



# NOTES

## February Council Agenda Briefing Held in the Council Chamber Tuesday 19 February 2008 Commencing at 5.30pm

### Present:

Mayor J Best

### Councillors:

G W Gleeson	Civic Ward (from 5.50pm)
I Hasleby	Civic Ward (from 5.39pm)
P Best	Como Beach Ward (from 5.41pm)
B Hearne	Como Beach Ward
T Burrows	Manning Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall
R Wells, JP	McDougall
R Grayden	Mill Point Ward (from 5.35pm)
D Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward (from 5.38pm)

### Officers:

Mr C Frewing	Chief Executive Officer
Mr G Flood	Director Infrastructure Services
Mr M J Kent	Director Financial and Information Services (from 5.46pm)
Mr S Cope	Director Planning and Community Services
Mr S Camillo	Manager Environmental Health Services (until 7.00pm)
Ms D Gray	Manager Financial Services
Mr N Kegie	Manager Community, Culture and Recreation (until 7.30pm)
Mr R Kapur	Acting Manager Development Assessment (until 8.00pm)
Mr M Taylor	Manager City Environment (until 8.05pm)
Ms H Doran Wu	Community Development Coordinator (until 7.30pm)
Mr R Bercov	Strategic Urban Planning Adviser (until 7.20pm)
Mrs K Russell	Minute Secretary

### Apologies

Cr G W Gleeson      anticipated late arrival

### Gallery

Approximately 25 members of the public and 1 member of the press present

### OPENING

The Mayor opened the Agenda Briefing at 5.30pm, welcomed everyone in attendance and advised on the format of the Briefing stating that Deputations would be heard first followed by any questions on the Deputation items and then the February Council Agenda reports would be presented by the Chief Executive Officer.

DECLARATION OF INTEREST

The Mayor reported to the meeting a Declaration of Interest from Cr Hearne in relation to Agenda Item 10.0.8. He then read aloud the declaration as follows:

*I wish to declare a Conflict of Interest in Agenda Item 10.0.8 "Proposed Retaining Wall/Fence Addition St Columbas Primary School" on the February 2008 Council Agenda. I own a property on the corner of Forrest and Edinburgh Streets, directly opposite the development site, and in view of this I will leave the Council Chamber and not participate in the debate or vote on this matter.*

**Note:** Cr Grayden arrived at 5.35pm

OPENING OF DEPUTATIONS

The Mayor opened Deputation 5.38pm

**Note:** Cr Trent arrived at 5.38pm

DECLARATION OF INTEREST : ITEM 10.0.8: CR HEARNE

Cr Hearne left the Council Chamber at 5.38pm while the Deputations on Item 10.0.8 was presented.

<b>Clive Deverall, 12 Hopetoun Street, South Perth</b>	<b>Agenda Item 10.0.8</b>
--------------------------------------------------------	---------------------------

Mr Deverall spoke in support of the current application on the following points:

- background on proposal
- further community consultation in January
- residents support new proposal
- concerns about trees for removal
- issue re elevate site rather than excavate site
- support current application

**Note:** Cr Hasleby arrived at 5.39pm

<b>Andrew Wright representing St Columba's Primary School</b>	<b>Agenda Item 10.0.8</b>
---------------------------------------------------------------	---------------------------

Mr Wright spoke in support of the current application

- background on proposal put forward to December Council
- school acknowledged community concerns
- school undertook further community consultation in January 2008
- community now endorses current application

Mayor Best extended his thanks to Mr Wright and the school community for the effort/spirit put in to community consultation which resulted in a good outcome for everyone.

**Note:** Cr Best arrived at 5.41pm and Cr Hearne returned to the Council Chamber at 5.42pm

<b>Tim Martelli of Vista Designs representing the owner, 158 Lockhart St</b>	<b>Agenda Item 10.3.1</b>
------------------------------------------------------------------------------	---------------------------

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

- background on proposed two storey development
- floor levels / building bulk / height variation / overshadowing
- precedent set at other development sites re floor levels
- garage off right-of-way
- proposal complies with TPS6
- ask Council support the proposal

**Note:** Director Financial and Information Services arrived at 5.46pm

<b>Peter Moran Architect representing owners 1 Alexander St</b>	<b>Agenda Item 10.3.3</b>
-----------------------------------------------------------------	---------------------------

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

- background on development proposed
- design proposed and Design Guidelines/ Scheme Objectives
- floor levels / overshadowing issues / siting of garage
- assessment applied to 'focus' area - only represents five houses
- focus area needs to be widened - proposal will then comply
- ask Council support proposed development

**Note:** Cr Gleeson arrived at 5.50pm

<b>Stephen Allen, owner, 1 Alexander Street</b>	<b>Agenda Item 10.3.3</b>
-------------------------------------------------	---------------------------

Mr Allen spoke against the officer recommendation on the following:

- looking for Council to be consistent - refer developments in surrounding streets
- development cnr Forrest/York Streets similar design to what is proposed
- ask Council to be consistent

<b>Shelley Robinson Administrator representing Penrhos College</b>	<b>Agenda Item 10.3.4</b>
--------------------------------------------------------------------	---------------------------

Ms Robinson spoke against the officer recommendation on the following topics:

- sign to be erected on Penrhos College land
- location not a busy intersection- only school traffic
- location surrounded by school premises/playing fields/park
- residents are not situated in the immediate boundaries
- sign represents the integrity/standard of Penrhos College as an educational facility

<b>Ross Mead of Barrett Design representing Penrhos College</b>	<b>Agenda Item 10.3.4</b>
-----------------------------------------------------------------	---------------------------

Mr Mead spoke against the officer recommendation on the following:

- detailed sign proposed
- believe size proposed adequate for area
- ask Council support sign as proposed

<b>Elizabeth Allen-Fisher of Dale Alcock representing applicants, 5 Talbot Ave</b>	<b>Agenda Item 10.3.5</b>
------------------------------------------------------------------------------------	---------------------------

Ms Allen-Fisher spoke against the officer recommendation and gave a powerpoint presentation on the following points:

- background on proposed 2 Grouped Dwellings
- discussions with officer on acceptable development
- open space requirements
- performance criteria / vehicle, driveway access
- R Codes / design solutions / interpretation of R Codes
- ask Council support application

**Note:** Questions were raised by Members following each of the Deputations and responded to by the presenters / officers.

Close of Deputations

The Mayor closed Deputations at 6.35pm and thanked everyone for their comments.

DECEMBER COUNCIL AGENDA REPORTS

The Chief Executive Officer presented the February Council Reports and provided a brief summary of each, as follows. Questions and points of clarification were raised by Members and responded to by the officers.

**10.0.1 Reconsideration of Planning Condition. 8 Multiple Dwellings within an Eight-Storey Building Lot 8 (No. 52) Mill Point Road, South Perth.**

This report relates to a request to revoke a condition of Planning Approval in relation to potential odour problems, sourced from a WaterCorp wastewater pump on that property. Following appeal proceedings and discussions with WaterCorp it is recommended the Condition in question be revoked.

**10.0.2 Revised Policy P350 ‘Residential Design Policy Manual.’**

This report presents Part 1 of the Residential Design Policy Manual for endorsement to advertise.

*Subject of a Briefing on 5 February*

**10.0.3 Proposed Scheme Amendment to ‘Karawara Special Area’**

This report provides background for not proceeding with a Scheme Amendment in response to a Council resolution as the Amendment proposal does not satisfy the Council’s original intentions.

**10.0.4 Proposed new Establishment Agreement: South East Metropolitan Regional**

This report reviews the future waste disposal options available to the City and presents a new Establishment Agreement with SEMRC for endorsement.

**Note:** Mr S Camillo, Manager Environmental Health Services left the meeting at 7.00pm

**10.0.5 Policy P398 ‘Applications for Planning Approval: Applicant’s Responsibilities**

This report presents the Policy P398 for final adoption. Following advertising no submissions were received.

**10.0.6 Review of Policy P104**

This report provides information on the progress of the review of Policy P104 ‘Neighbour and Community Consultation in Planning Processes’ and outlines reasons why a revised version of Policy P104 will not be completed for some time and should therefore be deleted from the regular status report on outstanding matters arising from Council meetings.

**Note:** Strategic Urban Planning Adviser left the meeting at 7.20pm

**10.0.7 Community Visioning**

The purpose of this report is for Council to consider entering into a Community Visioning Project to inform on the City’s strategic planning processes.

DECLARATION OF INTEREST : ITEM 10.0.8 : CR HEARNE

As there were no questions in relation to Item 10.0.8 Cr Hearne remained in the Council Chamber.

**10.0.8 Proposed Retaining Wall/Fence - St Columbas Primary School**

This report deals with a modified proposal for the proposed retaining walls/fence to St Columbas Primary School.

**10.1.1 Minutes Special Electors Meeting 11 February 2008**

The purpose of this report is to note the Minutes from the Special Electors Meeting held on Monday 11 February 2008.

**10.2.1 Manning District Centre**

This report recommends that the development of a Manning District Centre as outlined in the City's Strategic Financial Plan is brought forward.

**Note:** Manager Community, Culture and Recreation and Community Development Coordinator left the meeting at 7.30pm.

**10.3.1 Proposed Two Storey Single House. No. 158 Lockhart Street, Como.**

This application is presented to Council for determination as the proposed development is not completely in compliance with the provisions of the Residential Design Codes 2002.

**10.3.2 Additions / Alterations to Two Storey Single House. No. 1 Mc Ness Glade, Salter Point**

This application for proposed additions and alterations is in conflict with the provisions of the Residential Design Codes 2002.

**10.3.3 Two Storey Single House. No.1 Alexandra Street, South Perth**

This application is presented for Council determination in relation to non-compliance with Council General Design Guidelines Policy, TPS6 and the Residential Design Codes 2002.

**10.3.4 Reconsider Condition of Planning Approval for Signage - Penrhos College**

This report requests Council reconsider Condition 2 of Planning Approval for signage (*This approval does not extend to proposed sign board No. 4 facing the junction of Thelma Street and Murray Street as marked on the drawings.*) so that the sign board No. 4 be permitted.

**10.3.5 Two Single-Storey Grouped Dwellings Development. 56 Talbot Avenue, Como**

This report deals with a development proposal that conflicts with the Residential Design Codes and which was previously refused under DA.

**10.3.6 Gwennyfred Road Reserve draft Landscape Concept Plan**

The City has investigated landscaping the reserve on the corner of Gwennyfred Road and George Street in Kensington and this report summarises the community consultation and presents the draft Landscape Concept Plan for approval to advertise for wider community comment.

**10.3.7 Proposal to Initiate the Closure of a Portion of Wooltana Street and Robert Street Road Reserves, Como**

This report considers submissions to initiate the proposed partial closure of a portion of the Wooltana Street and Robert Street road reserves, Como.

**Note:** Acting Manager Development Assessment left the meeting at 8.00pm)

**10.4.1 Sir James Mitchell Park Beaches Project**

This report outlines the assessment process in relation to tenders called for most of the beach construction component of the SJMP Foreshore Renovation Plan.

**10.5.1 Planning Approvals Determined under Delegated Authority.**

This report advises of applications for planning approval determined under delegated authority during the months of December 2007 and January 2008.

**10.5.2 Use of Common Seal**

This report provides details on the use of the Common Seal for the months of December 2007 and January 2008.

**10.5.3 Appointment of Deputy Delegates - SEMRC**

The purpose of this report is to clarify the situation regarding appointment of a Council Deputy Delegate to the South East Metropolitan Regional Council.[SEMRC].

**Note:** Manager City Environment left the meeting at 8.05pm

**10.5.4 LGMA National Conference and Business Expo**

This report details the LGMA National Congress to be held on the Gold Coast in May 2008 and seeks consent for interested Elected Members to also attend the conference.

**10.5.5 Review Honorarium Payable to Council's Design Advisory Consultants**

This report reviews the current honorarium paid to the Council's Design Advisory Consultant architects (DAC) which was last reviewed in 2004.

**10.6.1 Monthly Management Accounts**

This report presents the January monthly management account summaries and compares actual performance against budget expectations.

**10.6.2 Months Statements of Funds, Investments and Debtors at 31.1.08**

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

**10.6.3 Warrant of Payments Listing**

This report presents a list of accounts paid under delegated authority between 1.12.07 and 31.2008.

**10.6.4 Financial Statements for Quarter end 31 December 2007**

This reports present an Income Statement for the period ended 31 December 2007.

**10.6.5 Budget Review for Quarter End: 31 December 2007**

This report presents a review of the 2007/2008 Adopted Budget for the period to 31 December 2007.

**10.6.6 Capital Projects to 31 December 2007**

This report presents a schedule of financial performance in relation to approved capital projects to 31 December 2007.

**10.6.7 Strategic Financial Management - Creation of New Cash**

This report presents a proposal to supplement the City's strategic financial management processes.

**15.1.1 Recommendations from CEO Evaluation Committee 18.2.2008 *CONFIDENTIAL***

This report presents the recommendations from the Committee Meeting 18 February 2008

Electronic Voting

The Mayor reported to the two remaining members of the public gallery that he was closing the Agenda Briefing to the public at this point to enable a short training session on electronic voting to be held.

**Closure**

The Mayor closed the Council Agenda Briefing at 8.15pm.



# NOTES

## Capital Projects Concept Briefing (Hall & Library)

**Held in the Council Chamber  
Tuesday 4 March 2008  
Commencing at 5.37pm**

### Present

Mayor J Best

Chairman

### Councillors:

I Hasleby

Civic Ward

P Best

Como Beach Ward

B Hearne

Como Beach Ward

T Burrows

Manning Ward

L P Ozsdolay

Manning Ward

C Cala

McDougall

R Wells, JP

McDougall

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

Ms D Gray

Acting Director Financial & Information Services

Mr M Taylor

Acting Director Infrastructure Services

Mr N Kegie

Manager Community, Culture and Recreation

Ms Wendy Patterson

City Sustainability Co-ordinator

### Presenters

Mr Daniel Pointon

Green Star Accredited Professional - Norman Disney & Young

### Apologies

Cr T Burrows

Manning Ward - Leave of Absence

### OPENING

The Mayor opened the Concept Forum at 5.30pm, welcomed everyone and advised that the purpose of the briefing was to provide a progress report on the status of the proposal to upgrade the Civic Library and Hall.

## 1. **Civic Centre Library/Hall - Community Consultation Process**

The Manager Community, Culture and Recreation gave a power point presentation on the extensive community consultation processes adopted during the data collection phase of the project. He spoke on the following topics:

- Community Consultation associated with project
- Aligns with grant seeking – Lotterywest
- Response to ageing facilities and changing aspirations, expectations and needs of the community
- Need to keep facility relevant for the future – examples where facilities underutilised
- Big investment – need to get it right
- Families / Seniors Study key findings, demographic changes, changes to workforce
- Background /Context – documents that have provided direction
  - Strategic Financial Plan
  - Connected Community Plan
  - Creation of focal points or community hubs
  - Catalyse – Council performance monitor
- Five Stage Consultation Strategy
  - Community Perceptions Survey
  - Feasibility Study
  - Community Survey / Open Day
  - Key Stakeholder Consultation / Additional Consultation
- Community Perceptions Survey
  - Level of Importance
  - Multi-purpose Community Facility - suggested services/facilities (hall/function rooms)
  - Library - suggested services / facilities (Internet/better collection/electronic media)
  - Perception as a Recreational Facility - rebranding to avoid confusion - ‘community centre’
- Feasibility Study - Community Centre - Key Results / Key Findings
- Consultation Key Outcomes:
  - Confidence to proceed
  - Key design elements
  - Opportunity to access \$1.5m additional funding

The Mayor thanked the Manager, Community, Culture and Recreation for his presentation.

Questions and points of clarification were raised by Members and responded to by officers.

## 2. **Environmental Sustainability Principles**

Mr Pointon was invited to address the meeting on Environmental Sustainability Principles. Mr Pointon spoke on the following topics:

- Norman Disney Young has significant experience in, and a long term commitment to, sustainability and in particular provide advice to clients on the most appropriate building solutions to meet their sustainability objectives.
- Rating Systems
  - Green Star - primarily focuses around office buildings. The system is run by the ‘Green Building Company of Australia’
  - ABGR - This system is only concerned with energy use
  - First Rate, Natheers and Basix - These are all simplistic computer simulation tools available to assist in sustainability assessment.



- **Studies**

It is generally recognised that, for new buildings (particularly offices) 5 Star/Green Star status is regarded as a minimum.

Various buildings were referred to in the presentation and included the KPMG and Ernst and Young buildings, Digital Harbour Building, Port 101 and Site One building, Commonwealth Games Athletes Village and Innovation Place. In addition the QB1 building in Perth was regarded as a 'leader' in sustainability in construction when the building was constructed in the early 1990's.

- **Considerations for the City of South Perth**

- Passive design / building shape / shading
- Energy Efficiency
- Water Conservation - Innovative Measures including reuse of black/grey water
- Emissions. Reference was made to emissions emanating from the building including exhaust, water, waste etc

- **Indoor Environmental Quality ie air-conditioning features**

- **Management ie waste, re-use of building materials and transport**

**Outcome**

Mr Pointon also mentioned that the renovation of the Civic Hall and Library cannot be assessed under Green Star Principles as this system is only applicable to offices at the present time. The principles contained in the Green Star Assessment system could be used as a guide to assist the integration of sustainability principles into the development of the building and then in promotional material etc. The City could use the ABGR rating system.

During the course of discussion various comments were made on how to proceed with this topic including preparation of a scoping document, conducting an Elected Member Workshop and forming a sub-committee.

**Note:** Copies of the presentation distributed to Members.

**3. Closure**

The Mayor closed the concept forum at 7.45pm and thanked everyone for their attendance.



# NOTES

## TOWN PLANNING MAJOR DEVELOPMENTS

- Four Storey Single House - 5 South Perth Esplanade
- Rezoning Proposal - 365 Canning Highway, Como

**Held in the Council Chamber**

**Wednesday 5 March 2008**

**Commencing at 5.30pm**

### Present

Mayor J Best

Chairman

### Councillors

I Haselby

Civic Ward (from 6.47pm)

P Best

Como Beach Ward

L P Ozsdolay

Manning Ward

C A Cala

McDougall Ward

R Grayden

Mill Point Ward

S Doherty

Moresby Ward

K R Trent, RFD

Moresby Ward

### Officers

Mr S Cope

Director, Development and Community Services

Mr R Kapur

Acting Manager, Development Assessment

Mr R Bercov

Strategic Urban Planning Adviser

Mrs G Fraser

Senior Strategic Planning Officer

Mr O Hightower

Planning Officer (until 6.06pm)

Ms N Cecchi

Secretary, Planning Services (Notes)

### Presenters

Andrew Boughton

Boughton Architecture (until 6.06pm)

Murray Casselton

The Planning Group (from 6.07pm to 6.54pm)

Dean Willis

The Planning Group (from 6.07pm to 6.54pm)

### Apologies

Cr T Burrows

Manning Ward (Leave of absence)

Cr D S Smith

Mill Point Ward

Cr R Wells, JP

McDougall Ward

Cr G W Gleeson

Civic Ward

Cr B W Hearne

Como Beach Ward

Mr C Frewing

Chief Executive Officer

## OPENING

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

### **1. 5 South Perth Esplanade - Four Storey Single House**

The Mayor introduced the presenter, Mr Andrew Boughton. The Planning Officer provided background on the development and Mr Boughton presented an overview on the following:

- Roof / Site plan;
- Level 1 plan;
- Level 2 plan;
- Level 3 plan;
- Level 4 plan;
- North elevation; and
- South elevation.

At the conclusion of the presentation, Members raised questions which were responded to by the presenters or City officers in relation to the following matters:

- Plot ratio (Multiple dwellings - Single house);
- Setback variations;
- Amenity; and
- Height restrictions.

The Mayor suggested written evidence from the DPI, in relation to plot ratio within the R-Codes, for Council to base their decision on.

**Note:** The Mayor thanked the presenter for addressing the briefing. Mr Boughton left the Concept Briefing at 6.06pm.

### **2. Proposed Rezoning - 365 Canning Highway Como**

The Director, Development and Community Services provided background on the 'intended' proposal and introduced Messrs Murray Casselton and Dean Willis, who presented an overview on the following:

- Proposal;
- Site photography;
- Adjoining and nearby development forms;
- Site description;
- Location plan and aerial photograph;
- Contextual photography;
- Issues;
- Car parking;
- Traffic management;
- Urban design benefits;
- Heritage and character outcomes;
- Community consultation;
- City of South Perth Local Commercial Strategy
- Preliminary development concept plan; and
- Outcomes.

At the conclusion of the presentation, Council Members raised questions and points of clarification which were responded to by the presenters and the Strategic Urban Planning Adviser.

**Note:** The Mayor thanked the presenters for addressing the briefing. Messrs Casselton and Willis left the Concept Briefing at 6.54pm.

### **3. Closure**

The Mayor thanked everyone for their attendance and closed the Concept Forum at 6.55pm.



## NOTES

WALGA Presentation:

- **Systemic Sustainability Study**
  - **Services offered by WALGA**
- Held at the Council Briefing Room  
Tuesday 11 March 2008  
Commencing at 5.30pm**

Present

Mayor J Best

Chairman

Councillors

G W Gleeson

Civic Ward

I Haselby

Civic Ward

P Best

Como Beach Ward

T Burrows

Manning Ward

L P Ozsdolay

Manning Ward

C A Cala

McDougall Ward

R Wells, JP

McDougall Ward

R Grayden

Mill Point Ward

S Doherty

Moresby Ward

K R Trent, RFD

Moresby Ward

Officers

Mr C Frewing

Chief Executive Officer

Mr M J Kent

Director Financial and Information Services

Presenters

Ms Ricky Burges

CEO, WALGA

Cr Bill Mitchell

President, WALGA

Ms Allison Hailes

Executive Manager Community & Development WALGA

Apologies

Cr B Hearne

Como Beach Ward

Cr D S Smith

Mill Point Ward

OPENING

The Mayor opened the Concept Forum at 5.30pm, welcomed Ms Ricky Burges, Cr Bill Mitchell and Ms Allison Hailes from WALGA and advised that the purpose of the briefing is to provide an overview of services offered by WALGA and to also highlight the topical issues affecting local government, in particular the latest Systemic Sustainability Study Report *The Journey: Sustainability into the Future*.

**1. WALGA - the Voice of Local Government**

Ms Burges commenced the presentation and covered the following topics:

- Introduction - Member Councils
- WALGA Governance Structure
  - State Council
  - 17 Zones
  - 142 Member Councils
- WALGA Management Structure
- Strategic Plan 2005 - 2010
  - Strong Representation
  - Effective Leadership
  - Enhancing Capacity
  - Positive Profile
- Marketing and Communications
  - positive Profile
  - Key Achievements
- Policy and Representation
  - Strong Representation
  - WALGA Policy Units
  - Partnership Programs
  - Key Achievements
- Governance and Strategy
  - Effective Leadership
  - External Governance
  - Internal Governance
- Workplace Business Solutions
  - Enhancing Capacity
  - Employee Relations
  - Employee Recruitment
  - LGIS
  - Key Achievements
- Corporate Business Solutions
  - Enhancing Capacity
  - Business Management
  - Business Development
  - Key Achievements
- City of South Perth - savings / benefits
  - WALGA subscription cost
  - Preferred supplier savings
  - LGIS Members Experience Bonus

**Note:** A Copy of the presentation was circulated to Council Members present. Questions and points of clarification were raised by Members and responded to by the representatives from WALGA.

**2. Systemic Sustainability Study Report (SSS Study) - *The Journey: Sustainability into the Future***  
Ms Burges provided an overview of the Systemic Sustainability Report and covered the following topics:

- Background - *“The Journey”*
- Introduction - 10 year Plan - Key Innovations:
  - Capacity to create trading entities
  - Best Practice models for rate setting
  - Setting of fees and charges
  - Setting development charges
  - Prudentially managed debt
  - Improved Asset Management
  - Continue investigating creation of Local Government Finance Authority
  - Finance and Accounting Manual
  - Reduction in Councillors
  - Compulsory training
  - Refresher courses
  - Increased remuneration for Councillors
  - Shared resources / shared services
  - Creation of an Industry Training Fund
  - Creation of Independent Assistance Commission
- Vision
  - *“Local Government will implement and maintain a governance model that integrates effective service delivery (on a regional basis) with appropriate political representation (on a local basis)”*
- Leadership
- Main Players / Working Parties
- WALGA Role
- Finance / Revenue
- Services / Capabilities - - Major ‘shift’ in delivery of services
  - In the event of No Voluntary Change Program
  - In the Event of Voluntary Change
  - Outcomes of Change
  - Options for obtaining Vision
  - Dialogue with Training Institutions
  - Creation of Internal Training Culture
  - Creation of Industry Training Council
  - Initiatives for Indigenous Employees
  - Public/Private Collaboration
- Key Innovations
- Key Themes
  - Delivery of Services
  - Reduce number of Councillors
  - Better training
  - Better remuneration
  - Better Strategic and Financial Planning
  - Need for Local Government Assistance Commission
- Key Drivers for Change
  - Difficulties getting staff
  - Service expectations
  - Financial Planning

- Challenges
- Risks
- Regional Model -
  - delivery of services retaining local representation

**Note:** Questions and points of clarification were raised by Members and responded to by the representatives from WALGA.

