ORDINARY COUNCIL MEETING
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ORDINARY COUNCIL MEETING
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6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Council meeting held 16 December 2008 there were no questions taken on notice.

6.2 PUBLIC QUESTION TIME : 24.2.2009

7. CONFIRMATION OF MINUTES / BRIEFINGS

7.1 MINUTES
7.1.1 Ordinary Council Meeting Held: 16.12.2008

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 - December 2008 Ordinary Council Meeting Held: 9.12.2008
Officers of the City presented background information and answered questions on items identified from the December Council Agenda. Notes from the Agenda Briefing are included as **Attachment 7.2.1.**

7.2.2 Concept Forum: Strategic Financial Plan - Sustainable Infrastructure Meeting Held: 3.2.2008

Officers of the City presented information in relation to the Strategic Financial Plan - in particular in relation to sustainable infrastructure. Notes from the Concept Briefing are included as **Attachment 7.2.2.**

7.2.3 Concept Forum: Town Planning Major Developments Meeting Held: 4.2.2009

Officers of the City presented background on proposed major Town Planning Developments at Nos. 3 and 5 Barker Avenue. Notes from the Agenda Briefing are included as **Attachment 7.2.3.**

7.2.4 Concept Forum: Strategic Planning for Future Urban Growth and Parking Study Update Meeting Held: 10.2.2009

Professor Dave Hedgecock, Curtin University presented "Visualising the Future" dealing with strategic planning for future urban growth and officers of the City provided an update on the Parking Study undertaken. Notes from the Agenda Briefing are included as **Attachment 7.2.4.**

8. PRESENTATIONS

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

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

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.

8.4 COUNCIL DELEGATES Delegate's written reports to be submitted to the Minute Secretary prior to ***6* February *2009*** for inclusion in the Council Agenda.

8.4.1. Council Delegate: Swan River Trust - River Protection Strategy Advisory Committee : 16 December 2008

Cr Burrows attended the Swan River Trust - River Protection Strategy Advisory Committee Meeting held : 16 December 2008 which basically outlined the process and anticipated outcomes for 2009. The Minutes of the Swan River Trust - River Protection Strategy Advisory Committee Meeting Held: 16 December 2008 are available on the *iCouncil* website and at **Attachment 8.4.1**.

RECOMMENDATION

That the Minutes at **Attachment 8.4.1** of the Swan River Trust - River Protection Strategy Advisory Committee Meeting Held : 16 December 2008 Meeting be received.

8.4.2. Council Delegate: Rivers Regional Council 18 December 2008

A report from Mayor Best and Cr Trent summarising their attendance at the Rivers Regional Council (*formerly South East Metropolitan Regional Council)* Meeting held 18 December 2008 is at **Attachment 8.4.2.**

RECOMMENDATION

That the Delegate's Reports in relation to the Rivers Regional Council Meeting held 18 December 2008 be received.

8.4.3. Council Delegate: WALGA South East Metropolitan Zone: 28 January 2009

A report from Mayor Best and Cr Trent summarising their attendance at the WALGA South East Metropolitan Zone Meeting held 28 January 2009 is at **Attachment 8.4.3.**

The Minutes of the WALGA South East Metropolitan Zone meeting of 28 January 2009 have also been received and are available on the ***iCouncil*** website.

RECOMMENDATION

That the Delegates' Report at **Attachment 8.4.3** in relation to the WALGA South East Metropolitan Zone Meeting held 23 January 2009 be received.

8.5 CONFERENCE DELEGATES Delegate's written reports to be submitted to the Minute Secretary prior to **6 February 2009** for inclusion in the Council Agenda.

8.5.1. Airports and Aviation Outlook 2008 AAA National Convention 11 and 12 November 2008.

A report from the Cr Hasleby summarising his attendance at the Airports and Aviation Outlook 2008 AAA National Convention held in Perth on 11 and 12 November 2008 is at **Attachment 8.5.1.**

RECOMMENDATION

That the Delegate's Report in relation to Cr Hasleby's attendance at the Airports and Aviation Outlook 2008 AAA National Convention on 11 and 12 November 2008, at **Attachment 8.5.1,** be received.

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. R E P O R T S

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Amendment No. 19 to Town Planning Scheme No. 6. Increase in density coding from R40 to R40/60 for Lot 50 (No. 32) Jubilee Street cnr Weston Avenue, South Perth. (*Item 10.3.5 December 2008 Council meeting refers*)

Location:	Lot 50 (No 32) Jubilee Street cnr Weston Avenue, South Perth.
Applicant:	The Planning Group, on behalf of Owners of Strata Plan 5025: Westpoint Apartments Strata Management
File Ref:	LP/209/19 JU1/32
Date:	2 February 2009
Author:	Rod Bercov, Strategic Urban Planning Adviser
Reporting Officer:	Steve Cope, Director, Development and Community Services

Summary
At the December 2008 meeting, the Council considered a request for an amendment to Town Planning Scheme No. 6 as described above. Council adopted the preliminary resolution to initiate the Scheme Amendment process. Westpoint Apartments Strata Management is the applicant, being the owners of the property at No. 32 Jubilee Street, South Perth. The planning consultants engaged by Westpoint Apartments have now submitted the statutory Scheme Amendment documents comprising the text of the Amendment and the accompanying report which is to be presented to the Minister. It is now necessary for Council to resolve to endorse the draft Scheme Amendment for advertising purposes.

Background
The Planning Officer's report to the December Council meeting comprehensively explained the Amendment proposal and presented a list of nine recommended performance criteria linked to the higher (R60) density coding. The Scheme Amendment document which is now attached, prepared by the applicants' consultants, The Planning Group, contains all necessary additional information relating to the proposal. **Attachment 10.0.1 refers.**

Comment
The proposed Amendment No. 19 will increase the density coding of Lot 50 (No. 32) Jubilee Street from R40 to R40/60 and will introduce mandatory performance criteria applicable to development at a density exceeding R40.

All necessary further details relating to the Scheme Amendment are contained in the Scheme Amendment document comprising **Attachment 10.0.1.**

Consultation

At this stage, no consultation has been undertaken. Community consultation is required and will be implemented following Council's endorsement of the draft Scheme Amendment and clearance by the EPA. An opportunity will then be provided to the community to comment on the proposal. This will involve a 42-day advertising period. During that consultation period, notices will be placed in the *Southern Gazette* newspaper and in the City's Libraries and Civic Centre.

Policy and Legislative Implications

The proposal will directly affect the No. 6 Town Planning Scheme, being a statutory amendment to that Scheme.

The statutory Scheme Amendment process is set out in the *Town Planning Regulations.* The process as it relates to the proposed Amendment No. 19 is set out below, together with an estimate of the likely time frame associated with each stage of the process:

Stage of Amendment Process	Estimated Time
Council resolution to initiate Amendment No. 19 to TPS6	16 December 2008
Council adoption of draft Scheme Amendment No. 19 proposals for advertising purposes	24 February 2009
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period	Friday, 27 February 2009
Public advertising period of not less than 42 days	Tuesday, 7 April to Friday, 22 May 2009
Council consideration of Report on Submissions in relation to Amendment No.19 proposals	July 2009 Council meeting
Referral to the WAPC and Minister for consideration: • Report on Submissions; • Council's recommendation on the proposed Amendment No. 19; • Three signed and sealed copies of Amendment No. 19 documents for final approval	Early August 2009
Minister's final determination of Amendment No. 19 to TPS6 and publication in *Government Gazette*	Unknown

Financial Implications

The proposed Scheme Amendment has no financial implications for the City. The applicant is required to meet the statutory advertising costs (local newspaper and Government Gazette), and all operational costs. In this regard, Council's 2008 resolution called for the applicant to submit an $8,000 payment, being the estimated planning fee. This fee has now been paid.

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 Scheme Amendment request provides an opportunity for the Council to introduce achievable, mandatory performance criteria which will require the building design to reflect sustainable design principles. The proposed redevelopment of the site is in itself a sustainable factor, enabling the Owners to incorporate more modern design elements and features which support sustainable outcomes.

OFFICER RECOMMENDATION 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. 19 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. 19 be implemented in accordance with the Town Planning Regulations and Council Policy P104, to comprise the following:
- A community consultation period of not less than 42 days.
- Southern Gazette newspaper notice in two issues: 'City Update' column.
- Notices in Civic Centre customer foyer and on the notice-board.
- Notices in City's Libraries and Heritage House
- City's web site: Notice on the 'Out for Comment' page; and

(d) the following footnote shall be included by way of explanation on any notice circulated concerning this Amendment No. 19:

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.

10.0.2. Disposal of land to South Perth Hospital. Portion of Pt Lot 1 at eastern end of Burch Street, South Perth - Report on Submissions *(Item 10.5.4 November 2008 Council Meeting)*

Location:	Portion of Pt Lot 1, Burch Street, South Perth
Applicant:	South Perth Hospital
File Ref:	CP.505 11/349
Date:	12 February 2009
Author:	Sean McLaughlin, Legal and Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary
In early 2007, South Perth Hospital whilst in the process of reviewing its expansion proposals, found that essential infrastructure which had not been shown on the approved drawings, needed to be provided to support its expansion plans. The Hospital Board advised the City that this infrastructure could not easily be accommodated on the existing hospital site. Accordingly, the Board submitted a request to purchase a small portion of land owned by the City which is at the eastern end of Burch Street, adjoining the hospital site.

In November 2008 Council agreed to the request and resolved to initiate the disposal of the land to the hospital pursuant to the procedure set out in section 3.58 of the *Local Government Act.* This procedure involves a period of public consultation and further consideration by Council prior to it making a final resolution authorising the sale.

A notice of intention to dispose of the land inviting public submissions was published in the *Southern Gazette* on 9 December 2008. At the close of the submission period, Wednesday 31 December 2008, no submissions had been received. No late submissions have been received up until the date this report was prepared.

This being the case, Council may now resolve to dispose of the land.

Background
Background information set out below, concerning the Hospital's request and a description of the subject land, is taken from the July 2007 Report to Council.

(a) Land purchase request
The subject land at the eastern end of Burch Street is owned by the City. In relation to the land purchase request, the South Perth Hospital submitted a letter of enquiry to the City on 2 February 2006. Since that time, the Hospital and the City have been communicating regarding the extent and details of the proposal. By letter dated 18 May 2007, the Hospital confirmed that it wished to proceed with the purchase.

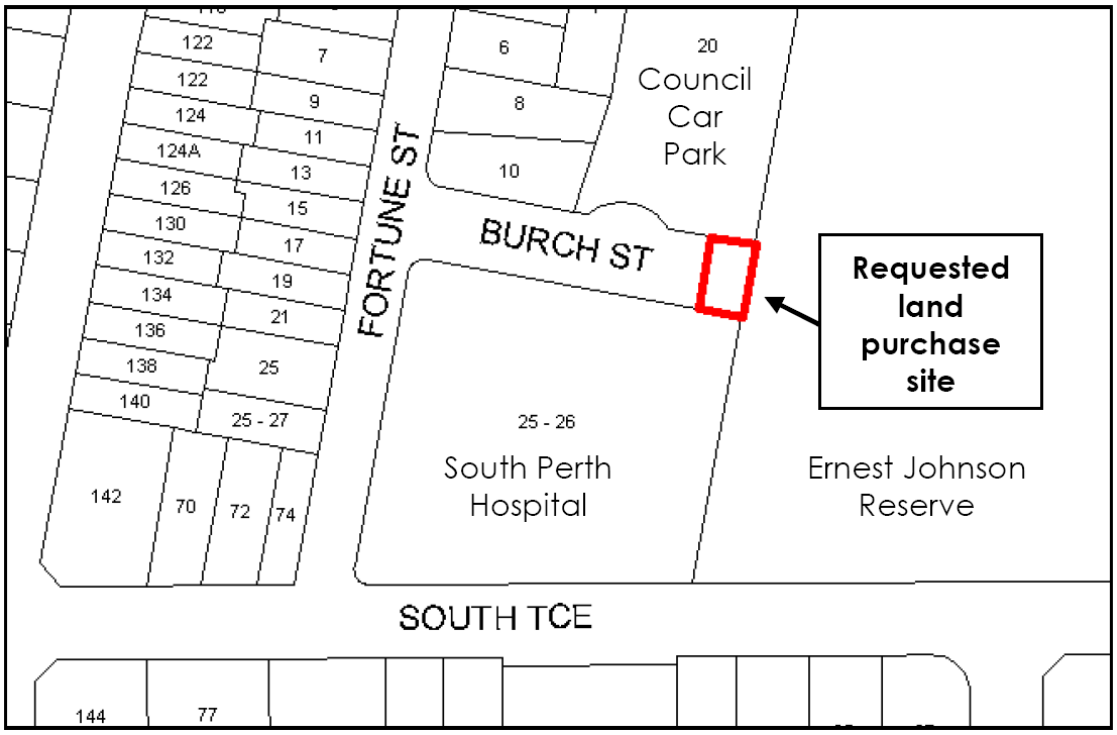
The need for upgraded fire service equipment is one of the factors that led to the hospital's request to purchase the land. This need came to light as a result of comparatively recent advice from the Fire and Emergency Services Authority (FESA). At an earlier stage, in the context of the development approval issued in September 2005, FESA had advised that the existing available water pressure was adequate for fire service needs. However that department provided contrary advice more recently. The more recent FESA advice brought to light the need for the hospital to have its own fire service water tanks and pumps.

(b) Description of the subject land

The details of the land which is the subject of the purchase request are as follows:

Title particulars	Portion of Pt Lot 1 on Certificate of Title Vol. 2063 Fol. 417. The balance of this lot comprises the Ernest Johnson car park.
Ownership	City of South Perth under freehold title.
Zoning	Private Institution
Density coding	Not applicable.
Lot area	Approximately 249 sq. metres.
Building ht. limit	7.0 metres.
Permitted land use	Uses related to Private Institution zoning
Existing land use	Public open space containing two large mature trees, grass, steps leading to the Ernest Johnson Reserve, and a 'No Standing' sign. Public utility services below ground level.

The location of the subject land is shown below:



The subject land is bounded by the South Perth Hospital to the south and a Council car park to the north. In the east - west direction, the site extends from the eastern end of Burch Street to the Ernest Johnson Reserve. The land in question is some 0.8 metres lower than the level of the adjoining Ernest Johnson Reserve. The change of level is managed by a gravel rock retaining wall. Concrete steps situated on the subject land provide pedestrian access to the higher level of the adjacent reserve.

Currently, the subject land is an area of grassed open space, partly occupied by two large mature trees. The land has been used in this manner for the past 14 years. Until early 1993, a paved access road was situated on the subject land. This access road extended down the east side of the Hospital and provided a link between South Terrace and the Ernest Johnson car park. The access road was removed when the strip of Council-owned land adjoining the eastern side of the Hospital was sold to the Hospital for expansion of the operating theatres. The subject land remains as a portion of the lot comprising the Ernest Johnson car park.

Once the Hospital acquires the subject land another development application will need to be lodged by the Hospital for the proposed infrastructure, brick fencing and associated works.

Comment

Section 3.58 Procedure

Where a local government proposes to dispose of land it owns, it must initiate the public consultation procedure set out in section 3.58 of the *Local Government Act.*

The procedure involves giving local public notice of the proposed disposition, including details of the market value which is to be obtained not more than six months before the time of the disposition.

Once this consultation procedure is concluded and any submissions received are considered, Council may resolve to proceed with the sale of the land.

The City obtained a valuation report from Landgate in March 2007 which advised that general commercial sales in the vicinity indicated a rate per square metre ranging from $911 to $2,300. In view of the situation of the subject land it adopted a value of $1,000 per sq. metre. Accordingly, Landgate advised that the then value was $250,000 based on an agreed area of 249 sq. metres.

Because of the six months requirement, a subsequent valuation report dated 20 October 2008 was obtained from Landgate. It noted that the South Perth area experienced slight growth over the intervening period. It adopted a revised value of $1,200 per square metre. The final value of the proposed disposition is now set at $300,000.

Attachment 10.0.2. - Plan 1: 'Hospital Land Purchase Proposal' shows the location of the desired infrastructure on a plan of the subject land proposed for sale.

Consultation

Consultation has been conducted in accordance with section 3.58 of the *Local Government Act.*.

Legislative and Policy Implications

Legislative and policy implications are described in the report.

Financial Implications for the City

Financial implications are described in the report.

Strategic Implications

This report relates to Strategic Plan Goal 5 - Organisational Effectiveness: To be a professional, effective and efficient organisation.

Sustainability Implications

Any sustainability implications arising out of the report are consistent with the City's Sustainability Strategy 2006-2008.

OFFICER RECOMMENDATION ITEM 10.0.2

That Council resolves to dispose of the land at the eastern end of Burch Street, South Perth, shown on the plan at **Attachment 10.0.2,** to the South Perth Hospital.

10.1 GOAL 1 : CUSTOMER FOCUS

Nil

10.2 GOAL 2: COMMUNITY ENRICHMENT

10.2.1 Victorian Bushfires Appeal

Location:	City of South Perth
Applicant:	Council
File Ref:	GS/103
Date:	17 February 2009
Author:	Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to consider making a donation to the Victorian Bushfires Appeal.

Background

The recent Victorian bushfires, which have been well reported in the local, national and world media have devastated the lives of many Australians and touched us all in one way or another. There is reported to be approximately 200 people dead, the loss of hundreds of residential, commercial and public properties as well as bushland and the loss of life and injury to domestic animals and wildlife.

The Red Cross has commenced an appeal for the victims of the bush fire and it is appropriate for the City of South Perth to make a contribution to the victims on behalf of our residents.

Comment

Donations from many corporate and government organisations, as well as private donations have been made in response to the exceptional and unprecedented circumstances and it would be appropriate for the City to make a donation on behalf of its residents. Judging from the scale of the bushfires and the devastation caused, it will be many years, perhaps even decades for local communities affected by the fires to recover. A number of communities have been totally destroyed and may never fully recover. Many fires are still burning.

