



**ORDINARY COUNCIL MEETING  
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## **ORDINARY COUNCIL MEETING**

**Minutes of the Ordinary Meeting of the City of South Perth Council  
held in the Council Chamber, Sandgate Street, South Perth  
Tuesday 25 August 2009 at 7.00pm**

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

The Mayor opened the meeting at 7.00pm and welcomed everyone in attendance. He paid respect to the Noongar people, custodians of the land we are meeting on and acknowledged their deep feeling of attachment to country.

**2. DISCLAIMER**

The Mayor read aloud the City's Disclaimer.

**3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

**3.1 Activities Report Mayor Best / Council Representatives**

Mayor / Council Representatives Activities Report for the month of July 2009 attached to the back of the Agenda.

**3.2 Audio Recording of Council meeting**

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

**3.3 Public Question Time Forms**

The Mayor advised the public gallery that if anyone wished to 'table' a written question that a quantity of Question Forms were available in the foyer outside the Council Chamber.

**3.4 Local Government Reform**

The Mayor reported that in response to a request from the Minister for Local Government; Heritage; Citizenship and Multicultural Interests the Hon John Castrilli, the City's Submission Report on the proposed Local Government Reform will be available on the City web site on Friday 4 September 2009. He further stated that the City is inviting Deputations on the Submission Report to the September Council Agenda Briefing on 15 September

**4. ATTENDANCE**

Mayor J Best

Councillors:

G W Gleeson	Civic Ward
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 Ward
R Grayden	Mill Point Ward
D Smith	Mill Point Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr S Bell	Director Infrastructure Services
Mr M J Kent	Director Financial and Information Services
Mr S Bercov	Acting Director Development Services
Mr S Camillo	Manager Environmental Health and Regulatory Services (until 8.55pm)
Ms D Gray	Manager Financial Services
Mr R Kapur	Manager Development Services (until 9.08pm)
Ms C Husk	City Communications Officer (until 9.15pm)
Ms W Patterson	City Sustainability Coordinator (until 9.15pm)
Mrs K Russell	Minute Secretary

Gallery Eighteen members of the public present and 1 member of the press (until 9pm) .

**4.1 Apologies**

Cr R Wells, JP McDougall Ward (ill health)

**4.2 Approved Leave of Absence**

Cr S Doherty Moresby Ward

**5. DECLARATION OF INTEREST**

The Mayor reported that a Declaration of Interest had been received from the Chief Executive Officer in relation to Agenda Item 15.1.1. He further stated that in accordance with *Local Government (Rules of Conduct) Regulations 2007* that the Declarations would be read out immediately before the Item in question was discussed.

**6. PUBLIC QUESTION TIME**

**6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Council meeting held 28 July 2009 there were no questions taken on notice. Questions submitted in writing by: Rick Hughes of Kensington Community Association, Steve Neates of Manning Community Association and Graham Nicol of Charles Street, South Perth were 'taken as correspondence' as the submitters were not in attendance at the meeting. Nine Questions 'tabled' during Public Question Time by Mr Defrenne, 24 Kennard Street, Kensington were also 'taken as correspondence'. Written responses have been forwarded to the submitters.

## 6.2 PUBLIC QUESTION TIME : 25.8.2009

### Opening of Public Question Time

The Mayor advised that Public Question Time forms were available in the foyer for use however stated it is preferable that questions be forwarded 5 working days prior to the Council Meeting in order for responses to be provided. He further stated that in accordance with the *Local Government Act* regulations question time would be limited to 15 minutes and questions will be dealt with in the order they are received with long questions summarised and same or similar questions not responded to. The Mayor then opened Public Question Time at 7.05pm.

**Note:** *Written Questions submitted prior to the meeting were provided(in full) in a powerpoint presentation for the benefit of the public gallery.*

### **6.2.1 Mr Barrie Drake, 2 Scenic Crescent, South Perth**

#### Summary of Question

My questions relate to the Motion moved by Cr Grayden at the May 2009 Ordinary Council Meeting at Item 14 with respect to questions about 11 Heppingstone Street and Standing Orders Local Law Caluse 6.7(7)(a).

In the Comment section of the Notice of Motion Councillor Grayden has made the statement...*"The Minister has issued an Order and work has now been completed"*

1. Is this statement correct - has all the work been completed correctly?
2. Who inspected the work that was ordered by the Minister?
3. Did the Officer who inspected the work submit a written report ie photos etc?
4. In the Order from the Minister, Alannah MacTiernan dated 30 January 2008 at (b)(iv) have the fire-rated doors and partitions been fitted at the lobbies of Levels 2 and 3?

#### Summary of Response

The Mayor responded that:

1. The work has been completed to the City's satisfaction
2. Staff of the Planning and Development Services.
3. Yes
4. Doors and partitions have been fitted in accordance with Clause 3.11 of the Building Codes of Australia

### **6.2.2 Mr Lindsay Jamieson, 14 Tralee Way, Waterford**

**Note:** As Mr Jamieson was not present at the Meeting the Mayor stated that the six questions submitted in relation to a claim for legal fees would be dealt with as correspondence by the Administration.

**6.2.3 Ms Yvette Stott, 130 Ryrie Street, Como**

Summary of Question

In relation to the Sir James Mitchell Park Tree Planting Project:

1. On what basis has Council interpreted “vista” means “a view framed by trees”?
2. Plantings undertaken by Council over the last 6 years and proposed new tree plantings have not been planted in a manner to protect the unique Swan River, city vistas and Kings Park, from within the Park nor from the road edge as current photographs show. Most of the foreshore has trees planted like a hedge and the proposed tree plantings extend the problem. Why is South Perth Council not following the blueprint of its ongoing commitment in the vision and mission statement and how is Council going to rectify this problem?

Summary of Response

The Mayor responded that:

1. The reason the word “Vista” was used in the Sir James Mitchell Park Foreshore Management Plan and not the word “view”, is that the plan considered that the views to the City skyline, river and Kings Park were important, so were trees in the park. The City and the Swan River Trust attempted to provide a balance between the two sometimes competing objectives. This was demonstrated in the actions of the plans, particularly about the need for consultation.
2. There have been minimal plantings undertaken by the City in Sir James Mitchell Park in the last six years. The plantings that have occurred replaced existing trees that have died or were destroyed in storms. All new plantings in the park are proposed to be planted in accordance with the actions of the Foreshore Management Plan to respect vistas. The Council believes it is meeting its ongoing commitment in the Vision and Mission Statements of the Foreshore Management Plan by following a consultative and sustainable process.

**6.2.4 Dr Jennifer Nevard, 195 Mill Point Road, South Perth**

Summary of Question

In relation to the Sir James Mitchell Park Tree Planting Project:

1. How many trees are there in Sir James Mitchell Park at present between South Perth Esplanade car park and Ellam Street?
2. The revised Tooby Landscape Plan calls for a total of 1142 trees in the area defined in part (a) of this questions. Has the Council ensured that the remaining trees (if there is a number still required) be planted to preserve the view corridors for people enjoying the park (86% park users and 70% residents when surveyed) and will this proposal be available for public comment?
3. Given the contested nature of the subject of tree plantings and of the outcomes of informal surveys on the topic, will the Council commit to conducting any future surveys through the WA Electoral Commission to preserve the integrity of the results of the opinions gathered?



Summary of Response

The Mayor responded that:

1. There are 981 trees in the park at present. A shortfall of 161 trees as identified in the Foreshore Management Plan.
2. The Foreshore Management Plan was developed from the Tooby Landscape Plan and provides:
  - no removal of any remnant native vegetation
  - 94 trees proposed to be planted in locations that seek to preserve vistas as much as possible
  - significant consultation was undertaken. Half page adverts in the local community paper resulted in a good level of public feedback
3. Council believes that the tree plantings are not contested by the general public. Given that 403 written submissions and a petition of 263 signatures were received, the City is confident of a robust consultation process that was embraced by over 1000 members of the community. The process was facilitated by two independent academics who provided the framework for the multi-factorial analysis and involved the Sir James Mitchell Park Advisory Group.

<b>6.2.5 Mr Geoff Defrenne, 24 Kennard Street, Kensington</b>
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Summary of Question

1. Is the council aware that that it is breach the Local Government Act 1995 and its own Standing Orders by attempting to force questions from the public to be in writing.
2. Has the council sought a legal opinion on its claimed “protocol” or “practice” of its apparent insistence having questions in writing?
3. Has the council sought an opinion from the Department of Local Government on the proposed Item 10.7.1 “Question time Policy”.
4. If an opinion has been sought, what is that opinion?
5. Will the Council seek an opinion from the Department of Local Government on the proposed Item 10.7.1 “Question time Policy”.
6. If the Council seeks and receives an opinion from the Department of Local Government on the proposed Item 10.7.1 “Question time Policy”, the opinion be made public in the spirit of openness and good governance.
7. Has the CEO complied with S5.41 (a) and (b) of the *Local Government Act* in advising the Council of the functions of the local government and made that advice available to the Council in respect to Item 10.7.1 of tonight’s Agenda.
8. I believe the CEO’s 5 year contact of employment expires in May 2010.
9. Will the Council advise the CEO that his 5 year contract expires in May 2010?
10. Will the Council advise the CEO that his 5 year contract expires in May 2010 and it gives the CEO six months notice of the expiry of the Employment Contract and that he is welcome to apply for the position when it is advertised?
11. Given the time it has taken in the past to find a suitable candidate for the position of CEO and that a suitable candidate may be required to give three months notice to their current employer, when does the Council intend to advertise the position of CEO.

Summary of Response

The Mayor responded that:

- 1.. The City does not agree that the Council is in breach of the *Local Government Act* by requiring questions to be put in writing. This approach is in common with other Councils who require questions to be in writing
2. No, the Presiding Officer determines procedures
3. No, not required
4. Not relevant
5. No, If and when Standing Orders are revised by Council, The Department of Local Government will provide a comment on its content.
6. The response would be considered by the Audit and Governance Committee and as a consequence would be publicly available.
7. The CEO is satisfied that the current practices are consistent with Clause 6.6 of the Standing Orders Local Law and Regulation 7 of the Local Government Administration Regulations.
8. Yes
9. Process underway in accordance with the terms of the contract
- 10/11. This matter is included in report Item 15.1.1 on tonight's Agenda and is a *confidential* item. The resolution adopted by the Council will be made public.

**6.2.6 Ms Yvette Stott, 130 Ryrie Street, Como**

**Note:** *Written Question 'tabled' during Public Question Time and therefore not part of the power point presentation.*

Summary of Question

Was the Council definition of 'vista' as a view framed by trees specifically defined in the 2001 Sir James Mitchell Park Foreshore Management Plan? If not, why is the dictionary definition of vista not being accepted / followed?

Summary of Response

The Director Infrastructure Services responded that there was a clear understanding between the Swan River Trust and Council that they did not want the Management Plan specifically to be about views and it was their interpretation that a 'vista' was an important statement to ensure that trees were not lost in the overall framework of the vision for the park.

Close of Public Question Time

There being no further questions the Mayor closed Public Question time at 7.18pm

**7. CONFIRMATION OF MINUTES / BRIEFINGS**

**7.1 MINUTES**

**7.1.1 Ordinary Council Meeting Held: 28.7.2009**

**COUNCIL DECISION ITEM 7.1.1**

Moved Cr Trent, Sec Cr Burrows

That the Minutes of the Ordinary Council Meeting held 28 July 2009 be taken as read and confirmed as a true and correct record.

CARRIED (11/0)

**7.1.2 CEO Evaluation Committee Meeting Held: 4.8.2009**

**7.1.3 Audit and Governance Committee Meeting Held: 4.8.2009**

**COUNCIL DECISION ITEMS 7.1.2 AND 7.1.3**

Moved Cr Grayden, Sec Cr Cala

That the Minutes of the CEO Evaluation Committee and the Audit and Governance Committee Meetings held 4 August 2009 be received.

CARRIED (11/0)

**7.2 BRIEFINGS**

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

**7.2.1 Agenda Briefing - July Ordinary Council Meeting Held: 21.7.2009**

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

**7.2.2 Concept Forum "Visioning Outcomes' Meeting Held: 4.8.2009**

Officers of the City and Consultant Tim Muirhead presented an overview of the process in developing the City's "Vision Ahead". Notes from the Concept Briefing are included as **Attachment 7.2.2**.

**7.2.3 Concept Forum TP Major Development Briefing Meeting Held: 5.8.2009**

Officers of the City and applicant presented an overview of the proposed development at 3 Parker Street, South Perth. Notes from the Concept Briefing are included as **Attachment 7.2.3**.

**7.2.4 Concept Forum Sir James Mitchell Park Tree Planting Project Meeting Held: 11.8.2009**

Officers of the City gave a presentation/Update on the SJMP Tree Planting Project and responded to questions from Members. Notes from the Concept Briefing are included as **Attachment 7.2.4**.

**7.2.5 Concept Forum Local Government Reform. Meeting Held: 11.8.2009**

Consultant C Liversage gave a presentation on the Local Government Reform review findings and responded to questions from Members. Notes from the Concept Briefing are included as **Attachment 7.2.5**.

**COUNCIL DECISION ITEMS 7.2.1 TO 7.2.5 INCLUSIVE**

Moved Cr Trent, Sec Cr Ozsdolay

That the comments and attached Notes under Items 7.2.1 to 7.2.5 inclusive on Council Agenda Briefings held since the last Ordinary Meeting of Council on 28 July 2009 be noted.

CARRIED (11/0)

## 8. PRESENTATIONS

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

Nil

### 8.2 PRESENTATIONS - Occasions where Awards/Gifts may be Accepted by Council on behalf of Community.

#### 8.2.1. Water Campaign - Milestone 3

The Mayor presented a Certificate to the City from the Australian Government, the Government of Western Australia and the Western Australian Local Government Association in recognition of the City having achieved Milestone 3 'Corporate and Community' in the Water Campaign. He further advised that the City joined the Water Campaign in August 2004 with Milestone Three (Action Plan) submitted to Council in June 2009, completing the recognition for that Milestone. The comprehensive Water Campaign Action Plan encompasses City and community actions aimed at improving water quality and conservation

#### 8.2.2. Cities for Climate Protection

The Mayor presented two Certificates to the City from the Minister for the Environment, Heritage and the Arts in recognition that the City of South Perth has made a formal commitment to the Cities for Climate Protection Australia Program and has produced a Sustainable Purchasing Action Plan and a Planning and Review program. He further advised that the City joined the CCP in 2001, progressed through the five milestones and recently completed the Plus program. CCP is aimed at improving the City's efforts in energy efficiency and the reduction of greenhouse gas generation. The Plus program included a Planning and Review Report (verified by ICLEI CCP), and significant achievement toward a sustainable project. The project chosen was Sustainable Procurement. In relation to Sustainable Procurement the Mayor said that he advised that this project began in 2008 as a result of the requirement for CCP Plus program, and progressed to Milestone Three, an Action Plan. This program is aimed at improving the City's efforts in its procurement practices and embedding sustainable purchasing choices. The Action Plan was the best that ICLEI had received (consultant Cesira Leigh undertook this work). The Action Plan will be implemented mostly over this financial year.

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

**Note:** Deputations in relation to Agenda Items 10.3.3, 10.3.4, 10.3.5 and 12.1 were heard at the August Council Agenda Briefing held on 18 August 2009.

#### Opening of Deputations

The Mayor opened Deputations at 7.28pm.

#### 8.3.1 Mr Geoff Defrenne, 24 Kennard Street, Kensington Agenda Item 7.1.1

Mr Defrenne spoke in relation to the Minutes of the July 2009 Council Meeting at Item 7.1.1 on the Agenda and raised the following points:

- Questions submitted not recorded in the Minutes
- denying a person the right to ask questions
- Council responsibility to ensure Minutes are correct

**8.3.2 Mr Geoff Defrenne, 24 Kennard Street, Kensington Agenda Item 10.7.1**

Mr Defrenne spoke in relation to Item 10.7.1 'Recommendations from the Audit & Governance Committee Meeting Held 4 August 2009' on the following points:

- Public Question Time Guidelines 'flawed'
- guidelines need to accept 'preambles' in order to understand questions submitted
- many Councils do not require questions in writing
- many Councils only requirement is that questions comply with the Act
- Chair may accept/reject questions - denying a person the right to ask a question
- Chair's decision is final - giving the Chair dictatorial power
- Question on Notice has been a practice for ever
- Questions as correspondence will not be recorded in the Minutes - therefore person has been denied the right to ask a question
- questions should be answered honestly and fully
- accurate recording of questions - at June meeting my questions were summarised

**8.3.3 Mr Barrie Drake, 2 Scenic Crescent, South Perth Agenda Item 10.7.1**

Mr Drake spoke against the officer recommendation for Item 10.7.1 'Recommendations from the Audit & Governance Committee Meeting Held 4 August 2009' on the following points:

- endorse comments made by Mr Defrenne
- PQT Guidelines do not say that officers will undertake to answer questions
- ratepayers should have a voice - Guidelines are one-sided
- questions need to be answered honestly/correctly first time
- for 6 years have been asking questions about the illegal building at 11 Heppingstone Street - if answered correctly the first time it would not have gone on so long
- Mr Drake provided an example to questions raised / answers provided by referring to the background on issues relating to No. 11 Heppingstone Street
- believe Public Question Time has been changed because of my questions on 11 Heppingstone Street - do not hide behind the questions raised.

**CEO STATEMENT ON DEPUTATION 8.3.3**

The Chief Executive Officer stated that he was disappointed to note that the Deputation on report Item 10.7.1 from Mr Drake on the topic of Public Question Time Guidelines received by the Audit and Governance Committee at its meeting held on 4 August 2009 had been 'highjacked' to become a further debate on No. 11 Heppingstone Street, contrary to Council's resolution adopted in May 2009.

**Close of Deputations**

The Mayor closed Deputations at 7.50pm.

#### **8.4 COUNCIL DELEGATES**

**8.4.1. Council Delegate: WALGA South East Metropolitan Zone: 29 July 2009.**

A report from Mayor Best and Cr Trent summarising their attendance at the WALGA South East Metropolitan Zone Meeting held 29 July 2009 is at **Attachment 8.4.1.**

The Minutes of the WALGA South East Metropolitan Zone meeting of 29 July 2009 have also been received and are available on the *iCouncil* website.

RECOMMENDATION

That the Delegate's Reports in relation to the WALGA South East Metropolitan Zone Meeting held 29 July 2009 be received.

**COUNCIL DECISION ITEM 8.4.1**

Moved Cr Hasleby, Sec Cr Burrows

That the Delegate's Reports in relation to the WALGA South East Metropolitan Zone Meeting held 29 July 2009 be received.

CARRIED (11/0)

**8.4.2. Council Delegate: Two Rivers Catchment Group 11 February 2009**

Cr Ozsdolay attended the Two Rivers Catchment Group Meeting on Wednesday 10 June 2009 at the Canning Eco Centre, Cannington. The Minutes of the Two Rivers Catchment Group Meeting are available on the *iCouncil* website and at **Attachment 8.4.2.**

RECOMMENDATION

That the Minutes at **Attachment 8.4.2** of the Two Rivers Catchment Group Meeting Held : 10 June 2009 be received.

**COUNCIL DECISION ITEM 8.4.2**

Moved Cr Burrows, Sec Cr Grayden

That the Minutes at **Attachment 8.4.2** of the Two Rivers Catchment Group Meeting Held 10 June 2009 be received.

CARRIED (11/0)

#### **8.5 CONFERENCE DELEGATES**

Nil

**9. METHOD OF DEALING WITH AGENDA BUSINESS**

The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, would be adopted en bloc, ie all together. He then sought confirmation from the Chief Executive Officer that all the report items had been discussed at the Agenda Briefing held on 18 August 2009.

The Chief Executive Officer confirmed that this was correct with the exception of Item 10.6.4 which was circulated as a 'late item' prior to the Council Meeting.

WITHDRAWN ITEMS

The following items were withdrawn for discussion / debate

- Item 10.0.2 Discussion
- Item 10.0.3 Alternative Motion proposed
- Item 10.2.1 Discussion
- Item 10.3.3 Alternative Motion proposed
- Item 10.3.5 Discussion

**COUNCIL DECISION ITEM 9.0 - EN BLOC RESOLUTION**

Moved Cr Cala, Sec Cr Hasleby

That with the exception of Withdrawn Items 10.0.2, 10.0.3, 10.2.1, 10.3.3 and 10.3.5 which are to be considered separately, the officer recommendations in relation to Agenda Items 10.0.1, 10.3.1, 10.3.2, 10.3.4, 10.4.1, 10.5.1, 10.5.2, 10.5.3, 10.6.1, 10.6.2, 10.6.3, 10.6.4, 10.6.5 and 10.7.1 be carried en bloc.

CARRIED (11/0)

**10. REPORTS**

**10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS**

**10.0.1 Proposed Amendment No. 18 to TPS6 - Performance-Based increase in Building Height Limit for Penrhos College** *(Item 10.3.1 June 2009 Council Meeting)*

Location: Lot 2199 (No. 6) Morrison Street/Thelma Street/Murray Street, Como  
Applicant: The Planning Group WA Pty Ltd (TPG), Town Planning and Urban Design consultants on behalf of Penrhos College  
Lodgement Date: 15 May 2009  
File Ref: LP/209/18  
Date: 3 August 2009  
Author: Gina Fraser, Senior Strategic Planning Officer  
Reporting Officer: Rod Bercov, Acting Director, Development Services

**Summary**

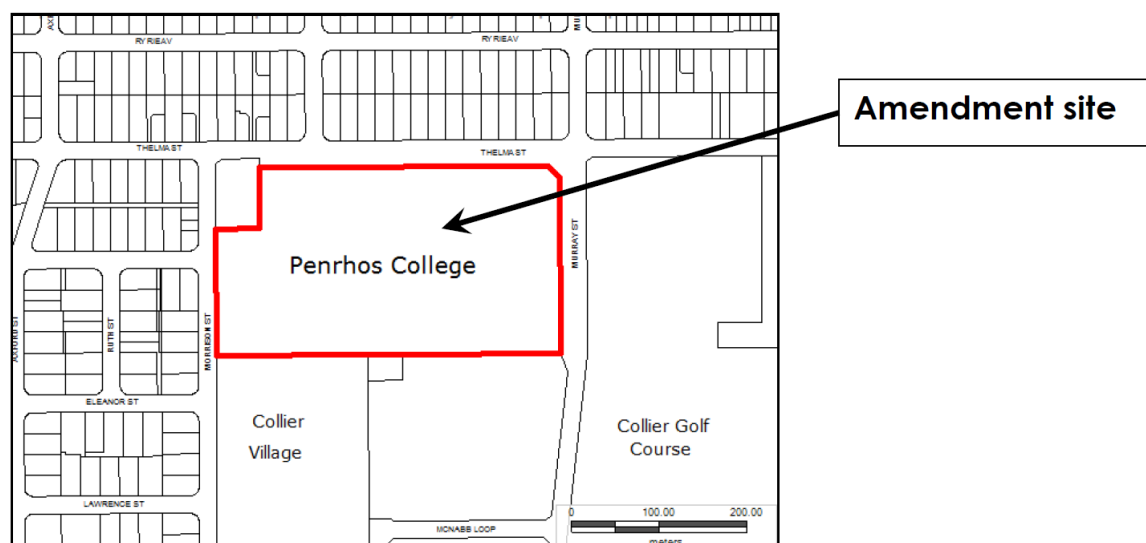
To consider the draft Amendment No. 18 document for endorsement for the purpose of community consultation. The proposal is to increase the maximum permissible building height to 10.5 metres on the Penrhos College campus, subject to meeting all of the performance criteria being introduced by this Scheme Amendment. The proposed performance criteria are site-specific and have been designed to achieve a desirable sustainable outcome.

It is recommended that the draft Amendment No. 18 document be endorsed, and that Amendment No. 18 to TPS6 be advertised for public inspection and comment.

**Background**

In June 2009, the Council resolved to initiate a Scheme Amendment as requested by the applicants. The purpose of the Amendment was described fully in the relevant report and Attachment presented to the June 2009 meeting. It is also described in **Attachment 10.0.1** to the current report.

The Amendment site location and details are shown below:



<b>Site name</b>	Penrhos College
<b>TPS6 zoning</b>	Private Institution
<b>Density coding</b>	R30
<b>Lot area</b>	8.1468 hectares
<b>Current building height limit</b>	7.0 metres
<b>Proposed increased maximum building height</b>	10.5 metres, subject to meeting all of the required performance criteria
<b>Predominant development</b>	Educational Establishment and Student Housing

The statutory Scheme Amendment process requires this request to be referred to a Council meeting for consideration. In addition, after the Scheme Amendment has been finally approved by the Minister, the subsequent development application will be referred to a Council meeting because it falls within the following category described in Council Delegation DC342:

2. **Large scale development proposals**
  - (ii) *Proposals involving buildings 9.0 metres high or higher based upon the Scheme definition of the term “height”. This applies to both new developments and additions to existing buildings resulting in the building exceeding the nominated height.*

**Comment**

The draft Scheme Amendment document is contained in **Attachment 10.0.1**.

The purpose of the Amendment is to provide for an increase in the height of buildings located towards the centre of the site, while minimising the impact on any adjoining or nearby neighbours. The intention is that the existing 7.0 metre Building Height Limit would remain on the Scheme Map and continue to apply to the site. However, in line with the overriding Scheme Objective to encourage ‘performance-based development’, a range of performance criteria would need to be met in order for a proposed development to ‘qualify’ for a building height of more than 7.0 metres to a maximum of 10.5 metres.



To accommodate this concept, site-specific performance criteria will be added to TPS6 clause 5.4 'Development Requirements for Certain Sites'.

The proposed Amendment relates only to the building height limit. No other Scheme provisions will be affected.

The proposed performance criteria relate to the following aspects of development:

- (i) no overshadowing of Collier Village site;
- (ii) restriction of building height in the vicinity of neighbouring low density housing;
- (iii) exceptional design quality;
- (iv) attractive landscaping that will also enhance the natural environment;
- (v) replacement of trees;
- (vi) heritage assessment statement for demolition or substantial modification of any building;
- (vii) photographic record of building façades prior to demolition or substantial modification.