**3. Closure**

The Mayor thanked Ms Ricky Burges, Cr Bill Mitchell and Ms Allison Hailes for the presentations and the information provided and closed the Briefing at 7.35pm.

## DELEGATE'S REPORT

### PERTH AIRPORT NOISE MANAGEMENT STRATEGY COMMITTEE MEETING HELD THURSDAY 21 FEBRUARY 2008

Generally speaking most of the noise issues addressed at the meeting held on 21 February 2008 were to do with Councils that are located next to Perth Airport, particularly the City of Swan and City of Belmont, however there are some points worth noting as listed hereunder:

**1. Aircraft Noise Complaints**

October 2007 -	21 complaints - non from City of South Perth
November 2007	29 complaints - non from City of South Perth
December 2007	49 complaints - two from City of South Perth

- 2. Airservices Australia** is investigating the relocation of the ground noise monitors of which there are presently five. Due to recent changes to flight paths they probably need to be changed to more suitable locations.

**3. Aircraft Noise Information Brochure**

There is an Aircraft Noise Information Brochure available on the Perth Airport website, copy attached. \*\*It would be worthwhile having this available on the City website in case a ratepayer has any noise issues associated with aircraft.

*\*\* Note: "Aircraft Noise Information Brochure" now available on the City's website.*

**4. Majority of Noise Complaints**

Most noise complaints are from extended late night / early morning engine runs (there has been a 15% increase in air traffic between 12am and 4am in the last 5 years).

Cr Travis Burrows  
MANNING WARD  
11 March 2008



PO Box 429  
Midland WA 6936

Ph: 9274 1435  
Fax: 9274 1440  
email@plancheck.com.au  
www.plancheck.com.au



Your ref:  
Our ref: COU00107-02

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

Dear Sir

**Planning Application (Change of Land Use)**  
**Lot 51 (123) Melville Parade and (3) Eric Street, Como**

Plancheck acts on behalf of the owners of above properties and submits this application on their behalf. This site comprises of two buildings, a building currently used for retail purposes and a dwelling at the rear of the property. In summary, this application is seeking planning approval to change the use of the buildings currently used for retail and residential purposes for office use.

Please find enclosed:

- Application form & fee
- Site Location Plan and Aerial Plan
- Photos of the surrounding on-street car parking

**Site Location**

The site is located on the corner of Melville Parade and Eric Street in the suburb of Como on the eastern side of the Kwinana Freeway.



### **Current Land use**

The property is located within the '*Neighbourhood Centre Commercial*' zone as identified under the City of South Perth Town Planning Scheme No. 6.

The subject property is approximately 1340m<sup>2</sup> in size and consists of two buildings – a two storey building on the corner of Melville Parade and Eric Street currently used for retail purposes as a second-hand shop and a single storey residential dwelling fronting Eric Street. The buildings are located at each end of the site, which leaves an area in-between for parking. The dwelling has its own attached car parking bay. The total floor space of the main two storey building is approximately 800m<sup>2</sup> and the dwelling is approximately 120m<sup>2</sup>.

According to information from an archive search of the property by the City of South Perth the last known approved use of the site was for showroom/warehouse in 1990. The current Town Planning Scheme identifies showroom as a 'D' use. Originally there were two residential duplexes on the site and only one of the duplexes currently exists on the site.

### **Proposed Land Use**

It is the intent to change the two storey building from its current use of retail to office. It is also intended to change the existing single storey residential building from its current use of residential to office use.

According to the City of South Perth Town Planning Scheme No. 6 'Office' use is a 'D' use in the Neighbourhood Centre Commercial zone.

### **Surrounding Land Use**

The site is located adjacent to offices to the south, residential/commercial uses to the east, Kwinana Freeway to the west and a park to the north.

The site is generally surrounded by a mixture of residential and commercial activities, with several offices located to the south of the site.

### **Physical Change**

No internal or external changes to the main two storey building structure are required or desired by the landowner. It will be up to the new tenants to seek approval for any internal fitout once approved for office use.

Some cosmetic work may be required for the residential dwelling to better suite an office use including providing adequate parking area for the site. A separate application for any structural changes to the residential dwelling will be made at a later stage.

It is proposed to replace the existing signage on the building with signage relating to the activities within the offices. A separate application by the owner and/or leasee will be made once the change of use has been approved.

### **Town Planning Scheme No 6**

According to the City of South Perth Town Planning Scheme No. 6, the site is located within the *Neighbourhood Centre Commercial* zone. In this zone, an *office* is classified as a *discretionary use (D)*. Given the type of uses in and around the site it is considered that the proposed office use complies with the use-class requirements of Town Planning Scheme No. 6.

The only issue that would need to be resolved is car parking. However, given the large amount of untimed and unsigned street car parking adjacent to the site it is considered that any issue of car parking can be easily resolved. This issue is discussed further below.

### **Car Parking requirements**

The City of South Perth Town Planning Scheme No. 6, Table 6 identifies 'Office' as requiring 1 car parking bay for 20m<sup>2</sup> of Gross Floor Area (GFA). Given that the two storey building has approximately 800m<sup>2</sup> of floor space, 40 car parking bays and 4 bicycle parking bays need to be provided. There is currently space for 10 car parking bays for use by the main building. Therefore there is a shortfall of 30 parking bays.

The dwelling is approximately 120m<sup>2</sup> in size and based on a rate of 1 bay for every 20m<sup>2</sup> GFA will require 6 parking bays. The property has 1 parking bay currently used by the site to the west of the dwelling. The site can potentially provide 3 more parking bays to the east of the dwelling with access from the shared laneway (as shown on the survey diagram) that is currently used to access car parking area at the rear of 125 Melville Parade. Additional car parking can be provided with the removal of front verandah and/or rear patio however, it is considered removal of this would create an adverse impact on the visual amenity of the site and surrounding area.

It should be noted that there are a number of onstreet parking bays located on both Melville Parade and Eric Street. Details of the number of bays are identified in the aerial and table below.



Location plan of parking in the area (Scale 1:1000)

Street Parking Location		Type of Parking	Number of bays
A	123 Melville Parade Como	Onsite parking area	10 bays
B	Eric Street adjacent to the site	Unmarked parallel street parking	Approx. 20 bays
C	Eric Street adjacent to park	Unmarked parallel street parking	Approx. 6 bays
D	Eric Street adjacent to the park	Marked parking right angled street parking	25 bays
E	Toilet block/Park entrance from Eric Street	Marking parking bays for public toilets and park	11 bays
F	Melville Parade adjacent to site	Marked parallel street parking	7 bays
G	Melville Parade adjacent to Kwinana Freeway	Marked parallel street parking	26 bays
H	Melville Parade adjacent to Park	Marked parking bays	Approx. 45 bays
TOTAL AVAILABLE			150 bays

The above table demonstrates the amount of bays available in the immediate area. As can be seen on the aerial there is a large amount of vacancies of these parking bays.

Clause 6.3, section 4 of the City's Town Planning Scheme states that the Council may grant planning approval for a development with lesser car parking bays than that identified in Table 6 provided some requirements are met. More specifically, the Council needs to be satisfied that the proposed number of bays is sufficient, having regard to peak parking demands for different users on the development site.

A site inspection and survey was carried out at peak periods of the day and photos (attached) were taken. At most 25 bays were filled on Tuesday morning at around 10am and out of the potential 150 parking bays within the immediate area of the subject site (as identified in Table 1 of this letter). That is approximately 17% of the street parking bays where being used. Thursday afternoon at around 3pm 27 parking bays were used out of the potential 150 bays which amount to approximately 18%. As a result, there are sufficient bays available in and around the site to service the proposed office use.

The site survey also identified that a portion of the on-street parking along Melville Parade (between Kwinana Freeway and the subject site) is well used. However the majority of the on-street parking bays further along Melville Parade north of Eric Street and parking along Eric Street adjacent to the site and adjacent to the park (opposite the site) were available. The parking bays in and around the site are unsigned and untimed.

It is reasonable to assume that there will be sufficient vacant car parking bays on the street and on-site to service the proposed office use and address the on-site parking bay shortfall as required by the City of South Perth Town Planning Scheme No. 6 – Table 6.

Currently, the main two storey office is used as a second hand shop and is opened 7 days a week with a large truck parked at the site most of the day loading furniture for deliveries. There is also an additional larger truck that delivers furniture to the shop a few times a week. As a result there is constant traffic by customers 7 days a week. The change of use to office will result in the removal of the large trucks currently parked onsite and on the street for the existing shop use.

There maybe an opportunity to create more parking bays by demolishing the existing dwelling on the property. The demolition of the dwelling for a sea of car parking would create an adverse impact on the visual amenity of the area, particularly when viewed to the south with the adjacent sites rear car parking area. The current house provides a good visual screen of this large car parking area from Eric Street. Therefore it is proposed to retain the existing single storey residential dwelling but change the use to office. The dwelling would make a good office for a small business such as accountants, lawyers.

The previous use approved for the site was in 1990 as showroom/warehouse and the two storey building is currently used as a shop (second hand furniture shop). The City of South Perth Town Planning Scheme No. 6 does not identify any parking requirements for showroom/warehouse use. Should this application be for the shop, under the current Town Planning Scheme the site would also require 1 bay for every 20m<sup>2</sup> of GFA as would the office.

As a result it is considered that no further impacts of the proposed office use would be posing than already exists with the shop use. The existing shop works well with the parking spaces available on the site and on the street. If anything the change of use will improve traffic and parking situation in the area reducing the use from 7 days to 5 days.

The adjacent park provides a number of parking bays for its users however, during the week during normal office hours the park and its carpark is underutilised and as shown on the attached photo's the carpark is unused. The shop currently is open 7 days a week and the onstreet parking available is used by the shop as well as the park users. The conversion of the site to office use would mean that the weekend the parking spaces available can be solely available for park users when you would expect the park to be used the most.

There are still a number of onstreet parking bays located east and south east where there is more commercial/retail activity. A number of businesses including office and restaurant uses located at the intersection of Preston Street and Mary Street that do not provide sufficient onsite parking for staff and customers alike. For example 9 Mary Street, Como has a floor area of approximately 500-600 GFA which would required to provide between 25-30 car parking bays and only provides approximately 13 parking bays on site. However there is on street parking available which is utilised and seems to work quite well. The subject property has a larger proportion of adjacent on street parking and it is considered these are underutilised. It is therefore considered that the proposed office use both for the existing dwelling and the two storey building will pose no impact on the surrounding land uses regarding availability of car parking. In comparing the number of businesses and the number of onsite and onstreet parking at the intersection of Preston and Mary Street it is clear that the subject site has a larger number of parking available and less competing uses for it.

In addition, there is a bus stop between Eric Street and Preston Street on Labouchere Road that is located approximately 300 metres from the site. Therefore, public transport is available to staff/users of the office and is located within the 400 metre walkable pedshed (10 minutes).

According to the Property Council of Australia, Perth is experiencing a commercial/office space crisis with less than 3% available within the CBD. As a result, the proposed change of use to office will assist in provide good quality office space to the area and fulfil the need within the business community. The owner has already been approached by a number of prospective companies wishing to lease the premises as office space.

### **Summary**

The application proposed to change the use of the site from retail to office use within a *Neighbourhood Centre Commercial* zone. This use is classified in Town Planning Scheme No. 6 as a *discretionary use (D)* within this zone.

In summary the following points are highlighted to demonstrate that the current onsite and onstreet parking available would adequately services all uses within the area.

- The Town Planning Scheme requires that the property provides 40 car parking bays for the two storey building and 6 car parking bays for the single storey dwelling.
- There is approximately 150 parking bays (on site and Melville Parade and Eric Street) located within the immediate vicinity to service all uses without conflict.
- The on street parking within the vicinity is underutilised during peak periods during the week.
- The proposal will see the existing 7 day a week demand for parking in the area removed and the office use will only require parking for 5 days a week therefore there would be no conflict with weekend users of the park for car parking space.
- The proposal will also see the trucks currently used for the shop removed
- Under the current Town Planning Scheme the current use of Shop requires the same amount of car parking requirements as an office use. The current car parking available onsite and on street services the current use well and it is considered the change of use to pose no additional adverse impacts to the car parking situation.
- More parking maybe made available by demolition the existing dwelling but this would pose adverse impact on the visual amenity of the street by providing a sea of carparking particular with the adjacent car parking area.
- The existing residential building provides a good visual screen of the adjacent car parking area from Eric Street and the Park.
- The landuses at the intersection of Preston and Mary Street including restaurants and offices seem to have limited onsite parking and have onstreet parking available. It is considered that many not to comply with the current requirements of the scheme in terms of on-site parking. However, they seem to work well with what is available.
- The two storey building requires no structural alterations and can easily be fitted out for office use.
- There are more business and activities on the intersection of Preston and Mary Street that have less available onstreet parking spaces than the onstreet parking spaces available for the subject site and its proposed office use.
- There is a public transport (bus) available on Labouchere Road that is located less than 300 metres from the site and is considered well within a 400 metre walkable catchment area.
- Recently, there has been a great demand for commercial/office space within Perth. Less than 3% of office space is available with the CBD and many businesses are seeking sufficient space in outer areas. The proposed change of use will therefore fulfil a need for business community in Perth.

The proposal will require additional car parking bays to comply with Town Planning Scheme No. 6. Currently, 10 parking bays are available for the two storey building and potentially 5 parking bays available for the existing residential dwelling (more if the verandah was demolished) and, considering street parking is not fully utilised during peak times of the day it is considered that existing on street parking can be utilised without impact on any other uses within the area. Additionally, the change in use will result in office buildings being closed for the weekends (as opposed to the buildings being opened on weekends while being used for retail purposes) and thus provide more street parking for other uses.

Based on the above, it is considered that there is sufficient parking bays available to services the site as an 'office' use both onsite and on street without conflicting other uses in the area.

It is therefore requested that this application be approved.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Helen Taylforth', is written over the typed name and title.

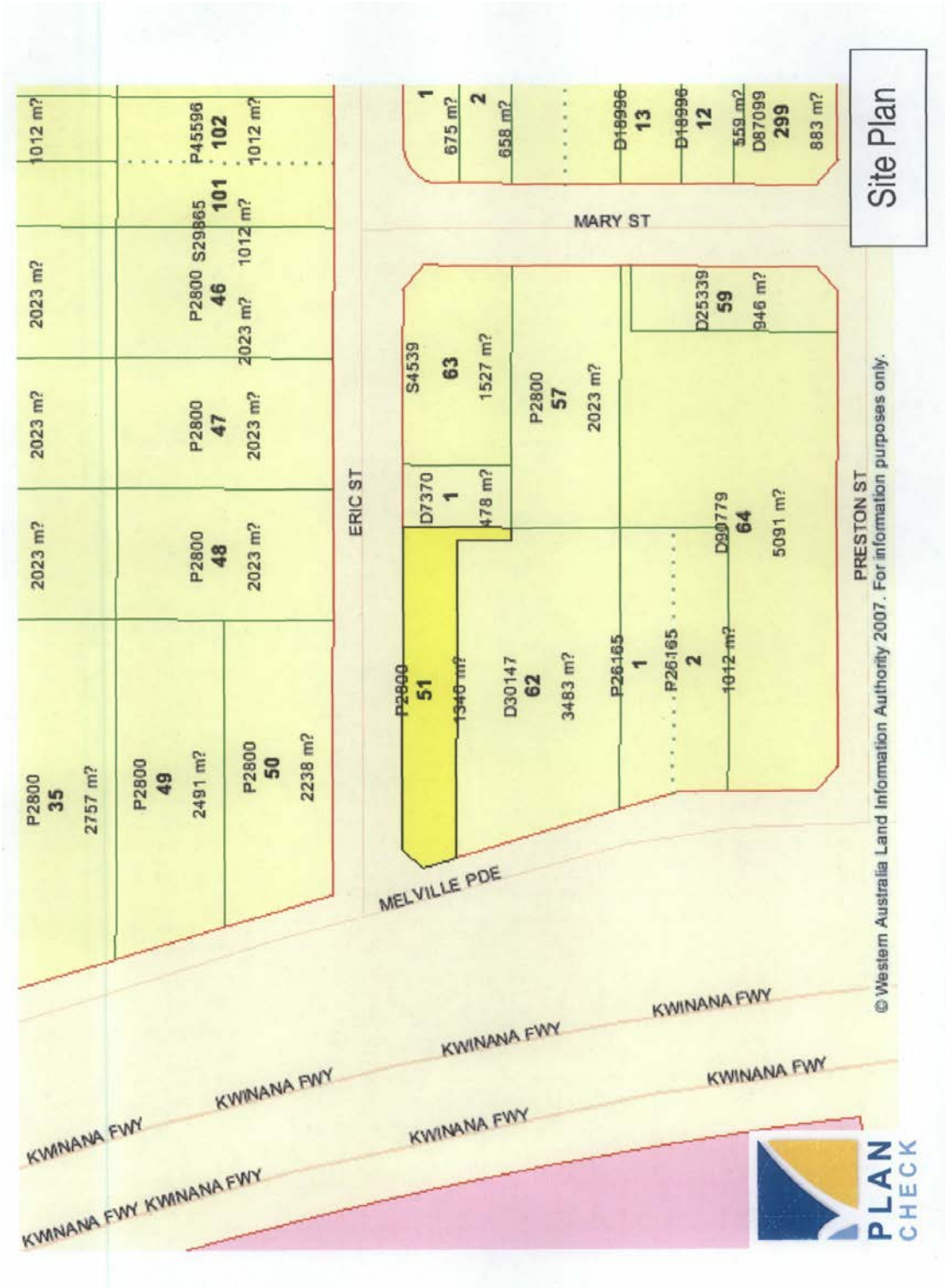
Helen Taylforth  
PLANCHECK

11 September 2007

enc







Site Plan

© Western Australia Land Information Authority 2007. For information purposes only.





**Photographs of the site and surrounding onstreet parking**



123 Melville Parade, Como (Tuesday 10am)



View from Eric Street of 123 Melville Parade, Como (Tuesday 3pm)



View of existing parking at 123 Melville Parade, Como (Tuesday 3pm)



3 Eric Street, Como (Tuesday 3pm)



View south of Melville Parade onstreet parking bays (Tuesday 3pm)



View south of Melville Parade onstreet parking from park carpark entrance (Tuesday 3pm)



View north of Melville Parade of park carpark area (Tuesday 3pm)



View to the West of Eric Street (Tuesday 3pm)



View to the east of Eric Street (Tuesday 3pm)



View to the east of Eric Street (Tuesday 3pm)





View to the west of Eric Street onstreet parking (Tuesday 3pm)



View north of Melville Parade from Eric Street (Tuesday 3pm)



View north of carparking area for public toilets (Tuesday 3pm)



View of park carparking area (Tuesday 10am)



View south of Melville Street Parade onstreet parking (Tuesday 10am)



View north of Melville Parade onstreet parking (Tuesday 10am)



View east of Eric Street onstreet parking ((Tuesday 10am)



View east of carparking area for public toilets (Tuesday 10am)



View north on Melville Parade from Preston Street (Tuesday 10am)



View east of Eric Street onstreet parking (Tuesday 10am)



View east of onstreet parking on Comer Street (Tuesday 10am)



View of adjacent office building (Tuesday 3pm)



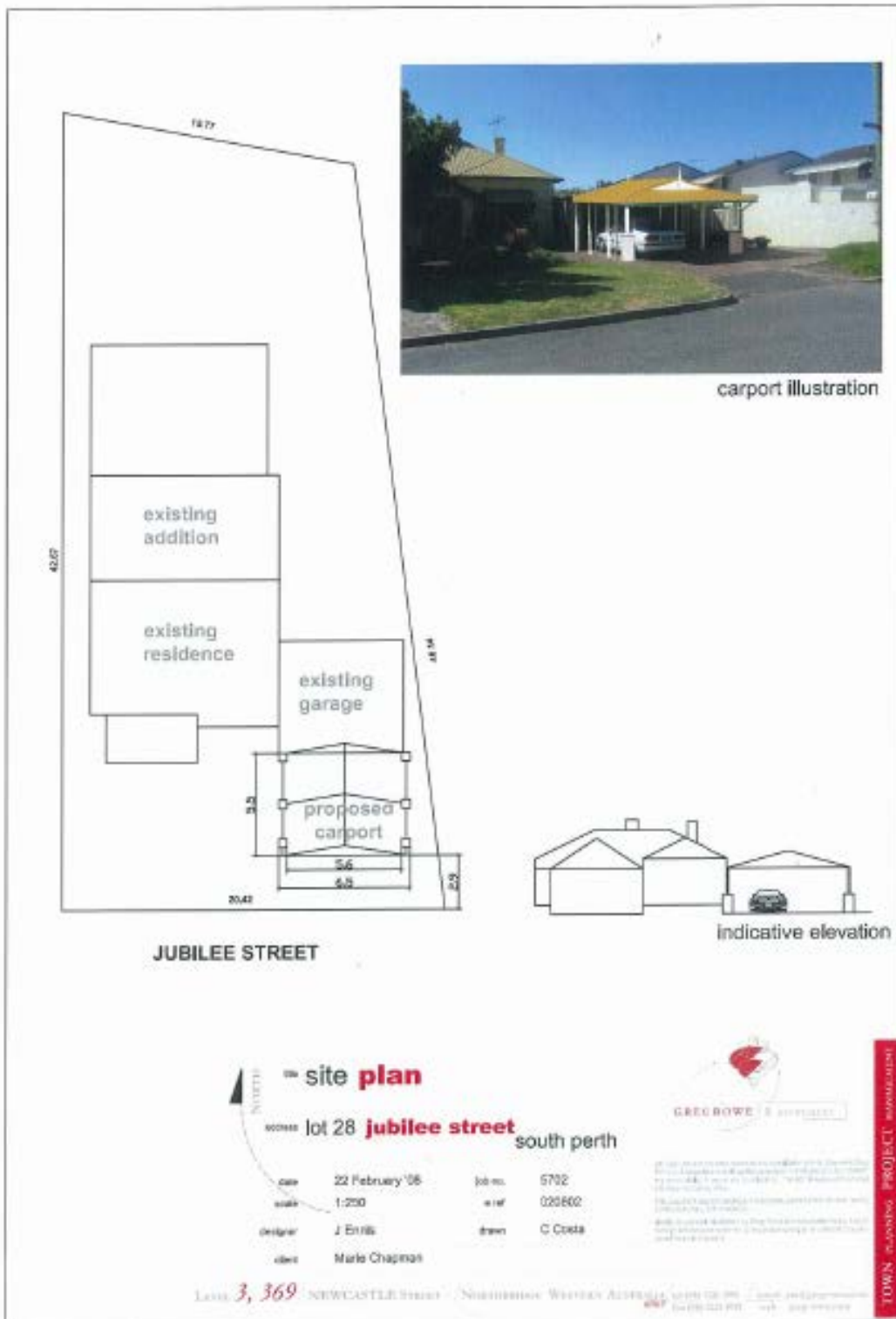
## Attachment 10.0.1(d).xls

Location	
Comer Reserve Car Park (Eric Street)	25
Comer Reserve Toilets (Eric Street)	11
Eric Street Street Parking	17
Melville Parade Street Parking	32
Comer Reserve Car Park (Melville Parade)	45
<b>Total</b>	<b>130</b>

Date/Time	Bays Available	Bays Occupied
22 January 2008 2:15pm- 2:30pm	94	34
23 January 2008 9:45am- 10:00am	110	20
23 January 2008 2.50pm- 3.15pm	105	25
23 January 2008 4:45pm- 5pm	113	17
24 January 2008 9:00am-9:15am	102	28
24 January 2008 11am-11.15am	97	33
24 January 2008 1pm-1.15pm	97	33
24 January 2008 3:10-3.20pm	99	31
25 January 2008 12pm- 12.15pm	102	28
25 January 2008 2pm-2:10	103	27
29 January 2008 9.15am-9.30am	102	28
29 January 2008 11.15am-11.30am	98	32
29 January 2008 2.30pm-2.45pm	102	28
29 January 2008 4.30pm-4.45pm	107	23
30 January 2008 10.30-10.45am	104	26
31 January 2008 9.15-9.30am	107	23
31 January 2008 11.15-11.30am	105	25
31 January 2008 3.30-3.45pm	103	27
1 February 2008 12.15-12.30pm	100	30
1 February 2008 3.45-4.00pm	107	23
4 February 2008 915am- 9.30am	107	23
4 February 2008 11.30am-11.40am	108	22
5 February 2008 12.15am-12.30am	100	30
5 February 2008 3.15pm-3.30pm	102	28
7 February 2008 9.30am-9.45am	113	17
15 Februayr 2008 12.30pm	112	18
15 February 2008 3.45pm	111	19
18 February 2008 2.30 pm	98	32
19 Febraury 2008 3.30pm	84	46
20 Febraury 2008 10.30am	74	56
21 February 2008 12.30pm	96	34
22 February 2008 10am	98	32
22 February 2008 2pm	101	29
25 Febraury 2008 11.30 am	96	34
25 February 2008 3.30pm	105	25
27 February 2008 10.45am	98	32 (truck parked over 5 bays)









Our Ref: 5702

GREG ROWE

19 February 2008

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

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

Dear Sir

**RE: SUBMISSION (SUPPORT) – DEVELOPMENT APPLICATION FOR CARPORT  
ADDITION TO SINGLE HOUSE – LOT 12 (No. 28) JUBILEE STREET, SOUTH  
PERTH  
SAT MATTER DR16 OF 2008**

Greg Rowe and Associates acts on behalf of the owner of Lot 12 (No. 28) Jubilee Street, South Perth (herein referred to as the 'subject site').