In past years the City of South Perth has made a number of donations to those disadvantaged by conflict and disasters including the Boxing Day Tsunami (2004 - $10,000), Bali Casualties Appeal (2002 - $1000), Moora Floods (1999 - $2000) and Cyclone Vance (1999). Last year the City also made a donation of $5,000 to the Lord Mayors appeal fund which is used to assist those affected by disasters in Western Australia.

There has been a very significant response to the tragedy by all sectors of the community, including Local Government in Western Australia. According to newspaper reports, other local governments have made the following donations:

- City of Cockburn $30,000
- City of Perth $25,000
- City of Subiaco $10,000
- Cit of Bayswater $20,000
- City of Stirling $10,000
- City of Wanneroo $10,000
- Town of Vincent $10,000
- Town of East Fremantle $ 2,000
- Shire of Collie $10,000

On this basis, it is suggested that a donation of $10,000 is a fair and reasonable donation to make to the victims of this terrible tragedy.

Consultation
The donation proposed has been discussed between the CEO and Councillors following the conclusion of the February Council Agenda Briefing.

Policy and Legislative Implications
Nil – but proposed action consistent with past actions.

Financial Implications
The financial implications of this report is the donation of $10,000 from Municipal Funds within the current 'Donations' Budget to the Red Cross Victorian Bush Fires Appeal. The balance of that Budget line will be readjusted if necessary in the third quarter Budget Review.

Strategic Implications
The donation for this appeal aligns with Strategic Goal 2: Community Enrichment … ***To foster a strong sense of community....***

OFFICER RECOMMENDATION 10.2.1

That a donation of $10,000 be provided from the Municipal Funds to the Australian Red Cross Victorian Bush Fires Appeal.

10.3 GOAL 3: ENVIRONMENTAL MANAGEMENT

10.3.1 Proposed Naming of Right-of-Way No. 64 situated within the block bounded by Banksia Terrace, Canning Highway, Hovia Terrace and Third Avenue, Kensington.

Location:	Right-of-Way No. 64 situated within the block bounded by Banksia Terrace, Canning Highway, Hovia Terrace and Third Avenue, Kensington
Applicant:	Mr Luka Prijic
File Ref:	ROW 64
Date:	2 February 2009
Author:	Laurence Mathewson, Planning Officer
Reporting Officer:	Steve Cope, Director, Development & Community Services

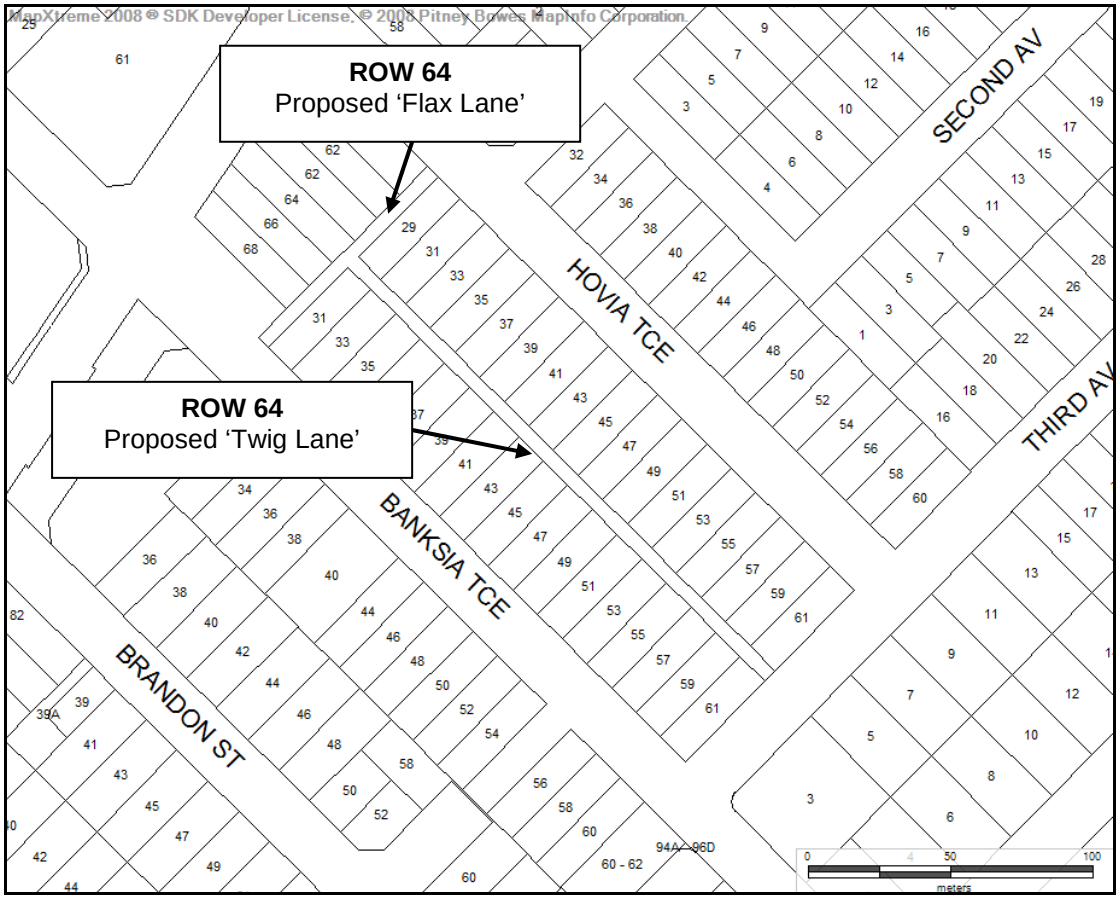
Summary

To consider a request to initiate the process towards the naming of Right-of-Way No. 64 which is owned by the City of South Perth. The recommendation is that the 'naming' process be initiated for the right-of-way.

Background

Location

Right-of-way 64 has two 'legs' which connect at a 'T' junction. This right-of-way is situated within the block bounded by Banksia Terrace, Canning Highway, Hovia Terrace and Third Avenue, Kensington. The right-of-way is indicated on the map below:



Condition and usage of right-of-way

Right-of-Way 64 is paved for its entire length. Rubbish is also collected from the right-of-way. The right-of-way is not sign-posted.

The right-of-way is approximately 5.0 metres wide and is used extensively for vehicular access, with approximately 28 car parking bays capable of being accessed via the right-of-way. The right-of-way is not required for pedestrian access to dwellings and there are no mail boxes in the right-of-way. The following photographs show the condition and usage of the right-of-way.

Portion of ROW 64 running parallel to Canning Highway (looking north-east).

Portion of ROW 64 running parallel to Canning Highway (looking south-west).

Portion of ROW 64 running parallel to Banksia Terrace (looking south-east).

Portion of ROW 64 running parallel to Banksia Terrace (looking north-west).

Previous right-of-way naming

At Council's December 2001 meeting, five right-of-ways were approved for naming. Separate requests for naming had been received from three owners, each from a different right-of-way. The right-of-ways approved for naming were Nos. 86, 93, 94, 103, and 104. All of these are parallel to Canning Highway. Council supported the naming due to the difficulty involved in giving directions to visitors to the abutting properties. Prior to naming, there was a trial of 'location signs'. The 'location signs' were placed at each end of the right-of-way and indicated that the laneway provided rear access to certain properties which front on to Canning Highway. The trial had mixed results. Subsequently, the Council has supported the naming of Rights-of-way 75, 76 and 123.

Right-of-Way 64 naming request

The request to name ROW 64 was received from Mr Luka Prijic, the owner / occupier of 68 Canning Highway. Mr Prijic advises that 'visitors find it difficult to locate his residence. Taxis in particular require the location of the house to be explained to them in detail before they are able to locate the house'.

Previous requests relating to other rights-of-way have also suggested that the difficulties in giving directions would be undesirable in an emergency situation, and that naming the right-of-way would also be appropriate given that various trades and service people access the right-of-way. These same concerns could equally be applied to this naming request, and therefore the naming of the right-of-way is considered desirable.

Comment
The fact that the right-of-way is used extensively for vehicular access is a valid reason to consider naming the right-of-way. The benefits of naming the right-of-way are that it simplifies instructions to visitors to dwellings with vehicular access from the right-of-way, and the right-of-way will gain recognition in street directories.

The Department for Planning and Infrastructure's Geographic Names Committee has a policy on naming right-of-ways (quoted in 'Policy and Legislative Implications' section of this report). The policy states that "Laneways will normally only be named if a name is required for addressing purposes". With regard to this, the Team Leader, Building Services has previously advised that it is only appropriate to renumber dwellings which have direct frontage to the right-of-way. There is presently only one dwelling, No. 2/31 Banksia Terrace, South Perth, which would qualify for renumbering on this basis. However despite this, it is appropriate to name the right-of-way for the reasons referred to above.

The theme of the right-of-ways that have already been named within the City of South Perth is flowering plants and shrubs. Mr Prijic suggested the name "Jacaranda Way" as there are Jacaranda trees in the near vicinity. However under Geographic Names Committee policy this name is considered too long and its use is therefore not supported for naming purposes. Advice was sought from the Geographic Names Committee in relation to the selection of 'compliant' names for Right-of-Way 64. An Officer from the Geographic Names Committee indicated that due to the T-shape of Right-of-Way 64, two names would be required to effectively name the right-of-way (one each for the north-south and east-west portion respectively). The Officer provided four examples of 'compliant' names that could be used for naming purposes: Nivea Lane, Lily Lane, Flax Lane and Twig Lane. The two names that have been selected are 'Flax Lane' and 'Twig Lane'.

Consultation
Advice has previously been sought from the Team Leader, Building Services on the matter of street numbering and that advice is conveyed in the 'Comment' section above.

At this stage, no consultation has been undertaken with affected adjoining property owners. The request for this right-of-way naming has come from one landowner. Therefore, it is not known whether other landowners abutting the right-of-way would also like to have the right-of-way named. The City does not have a policy regarding consultation on the matter of right-of-way naming, however the City has previously consulted affected residents in regard to previous right-of-way naming and road naming. Prior to finally determining whether the right-of-ways should be named and if so, selecting the actual names, the Council should undertake 21-day advertising to all the owners of properties which directly abut the right-of-way. A subsequent report to Council will then consider submissions and at that time, Council will decide whether to name the right-of-way or not, and will also select the names. Should the Council decide to name the right-of-ways, the proposal requires Geographic Names Committee approval prior to implementation.

Policy and Legislative Implications
Council does not have a policy to guide decisions as to whether or not the naming of particular right-of-ways will be supported, and if so, how names will be selected.

The Geographic Names Committee policy titled "Road Naming Guidelines (2001)" provides the following guideline for the naming of right-of-ways:

"The increase in urban density in new development and urban redevelopment has resulted in many narrow short lanes and right-of-ways requiring names. The naming of such roads is supported with a preference for use of the road type Lane and short names. Laneways will normally only be named if a name is required for addressing purposes. The leg of a battleaxe lot is not a laneway."

Financial Implications
At a later date if Council resolves to name the right-of-ways, the cost to install a sign at each end will be approximately $300 per sign. The cost varies according to the length of the name.

Strategic Implications
This matter relates to Goal 3 "Environmental Management" identified within the Council's Strategic Plan.

Goal 3 is expressed in the following terms: ***To effectively manage, enhance and maintain the City's unique natural and built environment.***

OFFICER RECOMMENDATION ITEM 10.3.1

That .....
(a) the proposal to name Right-of-Way No. 64 "Flax Lane" and "Twig Lane" be advertised to the owners and occupiers of properties abutting the right-of-ways for a period of 21 days;
(b) following the advertising period a report on submissions received be presented to the first available Council meeting; and
(c) the applicant be advised accordingly.

10.3.2 Modification to Policy P399 "Final Clearance Requirements for Completed Buildings"

Location:	City of South Perth
Applicant:	Council
File Ref:	LP/801/5
Date:	2 February 2009
Author:	Rod Bercov, Strategic Urban Planning Adviser
Reporting Officer:	Steve Cope, Director, Development and Community Services

Summary
This report is accompanied by a modified version of Council's Policy P399 "Final Clearance Requirements for Completed Buildings". Clause 5 of the Policy is proposed to be modified to correctly reflect Council's intention regarding the extent of the responsibilities of licensed land surveyors engaged by developers.

The second purpose of this report is to review the transitional arrangements regarding the timing of implementation of the Policy.

Background
Attached to this report is a modified version of Policy P399 "Final Clearance Requirements for Completed Buildings" **(Attachment 10.3.2).**

Policy P399 was adopted at the October 2008 Council meeting. The Policy calls for the City to establish a panel of licensed land surveyors, from which developers of major buildings will select one particular surveyor. This Policy requires affected developers to engage licensed land surveyors to undertake certain measurements of buildings during construction on a 'floor-by-floor' basis, and also measurements of the completed buildings prior to the City issuing final clearance certificates. In the course of arranging for the establishment of the panel of licensed surveyors, it has come to the City's notice that Clause 5 of Policy P399 is not framed in the intended manner. As currently framed, Clause 5 places too much responsibility on the contracted licensed land surveyor for certification that the building is suitable for the issuing of final clearance certificates. This must remain the responsibility of the City's Building Surveyor. The Policy has now been modified to reflect the actual intention in this regard.

Council's October 2008 resolution states that the Policy is to be implemented in respect of every applicable completed development where a final clearance certificate is issued on or after 2 January 2009. It is now seen that the transitional arrangements for implementation of the Policy need to be reviewed. The October resolution does not adequately deal with the situation where planning approval and building licences have been issued to applicants who had no prior knowledge of the new requirement for them to engage licensed land surveyors. The recommendation in this report substitutes more appropriate transitional arrangements.

Comment
Policy P399 will apply to:

(a) a residential development which is higher than 7.0 metres, or contains 5 or more dwellings;

(b) a non-residential development which is higher than 7.0 metres, or has a plot ratio area of 1,000 sq. metres or greater; or

(c) a development consisting of a mixture of non-residential and residential components incorporating any of the attributes referred to in items (a) and (b) above.

The objective of Policy P399 is to ensure that, for any completed building within the scope of the policy, final clearance certificates are not issued until an independent licensed land surveyor as well as City officers have assessed the building and confirmed that it is consistent with the approved building licence documents and the requirements of the relevant statutes.

(a) Scope of Compliance Assessment by Licensed Land Surveyor

The licensed land surveyor's role is confined to compliance assessment measurements in accordance with the items listed in Clause 8 of Policy P399, and the submission of relevant progress reports and a final report in accordance with Clause 9. Clause 8 lists certain building elements requiring measurement by a licensed surveyor, and also states that the compliance assessment measurements may not be limited to the listed items because, occasionally, other elements of a building may require measurement by the licensed surveyor. The licensed surveyor will not be involved in matters other than the elements of compliance assessment referred to in Clause 8.

The Policy has inadvertently conferred too much responsibility on the licensed land surveyor engaged by the developer. Clause 5 of the Policy states that the licensed land surveyor is responsible for comprehensive certification that the building is suitable for the relevant final clearance certificate to be issued. This is actually the responsibility of the City's Building Surveyor and the Policy needs to be amended to make the position clear in this regard. In the attached modified Policy, Clause 5 has been amended to correctly reflect the responsibilities of the City's Building Surveyor on the one hand, and the engaged licensed land surveyor on the other. Minor adjustments have been made to other clauses and to the 'Rationale', in order to maintain consistency throughout the Policy.

(b) Transitional arrangements for implementation of Policy P399

As referred to under 'Background' above, Council's October 2008 resolution states that Policy P399 is to be implemented in respect of every applicable completed development where a final clearance certificate is issued on or after 2 January 2009. The Policy requires the developers of major buildings to engage licensed land surveyors at their cost for measuring buildings during construction and upon completion. On further consideration, it has now become apparent that it is unreasonable and inequitable to impose this requirement on developers whose projects were committed prior to the Council's adoption of Policy P399. Rather, in the interests of fairness, the Policy should only apply to applicants who obtain planning approval after the date on which the implementation of the Policy commences. The recommendation in this report accommodates this revised interim arrangement. In order to alert the developer to the new requirement at an early stage, notices of determination of planning approval for applicable developments now incorporate an advisory "Important Note".

(c) Policy P399 to be reviewed in February 2010

Policy P399 is a new initiative implemented by the City of South Perth on the recommendation of the City's legal advisers. It is understood that this policy is the first of its kind to have been adopted by any local Council in the Perth metropolitan region. Therefore it is considered that, following an operational period of about 12 months, the Policy should be reviewed. The recommendation in this report has been framed accordingly.

Consultation
The October Council resolution refers to arrangements for advertising of Policy P399. The required advertising is currently being implemented.

Policy and Legislative Implications
In relation to final inspection of the kinds of buildings dealt with by Policy P399, the Policy enables the City to more effectively discharge its obligations. Those obligations relate to the issuing of a "certificate of local government" pursuant to section 23 of the *Strata Titles Act 1985* and a "certificate of classification" pursuant to regulation 20 of the *Building Regulations 1989* and Section 374C of the *Local Government (Miscellaneous Provisions) Act 1960*.

Financial Implications
The policy does not have financial implications for the City, but imposes a new financial obligation on affected developers who are responsible for meeting the cost of engaging licensed land surveyors for multiple interim inspections and final inspections.

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.***

Policy P399 is also 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
Policy P399 has positive sustainability implications to the extent that more rigorous inspection and certification procedures are being implemented before final clearance certificates are issued for completed buildings.

OFFICER RECOMMENDATION ITEM 10.3.2

That …..
(a) Policy P399 "Final Clearance Requirements for Completed Buildings" **Attachment 10.3.2,** be adopted in its modified form;
(b) for all development within the scope of Policy P399 as set out in Clause 3, the Policy is to be implemented where planning approval is issued on or after 2 January 2009; and
(c) a report be presented to the February 2010 Council meeting on a review of Policy P399 in light of operational experience.

