



**ORDINARY COUNCIL MEETING
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ORDINARY COUNCIL MEETING AGENDA

- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
Chairperson to open the meeting
- 2. DISCLAIMER**
Chairperson to read the City's Disclaimer
- 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**
 - 3.1 Activities Report Mayor Best / Council Representatives** (*Attached to Agenda paper*)
 - 3.2 Public Question Time**
 - 3.3 Audio Recording of Council meeting**
 - 3.4 Item 10.3.1 Withdrawn**
- 4. ATTENDANCE**
 - 4.1 Apologies**
 - 4.2 Approved Leave of Absence**
- 5. DECLARATION OF INTEREST**
- 6. PUBLIC QUESTION TIME**
 - 6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Council meeting held 23 November 2010 there were no questions taken on notice: Nine questions 'tabled' at the meeting by Mr Geoff Defrenne, 24 Kennard Street, Kensington, were 'taken as correspondence'. A written response to those questions was provided by the CEO, by letter dated 30 November 2010.
 - 6.2 PUBLIC QUESTION TIME : 14.12.2010**
- 7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1**
 - 7.1 MINUTES**
 - 7.1.1 Ordinary Council Meeting Held: 23.11.2010**
 - 7.1.2 Annual Electors Meeting Held: 30.11.2010**
 - 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, 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 - November Ordinary Council Meeting Held: 16.11.2010

Officers of the City presented background information and answered questions on items identified from the November 2010 Council Agenda. Notes from the Agenda Briefing are included as **Attachment 7.2.1.**

7.2.2 Concept Forum – Waterford Triangle - Meeting Held: 10.11.2010

Representatives from GHD Consultants presented an update in relation to the Waterford Triangle precinct. Members raised question which were responded to by the Consultant and City Officers
Notes from the Concept Briefing are included as **Attachment 7.2.2.**

7.2.3 Concept Forum – Big Ideas Breakfast - Meeting Held: 16.11.2010

Representatives from the Cities of South Perth and Melville, the Town of Victoria Park, Committee for Perth and South Perth Chamber of Commerce attended a ‘Big Ideas Breakfast’ presentation by ACIL Tasman (economic consulting firm) on “Western Australia's opportunities of a lifetime - What does it mean for Local Government”. Notes from the Concept Briefing are included as **Attachment 7.2.3.**

7.2.4 Concept Forum – Jackson/Henley/Murray Streets - Meeting Held: 17.11.2010

Representatives from the Department of Transport gave a presentation on the Bentley Precinct Access and Parking Strategy and Jackson Street Bus Lanes. Members raised question which were responded to by presenters and City Officers. Notes from the Concept Briefing are included as **Attachment 7.2.4**

7.2.5 Concept Forum – Collier Park Golf Course Business Plan Update - Meeting Held: 30.11.2010

Consultant Darren Long of DL Consultants and City Officers gave presentations on the Collier Park Golf Course strategy for implementing the course MasterPlan. Members raised question which were responded to by the Consultant and City Officers. Notes from the Concept Briefing are included as **Attachment 7.2.5.**

7.2.6 Concept Forum – Property Local Law and Dogs Local Law Updates - Meeting Held: 1.12.2010

Consultant, Mr Chris Liversage of CRL Highbury Consulting Pty Ltd provided an update of proposed modifications to the Property Local Law and addressed issues raised in relation to the Dogs Local Law. Members raised questions and points of clarifications which were responded to by the Consultant and City Officers. Notes from the Concept Briefing are included as **Attachment 7.2.6.**

8. PRESENTATIONS

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

Nil

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

8.2.1 City of South Perth Emerging Artists - Peoples’ Choice Award

The Mayor to provide background on the City of South Perth Emerging Artists Awards and to present a Certificate and cheque for \$500.00 to Justin Barnes, the winner of the Karalee on Preston, People’s Choice Award, for his artwork “*Snow White Apple Bite*”

8.2.2 Neighbourhood Watch Volunteer Recognition

At the December Council Agenda Briefing held on Tuesday 7 December, the Mayor presented a Certificate of Recognition, from the Minister for Police, the Hon Rob Johnson, MLA, to Diane Cheong in recognition of her 18 year commitment to Neighbourhood Watch.