In accordance with the orders made by the State Administrative Tribunal (SAT) on 13 February 2008, we hereby lodge a submission in support of the above Development Application. We contend that the proposal is compliant with the provisions of Council Policy P370\_T "General Design Guidelines for Residential Development", the Residential Design Codes and the City of South Perth Town Planning Scheme No. 6 and should therefore be supported.

**Background**

On 2 October 2007 Abel Roofing on behalf of the owners of the above property lodged a Development Application for a new carport to replace the existing carport. The carport is proposed to be located within the same position as the existing carport and is sought as a part of the owner's intent to upgrade the external appearance of the dwelling and associated structures. However the City's Planning Department considered the proposed carport was in conflict with a series of statutory provisions and subsequently recommended that the proposal be refused.

In an attempt to comply with all relevant statutory provisions Abel Roofing lodged a set of revised drawings and cover letter on 14 December 2007. The revised drawings addressed a number of non-compliant issues and comprised the following modifications:

- Increased internal dimensions of the carport in accordance with Clause 6.3 "Car Parking" and Schedule 5 "Car Parking Bays and Access ways" set out under Town Planning Scheme No. 6;
- The incorporation of half brick piers in accordance with Sub Clause 6 (f) "Design of Carports, Garages and Outbuildings" under Policy P370\_T "General Design Guidelines For Residential Development";

6003  
 6210  
 6210  
 3 369  
 1 2 69  
 3406  
 PERTH OFFICE  
 MANDURAH OFFICE

- An accompanying letter comprising a colour schedule confirming that the landowner will be repainting the main roof of the dwelling in a Jasper colour which will intum match the colour of the proposed carport's roof colour.

The revised plans were lodged with the City but were not submitted in time to be included in the Officer's report to Council. Subsequently the report and Officer Recommendation presented to Council's Ordinary Meeting held on 18 December 2007 only reflected the initial Application and made no reference to the amended plans or letter. The Application was refused by Council on the basis of eight reasons (refer to Attachment 1).

Greg Rowe and Associates was subsequently engaged by the landowner to lodge an Application for Review with the SAT. To date we have attended a Directions Hearing held on 30 January 2008 and a Mediation Conference held on 13 February 2008. While a number of reasons for refusal are now invalid consequent of the revised plans lodged on 14 December 2007 prior to Council Determination, the City's Planning Department are still of the opinion the Application conflicts with Policy P370\_T.

At Mediation held on 13 February 2008, the SAT ordered the Application back to Council for re-consideration. In this instance we are of the opinion re-consideration is important given the Officers report did not make reference to the amended plans or adequately determine key areas including what constituted a front setback, the streetscape character and how Policy P370\_T and the Residential Design Codes correspond.

#### **Reasons for Refusal**

The Notice of Determination listed eight (8) reasons for refusal. Of these, reasons two, three and four are no longer applicable as these issues have been addressed in the amended plans. Reasons six, seven and eight are conventionally included in refused applications to 'add weight' to the refusal. It should be noted Part (c) "Scheme Objectives: Clause 1.6 of No. 6 Town Planning Scheme" in the Officer's Report to Council reads:

*"Having regard to the proceeding comments, in terms of the general objectives listed within Clause 1.6 of TPS6, the proposal is considered to not 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."*

While we content the above objective is achieved, we note the Officer's Report does not make reference to a number of other objectives applicable to the Application under Section 1.6 of TPS No. 6. The Application is considered to specifically achieve Objectives (a), (b) and (c) of Section 1.6. If the Officers considered these objectives to be in conflict they would have been included within the Recommendation and so we content the Recommendation is flawed in that it does not acknowledge the objectives which are clearly achieved. Consequently all issues, facts and contentions are not included in the determination.

Notwithstanding the above, the remaining reasons for refusal are generally accepted by both parties as numbers one and five listed in the refusal. Both parties agreed all other issues listed on the Notice of Determination have fallen away.

#### **Reason for Refusal Number One**

Reason for Refusal Number One listed in the "Notice of Determination of Application for Planning Approval" reads:

*"The subject property has sufficient area and access to provide parking behind the front setback area and therefore a carport within the front setback area is inconsistent with the provisions contained within Clause 11(d) of Council Policy P370\_T "General Design Guidelines For Residential Development."*

In this instance it is not considered there is 'sufficient area' behind the front setback area. Clause 11 Part (c) of Policy P370\_T reads:

*"In the case of existing dwellings which have no space behind the front setback line to accommodate car parking, suitably designed carports will be permitted to be located within the front setback area."*

In determining what the front setback area is, Policy P370\_T does not provide a definition or any methodology as to how determine the street setback area. However the Policy does stipulate:

*"Notwithstanding the provisions of this Policy, compliance with the City of South Perth Town Planning No.5, Town Planning Scheme No. 3 (Salter Point Parade Guided Development Scheme) and the Residential Planning Codes is required in every case."*

The proposed carport complies with the Acceptable Development Standards of the Residential Design Codes which if not subject to a Local Planning Policy is non-discretionary. The subject site under the provisions of the R-Codes requires a front setback of 4.0 metres. The relevant Clause, Clause 3.2.3 "Set Back of Garages and Carports" reads:

*"Carports within the street area, provided that the width of the carport does not exceed 50 per cent of the frontage at the building line and the construction allows an unobstructed view between the dwelling and street, right-of-way or equivalent."*

Having regard to both Policy P370\_T and Clause 3.2.3 of the R-Codes the proposed carport is compliant. If the City's Planning Department are to determine the front set back based on the 4.0m front setback provision listed under the R-Codes the carport will not have sufficient space to be setback behind the 4.0m line. This is due to the existing dwelling and garage/shed which has always operated as a storeroom. That is to say if a mandatory 4.0m setback applies, given the length of the carport requirements under Town Planning Scheme No. 6 there is not sufficient space to setback the carport to 4.0 metres and so accordingly the carport is permitted to have a reduced setback forward of the front set back line as permitted under Clause 11 (c) of Policy P370\_T which is quoted above.

Any mandatory set back line would also contravene the Residential Design Codes as no setback applies to carports where they are visually permeable and not wider than 50% the width

of the frontage of the lot. Given Policy P370\_T states "compliance with the R-Codes is required in every case" no front setback should apply.

**Reason for Refusal Number Five**

Reason for Refusal Number Five listed in the "Notice of Determination of Application for Planning Approval" reads:

*"The proposal is inconsistent with the existing streetscape character of Jubilee Street."*

The existing streetscape character of Jubilee Street contains a variety of garage and carport structures at varying setbacks from the street boundary. Each structure is unique in its materials, colour, built form and design and as such it cannot be reasonably determined that a consistent pattern or style of garage or carport structures exist. Therefore the Application should be measured by the objectives of Policy P370\_T. The Policy objective is:

*"To preserve or enhance the desired streetscape character, and to promote strong design compatibility between existing and proposed residential buildings."*

The proposed carport clearly enhances and contributes to a desired streetscape as it now features a pitched roofed which matches the main dwellings roof form in lieu of a flat roof, half brick piers in lieu of round steel poles and compatible colours with the main dwelling (refer to Attachment 2 photographs of existing carport and Attachment 3 streetscape analysis). These design standards are all required in various parts of Policy P370\_T.

**Summary**

On balance the proposed carport is considered to considerably enhance the aesthetics of the Jubilee streetscape. The existing carport has formed part of the existing streetscape for in excess of 20 years and the Application now allows the opportunity for a contemporary more visually pleasant design. It is considered in this instance that refusal of the proposed carport contravenes the policy objective given the objective encourages strong design compatibility between the existing and proposed developments.

We await a favourable response when the Application is re-considered at the March Council Meeting and respectively request planning consent be issued. If you have any further queries please contact either the undersigned or Ms Claire Richards.

Yours faithfully  
GREG ROWE AND ASSOCIATES

  
**JORDAN ENNIS**

Encl.



Extract from  
**N O T E S**  
**CONCEPT FORUM**  
Planning Matters

**Held in the Council Chamber, Sandgate Street, South Perth  
Tuesday 3 July 2007 commencing at 5.30pm**

Present

Mayor J Collins, JP (Chairman)

Councillors:

J Best	Civic Ward (from 6.25pm)
G W Gleeson	Civic Ward (from
L M Macpherson	Como Beach Ward (from 6.14pm - 7.50pm)
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward (from 6.03pm)
R Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr C Buttle	Manager Development Assessment (from 6.30pm)
Mr R Bercov	Strategic Urban Planning Adviser (from 6.30pm)
Mr S Camillo	Manager Environmental Health & Regulatory Services
Mr N Kegie	Manager Community, Culture and Recreation (until 6.30pm)
Ms B Pearson	Arts and Events Officer (until 6.30pm)
Mrs K Russell	Minute Secretary

Guest

Mr Ernie Samec	Kott Gunning Lawyers (from 6.30pm)
----------------	------------------------------------

Apologies

Cr Cala	anticipated late arrival
---------	--------------------------

OPENING

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

...

**3. Planning Matters**

The Manager Development Assessment introduced Mr Samec from Kott Gunning Lawyers who was in attendance at the request of Members to provide advice on planning issues.

Mr Samec addressed Members on the following items:

...

Miscellaneous Items

The following miscellaneous issues were discussed. Mr Samec responded as follows:

- (a) Engaging the neighbourhood - making building plans and details (scale, heights, setbacks, plot ratios) available to the public.

**Response**

Can see no reason why Council cannot, as a result of advertising a development application, provide a portion of the plans for viewing. When Council copies plans for its own distribution for decision-making there is not a breach of copyright. All plans circulated are in fact a breach but not causing damage. Rather, this provides an opportunity for engaging the neighbourhood for planning purposes. It would cost a lot of money to claim for a copyright breach. There is no practical legal impediment to Council making a copy of plans available to public.

...

**4. Closure**

The Mayor closed the Concept Forum at 8.00pm.





## LOCAL GOVERNMENT QUESTIONNAIRE

**Reproduction of plans for  
Neighbour and Community Consultation  
in relation to Development Applications**

<b>Name of local government responding:</b>	City of Belmont
<b>Name of responding officer:</b>	Katherine Adsett
<b>Position of responding officer:</b>	Senior Planning Officer
<b>Date of response:</b>	11 December 2007
<b>Signature of officer:</b> (if not responding electronically)	

Please respond to the following as fully (or briefly) as you wish:

	<b>Question</b>	<b>Response</b>
1.	Does your Council display development application plans and drawings on your web site for convenience of public access?	No – copies of the plans cannot be distributed due to copyright laws and restrictions.
2.	Does your Council provide paper copies of development application plans and drawings to <b>directly affected neighbours</b> to take away?	No – (see above noted explanation) Notwithstanding, in exceptional circumstances, the written consent of the applicant may be sought to release copies.
3.	Does your Council provide paper copies of development application plans and drawings to <b>members of the wider community</b> to take away?	No (see above noted explanation)
4.	How long are plans displayed on the web site? Does your Council permit viewing of development application plans and drawings after the close of the nominated advertising period? If yes, please explain.	Development applications are not displayed on the City's website – they can only be viewed at the City's offices for a set period of 14 or 21 days.  In extenuating circumstances, and with the authorisation of a Senior Officer, an affected property owner may view plans after the close of advertising and by appointment only.
5.	Does this more extensive viewing of development plans include: (a) site plan? (b) floor plans (internal layout) of buildings? (c) elevations? (d) written supporting material?	Members of the public may view all plans and written supporting material provided by the applicant. Internal correspondence, assessments, legal opinions etc. are not available for viewing.

6.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, has your Council received legal advice to support your practice with respect to: (a) copyright? (b) security and privacy? (c) appropriate Planning practice? Please provide the gist of this advice.	Yes – the City may copy plans for its in-house approval purposes but not to affected neighbours or members of the public as the license to copy plans does not extend beyond that which is essential in order for the plan to be assessed. The legal advice received pertains to copyright law.
7.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, does your Council seek a written authorisation from applicants for the Council to display their plans on the web site or to provide paper copies to members of the public? If so, please provide or attach the wording of the statement applicants are asked to sign.	No
8.	Is the signing of this 'waiver' by applicants optional or compulsory?	N/A
9.	What administrative steps are involved in seeking the applicants' written authorisation to publicly display their plans?	N/A
10.	How would your Council process the development application if an applicant refuses to sign the written authorisation? How often do applicants refuse?	N/A
11.	Do the Council's Town Planning Scheme or Policies contain provisions relating to display of development applications plans and drawings? If so, please provide or attach the relevant clauses.	Yes – Please refer to Schedule 6 and Clause 5.7 of the City of Belmont TPS No. 14.  The TPS may be viewed on the City's website – <a href="http://www.belmont.wa.gov.au">www.belmont.wa.gov.au</a>
12.	Are <b>all</b> development application plans available for public viewing, or only those which contain specific features which are required (by TPS or Policy) to be advertised for neighbours' comments?	Generally, the only development applications available for viewing are those which have been referred to neighbouring properties for comment. However, if a member of the public enquires about a DA on an adjacent or nearby property which has not been advertised, they may make an appointment with the designated planning officer to view the plans.
13.	Are your Council's advertising procedures the same, whether applications are to be determined under delegation or referred to a Council meeting?	Yes – advertising procedures are the same regardless of whether they are determined by Council or under delegation.
14.	If your Council displays plans on the web site, what staff and other resources are required to scan plans for display and to remove them later?	N/A

Thank you very much for taking the time to complete this questionnaire. Please return it by Friday, 14 December 2007, to:

Rod Bercov  
Strategic Urban Planning Adviser  
City of South Perth  
Sandgate Street cnr South Terrace  
SOUTH PERTH WA 6151

Phone: 9474 0770  
Facsimile: 9474 2425  
Email: [rodb@southperth.wa.gov.au](mailto:rodb@southperth.wa.gov.au)



## LOCAL GOVERNMENT QUESTIONNAIRE

**Reproduction of plans for  
Neighbour and Community Consultation  
in relation to Development Applications**

<b>Name of local government responding:</b>	City of Fremantle
<b>Name of responding officer:</b>	Kathy Bonus
<b>Position of responding officer:</b>	Manager Development Services
<b>Date of response:</b>	3 December 2007
<b>Signature of officer:</b> (if not responding electronically)	

Please respond to the following as fully (or briefly) as you wish:

	<b>Question</b>	<b>Response</b>
1.	Does your Council display development application plans and drawings on your web site for convenience of public access?	No
2.	Does your Council provide paper copies of development application plans and drawings to <b>directly affected neighbours</b> to take away?	No
3.	Does your Council provide paper copies of development application plans and drawings to <b>members of the wider community</b> to take away?	No
4.	How long are plans displayed on the web site? Does your Council permit viewing of development application plans and drawings after the close of the nominated advertising period? If yes, please explain.	n/a (see additional comment for detail)
5.	Does this more extensive viewing of development plans include: (a) site plan? (b) floor plans (internal layout) of buildings? (c) elevations? (d) written supporting material?	n/a
6.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, has your Council received legal advice to support your practice with respect to: (a) copyright? (b) security and privacy? (c) appropriate Planning practice? Please provide the gist of this advice.	n/a

7.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, does your Council seek a written authorisation from applicants for the Council to display their plans on the web site or to provide paper copies to members of the public? If so, please provide or attach the wording of the statement applicants are asked to sign.	n/a
8.	Is the signing of this 'waiver' by applicants optional or compulsory?	n/a
9.	What administrative steps are involved in seeking the applicants' written authorisation to publicly display their plans?	n/a
10.	How would your Council process the development application if an applicant refuses to sign the written authorisation? How often do applicants refuse?	n/a
11.	Do the Council's Town Planning Scheme or Policies contain provisions relating to display of development applications plans and drawings? If so, please provide or attach the relevant clauses.	Yes. Clause 9.4.5 of the Scheme states that any person may inspect the application...at the offices of Council.
12.	Are <b>all</b> development application plans available for public viewing, or only those which contain specific features which are required (by TPS or Policy) to be advertised for neighbours' comments?	Advertising is undertaken in accordance with Council Policies DA5 and DA14. ( <a href="http://www.freofocus.com/council/html/policies.cfm">http://www.freofocus.com/council/html/policies.cfm</a> ) This generally includes all R Code variations, two storey dwellings (regardless of compliance) and most commercial applications.
13.	Are your Council's advertising procedures the same, whether applications are to be determined under delegation or referred to a Council meeting?	Yes. The difference is in whether the application is considered to be "significant" or not. "Significant" DAs require formal advertising whereas others require neighbour consultation.
14.	If your Council displays plans on the web site, what staff and other resources are required to scan plans for display and to remove them later?	n/a

Thank you very much for taking the time to complete this questionnaire. Please return it by Friday, 14 December 2007, to:

Rod Bercov  
Strategic Urban Planning Adviser  
City of South Perth  
Sandgate Street cnr South Terrace  
SOUTH PERTH WA 6151

Phone: 9474 0770  
Facsimile: 9474 2425  
Email: [rodb@southperth.wa.gov.au](mailto:rodb@southperth.wa.gov.au)

#### Respondent's Additional Comments:

Plans are made available at the front service counter and are able to be viewed upon request during the advertising period (usually 14 days). Viewing is permitted beyond the closing date of submissions but people are advised that a submission is not necessarily able to be considered if it is received after the advertised closing date.

If people request a copy of the plans, they are usually referred to the architect who can then release the plan directly to the requestor if they so wish. The majority of applications received by the City of Fremantle contain plans that have been prepared by either qualified architects or large project home builders.



## LOCAL GOVERNMENT QUESTIONNAIRE

**Reproduction of plans for  
Neighbour and Community Consultation  
in relation to Development Applications**

<b>Name of local government responding:</b>	City of Rockingham
<b>Name of responding officer:</b>	Mike Ross
<b>Position of responding officer:</b>	Manager, Statutory Planning
<b>Date of response:</b>	Monday, 3rd December 2007
<b>Signature of officer:</b> (if not responding electronically)	

Please respond to the following as fully (or briefly) as you wish:

	<b>Question</b>	<b>Response</b>
1.	Does your Council display development application plans and drawings on your web site for convenience of public access?	No. The City's website is only used to display development application plans for major development applications.
2.	Does your Council provide paper copies of development application plans and drawings to <b>directly affected neighbours</b> to take away?	Yes
3.	Does your Council provide paper copies of development application plans and drawings to <b>members of the wider community</b> to take away?	Yes, if the application is being advertised
4.	How long are plans displayed on the web site? Does your Council permit viewing of development application plans and drawings after the close of the nominated advertising period? If yes, please explain.	When plans are displayed they are usually on display for the duration of the advertising period and in some instances where the proposal has generated a significant number of submissions and community interest, information on the website is left for a few months longer than the advertising period.
5.	Does this more extensive viewing of development plans include: (a) site plan? (b) floor plans (internal layout) of buildings? (c) elevations? (d) written supporting material?	Yes. Site plan, floor plan, and elevations, written supporting material are all provided for public viewing.
6.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, has your Council received legal advice to support your practice with respect to: (a) copyright? (b) security and privacy? (c) appropriate Planning practice? Please provide the gist of this advice.	No. It is understood that if the development application is lodged with the City, and in the course of its assessment of the proposal the plans must be advertised, then the applicant's plans must be used for this purpose only. The City has never had a situation where the applicant has objected to advertising an application based on copyright, security etc.

7.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, does your Council seek a written authorisation from applicants for the Council to display their plans on the web site or to provide paper copies to members of the public? If so, please provide or attach the wording of the statement applicants are asked to sign.	Yes. Information displayed on Council's website is only on the basis that the applicant has no objections because of the broader public accessibility of the plans. Plans can't be printed from Council's website if requested by an applicant.
8.	Is the signing of this 'waiver' by applicants optional or compulsory?	Optional
9.	What administrative steps are involved in seeking the applicants' written authorisation to publicly display their plans?	There are no formal administrative steps applied by the City for plans to be advertised on the internet. This matter is usually discussed with the applicant.
10.	How would your Council process the development application if an applicant refuses to sign the written authorisation? How often do applicants refuse?	An applicant has never refused the City to advertise their plans. If the applicant refused then the City would seek to address the applicant's concerns or seek legal advice.
11.	Do the Council's Town Planning Scheme or Policies contain provisions relating to display of development applications plans and drawings? If so, please provide or attach the relevant clauses.	Yes clause 6.3.3 of TPS2
12.	Are <b>all</b> development application plans available for public viewing, or only those which contain specific features which are required (by TPS or Policy) to be advertised for neighbours' comments?	Not all development application plans are available for public viewing. Only those plans which are required to be advertised for neighbours' comments are available for public viewing.
13.	Are your Council's advertising procedures the same, whether applications are to be determined under delegation or referred to a Council meeting?	Yes
14.	If your Council displays plans on the web site, what staff and other resources are required to scan plans for display and to remove them later?	Normally digital pdf plans are requested from the applicant. Staff resources used include the planning officer, webmaster. The use of Council's resources hasn't been an issue because only major development applications or major proposals are advertised on the City's webpage.

Thank you very much for taking the time to complete this questionnaire. Please return it by Friday, 14 December 2007, to:

Rod Bercov  
Strategic Urban Planning Adviser  
City of South Perth  
Sandgate Street cnr South Terrace  
SOUTH PERTH WA 6151

Phone: 9474 0770  
Facsimile: 9474 2425  
Email: [rodb@southperth.wa.gov.au](mailto:rodb@southperth.wa.gov.au)



## LOCAL GOVERNMENT QUESTIONNAIRE

**Reproduction of plans for  
Neighbour and Community Consultation  
in relation to Development Applications**

<b>Name of local government responding:</b>	City of Stirling
<b>Name of responding officer:</b>	Ross Povey
<b>Position of responding officer:</b>	Director Planning & Development
<b>Date of response:</b>	30/11/07
<b>Signature of officer:</b> (if not responding electronically)	

Please respond to the following as fully (or briefly) as you wish:

	<b>Question</b>	<b>Response</b>
1.	Does your Council display development application plans and drawings on your web site for convenience of public access?	Only for major applications, otherwise no. Contact officer name and general description of application is provided refer to <a href="http://www.stirling.wa.gov.au">www.stirling.wa.gov.au</a> and go to community consultation section. This is also published in a summarised version in the community newspapers.
2.	Does your Council provide paper copies of development application plans and drawings to <b>directly affected neighbours</b> to take away?	No
3.	Does your Council provide paper copies of development application plans and drawings to <b>members of the wider community</b> to take away?	No
4.	How long are plans displayed on the web site? Does your Council permit viewing of development application plans and drawings after the close of the nominated advertising period? If yes, please explain.	Refer to response to Q1  Generally not, although will discuss concerns and issues with neighbours, if contacted and allow viewing of approved plans.
5.	Does this more extensive viewing of development plans include: (a) site plan? (b) floor plans (internal layout) of buildings? (c) elevations? (d) written supporting material?	When advertised – all documents (a) to (d) are available at front counter for viewing.

6.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, has your Council received legal advice to support your practice with respect to: (a) copyright? (b) security and privacy? (c) appropriate Planning practice? Please provide the gist of this advice.	Not aware of specific advice sought on this matter in recent times.
7.	If <b>'YES'</b> to 1, 2, 3, 4 or 5, does your Council seek a written authorisation from applicants for the Council to display their plans on the web site or to provide paper copies to members of the public? If so, please provide or attach the wording of the statement applicants are asked to sign.	N/A
8.	Is the signing of this 'waiver' by applicants optional or compulsory?	N/A
9.	What administrative steps are involved in seeking the applicants' written authorisation to publicly display their plans?	none
10.	How would your Council process the development application if an applicant refuses to sign the written authorisation? How often do applicants refuse?	N/A
11.	Do the Council's Town Planning Scheme or Policies contain provisions relating to display of development applications plans and drawings? If so, please provide or attach the relevant clauses.	City's procedure on Consultation on Planning Proposals is attached.
12.	Are <b>all</b> development application plans available for public viewing, or only those which contain specific features which are required (by TPS or Policy) to be advertised for neighbours' comments?	All plans are available, generally to difficult to isolate the drawings which contain aspects requiring consultation.
13.	Are your Council's advertising procedures the same, whether applications are to be determined under delegation or referred to a Council meeting?	Yes
14.	If your Council displays plans on the web site, what staff and other resources are required to scan plans for display and to remove them later?	Only on major development applications.