10.3.3 SAT request for review - Change of Use : Shop to Takeaway Food Outlet. Lot 7 (Unit 2 / 262 Canning Highway, cnr Birdwood Avenue, Como.

Location:	Lot 7 (Unit 2, No. 262) Canning Highway, Como
Applicant:	Greg Rowe and Associates
Lodgement Date:	6 August 2008
File Ref:	11.2008.363 CA6/262
Date:	3 February 2009
Author:	Lloyd Anderson, Senior Statutory Planning Officer
Reporting Officer:	Steve Cope, Director, Development and Community Services

Summary
The City received an application for Planning Approval for a change of land use from Shop to Takeaway Food Outlet for an existing commercial tenancy which is situated at No. 2/262 Canning Highway Como in August 2008. The application was recommended for conditional approval and subsequently approved by Council at the November 2008 Council meeting. An appeal was lodged with the State Administrative Tribunal (the 'SAT') in December 2008. At a directions hearing held on 14 January 2009, the City was invited by the SAT (DR 506 of 2008) to reconsider three (3) conditions of the decision, pursuant to Section 31 of the *State Administrative Tribunal Act*.

The conditions being considered by the SAT are Specific Conditions (b)(i), (ii) and (iv), being:

"(i) A maximum of five people working at any time.
(ii) The hours of operation being limited to 10:00pm Monday to Thursday and 10:30pm on Fridays and Saturdays.
(iv) The land owner agrees that any compensation for loss of revenue arising from the change of use will not be sought from the Council or Western Australian Planning Commission when the reserved land is required for upgrading of Canning Highway."

The changes that are sought by the applicant are considered relatively minor in significance, however they have been advertised for neighbour comment and any modifications or deletion of conditions require Council's approval. It is recommended that the request to modify the conditions be agreed to.

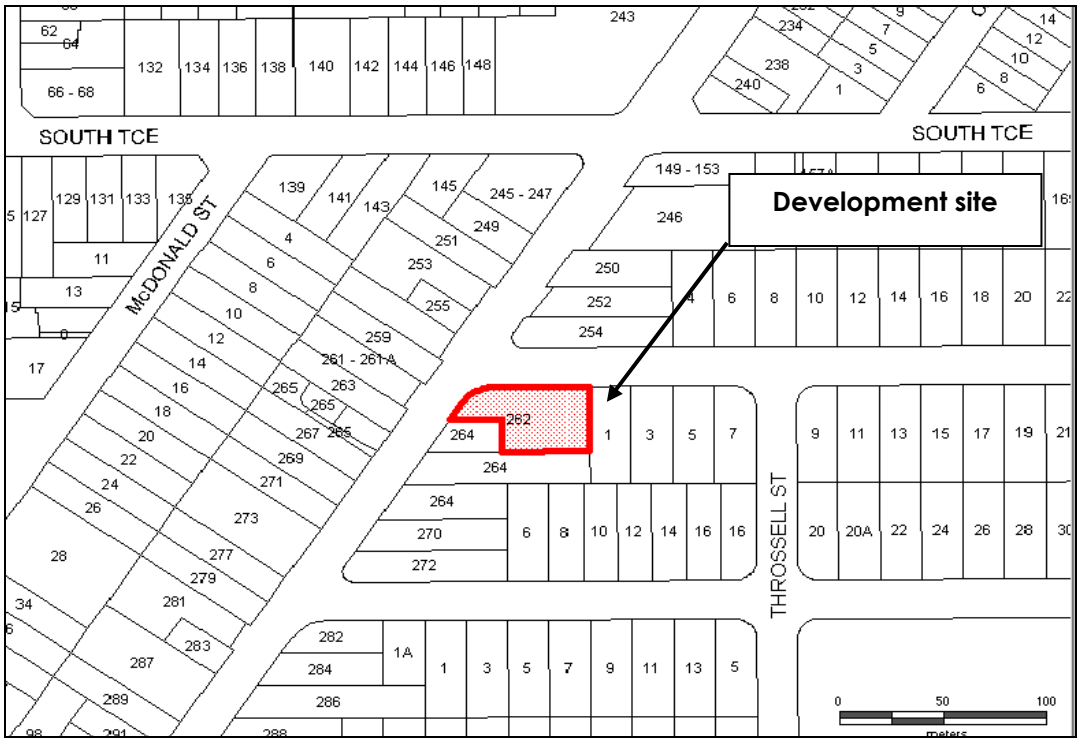
Background

The development details are as follows:

Zoning	Highway Commercial / Regional Road
Density coding	R80
Lot area	1,736 sq. metres
Building height limit	10.5 metres
Development potential	1,429.21 sq. metres
Plot ratio limit	0.5:1

This report includes the following attachments:
***Confidential* Attachment 10.3.3(a)** Plans of the application.
Attachment 10.3.3(b) Report 10.3.4 of the November 2008 Council meeting.

The location of the development site is shown below. The commercial tenancy that is the subject of this development application is the second from Canning Highway in a row of commercial tenancies on the corner of Canning Highway and Birdwood Avenue. The tenancy has frontage to Birdwood Avenue and is separated from an adjoining residential dwelling by other shops on the site. A vacant lot (zoned Residential - R80) is situated directly opposite the development site.



Comment

(a) Description of the original proposal

A description of the proposal, the amenity and character, car parking, access and egress, traffic, signage, Canning Highway road widening, setback from Canning Highway and other planning controls are discussed in the November 2008 Council report, which is **Attachment 10.3.3(b)**.

(b) Description of the proposed changes which are sought to the conditions

Specific Condition (b)(i) - Staff numbers

As approved by the Council and agreed with by the applicant, the number of staff working at the premises at any one time is likely to be around five. This indicates the best estimate of staff numbers but was not intended to be a maximum number or 'critical threshold'. The applicant has advised that this number of staff may increase (or decrease) over time depending on the success of the business and on this basis, the restriction on staff numbers could impact the viability of the business.

Given that the staff numbers do not directly relate to Town Planning Scheme No. 6 requirement for on-site car parking it is appropriate for this condition to be removed from the Planning Approval. It is recommended that the Council agree to the deletion of Specific Condition (i) as the site will significantly cater for staff car parking at the rear of the property as discussed in the at **Attachment 10.3.3(b)**.

There is sufficient capacity at the rear for staff parking as required by Specific Condition (b)(iii) and (b)(vi) of the Planning Approval which require:

(iii) Staff parking and delivery staff parking required to be to the rear of the property.

(vi) The outbuildings and loading / unloading deck at the rear of the subject site be demolished, and the approved on-site car parking bays clearly marked on-site in accordance with the Planning Approval (Reference ID No. 11.2008.312 dated 24 October 2008) prior to commencing this particular takeaway food outlet use.

Specific Condition (b)(ii) - Operating hours

This condition stated:

"The hours of operation being limited to 10:00pm Monday to Thursday and 10:30pm on Fridays and Saturdays."

The critical issue relating to hours of operation of the Takeaway Food Outlet is the closing time. Birdwood Avenue is a residential street, concerns have been raised relating to the late night trade of the pizza store in relation to the Como Hotel. The connection may encourage anti-social behaviour in Birdwood Avenue causing nuisance for residents and other business within the area. It is not recommended that Council change the closing time of the Takeaway Food Outlet.

The existing condition did not allow Sunday trading and did not include a start time, and neither did the comments received from the neighbours. Sunday trading or start times are not considered to be issues associated with the Takeaway Food Outlet, within reason. It is therefore suggested that reasonable operating hours, and a more appropriate condition would be:

"The hours of operation being limited to the hours between:
(a) 9:00am and 10:00pm Sunday to Thursday
(b) 9:00am and 10:30pm Fridays and Saturdays."

Specific Condition (b)(iv)

This condition stated:

"The land owner agrees that any compensation for loss of revenue arising from the change of use will not be sought from the Council or Western Australian Planning Commission when the reserved land is required for upgrading of Canning Highway."

The condition relates to the subject property abutting Canning Highway. Current planning indicates that the subject land will remain affected by future road widening requirements for Canning Highway. The Department for Planning and Infrastructure (DPI) has advised the City that they have no objection to the proposal on regional transport planning grounds. Specific Condition (iv) was imposed for the benefit of DPI, however they do not consider that the condition is necessary. Therefore it is recommended that the Council removes this condition.

Consultation

(a) Neighbour consultation

Further neighbour consultation has been undertaken following the SAT review to the extent and in the manner required by Policy P104 "Neighbour and Community Consultation in Town Planning Processes". The owners of properties at Nos. 262, *257* (Units 1-2), *259* (Units 1-3), 261 (Units 1-2), 262, 263, 264, 266 Canning Highway and 1 (Units 1-2) were invited to inspect the application and to submit comments during a 14-day period. A total of 18 neighbour consultation notices were mailed to individual property owners. During the advertising period, two submissions were received. The comments of the submitters, together with officer responses, are summarised as follows:

Submitter's Comment	Officer Response
Considering the residential amenity of proposal particularly in relation to antisocial behaviour and security concerns the hours of operation no later than 10:00pm Sunday to Thursday and 10:30pm on Friday and Saturday. It is also considered that business in the area may also be impacted by late night trading.	The recommendation proposes restricting the hours of operation to no later than 10:00pm Sunday to Thursday and 10:30pm on Friday and Saturday. The comment is **NOTED**.
Parking and traffic impact on residential amenity.	**Attachment 10.3.3(b)** provides the required information. The comment is **NOTED**.
Location of the bin enclosure relating to smell and vermin control.	The Environmental Health Department has provided detailed comments concerning the design of the bin enclosure. The comment is **NOTED**.
Frequency of emptying kerbside rubbish bins and the quantity and location of rubbish bins.	The Environmental Health Department is aware of this issue and is monitoring the situation. The comment is **NOTED.**

Policy and Legislative Implications
The request for reconsideration of Specific Conditions (i), (iii) and (iv) of this Planning Approval has been made by the SAT under Section 31 of the *State Administrative Tribunal Act*.

Financial Implications
The issue has no impact on this particular area.

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

Sustainability Implications
There arc no sustainability implications relating to this application.

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, the State Administrative Tribunal be advised that Council has agreed to modify Specific Conditions (b)(i), (b)(iii) and (b)(iv) of the Planning Approval granted on *25* November 2008, to the following:

(a) Condition (b)(i) be **deleted**;
(b)(i) A maximum of five people working at any time.

(b) Condition (b)(iii) be **amended** to read:
"The hours of operation being limited to the hours between:
(a) 9:00am and 10:00pm Sunday to Thursday; and
(b) 9:00am and 10:30pm Fridays and Saturdays."; and

(c) Condition (b)(iv) be **deleted**.
(b)(iv)The land owner agrees that any compensation for loss of revenue arising from the change of use will not be sought from the Council or Western Australian Planning Commission when the reserved land is required for upgrading of Canning Highway."

10.3.4 Proposed Two Storey Office Development. Lot 391 (No. 5) Barker Ave, Como.

Location:	Lot 391 (No. 5) Barker Ave, Como
Applicant:	Karl Woolfitt Architect
Lodgement Date:	24 September 2008
File Ref:	11.2008.447 BA3/3
Date:	2 February 2009
Author:	Laurence Mathewson, Planning Officer
Reporting Officer:	Steve Cope, Director Development and Community Services

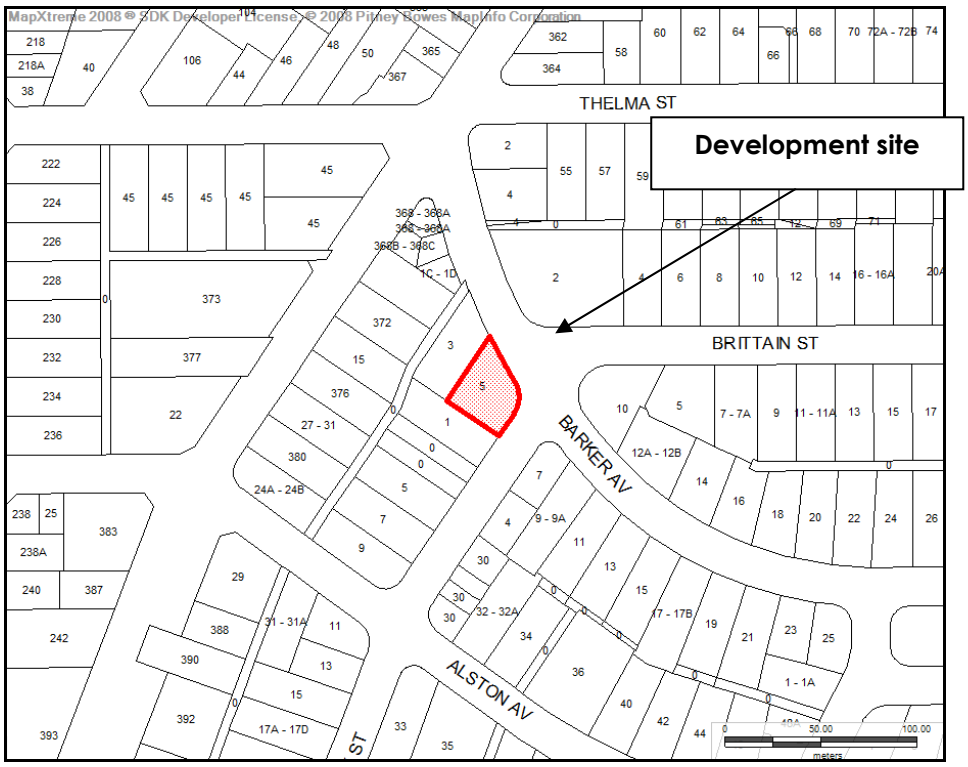
Summary
To consider an application for planning approval for a two storey office development located on Lot 391 (No. 5) Barker Ave, Como. It is recommended that the proposal be **refused** mainly due to an unacceptable shortfall in car parking bays.

Background
The development site details are as follows:

Zoning	Highway Commercial
Density coding	R80
Lot area	1027 sq. metres
Building height limit	10.5 metres
Maximum permissible plot ratio	0.50

This report includes the following attachments:
- **Attachment 10.3.4(a)** Site photographs
- ***Confidential* Attachment 10.3.4(b)** Plans of the proposal
- **Attachment 10.3.4(c)** Applicant's supporting report
- **Attachment 10.3.4(d)** Engineering Infrastructure Comments
- **Attachment 10.3.4(e)** Environmental Health Comments
- **Attachment 10.3.4(f)** City Environment Comments

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:

1. Large scale development proposals
Proposals involving non-residential development which, in the opinion of the delegated officer, are likely to have a significant effect on the City.

Comment

(a) Description of the proposal
The subject lot is currently vacant and fronts Barker Avenue, as depicted in the site photographs in **Attachment 10.3.4(a)**. Located opposite the subject site is the South Perth Bridge Club, to the north is a vacant lot which is also the subject of a development application for a two storey-office development. In addition, a Single House adjoins the site on the south-western boundary.

The proposal involves the construction of a two-storey office building as depicted in the submitted plans of ***Confidential*** **Attachment 10.3.4(b)**. The applicant has requested that the office development be considered as two separate applications. This request is due to the fact that there are two separate lots and submission of separate applications was seen by the applicant to be advantageous at the planning approvals stage of the development assessment.

The Planning Consultant's letter, **Attachment 10.3.4(c),** describes the proposal in more detail.

(b) Finished ground and floor levels
The maximum floor level permitted is RL 18.55 metres, the proposed floor level is RL 18.55 metres. Therefore the proposed development complies with Town Planning Scheme No. 6 Clause 6.10 *'Maximum Ground and Floor Levels'*.

(c) Building height

Drawings show that the highest point of natural ground level below the building is RL 18.87 metres, the raised level limit is therefore RL 29.37 metres. The proposed building height is RL 27.0 metres, which equates to 8.13 metres in wall height. The drawings therefore show that the building complies with the building height limit of 10.5 metres prescribed by TPS6.

(d) Provision of car parking bays

Table 6 of TPS6 prescribes the ratios for car parking as being 1 bay per 20 sq. metres of gross floor area for offices. Based on a gross floor area of 633 sq. metres, the development is required to provide 32 bays on site. The applicant has proposed 22 bays on site (1:29 sq. metres) which is a deficit of 10 parking bays (30 percent).

The applicant has provided the following justification for the 10 bay shortfall.

(i) There are opportunities for reciprocal car parking for visitors on the two properties for any visitors visiting either of the premises;

(ii) The proximity of shops to the west allowing for a multi-purpose trip as opposed to the single purpose trips that car parking standards are based on;

(iii) There is a reduced demand for car parking due to the use of alternative modes of transport, in particular the use of buses along Canning Hwy and through Como.

It should be noted that car parking standards are based on single purpose trips where there are opportunities for multi-purpose trips within the development or the precinct, including the shops. There are also opportunities for reduced car parking due to alternative modes of transport. It is not sounding planning practice to over-supply car parking and, accordingly, you are requested research appropriate reductions in car parking - see, for example, Town of Vincent Parking and Access Policy.

In terms of the width of the bays, Australian Standard AS2890.1 requires bay widths 2.4m and an extra 0.3m where there are obstructions such as walls. The bays can be designed to comply with these requirements and it should be dealt with as a condition of approval.

Officers are of the opinion that the office development has not been designed in a manner that would allow reciprocal car parking for visitors, due to:

- The presence of a landscaping strip which would prevent vehicular access;
- Security gates which will prevent vehicular access; and
- The general proximity and of the respective car parking bays which will hinder pedestrian access.

As a consequence of the above, reciprocal car parking is therefore this is not considered a valid justification.

Town of Vincent policies are not relevant to this development proposal owing to the difference in intensity of activity (e.g. the development site is not located in a town centre) and well as the respective differences in urban structure between the built environment within the Town of Vincent and City of South Perth.