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 REPORTS

8.4.1. Council Delegate: WALGA South-East Metropolitan Zone Meeting Held: 24 November 2010

A report from Cr Trent and the Manager Governance and Administration (Acting for Delegate Mayor Best) summarising their attendance at the WALGA South East Metropolitan Zone Meeting held 24 November 2010 at the City of Gosnells is at **Attachment 8.4.1**

Note: The Minutes of the WALGA South East Metropolitan Zone meeting of 24 November 2010 have also been received and are available on the *iCouncil* website.

RECOMMENDATION

That the Delegates' Report at **Attachment 8.4.1** in relation to the WALGA South East Metropolitan Zone meeting held 24 November 2010 at the City of Gosnells be received.

8.4.2. Council Delegate: South East Regional Centre for Urban Landcare (SERCUL) Meetings Held: 11 November 2010

Cr Skinner reported that the Minutes of the South East Regional Centre for Urban Landcare (SERCUL) meetings held at the City of Gosnells are available on the *iCouncil* website.

RECOMMENDATION

That it be noted that the Minutes, of the South East Regional Centre for Urban Landcare meetings (SERCUL) held at the City of Gosnells on 11 November 2010 are available on the *iCouncil* website.

8.5 CONFERENCE DELEGATES REPORTS

Nil

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Proposed Amendment No. 22 to TPS No.6 - Rezoning of Lot 165 (No. 15) and Lot 166 (No. 17) Alston Avenue cnr Labouchere Road, Como, to Residential R20/30 - Report on Submissions (*Item 10.3.4 July 2010 Council meeting refers*)

Location: Lot 165 (No. 15) and Lot 166 (No. 17) Alston Avenue cnr Labouchere Road, Como

Applicant: Council

File Ref: LP/209/22

Date: 1 December 2010

Author: Gina Fraser, Senior Strategic Planning Officer

Reporting Officer: Vicki Lummer, Director, Development and Community Services

Summary

The purpose of the proposed Amendment No. 22 to Town Planning Scheme No. 6 (TPS6) is to rezone the Amendment site comprising two lots, from the 'Public Purpose' reserve to the 'Residential' zone with a density coding of R20/30. The draft Amendment proposals have been advertised for community comment and five submissions were received. Issues raised by the submitters include a suggestion for a higher density residential coding, reopening of the adjoining right-of-way for use by neighbours, support for sale of land with proceeds to be used for other community facilities, objection to the loss of a much valued community facility which should be retained as meeting rooms for use by the local community, and objection to the changing character of the area. After considering each of the comments made, the recommendation is that Amendment No. 22 proceed to finalisation without modification and that this recommendation be forwarded to the Minister for final approval.

Background

This report includes the following attachments:

- **Attachment 10.0.1(a):** Report on Submissions.
- **Attachment 10.0.1(b):** Amendment No. 22 document for final adoption.

Amendment No. 22 was initiated at the July 2010 Council meeting. The statutory process requires that the draft Amendment proposal be referred to the Environmental Protection Authority (EPA) for assessment prior to it being advertised for community comment. The subsequent clearance from the EPA allowed community advertising and consultation to proceed.

Comment

The community consultation in relation to the proposed Amendment No. 22 is discussed in the Report on Submissions at **Attachment 10.0.1(a)**. The proposal was advertised in the manner described in the 'Consultation' section of this report, resulting in five submissions. The submissions have been addressed in the Report on Submissions, concluding that the Amendment should proceed without modification. If the Council supports this recommendation, it will be conveyed in the form of a recommendation to the Minister for Planning, who will make the final determination on the proposal.

Following completion of the rezoning process, the Council will consider future options for the land. If disposal of the land is favoured, this will be the subject of a separate process and report to the Council.

Consultation

The statutory advertising required by the *Town Planning Regulations* was undertaken in the manner required by TPS6 and Policy P355 ‘Consultation for Planning Proposals’, as follows:

(i) **Method:**

- Personally addressed notices mailed to 91 neighbouring land owners, government agencies and other interested parties;
- *Southern Gazette* newspaper notices (two issues);
- Notices and documents displayed in Civic Centre, Libraries, web site.

(ii) **Extent:**

- As described above.