Thank you very much for taking the time to complete this questionnaire. Please return it by Friday, 14 December 2007, to:

Rod Bercov  
Strategic Urban Planning Adviser  
City of South Perth  
Sandgate Street cnr South Terrace  
SOUTH PERTH WA 6151

Phone: 9474 0770  
Facsimile: 9474 2425  
Email: [rodb@southperth.wa.gov.au](mailto:rodb@southperth.wa.gov.au)



City of South Perth  
Town Planning Scheme No. 6

# Amendment No. 11

Proposed minor variations from prescribed  
minimum car bay width



**Civic Centre**  
Cnr Sandgate Street and South Terrace  
SOUTH PERTH WA 6151

Monday to Friday: 8.30am to 5.00pm  
Enquiries: Rod Bercov, Strategic Urban Planning Adviser  
Telephone: 9474 0770  
Facsimile: 9474 2425  
Email: [rodb@southperth.wa.gov.au](mailto:rodb@southperth.wa.gov.au)  
Web: [www.southperth.wa.gov.au](http://www.southperth.wa.gov.au)

MINISTER FOR PLANNING  
AND INFRASTRUCTURE

FILE:  
PART OF AGENDA:



## Proposal to Amend a Town Planning Scheme

- |                                         |                                                                                                                       |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1. Local Authority:                     | City of South Perth                                                                                                   |
| 2. Description of Town Planning Scheme: | Town Planning Scheme No. 6                                                                                            |
| 3. Type of Scheme:                      | District Zoning Scheme                                                                                                |
| 4. Serial No. of Amendment:             | Amendment No. 11                                                                                                      |
| 5. Proposal:                            | To amend clause 6.3(8) and Schedule 5 of the Scheme Text to permit minor variations from the prescribed car bay width |



**Resolution Deciding to Amend  
City of South Perth  
Town Planning Scheme No. 6**

**Amendment No. 11**

**RESOLVED THAT** the Council of the City of South Perth, Council in pursuance of Section 75 of the Planning and Development Act 2005, amend the City of South Perth Town Planning Scheme No. 6 in relation to the required minimum width of a car bay with side obstructions, to allow variations from the standard rectangular shape, based upon Figure 5.2 in Australian Standard AS2890.1.2004, while not allowing the width to be reduced below the currently prescribed 2.5 metres minimum other than for the forward-most 1.2 metres length of the bay, and while also maintaining the currently prescribed 5.5 metres minimum length.

---

CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

Council Meeting dated: 18 December 2007



## Report on Amendment No. 11 to Town Planning Scheme No. 6

### 1. INTRODUCTION

The City of South Perth Town Planning Scheme No. 6 (TPS6) became operative on 29 April 2003.

At a meeting held on 18 December 2007, the Council resolved to amend the Scheme in the manner described in this Report. At a subsequent meeting held on 25 March 2008, the Council endorsed the draft Amendment for advertising purposes. A copy of the Council resolution to amend the Scheme and the text of the draft Amendment are included as part of these Amendment documents. The proposal is to amend clause 6.3(8) and Schedule 5 of the Scheme Text to permit minor variations from the prescribed minimum car bay width.

### 2. PURPOSE OF AMENDMENT NO. 11

The purpose of the proposed Amendment No. 11 to Town Planning Scheme No. 6 (TPS6) is to permit minor variations from the prescribed minimum car bay width. These variations correspond with the car bay 'envelope' depicted in Figure 2 of Schedule 5 to TPS6.

### 3. BACKGROUND TO PROPOSED AMENDMENT

#### (a) Historical requirements for car bay dimensions

The Council's former district Town Planning Scheme (TPS5) became operational in September 1986 and prescribed minimum car bay dimensions of 5.5 metres length and 2.8 metres width where there was an obstruction on one side of the bay. The TPS5 minimum car bay dimensions are identical to those in the currently operative TPS6. Clause 87 of the former TPS5 provided general discretionary power for the Council to approve variations from prescriptive site requirements, including car bay dimensions.

Australian Standard 2890 was originally prepared and became operational in 1993. From that time onward, over a period of some 14 years, by way of clause 87 of TPS5 (and later under clause 7.8 of TPS6),

the City has exercised discretionary power where appropriate, to allow minor variations from the prescribed car bay dimensions, generally to the extent of maintaining compliance with AS 2890.

The Council's TPS5 minimum car bay dimensions, as later carried forward in TPS6, are slightly larger than those of the R-Codes. However, the City has been prepared to offer a minor concession to the extent of approving the intricately shaped car bay 'envelope' derived from AS 2890. The application of the Australian Standard has been long-standing practice by the City.

The R-Codes (2002) incorporate the provisions of AS 2890 by way of direct reference in clause 3.5.3 A3.2. The R-Codes represent 'industry standard' as they apply universally throughout Western Australia. While the R-Codes accept these national Australian Standards, currently the City's TPS6 does not.

**(b) Current requirements: TPS6 v R-Codes and Australian Standard**

Based solely on clause 6.3(8) and Schedule 5 of TPS6, the required minimum car bay has a perfectly rectangular shape measuring 5.5 metres long x 2.8 metres wide where there is an obstruction on one side of the bay. However, under clause 7.8, Council has discretionary power to approve variations from the prescribed car bay dimensions. The minimum length and width prescribed in TPS6 are 100 mm greater than the dimensions prescribed by the R-Codes and also greater than the minimum under AS 2890. The R-Codes prescribe a minimum bay length of 5.4 metres and a minimum bay width of 2.7 metres where there is an obstruction on one side of the bay.

**4. EXPLANATION OF AMENDMENT TO SCHEME TEXT**

Based on functional operation, AS 2890 depicts an intricately shaped car bay 'envelope', with greater width where required for ease of manoeuvre and door opening, and lesser width for the balance of the bay. The 2002 R-Codes require compliance with this Australian Standard, meaning that the 'width variations' of AS 2890 are permitted under the R-Codes. In terms of the shape of the car bay 'envelope', the proposed Scheme Amendment will bring TPS6 into conformity with the Australian Standard and the R-Codes, although the slightly greater length and width of TPS6 will continue to apply.

Clause 4.3 (1)(i) of the currently operative TPS6 Scheme Text already provides for variations from the R-Codes with respect to the dimensions of car parking bays. That clause states that the dimensions of car parking bays are to be as prescribed in Schedule 5 to TPS6. The proposed Scheme Amendment will introduce the further variation in respect of the car bay 'envelope'. To accommodate this, Clause 6.3 (8) will be expanded to include reference to a new Figure 2 in Schedule 5, being the car bay 'envelope'. The text of the Amendment attached to this report introduces these changes.

**5. CONCLUSION**

Having regard to the circumstances described above, the Council now requests that the Western Australian Planning Commission and the Minister for Planning and Infrastructure support the Amendment No. 11 proposal.

---

ROD BERCOV  
STRATEGIC URBAN PLANNING ADVISER

---

CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

**Dated:** 25 March 2008



## Town Planning Scheme No. 6 Amendment No. 11

The Council of the City of South Perth under the powers conferred upon it by the *Planning and Development Act 2005*, hereby amends the above local planning scheme as follows:

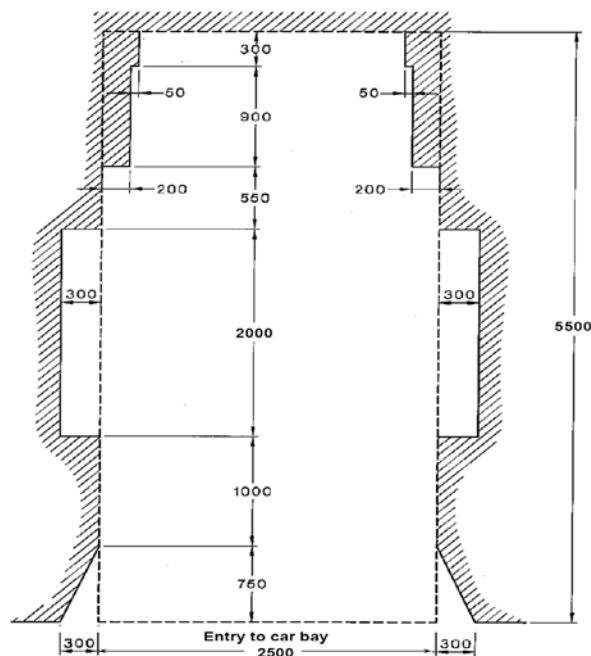
1. Clause 6.3 (8) is amended to read as follows:

- “(8) Car parking bays and associated accessways shall not be of lesser dimensions than those prescribed in Figure 1 of Schedule 5 measured clear of the face of any column or pier and, where a wall, column, pier or fence abuts a side of a car parking bay, the width shall be:
- increased by 0.3 metres; or
  - adjusted to conform to the car bay diagram comprising Figure 2 of Schedule 5.

2. Schedule 5 is amended by:

- adding the following “Figure 2 Design envelope for car bay with side obstructions” immediately after the explanatory diagram appearing beneath the table:

**Figure 2 Design envelope for car bay with side obstructions**



### NOTES:

- Not to scale.
- All measurements are in millimetres.
- Figure 2 is based on Figure 5.2 of Australian Standard AS 2890.1.2004.
- Broken line denotes a car bay of 2500mm width and 5500mm length as prescribed in Town Planning Scheme No. 6.

- Indexing the existing Table and explanatory diagram in Schedule 5 as “Figure 1 Dimensions According to Angle of Bays”.

## Adoption

**ADOPTED** by resolution of the Council of the City of South Perth at the Ordinary Council Meeting held on 25 March 2008.

\_\_\_\_\_  
JAMES BEST  
MAYOR

Dated \_\_\_\_\_ 2008

\_\_\_\_\_  
CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

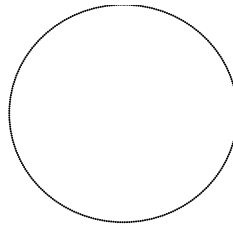
Dated \_\_\_\_\_ 2008

## Final Approval

**ADOPTED** by resolution of the Council of the City of South Perth and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

\_\_\_\_\_  
JAMES BEST  
MAYOR

CITY SEAL



Dated \_\_\_\_\_ 2008

\_\_\_\_\_  
CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

Dated \_\_\_\_\_ 2008

**Recommended/Submitted** for Final Approval by the Western Australian Planning Commission :

\_\_\_\_\_  
*Delegated under S.20 of Western Australian Planning Commission Act 1985*

Dated \_\_\_\_\_ 2008

## Final Approval Granted

\_\_\_\_\_  
A J MACTIERNAN  
MINISTER FOR PLANNING AND INFRASTRUCTURE

Dated \_\_\_\_\_ 2008





**Strategic Plan Goal 3**  
Environmental Management

**POLICY P371**  
Design Advisory Consultants

**Relevant Management Practice**  
Nil

**Relevant Delegation**  
Nil

## Rationale

The City's Design Advisory Consultants' group (DAC) was created in the early 1960s as an advisory group of architects who lived or worked within the City of South Perth and is believed to be the first of its kind to be established in Western Australian local government. The DAC has operated consistently since that time.

The purpose of the DAC is to provide comments and advice to the Council and City officers on the design and site planning of certain development proposals, urban design issues and on other Planning proposals where the City would benefit from their comments and advice.

This Policy provides guidelines for the selection and appointment of members to the DAC group and for the operation of the group.

## Policy

### 1. Definitions

**DAC**

The Design Advisory Consultants referred to in this Policy.

**financial interest**

Has the same meaning as given by section 5.60A of the *Local Government Act 1995*;

**impartiality interest**

An interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association.

### 2. Status of the DAC

**(a) Specialised advisory group**

The DAC are a specialised group of consultants selected by the Council in the manner and for the purposes specified in this Policy. The DAC provide professional and technical advice to City Planning Officers in relation to the design of buildings and related matters. The DAC perform a purely advisory function and do not have any power to make decisions.

**(b) DAC members not to speak on behalf of the City**

- (i) In respect of any item under consideration at a meeting, the DAC are not authorised, either collectively or individually, to speak on behalf of the City or provide comment to the media.
- (ii) Subject to clause 5(e)(v) of this Policy, the DAC are not to provide advice directly to an applicant in respect of any item under consideration at a DAC meeting.

**(c) Council Policy P502 not applicable**

The DAC are not a Community Advisory Group pursuant to the City's Policy P502 'Community Advisory Groups'.

**(d) DAC not a committee**

The DAC are not a committee established pursuant to section 5.8 of the *Local Government Act 1995*.

**3. Terms of reference of the DAC****(a) Matters to be referred to the DAC****(i) Development applications**

Applications for planning approval for proposed development (development applications) in the following categories, are to be referred to the DAC for their comments:

- (A) non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;
- (B) residential development which is 9.0 metres high or higher, or comprises 10 or more dwellings;
- (C) development of the kind referred to in items (A) and (B) above, comprising a mixture of non-residential and residential components;
- (D) development not of the kind referred to in items (A) to (C) above, but which, in the opinion of the delegated officer, is contentious or likely to be of significant community interest; and
- (E) minor development proposals which, in the opinion of the delegated officer, should be referred to the DAC due to unusual or unconventional design elements.

Referral of applications in the above categories is required whether the application is to be determined at a Council meeting or by an officer identified in Delegation DM 342.

**(ii) DAC agenda items require prior assessment**

Unless otherwise authorised by the Manager, Development Services, the Planning Officers' assessment of a development application is to be completed prior to the application being included on the agenda for a meeting of the DAC. Completion of assessment may not be necessary where only limited aspects of the proposal require comment.

**(iii) Other kinds of Planning proposals**

Planning proposals in the following categories may be referred to the DAC where the City would benefit from obtaining the members' comments:

- (A) studies relating to special areas or precincts at various stages of the study;
- (B) proposed 'Planning' policies, as appropriate;
- (C) 'Planning' strategies or principles newly proposed or under review, as appropriate;
- (D) proposed amendments to the City's Town Planning Scheme No. 6 (TPS6), as appropriate; and
- (E) any other matters relating to the design of buildings.

**(b) Aspects of proposals to be considered by the DAC**

Against the background of the provisions of TPS6, the Residential Design Codes (R-Codes) and relevant City policies, the DAC may be requested to examine proposals referred to them in relation to the following, among other aspects:

- (i) **Development applications**
  - (A) site planning;
  - (B) building design; and
  - (C) streetscape compatibility.
- (ii) **Other kinds of Planning proposals**  
Any aspect of the proposals referred to in clause 3 (a)(iii) above.

#### 4. DAC comments and advice

- (a) **Advice to City Planning Officers**  
The DAC are to provide comments and advice to the City's Planning Officers to assist those officers in formulating recommendations to Council meetings on particular applications for planning approval, or in determining applications under delegated authority.
- (b) **DAC advice not binding**  
The comments and advice of the DAC are not binding on the City, but assist the City in making better informed decisions.
- (c) **Without prejudice advice**  
The DAC provide comments and advice on a 'without prejudice' basis.

#### 5. Membership

- (a) **Composition and eligibility for membership**
  - (i) The DAC group is to comprise up to six architects selected by the Council and appointed by the Chief Executive Officer to fulfil the terms of reference set out in clause 2.
  - (ii) The selection criteria for the DAC include, but are not limited to, the following:
    - (A) detailed knowledge of the composition and character of the City of South Perth thus enabling the architect to make a positive contribution towards improving the built environment of the City;
    - (B) appreciation of, and experience in applying, the principles of sustainable design and heritage preservation;
    - (C) possession of architectural expertise in any other special field relevant to the City;
    - (D) eligibility to membership of the Royal Australian Institute of Architects (Western Australian Chapter) pursuant to the *Architects Act 2004*.
  - (iii) Council Members are not eligible for appointment to the DAC group.
- (b) **Selection and appointment of members**
  - (i) The method of sourcing eligible architects for membership of the DAC group is at the discretion of the Chief Executive Officer and could include, among other methods:
    - (A) consultation with the Royal Australian Institute of Architects;
    - (B) examination of the Architects Register of Western Australia; or
    - (C) investigation to identify architects renowned for their design skills reflecting the selection criteria set out in clause 5(a)(ii) above, as demonstrated by the quality of existing buildings within Australia.

- (ii) When a vacancy occurs, details of eligible architects willing to serve as a member of the DAC group are to be presented to a Council meeting. The Council determines which of the eligible architects is to be selected.

(c) **Term of appointment of members**

The appointment of a member of the DAC group will be effective from the date of the City's receipt of written acceptance of an invitation concerning the appointment. The term of appointment of any member is to be a maximum of four years, subject to the following:

- (i) a member may be reappointed for one or more further terms; and
- (ii) the Chief Executive Officer may terminate the appointment of a member prior to the expiry of his/her term of appointment, if:
  - (A) the member is absent from more than three successive meetings without having obtained leave of absence from the City.
  - (B) the Chief Executive Officer considers that the member is not making a positive contribution to deliberations of the group.

## 6. Meetings

(a) **Scheduled monthly and special meetings**

- (i) Meetings of the DAC are to be held on one regular scheduled day each month.
- (ii) From time to time, a special meeting of the DAC may be called to deal with particular proposals or issues.
- (iii) The DAC may be invited to attend one Council Meeting each year to provide an opportunity for discussion of relevant planning and design issues.

(b) **Attendance**

- (i) Each member of the DAC is expected to attend all scheduled monthly and special meetings.
- (ii) A member who is unable to attend a particular meeting is to advise City officers in advance of the meeting date.
- (iii) A member who will be absent from more than three successive meetings is to apply in writing to the Director, Development and Community Services for leave of absence.
- (iv) DAC meetings are not open to the public.

(c) **Notice of meetings and agenda**

- (i) Notice of each meeting is to be given by way of the distribution of agendas to each member of the DAC in advance of the meeting date.
- (ii) Under the heading of each listed item on the agenda, the following information is to be provided, as relevant to the proposal under consideration:
  - (A) TPS6 site requirements and any other special provisions;
  - (B) City policies; and
  - (C) aspects of the development requiring DAC comment.

(d) **Quorum**

A meeting of the DAC may not proceed unless a quorum comprising a minimum of two member architects is present.

**(e) Meeting procedure****(i) Informal meeting procedure**

The proceedings of meetings of the DAC are informal and not subject to *City of South Perth Standing Orders Local Law 2007*.

**(ii) Manager to administer proceedings at meetings**

The Manager, Development Services or another officer appointed by the Manager is to convene, and administer the proceedings at, meetings of the DAC and present each proposal for consideration, identifying those aspects upon which comments and advice are sought.

**(iii) Deputations**

(A) Deputations by applicants are generally not permitted at meetings of the DAC. When permitted, deputations will normally relate only to a project of the highest City-wide significance or a project of unique design requiring detailed explanation.

(B) The decision on any request for a deputation is at the discretion of the Director, Development and Community Services.

(C) During a deputation, members of the DAC may ask the applicant questions for clarification, but are not to discuss the merits of the proposal under consideration or to offer comments or advice until the applicant has left the meeting.

**(iv) Scope of comments and advice to be provided**

Having reviewed the proposal, the DAC is to provide comments and advice on the particular aspects of the proposal listed in the agenda as requiring their comment. The DAC may also offer comments on any other aspect of the proposal.

**(f) Recording of proceedings at DAC meetings**

(i) At every meeting of the DAC, an officer is to record the group's comments and advice.

(ii) The proceedings at meetings of the DAC are to be recorded in the form of Notes containing the entire content of the agenda relating to each item, followed by the DAC's comments and advice pertaining to the respective agenda items.

(iii) In the Notes, each of the aspects of the development listed in the agenda as requiring comment by the DAC, is to be recorded. In addition, the Notes are to record any other comments or advice that the DAC may wish to offer.

(iv) Where the views expressed by the DAC are not unanimous, the Notes are to record the minority comments and advice of a particular member when requested by the member concerned.

**7. Code of Conduct**

Each member of the DAC is requested to observe the *City of South Perth Code of Conduct*.

## 8. Conflict of interest

### (a) Financial interest

If a member of the DAC has a financial interest in a matter to be discussed at a meeting of the DAC, the member must disclose the nature of the financial interest to the convenor of the meeting in writing prior to the meeting or at the meeting immediately before the matter is to be discussed and must not participate in or be present during any discussion of the matter.

### (b) Partiality interest

If a member of the DAC has an impartiality interest in a matter to be discussed at a meeting of the DAC, the member must disclose the nature of the impartiality interest to the convenor of the meeting in writing prior to the meeting or at the meeting immediately before the matter is to be discussed.

## 9. Confidentiality

The proceedings of meetings of the DAC are confidential and are to remain confidential unless disclosed by a City officer to the respective applicants or in a report to a Council meeting.

## 10. Attendance fees

(a) A fee is payable to each member of the DAC for attendance at scheduled monthly and special meetings. The fee is to be as prescribed in the City's Schedule of Fees and Charges and is to be reviewed by the Council at three-yearly intervals.

(b) When a member of the DAC appears on the City's behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at a mutually agreed hourly rate consistent with the qualifications, experience and professional status of the member.

### Other in Force Documents

- City of South Perth Schedule of Fees and Charges
- *Architects Act 2004* (Western Australia)

### Other relevant Information

- Architects Register of Western Australia, comprising a list of all practising Architects and licensed Corporations registered with the Architects Board of Western Australia, located at: <http://www.architectsboard.org.au/pdf/Roll/Practising.pdf>

### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Adoption for community consultation</b>	<b>2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

# Community Partnership

2008/2011



## **The Parties**

The parties to this agreement are:

City of South Perth ('the City')  
Sandgate Street  
SOUTH PERTH WA 6151

and

Southcare Incorporated ('Southcare')  
54 Bickley Crescent  
Manning WA 6152

ABN: 33 028 429 736

---

# Community Partnerships

## Background

### Joint Objectives

This Community Partnership Agreement outlines how the City of South Perth can assist Southcare in the delivery of programs for people disadvantaged in the community.

### City of South Perth

The City of South Perth recognises that effective community outcomes can best be achieved by working in partnership with organisations towards common goals. The City is committed to identifying partnering opportunities and developing Community Partnership Agreements that are aimed at delivering benefits to the City of South Perth Community.

The goals of the Community Partnerships program are to:

1. provide opportunities to develop partnerships between the City and the community;
2. enable groups and individuals to maximise their development opportunities;
3. provide an equitable means by which community groups can access funding;
4. provide a process for distributing funds to meet defined outcomes; and
5. involve stakeholders in a shared approach to the development of projects and services in the City.

The City of South Perth's Mission is;

*To enhance the quality of life and prosperity of our community*

Within the City's Strategic Plan sits six goals, one of which is Community Enrichment. Strategy 2.2 under this goal states;

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

The City's Community Partnership program is part of this strategy.



The City supports strongly the work of Southcare, in particular Southcare's Aged Care and Aboriginal Family support programs, both of which meet identified needs in the City of South Perth community.

### **Southcare**

The Objectives of Southcare are to:

1. Help develop a community in which fellow members care for and assist one another;
2. Establish and provide a range of family and aged care support services to meet the needs of residents of the City of South Perth who are disadvantaged by age, disability, unemployment, poverty, social and familial stress;
3. Link volunteers from member organisations and elsewhere to participate in the delivery of appropriate services; and

Promote and make these services available to all members of the community **Moorditj Keila**

Southcare operates a program called *Moorditj Keila* which provides support for Aboriginal families in the community.

*Moorditj Keila* (happy healthy dolphin) is the name given to the program by native title holder and elder Mrs Dorothy Winmar of Manning. The dolphin is significant to Aboriginal people for the Canning and Swan River areas adjacent to the City of South Perth. The program is aimed at building healthy relationships and promoting safe and happy lives for children, youth, women, men and the family unit.

The objective of the *Moorditj Keila* program is to develop the capacity of the Aboriginal community in partnership with the broader community to empower individuals and families to build a community of trust, engagement and participation for the mutual benefit of all.

Within the *Moorditj Keila* is the Moorditj Yorgas (Women's) Danjoo Wangkanining group and Marmans (Men's) group, which work collaboratively with Southcare's Aboriginal Family Support Services and relevant stakeholders in developing and supporting an holistic health and well-being service to Aboriginal people encompassing wider community benefits.

## The Operative Part

### 1. Period of the agreement

This agreement commences on ..... 2008 and will cease on 30 June 2011.