The opportunity for reduced car parking use due to the use of alternative modes of transport is considered a valid justification, noting the close proximity of the subject site to Canning Hwy, as well as the location of the bus stop directly opposite the subject site. However, the applicant is seeking a dispensation for 10 car parking bays which is effectively 30 percent of the total number of required car parking bays, it is the Officers opinion that the applicant has failed to demonstrate that this shortfall will be adequately compensated by the use of alternative modes of transport, and therefore the proposed number of car parking bays is not supported. Comment has also been obtained from the Manager, Engineering Infrastructure in relation to the potential use of on-street car parking to alleviate the car bay shortfall. He advises that although on-street parking is technically possible it is not supported by Engineering Infrastructure, his reasons for not supporting on-street parking are outlined in the comments section of this report.

Similar applications that have sought a car parking bay dispensation in 2008, include an application for amended floor and car-parking layout at Waterford Plaza and a development application for an change of use to offices at No. 69 Manning Road, Como. These applications sought to provide fewer car parking bays than that prescribed by the City's Town Planning Scheme No. 6. The Waterford Plaza development application proposed a car parking rate of 1:20.2 sq. metres and was approved by the Council, whilst the Manning Road development application proposed a rate of 1:46 sq. metres and was refused by the City.

If the development was approved as currently proposed with a ratio of 1 bay per 29 sq. metres of gross floor area, it is the opinion of City Officer's that the development would result in an overflow of parking into the adjoining surrounding residential streets, which would significantly impact streetscapes and the general amenity of local residents.

The proposal therefore does not comply with the car parking bay requirements prescribed in TPS6 Table 6, nor is the proposed variation in line with previous determinations by the City and Council.

(e) Car parking bay dimensions

In accordance with TPS6 Clause 6.3(8) car parking bay dimensions shall be increased by 0.3 metres where a wall column, pier of fence abuts a side of a car parking bay. Drawings provided by the applicant show that bay no. 12 is abutting a wall and a brick pier on either side and therefore requires a minimum width of 3.1 metres. The drawings show a width of 2.8 metres has been provided. Therefore, bay 12 does not comply and needs to be widened, which will require a redesign for the adjacent foyer and stairs. Such a redesign may have flow-on effects to planning considerations and/or useability of the spaces.

(f) Bicycle parking

Table 6 of TPS6 prescribes the ratio for bicycle parking as being 1 bay per 200 sq. metres of gross floor area for offices. Based on the gross floor area of the proposed development there is a requirement for the provision of 4 bicycle parking bays. The applicant has provided 4 bicycle parking bays as well as the required end of trip facilities, the proposal therefore complies with the requirements of TPS6 Clause 6.4(5).

(g) Landscaping

The required minimum landscaped area is 154 sq. metres (15 percent); the proposed landscaping area is 184 sq. metres (17.9 percent), therefore the proposed development complies with the landscaping requirements of Table 3 of TPS6.

(h) Setbacks

TPS6 does not prescribe a setback for an office use with the Highway Commercial zone on Barker Ave. However TPS6 Clause 5.1 'Development Requirements for Non-Residential Use in Non-Residential Zones' prescribes the following;

(4) Notwithstanding the minimum setbacks prescribed in Table 3:
(a) in any non-residential zone where a development site has a common boundary with land in the Residential zone:
(i) the Council may require a building on the development site to be set back a greater distance from the street than the setback prescribed in Table 3, in order to protect the amenity of the adjoining land in the residential zone. In such cases, the setback area in front of the building shall contain landscaping visible from the adjoining residential site.

Further consideration of the setbacks of the existing streetscape is required under TPS6 Clause 7.5 'Matters to be Considered by Council' which requires Council, when assessing an application for planning approval, to have due regard to;

(n) the extent to which a proposed building is visually in harmony with the 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.*

The existing setbacks within the focus area are as follows:
- 4 Barker Ave (North) - 6.0 metres
- 2 Brittain Ave (North-east) - 3.5 metres
- Shops (North-west of subject site) - nil setback

Given the existing setbacks, a setback of 3.0 metres from Barker Ave is considered to be in-keeping with the focus area. The drawings provided by the applicant show a proposed setback of 3.0 m. The proposed setback therefore complies with the requirements of TPS6 Clause 5.1 'Development Requirements for Non-Residential Use in Non-Residential Zones' and TPS6 Clause 7.5 'Matters to be Considered by Council'.

Lot 391 (No. 5) Barker Ave also has a frontage to Park St. Given the strong residential character of the Park St a setback of 6.0 m is considered to be in-keeping with the 'focus area'. The drawings provided by the applicant show a proposed setback of 6.0 m. The proposed setback therefore complies with the requirements of TPS6 Clause 5.1 'Development Requirements for Non-Residential Use in Non-Residential Zones' and TPS6 Clause 7.5 'Matters to be Considered by Council'.

(i) Plot ratio

In accordance with Table 3 of TPS6, the prescribed maximum plot ratio is 0.5 (514 sq. metres), the proposed plot ratio is 0.5 (511 sq. metres), the proposal therefore complies with the plot ratio element of TPS6.

(j) 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 inconsistent with the following objectives:

(j) In all commercial centres, promote an appropriate range of land uses consistent with:
- *(i) the designated function of each centre as set out in the Local Commercial Strategy; and*
- *(ii) the preservation of the amenity of the locality.*

The proposed development does not meet the car parking requirements prescribed in the City's Town Planning Scheme No. 6 Table 6 *'Car and Bicycle Parking'* and therefore is considered to be inconsistent with the objectives of Clause 1.6 of Town Planning Scheme No. 6.

(k) 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:

(i) the preservation of the amenity of the locality;
(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;
(x) any other planning considerations which the Council considers relevant.

The proposed development is not consistent with the matters listed above, specifically in relation to the proposed number of car parking bays.

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 10 November 2008. The proposal was generally not favourably received by the Consultants. Their comments are summarised below:

DAC Comments	Project Architect Responses	Officer Comments
The architects were concerned about the total width of the crossovers for the proposed development and the existing crossover of the adjoining residential property. A landscaping strip provided between the two while separating them, will ensure that the maximum width is no more than 6.0 metres and compliant.	*The number and width of the crossovers for the whole development has been kept to a minimum, with only one per site.*	Proposed crossover complies with planning requirements. DAC is referring to the existing crossovers which will need to be removed, kerb reinstated and landscaping established as a condition of planning approval. The comment is **NOTED.**

DAC Comments	Project Architect Responses	Officer Comments
A metre wide blind aisle is required for car bay No. 14.	*If a landscape strip is required, this can be a condition of planning approval.*	Condition of planning approval has been placed. The comment is **NOTED.**
Some of the car parking bays are required to be wider to allow for clearances from columns and other obstructions as per TPS6 provisions. To ensure safe pedestrian and vehicular movement, the parking area will need to be adequately designed.	*This can be a condition of approval. Note that bays 15 to 24 can be reduced in width to 2.4 m, giving an extra 1.0m anyway.*	Applicant has provided revised drawings since DAC comments were sought. The only non-complying bays are 12 and 13 which can be amended prior to the issue of building license by minor modification to the drawings. The comment is **NOTED.**
The landscaping strip along the property boundary is required to be at least 1.5 metres wide in accordance with the TPS6 requirements.	*It is not clear which property boundary is being referred to. The bay complies with Australian Standards.*	Revised drawings have been received since DAC comments showing a landscaping strip 3.0 m wide along Barker Ave. The comment is **NOT UPHELD.**
To allow for pedestrian movement around disabled bay No. 5, the proposed landscaping will need to be adjusted.		Revised drawings received which address DAC comment. The comment is **UPHELD.**
A separate pedestrian access has not been provided from the car park to the office building.	*We draw your attention to the two paths connecting the car park to the rear entries in both developments.*	Pedestrian access has been provided via the rear door and paving. The comment is **NOT UPHELD.**
More information was sought on the use of concrete tilt panels proposed above the windows.	*Details can be provided if required or as part of the building license.*	Not a planning issue, can be addressed at the building license stage if this information is required by the Building Department. The comment is **NOTED.**
The proposed built form in general, and specifically the corner feature in concrete, were not supported. It was proposed the building follows the curved truncation of the street.		Applicant has not responded directly to this comment, but has provided justification elsewhere that the development has been "*designed to suit the locality and site*". Officer notes that DAC comment does not specifically address a planning requirement. The comment is **NOTED.**

DAC Comments	Project Architect Responses	Officer Comments
The architects recommended that street setbacks should be adjusted to demonstrate compatibility with the existing streetscape character in accordance with Clause 5.1 of TPS6.	*Sound urban design practice is for development to front the street and for development to be continuous with no gaps in streetscapes. Car parking (and landscaping) in front of the building would not be best urban design practice.*	Revised drawings show a 3.0 m setback in accordance with Planning requirements. The comment is **NOTED.**
The elevations could be modified by providing relief in terms of breaking up the continuous building mass.	*The building has been designed to be contemporary and is designed to suit the locality and site.*	Not a planning requirement. The comment is **NOTED.**
A flat roofed canopy could be incorporated over the pedestrian pathway along Barker Avenue with 45º car parking, subject to favourable comments from the City's Engineering Infrastructure department.	*This is not likely to be supported and would cause problems with existing infrastructure and street trees.*	Not a planning requirement The comment is **NOTED**
The applicant to check BCA requirements of whether disabled access is required to the upper level of the office building.	*This is a building license issue*	Revised drawings show a lift space on the ground and first floors, if the Building department require more information this can be provided at the building license stage. The comment is **NOTED.**

(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". Surrounding property owners were invited to inspect the application and to submit comments during the period from 6 November 2008 to 21 November 2008. During this period 4 submissions were received.

Comments of submissions, together with officer responses, are summarised as follows:

Submitter's Comment	Officer Response
Expressed concern regarding the potential increase in traffic that this development may generate, and the implications that this may have for traffic safety in the immediate vicinity.	Applicant has provided the following response: *The site is zoned Highway Commercial, therefore planned for intensive land uses / development, which would generate a lot more traffic.* The development proposal has been referred to Engineer Infrastructure Services and they have not expressed any concerns regarding traffic safety. The comment is **NOTED.**
Opposed the development on the basis that the street is part of a residential area, and that the land area is best served with the current residential development.	The subject site is zoned Highway Commercial, and TPS6 lists a number of residential and non-residential uses that can potentially be approved subject to proper consideration by the City. The comment is **NOT UPHELD.**
Expressed support for the office development	The comment is **NOTED.**

(c) Manager, Engineering Infrastructure and Manager, City Environment

The Manager, Engineering Infrastructure, was invited to comment on a range of issues relating to car parking and traffic, arising from the proposal, his comments are included as **Attachment 10.3.4(d)**.

The Manager is generally satisfied with the proposal, a summary of his advice follows:

- No part of the footpath is to be raised or lowered to meet the needs for internal driveways, closing gates etc.
- Drainage to be in accordance with Policy 415 and Management Practice M415.
- The soak well size and capacity is to be determined by an appropriately qualified person to cater for a 1 in 10 year storm event.
- The City will require upgrading of Poppy Lane as the primary access to the car park.
- Proposed crossover is to be constructed to Council specifications.
- Existing concrete crossings in Barker Ave are to be removed, the kerbing re-instated and the verge area re-established.

Additional comment was sought from Engineering Infrastructure in relation to the potential for on-street parking along Barker Ave, he advised that the "embayed parking while technically possible over half the development site is to be discouraged", he provided the following reasons:

- Limits tree planting opportunities within the road reserve.
- As street trees are placed no closer to the street boundary than 2.7 metres not closer to the road edge than 2 metres any embayed parking would be behind the line of the street trees creating a real sightline issue for motorists entering and leaving the bay.
- Embayed parking dimensions for on street application are 6.7 metres by 2.3 metres
- Embayed parking adjacent to the pedestrian refuge / roundabout "splitter" island is not possible.
- Parking is not permitted within 20 metres of a bus stop (approach side) and 10 metres on the departure side.
- Overall there is possibly only enough space for two parking bays once street trees are included. For so few bays, the cost and inconvenience is difficult to justify.

On-street parking is therefore generally <u>not supported</u> by Engineering Infrastructure

(d) Environmental Health

Officers from Environmental Health and Regulatory Services were invited to comment on all Health-related matters his comments are included as **Attachment 10.3.4(e)**.

The relevant officer has advised the following:

- All mechanical ventilation services, motors and pumps, e.g. air conditioners, swimming pools, to be located in a position so as not to create a noise nuisance.
- All sanitary conveniences must be constructed in accordance with the Sewerage (Lighting, Ventilation and Construction) Regulations, 1971.
- Environmental Health confirmed that a suitable bin enclosure(s) will need to be provided.

(e) City Environment Coordinator, City Environment

The City Environment Coordinator provided comment on the proposed development, her comments are included as comments are included as **Attachment 10.3.4(f)**. She advised as follows:

- The street trees should be the London Plan tree for the Barker Street commercial precinct and Pink Flowering Marri on Park Street as per the City of South Perth tree management plan.
- A waterwise garden using native species should be installed wherever possible including the verge.
- Local species should be used for the car parking area.

(f) Councillors' Briefing

The applicant gave an overview of the proposed development highlighting the deficiency of parking bays at the Major Development Briefing held on 9 February 2009.

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 no impact on this particular area.

Strategic Implications

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

Sustainability Implications

The sustainability provisions have been taken into consideration.

OFFICER RECOMMENDATION ITEM 10.3.4

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for Two Storey Office Development at Lot 391 (No. 5) Barker Ave, Como **be refused**, for the following reasons:

(a) The proposed development does not provide the 32 bays required by the City's Town Planning Scheme No. 6 Table 6 *'Car and Bicycle Parking'*.
(b) The width of car bay no. 12 depicted on the applicant's drawings does not comply with the minimum car parking bay dimensions prescribed in the City's Town Planning Scheme No. 6 Clause 6.3 *'Car Parking'*.
(c) Having regard to the matters 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 matters identified in the reasons above, the proposed development conflicts with the "Scheme Objectives" identified in Clause 7.5 of TPS6.

Standard Advice Notes

651 (Appeal rights).

Specific Advice Notes
Should this application be amended to resolve the above non-complying issues, then the following matters shall be demonstrated by the applicant:

(a) Engineering and Infrastructure Services

- No part of the footpath is to be raised or lowered to meet the needs for internal driveways, closing gates etc.
- Drainage to be in accordance with Policy 415 and Management Practice M415.
- The soak well size and capacity is to be determined by an appropriately qualified person to cater for a 1 in 10 year storm event.
- The City will require upgrading of Poppy Lane as the primary access to the car park.
- Proposed crossover is to be constructed to Council specifications.
- Existing concrete crossings in Barker Ave are to be removed, the kerbing re-instated and the verge area re-established.

(b) Environmental Health

- All mechanical ventilation services, motors and pumps, e.g. air conditioners, swimming pools, to be located in a position so as not to create a noise nuisance.
- All sanitary conveniences must be constructed in accordance with the Sewerage (Lighting, Ventilation and Construction) Regulations, 1971.
- Environmental Health confirmed that a suitable bin enclosure(s) will need to be provided.

(c) City Environment

- The street trees should be the London Plan tree for the Barker Street commercial precinct and Pink Flowering Marri on Park Street as per the City of South Perth tree management plan.
- A waterwise garden using native species should be installed wherever possible including the verge.
- Local species should be used for the car parking area.

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

10.3.5 Proposed Two Storey Office Development. Lot 390 (No. 3) Barker Ave, Como.

Location:	Lot 390 (No. 3) Barker Ave, Como
Applicant:	Karl Woolfitt Architect
Lodgement Date:	24 September 2008
File Ref:	11.2008.447 BA3/3
Date:	2 February 2009
Author:	Laurence Mathewson, Planning Officer
Reporting Officer:	Steve Cope, Director Development and Community Services

Summary
To consider an application for planning approval for a two storey office development located on Lot 390 (No. 3) Barker Ave, Como. It is recommended that the proposal be **refused** mainly due to an unacceptable shortfall in car parking bays.

Background
The development site details are as follows:

Zoning	Highway Commercial
Density coding	R80
Lot area	1050 sq. metres
Building height limit	10.5 metres
Maximum permissible plot ratio	0.50

This report includes the following attachments:

- **Attachment 10.3.5(a)** Site photographs
- ***Confidential* Attachment 10.3.5(b)** Plans of the proposal
- **Attachment 10.3.5(c)** Applicant's supporting report
- **Attachment 10.3.5(d)** Engineering Infrastructure Comments
- **Attachment 10.3.5(e)** Environmental Health Comments
- **Attachment 10.3.5(f)** City Environment Comments

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:

1. Large scale development proposals
Proposals involving non-residential development which, in the opinion of the delegated officer, are likely to have a significant effect on the City.

Comment

(a) Description of the proposal
The subject lot is currently vacant and fronts Barker Avenue as depicted in the site photographs in **Attachment 10.3.5(a)**. The South Perth Bridge Club is located opposite across Barker Ave. To the north of the lot are a number of shops, these shops are separated from the subject site by Poppy Lane. On the eastern side of the subject site is another vacant lot (Lot 391), which is also the subject of a development application for a two storey office development. In addition, a Single House is located adjoining the south-western boundary.

The proposal involves the construction of a two-storey office building as depicted in the submitted plans of ***Confidential*** **Attachment 10.3.4(b)**. The applicant has requested that the office development be considered as two separate applications. This request is due to the fact that there are two separate lots and submission of separate applications was seen by the applicant to be advantageous at the planning approvals stage of the development assessment.

The Planning Consultant's letter, **Attachment 10.3.5(c),** describes the proposal in more detail.

(b) Finished ground and floor levels

The maximum floor level permitted is RL 19.15 metres, the proposed floor level is RL 19.15 metres. Therefore the proposed development complies with Town Planning Scheme No. 6 Clause 6.10 *'Maximum Ground and Floor Levels'*.

(c) Building height

Drawings show that the highest point of natural ground level in accordance with Clause 6.2 of TPS6 is a relative level (RL) of 19.2 metres. The permissible building height of 10.5 metres equates to an RL of 29.7 metres. The proposed building height is RL 27.3 metres, which equates to 8.1 metres in wall height. The drawings therefore show that the building complies with the building height limit of 10.5 metres.