### Consultation

At this stage, no consultation has been undertaken. Following the Council resolving to endorse the draft Amendment No. 18 document, it will be advertised for public inspection and comment. Consultation will be undertaken to the extent and in the manner required by Policy P355 'Consultation for Planning Proposals', and the *Town Planning Regulations*. Initially, the proposals will be referred to the EPA for clearance, with community consultation commencing after clearance has been received. The consultation will involve a minimum 42-day advertising period. During that consultation period, signs will be placed on site, notices will be published in the *Southern Gazette* newspaper and the proposals displayed in the City's Libraries, Civic Centre and on the City's web site.

### Policy and Legislative Implications

The Scheme Amendment will have the effect of modifying the City's operative Town Planning Scheme No. 6 in terms of the building height controls applicable to the Penrhos site. The Council initiated the Scheme Amendment in June 2009, and must now follow statutory procedure with the final decision being made by the Minister for Planning following consideration of submissions and all other relevant factors.

Amendment No. 18 will follow the statutory Scheme Amendment process set out in the *Town Planning Regulations*. The key stages of the process are set out below, together with an estimate of the likely time frame for each stage:

Stage of Amendment Process	Estimated Time
Council decision to initiate Amendment No. 18 to TPS6	23 June 2009
Payment of Planning Fee by Penrhos College following Council decision to initiate Amendment No. 18	Unknown
Council adoption of draft Amendment No. 18 Report and Scheme Text for advertising purposes ( <i>current stage of process</i> )	25 August 2009
Referral of draft Amendment No. 18 documents to EPA for environmental assessment during a 28 day period, and to WAPC for information	Early September 2009
Public advertising period of not less than 42 days - the City normally allows a slightly longer period than the minimum 42 days, to provide for mail deliveries and slightly late submissions	Anticipated to be October, November 2009
Council consideration of Report on Submissions in relation to Amendment No. 18 proposals	First available Council meeting following the conclusion of the statutory advertising period - anticipated to be February 2010

Stage of Amendment Process	Estimated Time
Referral to the WAPC and Minister for consideration of: <ul style="list-style-type: none"> <li>• Report on Submissions;</li> <li>• Council's recommendation on the proposed Amendment No. 18;</li> <li>• Three signed and sealed copies of Amendment No. 18 documents for final approval</li> </ul>	Anticipated to be March 2010
Minister's final determination of Amendment No. 18	Unknown
Publication by the City of Notice of the Minister's approval of Amendment No. 18 once in the <i>Government Gazette</i> , once in a local newspaper; and notification by mail to all submitters	Unknown - following receipt from PlanningWA of the Minister's final approval

### Financial Implications

The issue has some impact on this particular area, to the extent of payment of the required Planning Fee by the applicant. The *Planning and Development Regulations 2009* and the City of South Perth Fees and Charges Schedule 2009/2010 provide for a Planning fee to be charged with respect to the preparation and processing of a requested Scheme Amendment. Maximum hourly rates applicable to certain levels of Officer and other investigative and process costs are prescribed in the Regulations and have been adopted into the Council's fee schedule. The Regulations provide for the fee to be paid at the time of lodgement of the rezoning request.

The Planning Fee is required to be determined in the first instance based on an estimate of the amount of time likely to be spent on the proposal by relevant officers. In the current case, an estimated total Planning Fee of \$10,000 was imposed by the Council for Amendment No. 18.

### Strategic Implications

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

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

### Sustainability Implications

The applicant's site-specific performance-based approach to the requested Scheme Amendment meets the criteria of sustainable design. The proposed performance criteria ensure that any development which results from the Amendment will be sensitive to the community, the site and the environment. City officers have further refined the consultants' originally suggested performance criteria to ensure that any proposed development will achieve an outcome that demonstrates adherence to sustainable design principles.

### Conclusion

Having regard to the discussion contained in this report, City officers are satisfied that the proposed Amendment No. 18 document should be endorsed to enable community consultation to be undertaken. The Scheme Amendment process is designed by statute to be open and accountable, and inclusive of community input. When the Amendment proposals have been advertised for public inspection and comment, the Amendment will be reconsidered by the Council in the context of any submissions received. A further decision will then be made regarding the Council's recommendation to the Western Australian Planning Commission and the Minister for Planning. The Council's final recommendation would be either to proceed with the Amendment, modify it, or not proceed with it. The final decision will be made by the Minister.

**OFFICER RECOMMENDATION AND  
COUNCIL DECISION ITEM 10.0.1**

That .....

- (a) the Council of the City of South Perth under the powers conferred by the *Planning and Development Act 2005*, hereby amends the City of South Perth Town Planning Scheme No. 6 in the manner described in **Attachment 10.0.1**;
- (b) the Report on the Amendment containing the draft Amendment No. 18 to the City of South Perth Town Planning Scheme No. 6, **Attachment 10.0.1**, be adopted and forwarded to the Environmental Protection Authority for environmental assessment and to the Western Australian Planning Commission for information;
- (c) upon receiving clearance from the Environmental Protection Authority, community advertising of Amendment No. 18 be implemented in accordance with the Town Planning Regulations and City Policy P355, to comprise the following:
- A community consultation period of not less than 42 days;
  - Notices by mail to property owners within Area 2 and affected service agencies;
  - Signs on site in accordance with clause 10(b)(iii) of Policy P355, in the following approximate locations:
    - generally opposite No. 110 Thelma Street;
    - generally opposite the end of Brittain Street;
    - generally opposite No. 7 Morrison Road; and
    - at the corner facing the junction of Thelma Street and Murray Street;
  - Southern Gazette newspaper notice in two issues: 'City Update' column;
  - Notices and Amendment document displayed in Civic Centre customer foyer, City Libraries, Heritage House and on the City's web site ('Out for Comment'); and
- (d) the following footnote shall be included by way of explanation on any Notice circulated concerning Amendment No. 18:

**FOOTNOTE:**

This draft Scheme Amendment is currently only a proposal. The Council welcomes your written comments and will consider these before recommending to the Minister for Planning and Infrastructure whether to proceed with, modify or abandon the proposal. The Minister will also consider your views before making a final decision.

CARRIED EN BLOC RESOLUTION

**10.0.2 Community Visioning** (*Item 10.0.3 May 2008 Council meeting refers*)

Location: City of South Perth  
Applicant: Council  
Date: 11 August 2009  
Authors: Helen Doran-Wu, Community Development Coordinator  
Sandra Watson, Manager Community Culture and Recreation  
Reporting Officer: Cliff Frewing, Chief Executive Officer

**Summary**

The purpose of this report is to present the final findings of the *Our Vision Ahead* visioning project.

**Background**

Council adopted a Notice of Motion at the September 2007 meeting as follows:

COUNCIL DECISION ITEM 12.1

*That....*

- (a) *the Chief Executive Officer be requested to prepare a report for the Ordinary Meeting of Council to be held in February 2008 on “Visioning,” and the “Visioning Process” in relation to the 2008 reviews of, but not limited to the following:*
- *Town Planning Scheme;*
  - *Strategic Plan;*
  - *Connected Community Plan; and*
  - *Sustainability Strategy Action Plan*
- (b) *the “Visioning” include:*
- (i) *but not be limited to, public workshops, telephone polls, website and written surveys; and*
- (a) *all stakeholders including, but not limited to, residents, ratepayers, Elected Members and Council staff.*

It was noted in the September 2007 report that an amount of \$50 000 was allocated in the 2007-2008 budget for the purpose of undertaking a visioning project. A report was subsequently considered at the February 2008 Council Meeting that presented background information on the Visioning process and how it could apply to the City of South Perth.

A Councillor Workshop facilitated by Tim Muirhead was held on the 8 April 2008. At the workshop Council considered the implications of undertaking a visioning project and the benefits of a visioning project were presented. These included:

- ✓ Engagement and Belonging
- ✓ Direction and Leadership
- ✓ Partnership – ‘us together’
- ✓ ‘Creative Tension’

Further, the Steven Ames’ Oregon Model of visioning was outlined and it was noted that this model was considered to be the best practise for identifying the vision of the community. The model focuses on a process through which any community can create a shared vision for their future and in essence, begin to make that vision a reality. It is a framework for planning, policy and decision-making that focuses on asking the following 5 questions:

1. Where are we now?
2. Where are we going?
3. Where do we want to be?
4. How do we get there?
5. Are we getting there?

Following on from the workshop, Council adopted the following recommendations at the May 2008 Council meeting:

**COUNCIL DECISION ITEM 10.0.7**

*That....*

- (a) *the City embarks upon a Visioning project as outlined in this report;*
- (b) *an amount of \$110,000 is allocated in the 2008/2009 draft budget in order to complete the visioning project; and*
- (c) *reviews are undertaken of the current Strategic Plan, Connected Community Plan, Sustainability Action Plan in line with existing timeframes but taking into account the need to incorporate the outcomes of the Visioning process at the earliest practical opportunity.*

The project scope as presented in the May 2008 report has been used to guide the implementation of the project. It describes the stages, actions and associated timeline. Currently, the project is in the final phase of Stage 3.

<b>COMMUNITY VISIONING - PROJECT SCOPE</b>		
<b>Aim</b>	<b>Action</b>	<b>Completed by</b>
<b>Stage 1</b>		
'Where are we now?': Internal perspective	Literature review - Internal review of strategic documents, plans, strategies to summarise and priorities and key focus areas identified through previous research and consultation	<b>August 2008</b>
	Identify key demographic and social trends anticipated over the vision period	
	Two facilitated workshops with officers and elected members to consider & endorse summarised information	
	Information is collated into a report used to inform Stage 2	
<b>Stage 2</b>		
'Where are we now?': The community perspective	Establish a <i>Roundtable Reference Group</i> comprising community leaders and City representatives, representative of a broad range of interests	<b>October 2008</b>
	Three facilitated workshops for the <i>Roundtable Reference Group</i> to identify, prioritise and summarise key issues for further consideration through broad community consultation.	
	Produce a discussion paper to inform Stage 3	

<b>Stage 3</b>		
Collaborate to create the Vision: 1) 'Where are we going?' 2) 'Where do we want to be?'	Develop, in collaboration with the <i>Roundtable Reference Group</i> , a broad based community consultation and promotion strategy that best suits the outcomes of stage 2. This strategy would comprise initiatives in three key areas;  1) Utilise <b>existing networks</b> - broad based discussion with existing groups eg. P&Cs, Churches, Seniors Centres, NHW, Service Organisations, Advisory Groups etc.  2) Utilise <b>existing initiatives</b> - Fiesta, Community Art, relationships with schools, Partnership with Millennium Kids, Library projects etc  3) <b>Community Visioning Conference</b> - one day series of forums on key issues with experts involved where required (eg. climate change, community safety, ageing population etc.)	<b>November 2008</b>
	Launch the broad Community Engagement phase of the project.	<b>February 2009</b>
	Community Visioning Conference	<b>April 2009</b>
	Complete the community engagement phase of the visioning project	<b>May 2009</b>
	<i>Roundtable Reference Group</i> reconvenes to consider community input and develop the <b>draft vision document</b> incorporating an indicative implementation strategy	<b>August 2009</b>
	Draft Vision Document presented to council and put out for public comment	
	Feedback considered before presenting final document to council	<b>November 2009</b>
	<b>Stage 4</b>	
'How do we get there?': Translate Vision into agreed strategies	Translate broad objectives of the Vision document into the City's strategic and business planning documents. This phase will incorporate reviews of the City's Strategic Plan , Connected Community Plan, Sustainability Action Plan etc.	<b>July 2010</b>
<b>Stage 5</b>		
'Are we getting there?': Ongoing implementation, reporting and collaboration	Develop a strategy to ensure ongoing support for outcomes in Council decisions: 1) Annual internal review of progress; and 2) Forward planning as part of the strategic/business planning cycle	<b>Annually</b>
	Develop a reporting and marketing strategy to show the progress on implementation strategy to the community to include: 1) Reconvening the <i>Roundtable Reference Group</i> every 4 years to review the Vision 2) Community input via newsletter and feedback form, utilising existing networks and initiatives	<b>Annually</b>
		<b>Every 4 years</b>

*Relationship to key strategic documents*

As identified in the report to Council in May 2008, 'the main outcome of the visioning should be a document that describes the broad level of community aspirations over a 20 year time period. The Vision developed will guide, subject to ongoing consultation, the development of strategic documents and projects over the next 20 year period.' Once the document is finalised, the review of the City's key documents can be progressed.

The City's district Town Planning Scheme No. 6 (TPS6) was due to be reviewed in 2008 as it is subject to a statutory review process. The City's current Strategic Plan, Connected Community Plan and Sustainability Strategy Action Plan were also due for review in 2008. When developed in 2004 and 2005 respectively, these plans were the focus of considerable community consultation involving round table discussion with stakeholders such as community groups, service organisations, local businesses and churches, followed by the draft documents being made available to the community for comment. It was considered that the visioning project would be complementary to the review of the City's key strategic documents and that the findings from the visioning project would make a significant contribution to the subsequent formal review processes associated with all of the strategic documents including the future review of TPS6. Accordingly, the visioning project is regarded as the first stage in the review of those documents.

As the visioning project has involved similar levels of consultation required for the review of the City's strategic documents and with the approximate timeframe of twelve months to complete the process, it was therefore necessary to delay the timeframe for the reviews of the abovementioned documents.

### **Comment**

Tim Muirhead and Associates was engaged by the City in August 2008 to facilitate visioning workshops with Council and the community and prepare draft documentation. The facilitators were Tim Muirhead and Mary Del Casale.

### *Community Driven*

The *Our Vision Ahead* project has been led and directed by the community. To facilitate the community's involvement the City held a Community Stakeholder Workshop on October 16<sup>th</sup> 2008. Forty people attended comprised of representatives from 24 community groups, as well as 16 individuals. The aim of the workshop was to set the overall direction of the visioning project, debate the structure of the visioning project, encourage ongoing group participation, identify existing networks and to promote the role and membership, of the Visioning Round Table. People who attended the workshop continue to be engaged through updates as to the progress of the project and promotion of the survey kit.

The next phase of the project was to develop the Visioning Round Table. This group was comprised of 10 community groups, 4 state government departments, 6 business representatives and 4 members of staff from across the organisation. The members represented key demographic groups and networks in the City. The role of the Roundtable was as follows:

- Advise the Project Team on ways to ensure the visioning process was appropriate
- 'Champion' the Visioning Process (and later the Vision) within the community
- 'Make Sense' of the information that came in from the Visioning Process. (including – responding to dilemmas and tensions in community views)

The group has, to date, met four times. Considerable feedback was received from the group which has enabled the process, conference and reach of the project to be as comprehensive and successful as it has been.

### *Process*

The visioning process was designed to maximise the public exposure of the project, reach as large and as diverse a population as possible. The consultation was developed around the following concepts:

- A survey was designed based on the Oregon Model. The questions were as follows:
  1. What do you most *value* about the community? *ie those things that you would like to remain the same in the future.*
  2. What do you think are the key *issues* we will face in the future?
  3. Imagine that the City of South Perth meets your *highest expectations* in 2030. What are the key features of your vision?
  4. What is one or more *local action* in the community that would help us move towards your vision for 2030?
  5. Groups: The survey was compiled into a Do It Yourself (DIY) kit that could be used by groups hosting their own focus groups. Alternatively, a focus group, utilising the kit could be facilitated by the project consultant. The kit contained the survey, a visioning fact sheet, a facilitator's and workshop guide, information on the City of South Perth and local government, and an outline of global trends that will influence the future.
- The Youth Summit, facilitated by Millennium Kids, utilised a similar group survey process. In this instance, the young people facilitated their own sessions and utilised other creative methods for discussing issues for the future and articulating their vision.
- Individuals: The survey was available to individuals at facilitated workshops, public events, stands at public places eg ferry and shops, a visioning stand at the Manning and South Perth Libraries and online.

As can be seen, the survey was designed to elicit qualitative responses. This enabled people to express their ideas and as many ideas as they desired.

#### *Promotion*

City staffed *Our Vision Ahead* stands at the Australia Day Skyworks event January 27th 2009, the Totally Best Family Day Ever 22<sup>nd</sup> March, and the Mend's St Carnivale on March 29<sup>th</sup>. Further stands were held at the ferry, the Waterford Plaza and Como IGA over April 16-18.

The project was heavily promoted using the City's Peninsula newsletter, the City Update in the Southern Gazette, the Fiesta '09 brochure which was distributed to every household in the area, paid advertising, press releases, email and direct mail-outs, and the website. In all the project was formally promoted on 28 occasions. Further, information and fliers were distributed at all events, in the libraries and in the Fiesta brochure. Word of mouth promotion was achieved by the enthusiastic Visioning Round Table members, existing neighbourhood networks and promotion at public engagements.

#### *Data collation*

Given the substantial number of surveys expected to be returned, a method of handling the diverse and extensive information was developed which is detailed below:

- Group responses: Groups, including facilitated focus groups, used the sheets provided in the DIY kit to facilitate a discussion on visioning. The Individual Response Sheets allowed them the opportunity for self-reflection and assisted in prompting discussion. The next phase was for the group to then establish priorities utilising the Group Priorities Sheet.
- Individual responses: People had the opportunity to fill out the survey either in discussion with staff or on their own.
- Youth Summit: Responses were collated on the day. The responses were presented in a report format and priorities listed.



The Individual Responses, Group Priorities sheets and the Youth Summit findings were then collated into spreadsheets and themed. Analysis of the data indicated five emergent key themes: 'Community', 'Place', 'Housing', 'Transport' and 'Environment'. Importantly, the five themes provided a useful framework for presenting actions and debating key dilemmas. It is understood that within each theme there are ideas and suggestions that are relevant to more than one theme. Under each theme, key visions and actions were drafted into a document that was to be used to facilitate the conference, develop the key priorities under each theme and commence the development of the vision.

#### *Special Events*

The City held a number of special events to help celebrate and promote *Our Vision Ahead* and encourage a diverse group of people to participate in the process.

The *Our Vision Ahead* project was launched at a workshop with internationally acclaimed visioning practitioner, Steven Ames. The workshop, held on September 10th 2008 at the Como Secondary School, was attended by 105 people. People who attended were treated to an inspirational and informative evening, exposure to visioning from around the world and experienced their own mini visioning summit. The high level of enthusiasm generated led to fruitful discussions and a desire for further information and participation by the community.

A Youth Summit was hosted by Millennium Kids on 23<sup>rd</sup> October 2008 at Wesley College. The 55 young people between the ages of twelve and fifteen years who attended, undertook a visioning process and associated activities. Conversations about a youth vision, diversity and the environment were explored through dance, games and the creative arts. Special guests included members of a wheelchair basketball team, snake handlers, urban artists and the City's Recreation, Youth, Cultural Development and Graphic Design team. At the end of the day, the youth presented their vision to the Mayor, James Best. Further consultation occurred with students from Wesley and Como Secondary in early 2009. In all Millennium Kids helped the City reach 130 young people through this process.

In collaboration with the City's Sustainability Team, a Speaker Series was held during the annual Fiesta program held throughout March and April 2009. Three speakers were invited to speak on interesting themes to assist the community develop ideas for a vision and sustainability. The speakers were: Dr Ray Wills, CEO WA Sustainable Energy Association, 'Renewable Energies Powering the City'; Dr Richard Weller, UWA, 'Boomtown 2050'; Roxane Shadbolt, Swan River Trust, 'The River Protection Strategy'. On average 60 people attended each talk. Each talk was enthusiastically received by the audience and stimulated further discussions about some of the big issues facing the community.

Also during Fiesta, the 'As We See It' project videos were displayed for viewing and comment. The three videos were developed by youth from the Esther Foundation, Kensington Secondary College and Communicare. The young participants were from diverse backgrounds and were aged between fourteen and eighteen years. The films were used as a vehicle for young people to express their vision for the City in a creative and interesting way and were subsequently presented to a Council briefing on May 7<sup>th</sup> 2009.

The penultimate event was the *Our Vision Ahead* Conference held on May 23<sup>rd</sup> 2009. The 60+ participants received a kit with information collated from all the survey responses and background information. During the day, the community used the occasion to prioritise actions and ideas, ask further questions from a panel of five experts and share their vision.

The conference was an opportunity to engage the community about the dilemmas that had emerged from the vast number of surveys and opinions. Research from other Councils had indicated that not addressing the emergent dilemmas could put the implementation of the vision at risk. As an example, some key dilemmas included the nature and intensity of housing density and the diversity of recreation and leisure promoted in our open space and around the river. The post-conference evaluation indicated that everyone felt that the quality of the debate and presentations was excellent. A video of the day has been placed on the visioning web site.

#### *Number of Participants*

The number of active individuals participating in the development of *Our Vision Ahead* was 1450. The number of surveys returned, including group priority sheets, was 940. Twenty groups helped the City promote the survey and hosted focus groups,. Overall thirty six groups attended and participated in project events. In addition, the website was visited by 106 people from December 2008 to July 2009.

Through the promotion campaign and attendance at events, the project was promoted to every household, thousands of visitors and many business in the City.

#### *Our Vision Ahead*

Having collated and themed the survey results, two tiers of documents will be produced. The first tier will be a promotional document designed to provide an overall view of the visioning project and the visions developed. The second tier presents the key themed visions and suggested associated actions as prioritised by the community. Each document will contain a message from the Mayor, the main vision, the five themes and an outline of the process.

In both tiers, each theme has a section entitled 'Key questions for the future'. This section indicates dilemmas that have been identified in an analysis of the surveys. With so many people participating, not all ideas will be the same and may contain opposing points of view. At the conference, participants were given the opportunity to discuss the dilemmas and identify the foundations for resolving many of them. However, some dilemmas remain. These have been collated and highlighted to encourage further discussion within the community. A draft copy of both tiers has been attached to this report.

Below is the key vision and five themes for the *Our Vision Ahead* project:

#### **THE VISION**

**We belong to an engaged and cohesive community that is linked by vibrant local centres and shared spaces. We live and travel in ways that nurture our environment and our housing and amenities meet the diverse needs of a changing society.**

#### **COMMUNITY**

We all - regardless of our age, ethnicity, religion, income level, gender and ability - feel we belong together in communities that are vibrant, cohesive, safe and supportive.

Our communities are enlivened by neighbourly connections and interaction along with a range of community events where our local talents will be on show for all to enjoy.

We have a genuine sense of citizenship and 'self determination' with an excellent relationship between community and Council.

We enjoy equitable rights and opportunities, and will have easy, local access to a range of high quality community, government and business services that enrich our lives.

### **ENVIRONMENT**

We are living in a natural environment that nourishes us physically, emotionally and spiritually. Our beautiful and peaceful open spaces, wildlife and the Swan and Canning Rivers, are even healthier and more accessible.

In turn, we are living in ways both individually and collectively that cultivate, rather than damage, our local area and our planet.

### **HOUSING**

We are living in accommodation that offers us all, whatever our stage of life and household size, a great place to call home. Our homes are situated in streetscapes that allow fulfilling, safe, healthy and connected lives. Our heritage and the evolving nature of architecture and society is visible in our buildings and streetscapes

The way we design our streets and homes accommodates and responds to the pressures of a growing population, and an increasingly fragile global and local environment.

### **PLACE**

Our City is a vibrant place for visitors, tourists, businesses and residents. We have shared spaces within our suburbs that enrich our lives both individually and as a community, and provide us with places to interact and recreate outside of our homes. Our places showcase and celebrate our unique heritage, our cultures, our creativity and our diversity, and give us a shared sense of belonging and connection to the place in which we live.

### **TRANSPORT**

The ways we move within, between and beyond our neighbourhoods are accessible, enjoyable, and do little damage to our environment.

As identified in the project scope, the next phase of Stage 3 is for Council to consider the draft vision document and advertise it for public comment. It is the officers' intention to send out a copy of the first tier document to project participants and make the full second tier document available on the website and to people who request a copy. It is envisaged that given the significant community input into the project and the acknowledgement of dilemmas and methods for moving forward, that the community will support the final product.

### **Policy and Legislative Implications**

The Communication and Consultation Policy P103 is relevant to this report.

### **Financial Implications**

At the May 2008 council meeting a budget of \$160 000 was approved for the visioning project. At a budget review, an increase of \$30 000 was approved to cover the cost of the website and other items. Other project income was derived from the co-sponsored of the 'Speakers Series' by the visioning and sustainability teams. The estimated final cost of the visioning project is approximately \$197 000. Some components of the project, such as the catering and printing and distribution of the final document have yet to be completed. As a consequence, some costs may be reduced. The following table provides an outline of costs.

Facilitators	\$63,800
Community newspaper advertising	\$10,000
Audio Visual & other equipment hire	\$10,000
Website development	\$23,950
Support for existing initiatives and networks	\$2,400
Printing/distribution	\$18,000
Catering (workshops/conference)	\$8,000
Staff overtime (for out of core hours initiatives)	\$350
Support staff (including on costs)	\$60,000
Contingencies	\$500
<b>TOTAL</b>	<b>\$197,000</b>

**Strategic Implications**

**Goal 1.3:** Undertake research in order to assess performance and gauge opinions and priorities for future service delivery.

**Goal 1.7:** Establish consultative community mechanisms in order to involve the community in the planning and development of local area precincts.

The district TPS6, Strategic Plan 2004-2008, Connected Community Plan 2005-2008 and the Sustainability Strategy Action Plan 2006 - 2008 were all due for review in 2008. The visioning is seen as complementary to, and informing, the review of the various documents and would be considered to be the first stage of their review.

**Sustainability Implications**

The development of a Community Vision for the City of South Perth will ensure that the community actively participates in shaping and planning for its future. This will help to foster:

- Sustainable, inclusive, communities within the City
- Sustainable community groups who will gain from networking and knowledge sharing opportunities provided by the visioning
- Develop a greater understanding of the impact of climate change across the community
- Ensure that the City is responsive to identified community priorities

MOTION

Cr Best moved the officer recommendation. Sec Cr Ozsdolay

PRESENTATION

Cr Best provided a power point presentation in support of the officer recommendation at Item 10.0.2.