### 2. Funding and Support

2.1. The City agrees to pay Southcare \$65,000 (excluding GST) to help fund Southcare programs for the 2007/08 financial year.

2.2. The City agrees to pay Southcare an additional \$5,500 (excluding GST) to support the Moorditj Keila program for the 2007/08 financial year and to provide the following support exclusively for the Moorditj Keila program;

2.2.1 Manning Hall - Fridays 6am - 2pm free of charge plus up to six additional free uses of Manning Hall per year subject to the City's booking procedures for activities of Moorditj Keila

2.2.2 Manning Hall - exclusive use of the storage room.

2.2.3 Administration Space - subject to City procedures and availability of venues, to provide exclusive use of a venue as a base for the coordination of the Moorditj Keila program

2.3. Funding for subsequent years of this agreement is subject to the City's annual budgeting process. Details of funding for each of the subsequent years of the agreement shall be attached as an addendum to this agreement.

2.4. Funding under this agreement is subject to the City receiving Southcare's most recent audited financial statements, current certificate of incorporation and details of current office holders and board members.

### 3. GST

This funding arrangement is dependent upon the City receiving written evidence of Southcare's Australian Business Number (ABN) and supplying the City with a fully compliant Tax Invoice.

### 4. Programs

Southcare agrees to provide Programs that support people disadvantaged in the community including an Aboriginal Family Support Program and Aged Care Programs.

**5. Promotion**

The parties will promote the Community Partnership in any appropriate communication and public relation opportunities.

**6. Indemnity**

Southcare will indemnify the City of South Perth for Southcare's legal liability to pay compensation (including claimants' costs, fees and expenses) in accordance with the law of Australia or assumed under contract or agreement in respect of:

- (a) Personal Injury
- (b) Property Damage
- (c) Advertising Liability
- (d) Defamation

as a result of an occurrence happening in connection with Southcare's business or Southcare's products and/or work performed by or on behalf of Southcare.

**7. Termination**

7.1. The Parties agree that this Agreement will terminate if both Parties agree in writing to terminate this Agreement.

7.2. The Parties agree that this Agreement will terminate if Southcare dissolves or goes into administration.

7.3. The Parties agree that this Agreement will terminate if the City gives Southcare two weeks notice in writing after Southcare has breached a clause of the Agreement and continues to breach that clause of the Agreement after the City has given Southcare a notice in writing to remedy the breach.

7.4. If this Agreement is terminated then the parties agree that Southcare will return to the City all of the funding that Southcare has not applied to its Programs.

7.5. The parties agree that the City reserves the right to reduce and/or terminate access to Manning Hall during the life of this agreement in the event that major maintenance or redevelopment work is undertaken at that venue.

7.6. The Parties agree that this Agreement will terminate upon the passing of 30 June 2011.

**8. Accounting**

- 8.1. Southcare agrees to maintain proper books of accounts and financial statements.
- 8.2. Southcare agrees to allow the City to view its books of accounts and financial statements upon request.
- 8.3. Southcare agrees to engage an independent auditor to conduct regular audits of the Southcare books of accounts and financial statements.
- 8.4. Southcare agrees to allow the City to view the audit statements upon request.

**9. Notices**

- 9.1. Each party shall give all notices in writing to the other party at the address each party nominates for this purpose.

**10. Interpretation**

- 10.1. In this Agreement:

- 10.1.1. words expressed in the plural shall also include the single and words expressed in the single shall also include the plural; and

- 10.2. In this Agreement the following definitions shall apply:

- 10.2.1. "Agreement" means this Deed of Agreement for the purpose of funding.

- 10.2.2. "Funding" means the amount stipulated in clause 2 of this agreement that the City provides to Southcare.

- 10.2.3. "GST" has the same meaning as it has in section 195-1 of the *A New Tax System (Goods and Services Tax) Act 1999*;

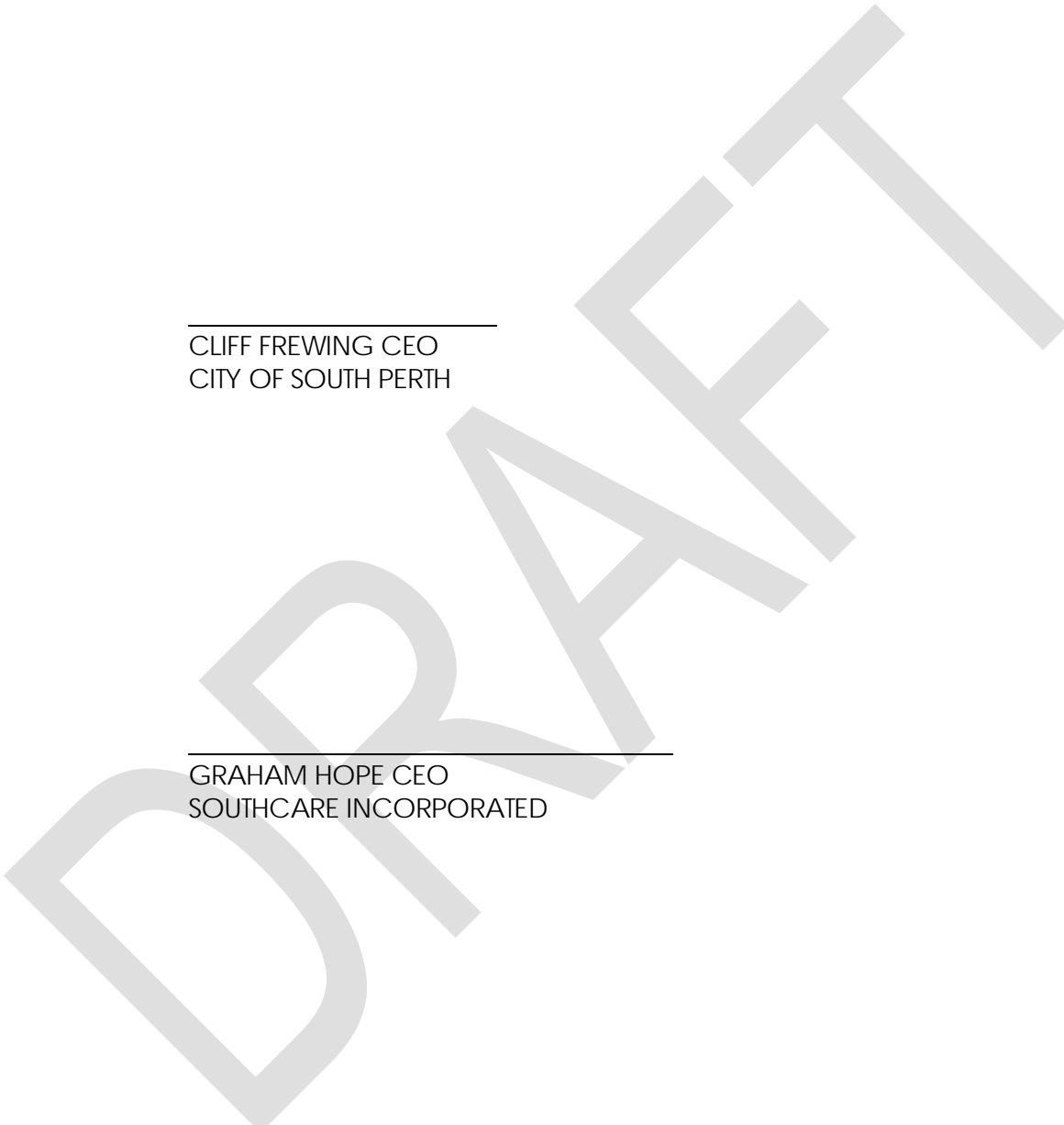
- 10.2.4. "Programs" means all community programs that Southcare provides in order to meet its Objectives.

**Execution and date**

Executed as an agreement on ..... 2008.

\_\_\_\_\_  
CLIFF FREWING CEO  
CITY OF SOUTH PERTH

\_\_\_\_\_  
GRAHAM HOPE CEO  
SOUTHCARE INCORPORATED





**Department of Housing and Works**  
Government of Western Australia

**Public Works & Building Services**

Don Nicolson  
9222 8154  
Project 72184

City of South Perth  
Civic Centre  
South Perth WA 6151

Attention: Planning Department

Dear Sir/Madam

**Re: Proposed Aged Persons Units at Lot 4 (25) Wooltana Street Como**

Reference is made to Development Application for this proposed development and the performance criteria requirement for Aged or Dependent Persons dwellings in relation to the Minimum number of Dwellings (RCodes 4.1.2.A2).

The Department is the major provider of low cost rental housing for seniors in Western Australia. There is a need to supply and locate Aged Persons throughout the Metropolitan area and I wish to submit the following information in support of the Departments submission.

**Current Demand For Aged Pensioner Accommodation**

The Department of Housing and Works rental waiting list has strong demand for aged persons accommodation in the South Central Zone, which includes Como.

- 35 aged persons waiting on 2 bedroom accommodation for which the current waiting period is 5 years
- 74 aged persons waiting on 1 bedroom accommodation for which the current waiting period is 3 years

**Public Transport**

Transperth operate a seven per day a week bus service along nearby Ley Street with bus route number 30.

This service runs between Aquinas College and the Wellington Street bus station in Perth and has bus stops on both sides of the road within 110 metres of Lot 4 Wooltana street.

**Medical Facilities**

Manning Medical Centre and surgery is located within 50 metres of the site on the corner of Wooltana and Ley Streets

169 Hay Street East Perth Western Australia 6004  
Private Bag 22 East Perth Western Australia 6892  
Telephone (08) 9440 2211 Facsimile (08) 9440 2222  
[www.dhw.wa.gov.au](http://www.dhw.wa.gov.au)

**Convenience Shopping**

Lot 4 Wooltana street is located within 100 metres of a local shopping centre on the corner Manning road and Ley streets.

The shopping centre consists of two delicatessens, four take away food outlets, men and women's hairdressing salons, and a women's beauty salon.

Wellwyn Avenue Shopping Centre is located within 800 metres on the corner of Bradshaw and Wellwyn streets in Manning.

This centre contains an IGA supermarket, a fresh fruit and veg shop, chemist and post office, delicatessen, bakery, butcher, women's hairdressing salon, men's clothing store and a restaurant.

The larger Waterford Shopping Centre is located 2.2 kilometres away on the corner of manning road and Kent street.

**Banking**

A Cashlink ATM is available at the Wellwyn Avenue Shopping Centre (800 metres). Access to Bankwest and Commonwealth Bank Atms is available at Waterford Plaza Shopping Centre on the corner of Manning road and Kent street (2.2 kilometres).

**Recreational centre**

Manning Senior Citizens Centre is located within 250 metres on the corner of Ley and Downey streets.

**Public telephone**

A public telephone is located 60 metres away on the corner of Manning road and Ley streets.

**Australia Post Mailbox**

An Australia Post mailbox is located 60 metres away on the corner of Manning road and Ley streets.

**Taxi Rank**

A taxi rank is located at Waterford Shopping Centre

The Department of Housing and Works requests consideration of the submission for this Development Approval for this site for 3 units instead of the 5 units as stated in the RCodes 4.1.2.A2.

We await your determination on this submission and our development proposal for this site to enable to move ahead with this proposal to provide much needed accommodation for Aged Persons

Please do not hesitate to contact me on 9222 8154 should you have any further queries

*D.R. Nicolson*

Don Nicolson  
Project Manager  
Housing Procurement  
February 11 2008

<b>PROJECT:</b>	LOT 4 WOOLTANA STREET SOUTH PERTH 3X2 BEDROOMS AGED PERSONS UNITS
-----------------	----------------------------------------------------------------------

**SCHEDULE OF EXTERIOR MATERIALS AND PAINT COLOR****EXTERIOR MATERIALS****Brick/block paving**

Vehicular:	Thickness	65mm	Colour	Courtstone
Pedestrian:	Thickness	52mm	Colour	Courtstone

*Approved brick/block paving manufacturers are Midland Brick, Metro Brick, BGC, Atlas and Boral*

<b>Aluminum finish:</b>	Stegbar 'MAGNOLIA' powdercoat finish
-------------------------	--------------------------------------

<b>Face brick/blocks:</b>	1. Midland Brick type		Colour	
	2. Metro Brick type		Colour	Fremantle
			Band	Teifer

*Either manufacturers are acceptable*

**Mortar Face Masonry**

<b>Colour:</b>	Cream
<b>Joints:</b>	Rolled

**Roofing**

<b>Profile:</b>	Alpine
<b>Colour:</b>	Sunset

*Approved Concrete roof tiles manufacturer are Pioneer, Monier and Harmony*

**External steel wall lining**

<b>Colorbond color:</b>	N/A
-------------------------	-----

**EXTERIOR PAINT COLORS**

<b>Colour selection from:</b>	Dulux, Taubmans
-------------------------------	-----------------

*Exact colour matched paint from APPROVED manufacturers may be used*

<b>Gutter:</b>	Colorbond Paperbark
<b>Fascia, barge:</b>	Colorbond Paperbark
<b>Gable linings:</b>	Shelduck
<b>Gable battens:</b>	N/A
<b>Eaves &amp; external ceilings:</b>	Shelduck
<b>Exposed roof timber, birdboard, roof beams:</b>	Shelduck
<b>Column posts</b>	High Gloss White
<b>Balustrades</b>	N/A
<b>Timber doors &amp; window frames</b>	To match aluminum color
<b>Doors:</b>	High Gloss White
<b>Gates &amp; gate posts:</b>	High Gloss White
<b>Meter box:</b>	Colorbond Headland
<b>Downpipes:</b>	Colorbond Headland





Mr and Mrs Fiore however do not wish to construct a multiple dwelling on this site and choose to construct a single residential building on this R 80 lot. The Requirements of the R Codes refer development of single residential buildings in R80-R160 areas to the requirements of single residential buildings for the R60 codes, and as such limiting the building area through a reduced plot ratio requirement of 0.65 to 473 sqm and a reduced open space requirement of 45%. The height and bulk of the building are controlled by limitations consistent with multiple dwelling developments for R80 areas.

The Intent of the R codes is principally to determine density of development by means of the R Coding of a particular lot . Plot Ratio, as defined in Part 3, Element 1 of the R codes "is an indirect means of development control, although it is a relatively effective means of controlling building bulk, which is its main purpose in the Codes.". As such it is the intent of the R Code to use plot ratio to principally control building bulk. The R Codes also acknowledges "that as a means of controlling the density it has a tendency to distort housing provision, in that in some cases it encourages development of a large number of smaller dwellings in the interest of optimising yield at the expense of dwelling size." In our case where we wish to develop only one residence we are actively discouraged from developing a smaller number of dwellings through a reduced plot ratio.

On the basis that plot ratio is the R Codes mechanism for the control of building bulk, and setbacks and the City's height restrictions establish building parameters, there is an expected building envelope compliant with the R 80 development criteria for between 2 and 5 dwellings on this lot. It is not unreasonable to expect that a single residence contained within the same building envelope as required for a multiple dwelling would not adversely affect the amenity of adjoining owners, the existing street cape and amenity of the area.

In this proposal we intend to reduce the number of dwellings below the maximum permitted of 5 to 1, and to construct a single home that meets the permitted requirements of building bulk as determined by the plot ratio for a multiple dwelling for this site.

Plot ratio and Open Space provisions provided by this proposal conform with the R80 requirements and are as follow:

Site Area	728 sqm
Plot Ratio Area	728 sqm
Plot Ratio	1.0
Open space area	452
Open space proportion	62 %

On Performance based assessment of this proposal the expected amenity of the locality is unchanged and the proposal is consistent with the 'Intent' of the R Codes in respect of Density Control (Part 1) and Plot Ratio (Part 3)

1. Current Single Residential use of this lot is maintained preserving the existing residential character of the locality and is catering for the demand for a particular form of housing in a given area.
2. Demands on existing infrastructure, roadways etc are unchanged and are less than those incurred by the development of a multiple dwelling.
3. Density of the lot development is less than permitted
4. Building height and mass are consistent with the expected building form for this and adjoining lots.
5. The building form and it's impact on the surrounding amenity of this home will be no different to that of a permitted multiple dwelling.
6. The South Perth DAC have provided supportive comment on the proposed development

We seek the Council's favourable consideration of this building as a single residential development with plot ratio requirements consistent with those required by a multiple dwelling in an R80 area, being a plot ratio of 1

### Setback Variations

The proposed residence complies with the setbacks requirements as defined by the R Codes except for the following minor variations all of which are located on the southern elevation of the proposed dwelling and are identified on the accompanying drawings:

Location	Required Setback	Provided Setback
Laundry/Games Room	2.2	1.8
Games Room	1.2	1.0

Bedroom 1	4.7	4.6
-----------	-----	-----

The above set back variations do not have a significant impact on the amenity of the adjoining lot as the southern boundary of the proponents lot adjoins the driveway and the garaging area of the adjacent apartment building, any impact that the set back variation may have is essentially on a common property vehicular access way.

### Walls on Boundary

The Southern wall to the building on level 1 is located on the boundary and has been designed to comply with the City,s policy on boundary walls. Recessed panels in the wall have been provided to articulate the wall plan and modify the apparent scale of the wall.

An aluminium louvered privacy screen is set back 300mmm from the face of the boundary wall and provides privacy between adjoining owners at the terrace level.

The boundary wall is located adjacent to the adjoining properties drive way and as such the amenity of the adjoining apartment owners is not unduly affected as previously identified under setbacks above.

### Privacy

Windows to the Guest Bedroom and Bedrooms 2-5 are oriented towards the river and are screened from the adjoining property by blade walls. A small portion of the 4.5m vision zone for bedroom areas extends over the southern boundary of the lot.. The potential over looking of the adjoining lot from these bedroom windows occurs over the common driveway and as such does not provide for any direct overlooking between habitable spaces or out door living areas.

### Building Materials

Roof	Colorbond Steel
Walls	Sand finished render and Painted
Walls	Zinc cladding
Wall (Basement)	Natural stone rough cut finish
Glazing	Aluminium frames with tinted glass(light tint)
Screens and pergolas	Aluminium

We look forward to Council's favourable consideration and approval of this proposal and are more than willing to meet with you as required.

Please do not hesitate to contact me if you have any further queries with regards to this submission.

Yours Sincerely,

Andrew Boughton

---

for  
Boughton Architecture

**"4. Occupation restriction**

- (1) *To comply with the occupation restriction that applies to the lots as at the date of registration of this by-law:*
  - (a) *the use of the lots is subject to the restriction that no person shall occupy any lot for any time comprising this strata plan for more than a total of six months in aggregate during any twelve month period;*
  - (b) *the proprietors must use a common booking agency appointed from time to time by the strata company to manage the letting of the lots and refrain from using for the letting of its lot any booking agency other than the common booking agency appointed from time to time by the strata company; and*
  - (c) *the strata company must cause the common booking agency to provide an audited report for each financial year to the strata company by not later than 1 October following the end of that financial year, which audited report confirms that none of the lots were used in contravention of by-law 4(1)(a) and the strata company must forward the audited report to the City of South Perth.*
- (2) *Notwithstanding by-law 4(1), the strata company and each proprietor agree that if the occupation restriction that applies to the lots as at the date of registration of this by-law:*
  - (a) *ceases to apply, then this by-law 4 will automatically cease to apply from that date; or*
  - (b) *is changed to allow occupation for more than a total of six months in aggregate during any twelve month period, then a proprietor may use their lot accordingly.*
- (3) *Subject to by-law 4(2), this by-law 4 has been made by the strata company at the request of the City of South Perth under section 42(2d) of the Strata Titles Act and will require the consent of the City of South Perth before any repeal of or amendment to this by-law can take effect."*

27 July 2007

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

Attention: Steve Cope

Dear Sirs

**137 MELVILLE PARADE COMO – STRATA PLAN 25141**

On 6 December 2003 the strata company for 137 Melville Parade, Como unanimously resolved to have the following Section 6 endorsement removed from the Strata Plan:

*"Pursuant to Section 6 of the Strata Titles Act, the use of lots is restricted as follows:*

*No person shall occupy any Lot at any time comprising this strata plan for more than a total of six months in aggregate during any twelve month period."*

At the time of the meeting Brett Jackson, due to his understanding of the subject as he was the initial Developer, was approached to assist the Strata Company in achieving the outcome of the resolution. (The Strata Company is aware that the removal of the Section 6 endorsement requires approval from the City of South Perth (City) and WA Planning Commission before formal documentation is processed by the Strata Company.)

Mr Brett Jackson has advised the Strata Company that he has met with the City over a period of time to discuss the processes and requirements required by the City to achieve the Strata Company's unanimous resolution of 6 December 2003. Based on these meetings the City has advised that they are prepared to consider the removal of the Section 6 endorsement subject to satisfactory safeguards being in place to protect the integrity of the City's initial Planning Consent Serial No. 11/2237 dated 27 September 1993.

Based on Brett Jackson's discussions with the City he appointed Corrs Chambers & Westgarth (Corrs) to prepare a synopsis/outline proposing alternative safeguards to achieve the City's planning objectives and allow for the removal of the Section 6 endorsement on the Strata Plan. The Corrs' synopsis/outline, which summarises Brett Jackson's and the City's discussions, would then be reviewed by the City and their approved consultants to determine if it achieved the discussed objectives.

The Corrs synopsis/outline, addressed to ourselves and dated 19 January 2007, is attached.

Please accept this correspondence as an Application to the City from The Owners of Broadwater Resort Como Strata Plan 25141 of 137 Melville Parade, Como, WA 6152 to consider, and if appropriate, provide necessary consents to allow a submission to be presented to the W.A. Planning Commission for removal of the Section 6 endorsement after implementation of safeguards detailed in the Corrs synopsis/outline by the Strata Company.

Kareelya has agreed, subject to notification of the amount, to meet the City's costs for the review of the synopsis/outline prepared by Corrs. Please contact Mr Brett Jackson direct for any confirmation of this aspect and payment of review fees. All other costs associated with the Application will be met by the Strata Company

#### **Rationale for Request to Remove Section 6 Endorsement**

The Strata Company passed the resolution to remove the Section 6 endorsement due to problems that exist with financiers and valuers. Financiers believe the Section 6 has diminished the Strata Title's security and restricted the sales opportunities for the complex. The issue had resulted in the Strata Lots becoming very illiquid (no re-sales) which resulted in a reduction in their capital value. In summary the issues are as follows:

- i) Valuers and advisers to financiers do not agree with utilising a Section 6 endorsement, as done by the initial developer on registration of the subject Strata Plan, to ensure conformity with the City's Planning Approval for a development. Financier's advisers, due in main to changes in strata title legislation since 1993, believe that the utilisation of controls within the Strata Plan's Management Statement and Bylaws are more appropriate to achieve the City's protection of its planning objectives, rather than a covenant/encumbrance on the Strata Plan.

Changes to Strata Title legislation encourage the use of Management Statements to outline the Development Objective. The amendments to legislation also require Disclosure Statements (Form 28) to ensure that all parties are aware of previous Development Approval issues for a complex, if they are noted within the Bylaws and Management Statement.

It is now a requirement for all Buyers and Sellers of strata titled property to utilise a Strata Title Disclosure Statement (Form 28).

The synopsis/outline prepared by Corrs proposes a structure that is accepted by Financiers and still ensures the conditions set by the City are suitably transparent to assist in maintaining the City's objectives.

- ii) the structure put in place by the initial developer (use of a Section 6 endorsement for Development Approval protection) is unique and not replicated in other developments. Section 6 endorsements have been used in other municipalities to protect the integrity of short stay tourism zoned land which is not the case for the subject site which has a broader zoning.

#### **Carparking Shortfalls – Possible Future Use**

In addition to the above, the valuers recognise that the existing development of 58 apartments has a carparking shortfall if it was to ever to be utilised, or meet the City's planning guidelines, for residential occupation (the Strata Company understands that residential occupation is an allowable use on the site, subject to the building and other improvements conforming with the City's requirements).

Currently all of the 58 apartments are subject to a lease (Registration Number F595008) which expires 30 June 2018 and brings all the owners into a "collective" for operation of the 58 apartments as tourism accommodation. The development has proven popular with guests and the actual business has proven very successful and currently provides owners with the highest and best income return on their investment.

Owners would like to continue this type of use in future to achieve the income benefit, however unless the property has capital appreciation and liquidity, which has been severely affected by the Section 6 endorsement, financiers will continue to place restrictions on the titles being used as security for financing. Unless this issue is dealt with now, some owners will simply elect alternative uses (after expiry of the lease) to obtain capital gain and financing benefits. (The use of the apartments for residential purposes at a later date (post 2018) would of course be very hard to monitor and control by the City and Strata Company.)

The possibility, after 30 June 2018, of some owners simply electing to "go it alone" and do their own thing, sell as Residential Apartments, is obvious as this will improve the liquidity and capital value of their investment. Without addressing the Section 6 and carparking issue now the City and other owners will have potential problems at a later date in getting all parties to agree if capital contributions need to be paid. (In our opinion it will become difficult, if not impossible, for the City to also enforce the previous Development Approval conditions at a later date, if the owners are not in one collective and amendments made to the Management Statement and Bylaws.)