(iii) **Time period:**

- More than 42 days between 5 October to 19 November 2010.

The details of the advertising process associated with Amendment No. 22 are contained in the Report on Submissions. This Report, including a Schedule of Submissions, contains discussion and a Council recommendation on each of the comments raised by the submitters. This Report will be provided to the Western Australian Planning Commission for further consideration and for recommendation to the Minister for Planning.

Policy and Legislative Implications

When approved, Amendment No. 22 will have the effect of modifying the TPS6 Scheme Map for Precinct 8 ‘Como Beach’, by changing the zoning of the land and applying the R20/30 density coding to the site.

The statutory Scheme Amendment process is set out in the *Town Planning Regulations*. The process as it relates to the proposed Amendment No. 22 is set out below, together with the time frame associated with each stage of the process. Those stages which have been completed (including consideration at the December 2010 Council meeting) are shown shaded:

Stage of Amendment Process	Time
Preliminary consultation under Policy P355 ‘ <i>Consultation for Planning Proposals</i> ’	Not applicable
Council adoption of decision to initiate Amendment No. 22 to TPS6	27 July 2010
Council adoption of draft Scheme Amendment No. 22 proposals for advertising purposes	27 July 2010
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period	30 July 2010
Receipt of EPA’s response	17 August 2010
Public advertising period of not less than 42 days	5 October to 19 November 2010
Council consideration of Report on Submissions on the proposed Amendment No. 22	14 December 2010
Referral to the WA Planning Commission and Minister for consideration, of: <ul style="list-style-type: none"> • Report on Submissions; • Council’s recommendation on the proposed Amendment No. 22; • Three signed and sealed copies of Amendment No. 22 documents for final approval 	Late December 2010
Minister’s final determination of Amendment No. 22 to TPS6 and publication of the approved Amendment in the <i>Government Gazette</i>	Unknown

Following Council's recommendation to the Minister that Amendment No. 22 proceed, three copies of the Amendment document will be executed by the City, including application of the City Seal to each copy. Those documents will be forwarded to the WAPC with the Council's recommendation.

Financial Implications

This issue has limited financial impact to the extent of the cost of advertising in the Southern Gazette newspaper and the Government Gazette upon finalisation. Under the *Planning and Development (Local Government Planning Fees) Regulations* and the City's adopted schedule of fees and charges, the City may recoup costs associated with the Scheme Amendment process where the Amendment has been requested by an external applicant. However, in this case, the Amendment was the City's initiative, so the costs cannot be recovered.

Strategic Implications

This matter relates to Strategic Directions 3 "Housing and Land Uses" identified within the Council's Strategic Plan 2010-2015 which is expressed in the following terms: *Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.*

Sustainability Implications

The proposed Amendment No. 22 provides an opportunity for more effective use of land for the ultimate benefit of the wider community. The amendment will facilitate development that will be entirely compatible with neighbouring residential development. To that extent, the Scheme Amendment will have beneficial sustainability implications.

Conclusion

The proposed Amendment No. 22 has been supported at all stages by the Council. During the public consultation period, five submissions were received, one of which objected to the Amendment proposal. The objection related to the loss of a valued community facility which has contributed to the history of Como for almost 60 years. The submissions are discussed in more detail in the attached Report on Submissions. It is recommended that the objection be not upheld, on the grounds that new meeting rooms and other facilities are being replaced in the Civic Centre facilities which are currently under construction. Objection was also expressed in relation to the changing character of the area. This is addressed by the City through related policies. Therefore, the proposed Amendment should now be finally adopted by the Council and a recommendation that the Amendment proceed without modification be forwarded to the Minister.