(d) Car parking

Table 6 of TPS6 prescribes the ratios for car parking as being 1 bay per 20 sq. metres of gross floor area for offices. Based on a gross floor area of 667 sq. metres, the development is required to provide 34 bays on site, the applicant has proposed 27 bays on site (1:25 per sq. metres) which is a deficit of 7 parking bays (20 percent).

The applicant has provided the following justification for the 7 bay shortfall.

(i) There are opportunities for reciprocal car parking for visitors on the two properties for any visitors visiting either of the premises;

(ii) The proximity of shops to the west allowing for a multi-purpose trip as opposed to the single purpose trips that car parking standards are based on;

(iii) There is a reduced demand for car parking due to the use of alternative modes of transport, in particular the use of buses along Canning Hwy and through Como.

It should be noted that car parking standards are based on single purpose trips where there are opportunities for multi-purpose trips within the development or the precinct, including the shops. There are also opportunities for reduced car parking due to alternative modes of transport. It is not sounding planning practice to over-supply car parking and, accordingly, you are requested research appropriate reductions in car parking - see, for example, Town of Vincent Parking and Access Policy.

In terms of the width of the bays, Australian Standard AS2890.1 requires bay widths 2.4m and an extra 0.3m where there are obstructions such as walls. The bays can be designed to comply with these requirements and it should be dealt with as a condition of approval.

Officers are of the opinion that the office development has not been designed in a manner that would allow reciprocal car parking for visitors, due to:

- The presence of a landscaping strip which would prevent vehicular access;
- Security gates which will prevent vehicular access; and
- The general proximity and of the respective car parking bays which will hinder pedestrian access.

As a consequence of the above, reciprocal car parking is therefore this is not considered a valid justification.

Town of Vincent policies are not relevant to this development proposal owing to the difference in intensity of activity (e.g. the development site is not located in a town centre) and well as the respective differences in urban structure between the built environment within the Town of Vincent and City of South Perth.

The opportunity for reduced car parking use due to the use of alternative modes of transport is considered a valid justification, noting the close proximity of the subject site to Canning Hwy, as well as the location of the bus stop directly opposite the subject site. However, the applicant is seeking a dispensation for 7 car parking bays which is effectively 20 percent of the total number of required car parking bays, it is the Officers opinion that the applicant has failed to demonstrate that this shortfall will be adequately compensated by the use of alternative modes of transport, and therefore the proposed number of car parking bays is not supported. Comment has also been obtained from the Manager, Engineering Infrastructure in relation to the potential use of on-street car parking to alleviate the car bay shortfall. He advises that although on-street parking is technically possible it is not supported by Engineering Infrastructure, his reasons for not supporting on-street parking are outlined in the comments section of this report.

Similar applications that have sought a car parking bay dispensation in 2008, include an application for amended floor and car-parking layout at Waterford Plaza and a development application for an change of use to offices at No. 69 Manning Road, Como. These applications sought to provide fewer car parking bays than that prescribed by the City's Town Planning Scheme No. 6. The Waterford Plaza development application proposed a car parking rate of 1:20.2 sq. metres and was approved by the Council, whilst the Manning Road development application proposed a rate of 1:46 sq. metres and was refused by the City.

If the development was approved as currently proposed with a ratio of 1 bay per 25 sq. metres of gross floor area, it is the opinion of City Officer's that the development would result in an overflow of parking into the adjoining surrounding residential streets, which would significantly impact streetscapes and the general amenity of local residents.

The proposal therefore does not comply with the car parking bay requirements prescribed in TPS6 Table 6, nor is the proposed variation in line with previous determinations by the City and Council.

(e) Car parking and vehicle access

The proposal complies with the requirements of TPS6 Schedule 5 'Minimum Dimensions of Car Parking Bays and Accessways'.

(f) Bicycle parking

Table 6 of TPS6 prescribes the ratio for bicycle parking as being 1 bay per 200 square metres of gross floor area for offices. Based on the gross floor area of the proposed development there is a requirement for the provision of 4 bicycle parking bays. The applicant has provided 4 bicycle parking bays as well as the end of trip facilities in accordance with TPS6 Clause 6.4(5).

(g) Landscaping

The required minimum landscaped area is 156.5 sq. metres (15 percent of the site area); the proposed landscaping area is 172 sq. metres (16.3 percent), therefore the proposed development complies with the landscaping requirements prescribed by Table 3 of TPS6.

(h) Setbacks

TPS6 does not specifically prescribe a setback for an office use with the Highway Commercial zone on Barker Ave. However Clause 5.1 of TPS6 'Development Requirements for Non-Residential Use in Non-Residential Zones' states as follows;

(4) Notwithstanding the minimum setbacks prescribed in Table 3:
(a) in any non-residential zone where a development site has a common boundary with land in the Residential zone:
(i) the Council may require a building on the development site to be set back a greater distance from the street than the setback prescribed in Table 3, in order to protect the amenity of the adjoining land in the residential zone. In such cases, the setback area in front of the building shall contain landscaping visible from the adjoining residential site.

Further consideration of the setbacks of the existing streetscape is required under TPS6 Clause 7.5 'Matters to be Considered by Council' which requires Council, when assessing an application for planning approval, to have due regard to;

(n) the extent to which a proposed building is visually in harmony with the 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.*

The existing setbacks within the focus area are as follows:
- 4 Barker Ave (North) - 6.0 metres
- 2 Brittain Ave (North-east) - 3.5 metres
- Shops (North-west of subject site) - nil setback

Given the existing setbacks, a setback of 3.0 metres from Barker Ave is considered to be in-keeping with the focus area. The drawings provided by the applicant show a proposed setback of 3.0 m. The proposed setback is therefore observed to comply with the requirements of TPS6 Clause 5.1 'Development Requirements for Non-Residential Use in Non-Residential Zones' and TPS6 Clause 7.5 'Matters to be Considered by Council'

(i) Plot ratio

In accordance with Table 3 of TPS6, the prescribed maximum plot ratio is 0.5 (525 sq. metres). The proposed development has a plot ratio is 0.5 (525 sq. metres), the proposal therefore complies with the plot ratio element of TPS6.

(j) 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 inconsistent with the following objectives:

(j) In all commercial centres, promote an appropriate range of land uses consistent with:
(i) the designated function of each centre as set out in the Local Commercial Strategy; and
(ii) the preservation of the amenity of the locality.

The proposed development does not meet the car parking requirements prescribed in the City's Town Planning Scheme No. 6 Table 6 *'Car and Bicycle Parking'* and therefore is considered to be inconsistent with the objectives of Clause 1.6 of Town Planning Scheme No. 6.

(k) 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:

(i) the preservation of the amenity of the locality;
(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;
(x) any other planning considerations which the Council considers relevant.

The proposed development is not consistent with the matters listed above, specifically in relation to the proposed number of car parking bays.

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 10 November 2008. The proposal was not favourably received by the Consultants. Their comments are summarised below:

DAC Comments	Project Architect Responses	Officer Comments
Car parking has been provided too far away from Barker Avenue, making the parking area obscure from the street. A location closer to the street was preferred by redesigning, moving the building back, and providing car parking forward of it	*Sound urban design practice is for development to front the street and for development to be continuous with no gaps in streetscapes.*	Moving the building back to accommodate parking in front of the building may result in an adverse amenity impact on the residential dwellings at the rear in terms of overshadow and visual bulk therefore a design that accommodates parking at the rear is preferred. The comment is **NOT UPHELD.**
The assessing officer to ensure that any existing trees on site are referred to the City Environment Department and comments sought with respect to their retention.	*Existing mature trees can, and will, be retained.*	Subject lot is vacant, therefore does not contain any mature trees. City Environment has provided comment in relation to the required tree species, applicant is advised of the need to contact City Environment prior to the issue of building license. The comment is **NOTED.**

DAC Comments	Project Architect Responses	Officer Comments
A 4.0 metre wide accessway was seen to be a sufficient width as it catered to less than 30 cars for the development.	*We note support for the 4.0 metre laneway catering for less than 30 cars.*	The comment is **NOTED.**
Some of the car parking bays are required to be wider to allow for clearances from columns and other obstructions as per TPS6 provisions.	*The bays can be designed to comply with these requirements and it should be dealt with as a condition of planning approval.*	Applicant has provide amended drawings which comply with the requirements of TPS6 Clause 6.3. The comment is **NOTED.**
The applicant was advised to check that if the maximum distance to the fire escape from any portion of the building / floor is 20 metres, then in accordance with the BCA requirements, their is no need for a second fire escape route. The same area could be utilised as office space.	*This is a building license issue*	Applicant will need to demonstrate compliance with BCA requirements prior to the issue of building license. The comment is **NOTED.**
The proposed form of the building was observed to lack visual appeal as it does not address the corner with the proposed hard edges which should be replaced with soft rounded corners.	*The building has been designed to be contemporary and is designed to suit the locality and site.*	The comment is **NOTED.**
The architects recommended that street setbacks should be adjusted to demonstrate compatibility with the existing streetscape character in accordance with Clause 5.1 of TPS6. If seen appropriate, a canopy could go over the footpath.	*... a greater setback would mean this development would be inconsistent with the shops located to the west and would also prevent the tree planting required by City Environment and the awning required by the DAC.* *In addition, a canopy cannot be provided over the building if the setback is greater than 3.0 metres.*	Priority needs to be given to achieving a setback that is consistent with the existing streetscape. DAC comments are intended to provide sound advice to the applicant, but are necessarily a planning requirement. The comment is **NOTED.**
A separate pedestrian access has not been provided from the car park to the office building.	*We draw your attention to the two paths connecting the car park to the rear entries to both developments.*	A small footpath has been provided from the edge of the disabled car parking to the rear entry. The comment is **NOTED.**
The applicant to check BCA requirements of whether disabled access is required to the upper level of the office building.	*This is a building license issue*	Applicant will need to demonstrate compliance with BCA requirements prior to the issue of building license. The comment is **NOTED.**

(b) Neighbour consultation

Area 3 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". Surrounding property owners were invited to inspect the application and to submit comments during the period from 6 November 2008 to 21 November 2008. During this period 4 submissions were received.

The comments of the submissions, together with Officer responses, are summarised as follows:

Submitter's Comment	Officer Response
Expressed concern regarding the potential increase in traffic that this development may generate, and the implications that this may have for traffic safety in the immediate vicinity.	Applicant has provided the following response: *The site is zoned Highway Commercial, therefore planned for intensive land uses / development, which would generate a lot more traffic.* The development proposal has been referred to Engineer Infrastructure Services and they have not expressed any concerns regarding traffic safety. The comment is **NOTED.**
Opposed the development on the basis that the street is part of a residential area, and that the land area is best served with the current residential development.	The subject site is zoned Highway Commercial, and TPS6 lists a number of residential and non-residential uses that can potentially be approved subject to proper consideration by the City. The comment is **NOT UPHELD.**
Expressed support for the office development provided that there is sufficient parking provided by on-site, and that the development includes provision for the continued maintenance of Poppy Lane into the future.	Upon advice from the Engineering Department, the City will require upgrading of Poppy Lane as the primary access to the development. The comment is **NOTED.**
Expressed support for the office development	The comment is **NOTED.**

(c) 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, his comments are included as **Attachment 10.3.5(d)**.

The proposal has been supported, and the following advice has been provided:

- No part of the footpath is to be raised or lowered to meet the needs for internal driveways, closing gates etc.
- Drainage to be in accordance with Policy 415 and Management Practice M415.
- The soak well size and capacity is to be determined by an appropriately qualified person to cater for a 1 in 10 year storm event.
- The City will require upgrading of Poppy Lane as the primary access to the car park.
- Proposed crossover is to be constructed to Council specifications.
- Existing concrete crossings in Barker Ave are to be removed, the kerbing reinstated and the verge area re-established.

Additional comment was sought from Engineering Infrastructure in relation to the potential for on-street parking along Barker Ave, he advised that the "embayed parking while technically possible over half the development site is to be discouraged", he provided the following reasons:

- Limits tree planting opportunities within the road reserve.
- As street trees are placed no closer to the street boundary than 2.7 metres not closer to the road edge than 2 metres any embayed parking would be behind the line of the street trees creating a real sightline issue for motorists entering and leaving the bay.
- Embayed parking dimensions for on street application are 6.7 metres by 2.3 metres
- Embayed parking adjacent to the pedestrian refuge / roundabout "splitter" island is not possible.
- Parking is not permitted within 20 metres of a bus stop (approach side) and 10 metres on the departure side.
- Overall there is possibly only enough space for two parking bays once street trees are included. For so few bays, the cost and inconvenience is difficult to justify.

On-street parking is therefore generally not supported by Engineering Infrastructure

(d) Environmental Health

Officers from Environmental Health and Regulatory Services were invited to comment on all Health-related matters, his comments are included as **Attachment 10.3.5(e)**.

The relevant officer has advised the following:

- All mechanical ventilation services, motors and pumps, e.g. air conditioners, swimming pools, to be located in a position so as not to create a noise nuisance.
- All sanitary conveniences must be constructed in accordance with the Sewerage (Lighting, Ventilation and Construction) Regulations, 1971.
- Environmental Health confirmed that a suitable bin enclosure(s) will need to be provided.

(e) City Environment

The City Environment Coordinator provided comment on the proposed development, her comments are included as **Attachment 10.3.5(f)**.

She advised as follows:

- The street trees should be the London Plan tree for the Barker Street commercial precinct and Pink Flowering Marri on Park Street as per the City of South Perth tree management plan.
- A waterwise garden using native species should be installed wherever possible including the verge.
- local species should be used for the car parking area.

(f) Councillors' Briefing

The applicant gave an overview of the proposed development highlighting the deficiency of parking bays at the Major Development Briefing held on 9 February 2009.

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 no impact on this particular area.

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

Sustainability Implications
Sustainability provisions have been taken into consideration.

OFFICER RECOMMENDATION ITEM 10.3.5

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 Storey Office Development at Lot 390 (No. 3) Barker Ave, Como **be refused**, for the following reasons:

(a) The proposed development does not provide the 34 bays required by the City's Town Planning Scheme No. 6 Table 6 *'Car and Bicycle Parking'*.
(b) 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.
(c) Having regard to the matter identified in the reasons above, the proposed development conflicts with the "Scheme Objectives" identified in Clause 7.5 of TPS6.

Standard Advice Notes
651 (Appeal rights).

Specific Advice Notes
Should this application be amended to resolve the above non-complying issues, then the following matters shall be demonstrated by the applicant:

(a) Engineering and Infrastructure Services
- No part of the footpath is to be raised or lowered to meet the needs for internal driveways, closing gates etc.
- Drainage to be in accordance with Policy 415 and Management Practice M415.
- The soak well size and capacity is to be determined by an appropriately qualified person to cater for a 1 in 10 year storm event.
- The City will require upgrading of Poppy Lane as the primary access to the car park.
- Proposed crossover is to be constructed to Council specifications.
- Existing concrete crossings in Barker Ave are to be removed, the kerbing re-instated and the verge area re-established.

(b) Environmental Health

- All mechanical ventilation services, motors and pumps, e.g. air conditioners, swimming pools, to be located in a position so as not to create a noise nuisance.
- All sanitary conveniences must be constructed in accordance with the Sewerage (Lighting, Ventilation and Construction) Regulations, 1971.
- Environmental Health confirmed that a suitable bin enclosure(s) will need to be provided.

(c) City Environment

- The street trees should be the London Plan tree for the Barker Street commercial precinct and Pink Flowering Marri on Park Street as per the City of South Perth tree management plan.
- A waterwise garden using native species should be installed wherever possible including the verge.
- Local species should be used for the car parking area.

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

10.3.6 Legislative Council Inquiry into Municipal Waste Management

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/106
Date:	2 February 2009
Author:	Cliff Frewing, Chief Executive Officer

Summary
To consider a submission made to the Legislative Council Standing Committee on Environment and Public Affairs on the topic of Municipal Waste Management in Western Australia.

Background
On 26 November 2008 the Legislative Council Standing Committee on Environment and Public Affairs resolved to inquire into Municipal Waste Management in Western Australia.

The closing date for submissions is 13 February 2009.

The City was not directly informed of this Inquiry by the Legislative Council Standing Committee but became aware of it through public advertising and through the Rivers Regional Council which was formally advice by the Standing Committee.

The purpose of this report is to seek endorsement of the City' to the Legislative Council Standing Committee on Environment and Public Affairs as it has not been possible to present the submission to Council at an Ordinary Council Meeting before the scheduled closing date of 13 February 2009.

Comment
To consider a submission made to the Legislative Council Standing Committee on Environment and Public Affairs on the topic of Municipal Waste Management in Western Australian. The Terms of Reference of the Inquiry are as follows:

1. Current municipal waste management practice and methods in Western Australia, and in particular:
   (a) The function, effectiveness and efficiency of rural and Metropolitan Regional Councils with respect to the management of waste; and
   (b) The role of the Waste Authority under the Waste Avoidance and Resource Recovery Act 2007 in municipal waste management.
2. Resource recovery technologies; and
3. Any other relevant matter.

It is appropriate that the City respond to the Inquiry in its own right, notwithstanding the fact that, the City is a Member of the Rivers Regional Council which is primarily responsible for disposal of waste on behalf on the City of South Perth.

The Waste Management Authority (WMC) and Regional Councils, like the Rivers Regional Council will be providing detailed and comprehensive submissions on behalf of local governments. The Submission lodged by the City therefore does not require to be as detailed as those provided by these two organisations. The City has, however contributed to the development of the Submission to be lodged by the Rivers Regional Council and it is anticipated that its Submission will be included on the Agenda of the Regional Council for adoption during the February round of meetings.

As the closing date for Submissions is 13 February, it has not been possible to seek Council endorsement of this Submission prior to it being lodged with the Legislative Committee. The Submission is therefore included on this Agenda as **Attachment 10.3.6** for endorsement.