<p><b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.0.2</b></p>
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The Mayor put the Motion

That....

- (a) the outcomes of the “*Our Vision Ahead*” visioning project be endorsed and advertised for community comment; and
- (b) at the conclusion of the community comment period a report on the outcome be presented to the earliest available Council meeting.

CARRIED (10/1)

**10.0.3 Parking Permit Consideration for Ratepayers/Electors in Commercial and Business Precincts**

Location: City of South Perth  
Applicant: Council  
File Ref: TT/905  
Date: 7 August 2009  
Author: Sebastian Camillo  
Manager, Environmental Health & Regulatory Services  
Reporting Officer: Cliff Frewing, Chief Executive Officer

**Summary**

The purpose of this report is to consider a “Notice of Motion” relating to the provision of parking permits for ratepayers and electors in the Commercial and Business precincts.

The issue of parking permits has been the subject of several articles in the local Southern Gazette Community Newspaper. The articles typically referred to several aspects of the change to parking arrangements that the City implemented in the Business precinct, such as the lack of community consultation, Docent parking and parking permits. In particular an article published on the 16 June 2009 at **Attachment 10.0.3(a)**, referred to a local Business in Charles Street and its director Mr Nicol of Executive Apartments, specifically suggesting parking permits to the City as early as September 2006.

The notice of motion stated as follows:

*“That in relation to the introduction of paid parking in several areas of the Commercial and Business Precincts of the Peninsula area, the matter of providing ratepayers / electors in the area bounded by the south side of Richardson Street, Labouchere Road, Melville Parade and Judd Street with parking permits be the subject of a report to the August Council meeting.”*

**Background**

The City became aware of the increasing number of commuters parking in the streets within the Peninsula, Commercial and Business areas and the Richardson Street and Richardson Reserve public car parks, and then catching public transport to the Perth CBD.

Council resolved to conduct a parking study within an area known as the "South Perth Station and Peninsular area". Uloth and Associates was appointed to conduct the study and provide a report to Council for consideration.

The consultants study purpose and objectives were:

- Identify and document the supply of existing public parking within the overall study area.
- Study and assess the overall parking demand within the study area.
- Consult with key stakeholders such as Perth Zoo, Royal Perth Golf Club, and the sporting clubs using Richardson Reserve to establish their issues and concerns.
- Develop a parking strategy to best manage the overall parking situation, taking into account the impact that parking restrictions may have on the surrounding areas.
- Make recommendations for both the short and long term, taking into account the planned construction of the South Perth Train Station.

Uloth and Associates conducted a comprehensive study of all parking facilities both public and private within the Commercial, Business and Peninsula Precincts before presenting these to a Council Briefing. A report on the compilation of findings and recommendations from the consultants and notes from the Council Briefing was provided to Council in February 2009 for consideration.

Council at its February meeting considered a comprehensive report on the “South Perth Station and Peninsula Area Parking Study” before adopting the following recommendations:

- (a) Peninsula Precinct - a four hour limit time restriction be introduced at the Jet Ski Area car park and the Narrows Bridge car park between the hours of 8.00 am to 6.00 pm Monday to Friday;
- (b) Business Precinct
  - (i) paid all day parking be introduced at the Richardson Street (Reserve) car park and Richardson Street between the hours of 8.00 am to 6.00 pm Monday to Friday;
  - (ii) a two hour limit time restriction be introduced on the southern side of all streets between Judd Street and Charles Street between the hours of 8.00 am to 6.00 pm Monday to Friday;
  - (iii) paid all day parking be introduced on the northern side of all streets between Judd Street and Charles Street between the hours of 8.00 am to 6.00 pm Monday to Friday;
  - (iv) free restricted timed parking be introduced at the Amherst Street and Sports Club car park for a time period of six hours between the hours of 8.00 am to 6.00 pm Monday to Friday.
- (c) Commercial Precinct
  - (i) parking at the South Perth Esplanade car park be modified to permit parking between the hours of 8.00 am to 6.00 pm Monday to Sunday up to six hours; the first two hours free with paid parking for periods greater than two hours; and
  - (ii) all day paid parking at the Windsor Hotel car park under City control be introduced at the same rates as the balance of the car park not under the City's control, ie \$2.50 per hour with a maximum daily charge of \$10.

#### **Comment**

Following the Council Meeting in February, the City's Officers proceeded to call tenders for the Supply, Delivery, Installation, Commissioning & Maintenance of Ticket Parking Machines in the areas identified in the recommendations. At the close of the tender period the City received three tenders and Council resolved at its meeting in May to award the tender to Wilson's Technology.

At the same time the City officers proceeded to embark on designing and drafting the Parking Sign Plans for the respective areas which were signed off by the Director of Infrastructures Services in accordance with Delegation DM539. The City appointed an external company, Allmark Signs to manufacture all of the street signage necessary for the impending parking changes in the respective areas. The installation of the Ticket machines and signage was completed in July.

To inform the residents and businesses, an information letter was delivered to every premises within the effected area during April/May. Refer **Attachment 10.0.3(b)**. Additionally, the Community Rangers placed “information leaflets” under the windscreen wiper blades on vehicles in the effected areas during May and June advising of the impending changes to take effect in July. Once the installation of the ticket machines and the parking signs was completed a further information period was provided by the City's Community Rangers in July for two weeks, cautioning motorists of the changes to the parking arrangements. The information period leading up to and after the implementation period was considered extremely essential to ensure that fair and adequate dialogue had occurred with the users of the street parking and car park facilities within the Peninsula, Commercial and Business areas.

Following the implementation of the parking changes to the Commercial and Business areas in particular, the City has received a number of enquiries for the provision of parking permits for residents in particular. Although the provision of parking permits were not included in the recommendation adopted by Council in February, they were part of the consultants report and discussed during the prior briefings to Council.

The consultants recommendation #5 stated the following:

*It is also recommended to introduce a permit parking system to allow local residential and employees to park all-day within these four-hour spaces, with permit availability as shown in Figure 7.*

The Officers response to this recommendation stated the following:

*One of the reasons why this recommendation is proposed for the long term is because of the extensive research and administration cost that would be necessary to implement such an initiative.*

*Again, notwithstanding the abovementioned comments, the reason for the recommendation is not fully understood or supported by the Administration. The business precinct consists of a range of different properties:*

- *New or relatively new multi-level residential dwellings - all of which would have been required to provide adequate parking for residents when approved;*
- *Residences converted into businesses - a similar situation applies;*
- *Single residences - whilst there are not many properties left in this category, parking would not be an issue;*
- *Offices - adequate parking would have been provided for employees and visitors.*

*From the earlier analysis conducted in relation to the consultant's recommendations 2 and 3 it would appear that there is adequate parking available within the precinct at the present time and no excess parking demand occurs. It is known that the administration of parking permits is very labour intensive. The use of parking permits is certainly a tool that can be used to assist with parking control measures, but it is not believed that this needs to be considered at this point in time. If the alternative recommendations are adopted, there is no reason why further parking studies cannot be conducted after say a period of 12 months from the implementation of the proposed changes and the need for parking permits reviewed.*

From the comments in the officer response above, it is confirmed that the Business Precinct currently has a total of 471 Commercial and Residential properties. Of this number, there are 116 (24%) residential premises which require on-site parking in accordance with the City's Town Planning Scheme. Of the 24% of residential premises within the Business Precinct many of the occupants use their onsite parking and either commutes to their work place or take public transport leaving their vehicles on-site.

On-site parking was also a requirement for residential premises which have been converted / re-zoned into commercial/office premises within the Business precinct.

Many commercial premises provide on-site parking for their clients and in some instances staff however there is an obvious shortage of on-site parking for all employees/employers to be fully accommodated on-site within the Business precinct. There is an expectation that many employees will be required to park off-site on the street or seek alternative transport means to their workplace. This is not dissimilar to any other Business precinct in any other local government districts in Perth

The Consultants report indicated that 8 out of 18 street sections within the Business Precinct were close to or fully occupied during the survey period, with the south side of Bowman Street reaching occupancy of 130% on 2 occasions. However, 4 out of the 18 street sections had peak occupancy rates of less than 40 percent.

Average durations were as low a 1.1 hours on sections of Melville Parade and as high as 4.7 hours on the southern side of Bowman street, 6.2 hours on the southern side of Lyall street and 7.1 hours on the western side of Melville Parade between Lyall street. The consultant also concluded that 66% of the vehicles parked for less those 2 hours, 20% for more than 4 hours and 9% for more than 8 hours.

Based on this information, it is assumed that of the vehicles within the Business precinct that parked between 4 and 8 hours (29% of the vehicles), were a combination of staff employed within the area and commuters to the City CBD. This percentage of vehicles identified by the consultant is unrelated to the number of residential occupants residing in the Business precinct. If a permit system was to be considered by Council these motorists should be excluded from them.

The numbers of residential complexes within the Business precinct have on-site parking available to them. Many of these premises have one parking bay per residential unit and minimal visitor parking on-site. Where occupants have more than one vehicle then one resident may be required to park on the street. Most occupants work between 8 am and 6 pm Monday to Friday, during the parking restrictions which are applicable in the Business precinct, with the exception of shift workers, students or residents who commute using public transport.

In researching this matter with other local governments within the metropolitan area it was determined that there are some common areas with their respective permit systems. City staff has consulted with the local governments of the Cities of Subiaco, Fremantle, Vincent and Perth to determine what forms for permits exist within those Councils.

Whilst it is acknowledged that there may be other local governments that provide parking permits, for the purpose of this exercise the four local governments previously mentioned are most likely to represent the situation that the City has in the Business and Commercial areas of the Peninsula.

The following table provides a comparison of what is being provided:

Parking Permit Conditions	City of Perth	City of Subiaco	Town of Vincent	City of Fremantle
Residents Permit	Residents only	Resident & Visitor permit	Resident & Visitor permits	Resident & Visitor permits
Commercial Permit	Not Available	Not Available	Not Available	Not available
Permit Valid	Residents in designated locality only.	Residents for parking on allocated street. Within 300 metres of residential address.	Restricted street where nominated on permit.	Residents for paying for parking between 9 - 11 am and 3 - 5 pm.
Permit exclusions	Parking outside the designated areas and non-permit streets.	Hay Street and high volume areas. 1 hour or less time zones.	No standing/stopping areas, loading zones, no stopping areas, taxi/bus zones, ticket parking areas, 30 minute or less parking areas.	No standing areas, loading zones, no stopping areas, taxi zones, bus zones, tour coach zones , authorised parking zones, private property parking zones.



Parking Permit Conditions	City of Perth	City of Subiaco	Town of Vincent	City of Fremantle
Permit validation period	Maximum of 12 Months from date of Issue. Shorter terms available	Twelve months only, up to the 31 December in the year of issue.	Maximum of 12 Months from date of Issue.	12 Months from date of Issue
Maximum number of Permits issued	1 permit per residential unit	3 Residential and 2 Visitor permits	1 resident and 1 visitor permit per unit/flat. 2 residential permits 1 visitor permit per single residence.	2 permits per property
Fees for Permits	Nil	Nil fee for permits. \$30 for replacement permits.	Nil.	\$26 Appl fee \$10.50 renewal fee \$10.50 replacement

In consolidating the research information from the above table, the following points can be determined as being consistent amongst the various local governments:

- Permits are issued to Residents only.
- Visitor Permits are issued by 2 local governments, conditions do apply.
- Resident Permits applicable to allocated areas. Time restrictions apply to one local government.
- Permits excluded for larger commercial vehicles, high volume areas and non-permit streets.
- Permit period 12 months, prior to renewal.
- Permits issued vary between 1 and 5 per premises.
- Permits issued free of charge by most, except Fremantle at \$26 Application fee, \$10.50 Renewal/replacement fees.

All local governments indicated that the fees and charges for the resident's permits were being reviewed this financial year and it is likely that substantial fees will be introduced. Should Council consider the introduction of residential parking permits within the Business Precinct then the fees should realistically reflect the administration time for the issue and renewal of permits and loss of revenue from each of the parking spaces that would otherwise be occupied by paying patrons.

The implications of introducing a permit system to the City would be as follows:

- **Precedence** - There is a major precedence and expectation by residents and business's for the introduction of permit parking to other areas where parking issues are identified, such as other commercial areas, including the Esplanade in South Perth, the Canning Bridge Train Station, Preston Centre, Angelo Street Shopping precinct and Waterford Plaza.
- **Administration and Revenue implications** - The demand on the City's Administration and staff for the management, printing, issuing and renewal processes of the permit system. This will have resource implications on the existing staff and may require additional staff within the Community Ranger services to administer this program. Loss of budgeted parking revenue will require a budget adjustment.
- **Conflict with Large Public Events** - Where the City has approved traffic management plans to accommodate large public events such as Skyworks and Red Bull Air Race, there will be a conflict with the "No Parking Road or Verge" areas and residents issued with permits. This would only apply in the Peninsula and particularly the Business precinct.

It is again suggested that given the new parking measures have only been introduced for 6 weeks or so, the current arrangements remain for the time being and that a further review be conducted after a period of 12 months which is considered an appropriate time to ascertain whether or not any real problems exist.

#### **Consultation**

The Cities of Perth, Fremantle Subiaco and Vincent were consulted.

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

City of South Perth Parking Local Law 2003 and the Local Government Act 1995.

#### **Financial Implications**

The financial implications are potentially significant, both in terms of administration of implementing the parking permit system and potential loss of income projected from the introduction of ticket parking within the Commercial and Business areas.

#### **Strategic Implications**

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

#### **Sustainability Implications**

There is anecdotal evidence that City of South Perth facilities were used either for free or at little cost by commuters working or visiting the Perth CBD. Since the introduction of the parking arrangements there is evidence that suggests commuters have left the area and made it more accessible to genuine users of the parking facilities.

It is considered reasonable to assume that many of these parking areas are now being used in an appropriate and sustainable way (particularly Richardson Park), and that visitors to the area and City of South Perth ratepayers are no longer being disadvantaged.

<b>OFFICER RECOMMENDATION ITEM 10.0.3</b>
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That Council.....

- (a) not proceed with the implementation of a parking permit arrangement for ratepayers / electors at this stage until an adequate period of at least 12 months has lapsed from the implementation date of the parking changes to consider all ramifications of the parking arrangements as approved in February 2009; and
- (b) a report be provided at the August 2010 Meeting of Council, reviewing the current parking arrangements and if necessary recommending changes to the parking arrangements within the Business precinct which may include the provision of parking permits at that time.

MOTION

Cr Cala moved the officer recommendation, Sec Cr Hasleby

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Cala Opening for the Motion

- officer report presents a comprehensive case for not proceeding with parking permits
- consultation re Parking Survey went above and beyond
- some concerns in relation to volunteers at Zoo / Royal Perth Golf Course events - acknowledge the City is working with those groups to solve the issues
- any proposed change so soon after implementing ticket machine is premature
- assess situation following 12 month trial period
- any movement in direction of Parking Permits should be confined to residents
- where business premises fall short on parking - deal with issues as they arise
- do not believe there is a case to move in the direction of Parking Permits
- case presented in the report is compelling - review situation in 12 months
- ask Councillors to support the officer recommendation

Cr Hasleby for the Motion

- agree with Cr Cala's comments / officer recommendation
- proposal needs time to settle in
- need to stop commuters parking in the street then taking public transport into the City
- need 12 months for the new process (ticket machines/ associated issues) to settle in
- believe some of the issues raised by business people in the area will resolve themselves
- need to consider that to go to a permit situation will cost the City money to manage / enforce terms and conditions etc. parking situation as it stands looks after itself
- believe 12 months is not asking a great deal to assess situation
- cannot endorse committing Council funds to benefit just a few people

Cr Smith against the Motion

- Perth and Subiaco have had these problems for years
- Mill Point Ward has this problem
- congratulate staff - did a good job with parking survey - not rocket science
- two issues - parking machine vs disadvantaged ratepayers
- parking machines address the park and travel to the City issue
- vehicles are now parking in residential streets
- other Councils have been dealing with these issues for over 20 years
- acknowledge some businesses have on-site parking - not a problem for them
- already receiving flack re Windsor Hotel car park / infringements issued etc
- think of Ward Members having to deal with affected ratepayers
- against the Motion

EXTENSION OF TIME

Moved Cr Hearne, Sec Cr Ozsdolay

That Cr Smith be given an extension of time of 5 minutes to conclude his debate.

CARRIED (11/0)

- do not say we have a solution but need to look after Mill Point ratepayers
- do what other areas like Subiaco do and issue parking permits to residents
- acknowledge we do not have all the solutions but cannot wait 12 months to review
- our ratepayers are being disadvantaged now - need to do something now

FORESHADOWED MOTION

Cr Smith Foreshadowed that if the current Motion is Lost that he would be moving an alternative Motion to provide for Parking Permits.

Cr Gleeson point of clarification - Council adopted a Parking Strategy in approximately May / June 2008. Why did Council adopt that Motion to do a parking study?

Manager Environmental Health & Regulatory Services responded that a consultant was appointed to carry out a Parking Study of the area because the City was aware of the number of commuters using the Richardson Reserve to park and then travel into the City. It also took into consideration the proposed South Perth Railway Station and the demand this would place on parking in the area.

Cr Gleeson point of clarification - is it not appropriate that Council having adopted a process should continue with that process?

Manager Environmental Health & Regulatory Services said that the findings of the Consultant and the recommendation adopted at the February 2009 Council Meeting was that the City should implement parking restrictions, which resulted in the installation of parking machines.

Cr Trent point of clarification - how much revenue has been collected from ticket machines in Richardson Reserve since they were installed?

Manager Environmental Health & Regulatory Services said that he did not have that information to hand and would take the question on notice. He further stated that the installation of ticket machines had been successful in moving the 'park and ride' commuters from the area but acknowledged that some of these vehicles were now being parked elsewhere in the City, however this situation was currently in the process of being addressed.

Cr Hasleby point of clarification - how many Parking Permits would be required and what would be required of the Administration / officers to make sure this scheme is adhered to?

Manager Environmental Health & Regulatory Services responded that in the defined area bounded by the south side of Richardson Street, Labouchere Road, Melville Parade and Judd Street we have in the order of 146 residential premises albeit not all will require permits as most have parking on site. Of the 146 it is anticipated that 20% would require Parking Permits. There is a substantial amount of administration time in management, printing, issuing and renewal processes of the permit system together with input/updates etc and it would also set a precedents for other areas within the City so there would be further demands on the Administration.

Cr Grayden point of clarification - in doing the maths on the number of residences and the 20% anticipated that would require Parking Permits we are looking at about 30 permits in total, is that correct?

Manager Environmental Health & Regulatory Services said 20% would just be the start and said he believed the City would be opening the 'flood gates' with requests for Parking Permits from the wider community.

Chief Executive Officer said if the Motion on page 21 of the Agenda paper is read: *in relation to the introduction of paid parking in several areas of the Commercial and Business Precincts of the Peninsula area, the matter of providing ratepayers / electors in the area bounded by the south side of Richardson Street, Labouchere Road, Melville Parade and Judd Street with parking permits...* as the Motion referred to parking permits for both commercial and residential properties the number of Parking Permits is more likely to be in the vicinity of 400 which would create an additional Budget Expenditure to employ a parking inspector to manage the program.

Cr Best point of clarification - is it correct that in a month's time there is a Parking Study being presented on the Canning Bridge train station area - should we make a decision on this proposal ahead of that Parking Study?

Chief Executive Officer confirmed there were two planning studies currently being undertaken which were proposed to be finalised within the next couple of months. One for the Canning Bridge Precinct and one for the South Perth Railway Station Precinct which have a relationship to parking. He further stated that his main concern is the precedent the introduction of Parking Permits in this area may create. For example the South Perth Esplanade is the subject of time restrictions so why not issue parking permits to businesses there and in Mends Street. If we are considering permits for one area we need to do all areas to be consistent.

Director Infrastructure Services - referred to a Study currently being carried out in relation to the Canning Bridge Railway Station and rail commuters parking in Davilak Street the findings of which are anticipated to be the subject of a report to September Council. He further stated that any decision to introduce parking permits tonight would have a 'flow-on' effect in other areas of the City.

Cr Gleeson for the Motion

- have spoken to Mill Point business people on this matter (customers of mine)
- asked how much of a problem is the parking - response received: have on-site parking
- some months ago we adopted a parking strategy for the Mill Point location
- accept the strategy adopted and follow it through for the 12 month trial as proposed
- support the Motion

Cr Ozsdolay against the Motion

- intent of policy was to stop people using South Perth as a car park
- issue of permits mentioned in consultants report which suggests the best time to introduce permits is when South Perth Railway Station constructed - but the 'goal posts' have changed - believe we should consider permits now
- who do we issue permits to - we are talking about residents with two cars and their right to park outside their house
- business people are also ratepayers and we need to consider their interests as well
- acknowledge there is a cost but we are protecting the interests of our ratepayers - commercial ratepayers included
- will it impact on Canning Bridge - probably - all the more reason to deal with it now
- against the Motion

Cr Hearne against the Motion

- acknowledge Richardson Street is a major problem
- acknowledge Davilak Street is a major problem

FORESHADOWED MOTION

Cr Hearne Foreshadowed that if the current Motion is lost he would be moving that consideration of parking permits be deferred until the Parking Policy is reviewed to include permit parking.

- do not want to wait 12 months to review situation
- defer parking permit issue and develop a Parking Permit Policy
- against the Motion

Chief Executive Officer stated that he believed to defer this matter and develop a policy for implementing Parking Permits was the appropriate way to proceed.

Cr Cala closing for the Motion

- have concerns that all discussion revolves around antidotal evidence
- we do not have people complaining about this particular issue - only antidotal evidence
- need officers to research issues and provide evidence

Cr Smith point of Order - not antidotal as Ward Councillors have received complaints from ratepayers

Mayor Best - not Upheld - not a point of order

- cannot make this type of decision on the run
- to move away from officer recommendation is not good process
- ticket machines / process only in place for 6 weeks
- leaning towards deferral

The Mayor put the Motion

LOST (5/6)

MOTION

Moved Cr Smith, Sec Cr Grayden

That...

- (a) the officer recommendation not be adopted;
- (b) in relation to residential premises ratepayers/electors living the defined area bounded by the south side of Richardson Street, Labouchere Road, Melville Parade and Judd Street can apply in writing to the Council for a Parking Permit (1 x permit per premises) stating briefly the reason they need a Parking Permit which will then be issued to them; and
- (c) in relation to business and commercial premises in the same defined area, that the Council agree to a fair and reasonable system of a 'Paid Parking Permit' which would run for twelve (12) months then be renewed, subject to possible cost increases.

Cr Smith opening for the Motion

- some business owners who are quite happy - they have on-site parking
- other business owners are not happy as they have no on-site parking
- ratepayers are being disadvantaged following introduction of paid parking to several areas of the Commercial and Business Precincts of the Peninsula area - need to address
- only interested in some immediacy to address problem - talk to Subiaco for feedback
- if issuing parking permits flows on to Canning Bridge - fine
- situations where commuters park and ride and get away with it is being addressed
- ask Councillors support Motion

Cr Grayden for the Motion

- decision on antidotal evidence - have concerns re issues expressed
- support Motion in the interest of ratepayers not being disadvantaged - do not care about costs
- refer to volunteers at Perth Zoo - Docent's parking issue now solved
- Royal Perth Golf Course have similar problems - they are being addressed
- residents now have a problem - this Motion addresses disadvantaged residents
- Motion separate to Parking Policy - this is disadvantaged ratepayers we are looking after
- need to address the problem now and sought out any issues as they arise
- support Cr Smith's Alternative Motion

Cr Gleeson against the Motion

- alternative Motion ambiguous - states one permit per premises
- alternative Motion discriminates - not clear who gets the permit
- part (c) states *Council agree to a fair and reasonable system*
- cannot support this Motion - it is discriminatory - how do you decide what is *a fair and reasonable system*
- against the Alternative Motion

Cr Ozsdolay for the Motion

- support comments from Crs Smith and Grayden
- policy stands but acknowledge it can be enhanced
- agree with CEO suggestion for deferral to develop a policy - but cannot see how it precludes us from supporting this Motion tonight
- the two items can work in tandem - this is a starting point
- proposed Motion is in the interests of our ratepayers
- support Alternative Motion

AMENDMENT

Cr Hearne stated that given the comments from the CEO and Cr Ozsdolay that the following additional part (d) be included in the Motion:

(d) that a Parking Permit Policy be implemented.

CEO COMMENT

The Chief Executive Officer stated that if Council is looking at adopting the Alternative Motion that he did not believe it was in sufficient 'form' to be effective for the Administration to implement. The Motion needs to identify specifics such as periods of time for which permits are issued, whether the Administration is to issue the permits to all properties, commercial and residential, whether residential properties need a permit if bays are available or are there fees attached to the issue of parking permits.

Cr Best point of clarification - is the Alternative Motion in front of us workable? if not should we move towards Cr Hearne's suggested alternative.

The Chief Executive Officer responded that he did not believe the current Motion to be workable in its present form and said it would require a lot more information to be included. He stated that a better option would be to adopt the alternative Motion proposed by Cr Hearne.

Cr Cala against the Alternative Motion

- it is clear that to proceed would be unwise
- parts (b) and (c) of the Motion do have ambiguities
- we need a thorough approach / report on all of the issues involved
- would be unwise to proceed with Motion as is
- against the Alternative Motion

Cr Smith closing for the Motion

- this is not something that has come out of left field
- Perth and Subiaco have been using parking permits for years
- Alternative Motion did not specify a fee for businesses - up to the officers to come up with what they think is a reasonable fee for commercial properties
- permits are only for those that are disadvantaged and for those who apply
- issue a parking permit per family
- ask Members support Motion

The Mayor put the Motion

LOST (3/8)

MOTION

Moved Cr Hearne, Sec Cr Gleeson

That....

- (a) the officer recommendation not be adopted;
- (b) Council supports in principle a Parking Permit system; and
- (c) a policy for implementing parking permits within the City be developed and presented to the first available Council meeting.