Brett Jackson has advised that the City would, subject to a request from the Strata Company, review the possibility of the Body Corporate paying an amount now for future "cash in lieu" for the parking shortfall, which we understand was one of the main reasons the Section 6 endorsement was placed on the Strata Plan in the first instance. The monies for the "cash in lieu" parking, subject to everyone agreeing, would hopefully be utilised by the City to provide additional carparking and other improvements in the immediate precinct which would be a long term benefit to all owners and the City.

Note: It is acknowledged by the Strata Company that any future use of the 58 Apartments for residential purposes would require an Application to the City for residential occupation, which would be subject to meeting current planning restrictions. However based on the "cash in lieu" payment being proposed the current carparking shortfall would not be an issue. The Strata Company is not actively promoting the conversion of the 58 Apartments for Residential use.

If the City agrees to the above requests, please contact either myself or Brett Jackson to discuss what is required to allow appropriate consents to be issued.

Yours faithfully

  
DION FOTAKIS  
CHAIRPERSON

STRATA COMPANY COUNCIL  
STRATA PLAN 25141

# City of South Perth

Attachment 10.5.1

## List of Application for Planning Approval Determined Under Delegated Authority for the Period 1/02/2008 to 29/02/2008

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000267.001	LO1/18	7/02/2008	188 Lockhart ST COMO	RJ Knott, PT Ker & Associates	Approved	TWO SINGLE HOUSES
011.2007.00000320.001	CL4/79	21/02/2008	79 Clydesdale ST COMO	Mr R L Von Burgel	Approved	PATIO ADDITION TO GROUPE D DWELLING
011.2007.00000381.001	JU1/3 -	21/02/2008	3 Jubilee ST SOUTH PERTH	Mr P W Galbraith	Approved	Additions / Alterations to Single House
011.2007.00000460.001	EL3/1	8/02/2008	1 Elizabeth ST SOUTH PERTH	Plunkett Homes	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000463.001	GL3/12	11/02/2008	12 Glyde ST SOUTH PERTH	Overman & Zuideveld Pty Ltd	Approved	TWO SINGLE HOUSES : TWO STOREY
011.2007.00000509.001	RI3/79	21/02/2008	79 River WY SALTER POINT	Mrs L M Lambert	Approved	Additions / Alterations to Single House
011.2007.00000517.001	HO1/81	27/02/2008	81 Hobbs AVE COMO	JWH Group Pty Ltd	Approved	TWO STOREY GROUPE D DWELLING
011.2007.00000534.001	LA5/92	27/02/2008	92 Lansdowne RD KENSINGTON	Mr B M Clarke	Approved	Additions / Alterations to Single House
011.2007.00000542.001	GW1/14	11/02/2008	140 Gwentyfred RD KENSINGTON	Carport Constructions	Approved	Carport Addition to Single House
011.2007.00000574.001	DO2/12	11/02/2008	128 Douglas AVE SOUTH PERTH	Mr G W Leiper	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000606.001	PA1/3	27/02/2008	Park ST COMO	Plunkett Homes	Approved	Single House
011.2007.00000620.001	CO6/40	22/02/2008	40 Coode ST SOUTH PERTH	Wesley College	Approved	Additions / Alterations to Car Park
011.2007.00000638.001	FO4/16	21/02/2008	16 Fourth AVE KENSINGTON	Kalmar Factory Direct	Approved	Additions / Alterations to Single House
011.2007.00000644.001	HO2/39	27/02/2008	39 Hope AVE SALTER POINT	Bella Casa Developments	Approved	Additions / Alterations to Single House
011.2007.00000665.001	AR1/7	27/02/2008	7 Arlington AVE SOUTH PERTH	Webb & Brown-Neaves Pty Ltd	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000670.001	LO1/11	27/02/2008	113 Lockhart ST COMO	Patio Living	Approved	Carport Addition to Single House
011.2007.00000671.001	TH1/44	26/02/2008	44A Thelma ST COMO	Mr T Cherrie	Approved	TWO SINGLE HOUSES : TWO STOREY
011.2007.00000672.001	MC1/34	11/02/2008	34 McDonald ST COMO	Ms K M Mulligan	Approved	Additions / Alterations to Single House
011.2008.00000001.001	MI3/30	22/02/2008	304 Mill Point RD SOUTH PERTH	Mr A Gianatti (Section 51B)	Approved	Additions / Alterations to Single House
011.2008.00000006.001	SU3/10	27/02/2008	10 Susan ST KENSINGTON	Outdoor World	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000008.001	BO3/23	4/02/2008	23 Bourke ST KENSINGTON	P L Lai	Approved	HOME OCCUPATION
011.2008.00000009.001	GR2/31	4/02/2008	31A Griffin CRES MANNING	Great Aussie Patios	Approved	PATIO ADDITION TO GROUPE D DWELLING



**List of Application for Planning Approval Determined Under Delegated Authority for the Period 1/02/2008 to 29/02/2008**

<b>Application #</b>	<b>Ext. Ref.</b>	<b>PC Date</b>	<b>Address</b>	<b>Applicant</b>	<b>Status</b>	<b>Description</b>
011.2008.00000011.001	LA5/13	27/02/2008	139 Lansdowne RD KENSINGTON	A-Z Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000022.001	DU2/13	21/02/2008	13 Dungarvan CT WATERFORD	Ms K Henderson	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000023.001	SO2/16	20/02/2008	163 South TCE COMO	Dale Alcock Home Improvement	Approved	Additions / Alterations to Single House
011.2008.00000026.001	WE1/64	27/02/2008	64 Welwyn AVE MANNING	Ross North Homes	Approved	Single House
011.2008.00000028.001	TU3/9	27/02/2008	9B Tullamore CL WATERFORD	Outdoor Centre Holdings Pty Ltd	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.00000030.001	MI3/75	12/02/2008	75 Mill Point RD SOUTH PERTH	Cronerobinson Architecture Studios	Approved	Multiple Dwellings
011.2008.00000034.001	MC1/28	27/02/2008	28 McDonald ST COMO	Kalmar Factory Direct	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.00000050.001	LU1/5 -	27/02/2008	5 Lurnea PL KARAWARA	Mr J G L Thompson	Approved	PATIO ADDITION TO SINGLE HOUSE

# THE VICTORIAN SUSTAINABLE DEVELOPMENT CONFERENCE 2008

Tuesday April 22 and Wednesday April 23, 2008 ZINC @ Federation Square



The **Victorian Sustainable Development Conference 2008** will bring together decision-makers from the private and public sectors, industry leaders, local government, scientists, conservationists and others to discuss the current and future directions and frameworks for sustainability in Victoria, and how it will affect Victorian local and state government, business and the community.

The Conference will provide an opportunity to examine progress towards sustainable objectives in a range of key areas such as: Victorian policy and progress, water, waste and resource recovery, energy efficiency, climate change response and planning and urban design, including a review of the Melbourne 2030 strategy.

The Conference will also feature best practice case studies in sustainable development, including supporting workplaces to become more sustainable, addressing challenges of sustainability, and provide advice on how state and local government and business can achieve their sustainable development goals in a cost-effective manner.

## Keynote Speakers:

- Hon. Gavin Jennings MLC, Minister for Environment and Climate Change
- Hon. Peter Batchelor MP, Minister for Energy and Resources
- Dr Ian McPhail, Commissioner for Environmental Sustainability
- Timothy Piper, Director, AiGroup
- Kelly O'Shanassy, Chief Executive Officer, Environment Victoria
- Rob Hogarth, Partner, KPMG
- Dr Wendy Craik, Director, Murray-Darling Basin Commission

## Confirmed Speakers include:

- Andrew Allan, President, Stormwater Industry Association - Victorian Branch
- Michael Ambrose, Construction Systems Scientist, CSIRO Sustainable Ecosystems
- Linda Bradburn, Education Officer, Melton Shire Council
- Larissa Brown, Executive Director, Centre for Sustainability Leadership
- David Buntine, Chief Executive, Port Phillip and Westernport Catchment Management Authority (PWCMCA)
- Colin Dimitroff, Principal, Corporate Sustainable Solutions, URS Asia Pacific
- Robert Easson, Manager Alliance Partners, Prima Consulting
- Andrew Fennessey, Principal Adviser Industry and Economics, Department of Sustainability and Environment
- Emma Herd, Director, Emissions & Environment, Westpac
- Paul Holper, Manager, Australian Climate Change Science Program, CSIRO Marine & Atmospheric Research
- Chloe Munro, Commissioner, National Water Commission
- Robert Kerr, Commissioner, Victorian Competition and Efficiency
- Robert Powell, Industrial Resource Efficiency Officer, City of Frankston
- Cathy Ronalds, Policy Officer - Climate Change Adaptation, Department of Sustainability & Environment
- Maria Simonelli, Executive Manager, ICLEI Australia/New Zealand
- Brian Peardon, CEO, Waterexchange
- Thinh Tran, Project Manager, Sustainability Victoria
- Jon Ward, General Manager, Business, Innovation & Technology, Sustainability Victoria
- Tony Wood, Executive General Manager, Corporate Communications & Government Relations, Origin Energy
- Phil Harrington, Principal Consultant, Climate Change & Sustainable Development, Pitt & Sherry

ORGANISED BY HALLMARK  
CONFERENCES + EVENTS  
[www.halledit.com.au](http://www.halledit.com.au)



SILVER SPONSOR:



GOLD SPONSORS:



SUPPORTED BY:



The Society for Sustainability  
and Environmental Engineering



The Local Government  
Environment Network



ENVIRONMENT  
INSTITUTE OF  
AUSTRALIA AND  
NEW ZEALAND

To register: fax (03) 9530 8911, phone (03) 8534 5000, register online [www.halledit.com.au](http://www.halledit.com.au) or email [registration@halledit.com.au](mailto:registration@halledit.com.au)

# THE VICTORIAN SUSTAINABLE DEVELOPMENT CONFERENCE 2008

DAY ONE: Tuesday April 22, 2008

## 9.00 CONFERENCE WELCOME

### SESSION 1: VICTORIAN SUSTAINABILITY POLICY AND PROGRESS



**9.05 BUILDING A SUSTAINABLE STATE**  
**Dr Ian McPhail**, Commissioner for Environmental Sustainability

## 9.30 ENHANCING VICTORIA'S LIVEABILITY INQUIRY

**Robert Kerr**, Commissioner, Victorian Competition and Efficiency Commission (VCEC)



**10.00 BUSINESS LEADERS SUSTAINABILITY REPORT CARD**  
**Timothy Piper**, Director, AiGroup



**10.25 A SUSTAINABILITY REPORT CARD: HOW VICTORIA IS SHAPING UP**  
**Kelly O'Shanassy**, CEO, Environment Victoria

## 10.50 MODERATED DISCUSSION

## 11.00 MORNING TEA

### SESSION 2: SUSTAINABILITY IN PLANNING

## 11.15 APPLICATION AND DEVELOPMENT OF THE SUSTAINABLE COMMUNITY RATINGS

**Martin Williams**, Sustainability Manager, VicUrban

## 11.35 SUSTAINABLE PUBLIC TRANSPORT

**Meredith Sussex**, Co-ordinator General Infrastructure, Department of Infrastructure

## 11.55 THE WHY AND HOW OF SUSTAINABLE URBAN DESIGN

**Michael Ambrose**, Construction Systems Scientist, CSIRO Sustainable Ecosystems

## 12.15 COMMUNITY ENGAGEMENT AS A FACTOR IN WINNING THE AUSTRALIAN SUSTAINABLE CITIES AWARDS

**Linda Bradburn**, Education Officer, Melton Shire Council

## 12.45 MODERATED DISCUSSION

## 1.00 LUNCH

### SESSION 3: GREENHOUSE AND ENERGY EFFICIENCY



**1.45 KEYNOTE ADDRESS**  
**The Hon. Peter Batchelor**, Minister for Energy and Resources

## 2.10 WHERE TO FOR INDUSTRY IN A CARBON-CONSTRAINED ECONOMY?

**Jon Ward**, General Manager of the Business, Innovation & Technology Team, Sustainability Victoria



**2.40 MANAGING RISKS OF CLIMATE CHANGE**  
**Rob Hogarth**, Partner, KPMG

## 3.00 CLIMATE CHANGE AND VICTORIAN INFRASTRUCTURE – PLANNING AHEAD

**Paul Holper**, Manager, Australian Climate Change Science Program, CSIRO Marine & Atmospheric Research

## 3.20 FUTURE COASTS: DEVELOPING STRATEGIES TO PROTECT VICTORIA'S FRAGILE COASTLINE

**Cathy Ronalds**, Manager Climate Change Adaptation, Department of Sustainability and Environment

## 3.40 MODERATED DISCUSSION AND AFTERNOON TEA

### SESSION 4: ACHIEVING SUSTAINABILITY

## 4.00 APPLYING A RESOURCE EFFICIENCY PROCESS TO SUPPORTING WORKPLACES IN BECOMING MORE SUSTAINABLE

**Colin Dimitroff**, Principal, Corporate Sustainable Solutions, URS Asia Pacific

## 4.20 ADDRESSING THE CHALLENGES OF SUSTAINABILITY

**Robert Easson**, Manager Alliance Partners, Prima Consulting

## 4.40 MODERATED DISCUSSION

## 4.50 CLOSE OF DAY ONE PROCEEDINGS

# THE VICTORIAN SUSTAINABLE DEVELOPMENT CONFERENCE 2008

DAY TWO: Wednesday April 23, 2008

## 9.00 CONFERENCE WELCOME



**9.05 KEYNOTE ADDRESS: NATIONAL EMISSIONS TRADING**  
**The Hon. Gavin Jennings MLC**, Minister for Environment and Climate Change

## SESSION 5: DIRECTIONS IN WATER MANAGEMENT

**9.30 WATER MANAGEMENT ACTION PLAN (WATERMAP)**  
**Andrew Fennessey**, Principal Adviser Industry and Economics, Department of Sustainability and Environment

**9.55 NATIONAL AND VICTORIAN WATER INITIATIVES**  
**Chloe Munro**, Commissioner, National Water Commission



**10.20 MURRAY-DARLING BASIN FLOWS AND ITS IMPACTS ON ENVIRONMENT/IRRIGATION**  
**Dr Wendy Craik**, Director, Murray-Darling Basin Commission

**10.45 ACHIEVEMENT OF SUSTAINABLE STORMWATER MANAGEMENT IN POLICY AND PRACTICE**

**Andrew Allan**, President, Stormwater Industry Association – Victorian Branch

**11.05 WATER TRADING**  
**Brian Peardon**, CEO, Waterexchange

**11.25 MORNING TEA**

## SESSION 5 CONTINUED

**11.40 THE MELBOURNE ENVIRONMENT REPORT 2007**  
**David Buntine**, Chief Executive, Port Phillip and Westernport Catchment Management Authority (PPWCMA)

**12.00 MODERATED DISCUSSION**

## SESSION 6: WASTE MANAGEMENT AND RESOURCE RECOVERY

**12.10 METROPOLITAN WASTE AND RESOURCE RECOVERY STRATEGIC PLAN**  
**Think Tran**, Project Manager, Sustainability Victoria

**12.30 RESPONDING TO WASTE MANAGEMENT CHALLENGES FROM A REGIONAL PERSPECTIVE**

**Enzo Bruscella**, Executive Officer, Barwon Regional Group (Association of Victorian Regional Waste Management Groups (AVRWMG))

**12.50 MODERATED DISCUSSION**

**1.00 LUNCH**

## SESSION 7: BEST PRACTICE SHOWCASE

**1.45 CASE STUDY – HOW LOCAL GOVERNMENT IS ACHIEVING SUSTAINABILITY: THE LOCAL INDUSTRY EFFICIENCY PROGRAMME**

**Robert Powell**, Industrial Resource Efficiency Officer, City of Frankston

**2.05 WESTPAC: UNLOCKING VALUE**

**Emma Herd**, Director, Emissions & Environment, Westpac

**2.25 CURRENT WORK OF ICLEI AND FUTURE CHALLENGES**  
**Maria Simonelli**, Executive Director, ICLEI Australia/New Zealand

**2.45 CREATING A SUSTAINABLE FUTURE**

**Larissa Brown**, Executive Director, Centre for Sustainability Leadership

**3.05 MODERATED DISCUSSION AND AFTERNOON TEA**

**3.25 CASE STUDY: IMPLEMENTING SUSTAINABILITY WITHIN BIG BUSINESS**

**Tony Wood**, Executive General Manager, Corporate Communications & Government Relations, Origin Energy

**3.45 BUILDING TOWARDS A 6 STAR GREEN RATING**

**Dr Anne Hellstedt**, Consultant - Sustainable Design, Lend Lease

**4.05 MODERATED DISCUSSION**

**4.15 CLOSE OF CONFERENCE**

# THE VICTORIAN SUSTAINABLE DEVELOPMENT CONFERENCE 2008

Tuesday April 22 and Wednesday April 23, 2008 ZINC @ Federation Square

**FIVE EASY WAYS TO REGISTER:** online, fax, phone, email, mail

[www.halledit.com.au/conferences](http://www.halledit.com.au/conferences)

Fax: (03) 9530 8911

Phone: (03) 8534 5000

Email: [registration@halledit.com.au](mailto:registration@halledit.com.au)

Mail: PO Box 84, Hampton, Vic 3188

## ATTENDEES

### Delegate 1: Name

Full conference  Day 1  Day 2

Position \_\_\_\_\_

Email \_\_\_\_\_

### Delegate 2: Name

Full conference  Day 1  Day 2

Position \_\_\_\_\_

Email \_\_\_\_\_

### Delegate 3: Name

Full conference  Day 1  Day 2

Position \_\_\_\_\_

Email \_\_\_\_\_

### Delegate 4: Name

Full conference  Day 1  Day 2

Position \_\_\_\_\_

Email \_\_\_\_\_

## CONTACT DETAILS *Please fill in this section as well as the above*

Organisation \_\_\_\_\_

Address \_\_\_\_\_

Suburb \_\_\_\_\_ Postcode \_\_\_\_\_

Ph \_\_\_\_\_

Fax \_\_\_\_\_

## CONFERENCE FEES *(Please indicate number of attendees for each of the below:)*

[ ] x Standard Price (\$850 incl. GST) = [ ]

[ ] x 1 Day rate (\$500 incl. GST) = [ ]

**TOTAL AMOUNT** = [ ]

## PAYMENT METHODS *Payment must be received before the event*

### CHEQUE ENCLOSED

All cheques crossed and payable to Hallmark Editions Pty Ltd (*Hallmark Editions Pty Ltd is GST registered, ABN 43 102 605 434*)

Mail cheques to: Hallmark Conferences + Events, PO Box 84, Hampton, Vic 3188. ***Please enclose your registration form.***

### PLEASE DEBIT MY CREDIT CARD

VISA  Mastercard  Bankcard  Amex  Diners

Card Holder's Name \_\_\_\_\_

Card Number \_\_\_\_\_

Exp \_\_\_\_\_ Signature \_\_\_\_\_

### PLEASE FORWARD ME AN INVOICE

Purchase Order No: \_\_\_\_\_

**PLEASE NOTE: THIS REGISTRATION FORM SERVES AS A TAX INVOICE WHEN COMPLETED. PLEASE RETAIN A COPY FOR YOUR RECORDS.**

### SUBSTITUTING DELEGATES

If you are unable to attend on both days, you are welcome to share your registration with ONE OTHER colleague from the same organisation. Entry to the Convention will be by delegate badge only. You must inform Hallmark Conferences + Events if you are substituting delegates. Maximum 2 delegates may attend from the one registration.

**CONFIRMATION DETAILS** An invoice to Government agencies only will be sent within 5 working days after registration. Places for registered attendees are not confirmed until payment of invoice is received. Once payment is received, confirmation details will be sent within 10 business days. Please contact the Registration Officer at Hallmark Conferences + Events if invoice or confirmation has not been received within this time.

**CANCELLATION POLICY** A substitute delegate is always welcome. Otherwise, a full refund, less a \$50 admin service charge, will be received for cancellations received in writing (fax or letter) up to two weeks before the event. Documentation and a 50% refund will be sent for cancellations received one week prior to the event. No

**PRIVACY DISCLOSURE** The collection of your personal information is governed by privacy laws. Your information is collected for the purposes of processing your registration or to respond to your request to receive information about this Convention and other events by Hallmark Conferences + Events, and to market the products and services of the Convention and our business associates. You may request to gain access to any of your personal information that we have collected. If you do not wish to have your information used for marketing purposes, please contact (03) 9530 8900 or tick the following box

**VENUE:** ZINC at Federation Square

**CAR PARKING:** Available via Russell St Entrance car park.

**PUBLIC TRANSPORT:** Closest train station is Flinders Street with a two minute walk to the venue.

refunds can be given for cancellations within one week of the event. Every effort will be made to contact each attendee should an event be rescheduled or cancelled by Hallmark Conferences + Events for any reason.

**INDEMNITY** Hallmark Conferences + Events reserves the right to change the venue and/or speakers of any event due to circumstances beyond our control. In the event of changes to venue or speakers, or cancellation of the event, Hallmark Conferences + Events is indemnified against any or all costs, damages, expenses, including legal fees, which are incurred by the attendee/s. In the case of venue change, all reasonable efforts will be made to inform attendees.



**AUDIT & GOVERNANCE COMMITTEE MEETING**  
**Minutes of the Audit and Governance Committee Meeting**  
**held in the Council Chamber, Sandgate Street, South Perth**  
**Monday 18 February 2008 commencing at 5.45pm**

**1. OPENING**

The Mayor opened the meeting at 5.45pm and welcomed everyone in attendance.

**2. ELECTION OF CHAIR**

(in Accordance with Schedule 2.3 Division 1 of the *Local Government Act*)

NOMINATIONS FOR CHAIR

The CEO called for nominations for the position of Chair of the Audit and Governance Committee. Cr Wells nominated Mayor Best. There being no other nominations Mayor Best was elected unopposed as Chair of the Audit and Governance Committee.

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

Mayor Best (Chair)

Cr Doherty

Cr Grayden

Cr Wells, JP

**4. CONFIRMATION OF MINUTES : 3.10.2007**

**COMMITTEE DECISION ITEM 4**

Moved Cr Doherty, Sec Cr Wells

That the Minutes of the Audit and Governance Committee Meeting held 3 October 2007 be taken as read and confirmed as a true and correct record.

CARRIED (4/0)

**5. REPORTS**

**5.1 Compliance Audit Return 2007**

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/508
Date:	14 February 2008
Author:	Sean McLaughlin, Legal & Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

**Summary**

It is a requirement of the *Local Government Act 1995* (the Act) that the City completes an audit of compliance with the statutory requirements prescribed under the Act or another written law. The Compliance Audit Return is one of the tools that allows the City to monitor how the organisation is functioning.

The *Local Government (Audit) Regulations 1996* (the Audit Regulations) require that the audit be carried out for the period 1 January to 31 December in each year. All local governments are required to prepare a compliance audit return in a form approved by the Minister. City officers have now completed the 2007 Return and present it to the Committee for its review and for referral to Council for adoption.

The Audit & Governance Committee's terms of reference include responsibility for reviewing the City's Compliance Audit Return. Referral to the Committee enables Council to more effectively conduct this review.

### **Background**

Each year the City is required to complete a Compliance Audit Return for the calendar just ended in the form approved by the Minister. The 2007 Return incorporates all the statutory requirements of the Audit Regulations. The requirement to complete the Return is intended to assist local governments to enhance and develop their internal control processes to ensure they observe the statutory requirements of the relevant legislation.

Section 7.13 of the Act and regulations 14 and 15 of the Audit Regulations govern the procedure for completing the Return.

Reg. 14(1) provides that the local government is carry out a compliance audit for the period 1 January to 31 December in each year.

The Return is divided into sections relating to the different functional areas of the local government. Each section of the Return is allocated to the appropriate City officer, described in the Return as the Responsible Person, to review each item and make the appropriate notation. The Responsible Person is identified by name alongside each item. In addition, the Responsible Person may make an explanatory comment in relation to a particular item where considered necessary.

The Return must be presented to a Council meeting for adoption and once adopted, a certified copy of the Return, signed by the CEO and Mayor, must be submitted to the Director, Department of Local Government and Regional Development, by 31 March of the year following the period to which the Return relates.

### **Comment**

The CEO and the relevant City officers (as identified in the Return) have reviewed the statutory requirements applying to their particular areas of responsibility and have completed the appropriate sections of the Return.

The Return discloses only one known instance of non-compliance. Item 14 in the section headed Meeting Process, notes that the CEO Evaluation Committee did not elect a presiding member at its first meeting after the October 2007 elections in accordance with the Act. This omission will be remedied at the first meeting of the committee scheduled for 18 February 2008. A copy of the Return is at **Attachment 5.1**

### **Consultation**

Nil.