It is understood that the Inquiry into MWM has its origins at the Canning Vale Waste Treatment Plant operated by the Southern Metropolitan Regional Council.

The topic of the Inquiry, 'Municipal Waste Management in Western Australia' is of vital significance to local government. Local government has the statutory responsibility for waste management in this State and there is very little interference, or involvement by the State in this matter. The reasons why the Legislative Council Committee has broadened the Inquiry beyond the Southern Metropolitan Councils' Waste Treatment Plant at Canning Vale is not known.

Waste Management is a major business activity for local government and it is anticipated that total revenue is approximately $200M in Western Australia. It is also estimated that the total capital cost of establishing a new alternative waste treatment plant can be in the order of up to $100M.

The Rivers Regional Council is well advanced in determining the type of waste treatment facility that will serve members of the region which has a population of approximately 400,000 people. Concern is mounting that any recommendations emanating from the Legislative Council may impact on the timing of the decision-making process envisaged by the Rivers Regional Council. Any delays will of course result in municipal waste being diverted to land-fill for a longer time than would otherwise be the case.

Consultation
Officers have contributed to the development of the Regional Council Submission.

Elected Members have been invited to contribute to the development of the submission and it is presented to Council for endorsement.

Policy and Legislative Implications
The 2020 Zero Waste Target requires State and Federal Legislation in areas such as Extended Producer Responsibility, Container Deposit, and Illegal Dumping for Local Governments to successfully implement their Plans. The City can only successfully comply with this requirement through the Rivers Regional Council which in turn relies on having the ability to conduct effective waste management strategies through operation of an alternative waste treatment plant.

Financial Implications
Nil at this time. Delays in implementing the Waste Management Plan adopted by Council at its December 2008 meeting may have a financial impact.

Strategic Implications

Relates to Goal 3 of the City's Strategic Plan, Environmental Management. In particular, reference is made to Strategy's 3.2 (Develop and implement a Sustainability Strategy and Management system to coordinate initiatives contained in associated management plans and to ensure City's environment is managed in a sustainable way.) and 3.7 (Continue to actively support and encourage waste reduction, recycling and re-use. The proposal also seeks opportunities to implement sustainable secondary waste treatment processes to significantly reduce the amount of waste going to landfill sites.).

Sustainability Implications

The intent of the Waste Management Plan adopted by Council at its December 2008 meeting is to progress a contemporary approach to waste management which is linked to the City's Sustainability Strategy. The alternative Waste Management Plant would be operated with sustainability objectives in mind.

OFFICER RECOMMENDATION ITEM 10.3.6

That the City's Submission, on the Inquiry into Waste Management in Western Australia, forwarded to the Legislative Council Standing Committee on Environment and Public Affairs prior to the closing date of 13 February 2009, be endorsed.

10.3.7 South Perth Station and Peninsula Area Parking Study

Location:	City of South Perth
Applicant:	Council
File Ref:	TT/905
Date:	5 February 2009
Author:	Steve Cope, Development and Community Services
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary
The purpose of this report is to consider the latest parking survey carried out and the suggested recommendations.

Background
The last major parking review involving a comprehensive study was conducted for the City by Sinclair Knight in 1993 and Van Der Meer and Associates in 1995. In addition, the City's Infrastructure Services conducted a further parking review of the Mends Street precinct in 2003. As a result of these studies various actions were implemented. Only minor modifications have been made to the initial parking strategy. Parking fees are reviewed periodically in conjunction with the annual budget process; the most recent significant change to parking fees occurred in the 2006/07 budget.

Parking management is a relatively important function carried out by the City and is managed by the City's Community Ranger Services. As a general rule, parking management is low key with an emphasis on community amenity. Parking issues are never far away from the media headlines when large scale events are conducted such as the Australia day Skyworks event or in more recent times, the Red Bull Air Race.

In terms of personnel, the Community Ranger team consisting of the Senior Ranger, four Rangers and one part-time Ranger share the parking management task. In terms of financial impact, annual operating expenditure is in the region of $302,000 whilst operating revenue of $708,250 has been budgeted for the 2008/09 financial year. Of the revenue generated, the primary areas are approximately $300,000 generated from parking fees and $365,000 from parking infringements.

Some funds are held in the Parking Reserve for expenditure on parking related matters.

All of the paid parking areas within the City are located within the suburb of South Perth with the vast majority of parking restrictions located within the Peninsular, Business and Commercial areas of South Perth.

Because of the increasing significance of the trend for commuters to drive to inner city car parks and then catch public transport to the Perth CBD - which has severely impacted City of South Perth car parks like the Richardson Street car park, including the prospect of a train station being located within the Richardson Street area, 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.

Comment
Uloth divided the area into three "precincts" and conducted a detailed audit and study involving an analysis of parking bay supply and demand for each precinct. A summary of the preliminary findings was presented to Councillors at a Concept Briefing held on 3 September 2008. Uloth has now finalised their report and the report is contained as **Attachment 10.3.7(a).**

(a) Study purpose and objectives

- 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.

(b) Study area

The study area extends from the Narrows Bridge to Richardson Reserve and Perth Zoo as shown in **Attachment 10.3.7(b)**. Within the study area, three sub-areas have been identified as follows:

- Peninsula Precinct - The area north of Judd and Ferry Streets to the Narrows.
- Business Precinct - The area south of Judd Street, west of Labouchere Road, including the South Perth Golf Club in Amherst Street and Richardson Park.
- Commercial Precinct - The area between Harper Terrace east of Labouchere Road, Angelo Street and Onslow Streets elongated to the South Perth Esplanade, including Windsor Park and Perth Zoo.

(c) Existing parking supply

Total public parking within the study area consists of 2,119 spaces made up of 1,056 on-street car bays and 1,063 off-street car bays (some of which are in privately owned developments).

Table 1 of the report (page 2) presents a summary of the existing public parking supply within the South Perth Station and Peninsula Area Parking Study area:

Survey Area	On-Street Parking	Off-Street Car Parks	Total Spaces
Peninsula Precinct	373	85	458
Business Precinct	397	298	695
Commercial Precinct	286	680	966
TOTAL	**1,056**	**1,063**	**2,119**

The majority of car parking bays are located in the Business and Commercial precincts; and as a consequence, the main focus of this report will be on these two areas.

The parking review study has also examined the allocation of existing parking in terms of the number of spaces with time restrictions and / or ticket parking controls.

Table 2 of the report (page 4) presents a summary of these existing parking supply characteristics when the on-site survey was conducted in May 2008. This summary indicates:

Spaces	Number bays
unmarked spaces (predominantly on-street)	505
ticket controlled	536
no time restrictions	1,078
Total	**2,119**

Changes are proposed to be made to all of the abovementioned car parking spaces.

Table 3 of the report (page 6) shows an overall summary of the existing on-street and off-street parking demand and car park occupancy within the overall study area, as surveyed by Uloth and Associates between 7:00 am and 7:00 pm on Wednesday 7 May 2008.

It can be seen that of the 2,119 total parking spaces surveyed, the peak parking occupancy was 1,259 vehicles, or 59.4 percent, at 12:30 pm. The Average Turnover per parking space was 2.1 vehicles. The Average Duration was 2.5 hours.

It can also be seen that these figures varied significantly between each precinct:

- The peak occupancy within the Peninsula Precinct was 207 vehicles, or 45.2 percent, at 10:30 am. The Average Turnover was 1.4 vehicles per space, and the Average Duration was 2.4 hours.
- The peak occupancy within the Business Precinct was 529 vehicles, or 76.1 percent, at 11:30 am. The Average Turnover was 1.8 vehicles per space, and the Average Duration was 3.5 hours.
- The peak occupancy within the Commercial Precinct was 562 vehicles, or 58.2 percent, at 12:30 pm. The Average Turnover was 2.6 vehicles per space, and the Average Duration was 1.8 hours.

More detailed information within each Precinct is presented and discussed in the following Sections, on the basis of the more detailed survey results in Tables A.5 to A.8 in Chapter A.2 in the Technical Appendix.

(d) Analysis of parking demand surveys

As mentioned earlier, car parking demand for the overall study area was 1,259 vehicles, or 59% of the total parking supply at 12:30pm. (Table 3 of Uloth report.)

The duration of stay of each of these 1,259 vehicles has also been determined, 278 vehicles (22%) parked for less than two hours, 752 vehicles (60%) for more than four hours, and 326 vehicles (26%) for more than 8 hours.

The report presents a more detailed breakdown of parking duration for the peak parking demand of 1,259 vehicles by location. This more detailed analysis allows an assessment to be made regarding the number of long term and short term parking spaces required in each location and appropriate time restrictions.

The report matches the surveyed parking locations with corresponding time limits in order to identify the number of vehicles exceeding the applicable restrictions. This shows that of the peak demand of 1,259 vehicles, a total of 241 vehicles (19%) exceed the applicable time restrictions. However, given that only 369 vehicles were parked in restricted spaces, the proportion of vehicles not complying is 65%.

The consultant's report states that a very high proportion of vehicles are currently exceeding the various time restrictions throughout the study area. This suggests that the current restrictions are not being enforced and possibly that the allocation of restrictions is inappropriate and require review.

(e) Stakeholder consultation

The study brief required the consultant to consult with the Perth Zoo, Royal Perth Golf Club, and the sporting clubs utilising Richardson Reserve prior to developing an overall parking strategy. The consultation findings and outcomes are presented at paragraphs 4.8 and 4.9 of the report.

(f) Consideration of issues and recommendations

The consultant's recommendations have been considered and responses provided to each of the 12 study recommendations. The Administration does not necessarily agree with all of the consultants recommendations and has provided comment and alternative recommendations where appropriate. The study recommendations and Administration comment is provided at **Attachment 10.3.7(c)**

Consultation

The Perth Zoo, Royal Perth Golf Club and sporting club users of Richardson Reserve were consulted.

Policy and Legislative Implications

City of South Perth Parking Facilities Local Law Local Government Act.

Financial Implications

The financial implications are potentially significant, both in terms of revenue and expense. If no or little action is taken, there will be significant opportunities lost for generating a long term revenue stream from parking income.

Extension of paid parking is limited to the Business and Commercial precincts of the City and would involve the installation of ticket issuing machines in Richardson Street car park, in the precinct between Richardson Street and Judd Street and at the Windsor Hotel car park. Dependent upon the model, ticket issuing machines can cost up to $8,500 each and with installation and signage a total of $9,000 per machine should be allowed.

A total of 14 ticket issuing machines would be required to be purchased and located in the following areas:

- Richardson Reserve car park (three ticket machines) to service the 191 bays;
- Richardson Street (to facilitate parking on both sides) and in Charles, Hardy, Lyall and Bowman Streets two installed at each end to facilitate parking on the northern side of each street to service a total of 233 bays (ten ticket machines).
- Windsor Hotel car park (one ticket machine) 32 bays

The cost of purchase and installation of ticket issuing machines is therefore estimated at $126,000. Sufficient funds are held in the Reserve Fund to meet this cost and will not therefore be a charge on ratepayers.

The employment of an additional Ranger together with necessary administrative costs would be in the order of $50,000 pa plus $25,000 should an additional vehicle be required. The Ranger would be solely employed on parking related matters.

It is anticipated that the total costs incurred (capital and operational) would be recovered in the first full year of operation as follows:

Costs:		
Ticket issuing machines	$126,000	
Employment of Ranger	$55,000	(recurring)
Total	$181,000	

Anticipated revenue:		
Richardson street car park	$143,250)	(based on current charges at 50% occupancy
Business precinct	$87, 375)	(based on current charges at 25% occupancy
Commercial precinct	$20,000	(notional only)
Enhanced enforcement	$15,000	(conservative estimate)
Total	$245,625	pa

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 are being used either for free or at little cost by commuters working or visiting the Perth CBD. It is considered reasonable to assume that many of these parking bays are being occupied by non-ratepayers. As little or no revenue is generated from a number of these facilities (particularly Richardson Park), City of South Perth ratepayers are disadvantaged and this is considered not only to be inequitable, but unsustainable.

OFFICER RECOMMENDATION ITEM 10.3.7

That Council adopt the following parking restrictions:

(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 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.

10.4 GOAL 4: INFRASTRUCTURE

10.4.1 Proclamation of Kwinana Freeway, Paths and Ramps

Location:	City of South Perth
Applicant:	Council
File Ref:	GR/308
Date:	6 February 2009
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Stephen Bell, Director Infrastructure Services

Summary
Main Roads Western Australia (MRWA) now seeks to proclaim the pathway along the Kwinana Freeway, which was omitted from the 1976 gazettal, as a "main road path" and has requested that Council endorse a proposal that includes certain minor changes with the Freeway ramps and lanes. It is a statutory requirement that Council consider any proposal for proclamation of "highways". This report provides the background to the request and recommends support to the proposal.

Background
In 1976 the section of the Kwinana Freeway through South Perth was gazetted as a "highway" under the Main Roads Act. The gazettal excluded footpaths. Since that time MRWA has been managing the paths associated with the Freeway and has accepted full responsibility for them. The pathways are outside of the gazetted highway on crown land under the control of Council. MRWA now seeks to confirm responsibility for the paths by recommending to the Honourable Minister for Transport that the paths as shown on Drawings 0821-376, 0821-377 and 0821-378 at **Attachments 10.4.1(a), 10.4.1(b)** and **10.4.1(c)** be included in the proclamation for the Kwinana Freeway.

In addition, the construction of the Perth to Mandurah Railway required some modification to the Canning Highway interchange and the inclusion of a Narrows Bridge South Bound bus lane.

All of the changes as outlined on the Main Roads' Drawings are intended to be included in the proposed Proclamation.

Comment
The proposal as detailed confirms MRWA responsibility for the path as well as providing for the allocation of specific MRWA road numbers (for management purposes) to certain ramps and lanes. The proposal consists of:

- the inclusion of P15 (foreshore path);
- the inclusion of H614 (relocated bus ramp from Canning to Kwinana Freeway north bound);
- the inclusion of H747 (new bus ramp from Kwinana Freeway south bound to Canning Highway Bus Station);
- the inclusion of H746 (Narrows Bridge South bound bus lane); and
- the deletion of H802 (former on-ramp from Canning Highway to Kwinana Freeway north bound).

Inclusion of the Foreshore Paths in the Proclamation formalises the "convention" that has existed from 1976 and removes any possible challenge on management responsibility. The proposal as detailed is strongly supported by Council officers.

Consultation
Not applicable

Policy and Legislative Implications
The *Main Road Act* requires the Commissioner of Main Roads Western Australia to obtain endorsement from Council for the proclamation of any "main road" within the local government district. Endorsement is a statutory requirement.

Financial Implications
Nil

Strategic Implications
This report aligns with Goal 4 "Infrastructure" of the City's Strategic Plan. *To sustainably manage, enhance and maintain the City's infrastructure assets* and Goal 5 "Organisational Effectiveness" *To be a professional effective and efficient organisation.*

Sustainability Implications
Reporting on the Main Roads' proposal to proclaim the pathway along the Kwinana Freeway, which was omitted from the 1976 gazettal, as a "main road path" together with other minor changes with the Freeway ramps and lanes contributes to the City's sustainability by promoting effective communication.

OFFICER RECOMMENDATION ITEM 10.4.1

That….

(a) Council endorse the proposal for the proclamation of Kwinana Freeway Paths and Ramps as detailed on Main Road Drawings 0821-376 to 378 at **Attachments 10.4.1(a), 10.4.1(b)** and **10.4.1(c)**; and

(b) it be noted, that the river walls owned by Main Roads are **not** the responsibility of the City of South Perth.

10.5 GOAL 5: ORGANISATIONAL EFFECTIVENESS

10.5.1 Applications for Planning Approval Determined Under Delegated Authority.

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/106
Date:	6 February 2009
Author:	Rajiv Kapur, Manager, Development Services
Reporting Officer:	Steve Cope, Director, Development & Community Services

Summary
The purpose of this report is to advise Council of applications for planning approval determined under delegated authority during the month of December 2008 and January 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 December 2008, fifty four (54) development applications were determined under delegated authority. Refer **Attachment 10.5.1(a)**.

During the month of January 2009, fifty eight (58) development applications were determined under delegated authority, refer **Attachment 10.5.1(b)**.

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.

OFFICER RECOMMENDATION ITEM 10.5.1

That the report and **Attachments 10.5.1(a)** and **10.5.1(b)** relating to delegated determination of applications for planning approval during the months of December 2008 and January 2009, be received.

10.5.2 Use of the Common Seal

Location: City of South Perth
Applicant: Council
File Ref: GO/106
Date: 2 February 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.

December 2008

Nature of document	Parties	Date Seal Affixed
Deed of Agreement to enter CPV Lease	CoSP & Peter Attey	15 December 2008
CPV Lease	CoSP & Peter Attey	15 December 2008
Registration of CPV Lease	CoSP & Peter Attey	15 December 2008

January 2009

CPV Hostel Residency Agreement	CoSP & Pamela Rick	15 January 2009
CPV Hostel Residency Agreement	CoSP & Eileen Stephens	30 January 2009
CPV Hostel Residency Agreement	CoSP & Daisy Fennell	30 January 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.

OFFICER RECOMMENDATION ITEM 10.5.2

That the report on the use of the Common Seal for the months of December 2008 and January 2009 be received.

10.5.3 Review Major Development Concept Forums being Open to the Public *(Item 10.5.3 referred May 2008 Council meeting)*

Location:	City of South Perth
Applicant:	Council
File Ref:	GO/105
Date:	2 February 2009
Author:	Kay Russell, Executive Support Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary
The purpose of this report is to review the practice of making the Major Development Concept Forums open to the public.

Background
In recent years planning applications have become more complex and been under increased scrutiny. Therefore in an attempt to provide Elected Members with advance knowledge of major developments and to enable developers to informally address Councillors 'Major Development Concept Forums' were commenced in July 2007.

Following on from this initiative, at the May 2008 meeting Council resolved that…***for a 6 month trial period Major Development Concept Forums be open to members of the public*** in order to gauge if allowing members of the public to attend the Major Development Concept Forums as observers is beneficial.