Cr Hearne Opening for the Motion

- the long discussion held highlights the fact we need a policy
- ask Members support the Motion

**COUNCIL DECISION ITEM 10.0.3**

The Mayor put the Motion

That....

- (a) the officer recommendation not be adopted;
- (b) Council supports in principle a Parking Permit system; and
- (c) a policy for implementing parking permits within the City be developed and presented to the first available Council meeting.

CARRIED (10/1)

Reason for Change

Council supported 'in principle' a parking permit system and called for a Policy to be developed to implement such a system.

**10.1 GOAL 1 : CUSTOMER FOCUS**

Nil

**10.2 GOAL 2: COMMUNITY ENRICHMENT**

**10.2.1 Old Mill Precinct \_ Concept Proposal 2009**

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/106
Date:	18 September 2009
Author:	Cheryl Parrott, Manager Library and Heritage and
Reporting sOfficer:	Cliff Frewing, Chief Executive Officer

**Summary**

The purpose of this report is to seek 'in-principle' approval for the proposed Master plan for the Old Mill site.

**Background**

In 2006, an innovative proposal was presented to Council by Lawrence Associates to re-develop the Old Mill site and surrounding land. The objective of the project was to reinstate the Mill to its original working order, recreating Miller's Pool, the development of community facilities and included commercial buildings in the form of offices, restaurant, and retail outlets.



The concept was the subject of earlier public consultation conducted by Lawrence Associates in 2005 and all submissions were recorded into a Briefing Schedule. The concept was revised incorporating all key issues raised. Refer **Attachment 10.2.1(a)**.

At the March 2006 meeting Council passed the following Motion:

*That....*

- (a) .....*
- (b) Lawrence Associates Architects and the National Trust be advised that whilst the Council are supportive of the Adaptive Heritage Re-use and Revitalisation of the Old Mill, it is unable to support all components of the concept proposal submitted until such time as:
  - (i) a formal consultation process is undertaken; and*
  - (ii) Council Members are fully informed of all the ramifications of the concept proposal.**

The proposal was withdrawn.

The original proposal was the subject of Council Members' Briefings on 5 July 2005, 7 February 2006 and 30 May 2006. A revised proposal was presented at a Council Briefing **held** on 17 June 2009. The focus of the proposal is the restored, operational Old Mill. Under this proposal, the Mill would be central to a tourist precinct that includes a new museum and art gallery, incorporating the newly refurbished tram, and constructed in complementary style with the restored Millers Pool and spur jetty. In addition the revised proposal includes a cyclist cafe, administration centre, breakwater, jetty and moorings on the west side of the Narrows Bridge.

While being largely based on the 2006 redevelopment proposal the revised master plan incorporates responses to issues raised during public consultation undertaken in late 2005. The current master plan looks at the Old Mill site in context with the development of key planning activities including the Mend Street precinct, Perth Zoo, the proposed South Perth Train Station and the western foreshore and highlighting a tourism loop. Refer **Attachment 10.2.1(b)**.

During the development of the previous proposal and concept plans approval was sought by Lawrence Associates and provisionally obtained from the National Trust, the Heritage Council of Western Australian and the Swan River Trust.

Collaborative Indigenous interest has been documented with interesting and previously unacknowledged significance, and has led to the inclusion of accessibility to the river and the possibility for new breakwater and moorings. The concept proposal requires 'in-principle' provisional support from key stakeholders.

### **Background**

#### **(a) History of Old Mill Site**

- Built 1835, oldest commercial lease and oldest industrial commercial building in Western Australia.
- Original site development included the Mill, the cottage and the water spur
- The Old Mill produced flour from 1835 to 1859
- Millers Pool was used for flour deliveries on the river, the pool was connected to the river by an open channel, which was filled in 1939
- During pre-planning for construction of Kwinana Freeway in 1958, demolition of the Old Mill was proposed and a successful public campaign to save the Mill was conducted

- Brisbane & Wunderlich acquired lease of site in 1957 and restored Mill
- National Trust had management control of Old Mill site until 1992
- The City requested transfer of management control from National Trust
- The City bears all maintenance and operational costs associated with the Old Mill and surrounding reserves.

Affected Land Parcels

	Land Description	Details	Vesting	Other	Land to be transferred to the National Trust
1	A portion of Sir James Mitchell Park - former off ramp to freeway	R357594 (Perth Lot 921)	City of South Perth		*
2	Old Mill	R20804 (Perth Lot 818)	City of South Perth	Memorial Title	*
3	Education Centre	R20804 (Perth Lot 833)	City of South Perth	Memorial Title	*
4	Car park Old Mill	R37593	City of South Perth		*
5	Sir James Mitchell Park - east of Mill Point Rd	R33804	City of South Perth		NO
6	Local road, Bus turn-around	Local Road	Crown Land	Managed by the City	*

The land marked with an asterisk would be transferred to the National Trust, whilst the land parcel where Millers Pool is located would be retained by the City (number 5 above).

**(b) Zoning Issues**

The five land parcels are reserved under the Metropolitan Region Scheme and the City of South Perth TPS6 as regional “Park and Recreation” reserves.

**Comment**

Description of Project and Issues

The Project is significant in size and requires negotiation with numerous state agencies. It is acknowledged that significant negotiation and consultation has already occurred with these agencies. The Project raises many issues which are identified as follows and if the Project is approved ‘in principle’, this would allow more formal contact and negotiation with these agencies to occur. This process will also assist in avoiding duplication of tasks by various government agencies that would otherwise seem likely to occur. A plan of the proposed development is shown at **Attachment 10.2.1(c)**.

Description of proposal

(a) Development Concept

- Heritage tourism precinct focused on restored Old Mill as working mill
- Reconstruction of original ancillary development including Millers Pool, water spur and associated features
- Construction of new museum/art gallery
- Construction of cafe and new office/commercial buildings (on the west side of the Narrows)

- Construction of moorings and jetty on the west side of the Narrows
- Complementary public infrastructure including parking, boardwalks, viewing stations and landscaping
- Aboriginal heritage interpretation and public art

(b) Old Mill

- Proposal is for heritage refurbishment, conservation and adaptive re-use
- Return site levels to as near as original site contours
- Revolve original gear to face sails toward City
- Revitalise machinery and grind flour for use in hot bread shop

(c) Millers Pool

- Reinststate Millers Pool and reconnect to River
- Rebuild water spur interpretation as a fountain design feature
- Recreate black swan nesting and habitation
- Indigenous art and interpretation

(d) New Development

Site plan indicates:

- 2 storey restaurant (north of Old Mill immediately east of Kwinana Freeway Reserve)
- 2 storey office building (south of Old Mill immediately east of Kwinana Freeway Reserve)
- 2 1/2 storey museum /art gallery building (integrating the refurbished tram)

Specific Issues

Some issues have been identified at an early stage and a Partnership Agreement will detail how they are to be addressed, assessed or verified.

(a) Traffic and parking

- Increase in traffic flow particularly southbound along Mill Point Road is likely to result in a parking prohibition on one side of the street. Where parking is to be removed to accommodate increased traffic flow this will require Mill Point Road to be appropriately line marked to clearly delineate the new alignment of the trafficable lanes within Mill Point Road. There may also need to be some minor changes to the main access to the Old Mill.
- With a single lane volume proposed at 250 vehicles/hour south bound the difficulties now being experienced with parked vehicles either side and approaching traffic will be exacerbated, particularly as Mill Point Road is a bus route with a pavement width of only 10 metres.
- Importantly, it is recognised that even without any redevelopment to the Old Mill, on-street parking in Mill Point Road will need to be addressed and formalised.

(b) Parking Areas

- The applicant has identified that the proposal is based on City control of the parking area to the south of the Old Mill and the parking areas under and adjacent to the Narrows Bridge being relinquished by the City. This is not supported in its present form and needs further investigation.
- All parking areas in the Mill Point area have a demand from other activities (unrelated to the Old Mill and redevelopment, and commuters to the CBD) such as water sports and resident parking. A Parking Plan for the area will be necessary if the project was to be supported.

- (c) Pedestrian/Cycle Movement  
Adequate provision is made for cycle and pedestrian movements into, through and around the proposed development.
- (d) Foreshore management  
The proposal to re-create Miller's Pool is ambitious and could result in the loss of several large trees which are located in the proposed excavation area. In addition, foreshore dynamics have changed considerably since the original pool existed and the mouth of the inlet is likely to silt up regularly. The proponent would be required to seek appropriate coastal engineering advice before finalising their proposal. A detailed plan and a report on maintenance implications for the inlet would also be required. Further discussion on these design elements would be essential.
- (e) Acid sulphate soils  
An investigation of the potential mobilisation of acid sulphate in the sub-soil will be a mandatory requirement of any Swan River Trust approval of this project. It is understood that the proponent has already undertaken a study. The Swan River Trust will need to be assured that any acid sulphate soil issue can be successfully managed.
- (f) Aboriginal Heritage  
Although heritage issues are properly described, the issue of native title is not dealt with and would need to be researched and advice prepared.
- (g) Existing recreational use  
The interrelationship between the existing public recreational use of the Pt Belches foreshore and waters and the project warrants consideration.
- (h) Proposed museum and art gallery
- The City would be provided, on a long term lease basis a museum which avoids the need for the City to provide such a facility. Management of the proposed museum would have ongoing maintenance implications but current maintenance and operational costs of the Old Mill and associated buildings would be avoided. Costs and responsibilities need to be determined.
  - The public art gallery would be run as a commercial operation.
- (i) Proposed partnership agreement
- The purpose of the Partnership Agreement is to identify land involved in the project , the nature of the development and the processes that are required to be completed in order to finalise the project.
  - Parties to the Partnership Agreement would include:
    - The City of South Perth
    - National Trust
    - The developer / applicant
  - The Partnership Agreement would detail the extent of community consultation to be conducted and whom it should be conducted by.
- (j) Proposed Future Land Tenure
- The developer proposes to bring all land encompassed in the project under an amalgamated title (other than the land on which the reinstated Millers Pool is located as this would remain under the control of the City).
  - As the subject land is under the management control of the City, in order to create an amalgamated title, a decision will be required by the City to relinquish formal management control (vesting) of this land.

- The proposal also involves the minor reconfiguration of local roads in the vicinity of the project. This reconfiguration would aid traffic flow to and improve access to the site. Any portion of development over a local road would require the City to undertake the process of road closure set out in Section 59 of the *Land Administration Act 1997*.
- Section 75 of the Land Administration Act provides for 'conditional freehold' whereby the holder of the title (National Trust) must obtain the consent of the Minister before leasing or transferring land the subject of conditional freehold. This arrangement has been proposed by the developer and would require the City to transfer the vesting of certain land under its control to the State so that the State is able to transfer the land to the National Trust without relinquishing control over the use of the land.
- The National trust would enter into a lease arrangement with the Developer which would be conditional and detail the obligations of each party.
- It is understood that the National Trust has embarked on numerous similar arrangements involving Local Government and includes:
  - Serpentine/Jarrahdale (Jarrahdale Saw Mill)
  - Greenough (Hamlet heritage buildings)

(k) Technical investigations

The following technical investigations have been undertaken by the developer:

- Feature survey
- Cable management analysis
- Acid sulphate soil testing
- Old Mill Restoration Detail 1996
- Traffic Analysis
- Public consultation Strategy
- Wetlands Ecology
- Historical Verification

The following investigations were researched and findings used and interpreted for the proposal by the developer

- Conservation plan 1993 and Addendum 2005
- Structural Summary 1995

**Consultation**

(a) Community Consultation

To date, no formal community consultation has been undertaken. This will be required should the concept proposal ultimately become a formal development application to the Swan River Trust. The proponent advises that a wide range of preliminary information sessions were carried out in late 2005, including:

- an open day at the Old Mill
- leaflet drops to 5,000 properties in the neighbourhood
- briefing sessions to Council members
- radio interviews, and
- discussions with individuals and groups of residents.

A summary of issues raised during the 2005 community consultation exercise and Lawrence Associates' responses, is attached to this report. Refer **Attachment 10.2.1(a)**.

To date neither the City nor the Swan River Trust has undertaken any community consultation. If the project reaches the stage of a formal application to the Swan River Trust, that agency would require wide, formal community consultation. Rather than duplicate this intensive process at an early 'concept' stage, it is suggested that the City combines any community consultation processes with the Swan River Trust's formal process, with all written comments being directed to that agency in the normal way.

The Council might wish to consider whether or not to undertake any community consultation with respect to the possible change of vesting or ownership of the affected land parcels, prior to considering relinquishing control of the affected land but there is no legal obligation to do so. The land was formerly under the control of the National Trust.

(b) Government Agencies

The proponent advises that extensive preliminary consultation has been undertaken with respect to numerous government agencies. The City has not been involved in this process, nor seen any material supplied to the agencies by the proponent, nor the original comments of those agencies to the proponent, but understands that responses have been generally favourable. This process is not the concern of the City, however, but will be scrutinised by the Swan River Trust at the stage of any formal development application.

(c) Swan River Trust

As the responsible authority for considering approval of a development of this kind, the Swan River Trust would be consulted prior to any formal consultation being undertaken by the City (if any). This would avoid possible duplication of the process which the Trust might require to be undertaken differently.

**Policy and Legislative Implications**

(a) *Heritage Act*

- The Old Mill is included on the State Heritage Register
- Approved Conservation Plan prepared by Ron Bodycoat in 1993
- The Heritage Council granted approval for restoration work on the Old Mill in December 1996 and 2009
- The Adaptive heritage proposal can only proceed with the endorsement and approval of the Heritage Council

(b) *Swan River Trust Act*

- All land parcels within the precinct are regional reserves under Metropolitan Region Scheme and subject to decision making authority of the Swan River Trust, who in turn make a recommendation to their Minister.
- Swan River Trust will have regard to key considerations including but not limited to:
  - Consistency with Swan River Trust policy on foreshore development within the river system
  - Public access
  - Scale and form of construction
  - Acid sulphate soils
  - Re-establishment of original shoreline and re-vegetation
  - Swan River Trust will undertake community consultation prior to making a decision

- (c) *Planning and Development Act*  
The land is classified as “Park and Recreation Reserve’ under the Metropolitan Region Scheme. The City will have a formal opportunity to comment on the future development application by referral from the Swan River Trust.
- (d) *Local Government Act*  
Section 3.58. As the land is being transferred through relinquishing vesting status back to the Crown the City is exempt and not required to give local public notice of the proposal. This does not avoid community consultation obligations that are necessarily required and form part of this proposal which would be conducted at appropriate times. Any Council initiatives regarding community consultation need to be synchronised with the Swan River Trust’s intended methods of community consultation.

#### **Legal Implications**

Because of the unusual nature of the proposal, its relative complexity and the potential number of different Government Agencies involved appropriate legal advice will need to be taken prior to giving consideration to the proposal in detail to ensure that the City’s interests are protected and risks minimised.

#### **Financial Implications**

Current operating costs to Old Mill are estimated at approximately \$39,000 per annum based on average expenditure over the past 5 years. Current average revenue from visitor donations is approximately \$2,600 per annum. Other operational costs are incurred on surrounding land mentioned in this report.

#### **National Trust Fund**

*The National Trust Act* allows for special Funds to be established that would benefit the Project and other local historical initiatives. In the first instances, a Charity Appeal Fund has already been established and private donations have been made. No disbursements have yet been approved, but allocation will be made to fund specific components of the Project.

Following completion of construction of the project, a City of South Perth Heritage Appeal would be established and this will also attract private donations as well as an annual contribution from the Project. It is envisaged that this fund will be managed by a committee with representation from the National Trust, City of South Perth, South Perth Historical Society and project owner. Guidelines for disbursement would be established by the National Trust and the Fund would be able to make donations to local historical projects within the City.

#### **Future operational costs and maintenance issues**

Costs directly associated with the proposal are unknown at this time. It is reasonable to assume however that costs may be incurred in connection with:

- seeking professional advice;
- conducting research, investigations and community consultation;
- improvements to community assets and infrastructure; and
- future operational costs.

Future costs are therefore yet to be determined. It would seem that existing costs associated with the operation of the Old Mill would be avoided. Operational costs would be incurred with the lease of the museum. It is possible that maintenance costs would be incurred in relation to Millers Pool but these would not necessarily be significantly greater than those currently incurred in the existing area which contains a pool.

**Partnership Agreement**

The Partnership Agreement should identify the extent of future financial obligations proposed to be met by the parties involved, including the City.

**Strategic Implications**

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

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

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.2.1</b>
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Moved Cr Hearne, Sec Cr Hasleby

That....

- (a) Lawrence Associates Architects be advised that Council is impressed with the visionary nature of the concept proposal presented to the Council on 17 June 2009; and
- (a) prior to giving further consideration to the concept proposal:
  - (i) legal advice be sought on the legal implications of such a proposal; and
  - (ii) comment be sought on the concept proposal from other relevant statutory agencies including but not limited to National Trust, Heritage Council, Swan River Trust, Main Roads Western Australia, Department of Environment and Conservation and Telstra.

CARRIED (11/0)

**Note:** Manager Environmental Health & Regulatory Services retired from the meeting at 8.55pm.

**10.3 GOAL 3: ENVIRONMENTAL MANAGEMENT**

<b>10.3.1 Directions 2031 Draft Spatial Framework for Perth and Peel</b>
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Location:	City of South Perth
Applicant:	Council
File Ref:	LP/223
Date:	7 August 2009
Author:	Laurence Mathewson
Reporting Officer:	Rod Bercov, Acting Director, Development Services

**Summary**

The Western Australian Planning Commission has recently released a draft strategic planning document for the Perth and Peel regions which will replace “Network City”. The document is titled: *Directions 2031: Draft Spatial Framework for Perth and Peel* and is open for comment until 26 August 2009. The purpose of this report is to summarise the Directions 2031 strategy and to explain how it may affect the City of South Perth. The officer’s recommendation is in the form of the Council’s submission on Directions 2031.



### **Introduction**

Directions 2031 was released for comment by the West Australian Planning Commission on 24 June 2009. It is a strategic plan that establishes a vision for the future growth of the Perth and Peel region, and provides a framework to guide the planning and delivery of housing, infrastructure and services necessary to accommodate the predicted growth. Directions 2031 builds on many of the aspirational themes identified in the Network City document, which it will replace.

One of the key challenges identified within the draft strategy is developing a framework, including State Planning Policy, that will manage and influence the growth of the city in such a way that a critical threshold of activities are delivered in locations that are accessible to the growing population, while at the same time protecting those areas that are valued and give the city its distinctive character.

### **Comment**

The draft strategy can be broadly divided into the following sections:

- Planning for the future;
- Vision;
- Key themes;
- Scenarios for growth;
- Structural elements;
- Sub-regional areas; and
- Implementation

A summary of the elements that are of the greatest interest to the future management and planning of land use within the City of South Perth is provided as follows:

The Draft Spatial Framework report considers the best way to manage the growth that the Perth and Peel regions are projected to experience by 2031. It is anticipated that by 2031, Perth and Peel will have grown from the current population of 1.65 million, to more than 2.3 million. In order to accommodate this predicted growth it is estimated that the region will need another 328,000 dwellings and 353,000 jobs. It has been identified that 18,000 ha of land is available to accommodate this future growth within the Perth and Peel region and provided that this land is used efficiently, it is expected that it will comfortably meet growth demands.

The draft report considers three possible scenarios to accommodate expected growth:

- Linear City: which assumes the continuation of current trends, “business as usual” growth pattern.
- Connected City: a scenario which assumes a more balanced distribution of housing, population and employment across the metropolitan area.
- Compact City: which assumes a more intensive redistribution of growth to existing urban areas.

The Connected City scenario has been identified as the favoured scenario as it reflects the key assumptions underpinning Directions 2031 whilst also responding to community aspirations identified through the Network City consultation process. It is also considered the most realistic model for growth of the city over the next 20-25 years.

To achieve the Connected City outcome, significant improvement is required over the next 20-25 years in both targeted infill development and greenfield residential densities. On current trends it is estimated that the amount of infill residential development achieved as a portion of total housing development between now and 2031 will be between 30 and 35 per cent. The Connected City scenario seeks a 50 per cent improvement on current trends and has set a target of 47 per cent or 154,000 dwellings of the required 328,000 dwellings as infill development. This is a significant reduction in the expected infill development target of 60 per cent contained within the Network City document. The 60 per cent target is now recognised as unrealistic.

The draft policy suggests that the following three primary structural elements are critical as a means of organising the city to achieve the desired outcome:

- Activity Centres network: a network and hierarchy of centres that provide a more equitable distribution of jobs, services and amenity throughout the city.
- Movement network: an integrated system of public and private transport networks that are designed to support and reinforce the Activity Centres network, and reduce the time, cost and impact of travel.
- Green network: a network of parks, reserves and conservation areas that support biodiversity, preserve natural amenity and protect valuable natural resources.

#### Activity Centres

To achieve the Connected City scenario, Directions 2031 proposes that new growth occurs in a more balanced way around a diverse Activity Centres network, linked by a robust movement network and supported by a green network of parks, conservation and biodiversity areas. Directions 2031 has identified a hierarchy and spatial distribution of centres that will be the core focus of growth over the next 20 to 25 years.

“Strategic specialised centres” are an important part of the metropolitan centres network as they are the key drivers of innovation and information exchange, and generators of employment. Within the City of South Perth, “Curtin”, including Curtin University, Bentley Technology Park and the Department of Agriculture and Food i.e. the Bentley Technology Precinct has been classified as a strategic specialised centre, as have Murdoch, UWA-QEII and Perth Airport.

“Strategic specialised centres”, including the Bentley Technology Precinct provide significant opportunities for the development of business synergies and agglomeration of like activities. Due to their specialised nature, these centres generally have a wider catchment than strategic centres and rely on a high level of access, particularly to public transport, for their effective operation. In the Bentley Technology Precinct substantial planning has been undertaken to improve the physical relationship between the various land uses, consolidate and diversify the land uses of the centre, and improve public transport connections to Canning Bridge railway station and Cannington. Ultimately the value of Bentley Technology Precinct lies in its importance to the development of the State’s technology capacity.

#### Movement Network

Directions 2031 has identified the following strategies to address continued demand for private transport, while at the same time encouraging a shift to other modes and identifying opportunities for new investment in transport infrastructure that supports and reinforces the activity centres network:

- Connect communities with jobs and services
- Improve the efficiency and effectiveness of the public transport network
- Encourage a shift to more sustainable transport options
- Maximise the efficiency of road infrastructure
- Protect the movement economy

Directions 2031 encourages a change in travel behaviour to more sustainable options, and anticipates that the improved integration of land use and transport through the development of the Activity Centres network will lead to a reduction in the length of individual trips and reliance on the private motor vehicle.

The draft strategy builds on many of the aspirational goals identified through Network City. One of the goals of Network City is to increase activities at centres on key public transport routes. Part of the initiative is to promote Transit Oriented Developments (TOD) that mix residential, retail, office space and public uses that encourage local residents to travel by means other than car. The TOD concept also seeks to create more sustainable urban environments and travel habits, and promotes a number of elements to achieve sustainable development and create liveable places. They include the efficient use of land, energy efficiency, pedestrian activity and opportunities for social interaction. Within the City of South Perth, the Canning Bridge Rail Station Precinct is being examined to determine any opportunities for further development as an 'Activity Centre' of this kind.

#### Green Network

The draft strategy recognises that southern Western Australia is one of the world's biodiversity hotspots, and that the development and growth of the city is a significant intervention into this highly biodiverse area, regularly placing us in conflict with our competing desire for environmental protection. The following actions are considered central to overcoming this conflict:

- Protect and manage significant biodiversity areas;
- Protect water supplies;
- Minimise the impact of storm water run-off on water resources and their environments;
- Protect our coastline;
- Reduce greenhouse gas emissions and energy use;
- Promote the reduction of the amount of waste generate and promote reuse and recycling;
- Improve air quality;
- Integrate natural resource management into land use planning; and
- Expand and enhance our open space network
- 

These actions will ensure that areas with high conservation and biodiversity are value protected and managed in an effective manner.

#### Sub-regional areas

The draft strategy recognises that each sub-region in the greater Perth and Peel regions have their own distinctive characteristics. Consequently, each of the sub-regions presents a unique set of challenges and must be planned accordingly. Growth management strategies will be prepared for each of the following sub-regions to give clear direction regarding the planning, management and staging of urban growth: *Central; North-West; North-East; South-East; South-West and Peel*. The City of South Perth is situated in the Central sub-region. The following points are therefore of the greatest relevance:

- The Central sub-region consists of 17 inner and middle local government areas, including the City of South Perth.
- The sub-region is characterised by some of the State's oldest urban settlement patterns and has a high level of amenity due to proximity to the river.
- A particular characteristic of the region is the dominance of the traditional grid form of subdivision which provides important opportunities for targeted infill development and redevelopment.
- Blanket redevelopment or intensification of these suburbs will not be considered without support by the local communities.
- In recent years there has been an increase in population within many inner and middle suburbs where previously there had been a decline in growth associated with ageing populations.
- There is a recognised need to introduce greater diversity in the new housing market to accommodate families.
- Under the Connected City scenario it is estimated that by 2031, the population of the Central sub-region will have grown by 29 per cent to 910,000 people.
- Due to its high concentration of existing commercial and employment centres the region enjoys, and will continue to enjoy, high employment self-sufficiency.
- Transport congestion, capacity, travel time and cost are critical issues to be addressed in future planning of the region.

#### Implementation

Directions 2031 identifies key policy and planning action required for its implementation. The following actions are being progressed and released over the coming year:

- Review of the Metropolitan Centres Policy;
- Preparation of growth management strategies and sub-regional structure plans; and
- Development of a metropolitan public transport strategy.

Other actions will be prioritised and further developed in consultation with key stakeholders.

The State Government is also preparing a public transport strategy to guide the next generation of investment in public transport infrastructure and to identify opportunities to increase public transport's share of total travel. The fact that such a strategy is being developed is recognition of the important role that public transport must play in shaping the future growth of the city and reducing the dependence on the private car.

