources.

Consultation

External consultation is not a relevant consideration in a financial management report although budget amendments have been discussed with responsible managers within the organisation where appropriate prior to the item being included in the Budget Review.

Policy and Legislative Implications

Compliance with the statutory requirement to conduct at least a half yearly budget review and to forward the results of that review to the Department of Local Government is achieved through the presentation of this report to Council.

Financial Implications

The amendments contained in the attachment to this report that directly relate to directorate activities will result in a change of \$136,500 to the projected 2007/2008 Budget Closing Position as a consequence of the review of operations. The budget closing position is now calculated in accordance with the Department of Local Government's guideline - which is a modified accrual figure adjusted for restricted cash. It does not represent a cash surplus - nor available funds.

It is essential that this is clearly understood as less than anticipated collections of Rates or UGP debts during the year can move the budget from a balanced budget position to a deficit.

In addition, the Budget Review includes a further series of adjustments that pertain to the UGP project and relate to the circumstances experienced by the City as a consequence of Western Power's late commencement to the Como East UGP project. Due to the late start, we will only be required to meet cash calls of approximately \$1.6M this financial year (with

the remaining \$5.5M to be met in 2008/2009). As a consequence, planned borrowings for the current year of \$3.0M associated with the instalment payment plan for the UGP project should also be deferred to the 2008/2009 year. The delayed start also means delayed billing by the City - resulting in less cash inflow by 30 June - and therefore a greater increase in the level of outstanding debtors at year end.

This may seem a complex and possibly convoluted sequence of transactions - but after a careful review and development of the most effective cash management strategy, the Financial Services team has been able to accommodate these changes in a manner which will be both cashflow neutral and cost neutral to the City.

The changes recommended in the Q3 Budget Review will result in the (estimated) 2007/2008 Closing Position being adjusted to \$179,853 (up from the revised Opening Position of \$43,353)

The impact of the proposed amendments in this Q3 Budget Review report on the financial arrangements of each of the City's directorates is disclosed in Table 1 below. Figures shown apply only to those amendments contained in the attachments to this report (not previous amendments).

Table 1 includes only items directly impacting on the Closing Position and excludes transfers to and from cash backed reserves - which are neutral in effect. Wherever possible, directorates are encouraged to contribute to their requested budget adjustments by sourcing new revenues or adjusting proposed expenditures.

Any adjustments to the Opening Balance shown in the tables below refer to the difference between the Estimated Opening Position used at the budget adoption date (July) and the final Actual Opening Position as determined after the close off and audit of the 2006/2007 year end accounts.

TABLE 1 : (Q3 BUDGET REVIEW ITEMS ONLY)

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	32,000	(100,000)	(68,000)
Financial and Information Services	277,000	(43,000)	234,000
Planning and Community Services	45,000	(56,000)	(11,000)
Infrastructure Services	96,500	(115,000)	(18,500)
Accruals (UGP) and Opening Position	0	0	0
Total	473,500	(294,000)	136,500

A positive number in the Net Impact column on the preceding table reflects a contribution towards improving the Budget Closing Position by a particular directorate.

The cumulative impact of all budget amendments for the year to date (including those between the budget adoption and the date of this review) is reflected in Table 2 below.

TABLE 2 : (CUMULATIVE IMPACT OF ALL 2007/2008 BUDGET ADJUSTMENTS) *

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	69,500	(160,000)	(90,500)
Financial and Information Services	823,000	(269,000)	554,000
Planning and Community Services	100,500	(125,500)	(25,000)
Infrastructure Services	1,144,000	(1,357,000)	(213,000)
Accrual and Opening Position	150,312	(250,000)	(99,688)
Total change in Adopted Budget	2,287,312	2,161,500	125,812

* Excludes the cost neutral UGP adjustment noted above

Strategic Implications

This report deals with matters of financial management which directly relate to the key result area of Financial Viability identified in the City's Strategic Plan Goal 6 - *'To provide responsible and sustainable management of the City's financial resources'*.