OFFICER RECOMMENDATION 10.0.1

That

- (a) the Western Australian Planning Commission be advised that Council recommends that:
 - (i) having regard to all of the discussion contained in the Report on Submissions contained in **Attachment 10.0.1(a)**, Submissions 1.1 and 1.2 supporting the proposed Amendment No. 22 be generally upheld; Submissions 2.1 and 2.2, neither supporting nor opposing the proposed Amendment No. 22 be noted; and Submission 3.1 opposing the proposed Amendment No. 22 be not upheld.
 - (ii) Amendment No. 22 to the City of South Perth Town Planning Scheme No. 6 proceed without modification.
- (b) The Council of the City of South Perth under the powers conferred upon it by the *Planning and Development Act 2005*, hereby amends the above Town Planning Scheme by:
 - (i) excising Lots 165 (No. 15) and 166 (No. 17) Alston Avenue cnr Labouchere Road from the Public Purposes ('Kindergarten' and 'Clinic') Reserve and including those lots in the Residential zone with a density coding of R20/R30; and
 - (ii) Amending the Scheme Zoning Map for Precinct 8 'Como Beach' accordingly.
- (c) Amendment No. 22 to Town Planning Scheme No. 6 is hereby finally adopted by the Council in accordance with the *Town Planning Regulations 1967 (as amended)*, and the Council hereby authorises the affixing of the Common Seal of Council to three copies of the Amendment No. 22 document, as required by those Regulations;
- (d) the Report on Submissions containing the Schedule of Submissions, **Attachment 10.0.1(a)** and three executed copies of the Amendment No. 22 document contained in **Attachment 10.0.1(b)**, be forwarded to the Western Australian Planning Commission for final determination by the Minister for Planning;
- (e) the submitters be thanked for participating in the process and be advised of the above resolution.

10.0.2 Draft Policy P350.15 “Bed and Breakfast Accommodation” – Consideration of Submissions (*Item 10.3.2 September 2010 Council Meeting refers*)

Location: City of South Perth
Applicant: Council
File Ref: LP/801/7/15
Date: 1 December 2010
Author: Gina Fraser, Senior Strategic Planning Officer
Reporting Officer: Vicki Lummer, Director Development and Community Services

Summary

The draft Planning Policy P350.15 *Bed and Breakfast Accommodation* aims to guide the assessment and determination of development applications for Bed and Breakfast Accommodation throughout the City of South Perth district. The draft Policy was endorsed for advertising in September 2010, and two submissions resulted from the consultation process. It is recommended that the Policy be adopted with modification in response to submissions.

Background

This report contains the following attachments:

- **Attachment 10.0.2(a)** Schedule of submissions
- **Attachment 10.0.2(b)** Modified Policy P350.15 *Bed and Breakfast Accommodation*, for adoption by the Council.

The objectives of the draft Policy P350.15 *Bed and Breakfast Accommodation* are to:

- (a) guide the location, design and operation of Bed and Breakfast Accommodation;
- (b) favour proposals that are appropriately located for guests' (ie. paying visitors') convenience;
- (c) minimise any adverse amenity impacts on adjoining residential areas from the operation of the Bed and Breakfast Accommodation; and
- (d) assist the Council in exercising discretion with regard to Bed and Breakfast Accommodation.

The Policy will address tangible planning issues associated with Bed and Breakfast Accommodation, including the number of guests and vehicles permitted on site, operating hours, noise and internal structural requirements. Such policy provisions will assist the City in ensuring that amenity impacts are minimised for neighbouring residents, while supporting appropriate Bed and Breakfast Accommodation proposals, particularly on sites near tourism features.

When finally adopted, Policy P350.15 will be incorporated into the City's *Residential Design Policy Manual*, which currently contains 14 City-wide policies.

Comment

The provisions of the draft policy have been formulated to ensure that the previously mentioned objectives are achieved. The draft policy incorporates provisions relating to the following matters:

(a) Location

- Within 800m of: well-known tourism attractions; land zoned Mixed Use Commercial, Mends Street Centre Commercial or Neighbourhood Centre Commercial; rail stations; and high frequency bus routes.
- Not supported in other areas on more than one site within any 'focus area'.

(b) Development Requirements

- The total floor area of the operator's dwelling and the guests' accommodation is limited to 300 sq. metres.
- Only permitted in a Single House or Grouped Dwelling, but may be either attached to or detached from the operator's dwelling on the same lot.
- Guest facilities and parking for vehicles, boats, caravans, trailers, etc, are all also provided for.

(c) Scale of operations

- Limited to a maximum of six guests, and a maximum of two guest bedrooms.
- The operator must also permanently reside on site.
- Maximum occupancy period of three months in any 12-month period.

(d) Advertising Signs

- Advertising signs limited to 0.2 sq. metres.