The Major Development Concept Forums were opened to the public in July 2008 on the clear understanding that the public attended as 'observers' and would not be permitted to speak or interject into the discussions etc. The public, with a 'direct interest' still have the opportunity to make a presentation at the Agenda Briefing Session or alternatively the Council meeting.

Comment
In the past, Design Advisory Consultants (DAC) meetings were open to the applicants and public who had an interest (eg adjoining neighbours etc) for a short trial period of time without success. It was felt, at that time, that the presence of the public in attendance inhibited the discussion on the particular development proposal and in particular the comments/input made by the DAC to the officers and vice versa. In relation to the Major Development Concept Forums being open to the public, the feedback received from officers is that the small number of people in attendance at these briefings over the past 6 months has not inhibited the presentations by the applicants or the questions/discussion between Members, officers and applicants etc.

Since the Major Development Forums were opened to the public in July 2008 there have been six briefings dealing with nine major developments which have been attended, on average, by two members of the public. It therefore appears that the general level of public interest in these briefings is low.

Public notice of the Major Development Concept Forums has at times been problematic in as much as presentations are often not finalised until after the normal closing time for advertisements to be placed. On two occasions, during the 6 month trial period, proposals were withdrawn at the last minute for this reason. Also in this regard, some negative feedback has been received from applicants, particularly smaller companies, in relation to the resources required to prepare presentations to Council. However the majority of applicants are pleased to have the opportunity to provide details of major development proposals to Members in advance of the Council meeting process in order to have the opportunity to address any areas of concern etc prior to a report going to Council.

As the average cost of advertising the Major Development Concept Forums in the City Update of the Southern Gazette newspaper is only $145.00 per meeting and as opening these meetings of Council's internal practices/processes is seen to be more open and accountable to the public, officers are of the opinion the practice is supported and should continue.

Consultation
Members of the public are advised via the City Update that the Major Development Concept Forums are open to the public.

Policy and Legislative Implications
In line with the 'Best Practice' approach to Council Policy P516 "Agenda Briefings, Concept Forums and Workshops",

Financial Implications
The cost of the advertisement each month in the Council's City Update section of the Southern Gazette newspaper is on average $145.00 per advertisement.

Strategic Implications
In line with Strategic Plan Goal 5: Organisational Effectiveness. ***'To be a professional, effective and efficient organisation.'***

Sustainability Implications
Opening Major Development Concept Forums to the public contributes to the City's sustainability by promoting effective communication and community participation.

OFFICER RECOMMENDATION ITEM 10.5.3

That the practice, implemented by Council in May 2008, of opening the Major Development Concept Forums to members of the public, is supported and should continue.

10.5.4 LGMA National Conference and Business Expo

Location:	City of South Perth
Applicant:	Council
File Ref:	PE/501 and GR/601
Date:	4 February 2009
Author	Cliff Frewing, Chief Executive Officer

Summary
The LGMA National Congress and Business Expo will be held in Darwin from 24 to 27 May 2008. The Mayor has approved for the CEO to attend the LGMA Conference in accordance with Council Policy and normal practice and the purpose of this report is to seek consent for interested Elected Members to also attend the conference. Either the Mayor or Deputy Mayor have previously attended this conference.

Background
The program has been received and a copy is included with the Agenda at **Attachment 10.5.4**. The Congress theme will revolve around "Creating our Future - Messages with Solutions". The Congress will explore topical themes of culture, country and earth.

National and international experts at the congress will explore the steps local government has taken to protect and enhance our national and multi-national cultures, provide opportunities for people to reach their potential, improve leadership, community engagement and reconciliation and generate community renewal and create new villages.

The congress will also explore best practice examples of how metropolitan, regional, rural and remote councils are finding new ways of doing business in order to ensure the ongoing survival of communities.

In addition Congress Delegates can draw off the experience and knowledge imparted by leading authorities and their peers in the areas of shared responsibility, environmental sustainability, climate change, and the impacts of mining and renewable energy.

The LGMA National Conference is Australia's premier Local Government Conference and is attended by practitioners and Elected Members from all over the country, New Zealand and other parts of the world. This year's themes as detailed above are all very relevant and topical .

The conference presents an ideal opportunity to hear over a few days leading practices implemented by Local Government in Australia and New Zealand which can only benefit the City and represents excellent value for the City.

The concurrent session program will draw on the extensive experiences of many Local Government practitioners and will impart Best Practice knowledge to Delegates.

Comment
The 2009 LGMA National Congress offers the opportunity to learn, hear, participate and communicate with colleagues within Local Government from around the country. The congress also provides the opportunity of meeting and sharing experiences with local government personnel from around Australia. Council Member attendance is proposed. In normal circumstances, it would be appropriate for the Mayor and / or other Elected Members to attend this conference.

The National LGMA Conference is one of the pre-eminent Local Government conferences held in Australia on an annual basis. It is of benefit to senior Local Government professionals and Elected Members and all topics are of relevance to Local Government. Mayor James Best has expressed an interest in attending the conference.

Consultation
Benefits of Elected Member attendance discussed with Mayor Best and Elected Members are able to nominate to attend.

Policy and Legislative Implications
This item is submitted in accordance with Policy P513 "Travel".

Financial Implications
The total estimated cost of an Elected Member's attendance at the LGMA National Congress and Business Expo is approximately $3 820 [excluding incidentals]. A breakdown of the cost is as follows:

Registration	$1 475
Airfare	$1 224
Accommodation	$1 120
Total	**$3 820**

* Funding is available in the 2008/09 Budget.

Strategic Implications
In line with Goal 5 - Organisational Effectiveness. ***"To be a professional, effective and efficient organisation."***

Sustainability Implications
A major part of the conference deals with sustainability issues.

OFFICER RECOMMENDATION ITEM 10.5.4

That Council approves the attendance of (Elected Member) at the 2009 LGMA National Congress and Business Expo in Darwin from 24 to 27 May 2009 inclusive at an estimated cost of $3 820.

10.6 GOAL 6: FINANCIAL VIABILITY

10.6.1 Monthly Financial Management Accounts - January 2009

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	8 February 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 recent 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 from when the first budget amendment is recognised. This schedule reflects a reconciliation of movements between the 2008/2009 Adopted Budget and the 2008/2009 Amended Budget including the introduction of the capital expenditure items carried forward from 2007/2008.

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

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

- Balance Sheet - **Attachments 10.6.1(1)(A)** and **10.6.1(1)(B)**
  Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment 10.6.1(2)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment 10.6.1(3)**
- Summary of Capital Items - **Attachment 10.6.1(4)**
- Schedule of Significant Variances - **Attachment 10.6.1(5)**
- Reconciliation of Budget Movements - **Attachment 10.6.6(A)** and **10.6.6(B)**
- Rate Setting Statement - **Attachment 10.6.1 (7)**

Operating Revenue to 31 January 2009 is $32.03M which represents 99% of the $32.17M year to date budget. Revenue performance is now being impacted by a number of factors related to the global financial situation. As noted last month, Financial Services has fallen behind its revenue budget target for the first time in a decade and is necessarily making downwards revisions to some of its revenue targets for the first time in a decade. The 'triple whammy' of slashed interest revenue rates, the VGO making a number of significant downwards adjustments to GRVs after rates were levied and a downturn in the property market have all had a negative impact on the City's expected revenue. With the impact of these events now being felt, the importance and validity of the revenue decisions that were taken during the 2008/2009 budget development process last year is strongly reinforced. The financial rigour of our budget process and the responsible, prudent decisions taken have placed the City in a much better position than it might otherwise have been.

Planning and building revenues continue to be impacted by significant economic factors as development activity contracts. Revenues from vehicle trade-in are lagging budget targets as all scheduled trade-ins have not been progressed - pending Council's decision on the motor vehicle policy. Offsetting these negative adjustments are some favourable variances attributable to the delayed receipt of prior year vehicle trade-ins. Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances **Attachment 10.6.1(5).** Where appropriate, adjustments to revenue expectations have been made through the Q2 Budget Review that is presented to Council in February - to ensure that dynamic treasury management is exercised in these challenging economic times.

Operating Expenditure to 31 January 2009 is $19.89M which represents 100% of the year to date budget of $19.94M. Operating Expenditure to date is 2% under budget in the Administration area, 2% over budget in the Infrastructure Services area and on budget for the golf course.

There are some favourable variances in the administration areas that relate to budgeted (but vacant) staff positions - but these are largely offset by increased use of consultants to assist in maintaining service delivery in the face of the ongoing staff shortage. An increased staffing cost for the Collier Park Hostel is currently being experienced due to the continuing need to use temporary staff and the demands of higher care standards required for more frail residents. There are a number of favourable variances relating to asset carrying amounts for motor vehicles not traded as scheduled for the same reasons as noted in the revenue comments above. Most other items in the administration areas are close to or slightly under budget expectations to date.

Timing differences in the Infrastructure area have now reversed with operational and maintenance programs in full swing. Higher than anticipated park reinstatement costs at SJMP and accelerated park works in Manning & Karawara have had an adverse impact on park maintenance costs whilst building works are now catching up with budgeted expectations. Golf Course expenditure is on budget but has offsetting favourable variances in salaries due to vacant staff positions and delays in incurring promotional expenditure and unfavourable variances on weed control and plant use.

The salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 6.62% under the budget allocation for the 216.3 FTE positions approved by Council in the budget process - after all agency staff invoices were received at month end. Increased use of external consultants is assisting in covering for current vacancies which exist in areas such as Engineering, Aged Care, Building Services and Information Technology - but costs overall are within the approved budget allocations.

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).** Where appropriate, adjustments to expenditure expectations are made through the Q2 Budget Review included in this Council agenda.

Capital Revenue is disclosed as $1.25M at 31 January against a year to date budget of $0.92M. The favourable variance largely relates to lease premiums and refurbishment levies on units at the Collier Park Village that have been leased since June. This variance is adjusted in the Q2 Budget Review. The Q2 Budget Review also reflects an adjustment for some road grant revenue received - which was not budgeted as it actually related to the previous year's budget. Related costs in this year are similarly unbudgeted and are also addressed in the same review.

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 January 2009 is $9.02M which represents 100% of the year to date budget - and some 48% of the full year budget. Approximately one third of this year to date capital expenditure relates to payment of cash calls on the UGP project with the remainder attributable to infrastructure works. The year to date result suggests that the City's staged capital program approach of creating both a 'Deliverable' capital program and a 'Shadow' capital program is delivering a positive outcome to this stage of the year in that organisational capacity and expectations are now perhaps more appropriately matched.

A progress review of the current capital program by the Infrastructure Services team and the Director Financial Services has identified several budget amendments that will enhance capacity to deliver the remainder of the capital program in a timely manner and these adjustments are included in the Q2 Budget Review.

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 provided bi-monthly from the finalisation of the October management accounts onwards.

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	113,000	108,572	96%	1,551,000
Financial & Information Services	149,000	128,076	86%	411,500
Planning & Community Services	807,500	819,052	101%	1,622,344
Infrastructure Services	4,636,425	4,637,047	100%	9,419,464
Golf Course	155,000	99,124	64%	278,800
Underground Power	3,160,000	3,234,853	102%	5,500,000
Total	**9,020,925**	**9,026,724**	**100%**	**18,783,108**

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' financial resources'.*** Such actions are necessary to ensure the City's financial sustainability.

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

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

OFFICER RECOMMENDATION ITEM 10.6.1

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 & Amended Budget provided as **Attachment 10.6.1(6)(A)** and **Attachment 10.6.1(6)(B)** be received; and

(d) the Monthly Rate Setting Statement provided as **Attachment 10.6.1(7)** be received.

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

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	8 January 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 $37.8M compare very favourably to $35.3M at the equivalent stage of last year. Reserve funds are some $6.1M higher than at the equivalent stage last year due to higher holdings of cash backed reserves to support refundable monies at the CPV and accumulated funds relating to the civic buildings refurbishment.

Municipal funds are $3.8M lower due the capital program being much more advanced at this time in the current year - including cash outflows for the UGP project cash calls ($3.4M). The free cash position is still solid - with collections from rates currently still 0.25% ahead of last year's excellent result. Convenient and customer friendly payment methods are in place and the Rates Early Payment Incentive Prizes (all prizes donated by local businesses) have encouraged positive

early cash collections. These actions are being supported by timely and effective follow up debt collection actions by the City's Financial Services officers - an extremely important and prudent action given the current global financial situation.

Monies brought into the year (and our subsequent cash collections) are invested in secure financial instruments to generate interest until those monies are required to fund operations and projects during the year. Astute selection of appropriate investments means that the City does not have any exposure to high risk investment instruments.

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 $12.0M (compared to $15.9M at the same time in 2007/2008). **Attachment 10.6.2(1)**.

(b) Investments

Total investment in money market instruments at month end was $37.3M compared to $35.0M at the same time last year. This is due to higher holdings of Reserve Funds.

The portfolio currently comprises at-call cash and term deposits only. Bank accepted bills are permitted - but are not currently used given the volatility of the corporate environment at present. Analysis of the composition of the investment portfolio shows that approximately 83.2% 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 1 year - which is considered prudent in times of changing interest rates as it allows greater flexibility to respond to future positive changes in rates.

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

Interest revenues (received and accrued) for the year to date total $1.56M - significantly up from $1.29M at this time last year. This result is attributable to the much higher reserve cash holdings and timely, effective treasury management - despite the falls in interest rates. Rates continue to weaken and can be quite volatile even for safe financial instruments such as term deposits. The date on which an investment is placed is a critical determinant of the rate of return as banks manage capital and meet re-financing commitments.

To this stage of the year, interest revenues have remained strong. However, several significant cuts to official rates over recent months mean that a shortfall of $0.25M in interest revenue against the full year budget target for Municipal Funds is highly likely. Much higher than anticipated Reserve Fund cash holdings will substantially offset the reduced rates received on those investments for the remainder of the year. In future years, this shortfall against expectations will be much more severe - a potential impact of 3-4 times as much. A big portion of current year funding was put out on longer term high yielding investments before the severe rate cutting began - to avoid the likely harsh impact on investment returns.

Investment performance will continue to be monitored in the light of decreasing interest rates to ensure pro-active identification of any further potential budget closing position impact. Throughout the year it is necessary to balance between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs. The City actively manages its treasury funds to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The average rate of return on financial instruments for the year to date has fallen now to 6.80% (7.12% last month) with the anticipated yield on investments yet to mature falling dramatically to 5.38% (6.29% last month). Investment results so far 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 3.00% (since 3 Feb) - down from 5.75% in early October.

(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 January 2009 represent 89.2% of total rates levied compared to 89.0% at the equivalent stage of the previous year. This continues to be an excellent result to date with ratepayer feedback suggesting that the rating and communication strategies used for the 2008/2009 rates strike have been well received. This is reflected in the good foundation that has been established for successful rates collections during the year to date - despite the challenging financial climate.

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) is again being 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 $1.62M at month end excluding UGP debtors - which compares to $1.09M at the same time last year. GST Receivable is $0.25M higher than at the same time last year as are a number of month end accruals for grant funds relating to events ($0.2M) and road works ($0.10M). As these are government & semi government grants, they are completely collectible and represent a timing issue rather than any risk of default.

(iii) Underground Power

Of the $6.75M billed for UGP (allowing for adjustments), some $4.31M was collected by 31 January with approximately 56.8% of those in the affected area electing to pay in full and a further 42.2% opting to pay by instalments. The remaining 1.0% has yet to make a payment and is the subject of follow up collection actions by the City. As previously noted, a small number of properties have necessarily had the UGP charges adjusted downwards after investigations revealed eligibility for concessions that were not identified by the project team before the initial invoices were raised.

Collections in full are currently better than expected which has the positive impact of allowing us to further defer UGP related borrowings (to take advantage of better loan interest rates). On the negative side, less revenue than 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 be 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' 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 ITEM 10.6.2

That Council receives the 31 January 2009 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)**

10.6.3 Listing of Payments

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	16 January 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 December 2008 and 31 January 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 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' 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 ITEM 10.6.3

That the Listing of Payments for the months of December 2008 and January 2009 as detailed in the Report of the Director Financial and Information Services at **Attachment 10.6.3,** be received.

10.6.4 Statutory Financial Statements for Quarter ended 31 December 2008

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	3 February 2009
Author/Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary
An Income Statement is provided for the period ended 31 December 2009 with revenues and expenditures disclosed by the local government programs specified in Schedule 1 of the Local Government Financial Management Regulations (1996). Figures are also presented by nature and type classification. Statutory schedules comparing actual performance to budget for the period in relation to Rating and General Purpose Revenue are also provided.

Background
The Local Government (Financial Management) Regulations 1996 require the City to produce financial statements in the specified statutory format and to submit those statements to Council for adoption. Although the monthly management accounts presented in departmental format are believed to be the most effective mechanism for the City's Administration and Council in monitoring financial progress against the budget; the highly summarised, program-classified statutory Income Statement is required by both the Australian Bureau of Statistics and Grants Commission - who are able to derive some comparisons on a broadly aggregated basis despite the limited validity or integrity of comparisons made on an individual basis.

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

Comment
Total Operating Revenue for the period of $32.26M compares favourably with the year to date budget of $32.18M. This represents 100% of the year to date budget. Analysing the Operating Revenues by nature and type, the significant favourable variances are in the Fees and Charges (Housing Program) which relates to the higher than expected turnover of units at the Collier Park Village and Grants and Subsidies - which are above budget due to higher RCS subsidies at the CPH and success in securing road funding grants earlier than expect. Asset Sale Proceeds lag budget due to vehicle trade-ins held back whilst awaiting Council decisions on fleet.

Interest Revenue is slightly below budget despite higher cash holdings as a consequence of falling interest rates (global credit crisis) and less than expected numbers of people taking up the instalment payment option for UGP. The likely future impact of interest revenue shortfalls is addressed in the Q2 Budget Review. Service charges for UGP have been negatively impacted by adjustments that have had to be made to accommodate previous UGP connection work and concessions not identified by the project team before the billing was initiated in May 2008.