Sustainability Implications

This report addresses the City's ongoing financial sustainability through critical analysis of historical performance, emphasising pro-active identification of financial variances and encouraging responsible management responses to those variances. Combined with dynamic treasury management practices, this maximises community benefit from the use of the City's financial resources - allowing the City to re-deploy savings or access unplanned revenues to capitalise on emerging opportunities.

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.5
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That

- (a) following the detailed review of financial performance for the period ending 31 March 2008, the budget estimates for Revenue and Expenditure for the 2007/2008 Financial Year, (adopted by Council on 10 July 2007 and as subsequently amended by resolutions of Council to date), be amended as per the following attachments to the March 2008 Council Agenda:
- Amendments identified from normal operations in the Quarterly Budget Review; **Attachment 10.6.5(1)**;
 - Items funded by transfers to or from Reserves; **Attachment 10.6.5(2)**; and
 - Cost neutral re-allocations of the existing Budget **Attachment 10.6.5(3)**.

CARRIED EN BLOC RESOLUTION
And By Required Absolute Majority

11. APPLICATIONS FOR LEAVE OF ABSENCE

11.1 Request for Leave of Absence : Cr Hasleby 27.5.08 - 29.5.08

Moved Cr Hearne, Sec Cr Trent

That Cr Hasleby be granted leave of absence from any meetings held between 27 and 29 May 2008 inclusive.

CARRIED (11/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 CEO Evaluation Committee Membership - Cr Wells 15.4.2008
--

I hereby give notice that I intend to move the following Motion at the Council Meeting to be held on 22 April 2008.

MOTION

That in order to alleviate the problem of having to re-schedule meetings of the CEO Evaluation Committee due to the lack of a quorum that Council restructure the membership of the CEO Evaluation Committee.

MEMBER COMMENTS

It is necessary to establish a membership framework to the CEO Evaluation Committee in order to alleviate the problem of having to reschedule meetings due to the lack of quorum.

COMMENT CEO

In accordance with Clause 5.3(4)(d) of Standing Orders Local Law 2007 the Chief Executive Officer comments as follows:

Note: *The CEO Comment was circulated separately prior to the Council meeting.*

The intent of the Motion is for Council to consider options that would increase the opportunity of holding meetings when planned. Such options could include increasing the number of members of the CEO Evaluation Committee or the appointment of Deputy Members.

The current membership of the CEO Evaluation Committee consists of the Mayor and five members (a total of six). Five of the six Wards are represented on the Committee. As the membership of the Committee is six, a quorum of three is necessary for a meeting to be held. If the membership is increased to seven (say for example so that every Ward has a Member appointed), the quorum would also increase (to four) – therefore the situation in terms of having a quorum is not improved. If Deputies are appointed, there would need to be an identifiable process to ensure that Deputies are ‘selected’ to attend as opposed to ‘elected’ to attend meetings.

It is acknowledged that during the course of arranging the Committee meeting on 15 April, several attempts were made to arrange a meeting prior to a time being found that suited the Members that were able to attend the meeting. The meeting was required to be held on or about that date in order to meet subsequent meeting requirements and reporting deadlines – which is a fairly unusual situation. It is also noted that this Committee meets fairly frequently and has not had any previous difficulty in meeting. The other Council Standing Committee, the Audit and Governance Committee does not have Deputy Members appointed.

The *Local Government Act* does not specifically provide for the appointment of Deputy Members (an issue recently highlighted with respect to appointment of Deputy Members for Regional Councils). The legislation relies on a definition contained in the *Interpretation Act* which makes reference to Deputy Members. The City’s Standing Orders Local Law does not make reference to appointment of Deputy Members. In order to make it absolutely clear, there is currently a proposal to amend the *Local Government Act* that will clarify that Local Governments will be able to appoint Deputy Members to Committees etc.

It is therefore suggested that the current situation be monitored for the time being and that if necessary, the proposal be reconsidered when the *Local Government Act* is amended to categorically provide for appointment of Deputy Members.

COUNCIL DECISION ITEM 12.1

Moved Cr Wells, Sec Cr Smith

That in order to alleviate the problem of having to re-schedule meetings of the CEO Evaluation Committee due to the lack of a quorum that Council restructure the membership of the CEO Evaluation Committee.