(e) Management Plan

- A management plan or "house rules" must be prepared and displayed.
- Required to cover restrictions on occupancy and duration of stay for guests, behaviour of guests, check-in and check-out times, and parking on site.

(f) Advice on legislative requirements

- Prospective operators are to be provided with legislative requirements covering matters such as noise, refuse, food preparation, structural and safety requirements, design of alterations or extensions and effluent disposal.

The draft Policy was endorsed for advertising in September 2010. During the 21-day consultation period, two submissions were received. These are discussed in more detail under the 'Consultation section, below.

Consultation

Prior to the Council endorsing the draft Policy for community advertising, the following consultation was undertaken:

- (a) The City's Environmental Health officers
- (b) The City's Building Services officers
- (c) The City's Statutory Planning officers
- (d) Council Members' feedback

Following endorsement by the Council for advertising, the draft policy was advertised for community comment in accordance with clause 9.6(2) of TPS6 and Planning Policy P355 *Consultation for Planning Proposals* in the following ways:

- Advertisements published in the *Southern Gazette* newspaper on 12 and 19 October, inviting inspection and comment until 12 November, being a period of 32 days from the date of the first newspaper notice being published (11 days longer than the minimum 21-day consultation period for Planning Policies);
- Advertisement and draft Policy P350.15 displayed at the Civic Centre, City Libraries and on the City's website;

During the consultation period, two submissions were received, both from current operators of local Bed and Breakfast Accommodation establishments. Comments from these submissions are addressed in the attached schedule of submissions: The recommendation is that the Policy be modified in two areas in response to the submissions:

- Clause 6(c), relating to provision of dining facilities for guests' breakfast; and
- Clause 9, allowing for the occasional early or late arrival or departure of guests.

Policy and Legislative Implications

A planning policy is adopted under clause 9.6 of TPS6. Under clause 1.5, planning policies are documents that support the Scheme.

A planning policy is not part of TPS6 and does not bind the Council in respect of any application for planning approval but the Council is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve, before making its determination.

Planning policies are guidelines used to assist Council in making decisions under TPS6. Although planning policies are not part of TPS6, they must be consistent with, and cannot vary, the intent of TPS6 provisions, including the *Residential Design Codes*.

In accordance with clause 7.5 of TPS6, in considering an application for planning approval the Council must have due regard to relevant planning policies.

Following final adoption of this Policy, the City is required to publish a notice in one issue of the *Southern Gazette* newspaper, advising of Council's resolution.

Financial Implications

The City will be responsible for costs associated with implementation of the policy.

Strategic Implications

This matter relates to Strategic Direction 3 "Housing and Land Uses" identified within the Council's Strategic Plan 2010-2015, which is expressed in the following terms: *Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.*

Sustainability Implications

The draft policy encourages this type of tourism accommodation to be located in areas of interest to guests, thereby contributing towards the sustained operation of tourism attractions and accommodation. Existing housing stock can be used for Bed and Breakfast Accommodation to ensure that the impacts of this land use on the amenity and character of the surrounding residential areas will be minimal. Alternatively, new dwellings can be used for this purpose provided that they comply with the provisions of this policy.

Conclusion

The proposed policy will provide guidance to the City and applicants on developing Bed and Breakfast Accommodation. The policy complements the land use provisions within TPS6.

It is considered that the modified Policy P350.15 is now in a form suitable for final adoption by the Council.

OFFICER RECOMMENDATION ITEM 10.0.2

That...

- (a) in accordance with clause 9.6 of the City of South Perth Town Planning Scheme No. 6, the modified Planning Policy P350.15 *Bed and Breakfast Accommodation*, at **Attachment 10.0.2(b)** be adopted;
- (b) notice of the Council's decision be published in the *Southern Gazette* newspaper as required by clause 9.6(2)(d) of Town Planning Scheme No. 6; and
- (c) submitters be thanked for their participation in this process and be advised of the Council's decision.

10.0.3 Collier Park Golf Course Master-Plan *(Item 10.0.5 referred February 2010)*

Location: City of South Perth
Applicant: Council
File Ref: PR/301
Date: 1 December 2010
Author: Mark Taylor, Manager City Environment
Reporting Officer: Stephen Bell, Director Infrastructure Services

Summary

At its 23 February 2010 meeting, the Council requested that a funding and implementation strategy be prepared to facilitate implementation of the Collier Park Golf Course Master-plan, and in particular, the 'Island Nine'.