#### **Impacts for the City of South Perth**

While Direction 2031 is an important document to guide all local Councils' strategic planning, it is unlikely to have any new impact on the City of South Perth because this Council is already proceeding with strategic planning studies for Transit Oriented Development in key locations. These studies are:

- Canning Bridge Rail Station Precinct Study
- South Perth Station Precinct Study;
- Bentley Technology Precinct Structure Plan; and
- Waterford Triangle Study

**OFFICER RECOMMENDATION AND  
COUNCIL DECISION ITEM 10.3.1**

That the Western Australian Planning Commission be advised that:

- (a) in principle, the Council supports all of the proposals in “*Directions 2031: Draft Spatial Framework for Perth and Peel*”, and commends the Commission for the strong support being provided to local government through this initiative; and
- (b) the Council will continue to pursue its strategic planning initiatives in a manner which is consistent with the goals of Directions 2031.

CARRIED EN BLOC RESOLUTION

**10.3.2 State Planning Policy: Activity Centres for Perth and Peel**

Location:	City of South Perth
Applicant:	Council
File Ref:	LP/223
Date:	7 August 2009
Author:	Laurence Mathewson, Planning Officer
Reporting Officer:	Rod Bercov, Acting Director, Development Services

**Summary**

The Western Australian Planning Commission has recently released a strategic planning document for the Perth and Peel regions. The document is WAPC Draft State Planning Policy - Activity Centres for Perth and Peel and is open for comment until 26 August 2009. The purpose of this report is to summarise the Activity Centres Policy and to explain how it may affect the City of South Perth. The officer recommendation is in the form of the Council’s submission on the Activity Centres Policy.

**Introduction**

The WAPC’s Draft Activity Centres Policy forms part of the State Planning Framework. It should therefore be read in conjunction with Directions 2031 and other constituent elements of the State Planning Framework. The intent of the Activity Centres Policy is to specify broad planning requirements for the planning and development of new activity centres in urban areas of the Perth and Peel region and also for the redevelopment and renewal of existing centres. The Policy is mainly concerned with the location, distribution, and broad land use and urban design criteria for activity centres, and coordinating their land use and infrastructure planning by local governments and public authorities.

**Comment**

The draft policy can be broadly divided in three sections:

- Introduction and background / context
- Policy aims and provision and;
- Implementation.

The first section provides an introduction and background to ‘Activity Centres’ and outlines the role of the draft policy within the State Planning Framework. In this section, the overall need to reduce travel and the need to promote a more efficient urban form is strongly emphasised. It is also suggested that these needs can be achieved by co-locating activity centres with public transport thereby promoting infrastructure efficiency and business agglomeration.

The introduction also outlines the activity centre concept and in doing so, broadly defines 'activity centres' as:

*Community focal points for people, services, employment and leisure that are highly accessible. Key characteristics include their levels of diversity, accumulation of activities and access to public transport. Commercial, retail, higher-density living, entertaining, tourism, civic/community, higher education, and major or specialised medical services are just a few such activities.*

The policy covers the following types of activity centres:

*Primary centres; strategic city centres; strategic specialised centres; regional town centres; regional specialised centres; district town centres; and neighbourhood centres.*

It is noted that the City of South Perth contains a 'Strategic Specialised Centre' being Curtin University, within the Bentley Technology Precinct. Strategic Specialised Centres are the main activity centres outside the Perth central area. They are primary centres strategically located to capitalise on existing and future economic and population growth and regional movement networks. As a consequence, they provide significant employment opportunities.

The development of this proposed network of centres is seen to be critical to the future management of the development of Perth and Peel.

The City of South Perth also has one District Town Centre, identified as South Perth (Peninsula). The level of activity in this centre is envisaged as the beginning of a transition to services and employment that has a greater focus on residential needs. The composition and diversity of a district-level centre tends to vary throughout the Perth and Peel region according to the size and maturity of its catchment. Nevertheless, their overall smaller scale enables them to have a greater community focus than smaller centres and as a result, the services and employment provided generally reflect this. The development of this network of centres is essential to ensure local communities have excellent access to a minimum level of services.

Within the City of South Perth, the Karawara (Waterford Plaza) Shopping Centre is classified as a 'Neighbourhood' centre. This classification is different from the current Metropolitan Centres Policy, where the Karawara centre is classified as a 'District' centre, albeit at the low end of the scale in terms of assigned floor space. The draft policy describes the role and function of a Neighbourhood Centre as important local community focal points that perform a vital role in providing for the main daily to weekly household shopping and community needs of the neighbourhood, and providing a focus for medium-density residential development. They should be in locations that are easily accessible to minimise the need for travel.

Studies carried out by planning consultants for the City of South Perth have concluded that any attempt to increase the capacity of the Karawara Shopping Centre, to the level of a true District Centre, would fail, due largely to voids in the immediate trade area and constrictions on the site. Therefore City officers have no objection to the proposed change to the classification of the Karawara centre. In this regard, it is also important to note that the draft Activity Centres Policy no longer specifies floor space limits for particular centres.

The next section of the draft policy outlines eight aims of the policy. These relate to the need for Activity Centres to meet different levels of community need; reduce transport energy demands; promote coordinated development; facilitate more housing supply in activity centres; and offer a high standard of amenity. These aims are addressed through the policy provisions contained in Sections 5.1 to 5.10. The policy provisions are presented under the following headings:

- 5.1 Activity Centre hierarchy
- 5.2 Diversity and intensity of activity
- 5.3 Employment
- 5.4 Offices
- 5.5 Urban design
- 5.6 Amenity and environment
- 5.7 Prioritising public transport
- 5.8 Traffic and parking
- 5.9 Bulk goods retail
- 5.10 Retailing and industrial zones

Sections 5.1, 5.7 and 5.8 have been chosen for further elaboration in this report as they are of most relevance to the City of South Perth.

#### 5.1 Activity Centre hierarchy

Table 2 of the draft planning policy describes the intended functions and typical characteristics of each centre type in the activity centre hierarchy. The District Town Centre has the following intended functions: The public transport infrastructure of the activity centre should be a focal point for passenger rail and/or bus network; the centre should be characterised by office and community uses that include district-level office development and local professional services and libraries, social services, health, sport and other community facilities.

The Strategic Specialised Centre has the following intended functions: The public transport infrastructure of the activity centre should be an important focus for passenger rail and/or bus network. Office and community uses in the Strategic Specialised Centre should also be characterised by major office development and state government service delivery, hotels, major recreation, entertainment and multi-purpose community facilities. Typical retail functions should include mixed use, supermarket, convenience goods and personal services for visitors, workers and local residents.

The Neighbourhood Centre has the following intended functions: The public transport infrastructure of the activity centre should be a stopping / transfer point for public transport. Office and community uses should include local professional services, community facilities and civic spaces. Typical retail functions of the Neighbourhood Centre include supermarket, convenience goods and personal services, and the service population access is generally about one kilometre. For the full table, refer to page 5 of the draft policy.

#### 5.7 Prioritising public transport

Policy provision 5.7 '*Prioritising public transport*' says that activity centres should be conveniently accessible by various transport modes including walking, cycling, cars and freight vehicles, and particularly by public transport. High trip-generating activities should be located so as to maximise opportunities to use public transport and to reduce the overall need for travel between places of residence, employment and recreation.

These aims share much in common with the Transit Oriented Design (TOD) concept. TOD creates more sustainable urban environments and travel habits, as businesses and other amenities are clustered around the transit stations. The TOD concept also aims to achieve sustainable development and create liveable places through the efficient use of land, energy efficiency, pedestrian activity and opportunities for social interaction.

The viability of the TOD concept within the City of South Perth is currently being investigated through the Canning Bridge Rail Station Precinct Study. That Study was initiated under Network City which promotes the development of 'activity centres' where a range of activities are encouraged. Many of these activity centres are in the vicinity of transit stations, providing an opportunity to foster transit oriented developments. The Canning Bridge Rail Station is located within the Kwinana Freeway reserve. The location is highly valued as a transfer point, being at the nexus of the railway and major east-west bus routes. The Precinct Study is examining opportunities for further development as an 'activity centre'. Development of this kind is encouraged through Network City and now Directions 2031. However it is noted that the rail station is severely constrained in a relatively narrow portion of the Kwinana Freeway reserve. This will limit opportunities for associated urban development in close proximity to the station.

The TOD concept is also being pursued by way of the South Perth Station Precinct Study involving land south of Judd Street and in the vicinity of the Mends Street shopping centre.

#### 5.8 Traffic and parking

With respect to the relationship between activity centres and traffic and parking, the draft policy suggests that planning decision-making should promote an efficient supply and use of car parking, by an appropriate allocation of on-street, off-street, public and shared parking. This should be implemented by "cash-in-lieu" and reciprocal use arrangements and management plans. For land within 800 metres walking distance of a train station, it is suggested that the responsible authority should vary minimum parking standards, having regard to opportunities for reciprocal and shared parking, availability of on-street or other public parking, and the need for land efficiency. The draft policy suggests that, after having considered any available opportunities of these kinds, the local Council may decide to prescribe maximum rather than minimum car parking ratios.

The draft policy further advises that the responsible authority should also ensure safe and convenient access of pedestrians and cyclists and people with a disability.

These recommendations have implications for the Canning Bridge Rail Station study. The Study area is defined by an 800m radius around the station, representing a 10 minute walk, a two minute cycle, or a very short car journey to the station. While the existing road network and infrastructure limits large scale land use changes, there is the potential to improve pedestrian and cycle access to the station and integrate bus services with the rail network.

#### Implementation

The policy concludes with a discussion on methods of implementing the policy provisions. The policy suggests that implementation will involve preparation and review of local planning strategies to reflect the policy provisions, introduction of associated zoning and development control provisions and state government and public authority measures to promote more private investment.



**Impacts for the City of South Perth**

The policy outlines a comprehensive approach to the activity centres hierarchy, from primary centres through to neighbourhood centres. This draft policy may therefore be used to guide and inform current and future local planning strategies in conjunction with the forthcoming review of the No. 6 Town Planning Scheme, with the aim of effectively managing and planning these centres within the City of South Perth. Whether the desired outcomes are achieved will ultimately depend on coordination between the City of South Perth, public authorities and land owners. This coordination must be reflected in the alignment of local planning strategies and State policies. The effect of this draft policy should also be considered in light of the City’s visioning project.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.3.2</b>
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The Western Australian Planning Commission be advised that:

- (a) in principle, the Council supports all of the proposals in Draft Activity Centres Policy for Perth and Peel and commends the Commission for the strong support being provided to local government through this initiative; and
- (b) the Council will continue to pursue its strategic planning initiatives in a manner which is consistent with the goals of Activity Centres Policy for Perth and Peel.

CARRIED EN BLOC RESOLUTION

<b>10.3.3 Application for Planning Approval for Proposed Garage and Alfresco Addition to Grouped Dwelling. Lot 14 (No. 32) Ednah Street, Como</b>
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Location: Lot 14 (No. 32) Ednah Street, Como  
 Applicant: Ms Camille Bradsmith  
 Lodgement Date: 14 April 2009  
 File Ref: 11.2009.132 ED5/ 32  
 Date: 29 July 2009  
 Author: Laurence Mathewson, Planning Officer  
 Reporting Officer: Rod Bercov, Acting Director, Development Services

**Summary**

To consider an application for planning approval for a garage and alfresco addition to a grouped dwelling on Lot 14 (No. 32) Ednah Street, Como. The proposal conflicts with the following:

- (i) Clause 8(a)(i) of Council Policy P350.3 and clause 6.2.3 of the 2009 R-Codes which requires the proposed garage setback 4.5 metres from the street alignment; and
- (ii) Clause 7 of Council Policy P350.2 which requires the proposed boundary wall setback 6.0 metres from the street alignment.

Council has the ability to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Setback of boundary wall	Clause 9.6(6) of TPS6.
Garage setback less than 4.5 metres.	Clause 6.2.3 of the R-Codes; Clause 9.6(6) of TPS6.

It is recommended that the proposal be refused.

**Background**

The development site details are as follows:

<b>Zoning</b>	Residential
<b>Density coding</b>	R20/30
<b>Lot area</b>	822 sq. metres
<b>Building height limit</b>	7.0 metres
<b>Development potential</b>	2 Grouped Dwellings
<b>Plot ratio limit</b>	N/A

This report includes the following attachments:

- Confidential Attachment 10.3.3(a)** Plans of the proposal.
- Attachment 10.3.3(b)** Applicant’s supporting letter.

The location of the development site is shown below:



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

- 3. The exercise of a discretionary power**
  - (i) *Proposals involving the exercise of a discretionary power which, in the opinion of the delegated officer, should be refused. In this instance, the reason for refusal would be a significant departure from the Scheme, relevant Planning Policies or Local Laws;*

**Comment**

- (a) Description of the Surrounding Locality**  
The subject site is a corner lot located on the intersection of Labouchere Road and Ednah Street. It is located within residential development assigned an R20/30 density coding.
- (b) Existing Development on the Subject Site**  
The existing development on the subject site currently features a ‘residential’ land use. The dwelling is two storeys in height and has a conventional pitched roof.
- (c) Description of the Proposal**  
The proposal involves the construction of a garage and alfresco addition to a grouped dwelling, as depicted in the submitted plans of **Confidential Attachment 10.3.3(a)**. The additions feature a garage with a tiled pitched roof and an alfresco also with a tiled pitched roof, both of which have been designed to match the existing dwelling.

The following components of the proposed development do not satisfy the relevant statutory requirements:

- (i) Garage setback 3.74 metres in lieu of 4.5 metres; and
- (ii) Boundary wall setback 3.74 metres in lieu of 6.0 metres.

The proposal complies with the *Town Planning Scheme No. 6 (TPS6)*, the *Residential Design Codes of WA 2009* (the **R-Codes**) and relevant Council Policies with the exception of the remaining non-complying issues, all discussed in detail below.

**(d) Boundary Wall - east**

The permitted front setback of boundary walls in the residential zone is controlled by Council Policy P350.2 '*Residential Boundary Walls*'. The policy prescribes a permitted front setback for boundary walls of 6.0 metres, this may be reduced to a setback not less than 4.5 metres where the proposed boundary wall will abut an existing boundary wall on an adjoining lot. The drawings provided by the applicant depict a front setback of 3.74 metres.

The City observes that if the garage was setback 4.5 metres then the boundary wall would also be setback 4.5 metres from the street alignment. A boundary wall setback at 4.5 metres would be considered acceptable for the following reasons:

- Existing vegetation will abut the proposed boundary wall, reducing the impact of the boundary wall on the streetscape character.
- The natural ground level on the adjoining property is 500 mm higher than that of proposed location on the boundary wall on the subject site. The net visual impact of the wall will be approximately 1.9 metres. This height is only marginally higher than that of a standard dividing fence.

However a proposed setback of 3.74 metres is a significant variation from the policy requirements and cannot be supported by City Officers. The proposed garage boundary wall therefore does not comply with City Policy P350.2 '*Residential Boundary Walls*'.

Council discretion: As the non-compliance relates to provisions in a Council Policy, Council has discretionary power under clause 9.6(6) of TPS6 to approve the boundary wall. This discretionary power should only be exercised if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the additions not be approved, as the applicant has not satisfied the Policy requirements.

**(e) Garage Setback**

The permissible garage setback is 4.5 metres, whereas the proposed garage setback is 3.74 metres; therefore, the proposed development does not comply with clause 8(a)(i) of Council Policy P350.3 and clause 6.2.3 of the 2009 R-Codes.

A letter of justification provided by the applicant with respect to the garage setback variation has been included as **Attachment 10.3.3(b)**. The applicant has requested discretion be exercised with respect to the proposed garage setback for the following reasons:

- Owner intends to have a storage space behind the car parking space, this requires additional depth. However City Officers note that a storage shed, as required for grouped dwellings under the R-Codes, already exists at the rear of the dwelling. If this additional storage space was removed, 4.5 metre setback will be achieved.
- The proposed setback is requested by the applicant (owner) to allow them to gain entry to the front door of the dwelling via the proposed garage. As stated by the owner, a greater setback will require the owner to walk outside down the drive way and enter through the front gate of the dwelling. The owner considers this impractical and also undesirable for security reasons. However, the officers are of the view that a the desired outcome can be achieved by creating a doorway that links the existing staircase lobby to the proposed garage, without having to come out into the open. This will also achieve the desired street setback.

Council discretion: Discretion can be exercised by the Council having regard to the Performance Criteria provisions of the R-Codes and provisions of Council Policy P350.3 'Car Parking Access, Siting and Design'. Having regard to the existing streetscape character, and noting the existing car parking structures within the focus area, the proposal doesn't demonstrate compatibility. Based upon this reason, it is recommended that the additions not be approved, as the applicant has not satisfied the relevant Policy and Statutory requirements.

**(f) Wall Setback - north**

The wall setbacks generally comply, however the alfresco wall on the ground floor is setback from the boundary by 1.0 metres in lieu of 1.5 metres.

The Applicant has successfully satisfied the Performance Criteria 6.3.1 P1 of the R-Codes, as outlined below:

- The proposed structure provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property;
- Building bulk is not an issue, due to the adjoining land being used for non-habitable purposes; and
- Privacy is not an issue as there are no proposed changes to the floor level of the alfresco area.

In assessing the wall setback issues, it is considered that the proposal complies.

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

Having regard to the preceding comments, in terms of the general objectives listed within Clause 1.6 of TPS6, the following general Scheme objectives are not met:

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

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

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

- (c) *the provisions of the Residential Design Codes and any other approved Statement of Planning Policy of the Commission prepared under Section 5AA of the Act;*
- (f) *any planning policy, strategy or plan adopted by the Council under the provisions of clause 9.6 of this Scheme;*

### **Consultation**

**(a) Design Advisory Consultants' Comments**

This development application did not require comment from the Design Advisory Consultants.

**(b) Neighbour Consultation**

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Policy P104 '*Neighbour and Community Consultation in Town Planning Processes*'. The owners and occupiers of properties at No. 1/34 - 4/34 Ednah Street were invited to inspect the application and to submit comments during a 14-day period. No submissions were received during the neighbour consultation period.

**(c) Manager, Engineering Infrastructure**

This application did not require comment from Manager, Engineering Infrastructure.

**(d) Other City Departments**

This application did not require comment from other City Departments.

### **Policy and Legislative Implications**

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

### **Financial Implications**

The determination has no financial implications

### **Strategic Implications**

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

### **Sustainability Implications**

The proposed alfresco addition will be to the rear of the existing dwelling. This area is north facing, and will take advantage of the winter sun. The proposed development is therefore observed to achieve a sustainable design outcome in this regard. The modifications proposed by the Officers will not alter the sustainable design outcome.

### **Conclusion**

The proposal does not meet all of the relevant Scheme and R-Codes objectives and provisions. It is considered that the application should be refused.

**OFFICER RECOMMENDATION ITEM 10.3.3**

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a Garage and alfresco addition on Lot 14 (No. 32) Street, Suburb, **be refused** for the following reasons:

- (a) The proposed garage setback conflicts with clause 8(a)(i) of Council Policy P350.3 “*Car Parking Access, Siting and Design*” and clause 6.2.3 of the 2009 R-Codes.
- (b) The proposed boundary wall setback conflicts with Clause 7 of Council Policy P350.2 “*Residential Boundary Walls*”.
- (c) Having regard to the matter identified in the reasons above, the proposed development conflicts with the “Scheme Objectives” identified in Clause 1.6 of TPS6.
- (d) Having regard to the matter identified in the reasons above, the proposed development conflicts with the “Matters to be Considered by Council” identified in Clause 7.5 of TPS6.

**OFFICER RECOMMENDATION**

The Mayor called for a mover of the officer recommendation at Item 10.3.3. The officer recommendation Lapsed.

**MOTION**

Moved Cr Hearne, Sec Cr Best

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a additions on Lot 14 (No. 32) Ednah Street, Como, **be approved** subject to the following conditions:

**(i) Standard Conditions**

340	Surface of boundary wall	457	Replacing existing fencing
425	Colours & materials match existing	625	Sightlines for drivers
455	Standard heights of fences	661	Validity of approval

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

**(iii) Standard Important Footnotes**

648	Building licence required	649A	Minor variations- seek approval
651	Appeal rights- SAT		

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

**Cr Hearne Opening for the Motion**

- Grouped Dwelling development
- owner currently drives into a hard-stand area
- only way to access house is to go back to front of house/front footpath
- to comply with TPS would have to install a door - inconvenient/impractical
- recommend we exercise discretion due to proposed minor variation
- provide security for owner when entering her property
- support the Motion for approval

**COUNCIL DECISION ITEM 10.3.3**

The Mayor put the Motion

That...

- (a) the officer recommendation not be adopted;
- (b) pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a additions on Lot 14 (No. 32) Ednah Street, Como, **be approved** subject to the following conditions:

**(i) Standard Conditions**

340	Surface of boundary wall	457	Replacing existing fencing
425	Colours & materials match existing	625	Sightlines for drivers
455	Standard heights of fences	661	Validity of approval

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

**(iii) Standard Important Footnotes**

648	Building licence required	649A	Minor variations- seek approval
651	Appeal rights- SAT		

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

CARRIED (11/0)

Reason for Change

Council exercised discretionary in relation to car parking access, siting and design due to the proposed minor variation to the required street setback of 4.5 metres. The proposal does not impact on the existing streetscape and at the same time provides a greater degree of security to the owner when entering the property from the proposed garage.

**Note:** Cr Hasleby left the Council Chamber at 9.05pm and returned at 9.08pm

**10.3.4 Proposed Two Single Houses within a 3-Storey Building and Roof Terrace - Lot 2 (No. 3) Parker Street, South Perth**

Location:	Lot 2 (No. 3) Parker Street, South Perth
Applicant:	Allerding and Associates
Lodgement Date:	12 May 2009
File Ref:	11.2009.163 PA2/3
Date:	28 July 2009
Author:	Patricia Wojcik, Trainee Planning Officer
Reporting Officer:	Rod Bercov, Acting Director, Development Services

**Summary**

To consider an application for planning approval for two Single Houses within a 3-storey building and Roof Terrace on Lot 2 (No. 3) Parker Street, South Perth.

Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Setbacks	R-Code Performance Criteria 6.3.1 P1
Maximum ground / floor levels	TPS6 clause 6.10
Boundary Walls	Policy P350.2 (Residential Boundary Walls)

It is recommended that the proposal be approved subject to conditions.

**Background**

The development site details are as follows:

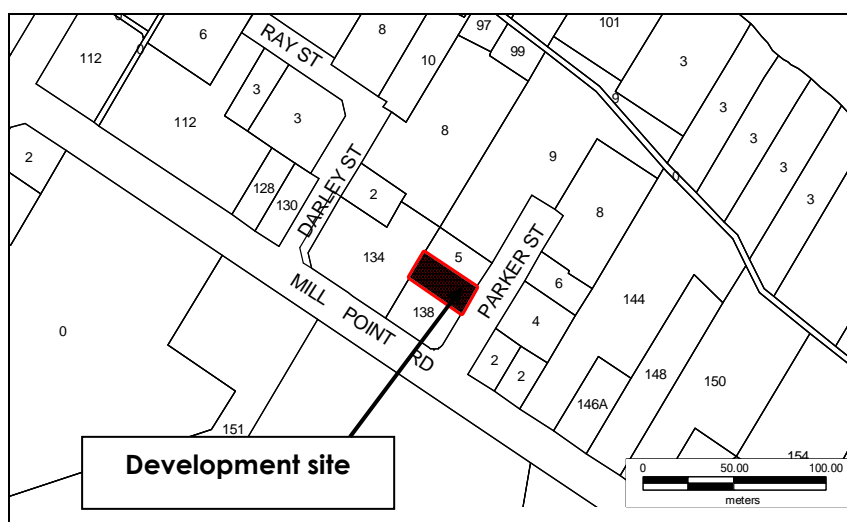
<b>Zoning</b>	Residential
<b>Density coding</b>	R60
<b>Lot area</b>	508 sq. metres
<b>Building height limit</b>	9.75 metres
<b>Development potential</b>	2 Dwellings
<b>Plot ratio</b>	Not applicable

This report includes the following attachments:

**Confidential Attachment 10.3.4(a)** Plans of the proposal.

**Attachment 10.3.4(b)** Site photographs.

The location of the development site is shown below:



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

**2. Large scale development proposals**

- (i) Proposals involving buildings 9.0 metres high or higher based upon the Scheme definition of the term 'height'. This applies to both new developments and additions to existing buildings resulting in the building exceeding the nominated height.

**6. Amenity impact**

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

In relation to Item 6 above, the extent of amenity impact arising from the proposal is considered acceptable, subject to the recommended conditions (see comments section below).



**Comment**

**(a) Description of the proposal**

The subject site is currently vacant, as depicted in the site photographs in **Attachment 10.3.4(a)**.

This application proposes the construction of two Single Houses within a 3-storey building and Roof Terrace as depicted in the submitted plans in **Confidential Attachment 10.3.4(b)**.

The proposal complies with the Town Planning Scheme No. 6 (TPS6), the *Residential Design Codes of WA 2008* (R-Codes) and relevant Council Policies with the exception of the variations discussed in more detail below.

**(b) Plot ratio**

There are no plot ratio controls for Single Houses in R60 coded areas in the Residential Design Codes of WA 2008.

**(c) Open space**

The required minimum open space is 114 sq. metres (45%) on each site, whereas the proposed open space is 122 sq. metres (48%) each. Therefore the proposed development complies with the open space element of the R-Codes.

**(d) Building height**

The building height limit is 9.75 metres. The proposed buildings will not exceed this height. Therefore the proposed development complies with Clause 6.2 "Maximum Building Height Limit" of TPS6.

**(e) Boundary walls- North/South**

Under Council Policy P350.2, the required setback of residential boundary (parapet) walls, is 6.0 metres from the street boundary. The proposal involves four boundary walls with two of the walls set back 6 metres from the street boundary and the other two set back 6.4 metres. Therefore, the proposed development complies with Clause 7 of the policy.