CARRIED (6/5)

NOTE: CRS BURROWS AND HASLEBY REQUESTED THAT THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

13. QUESTIONS FROM MEMBERS WITHOUT NOTICE

13.1. RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS WITHOUT NOTICE
Nil

13.2 QUESTIONS FROM MEMBERS WITHOUT NOTICE

13.2 Mayor's Activity Report - Item 25 MarchCr Wells

Summary of Question

Cr Wells referred to a meeting held on 25 March: *to discuss a funding request for overseas music tour* and asked how much 'funding' was involved?

Summary of Response

The Mayor replied that the amount was around \$200 and would be taken out of the fund set aside to assist local students. In this particular instance it would contribute to travel costs. He further advised that the student in question will provide a report to Council following the overseas music tour.

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

15. MEETING CLOSED TO PUBLIC

15.1 Matters for which the Meeting May be Closed.

Note: The Mayor sought an indication from Members as to whether they wished to further discuss *Confidential* Item 15.1.1. As there was no debate proposed by Members the meeting was not closed to the public.

15.1.1 Recommendations from CEO Evaluation Committee Meetings Held 15 April and 21 April 2008 *CONFIDENTIAL Not to be Disclosed REPORT*

Location: City of South Perth
Applicant: Council
Date: 22 April 2008
Author: Kay Russell, Executive Support Officer
Reporting Officer: Cliff Frewing, Chief Executive Officer

Confidential

This report has been designated as ***Confidential*** under the *Local Government Act* Sections 5.23(2)(a) as it relates to a matter affecting an employee.

Summary

The purpose of this report is to consider recommendations arising from the CEO Evaluation Committee meetings held 15 April and 21 April 2008 in relation to progress of the CEO performance review which require a Council decision.

Note: *Confidential* report to be circulated separately prior to the Council meeting.

**COMMITTEE RECOMMENDATION AND
COUNCIL DECISION ITEM 15.1.1**

Moved Cr Doherty, Sec Cr Trent

That Anne Lake Consultancy be appointed to carry out the CEO Performance Review for the 2008/2009 review period in accordance with the agreed timelines.

CARRIED (11/0)

COUNCIL DECISION : MEETING CLOSED TO THE PUBLIC

Moved Cr Doherty, Sec Cr Trent

That the meeting be closed to the public at 9.02pm in accordance with the *Local Government Act Section 5.23(2)(a)* while Item 15.1.2 is discussed as it relates to a matter affecting an employee.

CARRIED (11/0)

Note: The following staff and remaining members of the public gallery left the Council Chamber at 9.02pm.

Mr S Cope	Director Development and Community Services
Mr L Croxford	Acting Director Infrastructure Services
Mrs M Clarke	Manager Collier Park Village
Ms D Gray	Manager Financial Services
Mr R Kapur	Acting Manager Development Assessment
Mr O Hightower	Planning Officer
Ms J Jumayao	Research/Projects Officer
Mr S McLaughlin	Legal and Governance Officer
Ms R Mulcahy	City Communications Officer
Ms J Sethi	Minutes (Minute-taking training)

Note: Council Chamber doors were closed at 9.03pm

15.1.2 Staff Matter *CONFIDENTIAL Not to be Disclosed REPORT*

Location:	City of South Perth
Applicant:	Council
Date:	16 April 2008
Author:	Cliff Frewing, Chief Executive Officer

Confidential

This report has been designated as ***Confidential*** under the *Local Government Act* Sections 5.23(2)(a) as it relates to a matter affecting an employee.

Note: *Confidential* report circulated separately prior to the Council meeting.

Note: Cr Hasleby retired from the meeting at 9.18pm

MOTION

Cr Hearne moved the officer recommendation, Sec Cr Grayden

AMENDMENT

Cr Hearne, with the concurrence of the Seconder, suggested the word *endorses* be amended to read *accepts*. Seconder concurred.