A Consultant was engaged to undertake detailed financial modelling and this culminated in a report being prepared which recommends a funding model that will facilitate the planned upgrade to the course whilst maintaining a dividend to the City. Accordingly, it will be a recommendation to the Council that this funding model be endorsed as the way forward for implementing the 'Island Nine' at Collier Park Golf Course.

Background

The Collier Park Golf Course (CPGC) opened in 1984. At the time, it was the leading public golf course in Western Australia and considered to be one of the best of its type in Australia. CPGC is now facing increased competition from other public courses, some of which have received significant investment in recent years such as Wembley Golf Course which is situated within the Town of Cambridge. This course has undergone significant improvements to the standard of the fairways and greens, reticulation system (including the pumps, controllers, bores and lakes), and a new two storey driving range has recently been opened.

The CPGC is well maintained to the appropriate standard, but very little asset replacement has occurred since it was first opened to the public in 1984. As a result, most of the principal infrastructure is over twenty six (26) years old and the Course is looking extremely 'tired' and dated. In addition, the playing standard has deteriorated in recent years and this is mainly because the irrigation system has reached the end of its useful life and is wearing out. The CPGC buildings are also showing their age and the furniture (i.e. seats, signs, etc) is generally old and not in keeping with a modern public golf course facility.

Recognising the need to upgrade the CPGC and maintain parity with the standard of other public golf courses in the Perth metropolitan area, a Master-plan to guide the future development of the Course was prepared. As part of the Master-planning process, the following components were assessed:

- Location of the course facilities and driving range;
- Irrigation supply and condition;
- Course layout;
- Landscaping (including furniture, signage and pathways).

The Master-plan recommended:

- Replacement of the current irrigation system due to its age, condition and inefficiency;
- Purchase of a new 'state of the art' central irrigation control system to better manage water delivery and usage;
- Construction of a storage lake to reduce the Course 'watering window' and to better treat iron in the water;
- Investigate the potential to harvest storm-water and re-use stormwater for irrigation purposes;

- Amendments to the Course layout to bring it up to contemporary standards;
- The provision of distinctive landscape themes for each of the three nine hole courses (Pines, Lake & Island);
- A new landscaped entry statement and road alignment into the Course;
- Extension of the car park by one hundred (100) bays to cater for proposed new facilities, including a new golf complex and multi storey driving range;
- Enhancing the presentation and landscaping of all three (3) lakes on the Course;
- Identification of conservation and rehabilitation zones;
- Potential furniture and signage palettes.

At the Council meeting held on 28 July 2009 the Council resolved that:

- (a) the Master-plan prepared for the Collier Park Golf Course be adopted;*
- (b) copies of the Master-plan be made available for viewing at the Collier Park Golf Course, and the City's Civic Centre and Operations Centre;*
- (c) the replacement of the Course irrigation is considered a priority and be the subject of a separate report to Council, at the earliest opportunity, identifying the scope, cost, funding source and implementation timeframe; and*
- (d) the other elements of the Master-plan be progressively implemented as priorities and budgets allow.*

It is obvious from the estimates provided in the July 2009 Council report that the Master-plan implementation process would be expensive. To that end it was decided to implement the course upgrade in stages to lessen the financial impact on the City and to ensure that disruptions at the course were kept to a minimum during the upgrade.

The redevelopment of the Course can be logically achieved by completing a nine (9) hole course at a time, as they are effectively separate and 'themed' as such in the Master-plan. Being a twenty seven (27) hole public golf course, taking nine (9) holes out for redevelopment still enables eighteen (18) hole golf to be played and hence the disruption to play is minimised as far as practicable.

The 'Island Nine' has been chosen as the first to be upgraded. The reason for this is because it contains the proposed new irrigation lake, pump controller and a large proportion of the irrigation system. In order to upgrade the irrigation system, the redevelopment of this lake must occur first.