Additionally, the boundary walls have been found to not have an adverse effect on neighbouring amenity when assessed against the "amenity tests" referred to in Policy P370.2. The boundary walls have been assessed in accordance with the variations permitted in the policy, and it is noted that:

1. Two of the four boundary walls are located on the proposed lot boundaries for the proposed Dwelling Units 3 and 3A, and abut each other for the entire length. For this reason, they will not be visible from the street, or have any amenity impact.
2. The third wall stands adjacent to the approved boundary wall at No. 5 Parker Street; and
3. The fourth wall adjoining the vehicular access leg at No. 138 Mill Point Road.

Due to the location of the boundary walls as described above, and their setback distances of 6.0 metres or more from the front property boundaries, the walls will not have an adverse effect on the amenity of the adjoining residential properties, in relation to the streetscape character, the outlook from the front garden, daylight admitted to habitable rooms, winter sunshine and glare, existing views, outlook from habitable room windows.

No comments have been received from the neighbour (see neighbour consultation). It is considered that the walls complies and is acceptable.

**(f) Wall setback - North**

The wall setbacks generally comply, however on the third level, the wall extending from Balcony 3 to the Living Room is set back 1.9 metres from the boundary in lieu of the prescribed 4.8 metres. The balcony setback is 3 metres in lieu of 4.8 metres and living setback is 1.9 metres in lieu of 4 metres. The staircase external wall is set back 4.0 metres in lieu of 4.8 metres.

The applicant has successfully addressed the Performance Criteria 6.3.1 P1 of the R-Codes, as outlined below:

- The proposed structure has been designed with the majority of major openings to the front and rear which provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property, with a similar development to the north which has the majority of its major openings at the front and rear of the site
- Building bulk is not an issue, due to the similar development to the north
- Visual privacy is not an issue.

In assessing the wall setback issues, it is considered that the proposal complies with the Performance Criteria, and is supported by the City.

**(g) Wall setback - West (Dwelling Unit 3)**

The wall setbacks generally comply, however the western balcony is set back 3.0 metres from the boundary in lieu of the prescribed 4.6 metres. In addition, the building as measured from the bulk is setback from the boundary by 4.5 metres in lieu of 4.6 metres. It is also noted that these walls are adjacent to a private residential car park on the adjoining property.

The applicant has successfully addressed the Performance Criteria 6.3.1 P1 of the R-Codes, as outlined below:

- The proposed structure provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property;
- Building bulk is not an issue, due to the adjoining land being used for non-habitable purposes; and
- Visual privacy is not an issue.

In assessing the wall setback issues, it is considered that the proposal complies with the Performance Criteria, and is supported by the City.

**(g) Wall setback - West (Dwelling Unit 3A)**

The wall setbacks generally comply, however the western balcony is set back by 3.0 metres from the boundary in lieu of 5.1 metres. In addition, the building as measured from the bulk is setback from the boundary by 4.5 metres in lieu of 5.1 metres. It is also noted that these walls are adjacent to a private residential car park on the adjoining property.

The applicant has successfully addressed the Performance Criteria 6.3.1 P1 of the R-Codes, as outlined below:

- The proposed structure provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property;
- Building bulk is not an issue, due to the adjoining land being used for non-habitable purposes; and
- Visual privacy is not an issue.

In assessing the wall setback issues, it is considered that the proposal complies with the Performance Criteria, and is supported by the City.

**(f) Wall setback - South**

The wall setbacks generally comply, however on the upper floor the set back as measured from the living is set back from the boundary by 3.9 metres in lieu of 4.0 metres.

The applicant has successfully addressed the Performance Criteria 6.3.1 P1 of the R-Codes, as outlined below:

- The proposed structure provides adequate ventilation and sun to the subject site;
- The proposed structure provides adequate sun and ventilation to the neighbouring property as it is adjoining an access leg
- Building bulk is not an issue, due to the adjoining land being used for non-habitable purposes; and
- Privacy is not an issue.

In assessing the wall setback issues, it is considered that the proposal complies with the Performance Criteria, and is supported by the City.

**(h) Visual privacy setbacks**

All visual privacy setbacks comply under the “Acceptable Development” standards listed under Clause 6.8.1 or the R-Codes or the associated Performance Criteria.

To comply with the visual privacy requirements, the desk within Bedroom 3 in the northern dwelling shall be permanently installed prior to habitation of the dwelling in order to prevent any overlooking of a sensitive area (habitable room) on the adjoining property. A specific condition has been recommended to this effect.

**(l) Solar access for adjoining sites**

The maximum area of overshadowing permitted is 411 sq. metres (50%); the proposed overshadowing is 305 sq. metres (37.1%). Therefore, the proposed development complies with the solar access element of the R-Codes.

**(m) Finished ground and floor levels - Minimum**

As the site is suitably elevated above ground and surface water levels, all ground and floor levels comply with Clause 6.9 (2) “Minimum Ground and Floor Levels” of the Town Planning Scheme No. 6.

**(n) Finished ground and floor levels - Maximum**

The maximum finished *ground* level permitted is generally compliant, except in the pond areas for both units. For Unit 3 the proposed finished ground level is 13.52 metres above Australian Height Datum (AHD) in lieu of 13.1. For Unit 3A the proposed finished ground level is 14.3 metres above AHD in lieu of 13.9 metres.

However, in assessing the impact of the raised ground level (+0.42 metres and +0.4 metres), it is noted that the ground at Unit 3 is adjacent to an adjoining access leg. As a consequence, the proposed development has no detrimental impact upon the neighbouring landowners, who did not provide comments on the proposal.

In addition, due to the significant slope of the site, the proposed ground level here is still significantly lower than the adjoining finished ground level at No. 5 Parker Street. As a consequence, the proposed development poses no detrimental impact upon the neighbouring landowners, who did not provide comments on the proposal.

Accordingly, the finished ground levels comply with Clause 6.10.3 “Maximum Ground and Floor Levels” of the Town Planning Scheme No. 6.

The maximum finished floor level has been separated into two parts, a section at the front and one at the rear. For Unit 3, the maximum finished *floor* level permitted for the front is 13.56 metres and for Unit 3A is 13.83 metres above AHD, whereas the proposed finished floor levels are 13.66 metres and 14.43 metres respectively.

However, in assessing the impact of the raised ground level (+0.1 metres and +0.6 metres respectively), it is noted that the area affected is essentially an internal passageway with a setback from both boundaries. Given the existing streetscape character of high rise buildings, this minor variation to the maximum floor level is deemed acceptable. Accordingly, the finished floor levels comply with Clause 6.10.1 “Maximum Ground and Floor Levels” of the Town Planning Scheme No. 6.

For Unit 3, the maximum finished *floor* level permitted for the rear is 13.06 metres and for Unit 3A is 13.76 metres above AHD, whereas the proposed finished floor levels are 12.8 metres and 13.58 metres respectively which are within the permissible limits. Accordingly, the finished floor levels comply with Clause 6.10.1 “Maximum Ground and Floor Levels” of the Town Planning Scheme No. 6.

(o) **Driveway gradients**

Due to the significant slope of the subject site, a proposed gradient for the driveway of Unit 3A is steeper than that permitted in accordance with TPS6.

The standard permissible gradient is no greater than 1:12 for the first 3.6 metres, and no greater than 1:8 for the remainder of the driveway. The proposed gradient at Unit 3 complies with this requirement whereas the proposed gradient at 3A is slightly higher than 1:6. Therefore, the proposed development at 3A does not comply with Clause 3.7.b “Driveway Gradient” of City Policy P350.3.

However, the policy provides for grades not steeper than 1:6, if the applicant submits a letter to acknowledge full responsibility for the steep driveway without any recourse to the City. The applicant has provided this letter to the City. Therefore, the driveway grades comply with the policy.

As requested by the Elected Members at the Major Development Briefing, the applicant provided additional information in the form of a detailed plan (at a scale of 1: 50) and associated sections through the proposed driveway for Dwelling Unit 3A demonstrating compliance with this policy requirement.

**(p) Car parking**

The required number of car bays is two bays per dwelling. The proposed number of car bays complies with the car parking element of the R-Codes.

The existing car parking bays in the street reserve (public bays) are proposed to be amended due to the relocation and addition of crossovers. However it is understood that the number of bays will not be affected. Consultation with the Engineering Infrastructure section (see below) has indicated an “in principle” agreement, with a condition recommended to ensure future negotiations result in a satisfactory outcome. A condition of approval has been placed to this effect.

**(q) Dividing fences**

Dividing fences are required by element 6.2.5 of the R-Codes, to be no greater than 1.8 metres above ground level. Fences within the front setback area are required by City Policy P350.7 (Fencing and Retaining Walls) to be visually permeable above 1.2 metres. The proposal is for 1.8m high dividing fences and front fences and gates that are visually permeable above 1.2 m. Therefore the proposed development complies with the fencing element of both the R-Codes and City Policy.

**(r) Storage area**

For Single Houses, the R-Codes do not require storage areas.

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

Having regard to the preceding comments, in terms of the general objectives listed within Clause 1.6 of TPS6, the proposal is considered to broadly meet the following objectives:

- (a) *Maintain the City's predominantly residential character and amenity;*
- (c) *Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;*
- (e) *Ensure community aspirations and concerns are addressed through Scheme controls; and*
- (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.*

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

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

- (a) *the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (c) *the provisions of the Residential Design Codes and any other approved Statement of Planning Policy of the Commission prepared under Section 5AA of the Act;*
- (f) *any planning policy, strategy or plan adopted by the Council under the provisions of Clause 9.6 of this Scheme;*
- (i) *the preservation of the amenity of the locality;*
- (j) *all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*
- (k) *the potential adverse visual impact of exposed plumbing fittings in a conspicuous location on any external face of a building;*
- (l) *the height and construction materials of retaining walls on or near lot boundaries, having regard to visual impact and overshadowing of lots adjoining the development site;*
- (m) *the need for new or replacement boundary fencing having regard to its appearance and the maintenance of visual privacy upon the occupiers of the development site and adjoining lots;*
- (n) *the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details;*
- (q) *the topographic nature or geographic location of the land;*
- (s) *whether the proposed access and egress to and from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the site;*
- (t) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *whether adequate provision has been made for access by disabled persons;*
- (w) *any relevant submissions received on the application, including those received from any authority or committee consulted under Clause 7.4; and*
- (x) *any other planning considerations which the Council considers relevant.*

The proposal is considered satisfactory in relation to all of these matters.

### **Consultation**

#### **(a) Design Advisory Consultants' comments**

The design of the proposal was considered by the City's Design Advisory Consultants at their meeting held on 8 June 2009. The proposal was favourably received by the Consultants. Their comments are summarised below:

- (i) The Advisory Architects observed that the proposed dwellings demonstrate streetscape compatibility;
- (ii) The Advisory Architects considered that the proposed boundary walls should be set back from the street boundary in accordance with policy provisions;
- (iii) The Advisory Architects considered the separation between the walls which are at right angles to the stairwell and lift shafts along the side boundaries of both the dwellings should demonstrate compliance with Figure 2d of the R-Codes.
- (iv) Overshadowing diagram to be provided.

In response to point (ii), the proposal has been suitably amended by the applicant. In response to point (iii) the applicant has sought to justify the proposal under the relevant performance criteria which is outlined elsewhere in this report. City officers are satisfied with this justification. In response to point (iv) the overshadowing diagram provided was incorrect, however the correct overshadowing was calculated by the City.

**(b) Neighbour consultation**

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Policy P104 “Neighbour and Community Consultation in Town Planning Processes”. The owners of properties at No. 138 Mill Point Road, and Nos 2, 4 and 5 Parker Street were invited to inspect the application and to submit comments during a 14-day period. A total of 16 neighbour consultation notices were mailed to individual property owners and occupiers. During the advertising period, no submissions were received.

**(c) Manager, Engineering Infrastructure**

The Manager, Engineering Infrastructure, was invited to comment on a range of issues relating to car parking and traffic, arising from the proposal. The Manager recommends that:

- (i) Drainage to be in accordance with Policy P415
- (ii) Parker street boundary levels to be maintained;
- (iii) Crossovers to be to the City standards; and
- (iv) Existing car parking bays in the street reserve to be modified under negotiation with the Director of Infrastructure Services.

**Policy and Legislative Implications**

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

**Financial Implications**

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

- (a) Payment of the required planning fee by the applicant.

**Strategic Implications**

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

**Sustainability Implications**

Noting the constraints imposed by the development site with respect to the significant slope of ground as well as not a very favourable orientation of the lot, the officers observe that outdoor living areas at the ground level as well as on the roof top have been provided that have access to winter sun. Hence, the proposed development is seen to achieve an outcome that pays regard to the sustainable design principles.

**Conclusion**

The proposal will have an acceptable impact on adjoining residential neighbours (given the characteristics of the precinct), and meets the relevant Scheme objectives. It is recommended that the application be conditionally approved.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.3.4</b>
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That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for two × Three-Storey Grouped Dwellings with a roof terrace on Lot 3 (No. 5) Parker Street, South Perth **be approved**, subject to:

**(a) Standard Conditions**

615	screening details	625	vehicle sightlines
616	all obscure panels/screening to remain in place	455	dividing fences standards
390	crossover standards	550	plumbing hidden
393	verge and kerbing works	664	final inspection required
410	crossover effects infrastructure	508	landscaping plan
340	surface of parapet walls	425	colours and materials
470	retaining walls	578	Certificate of Titles before BL
471	retaining walls - timing	660	approval expiration

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

- (i) The landscaping plan shall include at least two trees, one for each grouped dwelling, not less than 3.0 metres in height at the time of planting and of a species approved by the City shall be planted within the street setback area or elsewhere on the site prior to occupation of the dwelling. The trees shall be maintained in good condition thereafter.
- (ii) The desk within Bedroom 4 in the northern dwelling shall be permanently installed prior to habitation of the dwelling in order to demonstrate compliance with Clause 6.8.1 “Visual Privacy” of the R-Codes.
- (iii) The layout of the existing car parking bays in the street reserve shall be modified in consultation with the Manager, Engineering Infrastructure Services.

**(c) Standard Advice Notes**

648	building licence required	649A	seek approval for minor variations
641	Subdivision procedure	651	appeal rights - SAT
646	general landscaping standards		

<b>Footnote</b> A full list of Standard Conditions and Advice Notes is available for inspection at the Council Offices during normal business hours.
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**(d) Specific Advice Notes**

- (i) It is the applicant’s responsibility to liaise with the City’s Environmental Health Department to ensure satisfaction of all of the relevant requirements. Any activities conducted will need to comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
- (ii) It is the applicant’s responsibility to liaise with the City Environment Department prior to designing a landscaping plan for the street verge areas as required.

CARRIED EN BLOC RESOLUTION



<b>10.3.5 Sir James Mitchell Park Tree Planting Project</b>
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Location:	City of South Perth
Applicant:	Council
File Ref:	PR/204
Date:	7 August 2009
Authors:	Wendy Patterson, Sustainability Coordinator Mark Taylor, Manager City Environment
Reporting Officer:	Stephen Bell, Director Infrastructure Services

### **Summary**

The City of South Perth is proposing to plant additional trees within a section of Sir James Mitchell Park and has utilised an innovative Sustainability Assessment process to ensure that an optimum tree planting design is produced.

The purpose of this report is to review submissions received on the draft tree planting plan and sustainability report and recommend that Council adopt the draft review of the report and plan.

### **Background**

The City of South Perth and Swan River Trust adopted a Foreshore Management Plan for Sir James Mitchell Park (SJMP) in 2001. The Plan contains fifty three actions to be implemented including several concerning tree planting within the Park. Since the adoption of the Management Plan, the City has constructed beaches, additional pathways and lighting on the foreshore west of Coode Street. To complete the landscaping for this section of the park, additional tree planting is considered to be desirable. Actions 33, 34, 35 and 38 of the Management Plan describe the criteria for tree planting in this section of the park.

33. Council accepts the 'Revised Tooby Plan - 1987' in respect of the number of trees in the area covered by that plan;
34. Trees planted in the area covered by the 'Revised Tooby Plan - 1987' be positioned so they are generally planted in approximate elliptical groves whose major axis is perpendicular to the river at the locations and to achieve the total number of existing and additional trees as shown in the planting plan;
35. The Sir James Mitchell Park Community Advisory Group consult residents whose views may be affected and advise Council on the placement of trees in the area covered by the 'Revised Tooby Plan - 1987';
38. Locally provenance *Eucalyptus rudis* and other endemic trees be planted within the Park except in areas whose character is currently defined by other species or landscape elements.

The revised Tooby Plan identified 1,142 trees to be planted in the Park between the South Perth Esplanade eastern car park and Ellam Street, as this was the original extent of SJMP. The revised Tooby Plan, has been discounted in terms of tree placement following community concerns. It exists now in terms of tree numbers only.

Recent counts by the City identified a shortfall of 161 trees. It is the City's intention to plant the full number of trees in the area of the Park covered by the revised Tooby Plan. A portion of this number is proposed to be planted in the section between the car park and Coode Street. This will be implemented in a way that will maintain views of the river, but also improve the amenity, habitat and shade within the Park..

The City of South Perth has utilised an innovative Sustainability Assessment process incorporating Multi Criteria Analysis (MCA) to help determine the best possible strategy to plant the trees as required by the SJMP Foreshore Management Plan. Sustainability assessment is a decision-aiding tool that ensures a broad range of environmental, social and economic issues are taken into consideration in a structured way for planning and decision-making processes.

**Comment**

The broad objective of the tree planting project is - 'To maintain and enhance the landscape, amenity and natural values provided by the vegetation of the foreshore' (Section 7.8 *Plant Communities and Tree Planting* of the SJMP Foreshore Management Plan).

It was important to clearly define the desired outcome of the project (framing question) - "What is the most sustainable way to plant trees on Sir James Mitchell Park?"

The City utilised its two community advisory groups (SJMP and Sustainability) to assist in the development of sustainability 'criteria' to apply to the decision making outcomes of the project. The criteria formed the basis of the Community Information Sheet and Feedback Form in the first round of consultation. A copy of the Community Information Sheet and Feedback Form is incorporated into the Sustainability Assessment Report which forms an attachment to this report (**Attachment 10.3.5** refers).

The first phase of community consultation was launched on 29 March 2009 with the release of the Community Information Sheet and Feedback Form. Advertisements requesting community feedback were placed in the local press, and the 'City Update' feature in the *Southern Gazette*. Project information was placed on the City's website, and sustainability website. This was the first important opportunity for the community to become involved with the project and express their views.

Approximately 1,000 Community Information Sheets and Feedback Forms were given out on 29 March 2009, at the City's Fiesta Mendis Street *Carnivale* event. The Community Information Sheets and Feedback Forms were also distributed to all households in the Mill Point and Civic Wards (7,500 households).

Two community information sessions were held, one at the Civic Centre (8 April) and the other at Bentley Technology Park Function Centre (15 April). About 30 members of the community attended these sessions. The aim of the sessions was to provide the community the opportunity to interact directly with City officers and Swan River Trust representatives. Also in attendance at these sessions were Councillors, a representative from the Swan River Trust and members of the City's two Community Advisory Groups.

The City received 403 Feedback Forms by the return date of 1 May 2009. A copy of the feedback analysis forms an Appendix to the Sustainability Assessment Report (**Attachment 10.3.5** refers) and a summary appears in the Report. The City also received a petition at this stage of the process, which was tabled and 'received' at the May 2009 Council meeting. The petition contained seven points which are also included as an Appendix, with officer's comment, in the Sustainability Assessment Report (**Attachment 10.3.5** refers).

The community feedback was then analysed and the sustainability criteria refined. Based on the information received, five tree planting options were developed by consultant landscape architects in conjunction with the City.

A multi-criteria analysis (MCA) was then utilised, to score and weight the sustainability criteria against the five different tree planting design options. A more detailed analysis of the process employed is provided in the Sustainability Assessment Report (**Attachment 10.3.5** refers).

Option 4 (*Small Clusters* - 104 trees) performed best overall by a considerable margin, dominating all other options and was selected as the preferred tree planting plan. Option 4 was then further refined to ensure better habitat provision and aesthetics as it did not score as well in this area as it could have. A 'ground truthing' exercise was also carried out within the Park and as a result some tree clusters were moved slightly to keep view corridors open and therefore improve the performance of Option 4. Two tree clusters were removed altogether to fully accommodate the open spaces required for City events. In addition, the option to add four medium sized feature trees in the vicinity of the flag pole, which is currently subject to redesign, was also added to the plan. Tree numbers were reduced to 94.

The draft Tree Planting Plan and Sustainability Report were then advertised for community comment (second phase of consultation) from 14 July to 28 July 2009. At the close of the consultation process, twenty two submissions were received. Seventeen responses supported the proposed tree planting design and five were opposed. A summary of the submissions, the issues raised and the City's consideration to them have been included as an Appendix in the Sustainability Assessment Report (**Attachment 10.3.5** refers).

Through the sustainability assessment process and review of submissions, a draft review of the tree planting plan and sustainability report (**Attachment 10.3.5** refers) has been developed and is recommended to Council for adoption as the final plan and report.

### **Consultation**

Extensive communication and consultation has been offered for this project.

Views and values were sought from the broader community (both inside and outside City of South Perth) initially via the Community Feedback Forms.

The Swan River Trust was advised of the project and a letter of support was received from that state agency.

The City's two Community Advisory Groups (Sir James Mitchell Park and Sustainability) played an integral part in establishing the sustainability criteria, providing advice regarding the content of the feedback forms and the analysis of the results of the initial community feedback.

The community had two opportunities, at community information sessions, to meet with City officers and discuss the project.

An article on this project appears in the Winter Peninsula.

The project was the subject of advertisements in *Community Southern Gazette* on nine occasions (31/3, 7/4, 14/4, 21/4, 28/4, 16/6, 30/6, 14/7, 21/7) and specific advice placed in the 'City Update' section on three occasions (7/7, 14/7, 21/7). Councillors were updated about progress of the project in five editions of the 'Bulletin'.

The draft plan and report was advertised for community consultation and feedback.

### **Policy and Legislative Implications**

The principal policy document for this project is the SJMP Foreshore Management Plan, adopted by Council and the Swan River Trust in 2001. The Management Plan contains a series of Actions requiring implementation, each of which are a separate resolution of Council.

#### P320 - Sustainability Policy.

An additional objective of this project was to trial the sustainability assessment process as a decision making tool for large projects, as recommended in the City's Sustainability Strategy and Action Plan. This has been very successful and consideration will now be given to utilising this process on other major City projects.

### **Financial Implications**

- The cost of the consultation, consultants and the sustainable assessment process.
- The cost to supply, install and maintain the trees.

### **Strategic Implications**

Goal 3 Environmental Management, Strategy 3.2 - *Develop and implement a Sustainability Strategy...to coordinate initiatives contained in associated Management Plans and to ensure the City's environment is managed in a sustainable way.*

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

### **Sustainability Implications**

The proposed tree planting design for Sir James Mitchell Park has been developed using a best practice sustainable assessment process. The planting of trees within the park will have sustainable benefits for the City.

### MOTION

Cr Best moved the officer recommendation, Sec Cr Ozsdolay

### PRESENTATION

Cr Best provided a power point presentation in support of the officer recommendation at Item 10.3.5.

### EXTENSION OF TIME

Moved Cr Hearne, Sec Cr Burrows - That Cr Smith be granted an extension of time to complete his debate against the officer recommendation.

CARRIED (7/4)

### FORESHADOWED MOTION

Cr Smith Foreshadowed that if the current Motion is Lost that he would be moving that the proposed additional 161 trees for Sir James Mitchell Park **not** be planted.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.3.5</b>
--

The Mayor put the Motion

That....

- (a) following review and public consultation the Sir James Mitchell Park "Tree Planting Plan / Sustainability Assessment Report" at **Attachment 10.3.5** be adopted; and
- (b) the four medium sized feature trees proposed to be planted in the vicinity of the flag pole **not** be planted until the Concept Plan for the flag pole site has been approved.

CARRIED (9/2)

**Note:** City Communications Officer retired from the meeting at 9.15pm

**10.4 GOAL 4: INFRASTRUCTURE**

**10.4.1 Annual supply and delivery of PVC and Polythene Associated Sprinklers and Fittings (Tender 14/2009)**

Location: City of South Perth  
 Applicant: Council  
 File Ref: Tender 14/2009  
 Date: 5 August 2009  
 Author: Craig Barker, Parks Operations Coordinator  
 Reporting Officer: Stephen Bell, Director Infrastructure Services

**Summary**

Tenders have been received for the annual supply and delivery of PVC and Polythene Associated Sprinklers and Fittings (Tender 14/2009). This report outlines the assessment process followed and will recommend to Council that the tender submitted by Total Eden Pty Ltd for the estimated amount of \$151,117.19 plus GST for Year 1 of the Contract up to 30 June 2010 be accepted. For Year 2 of the Contract between 1 July 2010 and 30 June 2011, it will be recommended that the tendered amount for Year 1 be indexed by CPI based on the June 2010 quarter for Perth.

**Background**

The purpose of this contract is to supply the City with fittings required to operate irrigation systems, such as PVC and polythene pipe, sprinklers, solenoid valves and fittings. In order to maintain its status as a green and leafy suburb, the City is required to maintain extensive areas of parks, reserves and gardens under irrigation. Irrigation systems require regular maintenance to ensure their effective and efficient operation, which makes this contract very important.

**Comment**

Tenders were called on 2 May 2009. The contract was for the supply of various irrigation items under a schedule of rates.

Tenders closed at 2.00 pm Tuesday 19 May 2009 and at the time of opening only one tender was received. The price submitted is listed below:

Tenderer	* <sub>1</sub> Tendered Price (ex GST) Year 1	* <sub>1</sub> Tendered Price (ex GST) Year 2
Total Eden Pty Ltd	\$151,117.19	\$151,117.19 plus CPI

*\*<sub>1</sub> - based on an estimate of requirement utilising the prices submitted in the schedule of rates*

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

Qualitative Criteria	Weighting %
1. Demonstrated ability to perform the tasks as set out in spec.	10%
2. Works records and experience.	5%
3. Referees	5%
4. Price	80%
<b>Total</b>	<b>100%</b>

The evaluation process has resulted in the following score:

<b>Total Eden Pty Ltd</b>
<b>9.65</b>

Analysis of the tenders against the assessment criteria show that the alternative tender submitted by Total Eden to be the best priced and best value for the City and is therefore recommended for acceptance by Council. The Tender Assessment Report is provided at **Attachment 10.4.1** and details the process followed.