FURTHER AMENDMENT

The CEO reported that the officer recommendation should also include the additional words *on a contract basis for a 5 year period.*

Mover and Seconder concurred with the further amendment.

**OFFICER RECOMMENDATION AND
COUNCIL DECISION ITEM 15.1.2**

The Mayor Put the Amended Motion

That Council accepts the appointment of the recommended candidate, identified in **Confidential Attachment 15.1.2** of Report Item 15.1.2 of the April 2008 Council Agenda, to the position of Director Infrastructure Services on a contract basis for a 5 year period.

CARRIED (10/0)

COUNCIL DECISION : MEETING OPEN TO THE PUBLIC

Moved Cr Trent, Sec Cr Doherty

That the meeting be again open to the public at 9.21pm

CARRIED (10/0)

15.2 Public Reading of Resolutions that may be made Public.

For the benefit of the member of the public gallery that returned to the Council Chamber the Minute Secretary read aloud the Council decision for Item 15.1.2.

16. CLOSURE

The Mayor thanked everyone for their attendance and closed the meeting at 9.22pm.

DISCLAIMER

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

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These Minutes were confirmed at a meeting on 27 May 2008

Signed _____

Chairperson at the meeting at which the Minutes were confirmed.

17. RECORD OF VOTING

Hereunder is the voting record for the April 2008 Ordinary Council Meeting.

22/04/2008 7:13:04 PM - **Item 7.1.1**

Motion Passed 10/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Cr Roy Wells, Casting Vote

22/04/2008 7:13:32 PM - **Item 7.1.2**

Motion Passed 10/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Cr Roy Wells, Casting Vote

22/04/2008 7:14:08 PM - **Item 7.2.1 to 7.2.4**

Motion Passed 10/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Cr Roy Wells, Casting Vote

22/04/2008 7:34:46 PM - **All En Bloc Items**

Motion Passed 10/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Cr Roy Wells, Casting Vote

22/04/2008 7:49:32 PM **Item 10.0.2**

Motion Passed 10/1

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala

No: Cr David Smith

Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 7:59:21 PM - **Item 10.3.2**
Motion Passed 9/2

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr David Smith, Cr Roy Wells, Cr Colin Cala
No: Cr Susanne Doherty, Cr Rob Grayden
Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:10:53 PM - **Item 10.3.3**
Motion Passed 7/4

Yes: Mayor James Best, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala
No: Cr Ian Hasleby, Cr Brian Hearne, Cr Susanne Doherty, Cr David Smith
Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:21:56 PM - **Item 10.3.4**
Motion Passed 10/1

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Roy Wells, Cr Colin Cala
No: Cr Rob Grayden
Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:28:14 PM - **Item 10.5.4**
Motion Passed 7/4

Yes: Mayor James Best, Cr Brian Hearne, Cr Travis Burrows, Cr Kevin Trent, Cr Susanne Doherty, Cr Rob Grayden, Cr Colin Cala
No: Cr Ian Hasleby, Cr Les Ozsdolay, Cr David Smith, Cr Roy Wells
Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:31:54 PM - **Item 10.5.6**
Motion Passed 11/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala
No: Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:32:57 PM - **Item 11.1** (Leave of Absence)

Motion Passed 11/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 8:57:17 PM - **Item 12.1**

Motion Passed 6/5

Yes: Mayor James Best, Cr Brian Hearne, Cr Kevin Trent, Cr David Smith, Cr Roy Wells, Cr Colin Cala

No: Cr Ian Hasleby, Cr Travis Burrows, Cr Les Ozsdolay, Cr Susanne Doherty, Cr Rob Grayden

Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 9:02:18 PM - **Item 15.1.1**

Motion Passed 11/0

Yes: Mayor James Best, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Peter Best, Casting Vote

22/04/2008 9:21:03 PM - **Item 15.1.2**

Motion Passed 10/0

Yes: Mayor James Best, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Susanne Doherty, Cr David Smith, Cr Rob Grayden, Cr Roy Wells, Cr Colin Cala

No: Absent: Cr Bill Gleeson, Cr Ian Hasleby, Cr Peter Best, Casting Vote