The principal variances disclosed by program are the favourable variances in the Housing Program and the unfavourable one in General Purpose Funding. The significant favourable variance in the Housing Program is due to the higher turnover of units at Collier Park Village and slightly higher than expected RCS subsidies. General Purpose Funding is adversely impacted by the factors noted in the preceding paragraph in relation to interest earnings and UGP charges as well as negative adjustments to interim rating by the VGO.

The remainder of programs are close to budget expectations for the year to date when analysed in aggregate. Individually significant variances are separately identified and addressed by either appropriate management action or by the items being included in the Q2 Budget Review.

Operating Expenditure classified according to statutory principles to 31 December 2008 totals $20.36M and is close to the year to date Budget of $20.46M. Analysing the Operating Expenditure items by nature and type, Employee Cost are 2% under budget (as expected due to the previously noted vacant positions - but unbudgeted prior year retrospective workers compensation premium adjustments). Materials and Contracts are 1% over budget for the year to date - reflecting increased use of contractors to cover staff shortages. Utilities and Insurances are around 9% over budget.

Most programs have small variances with the more significant being in the Governance and Housing programs. The favourable variance in the Governance and Law and Order programs relate mostly to vacant staff positions. The Housing Program reflects above budget expenditure mainly as a consequence of additional staff costs at the CPH (offsetting the higher RCS subsidies) and accelerated refurbishment costs. Relevant items are being addressed by management action or are included in the Q2 Budget Review.

The Schedule of Rating Information shows that as at 31 December 2008, the City had levied some $20.59M in residential and commercial rates compared to a budget of $20.64M. As often occurs in a revaluation year, interim rates movements have been more negative than positive due to appeals against the Valuer General's Office valuations being upheld. This accounts for the unfavourable variance in this area.

Salaries for budgeted and approved positions were around 6.3% below budget expectations to December 2008. There have been a number of vacancies to date in the Building Services, Health, Golf Course, Engineering, Information Technology, Library and Community, Culture and Recreation areas. Some are still currently being recruited for. Partly offsetting the savings in employee related costs is an increased use of consultants and significant retrospective adjustments to workers compensation insurance premiums.

The Statement of Financial Position provides a comparison of asset and liability categories at 31 December 2008 and at an equivalent time in the 2007/2008 financial year. Current Assets stand at $44.55M as at 31 December 2008 compared to $39.44M in December 2007. The major aspects of this change are the higher level of investment funds relating to quarantined cash backed reserves plus funds held for significant construction projects later in the year. Cash backed reserves are approx $5.5M higher than at the equivalent time last year whilst Municipal funds are $3.3M lower because funds relating to capital works that could not be completed last year have already been transferred to Reserves and there have been higher cash outflows for a more advanced capital program. Receivables are higher at December 2008 due to slightly higher outstanding rates sundry debtors (road grants and events grants), higher ESL debtors and a higher debtor balance for pension entitlements claimable from the Office of State Revenue. Importantly, these debts are all considered ultimately collectible. Rates collections to date are still good, being just 0.5% below last year's result - a commendable effort given the current economic climate.

Non Current Assets of $186.62M compare with $182.32 at December 2007. This increase reflects the higher valuation of infrastructure assets after these classes of asset were re-valued at 30 June 2008. Non current receivables relating to self supporting loans have reduced relative to last year.

Current Liabilities are disclosed as $5.38M compared to $3.79M at 31 December 2007. The principal reason for this is accrual of significant creditor invoices and a higher value of ESL payable to FESA (remitted in January 2009). Employee entitlements accrued and cash backed in accordance with statutory requirements are also $0.24M lower than at the equivalent time last year.

Non-Current Liabilities stand at $27.39M at 31 December 2008 compared with $25.15M last year. This is distorted by a much higher (additional $2.5M) holding of refundable monies for the leaseholder liability at the Collier Park Complex this year because of the leasing of previously vacated units at the village at higher values.

City borrowings undertaken as part of the overall funding package are $0.3M lower than at the same time last financial year.

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

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

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

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

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

OFFICER RECOMMENDATION ITEM 10.6.4

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

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

10.6.5 Budget Review for the Quarter ended 31 December 2008

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	3 February 2009
Author/Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary
A review of the 2008/2009 Adopted Budget for the period to 31 December 2008 has been undertaken within the context of the approved budget programs. Comment on the identified variances and suggested funding options for those identified variances are provided. Where new opportunities have presented themselves, or where these may have been identified since the budget was adopted, they have also been included - providing that funding has been able to be sourced or re-deployed.

The Budget Review recognises two primary groups of adjustments
- those that increase the Budget Closing Position
  (new funding opportunities or savings on operational costs)
- those that decrease the Budget Closing Position
  (reduction in anticipated funding or new / additional costs)

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

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

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

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

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

Comment
The Budget Review is typically presented in three parts:

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

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

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

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

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

  These items represent the re-distribution of funds already provided in the Budget adopted by Council on 8 July 2008.

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

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

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

In this half yearly Budget Review, Infrastructure Services in conjunction with Financial Services have also conducted an extensive review of the current capital program. This section of the Budget Review recognises the increased scope of some major projects and seeks to accommodate the additional costs in a manner that is neutral to the budget overall. Funding opportunities have been selected from projects in which construction is unlikely to be commenced this year or which (through consultation feedback or changed circumstances) may no longer be required.

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

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

Financial Implications
The amendments contained in the attachment to this report that directly relate to directorate activities will result in a net change of ($64,500) to the projected 2008/2009 Budget Closing Position as a consequence of the review of operations The budget closing position is calculated in accordance with the Department of Local Government's guideline - which is a modified accrual figure adjusted for restricted cash. It does not represent a cash surplus - nor available funds.

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

The changes recommended in the Q2 Budget Review will result in the (estimated) 2008/2009 Closing Position being adjusted to $47,000 (down from the revised Closing Position of $111,500) after allowing for required adjustments to the estimated opening position, accrual movements and reserve transfers.

The impact of the proposed amendments in this Q2 Budget Review report on the financial arrangements of each of the City's directorates is disclosed in Table 1 below. Figures shown apply only to those amendments contained in the attachments to this report (not previous amendments). Table 1 includes only items directly impacting on the Closing Position and excludes transfers to and from cash backed reserves - which are neutral in effect. Wherever possible, directorates are encouraged to contribute to their requested budget adjustments by sourcing new revenues or adjusting proposed expenditures.

Any adjustments to the Opening Balance shown in the tables below refer to the difference between the Estimated Opening Position used at the budget adoption date (July) and the final Actual Opening Position as determined after the close off and audit of the 2007/2008 year end accounts.

TABLE 1 : (Q2 BUDGET REVIEW ITEMS ONLY)

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	20,000	0	20,000
Financial and Information Services	260,000	(450,000)	(190,000)
Planning and Community Services	26,500	(71,500)	(45,000)
Infrastructure Services	517,500	(442,000)	75,500
Opening Position	0	0	0
Accrual Movements & Reserve Transfers	75,000	0	75,000
Total	**899,000**	**(963,500)**	**(64,500)**

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

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

TABLE 2 : (CUMULATIVE IMPACT OF ALL 2008/2009 BUDGET ADJUSTMENTS) *

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	20,000	(10,000)	10,000
Financial and Information Services	513,500	(703,000)	(189,500)
Planning and Community Services	317,000	(331,500)	(14,500)
Infrastructure Services	1,423,167	(1,788,000)	(364,833)
Opening Position	0	(72,353)	(72,353)
Accrual Movements & Reserve Transfers	515,000	0	515,000
Total change in Adopted Budget	**2,788,667**	**(2,904,853)**	**(116,186)**

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

OFFICER RECOMMENDATION ITEM 10.6.5

That following the detailed review of financial performance for the period ending 31 December 2008, the budget estimates for Revenue and Expenditure for the 2008/2009 Financial Year, (adopted by Council on 8 July 2008 and as subsequently amended by resolutions of Council to date), be amended as at:

- **Attachment 10.6.5(1)** Amendments identified from normal operations in Quarterly Budget Review
- **Attachment 10.6.5(2)** Items funded by transfers to or from Reserves;
- **Attachment 10.6.5(3)** Cost neutral re-allocations of the existing Budget**;** and
- **Attachment 10.6.5(4)** Review of Capital Items**.**

** An Absolute Majority is Required*

10.6.6 Capital Projects Review to 31 December 2008

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	3 February 2009
Author/Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary
A schedule of financial performance supplemented by relevant comments is provided in relation to approved capital projects to 31 December 2008. Officer comment is provided only on the significant identified variances as at the reporting date.

Background
A schedule reflecting the financial status of all approved capital projects is prepared on a bi-monthly basis early in the month immediately following the reporting period - and then presented the next ordinary meeting of Council. The schedule is presented to Council Members to provide an opportunity for them to receive timely information on the progress of capital works program and to allow them to seek clarification and updates on scheduled projects.

The complete Schedule of Capital Projects and attached comments on significant project line item variances provide a comparative review of the Budget versus Actual Expenditure and Revenues on all Capital Items. Although all projects are listed on the schedule, brief comment is only provided on the significant variances identified. This is to keep the report to a reasonable size and to emphasise the reporting by exception principle.

Comment
Excellence in financial management and good governance require an open exchange of information between Council Members and the City's administration. An effective discharge of accountability to the community is also effected by tabling this document and the relevant attachments to a meeting of Council. Overall, expenditure on the (revised) Capital Program represents 99% of the year to date target - and 42% of the (revised) full year's budget.

The Executive Management Team acknowledges the challenge of delivering the remaining capital program and has recognised the impact of:

- contractor and staff resource shortages
- community consultation on project delivery timelines
- difficulties in obtaining completive bids for small capital projects.

It is therefore closely monitoring and reviewing the capital program with operational managers on an ongoing basis - seeking strategies and updates from each of them in relation to the responsible and timely expenditure of the capital funds within their individual areas of responsibility. The City has also successfully implemented the 'Deliverable' and 'Shadow' Capital Program concept to more appropriately match capacity with intended actions and is using cash backed reserves to quarantine funds for future use on identified projects.

Comments on the broad capital expenditure categories are provided in **Attachment 10.6.1(5)** of this Agenda and details on specific projects impacting on this situation are provided in **Attachment 10.6.6(1)** and **Attachment 10.6.6 (2)** to this report. Comments on the relevant projects have been sourced from those managers with specific responsibility for the identified project lines. Their responses have been summarised in the attached Schedule of Comments.

Consultation
For all identified variances, comment has been sought from the responsible managers prior to the item being included in the Capital Projects Review.

Policy and Legislative Implications
Consistent with relevant professional pronouncements 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 will necessarily be some commitment of resources towards the investigation of identified variances and preparation of the Schedule of Comments. This is consistent with responsible 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 addresses the 'Financial' dimension of sustainability. It achieves this by promoting accountability for resource use through a historical reporting of performance. This emphasises the proactive identification of apparent financial variances, creates an awareness of our success in delivering against our planned objectives and encourages timely and responsible management intervention where appropriate to address identified issues.

OFFICER RECOMMENDATION ITEM 10.6.6

That the Schedule of Capital Projects complemented by officer comments on identified significant variances to 31 December 2008, as per **Attachments 10.6.6(1)** and **10.6.6(2)**, be received.

11. APPLICATIONS FOR LEAVE OF ABSENCE

11.1 Application for Leave of Absence : Cr Gleeson

I hereby apply for Leave of Absence from all Council Meetings for the period 11 to 25 March 2009 inclusive.

11.2 Application for Leave of Absence : Cr Doherty

I hereby apply for Leave of Absence from Council Meetings on 11 March 2009.

11.3 Application for Leave of Absence : Cr Burrows

I hereby apply for Leave of Absence from all Council Meetings for the period 27 February to 9 March 2009 inclusive.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13. QUESTIONS FROM MEMBERS WITHOUT NOTICE

13.1. Response to Previous Questions from Members Without Notice
Nil

13.2 Questions from Members Without Notice
Nil

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

15. MEETING CLOSED TO PUBLIC

15.1 Matters for which the Meeting May be Closed.
Nil

15.2 Public Reading of Resolutions that may be made Public.

16. CLOSURE

17. RECORD OF VOTING

ITEM 3.1 REFERS

MAYORS ACTIVITY REPORT
December 2008/ January 2009

January 2009	Activity
Friday, 30 January	Meeting with residents regarding antisocial behaviour.
Wednesday, 28 January	1Stop South Perth draft website demonstration + CEO, Director Financial & Information Services, Manager Community Culture & Recreation & City Communications Officer
	Mayor/CEO weekly meeting
Monday, 26 January	Present prize at Australia Day Family Zone South Perth.
	Citizenship ceremony @ SJMP + CEO & Crs Colin Cala, Pete Best, Sue Doherty, Ian Hasleby, Les Ozsdolay & Kevin Trent
Thursday, 22 January	2009 Australia Day Lunch @ Government House + CEO + Cr Sue Doherty
Wednesday, 21 January	Cheque Presentation at Community Funding morning tea + CEO and Manager Community Culture & Recreation
Tuesday, 20 January	Bowling Club - Meeting with President
	Mayor/CEO weekly meeting
Monday, 19 January	Present certificates at Nyoongar Basketball Program presentation @ George Burnett Leisure Centre + Crs Sue Doherty & Kevin Trent & Community Development Officer
	Zoo Board meeting
	Disability Services Commission - meeting with Director General Ron Chalmers and Chairman Bruce Langoulant + Manager Community Culture & Recreation
Friday, 16 January	Open May Gibbs exhibition : *Away: art from the travels of May Gibbs and her father Herbert* @ Heritage House + CEO, Crs Sue Doherty, Kevin Trent & Pete Best
25 December - 18 January 2009	Leave of absence
Wednesday, 24 December	Attend CoSP staff Christmas BBQ @ Scented Gardens + Crs Pete Best, Kevin Trent, Sue Doherty and Travis Burrows
Tuesday, 23 December	Meeting with Mike Peeters, reporter Southern Gazette + CEO & City Communications Officer

Monday, 22 December	Attend Christmas party at McDougall Park Nursing Home
Sunday, 21 December	Welcome families to Carols by the Swan @ Sir James Mitchell Park
Friday, 19 December	Attend Rotary Millpoint -- end of year breakfast @RPGC
Thursday, 18 December	Attend Rivers Regional Council meeting @ Armadale + Cr Kevin Trent
	South Perth Station Precinct Study - Project Management Group meeting with Director Development and Community Services
	Open Cygnet Concert Heidi Lake Trio
Wednesday, 17 December	Presentation at Kensington Primary School graduation
Tuesday, 16 December	Council meeting
	Mayor/CEO weekly meeting
	Gave speech on the People's Choice award (Thomas Moore's *A Uighur and a Wall*) @ Como IGA Morning tea for Seniors.
	Present Citizenship prizes @ Curtin Primary graduation
Monday, 15 December	Visit to Meath Care Kingsley facility+ CEO + Councillors Colin Cala, Kevin Trent, Sue Doherty, Les Ozsdolay, Rob Grayden & several City officers
	Zoo Board inspection of Byford and Wellard wetlands
Sunday, 14 December	Give speech at South Perth Bridge Club Christmas event
	Speech at CoSP Historical Society Christmas event @ Old Mill Theatre
Saturday, 13 December	Speech at Como Croquet Club Christmas event
Friday, 12 December	Attend City of Canning Mayoral Christmas function
	Disability Services Commission meeting with Ron Chalmers-Director General and chairman Bruce Langoulant
	Present two awards at Carson Street school Graduation and concert
Thursday, 11 December	Present CoSP award @ South Perth Primary Year 7 Graduation @ South of Perth Yacht Club + Cr Rob Grayden
	Cleanaway Christmas function
Wednesday, 10 December	Manning Senior Citizens Christmas celebrations @ Manning Senior Citizens
	May Gibbs meeting with Kerry Davey, CEO & Manager, Library & Heritage

Tuesday, 9 December	Council Briefing
	Mayor/CEO weekly meeting
	Radio interview 6PR on river walls and foreshore
	Attend Moorditj Keila morning tea & future vision discussion
Monday, 8 December	Annual Electors Meeting
	South Perth Junior Cricket Club - community visioning meeting
	Present CoSP *Outstanding Contribution* prizes at Penrhos graduation ceremony
Saturday, 6 December	Attended City of Gosnells Annual dinner
Friday, 5 December	Speech and present trophies at Como Golf Academy Championships Presentation evening
	Collier Park Village discussion with resident
	Sir James Mitchell Park discussion re vision with resident
Thursday, 4 December	Attend Premier's Science Awards 2008 @ Convention Centre + CEO
	Attend Main Roads Xmas function @ East Perth
	Meeting to discuss the idea of A Local Council centre of excellence with Director General, Dept Local Government , Jenny Matthews & Professor Robert Harvey (Business Law) ECU
	Attend National Resources Management (Swan catchment council) advisory group meeting @ City of Bayswater + CEO
	Mayor/CEO weekly meeting
Wednesday, 3 December	Town Planning Briefing - Major Developments
	Discussion incident @ November Council meeting with Cr Smith + Deputy Mayor Cr Colin Cala
	Attend Kensington Secondary School 2008 Graduation
Tuesday, 2 December	Briefing: Draft Visioning Document - Presentation by Tim Muirhead, Consultant
	Discussion incident @ November Council meeting with Cr Gleeson + Deputy Mayor Cr Colin Cala + CEO + Cr Hasleby
	Attend South Perth Senior Citizens Christmas celebration.
	Disability Services Commission conference @ UWA
	Meeting Resilient Futures: Discussion Planning for Growth, Climate Change and Water Shortages with David Platt, CUSP Consulting
Monday, 1 December	Disability Services Commission lunch meeting: Local Coordinator, Mr Kim Proctor + Community Development Coordinator and Community Projects Officer
	Meeting with Curtin student Betty Tran re Charity Fashion Event.