Because there was only one tender submitted, which is from the existing supply contractor, the City carried out a comparison exercise to determine the changes in price compared to the existing contract. An unsuccessful tender submitted by Hugal and Hoile at that time was also utilised. The comparison is detailed in the Tender Assessment Report (**Attachment 10.4.1**) and demonstrates an average of 1% increase in the various schedules over the existing contract. This is considered an acceptable increase considering the increases in CPI since that the original contract was accepted. Total Eden have not supplied a price for year two of the contract, preferring to increase their prices based on the CPI of the last quarter of the first year of the contract. The City also considers this to be acceptable in the current climate.

Total Eden has been a reliable supplier to the City during the existing contract, and also has very good outside references. As a result, their tender the annual supply and delivery of PVC and Polythene Associated Sprinklers and Fittings (Tender 14/2009) is recommended to Council for acceptance:

#### **Consultation**

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

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

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

The value of the tender exceeds the amount which the Chief Executive Officer has been delegated to accept, therefore this matter is referred to Council for its decision.

The following Council Policies also apply:

Policy P605 - *Purchasing & Invoice Approval*;

Policy P607 - *Tenders and Expressions of Interest*.

#### **Financial Implications**

The City has allocated sufficient funding in the 2008/09 Infrastructure Maintenance and Capital programs.

#### **Strategic Implications**

This item is consistent Goal 4 “Infrastructure” of the City’s Strategic Plan - *To sustainably manage, enhance and maintain the City’s infrastructure assets* and in particular Strategy 4.1 *Develop plans, strategies and management systems to ensure public infrastructure assets (roads, drains, footpaths, river wall, community buildings etc) are maintained to a responsible level.*

### **Sustainability Implications**

The supply of irrigation fixtures and fittings is not normally considered to be sustainable, as the products are oil based which is a finite resource. Irrigation promotes the use of summer watering which is also not normally considered to be sustainable as it is using a scarce resource.

The City is however a green leafy suburb, which Council is keen to retain and the organisation is committed to the sustainable use of water and water-wise planting.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.4.1</b>
--

That....

- (a) the tender submitted by Total Eden Pty Ltd for the supply and delivery of PVC and Polythene Associated Sprinklers and Fittings (Tender 14/2009) for the estimated amount of \$151,117.19 plus GST for Year 1 of the Contract be accepted for the period 1 July 2009 to 30 June 2010 inclusive; and
- (b) subject to satisfactory performance in Year 1 of the Contract by Total Eden Pty Ltd, that the prices for Year 2 between 1 July 2010 and 30 June 2011 inclusive be based on the tender price for Year 1 indexed by CPI for the June 2010 quarter for Perth.

CARRIED EN BLOC RESOLUTION

## **10.5 GOAL 5: ORGANISATIONAL EFFECTIVENESS**

<b>10.5.1 Applications for Planning Approval Determined Under Delegated Authority.</b>
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Location: City of South Perth  
Applicant: Council  
File Ref: GO/106  
Date: 7 August 2009  
Author: Rajiv Kapur, Manager, Development Services  
Reporting Officer: Rod Bercov, Acting Director, Development Services

### **Summary**

The purpose of this report is to advise Council of applications for planning approval determined under delegated authority during the month of July 2009.

### **Background**

At the Council meeting held on 24 October 2006, Council resolved as follows: *“That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the exercise of Delegated Authority from Development Services under Town Planning Scheme No. 6, as currently provided in the Councillor’s Bulletin.”*

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

### **Comment**

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

**Consultation**

During the month of July 2009, twenty five (25) development applications were determined under delegated authority, refer **Attachment 10.5.1**.

**Policy and Legislative Implications**

The issue has no impact on this particular area.

**Financial Implications**

The issue has no impact on this particular area.

**Strategic Implications**

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

**Sustainability Implications**

Reporting of Applications for Planning Approval Determined under Delegated Authority contributes to the City’s sustainability by promoting effective communication.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.1</b>
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That the report and **Attachment 10.5.1** relating to delegated determination of applications for planning approval during the month of July 2009, be received.

CARRIED EN BLOC RESOLUTION

<b>10.5.2 Use of the Common Seal</b>
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Location:	City of South Perth
Applicant:	Council
File Ref:	GO/106
Date:	6 August 2009
Author:	Kay Russell, Executive Support Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

**Summary**

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

**Background**

At the October 2006 Ordinary Council Meeting the following resolution was adopted: *That Council receive a monthly report as part of the Agenda, commencing at the November 2006 meeting, on the use of the Common Seal, listing seal number; date sealed; department; meeting date / item number and reason for use.*

**Comment**

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

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

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

**Register**

The Common Seal Register is maintained on an electronic data base and is available for inspection. Extracts from the Register on the use of the Common Seal are provided each month for Elected Member information.



Nature of Document	Parties	Date Seal Affixed
Deed of Agreement to Lease	June Violet Jones	1 July 2009
Debenture for Loan 223	WA Treasury Corporation	8 July 2009
Agreement - Provision of Services relating to Receiving and Processing of Recyclable material	Transpacific Cleanaway Pty Ltd	8 July 2009

**Consultation**

Not applicable.

**Policy and Legislative Implications**

Clause 21 of the City’s Standing Orders Local Law 2007 describes the requirements for the safe custody and proper use of the common seal.

**Financial Implications**

Nil.

**Strategic Implications**

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

**Sustainability Implications**

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

<p><b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.2</b></p>
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That the report on the use of the Common Seal for the month of July 2009 be received.

CARRIED EN BLOC RESOLUTION

<p><b>10.5.3 Financial Interest Returns 2008 - 2009</b></p>
---

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/107
Date:	7 August 2008
Author:	Kay Russell, Executive Support Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

**Summary**

In accordance with the City’s Management Practice M523 “Financial Interest Returns” the CEO is to prepare a report on the lodging of returns for presentation to Council as soon as reasonably practicable after 31 August each year.

**Background**

Part 5 of the *Local Government Act 1995* requires that councillors and ‘designated employees’ (that is, employees who exercise delegated power) lodge a statement of their financial interests within three months of the commencement of their term or employment respectively (Primary Return) and annually thereafter by or before 31 August each year (Annual Return).

**Comment**

Returns from Councillors and designated employees were lodged in accordance with the Act.

**Consultation**

Nil.

**Policy and Legislative Implications**

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

**Financial Implications**

Nil.

**Strategic Implications**

This Report complies with **Strategic Goal 5: Organisational Effectiveness** - *“To be a professional, effective and efficient organisation.”*

**Sustainability Implications**

Reporting on the lodging of Financial Interest Returns contributes to the City’s sustainability by promoting effective communication.

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.5.3</b>
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That report Item 10.5.3 of the August 2009 Council Agenda on the lodging of Financial Interest Returns for 2008 - 2009 be received.

CARRIED EN BLOC RESOLUTION

**10.6 GOAL 6: FINANCIAL VIABILITY**

<b>10.6.1 Monthly Financial Management Accounts - July 2009</b>
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Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	10 August 2009
Author / Reporting Officer:	Michael J Kent, Director Financial and Information Services

**Summary**

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

The attachments to this financial performance report are part of the suite of reports that were recognised with a Certificate of Merit in the last Excellence in Local Government Financial Reporting awards.

**Background**

Local Government (Financial Management) Regulation 34 requires the City to present monthly financial reports to Council in a format reflecting relevant accounting principles. A management account format, reflecting the organisational structure, reporting lines and accountability mechanisms inherent within that structure is considered the most suitable format to monitor progress against the budget. The information provided to Council is a

summary of the more than 100 pages of detailed line-by-line information supplied to the City's departmental managers to enable them to monitor the financial performance of the areas of the City's operations under their control. This report also reflects the structure of the budget information provided to Council and published in the Annual Budget.

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

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

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

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

A summary of budgeted revenues and expenditures (grouped by department and directorate) is also provided each month. This schedule reflects a reconciliation of movements between the 2009/2010 Adopted Budget and the 2009/2010 Amended Budget including the introduction of the capital expenditure items carried forward from 2008/2009 (after August 2009).

A monthly Balance Sheet detailing the City's assets and liabilities and giving a comparison of the value of those assets and liabilities with the relevant values for the equivalent time in the previous year is also provided. Presenting the Balance Sheet on a monthly, rather than annual, basis provides greater financial accountability to the community and provides the opportunity for more timely intervention and corrective action by management where required. It is important to note, however, that the July Balance Sheet is based on the (as yet incomplete) June 2009 Balance Sheet numbers which can not be finalised until all year end accounting adjustments are concluded in late August.

#### **Comment**

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

- Balance Sheet - **Attachments 10.6.1(1)(A) and 10.6.1(1)(B)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment 10.6.1(2)**
- Summary of Operating Revenue and Expenditure-Infrastructure Service **Attachment 10.6.1(3)**

- Summary of Capital Items - **Attachment 10.6.1(4)**
- Schedule of Significant Variances - **Attachment 10.6.1(5)**
- Reconciliation of Budget Movements - **Attachment 10.6.1(6)(A)** and **10.6.1(6)(B)**

Operating Revenue to 31 July 2009 is \$27.28M which represents 100% of the \$27.22M year to date budget. Revenue performance is close to budget expectations overall - although there are some small line item differences. Interest revenues for the first month of the year have been extremely modest due to low cash holdings and poor investment rates - but these have begun improving in August. Planning and building revenue is on target for July. Parking meter revenue currently lags budget expectations by some 10% but conversely infringement revenue is well ahead of expectations to date.

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

Operating Expenditure to 31 July 2009 is \$2.45M which represents 89% of the year to date budget of \$2.75M. Operating Expenditure to date is 11% under budget in the Administration area, 14% under budget in the Infrastructure Services area and 5% over budget for the golf course.

This is not an unusual situation for the first month of the year when community services and maintenance programs are developed and readied for implementation but are yet to get underway. There are also a number of favourable variances in the administration areas that relate to budgeted (but vacant) staff positions at present - for which recruiting activities are currently in progress. Waste collection arrangements and site fees have resulted in a favourable variance against budget to date. Golf Course expenditure is also close to budget overall - but it has a number of line item variances that are not individually significant. Most other items in the administration areas are close to budget expectations to date.

Streetscape maintenance, park maintenance, environmental services and building maintenance all currently reflect favourable variances at the end of July but this is regarded as a timing difference only whilst maintenance programs are developed and readied for implementation.

The salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 12.5% under the budget allocation for the 216.3 FTE positions approved by Council in the budget process - but we are yet to receive agency staff invoices to month end.

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

Capital Revenue is disclosed as \$0.11M at 31 July against a year to date budget of \$0.05M. The favourable variance relates to lease premiums and refurbishment levies resulting from the accelerated turnover of units at the Collier Park Village. Comment on the specific items contributing to the capital revenue variances may be found in the Schedule of Significant Variances. **Attachment 10.6.1(5)**.

Capital Expenditure at 31 July 2009 is \$0.39M which represents 129% of the year to date budget and some 2.5% of the full year budget. The City will again be using the staged capital program approach of creating a 'Deliverable' capital program and a 'Shadow' capital program to ensure that organisational capacity and expectations are appropriately matched.

The table reflecting capital expenditure progress versus the year to date budget by directorate is presented below. Updates on specific elements of the capital expenditure

program and comments on the variances disclosed therein are to be provided bi-monthly from the finalisation of the October management accounts onwards.

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	200,000	198,140	99%	5,865,000
Financial & Information Services	50,000	50,670	101%	720,000
Planning & Community Services	35,000	22,880	65%	802,850
Infrastructure Services	20,000	119,824		7,716,377
Golf Course	0	0		418,200
<b>Total</b>	<b>305,000</b>	<b>391,514</b>	<b>129%</b>	<b>15,522,427</b>

### Consultation

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

### Policy and Legislative Implications

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

### Financial Implications

The attachments to this report compare actual financial performance to budgeted financial performance for the period. This provides for timely identification of and responses to variances which in turn promotes dynamic and prudent financial management.

### Strategic Implications

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

### Sustainability Implications

This report primarily addresses the 'financial' dimension of sustainability. It achieves this on two levels. Firstly, it promotes accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances.

Secondly, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

<p><b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.1</b></p>
---

That ....

- (a) the monthly Balance Sheet and Financial Summaries provided as **Attachment 10.6.1(1-4)** be received;
- (b) the Schedule of Significant Variances provided as **Attachment 10.6.1(5)** be accepted as having discharged Council's statutory obligations under *Local Government (Financial Management) Regulation 34*.
- (c) the Schedule of Movements between the Adopted and Amended Budget provided as **Attachments 10.6.1(6)(A) and 10.6.1(6)(B)** be received;

CARRIED EN BLOC RESOLUTION

**10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2009**

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	9 August 2009
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

**Summary**

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

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

**Background**

Effective cash management is an integral part of proper business management. Current money market and economic volatility make this an even more significant management responsibility. The responsibility for management and investment of the City's cash resources has been delegated to the City's Director Financial & Information Services and Manager Financial Services - who also have responsibility for the management of the City's Debtor function and oversight of collection of outstanding debts.

In order to discharge accountability for the exercise of these delegations, a monthly report is presented detailing the levels of cash holdings on behalf of the Municipal and Trust Funds as well as the funds held in "cash backed" Reserves. Because significant holdings of money market instruments are involved, an analysis of cash holdings showing the relative levels of investment with each financial institution is also provided. Statistics on the spread of investments to diversify risk provide an effective tool by which Council can monitor the prudence and effectiveness with which the delegations are being exercised. Data comparing actual investment performance with benchmarks in Council's approved investment policy (which reflects best practice principles for managing public monies) provides evidence of compliance with approved investment principles. Finally, a comparative analysis of the levels of outstanding rates and general debtors relative to the equivalent stage of the previous year is provided to monitor the effectiveness of cash collections and to highlight any emerging trends that may impact on future cash flows.

**Comment**

**(a) Cash Holdings**

Total funds at month end of \$31.44M compare favourably to \$28.55M at the equivalent stage of last year. Reserve funds are some \$3.1M higher than at the equivalent stage last year due to higher holdings of cash backed reserves to support refundable monies at the CPV.

Municipal funds are \$0.5M lower due to the lower cash holdings at the commencement of the financial year. As collections from Rates flow into the City during August 2009, we will be better placed to determine whether our convenient and customer friendly payment methods - supplemented by the Rates Early Payment Incentive Prizes (with all prizes donated by local businesses) have had the desired effect in relation to our cash inflows.

Funds brought into the year (and subsequent cash collections) are invested in secure financial instruments to generate interest until those monies are required to fund operations and projects during the year. Astute selection of appropriate investments means that the City does not have any exposure to known high risk investment instruments. Nonetheless, the investment portfolio is continually monitored and re-balanced as trends emerge.

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$4.09M (compared to \$4.56M at the same time in 2008/2009). **Attachment 10.6.2(1)**.

**(b) Investments**

Total investment in money market instruments at month end was \$30.22M compared to \$29.34M at the same time last year. This is due to the higher holdings of Reserve Funds but lesser holding of Municipal Funds.

The portfolio currently comprises at-call cash and term deposits only. Although bank accepted bills are permitted, they are not currently used given the volatility of the corporate environment at present. Analysis of the composition of the investment portfolio shows that approximately 84.9% of the funds are invested in securities having a S&P rating of A1 (short term) or better. The remainder are invested in BBB+ rated securities.

The City's investment policy requires that at least 80% of investments are held in securities having an S&P rating of A1. This ensures that credit quality is maintained. Investments are made in accordance with Policy P603 and the Dept of Local Government Operational guidelines for investments. All investments currently have a term to maturity of less than one year - which is considered prudent in times of changing interest rates as it allows greater flexibility to respond to possible future positive changes in rates.

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are within the 25% maximum limit prescribed in Policy P603. Counterparty mix is regularly monitored and the portfolio re-balanced as required depending on market conditions.

The counter-party mix across the portfolio is shown in **Attachment 10.6.2(2)**.

Interest revenues (received and accrued) for the year to date total \$0.09M - well down from \$0.19M at the same time last year. This result is attributable to the lower interest rates notwithstanding higher levels of reserve cash holdings. Rates have been particularly weak during July - but have shown some signs of strengthening through August as banks undertake capital management initiatives.

Investment performance will continue to be monitored in the light of current low interest rates to ensure pro-active identification of secure, but higher yielding, investment opportunities - or any potential adverse budget closing position impact.

Throughout the year, it will be necessary to balance between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs. Treasury funds are actively managed to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The average rate of return on financial instruments for the year to date is 4.11% with the anticipated yield on investments yet to mature sitting at 4.08% (compared with 4.10% last month). Investment results to date reflect careful and prudent selection of investments to meet our immediate cash needs. At-call cash deposits used to balance daily operational cash needs are now providing a return of only 2.75%.

(c) **Major Debtor Classifications**

Effective management of accounts receivable to convert the debts to cash is also an important part of business management. Details of each of the three major debtors classifications (rates, general debtors and underground power) are provided below.

**(i) Rates**

The level of outstanding rates relative to the same time last year is shown in **Attachment 10.6.2(3)**. Rates collections to the end of July 2009 represent 9.3% of total rates levied compared to 13.9% at the equivalent stage of the previous year. This is largely due to a slightly later issue date for rates notices this year (relative to 2008/2009). It is not expected that this will have any impact on organisational cash flows other than a minor initial timing difference.

The range of appropriate, convenient and user friendly payment methods offered by the City, combined with the Rates Early Payment Incentive Scheme (generously sponsored by local businesses) will again be supported by timely and efficient follow up actions by the City's Rates Officer to ensure that our good collections record is maintained.

**(ii) General Debtors**

General debtors stand at \$1.22M at month end excluding UGP debtors - which compares to \$1.07M at the same time last year. GST Receivable is higher than at the same time last year. Parking infringements outstanding are also slightly higher than last year. The majority of the outstanding amounts are government & semi government grants or rebates - and as such they are collectible and represent a timing issue rather than any risk of default.

**(iii) Underground Power**

Of the \$6.76M billed for UGP (allowing for adjustments), some \$5.04M was collected by 31 July with approximately 68.1% of those in the affected area electing to pay in full and a further 30.3% opting to pay by instalments. The remaining 1.6% has yet to make a payment. However, a number of these accounts are new billings or disputed billing amounts. These will however become the subject of follow up collection actions by the City if they are not addressed in a timely manner.

Collections in full are currently better than expected which had the positive impact of allowing us to defer UGP related borrowings until late in June 2009 - but on the negative side, significantly less revenue than was budgeted is being realised from the instalment interest charge.

Residents opting to pay the UGP Service Charge by instalments are subject to interest charges which are currently accruing on the outstanding balances (as advised on the initial UGP notice). It is important to appreciate that this is **not** an interest charge on the 'yet to completed UGP service' - but rather is an interest charge on the funding accommodation provided by the City's instalment payment plan (like what would occur on a bank loan).



The City encourages ratepayers in the affected area to make other arrangements to pay the UGP charges - but it is, if required, providing an instalment payment arrangement to assist the ratepayer (including the specified interest component on the outstanding balance).

### **Consultation**

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

### **Policy and Legislative Implications**

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

### **Financial Implications**

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

### **Strategic Implications**

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

### **Sustainability Implications**

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

## **OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.2**

That Council receives the 31 July 2009 Monthly Statement of Funds, Investment & Debtors comprising:

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

CARRIED EN BLOC RESOLUTION

## **10.6.3 Listing of Payments**

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	7 August 2009
Authors:	Michael J Kent and Deborah M Gray
Reporting Officer:	Michael J Kent, Director Financial and Information Services

### **Summary**

A list of accounts paid under delegated authority (Delegation DC602) between 1 July 2009 and 31 July 2009 is presented to Council for information.

### **Background**

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

They are supported by Delegation DM605 which sets the authorised purchasing approval limits for individual officers. These processes and their application are subjected to detailed scrutiny by the City's auditors each year during the conduct of the annual audit.

After an invoice is approved for payment by an authorised officer, payment to the relevant party must be made and the transaction recorded in the City's financial records. All payments, however made (EFT or Cheque) are recorded in the City's financial system irrespective of whether the transaction is a Creditor or Non Creditor payment.

Payments in the attached listing are supported by vouchers and invoices. All invoices have been duly certified by the authorised officers as to the receipt of goods or provision of services.

Prices, computations, GST treatments and costing have been checked and validated. Council Members have access to the Listing and are given opportunity to ask questions in relation to payments prior to the Council meeting.

### **Comment**

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

The format of this report has been modified from October 2008 forwards to reflect contemporary practice in that it now records payments classified as:

- **Creditor Payments**

*(regular suppliers with whom the City transacts business)*

These include payments by both Cheque and EFT. Cheque payments show both the unique Cheque Number assigned to each one and the assigned Creditor Number that applies to all payments made to that party throughout the duration of our trading relationship with them. EFT payments show both the EFT Batch Number in which the payment was made and also the assigned Creditor Number that applies to all payments made to that party. For instance an EFT payment reference of 738.76357 reflects that EFT Batch 738 made on 24/10/2008 included a payment to Creditor number 76357 (ATO).

- **Non Creditor Payments**

*(one-off payments to individuals / suppliers who are not listed as regular suppliers in the City's Creditor Masterfile in the database).*

Because of the one-off nature of these payments, the listing reflects only the unique Cheque Number and the Payee Name - as there is no permanent creditor address / business details held in the creditor's masterfile. A permanent record does, of course, exist in the City's financial records of both the payment and the payee - even if the recipient of the payment is a non creditor.

Details of payments made by direct credit to employee bank accounts in accordance with contracts of employment are not provided in this report for privacy reasons nor are payments of bank fees such as merchant service fees which are direct debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services.

Payments made through the Accounts Payable function will no longer be recorded as belonging to the Municipal Fund or Trust Fund as this practice related to the old fund accounting regime that was associated with Treasurers Advance Account - whereby each fund had to periodically 'reimburse' the Treasurers Advance Account.

For similar reasons, the report is also now being referred to using the contemporary terminology of a Listing of Payments rather than a Warrant of Payments - which was a terminology more correctly associated with the fund accounting regime referred to above.

#### **Consultation**

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

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

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

#### **Financial Implications**

Payment of authorised amounts within existing budget provisions.

#### **Strategic Implications**

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

#### **Sustainability Implications**

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

<b>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.6.3</b>
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That the Listing of Payments for the month of July as detailed in the report of the Director of Financial and Information Services, **Attachment 10.6.3**, be received.

CARRIED EN BLOC RESOLUTION

<b>10.6.4 Carry Forward Projects as at 30 June 2009</b>
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Location:	City of South Perth
Applicant:	Council
File Ref:	FS/FI/1
Date:	22 August 2009
Author / Reporting Officer:	Michael J Kent, Director Financial & Information Services

#### **Summary**

Projects for which unexpended funds are recommended for carrying forward into the 2009/2010 year are identified and listed on the attached schedule at Attachment 10.6.4.

**Background**

The 2008/2009 Budget included \$4.28M in Capital Revenue - of which some \$3.69M was received by 30 June, due to the incomplete sale of land to the South Perth Hospital and our inability to draw down the LotteryWest grant for the new Library & Community Centre building until construction was underway. The 2008/2009 Budget also included Capital Expenditure projects totaling \$19.94M of which \$17.20M was expended by 30 June 2009.

A further \$2.43M worth of Capital Expenditure is identified for carry forward into the 2009/2010 year. After allowing for some minor over and under expenditures on specific projects, this represents 99% of the total proposed expenditure for the 2008/2009 year.

The budgeted Net Capital Position (Revenue - Expenditure) for 2008/2009 was \$15.66M. The Actual Net Capital Position (after allowing for the net carry forward works of \$2.43M) was \$15.93M which is close to 102% of the budgeted position - and within reasonable financial tolerances.

The September Council Agenda will contain comments on specific project line-item variances and will provide a comparative review of the Budget versus Actual for all Capital Expenditure and Revenue items for the year.

**Comment**

For a variety of reasons including contractors or materials not being available when required, inclement weather, protracted negotiations, extended public consultation, delays in getting approvals or sign off for designs etc; capital projects are not always able to be completed within the same financial year as they are initially listed in the budget. A process of identifying and validating the projects to be carried forward into the subsequent financial year is required.

Where a project requires only minimal 'residual' expenditure to finalise it - and the invoice is likely to be received early in the new financial year, the additional project expenditure will simply be treated (and disclosed) as a 'Prior Year Residual Cost'. Where a significant portion of the initial project cost is to be carried into the new year and those funds expended after June 30, the project may be identified as a Carry Forward item.

During the budget process, a series of indicative Carry Forward Works are identified by City officers and included in the Annual Budget adopted by Council. Following the close off of the year end accounts, these indicative Carry Forward projects are validated to ensure that the funds proposed for carry forward are legitimately unspent at year end.

The underlying principle is that the final carry forward amount for any individual project should not be greater than the difference between the original budget and the actual amount spent (as recorded in the year end accounts).

For the purpose of developing the 2009/2010 Annual budget, Carry Forward Works of \$2.53M were identified. Actual Carry Forward Works (as noted above) are \$2.43M.

Because the Carry Forward figures included in the Annual Budget are based only on projected figures and therefore are indicative in nature, the final validated amount of individual Carry Forwards for those previously identified projects can differ slightly from the amounts published in the adopted budget.

For 2009/2010, the identified Carry Forward Capital Projects total \$2,425,000.

**Consultation**

For identified significant variances, comment was sought from the responsible managers prior to the item being included in the Carry Forward Capital Projects.

**Policy and Legislative Implications**

Consistent with relevant professional pronouncements and good business practice but not directly impacted by any in-force policy of the City.