### **Policy and Legislative Implications**

The Return has been completed in accordance with the *Local Government Act*.

### **Financial Implications**

Nil

### **Strategic Implications**

The action taken is consistent with the Goal 5 in the Strategic Plan: *To be a professional, effective and efficient organisation.*

**OFFICER AND COMMITTEE RECOMMENDATION ITEM 5.1**

Moved Cr Doherty, Sec Cr Grayden

That the Committee review the 2007 Compliance Audit Return and recommend to Council that it resolve to adopt the Return at its ordinary March 2008 meeting so as to enable it to be submitted to the Department of Local Government and Regional Development.

CARRIED (4/0)

**5.2 Review of Council Delegations**

Location: City of South Perth  
Applicant: Council  
Date: 14 February 2008  
Author: Sean McLaughlin, Legal & Governance Officer  
Reporting Officer: Cliff Frewing, Chief Executive Officer

**Summary**

The *Local Government Act* requires each local government to review its Delegations each financial year.

The Audit & Governance Committee's terms of reference include responsibility for reviewing the City's delegations and policies. Referral to the Committee enables Council to more effectively conduct its review.

A review of Council delegations has been completed and is now presented for the consideration of the Committee and referral to Council for adoption.

**Background**

Section 5.42 of the *Local Government Act 1995* (the Act) provides that a council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in section 5.43 of the Act.

The delegations reviewed in this report are listed under each relevant Goal of the Strategic Plan:

**GOAL 3 - ENVIRONMENTAL MANAGEMENT**

DC342 Town Planning Scheme 6  
DC343 Issue of Building Licences  
DC345 Administration of Building Controls within the City  
DC346 Authority to Issue Strata Title Certificates

**GOAL 4 - INFRASTRUCTURE MANAGEMENT**

DC443 Partial Closure of a Thoroughfare for Repair or Maintenance

**GOAL 5 - ORGANISATIONAL EFFECTIVENESS**

DC538 Appointment of Authorised Officers  
DC539 Administer the City's Local Laws  
DC545 Appointment of Acting CEO

**Comment**

The purpose of the review is to consider the operational effectiveness of the current delegation, whether it remains relevant and appropriate and whether legislative amendments or organisational changes necessitate any revisions to the text.



Delegations are reviewed to ensure consistency of format with other City documents (eg. Policies) and in some instances amendments may be made to correctly describe statutory references or to take account of changes to the relevant legislation which describes the power or duty being delegated.

The City's delegations were comprehensively reviewed and revised in 2006 and 2007. As a consequence, the recommended changes to the City's current delegations are relatively minor.

### GOAL 3 - ENVIRONMENTAL MANAGEMENT

#### **DC342            Town Planning Scheme No. 6**

The Schedule of Conditions, to which this power of delegation is subject, has been amended to insert a new condition relating to contentious development into paragraph 2 of the Schedule. Otherwise there have been slight revisions to the text but no other change to the content of the delegation.

#### **DC343            Issue of Building Licences**

No change recommended.

#### **DC345            Administration of Building Controls within the City**

No change recommended.

#### **DC346            Authority to Issue Strata Title Certificates**

The position descriptions have been changed to take account of changes in the City's organisational structure.

### GOAL 4 - INFRASTRUCTURE MANAGEMENT

#### **DC443            Partial Closure of a Thoroughfare for Repair or Maintenance**

No change recommended.

### GOAL 5 - ORGANISATIONAL EFFECTIVENESS

#### **DC538            Appointment of Authorised Officers**

The delegation has been revised to include references to the *Dog Act 1976*, the *Bush Fires Act 1954* and the *Control of Vehicles (Off-road Areas) Act 1978* to ensure that the CEO has current statutory authority to administer and enforce the provisions of each Act.

#### **DC539            Administer the City's Local Laws**

No change recommended.

#### **DC545            Appointment of Acting CEO**

No change recommended.

#### **Consultation**

Nil.

#### **Policy and Legislative Implications**

Section 5.45(1)(b) of the Act requires that any decision by Council to make, amend or revoke a delegation is to be by an *absolute majority*.

#### **Financial Implications**

Nil.

### Strategic Implications

Consistent with the Strategic Plan: **Goal 5 - Organisational Effectiveness:**

*To be a professional, effective and efficient organisation.*

<b>OFFICER AND COMMITTEE RECOMMENDATION ITEM 5.2</b>
------------------------------------------------------

Moved Cr Grayden, Sec Cr Wells

That the Audit and Governance Committee receive the officers report and recommend to Council that the revised Delegations, at **Attachment 5.2**, and listed hereunder, be adopted:

- DC342 Town Planning Scheme No.6;
- DC343 Issue of Building Licences;
- DC345 Administration of Building Controls within the City;
- DC346 Authority to Issue Strata Title Certificates;
- DC443 Partial Closure of a Thoroughfare for Repair or Maintenance;
- DC538 Appointment of Authorised Officers;
- DC539 Administer the City's Local Laws; and
- DC545 Appointment of Acting CEO.

CARRIED (4/0)

<b>5.3 Policy Review</b>
--------------------------

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/108
Date:	14 February 2008
Author:	Sean McLaughlin, Legal and Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

#### Summary

The City has a statutory obligation under the *Local Government Act 1995* to review its delegations each financial year and has instigated a practice of reviewing City policies in conjunction with that review. The Audit & Governance Committee's terms of reference include responsibility for reviewing the City's delegations and policies. Referral to the Committee enables Council to more effectively conduct its review.

A review of the City's policies has been completed and is now presented for the consideration of the Committee and referral to Council for adoption.

#### Background

In line with contemporary organisational models the policy framework aligns policies and delegations to the City's Strategic Goals. During the review process, policies are considered by the custodian department having the relevant technical expertise in relation to the policy content and subsequently by the Executive Management Team representing each of the City's directorates.

The policy review centres on the continuing relevance of the policy and the need to update it in light of any change in the legislative or operating environment. The policy review may identify a need to revise the policy or it may determine that no change is needed. The nature of the change, whether minor or major, is noted in the Comment section below. Minor changes usually consist of minor typographical or grammatical corrections or revisions due to minor legislative amendments. Major change will consist of significant revision to the content of the policy due to changes in the operational environment or because of more substantial legislative change.

Any policies from Strategic Goals 1 to 5 which are not reviewed in this report will be reviewed along with Goal 6 policies in the next cycle which it is proposed to conduct in May/June this year.

The City's policies were comprehensively reviewed and revised in 2006 and 2007. As a consequence, with a couple of exceptions, the current review recommends either no change or relatively minor change.

#### ***New Policies***

Two new policies are included in this report under **Strategic Goal 3 - Environmental Management**. They have been prepared by the City Environment Department and arise out of the continuing implementation of the City's Sustainability Strategy.

#### **Comment**

##### GOAL 1 - CUSTOMER FOCUS

###### **P103 - Communication and Consultation**

No change recommended.

###### **P104 - Neighbour Consultation**

A review of this policy is being conducted concurrently by the City's Strategic Urban Planning Officers.

###### **P140 - Complaints**

No change recommended.

##### GOAL 2 - COMMUNITY ENRICHMENT

###### **P205 and P206 - Use of City Facilities and Reserves**

These two policies have been extensively reviewed, and to bring them into line with recent changes to the management practices which apply to the use of the City's facilities and reserves, it is recommended that they be amalgamated into one policy. As a result it is recommended that policy P206 be deleted and policy P205 be adopted. The revised version has been rewritten to ensure consistency in approach to the conditions of use by members of the public for both reserves and facilities.

###### **P210 - Honorary Freeman of the City**

No change recommended.

###### **P245 - Commemoration**

No change recommended.

##### GOAL 3 - ENVIRONMENTAL MANAGEMENT

###### **P301 - Sustainable Procurement (Environmentally Responsible Purchasing)**

This policy has been retitled and updated to reflect the greatly increased opportunities for the City to demonstrate sustainability. Local government, along with other levels of government, is one of the larger procurement sectors in the economy. It is therefore imperative that the City has the capacity to make sustainable procurement choices. The principle of sustainable procurement is also reflected in the City's Sustainability Strategy.

###### **P302 - Energy Conservation**

This policy has been updated to reflect the current Cities for Climate Protection targets for energy (greenhouse) emissions. The revision also incorporates the new data program for monitoring and measuring the City's resource consumption.

###### **P312 - Shade Structures**

The reference to shade structures being taken down during winter to assist their longevity has been deleted as the practice is cost prohibitive.

***New Policies - Goal 3***

**P320 - Sustainability**

This policy is intended as a high level over-arching statement of principles which reflects the City's Sustainability Strategy and satisfies the requirements of the City's proposed Sustainability Management System (SMS). The implementation of the SMS is required by Strategy 3.2 of Goal 3 Environmental Management in the Strategic Plan. This policy and the proposed Sustainability Management System will constitute a complete suite of procedures and complementary City management practices that together will constitute implementation of the City's Sustainability Strategy.

**P321 - Environmentally Sustainable Design for City Buildings**

This policy has been developed to guide the City in its practices and management of City building assets, encompassing major capital works and minor assets such as sports pavilions. It is now standard practice in the building and construction industry to comply with sustainable design and maintenance elements, as well as on-site construction practice such as water use and waste management. This policy is designed to ensure that Ecologically Sustainable Development (ESD) principles and practices are incorporated into City asset development and management.

**GOAL 4 - INFRASTRUCTURE MANAGEMENT**

**P404 - Street Verges**

Minor textual change is recommended to correct and clarify references to associated City documents.

**GOAL 5 - ORGANISATIONAL EFFECTIVENESS**

**P501 - Use of Council Facilities**

No change recommended.

**P502 - Community Advisory Groups**

No change recommended.

**P503 - Local Government Resource Sharing**

No change recommended.

**P504 - Australian Business Excellence Framework**

No change recommended.

**P505 - Equal Employment Opportunity**

No change recommended.

**P506 - Elimination of Harassment in the Workplace**

No change recommended.

**P507 - Employee Separation Payments**

No change recommended.

**P508 - Injured Workers Rehabilitation**

No change recommended.

**P509 - Occupational Safety & Health**

No change recommended.

**P511 - Member Entitlements**

No change recommended.

**P513 - Travel**

No change recommended.

**P514 - Delegates from Council**

No change recommended.

**P515 - Governance Framework**

No change recommended.

**P516 - Agenda Briefings, Concept Forums and Workshops**

No change recommended.

**P518 - Management of Corporate Records**

No change recommended.

**P519 - Legal Representation**

This policy is the subject of a separate report to the Committee, arising out a Council resolution from October 2007.

**P520 - Employee Recognition**

No change recommended.

**Consultation**

Consultation has occurred with officers of each of the relevant City departments.

**Policy and Legislative Implications**

The reviewed policies are consistent with the *Local Government Act 1995* and other City documents.

**Financial Implications**

Nil.

**Strategic Implications**

The conduct of the policy review described in this report is consistent with Goal 5 of the Strategic Plan: **Goal 5 - To be a professional, effective and efficient organisation.**

<b>OFFICER RECOMMENDATION ITEM 5.3</b>
----------------------------------------

That the Audit and Governance Committee:

- (a) receive the officer report on the review of the City's Policies; and
- (b) recommends to Council that:
  - (i) it be noted that the following policies have been reviewed and 'no change' is recommended:
    - P103 - Communication and Consultation
    - P140 - Complaints
    - P210 - Honorary Freeman of the City
    - P245 - Commemoration
    - P501 - Use of Council Facilities
    - P502 - Community Advisory Groups
    - P503 - Local Government Resource Sharing
    - P504 - Australian Business Excellence Framework
    - P505 - Equal Employment Opportunity
    - P506 - Elimination of Harassment in the Workplace
    - P507 - Employee Separation Payments
    - P508 - Injured Workers Rehabilitation
    - P509 - Occupational Safety & Health

- P511 - Member Entitlements
- P513 - Travel
- P514 - Delegates from Council
- P515 - Governance Framework
- P516 - Agenda Briefings, Concept Forums and Workshops
- P518 - Management of Corporate Records
- P520 - Employee Recognition

(ii) revised policies:

- P205 Use of City Facilities and Reserves
- P301 Sustainable Procurement (Environmentally Responsible Purchasing)
- P302 Energy Conservation
- P312 Shade Structures;
- P404 Street Verges; and

new policies:

- P320 - Sustainability
- P321 - Environmentally Sustainable Design for City Buildings

be adopted; and

(iii) policy P206 Use of City Reserves be deleted.

<b>COMMITTEE RECOMMENDATION ITEM 5.3</b>
------------------------------------------

Moved Cr Grayden, Sec Cr Doherty

That the Audit and Governance Committee:

- (a) receive the officer report on the review of the City's Policies; and  
(b) recommends to Council that:

(i) it be noted that the following policies have been reviewed and 'no change' is recommended:

- P103 - Communication and Consultation
- P140 - Complaints
- P210 - Honorary Freeman of the City
- P245 - Commemoration
- P501 - Use of Council Facilities
- P502 - Community Advisory Groups
- P503 - Local Government Resource Sharing
- P504 - Australian Business Excellence Framework
- P505 - Equal Employment Opportunity
- P506 - Elimination of Harassment in the Workplace
- P507 - Employee Separation Payments
- P508 - Injured Workers Rehabilitation
- P509 - Occupational Safety & Health
- P514 - Delegates from Council
- P515 - Governance Framework
- P516 - Agenda Briefings, Concept Forums and Workshops
- P518 - Management of Corporate Records
- P520 - Employee Recognition

(ii) the following policies have been reviewed and 'further change' is recommended:

- P511 - Member Entitlements
- P513 - Travel

- (iii) revised policies:
- P205 Use of City Facilities and Reserves
  - P301 Sustainable Procurement (Environmentally Responsible Purchasing)
  - P302 Energy Conservation
  - P312 Shade Structures;
  - P404 Street Verges; and

new policies:

- P320 - Sustainability
- P321 - Environmentally Sustainable Design for City Buildings

be adopted; and

- (iv) policy P206 Use of City Reserves be deleted.

CARRIED (4/0)

<b>5.4 Policy P519 ‘Legal Representation’</b>
-----------------------------------------------

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/108
Date:	11 February 2007
Author:	Cliff Frewing, Chief Executive Officer

### Summary

The purpose of this report is to advise on progress with respect to the review Policy P519 “Legal Representation” following Council Resolution 12.1 of the October 2007 Council Meeting.

### Background

At the October 2007 Council meeting, in response to a Notice of Motion from Cr Doherty, Council resolved as follows:

*That....*

- (a) *a review of Policy P519 “Legal Representation” is undertaken by the Council Officers as soon as possible;*
- (b) *the review to include, but not limited to the following:*
- (i) *Inclusion of Departmental and Panel Inquiries in the context of the Policy, and contained within the definitions;*
  - (ii) *A broader Policy than is currently in place;*
  - (iii) *Clear delineation between “legal advice” and “legal representation;”*
  - (iv) *Specific reference to a limit on the amount of financial assistance requested with provision for a further application to Council if further assistance required;*
  - (v) *Examination of other Council’s Legal Representation Policies as part of the review process, with particular reference to the City of Cockburn’s policy;*
  - (vi) *Reconsideration of the current area “Payment Criteria” particularly the use of the word “will” and replacing it with the word “may;”*
  - (vii) *Scope for inclusion of retrospectivity in relation to financial assistance with a time associated with same; and*
  - (viii) *Reference to a legally binding agreement being drawn up regarding the financial assistance being granted, which covers items such as pro-rata payments and conditions of repayment to the City in the event of adverse findings against the recipient; and*
- (c) *a draft of the proposed modified Policy P519 “Legal Representation” be presented to the Audit and Governance Committee for consideration before the end of February 2008.*

### **Comment**

Policy P519 was last reviewed in October 2006 to bring it into line with the Departmental Guideline No. 14 - Legal Representation.

In response to the October 2007 Council resolution the following information is provided in relation to the areas suggested for review / inclusion within Policy P519:

In accordance with the above resolution a number of other local governments' legal representation policies have been reviewed. In addition, in early December 2007, because of the importance of the 'legal representation' topic, the views of the Western Australian Local Government Association and the Department of Local Government were sought. At this stage no written response has been received from either organisation.

It is known however, that the Department of Local Government has some concerns with the subject of legal representation policies generally and is in the process of advising the City and local governments generally on this subject.

Further, because Council discussion on the topic of the City's legal representation policy involves a potential conflict of financial interest the Department was requested in the letter written in December 2007 to arrange for Minister's Exemption to allow the matter to be debated, initially by the Audit and Governance Committee and subsequently by Council. At this stage the Minister has not provided consent to allow debate on this topic to occur. Under the circumstances the subject should not be debated by either the Committee or Council until such time as the Minister has provided consent to permit debate on this issue. As a consequence there is no recommendation contained at this item and a further report on this matter will be prepared once advice from the Department and / or Minister has been received.

### **Policy and Legislative Implications**

The Council may determine the City's policies in accordance with section 2.17 of the *Local Government Act*.

### **Financial Implications**

Nil.

### **Strategic Implications**

The process of review is consistent with Strategy 5.10 of the Strategic Plan encompassed in - Goal 5 - Organisational Effectiveness - *To be a professional, effective and efficient organisation.*

<b>OFFICER RECOMMENDATION ITEM 5.4</b>
----------------------------------------

As a result of the advice received from the Department of Local Government no officer recommendation was made and the Committee did not adopt a recommendation for Council consideration.

**Note:** As detailed above a further report on this matter will be prepared once advice from the Department and / or the Minister has been received.



**6. OTHER RELATED BUSINESS**


**7. CLOSURE**

The Mayor closed the meeting at 6.55pm

**These Minutes were confirmed at a meeting held on \_\_\_\_\_ 2008**

**Signed \_\_\_\_\_**

**Chairperson at the meeting at which the Minutes were confirmed**

	<p><b>DELEGATION FROM COUNCIL: DC342</b> Town Planning Scheme No. 6</p> <p><b>Relevant Policy</b> Nil</p> <p><b>Relevant Management Practice</b> Nil</p>
-----------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Statutory Reference:** *Sections 5.45 & 5.46 of the Local Government Act 1995, section 68 of the Planning & Development Act 2005, and clause 9.7 of the City of South Perth Town Planning Scheme No. 6 (the Scheme).*

**Delegation to:** The Chief Executive Officer.

**Powers & Duties:** The exercise of any of the City's powers or the discharge of any of the City's duties under the Scheme, other than the power of delegation.

**Conditions:** The exercise of these powers and duties is subject to the conditions outlined in Schedule 1 which is attached to this Instrument of Delegation.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008*

**SCHEDULE 1**  
**CONDITIONS OF DELEGATION**

The exercise of power under delegation DC342 is subject to the following conditions:

**1. Specific Uses**

This power of delegation does not extend to determining applications for planning approval relating to the following uses:

- (a) Child Day Care Centres.
- (b) High Level Residential Aged Care Facilities, or substantial additions to existing High Level Residential Aged Care Facilities.
- (c) Residential Buildings.
- (d) Student Housing.
- (e) Telecommunications Infrastructure that is not classified as a low-impact facility under the *Telecommunications Act 1997*.
- (f) Tourist Accommodation.
- (g) Non-residential "DC" uses within the Residential zone.
- (h) Uses not listed in Table I of the Scheme being considered under Clause 3.3(7) of the Scheme.
- (i) Temporary Uses being considered under Clause 7.13 of the Scheme.
- (j) Change of Non-Conforming Use being considered under Clause 8.1(3) of the Scheme.

**2. Major developments**

This power of delegation does not extend to approving applications for planning approval in the following categories:

- (a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;
- (b) Residential development which is 9.0 metres high or higher, or comprises 10 or more dwellings;
- (c) Development of the kind referred to in items (a) and (b) above, comprising a mixture of non-residential and residential components; and
- (d) Development not of the kind referred to in items (a) to (c) above, which, in the opinion of the delegated officer, is contentious and is the subject of significant community interest.

**3. Developments involving the exercise of a discretionary power**

This power of delegation does not extend to approving applications for planning approval involving the exercise of a discretionary power in the following categories:

- (a) Applications in areas situated within Precinct 13 - Salter Point which:
  - (i) have been assigned Building Height Limits of 3.0 metres, 3.5 metres or 6.5 metres; and
  - (ii) will result in any obstruction of views of the Canning River from any buildings on neighbouring land, having regard to the provisions of Clause 6.2 (2) of the Scheme;
- (b) Applications which, in the opinion of the delegated officer, represent a significant departure from the Scheme, the Residential Design Codes or relevant Planning Policies; and
- (c) Applications involving the exercise of discretion under Clauses 6.1 or 6.11 of the Scheme.

**4. Applications previously considered by Council**

This power of delegation does not extend to applications for planning approval previously considered by Council, where drawings supporting a current application have been significantly modified from those previously considered by Council at an earlier stage of the development process, including at an earlier rezoning stage, or as a previous application for planning approval.

**5. Subdivision applications**

This power of delegation does not extend to subdivision applications involving the creation of a new Local Road.

**6. Amenity impact**

In considering any application for planning approval, the delegated officer shall take into consideration the impact of the proposal on the general amenity of the area. If, in the opinion of the delegated officer, any significant doubt exists, the application shall be referred to Council for determination.

**7. Neighbour comments**

In considering an application for planning approval, the delegated officer shall fully consider any comments made by any affected land owner or occupier before determining the application.


**8. Footnote**

The delegated officer shall apply the following footnote to all conditional planning approvals and all discretionary refusals of planning approval issued under delegated authority:

*FOOTNOTE:*

*The above decision has been made by a delegated officer under authority conferred by a Council resolution in order to expedite the decision-making process. If you are aggrieved by the decision you may either:*

- (a) request that the matter be reviewed at a Council meeting, following the submission of another Schedule 6 - Form of Application for Planning Approval; or*
- (b) lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.*

	<p><b>DELEGATION FROM COUNCIL: DC 343</b>  <b>Issue of Building Licences</b></p> <p><b>Relevant Policy</b>  Nil</p> <p><b>Relevant Management Practice</b>  Nil</p>
-----------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------


**Statutory Reference:** *Section 5.42 of the Local Government Act 1995 and section 374 of the Local Government (Miscellaneous Provisions) Act 1960.*

**Delegation to:** The Chief Executive Officer.

**Powers & Duties:** The authority to approve or refuse to approve plans and specifications submitted under section 374 of the *Local Government (Miscellaneous Provisions) Act 1960* for the issue of a building licence.

**Conditions:** The publication of a list of building licences issued under delegated authority each month.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*

	<p><b>DELEGATION FROM COUNCIL: DC 345</b>  <b>Administration of Building Controls</b></p> <p><b>Relevant Policy</b>  Nil</p> <p><b>Relevant Management Practice</b>  Nil</p>
-----------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Statutory Reference:** *Section 5.42 of the Local Government Act 1995 and the Local Government (Miscellaneous Provisions) Act 1960.*

**Delegation to:** The Chief Executive Officer.

**Powers & Duties:** (1) The authority to exercise the powers and duties set out in the provisions of the *Local Government (Miscellaneous Provisions) Act 1960* as listed hereunder:

- (i) Section 374A - Demolition licences;
- (ii) Section 374C - Classification of Buildings;
- (iii) Section 377 - No materials to be deposited on street;
- (vi) Section 401 - Notice of required alterations;
- (v) Section 401A - Stopping unlawful work;
- (vi) Section 403 - Survey of dangerous buildings;
- (vii) Section 404 - Notice to owner in case of danger;
- (viii) Section 408 - Removal of neglected buildings;
- (ix) Section 409 - Renovation of dilapidated buildings;
- (x) Section 409A - Uncompleted buildings;
- (xi) Section 411 - Local government may demolish buildings;
- (xii) Section 413 - Fire escapes.

(2) The authority to exercise the powers and duties set out in the *Building Regulations 1989* as listed hereunder:

- (i) Regulation 5(2) - Building Code determined not to apply;
- (ii) Regulation 38C - Private Swimming Pools.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*

	<p><b>DELEGATION FROM COUNCIL TO EMPLOYEES: DC346</b> Strata Title Certificate</p> <p><b>Relevant Policy</b> Nil</p> <p><b>Relevant Management Practice</b> Nil</p>
-----------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Statutory Reference:** *Section 23(4) of the Strata Titles Act 1985.*

**Delegation to:** Employees of the City occupying the positions listed hereunder:

- Director - Development & Community Services;
- Manager - Development Assessment; and
- Team Leader - Building Services.