**Financial Implications**

The tabling of this report involves the reporting of historical financial events only. Preparation of the report and schedule require the involvement of managerial staff across the organisation, hence there is necessarily some commitment of resources towards the investigation of identified variances and preparation of the Schedule of Carry Forward Works. This is consistent with responsible financial management practice.

**Strategic Implications**

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

**Sustainability Implications**

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

**OFFICER RECOMMENDATION AND  
COUNCIL DECISION ITEM 10.6.4**

That the Schedule of (final) Carry Forward Capital items from 2008/2009 into the 2009/2010 Budget as disclosed at **Attachment 10.6.4** be adopted .

CARRIED EN BLOC RESOLUTION

**10.6.5 Proposed Management of City of South Perth Public Car Park No 1**

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	11 August 2009
Author:	M J Kent, Director Financial and Information Services
Reporting Officer:	Chief Executive Officer

**Summary**

This report highlights inconsistencies between the parking management processes applied to the City controlled No 1 Car Park and the adjacent Windsor Hotel Car Park. It offers comment on a proposal to have the City car park managed by the same company that is responsible for the hotel car park to provide a solution to address these inconsistencies.

**Background**

The City owns and controls the No 1 car park adjacent to the Windsor Hotel. This car park consists of 33 car bays and (since 1 July 2009 only) is controlled by a single ticket machine. Parking fees in this area are \$2.50 per hour with a daily maximum of \$10.00. The City is currently responsible for the management of these car bays and for issuing infringements for non-compliance with the parking regulations. There are a further 117 bays associated with

the hotel that are managed by Parking Asset Management which are controlled by four (different) ticket machines. Parking fees in this area are \$3.00 per hour and infringements are issued for non compliance by the staff of the asset manager rather than by City officers.

The different car parking areas are shown in the image below.



The two parking areas under the control of two different operators are not (to the casual observer) obviously separated and some confusion could reasonably exist in the minds of car park users as to the perception that the parking area was in fact one parking precinct.

Since the ticket machine was installed in the City's No 1 parking station, there have been a number of incidents where patrons using the parking bays in the Windsor Hotel parking area have purchased tickets from the City's machine - thereby legitimately purchasing a ticket which is not 'valid' for the parking bay that they have used. Similarly, it is possible that City car park patrons may also have inadvertently purchased a ticket from a machine in the area under the control of Parking Management Australia.

In the first month of operation of the new ticket machine in the City's car park, Parking Asset Management have issued 64 infringement notices relating to non compliance with their parking regulations. In a significant number of these cases, infringement notice recipients have claimed that they thought that they had purchased a legitimate ticket (from the nearby City ticket machine).

**Comment**

It is considered that this situation is likely to lead ongoing confusion - and ultimately customer dissatisfaction at what they perceive to be a problem not of their own making. It is also felt that inconsistencies in the fee structures and operation times associated with the two parking areas will further complicate the management of parking within the precinct and patrons try to exploit time and fee differentials - thereby 'shifting' parking pressures to particular places within the precinct.

The City's concerns in relation to this situation have been echoed by Parking Asset Management who operates the Windsor Hotel car park. Mr Laurie Wilson of Parking Asset Management (a very experienced operator of managed parking facilities across Australia) addressed Council at a briefing on 21 July 2009 at which time the issue was discussed. The Seddon Street car park in Subiaco was given as an example of a similar situation where parking conflicts occurred between a local government operated car park and privately operated car park. In that scenario, the issue was resolved by the private operator entering into a management agreement with the local government whereby the entire parking area was placed under the control of the private operator in return for an annual fee.

Parking Asset Management has since presented the City with a proposal to initiate a similar arrangement at the City's No 1 parking station to try to manage the current conflict. Whilst the proposal seems eminently sensible in a concept (similar fee structure, same hours of operation, only one operator's ticket machines, one patrolling / management company - and no confusion to patrons of the parking station), there are issues relating to the financial consideration for such an arrangement being put in place that are not so easily resolved.

Because the City has only had ticket machines in place at the No 1 Parking Station since 1 July it has not been possible to establish a definitive revenue stream that the city would forfeit if it agreed to enter a management arrangement. Obviously, Parking Asset Management as the operator proposing to participate in such an agreement has also had to necessarily make certain assumptions about the extent of use of the No 1 parking area in formulating its proposal.

In order to try to evaluate the submitted proposal, City Rangers have been monitoring the extent of use of the No 1 Parking Station relative to its capacity, the 'turnover' of vehicles in the area and the revenues generated by the ticket machine in that area on a daily basis.

Whilst the City recognises that the fee differential (our fees are currently cheaper than those of the operator's bays) may be impacting on the level of use of our car parking bays at present, it would appear from the data that the City's Ranger team has been able to compile by monitoring the No 1 Parking Station for a 6 week period that the compensation offered in the proposal tabled with the City is inadequate relative to what the city is likely to forfeit if it agreed to participate in the management agreement as currently presented.

An acceptable alternative proposal may be to make a counter offer to Parking Asset Management based on the following principles:

- Management and patrolling of the combined 150 bay parking area is passed to the private operator under a management agreement.
- Fees are consistently applied across all 150 parking bays in the combined area.
- Hours of operation are consistent across all 150 parking bays in the combined area.
- The private operator agrees to replace the City's ticket machine with one of its own - and the City machine is relocated to an alternative site of our choosing.
- The City receives 22% of all parking fees generated in the combined 150 bay area (represents 'our' proportion of the total number of bays).
- The private operator is responsible for the issuing, management and collection of parking infringements for the entire 150 bay area. (This in effect is the operator's 'premium' for taking on the management of the combined area). Whilst the private operator would receive some infringement revenue currently received by the City, the City's Rangers would be freed up to manage parking more effectively in other areas.

**Consultation**

Mr Laurie Wilson of Parking Asset Management addressed Council at a briefing on 21 July 2009 at which the example of the Seddon St car park in Subiaco was given. The parking conflicts at that location were resolved by the private operator entering into a management agreement with the local government whereby the entire parking area was placed under the control of the private operator in return for an annual fee.

The City has also consulted with Mr Michael Duckett of the City of Subiaco in relation to the operation of the Seddon St car park.

**Policy and Legislative Implications**

Nil - other than the statutory requirement to remove the No 1 Parking Station from its schedule of Fees and Charges.

**Financial Implications**

Should Council support the alternative proposal suggested above, the City would be expected to maintain its current level of parking fee revenue from its 33 parking bays - but would forfeit the potential infringement revenue from illegally parked vehicles. The City would also benefit from a freeing up of resources in the Ranger team through a need to not have to manage the No 1 parking station area - and could re-deploy those resources to assist in managing parking issues in other parts of the City.

**Strategic Implications**

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

**Sustainability Implications**

By freeing up of resources in the Ranger team through a need to not have to manage the No 1 parking station area the City could re-deploy those resources to assist in managing parking issues in other parts of the City.

**OFFICER RECOMMENDATION AND  
COUNCIL DECISION ITEM 10.6.5**

That the CEO be authorised to negotiate a Parking Management Agreement for the No 1 Parking station (33 bays adjacent to the Windsor Hotel) with Parking Asset Management on the terms noted in the Comment section of Report Item 10.6.5 of the August 2009 Council Agenda.

CARRIED EN BLOC RESOLUTION

**10.7 MATTERS REFERRED FROM AUDIT & GOVERNANCE COMMITTEE**

**10.7.1 Audit and Governance Committee Recommendations - Meeting held  
4 August 2009**

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/108
Date:	7 August 2009
Author:	Kay Russell, Executive Support Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer



### **Summary**

The purpose of this report is to enable Council to consider recommendations arising from the Audit and Governance Committee meeting held 4 August 2009.

### **Background**

The Committee was established by Council in recognition of the importance of its audit functions and to monitor and improve the City's corporate governance framework. As the Committee does not have delegated authority it may only make recommendations to Council.

### **Comment**

The Minutes of the Committee Meeting held on 4 August 2009 are at **Attachment 10.7.1**. The background to the Committee recommendations, which incorporates the officer report on the Interim Audit Management Letter for 2008/2009 are set out in the Minutes.

The Committee recommendations adopted for Council consideration are as follows:

**(a) Public Question Time Procedures** (*Item 5.1 Audit & Governance Committee 4.8.09*)

Committee Recommendation

That...

- (a) the Public Question Time Procedures, as modified at **Attachment 10.7.1(a)** be adopted; and
- (b) the Standing Orders Local Law be reviewed to bring it into line with the Public Question Time procedures.

Comment

Submissions received from Members suggesting modifications / inclusions / deletions were discussed in depth and the Public Question Time 'procedures' document modified accordingly.

**(b) Interim Audit Management Letter 2008/2009** (*Item 5.2 Audit & Governance Committee 10.3.09*)

Committee Recommendation

That ....

- (a) the Interim Audit Management Letter for the 2008/2009 financial year as submitted by the City's Auditors, Macri Partners, Certified Practising Accountants (*as circulated with the Audit and Governance Committee Agenda of 4 August*) be received; and
- (b) the proposed actions in response to the matters noted in the Management Letter be noted and endorsed.

Comment

Following discussion, the Committee recommended that the Audit Management Letter for the 2008/2009 financial year as submitted by the City's Auditors, Macri Partners, Certified Practising Accountants be received and the proposed actions in response to the matters noted in the Management Letter be noted and endorsed.

### **Consultation**

N/A

### **Policy and Legislative Implications**

The report accurately records the policy and legislative implications of the matters contained therein.

**Financial Implications**

Nil

**Strategic Implications**

The report and recommendations are consistent with the relevant Goal 5 - Organisational Effectiveness - City's Strategic Plan: - *To be a professional, effective and efficient organisation.*

**Sustainability Implications**

The sustainability implications arising out of matters discussed or recommendations made in this report are consistent with the City's Sustainability Strategy.

**COMMITTEE RECOMMENDATION AND  
COUNCIL DECISION ITEM 10.7.1**

That Council adopt the following recommendations of the Audit and Governance Committee meeting held on 4 August 2009:

- (a) the Public Question Time Procedures, as modified at **Attachment 10.7.1(a)**, be adopted and the Standing Orders Local Law be reviewed to bring it into line with the Public Question Time procedures; and
- (b) the Interim Audit Management Letter for the 2008/2009 financial year as submitted by the City's Auditors, Macri Partners, Certified Practicing Accountants; and the proposed actions in response to the matters noted in the Management Letter be noted and endorsed.

CARRIED EN BLOC RESOLUTION

**11. APPLICATIONS FOR LEAVE OF ABSENCE**

**11.1 Application for Leave of Absence : Mayor Best**

I hereby apply for Leave of Absence from all Council Meetings for the period 25 September until 8 October 2009 inclusive.

**11.2 Application for Leave of Absence : Cr L Ozsdolay**

I hereby apply for Leave of Absence from all Council Meetings for the period 28 September until 7 October 2009 inclusive.

**COUNCIL DECISION ITEMS 11.1 AND 11.2**

Moved Cr Hearne, Sec Cr Hasleby

That....

- (a) Mayor Best be granted Leave of Absence from all Council Meetings for the period 25 September until 8 October 2009 inclusive; and
- (b) Cr Ozsdolay be granted Leave of Absence from all Council Meetings for the period 28 September until 7 October 2009 inclusive.

CARRIED (10/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

<b>12.1 Request for Deletion of Condition of Planning Approval Item 10.3.1 July 2009 Council Meeting Re 30 Anketell Street, Kensington : Cr Trent</b>
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I hereby give notice that I intend to move the following Motion at the Council Meeting to be held on 25 August 2009.

MOTION

That....

- (a) consideration be given to revoking Item 10.3.1 part (b)(i) Standard Condition 455 and part (b)(ii) Specific Condition (A) insofar as it relates to the Minutes of the Council Meeting dated 28 July 2009 as follows:
- part (b)(i) Standard Condition 455 (standard height of fences); and
  - part (b)(ii) Specific Condition (A) *The proposed boundary wall shall be lowered to comply with Clauses 5 and 6 of City Policy P350.2 "Residential boundary walls".*

*Note: Support of a Minimum of One-Third of the Members is Required*

- (b) Item 10.3.1 part (b)(i) Standard Condition 455 and part (b)(ii) Specific Condition (A) insofar as it relates to the Minutes of the Council Minutes dated 28 July 2009 be revoked; and replaced with Specific Condition (A) as follows:
- (A) The portions of existing fencing that will be affected by the proposed changes to the ground and floor levels, and result in overlooking of the adjoining properties shall be replaced to comply with the required 1.8 metre height.

*Note : An Absolute Majority is Required*

MEMBER COMMENT

In relation to the application for additions on Lot 14 (No. 30) Anketell Street, Kensington, approved at Item 10.3.1 of the July 2009 Council Minutes, in order to retain the proposed roof form and an acceptable floor to ceiling height within the dwelling, the height of the proposed boundary wall can not be lowered and therefore Part (b)(ii) Specific Condition (A) should be deleted.

Standard Condition 455 should be replaced by a new condition which confines the requirement for replacement fences to those portions of the existing boundary fences which will have an effective height of less than 1.8 metres, due to the raising of ground and floor levels.

CEO COMMENT

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

The City's Planning Officers support the proposed changes to the conditions of approval relating to the need for replacement fences.

However, the officers remain of the opinion that Specific Condition(s) requiring the lowering of the boundary wall height, should not be revoked. The proposed boundary wall height is 600 mm in excess of the maximum prescribed in Council Policy P350.2 and, notwithstanding the neighbour's support, the officers are of the opinion that the boundary wall will be visually unacceptable and will adversely affect the neighbour's outdoor living area.

It is not impossible to build the proposed additions while maintaining a 2.7 metre height for the boundary wall, even though design changes would be required in relation to the roof form, the floor level of the additions, or a combination of both.

<b>COUNCIL DECISION ITEM 12.1</b>
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(a) Moved Cr Trent, Sec Cr Ozsdolay

That consideration be given to revoking Item 10.3.1 part (b)(i) Standard Condition 455 and part (b)(ii) Specific Condition (A) insofar as it relates to the Minutes of the Council Meeting dated 28 July 2009 as follows:

- part (b)(i) Standard Condition 455 (standard height of fences); and
- part (b)(ii) Specific Condition (A) *The proposed boundary wall shall be lowered to comply with Clauses 5 and 6 of City Policy P350.2 "Residential boundary walls".*

CARRIED (9/1)  
And By Required One Third Members

**Note:** Cr Gleeson returned to the Council Chamber at 9.37pm

(b) Moved Cr Trent, Sec Cr Ozsdolay

That Item 10.3.1 part (b)(i) Standard Condition 455 and part (b)(ii) Specific Condition (A) insofar as it relates to the Minutes of the Council Minutes dated 28 July 2009 be revoked; and replaced with Specific Condition (A) as follows:

**Specific Condition**

(A) The portions of existing fencing that will be affected by the proposed changes to the ground and floor levels, and result in overlooking of the adjoining properties shall be replaced to comply with the required 1.8 metre height.

CARRIED (8/3)  
And By Required Absolute Majority

**12.2 Proposed Strategy in relation to Increase in Anti-social Behaviour/Crime in Manning: .....Cr T Burrows**

I hereby give notice that I intend to move the following Motion at the Council Meeting to be held on 25 August 2009.

MOTION

That in relation to the massive increase in anti-social behaviour / crime in the Manning area, principally caused by a number of Homeswest tenants that Council request the Minister for Housing and the State Government to increase the financial and human resources available to the Department of Housing to provide for improved management of public housing within the City of South Perth with regard to:

- (a) regular maintenance and timely rectification of any required repairs to properties; and
- (b) provision of additional staff to provide for an increased property management and inspection program (similar to that applying in a private sector tenancy arrangement) to assist with the early rectification of repair and maintenance work to properties to prevent the build up of ongoing incidences of anti-social behaviour arising from a small proportion of the tenancies.

MEMBER COMMENT

Manning is experiencing an unacceptable and massive increase in anti social behaviour/crime principally caused by a number of Homeswest tenants. Manning has Homes West allocations levels at 18.24% (DHW supplied) of the suburb; compared to Como 3.27%, Kensington 7.72%, Salter Point 3.14%, Waterford 0% and South Perth 1.39%.

A strategy needs to be undertaken to address this issue with all State Government Agencies to:

1. Reduce the current dangerous anti social behaviour/crime levels in Manning; and
2. Produce a defined and committed strategy to significantly reduce the unacceptable level of 18.24% of public housing in Manning to the levels listed above

CEO COMMENT

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

It is acknowledged there has been ongoing issues in Manning in relation to anti-social behaviour / crime principally caused by a number of Homeswest tenants over a long period of time. New initiatives by the City to reduce anti social behaviour and crime include:

- Developing links between Neighbourhood Watch and the Manning Community Association
- Promotion of how to report crime to residents in Manning
- Work with DHW and Southcare's Aboriginal Family Officer to meet informally and formally with local Indigenous families. These meetings aim discuss the impact of anti social behaviour at a community level and provide support to families who require it.
- Facilitate relationships between Department of Housing and the Moorditch Keila South Perth Aboriginal group. This will help promote the group to families at risk who require local Aboriginal support.
- Work with Moorditch Keila and Southcare to develop programs aimed at risk youth including holiday programs, reading lessons.
- Utilise information, surveys and networks to review and develop new strategies to be contained in the revised Community Safety and Crime Prevention Plan.

Writing to the State Government Agencies seeking assistance will further support / enforce the City's initiatives already in place.

**COUNCIL DECISION 12.2**

Moved Cr Burrows, Sec Cr Ozsdolay

That in relation to the massive increase in anti-social behaviour / crime in the Manning area, principally caused by a number of Homeswest tenants that Council request the Minister for Housing and the State Government to increase the financial and human resources available to the Department of Housing to provide for improved management of public housing within the City of South Perth with regard to:

- (a) regular maintenance and timely rectification of any required repairs to properties; and
- (b) provision of additional staff to provide for an increased property management and inspection program (similar to that applying in a private sector tenancy arrangement) to assist with the early rectification of repair and maintenance work to properties to prevent the build up of ongoing incidences of anti-social behaviour arising from a small proportion of the tenancies.

CARRIED (11/0)

**13. QUESTIONS FROM MEMBERS WITHOUT NOTICE**

**13.1. RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS WITHOUT NOTICE**

Nil

**13.2 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

**13.2.1 Streetscape Manning Road .....Cr T Burrows**

Summary of Question

What forward planning with regards streetscape does the City have in place for Manning Road and the main entry points to Waterford and Manning ie Waterford Avenue, Elderfield Road, Welwyn Avenue and Ley Street?

Summary of Response

Director Infrastructure Services advised that the City recognises the need to upgrade sections of the existing landscaping along Manning Road. An allocation has been provided in the 2009/10 budget as the first stage of the upgrade and replacement of vegetation on the southern side of Manning Road between Clontarf and Elderfield Road. There are however no current plans to upgrade the main entry points into Waterford and Manning.

**13.2.2 Jackson Road through to Henley Street .....Cr C Cala**

Summary of Question

Has there been any more development in relation to Jackson Road going through to Henley Street?

Summary of Response

Director Infrastructure Services responded that approximately 2 months ago DPI contacted the City seeking support in relation to the possibility of 'buses only' using Jackson Road to Henley Street however as there had been no community consultation officers requested DPI come to Council to present the proposal. At this point in time DPI have not taken up this invitation to come to Council.

**13.2.3 Manning Road Entry Statement .....Cr G W Gleeson**

Summary of Question

In the Manning Road streetscape there is a 'Welcome to the City of South Perth' sign where a number of letters are missing - what has happened?

Summary of Response

Director Infrastructure Services acknowledged the damage referred to and said that currently arrangements were being put in place to rectify the sign.

**13.2.4 Waterford Plaza - Pedestrians vs Vehicles ... .....Cr L Ozsdolay**

Summary of Question

In two recent editions of the Southern Gazette newspaper there have been articles about Waterford Plaza - the issue I raise is with respect to the conflict between pedestrians and cars. In response to correspondence sent to the developers some months ago regarding this issue the reply received said *we will look into this* - what is happening?

Summary of Response

Acting Director Planning Services advised that he had recently forwarded an email to effected Councillors advising in regard to the vehicles vs pedestrian conflict during the construction period. The project architect for Waterford Plaza is looking into remedial measures for the interim period and the architects are confident that when the project is completed there will not be a problem.

Summary of Question

We have approximately 18 months where there is a danger to pedestrians and I fear the developers 'will look into it' until the project is finished.

Summary of Response

Acting Director Planning Services responded that he would follow up progress with the developer.

**13.2.5 South Perth Hospital Ranked No. 1 ... .....Cr P Best**

Summary of Question

Are Members aware that in a recent survey by Medibank Private, that South Perth Hospital was Ranked No. 1 in Australia in Private Hospitals?

Summary of Response

Mayor Best stated that a letter would be forwarded to the South Perth Hospital from Council congratulating them on this achievement.

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

**15. MEETING CLOSED TO PUBLIC**

**15.1 Matters for which the Meeting May be Closed.**

DECLARATION OF INTEREST : ITEM 15.1.1 : CEO

The following Declaration of Interest from the CEO in relation to Item 15.1.1 was read aloud by the Mayor:

*I wish to declare a Financial / Conflict of Interest in Agenda Item 15.1.1 "Recommendations from CEO Evaluation Committee Meeting 4.8.09" on the Agenda for the Ordinary Council Meeting to be held 25 August 2009. As I am the subject of the report in question I will leave the Council Chamber while this item is being debated.*

**Note:** The Mayor sought an indication from Members as to whether they wished to discuss *Confidential* Item 15.1.1. As there was no debate proposed by Members the meeting was not closed to the public and the Chief Executive Officer did not leave the Council Chamber.

<b>15.1.1 Recommendations from CEO Evaluation Committee Meeting Held 4 August 2009 <i>CONFIDENTIAL Not to be Disclosed REPORT</i></b>
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Location:	City of South Perth
Applicant:	Council
Date:	5 August 2009
Author:	Kay Russell, Executive Support Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

***Confidential***

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

**Note:** *Confidential Report circulated separately*

<b>COUNCIL DECISION 15.1.1</b>
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Moved Cr Burrows, Sec Cr Ozsdolay

That Council adopts the Recommendations as contained in the Minutes of the CEO Evaluation Committee Meeting held 4 August 2009.

CARRIED (11/0)

**15.2 Public Reading of Resolutions that may be made Public.**

For the benefit of the public gallery the Minute Secretary read aloud the Council Decision for Item 15.1.1.

**16. CLOSURE**

The Mayor thanked everyone for their attendance and closed the meeting at 9.59pm.



**DISCLAIMER**

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

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

**These Minutes were confirmed at a meeting on 22 September 2009**

Signed \_\_\_\_\_  
**Chairperson at the meeting at which the Minutes were confirmed.**

**17. RECORD OF VOTING**

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25/08/2009 7:20:13 PM

**Item 7.1.1 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 7:21:21 PM

**Item 7.1.2 - 7.1.3 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 7:53:29 PM

**Item 7.2.1 - 7.2.5 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 7:53:55 PM

**Item 8.4.1 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 7:56:24 PM

**Item 8.4.2 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 8:01:51 PM

**Item 9.0 En Bloc Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 8:12:53 PM

**Motion Passed 10/1**

Yes: Mayor James Best, Cr Bill Gleeson, Cr Brian Hearne, Cr Peter Best, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Cr Ian Hasleby

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 8:40:01 PM

**Item 10.0.3 Officer Recommendation Motion LOST 5/6**

Yes: Mayor James Best, Cr Bill Gleeson, Cr Ian Hasleby, Cr Peter Best, Cr Colin Cala

No: Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr David Smith, Cr Rob Grayden

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 8:59:56 PM

**Item 10.0.3 Alt.Motion (Cr Smith) LOST 3/8**

Yes: Cr Les Ozsdolay, Cr David Smith, Cr Rob Grayden

No: Mayor James Best, Cr Bill Gleeson, Cr Ian Hasleby, Cr Brian Hearne, Cr Peter Best, Cr Travis Burrows, Cr Kevin Trent, Cr Colin Cala

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:02:03 PM

**Item 10.0.3 Motion Passed 10/1**

Yes: Mayor James Best, Cr Bill Gleeson, Cr Ian Hasleby, Cr Brian Hearne, Cr Peter Best, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr Rob Grayden, Cr Colin Cala

No: Cr David Smith

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:05:14 PM

**Item 10.2.1 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:08:18 PM

**Item 10.3.3 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:24:13 PM

**Extension of Time Debate at Item 10.3.5 Motion Passed 7/4**

Yes: Cr Brian Hearne, Cr Peter Best, Cr Travis Burrows, Cr Kevin Trent, Cr David Smith, Cr Rob Grayden, Cr Colin Cala

No: Mayor James Best, Cr Bill Gleeson, Cr Ian Hasleby, Cr Les Ozsdolay

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:34:55 PM

**Item 10.3.5 Motion Passed 9/2**

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

No: Cr Bill Gleeson, Cr David Smith

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:35:44 PM

**Item 11.1 and 11.2 Motion Passed 10/0**

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

No: Absent: Cr Bill Gleeson, Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:36:44 PM

**Item 12.1 Part (a) Motion Passed 9/1**

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

No: Cr Rob Grayden

Absent: Cr Bill Gleeson, Cr Susanne Doherty, Cr Roy Wells, Casting Vote

MINUTES : ORDINARY COUNCIL MEETING: 25 AUGUST 2009

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25/08/2009 9:46:46 PM

**Item 12.1 Part (b) Motion Passed 8/3**

Yes: Cr Bill Gleeson, Cr Ian Hasleby, Cr Brian Hearne, Cr Travis Burrows, Cr Les Ozsdolay, Cr Kevin Trent, Cr David Smith, Cr Colin Cala

No: Mayor James Best, Cr Peter Best, Cr Rob Grayden

Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 9:51:12 PM

**Item 12.2 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote

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25/08/2009 10:00:29 PM

**Item 15.1.1 Motion Passed 11/0**

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

No: Absent: Cr Susanne Doherty, Cr Roy Wells, Casting Vote