**Powers & Duties:** The power to issue a certificate as required by section 23 of the *Strata Titles Act 1985*.

The Common Seal of the City of South Perth was affixed by the authority of a resolution of Council in the presence of:

\_\_\_\_\_  
James Best  
Mayor

\_\_\_\_\_  
Cliff Frewing  
Chief Executive Officer

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*

	<p><b>DELEGATION FROM COUNCIL: DC443</b>  Partial Closure of a Thoroughfare for Repair or Maintenance</p> <p><b>Relevant Policy</b>  Nil</p> <p><b>Relevant Management Practice</b>  Nil</p>
-----------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Statutory Reference:** *Sections 3.50 and 3.50A of the Local Government Act 1995.*

**Delegation to:** The Chief Executive Officer.


**Powers & Duties:** To allow for the partial and temporary closure of a thoroughfare for the purpose of carrying out repairs or maintenance.

**Conditions:**

- (a) The closure is unlikely to have a significant adverse impact on users of the thoroughfare; and
- (b) Written notice of the partial closure will be given to the occupier of any property who gains access to the property from that part of the thoroughfare which is to be closed.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*



	<p><b>DELEGATION FROM COUNCIL: DC 538</b>  <b>Appointment of Authorised Officers</b></p> <p><b>Relevant Policy</b>  Nil</p> <p><b>Relevant Management Practice</b>  Nil</p>
-----------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------


**Statutory Reference:** *Sections 5.42, 3.24 and 9.10 Local Government Act 1995; sections 9 & 11 of the Dog Act 1976; section 48 of the Bush Fires Act 1954; and sections 5 & 38 of the Control of Vehicles (Off-road Areas) Act 1978.*

**Delegation to:** The Chief Executive Officer.

**Powers & Duties:**

- (1) The power to appoint and authorise employees to exercise the powers and duties set out in the *Local Government Act 1995* as listed hereunder:
  - (i) Section 3.25 - Notices requiring certain things to be done by owner or occupier of land;
  - (ii) Section 3.27 - Things local governments can do on land that is not local government property;
  - (iii) Section 3.31 - Entering property;
  - (iv) Section 3.39 - Power to remove and impound;
  - (v) Section 3.40A - Abandoned vehicle wreck may be taken
  - (vi) Section 9.11 - Persons found committing breach of the Act to give name on demand;
  - (vii) Section 9.13 - Onus of proof in vehicle cases;
  - (viii) Section 9.16 - Issue infringement notices;
  - (ix) Section 9.19 - Extension of time;
  - (x) Section 9.20 - Withdrawal of notice; and
  - (xi) Section 9.24 - Commencing prosecutions.
- (2) The power to appoint and authorise employees to exercise the powers and duties of a local government to administer and enforce the provisions of the *Dog Act 1976*.
- (3) The power to appoint and authorise employees to exercise the powers and duties of a local government to administer and enforce the provisions of the *Bush Fires Act 1954*.
- (4) The power to appoint and authorise employees to exercise the powers and duties of a local government to administer and enforce the provisions of the *Control of Vehicles (Off-road Areas) Act 1978*.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*

	<p><b>DELEGATION FROM COUNCIL: DC 539</b>  <b>Administer the City's Local Laws</b></p> <p><b>Relevant Policy</b>  Nil</p> <p><b>Relevant Management Practice</b>  Nil</p>
-----------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Statutory Reference:** *Sections 5.42 and 3.18 Local Government Act 1995.*

**Delegation to:** The Chief Executive Officer.

**Powers & Duties:** To administer the City's local laws and to do all other things that are necessary or convenient to be done for or in connection with performing the functions of the City under the Act.

**Conditions:** Nil.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*



**DELEGATION FROM COUNCIL: DC545**  
**Appointment of Acting Chief Executive Officer**

**Relevant Policy**

Nil

**Relevant Management Practice**

Nil

**Statutory Reference:**

*Section 5.42 of the Local Government Act 1995*

**Delegation to:**

The Chief Executive Officer.

**Powers & Duties:**

To appoint an employee as Acting CEO for a period of no more than four weeks.

**Conditions:**

- (1) The CEO must be satisfied that the Acting CEO is capable of performing the functions of the CEO for the period of absence; and,
- (2) The Council shall appoint an Acting CEO in any instance where the CEO is to be absent for a period longer than four weeks.

*This delegation was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*



## Strategic Plan Goal

Goal 2: Community Enrichment

## POLICY P205

Use of City Reserves & Facilities

## Relevant Management Practice

M205 Use of City Reserves & Facilities

## Relevant Delegation

Nil

## Rationale

The City maintains a number of ovals, parks, reserves and facilities that are regularly used by sporting groups, social groups, informal groups or individuals, which are made available to be used or hired. This policy provides guidance on the use or hire of the City's reserves and facilities and the conditions under which they may be used or hired.

The use of the City's reserves and facilities is largely governed by the City's Public Property Local Law 1998. The conditions of use and the need for obtaining a permit are set out in the local law.

## Policy

### Reserves

The City recognises that the City's reserves are used both formally and informally by regular and casual users. The City may enter into agreements with groups that regularly use the City's reserves and with groups that wish to use a reserve for formal events or large social gatherings on a one-off basis. The City will endeavour to ensure that access to City reserves by small groups and individuals on a casual basis continues to be available.

### Regular Use of Reserves by Sporting Groups

The City maintains a number of ovals that are designed to accommodate particular sports. The City may enter into agreements with sporting groups for the regular use of these ovals during the appropriate season for each sport. The City will determine the cost of the hire from the rates set out in the City's Schedule of Fees and Charges.

### Casual Use or Hire of Reserves

The City supports the casual use of reserves by individuals and groups and maintains a number of picturesque reserves with passive recreational facilities for this purpose. Individuals or small groups may casually use the City's reserves without the need to obtain a permit **unless**:

- An individual or group is charging a fee in association with their use of the reserve;
- The group is involved in a formal sporting match whether the sporting match is a one-off or regular fixture;
- The group is involved in a formal event or function and wishes to be certain that a specific area of a reserve will be available;
- The group will consist of twenty people or more;
- The group wishes to be able to consume alcohol;
- A marquee, bouncy castle or other similar structure is proposed to be erected; or
- The individual or group will be undertaking an activity that is likely to impact upon residents of the City or the enjoyment of the reserve by other users.

If any one of the above circumstances applies, or is likely to apply, then the individual or group concerned must obtain a permit prior to the proposed use in accordance with the City's published procedures and permit conditions.

The City may issue a permit for the hire of a reserve by a person or group where:

- The City is satisfied that the use for which the reserve is hired is consistent with the nature of the reserve; and
- The City is satisfied that the applicant is capable of ensuring the safe and appropriate use of the reserve.

**Hire of City Facilities**

The City may issue a permit for the hire of its facilities by a person or group where:

- The City is satisfied that the use for which the facility is hired is consistent with the nature of the facility; and
- The City is satisfied that the applicant is capable of ensuring the safe and appropriate use of the facility.

The cost of hire in each case will be determined in accordance with the City's Schedule of Fees and Charges and the applicant may be required to lodge a bond with the City prior to using the reserve or facility.

The City's philosophy of assisting community based not-for-profit groups is reflected in the Schedule of Fees and Charges which provides for significant support for such groups in their use of the City's reserves and facilities.

**Other Relevant Documents**

Schedule of Fees and Charges  
Permit Conditions

**Other Relevant Policies**

P609 Lease of City Owned Buildings

*This Policy was reviewed and adopted by Council in March 2005; and was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*



### Strategic Plan Goal

Goal 3 - Environmental Management

### POLICY P301

Sustainable Procurement

### Relevant Management Practice

Nil

### Relevant Delegation

Nil

### Rationale

This Policy outlines the City's commitment to the principles contained in its Sustainability Strategy which seek to minimise the social, environmental and economic impacts associated with its procurement and purchasing activities.

The production, supply, consumption and disposal of products are referred to as the 'supply chain' and their impact on the environment is closely linked. The physical environment has three primary functions - it provides:

- Source of raw materials and resources;
- Source of amenity (natural environment, biodiversity, tourism etc); and
- Repository for wastes <sup>1</sup>

*Thus the overall impact of a product on the environment is a total of the impacts it has as it moves through the supply chain; from the resources used to make it through to its impact when disposed of at the end of its useful life. Critically, many of the environmental costs of making, supplying, using and disposing of products are not adequately reflected (if at all) in the price paid by the consumer. Adequately reflecting environmental impacts in the price of products is a hotly debated issue both in Australia and overseas <sup>1</sup>.*

The use of purchasing power to encourage sustainable goods and services is a key policy objective of governments, both nationally and internationally. Drivers for government action include community concern, a trend towards using non-regulatory market-based tools and a desire to show community leadership. In addition, government agencies are often significant players in the marketplace and can exert considerable leverage. Federal and State governments in Australia spend about \$42 billion on goods and services every year. <sup>1</sup>

Most government sustainable procurement policies use a mix of strategies. These include:

- influencing procurement patterns to favour sustainable products or discourage unsustainable ones;
- encouraging manufacturers and suppliers to improve their own operations (e.g. requiring them to have environment/sustainable management systems);
- requiring manufacturers and suppliers to have greater responsibility for the life-cycle impacts of their products (e.g. product stewardship schemes);
- direct regulatory intervention, such as bans or mandatory performance requirements (e.g. eco-specifications on government motor vehicles contract);
- educating suppliers and the broader community on economic, social and environmental impacts of their production and consumption patterns. <sup>1</sup>

Sustainable procurement is now an important tool to reduce financial, environmental and reputational risks for organisations. Risk can be reduced by:

- using or investing in lower impact 'clean' technologies such as new plant and equipment, infrastructure or raw materials, which reduces the risk of prosecution by environmental regulators;
- sourcing products from reputable suppliers that can demonstrate that they aren't damaging the environment (e.g. they aren't bad polluters) or exploiting workers;
- ensuring purchasing policies benefit the broader community (e.g. 'Buy Australian') and do not impact on local economies (e.g. undercutting a locally made product); and
- using safer and less toxic products and materials which minimise safety hazards to employees, customers and the environment <sup>1</sup>.

<sup>1</sup>Source: *Greengoods - NSW Sustainable Procurement Program*

## **Policy**

Where the City intends to procure goods and services, the following considerations should apply:

- which suppliers pose the greatest risk to the environment (with associated implications for regulatory, financial and reputation risks);
- would some suppliers be unfairly disadvantaged by the initiatives, for example, smaller suppliers;
- who can provide the greatest efficiency and cost savings or have the capacity to source and supply cost-effective sustainable products; and
- what are the best means to engage and communicate effectively with suppliers.

The Policy applies to the following areas:

- Office Consumables and equipment;
- Vehicle Fleet;
- Horticultural and Landscape Management; and
- Consultancy and Contract Services.

### **Other in Force Documents**

City of South Perth State of the Environment Report 2002

City of South Perth Sustainability Strategy 2006-2008

### **Other Relevant Policies**

P320 Sustainability

P605 - Purchasing and Invoice Approval

P607 - Tenders and Expressions of Interest

*This policy was adopted by a resolution of Council meeting in March 2005 and was reviewed and adopted by a resolution of Council at a meeting on 26 March 2008.*



### **Strategic Plan Goal**

Goal 3: Environmental Management

### **POLICY P302**

Energy Conservation

### **Relevant Management Practice**

Nil

### **Relevant Delegation**

Nil

### **Rationale**

The City is committed to the reduction of greenhouse gases through its participation in the 'Cities for Climate Protection' campaign. The City has resolved to set a target to reduce corporate and community emissions by 20 percent based on 1998 baseline data.

The City's Sustainability Strategy contains several goals relating to the conservation of energy and energy efficiency, relevant for the City Administration and the Community.

To achieve the Cities for Climate Protection reduction targets, and the objectives of the Sustainability Strategy, it is important to develop strategies to promote the efficient use of energy.

### **Policy**

The City will actively encourage and promote energy efficient practices in:

- building design;
- lighting;
- heating and cooling;
- refrigeration;
- vehicles, and
- equipment and appliances.

This will be achieved by the application of environmentally responsible purchasing practices, civic building audits, public education and suitable incentives to encourage public participation.

The Action Plans of the Sustainability Strategy and the Cities for Climate Protection will also address energy conservation and efficiency.

#### **Other in Force Documents**

Sustainability Strategy 2006-2008  
 Cities for Climate Protection Campaign  
 Cities for Climate Protection Local Action Plan

#### **Other Relevant Policies**

P301 Sustainable Procurement  
 P320 Sustainability Policy  
 P321 ESD Building Design Policy

*This Policy was reviewed and adopted by Council in March 2005; and was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*





### Strategic Plan Goal

Goal 3: Environmental Management

### POLICY P312

Shade Structures

### Relevant Management Practice

Nil

### Relevant Delegation

Nil

### Rationale

The City is aware of the dangers of exposure to ultraviolet radiation and is committed to creating a community environment that is safe from the effects of harmful radiation. The aim is to increase the appeal and usage of the City's community facilities.

### Policy

The City will ensure that whenever planning for any new community facility (including play equipment, skate parks and picnic areas) the City will endeavour to ensure that the provision of shade is considered.

In line with the City's Policy P305 Tree Preservation, the City will retain and enhance the use of natural shade wherever possible.

The design and construction of new shade structures:

- Will be in accordance with building regulations;
- Will meet relevant safety guidelines;
- Should be cost effective;
- Will comply with UVR protection guidelines;
- Should be relevant to users of the facility; and
- Should use materials sympathetic to, and consistent with, the surrounding area.

The City will consider using temporary protective shade structures for events and where required, during the growth stage of natural vegetation.

The City will conduct regular shade audits of its community facilities. The results will be used to prioritise an ongoing program of shade improvement, in accordance with approved budgets.

#### Other Relevant Policies

P305: Tree Preservation

#### Other Relevant Documents

Cancer Foundation of WA "Shade for the Public"

*This Policy was adopted by resolution of Council meeting on 25 March 2003; it was reviewed and amended by resolution of Council meeting on 25 October 2005; and was reviewed and adopted by a resolution of Council meeting on 26 March 2008.*



### **Strategic Plan Goal**

Goal 4: Infrastructure

### **POLICY P404**

Street Verges (Nature Strips)

### **Relevant Management Practice**

M404 Street Verges

### **Relevant Delegation**

Nil

### **Rationale**

The City is committed to the retention and development of green and leafy streetscapes which includes residential street verges (nature strips). To achieve this, the City will give preference to treatments such as lawn and/or verge gardens.

### **Policy**

Residents may establish and maintain a planted lawn on the nature strip without prior permission from the City.

Prior permission from the City is required however, subject to the conditions outlined in Management Practice M404, to establish:

- a verge garden; or
- any other proposed verge treatment.

Verge treatments which are not predominantly lawn and/or garden will not be approved. However, in exceptional circumstances, the Director Infrastructure Services and/or the Manager Parks and Environment may consider approval of alternative treatments in accordance with the Management Practice.

### **Other Relevant Documents**

Green Plan

Caring for your verge.

### **Other Relevant Policies**

P308: Street Trees

P403: Crossovers

*This policy was adopted by Council in 2002; was amended in 2005 and was reviewed and adopted by resolution of Council meeting on 26 March 2008.*





**POLICY P320**  
Sustainability Policy

**Relevant Management Practice**  
Nil

**Relevant Delegation**  
Nil

**Strategic Plan Goal**  
Goal 3: Environmental Management

### **Rationale**

The City of South Perth is a progressive local government with a primary objective to deliver quality services for the wellbeing of its community and employees now and into the future. This also extends to assisting and facilitating the South Perth community in making more sustainable choices.

The City has recognised that actively pursuing sustainability leads to enhancing the quality of life and the prosperity of the community. This is achieved through a process of careful planning and decision-making that aims to prevent any harmful local and global effects of its actions.

At the highest level, the City's Strategic Plan identifies the need to develop a strategic and operational direction for sustainability (Goal 3 Strategy 3.2).

In response, the City has adopted a Sustainability Strategy 2006-2008 to guide future sustainable development by the City and community.

The City's Sustainability Strategy defines sustainability as:

*Enhancing the quality of life and prosperity of the community, and preventing the harmful local and global effects of its action through careful planning and decision making.*

The City has adopted the following parameters, consistently with Triple Bottom Line considerations:

- Planning framework - Town Plan Scheme No. 6 and Metropolitan Region Scheme requirements, opportunities and constraints;
- Financial capacity - Strategic Financial Plan and the constraints and opportunities of Annual Budgets;
- Social equity - Communication and consultation with the community;
- Economic viability - Local business economy/viability and macro-economic influences on the City/business/residents;
- Environmental integrity - Protection and enhancement of biological diversity and maintaining ecological processes and life support systems.

### **Policy**

To achieve a sustainable community and bring the City's operations in line with the sustainability requirements outlined in the City's Sustainability Strategy, the City will adopt practices that:

- Ensure that as a minimum, the City will comply with all relevant statutory obligations and in addition, the City will comply with the requirements of other initiatives to which it voluntarily subscribes, and through its terms of engagement will seek compliance by its contractors and suppliers.
- Review and set objectives and targets each year that reflect the City's significant activities and stakeholder interests, and resource and implement an integrated Business Management system to achieve these.

- Develop an Action Plan that adequately reflects the economic, environmental and social goals of the City.
- Adopt working practices that minimise and monitor the effects that the City has on the environment and community.
- Educate and train staff about the sustainability objectives, targets, actions and procedures as applicable to their work, and through communications and terms of engagement, promote awareness and commitment from contractors and suppliers.
- Routinely monitor performance and promote continuous improvement through systematic management of City activities.
- Report publicly on an annual basis, the key characteristics of sustainability performance.
- Communicate this policy to all internal and interested external parties and make it available to the public through the City's website.
- Regularly review and update this policy.

**Other Relevant Documents -**

Strategic Plan 2004-2008  
Sustainability Strategy 2006-2008  
Sustainability Management System

**Other Relevant Policies**

P103 Communication and Consultation  
P301 Sustainable Procurement  
P302 Energy Conservation  
P321 ESD Building Design

*This policy was adopted by a resolution of Council meeting on 26 March 2008.*

**POLICY P321**

Ecologically Sustainable Building Design

**Relevant Management Practice**

Nil

**Relevant Delegation**

Nil

**Strategic Plan Goal**

Goal 3: Environmental Management

**Rationale**

To provide a policy framework that enables the City to endorse and embrace the principles of Ecologically Sustainable Development (ESD) through building design guidelines for City buildings and related projects including greenfield and brownfield developments.

Buildings contribute significantly to the negative impact on our environment consuming 32% of the world's resources, including 12% of the world's fresh water and up to 40% of the world's energy. Buildings also produce 40% of waste going to landfill and 40% of air emissions. <sup>1</sup>

In Australia, commercial buildings produce 8.8% of the national greenhouse emissions and have a major part to play in meeting Australia's international greenhouse targets. <sup>2</sup>

<sup>1</sup> OECD (2003) *Environmentally Sustainable Buildings: Challenges and Policies. A report by the OECD*

<sup>2</sup> DEH (2001) *Australia State of the Environment report. The Department of the Environment and Heritage: Canberra.*

This Policy is in keeping with the City's Sustainability Strategy 2006-2008 which defines sustainability as - "Enhancing the quality of life and prosperity of the community and preventing the harmful local and global effects of its action through careful planning and decision-making". In addition, the City is committed to the voluntary campaign of the International Council for Local Environmental Initiatives (ICLEI) Cities for Climate Protection™ (CCP™) program and Water Campaign. These programs are a commitment to reduce greenhouse gas emissions and conserve energy and water use from the organisation (corporate) and the community.

The *Local Government Act 1995* was amended in 2004 to insert an additional directive in section 1.3 to local government to the effect that: *In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.*

**Policy**

The City recognises the significance of ESD building design in contributing to community enrichment and sustainable development. As such, the City agrees to support sustainable development in its building design by:

- Utilising the ESD building design principles of the State and Federal governments;
- Contributing a percentage of the total infrastructure costs on ESD initiatives for non-base build in major building projects and refurbishments (e.g. regional and district pavilions, libraries and public facilities such as leisure centres and community halls);
- Ensuring that an ESD checklist (based on available agency publications) is applied to minor building projects on City owned facilities (e.g. local sporting pavilions);
- Ensuring that savings of project costs due to ESD initiatives are reinvested into the project to facilitate further ESD initiatives; and
- Maximising the opportunities for external funding to contribute to identified ESD initiatives.

**Other Relevant Documents**

Sustainability Strategy 2006 - 2008

**Other Relevant Policies**

P103 Communication and Consultation

P301 Sustainable Procurement

P302 Energy Conservation

P320 Sustainability

*This policy was adopted by a resolution of Council meeting on 26 March 2008.*

**POLICY P603**

Investment of Surplus Funds

**Relevant Management Practice**

Nil

**Relevant Delegation DC603**

Investment of Surplus Funds

**Strategic Plan Goal**

Goal 6: Financial Viability

**Rationale**

Local governments are required to ensure that they have effective and accountable systems in place to safeguard their financial resources. This includes the development of proper systems to authorise, verify and record the investment of surplus monies in appropriate financial instruments.

**Policy**

Municipal, Trust and Reserve funds surplus to the immediate needs of the City (as determined by the Director Financial & Information Services or Manager Financial Services) may be invested in approved financial instruments subject to the following conditions:

**Capital Preservation**

- Preservation of capital is the principal objective of the investment portfolio.
- All investments are to be made in a manner that seeks to ensure security and safeguard the portfolio by effectively managing credit risk and interest rate risk within identified parameters.
- Investment for speculative purposes is not permitted under this policy.

**Liquidity**

- Proper consideration is to be given to the present and likely future daily operational cash requirements of the City when selecting investments.
- The liquidity and marketability of the proposed investment during, and on determination, of the proposed financial instrument is to be taken into consideration.
- The term to maturity of an investment shall be in accordance with that specified in the Risk Maturity Framework - but should allow maximum seven (7) day access to Council funds.

**Prudent Person Standard**

- Investments are to be managed with the care, diligence and skill that a prudent person would exercise.
- Officers are to manage the investment portfolio to safeguard it in accordance with spirit of this policy.

**Delegated Authority**

- In accordance with Delegation DC603 & DM603 - Investment of Surplus Funds.

**Ethics & Conflicts of Interest**

- Officers authorised under the relevant delegations shall refrain from personal activities that may conflict with the proper execution of transactions and management of Council's investment portfolio.
- Authorised officers should advise the CEO of any conflict of interest.

**Approved Instruments**

- Without prior approval from Council, authorised investments are limited to the following:
  - At Call Deposits.
  - Bank Interest Bearing Term Deposits or Certificates of Deposit.
  - Bank Accepted Bills.
  - Managed Funds having a Standard & Poor rating of A1 short term or better, A+ long term.
  - Commonwealth Government Bonds.
  - Fixed or floating rate interest bearing securities issued by Approved Deposit Taking Institutions (ADI) authorised by the Australian Prudential & Regulatory Authority (APRA).



**Policy P603: Investment of Surplus Funds**

**Prohibited Investments**

- This policy prohibits any investment carried out for speculative purposes including:
  - Derivative based instruments.
  - Principal only investments or securities providing a potentially nil or negative cash flow.
  - Stand alone securities having underlying futures, options, forward contracts or swaps of any kind.
- The use of leveraging (borrowing for investment purposes) is prohibited.

**Risk Management**

*Credit Quality*

- Credit quality on 80% of the portfolio is to be a minimum of Standard & Poor rating of A1 short term or A+ long term or better.
- Credit quality on a maximum of 20% of the portfolio may be a Standard & Poor rating of BBB+.

*Counterparty Risk*

- Counterparty credit risk is to be managed through adequate level of diversification to spread risk.
- Not more than 25% of the total funds invested at any given time are to be placed with any one institution.

*Maturity Term*

- Investment terms to maturity may range from 'at call' to a maximum of one (1) year for Municipal or Trust Fund investments.
- Investment terms for Reserve Fund investments may range from 'at call' to a maximum of three (3) years.
- At least 60% of Reserve Fund investments shall have terms to maturity of less than one (1) year.

**Administrative Matters**

- The administrative, banking and reporting costs that may be associated with the particular financial instrument are to be considered in selecting an appropriate financial instrument.
- Competitive quotations are to be obtained prior to investing Council funds with any institution.

**Reporting**

- A fully reconciled Investment Register is to be maintained by the City at all times.
- The Investment Register is to record all investments held and those that have matured during the year - including details of financial institution, investment type, interest rate applicable, term to maturity and interest revenues earned and accrued.
- A report summarising the composition of the investment portfolio including investment classes, amounts invested with each financial institution and details of the investment performance shall be provided to Council monthly.

**Other Relevant Policies**

Nil

**Other Relevant Documents**

Local Government Act 1995 - Section 6.14

The Trustees Act 1962 - Part III

Local Government (Financial Management) Regulations 1996 - Reg 19,28 & 49

Australian Accounting Standards

Local Government Operational Guidelines - Number 19 (Investment Policy)

*This Policy was adopted by resolution of Council meeting on 22 October 2002; it was reviewed and amended by resolution of Council meeting on 25 October 2005 and 27 March 2007.*