Ideally, the redevelopment of the 'Island Nine' should result in completion of all of the proposed Master-plan upgrades, including but not limited to :

- Layout changes, including lengthening fairways, improving the greens, and modifications to the lake;
- Pump, bore and irrigation replacement;
- New furniture, signs and pathways;
- Key landscaping area upgrades.

This was the subject of a report to the February 2010 Council meeting, where the Council resolved that:

- (a) the design scheme for the redevelopment of the 'Island 9' at the Collier Park Golf Course, comprising lake, irrigation, furniture and layout improvements be approved, and*
- (b) a funding and implementation strategy for the 'Island 9' redevelopment be considered by the Council during the 2010/2011 annual budget deliberations.*

Comment

The City engaged a consultant to undertake detailed financial modelling and reporting to assist with the development of a funding and implementation strategy for the ‘Island’ and ‘Pines’ Nines at the Collier Park Golf Course. Due to the cost of the redevelopment and the relatively limited reserve funds available, loan borrowings will be required to complete all of the necessary improvements to Collier Park Golf Course.

The consultant was provided with the following brief:

- The borrowings are to be sustained by the income generated by the Course;
- The income to be assessed is to come from green fee returns only and is to exclude any revenue derived from the driving range;
- The Course continues to return a dividend to the City.

The reasons for this are as follows:

- The Course must be financially self-sustaining and not require outside funding;
- Income from the driving range will be used in future modelling for the feasibility of constructing a new golf and multi level driving range complex;
- Council has previously adopted Policy P608 - Dividend Policy Collier Park Golf Course. This states that a total of sixty six point seven percent (66.7%) of the Net Cash Operating Result of the Collier Park Golf Course before Capital Expenditure is to be returned to the Municipal Fund of the City annually in the form of a dividend.

The consultant has produced a detailed report exploring a number of funding options to facilitate the planned infrastructure upgrades to the CPGC. Copies of the confidential report have been circulated separately for Councillors’ information.

The following fundamental principles were utilised in developing the report:

1. Examine the potential revenue generation capacity of the CPGC and compare it with other golf course operations of a similar nature from a fee structure point of view;
2. Examine a variety of financial funding models, incorporating the use of borrowings and reserve funds, to identify which model(s) will allow the City to:
 - (a) minimise its loan borrowing costs;
 - (b) fund the repayments of a loan borrowing from CPGC operations;
 - (c) maximise the amount of infrastructure replacement / upgrade at the CPGC.

The consultant analysed the fee structures of CPGC’s nearest competitors - Burswood and Wembley golf courses - and made the following amendments to the fee structure and price:

- Amalgamation of Pensioner, Senior and Student charges to a single category (Concession / Student);
- Increase the overall green fees to match the rates applied at the other two courses. (Please note that there was no increase in green fees as part of the 2010/2011 budget in anticipation of this study).

The following fee structure is recommended for adoption by Council for the 2010/2011 fees and charges at Collier Park Golf Course.

ROUND TYPE	STANDARD		CONCESSION/STUDENT		RENOVATION	
	Weekday	Weekend	Weekday	Weekend	Weekday	Weekend
9 Holes	\$18	\$22	\$14	\$22	\$15	\$18
18 Holes	\$26	\$32	\$20	\$32	\$22	\$27

Based on current usage, adoption of this fee structure will realise an additional \$169,000 in income for the Course per year.

In order to assess the financial capacity of the CPGC being able to meet repayments of proposed future loan borrowings to fund the infrastructure asset replacement and upgrades, the consultant has applied the following assumptions to the financial model:

1. CPI indexation for operational revenue and expenditure of three percent (3%);
2. Course fee structure allows for a three percent (3%) increase in fees in years one (1) and two (2), no increase in year three (3), then increases in years four (4) and five (5), no increase in year six (6) and then following this pattern for remaining ten (10) year period;
3. Attendance numbers and patronage of the golf course as follows:
 - (a) An allowance of eight percent (8%) drop in attendance has been made during the redevelopment of each nine (9) hole course;
 - (b) Allowance for a two percent (2%) increase in patronage in years three (3) and seven (7) (following the course improvements) and then these patronage numbers being maintained going forward;
4. Revenue includes rental for the Pro-shop but not revenue from the driving range;
5. Controllers fees based on nine percent (9%) commission of total green fees collected;
6. Depreciation has been kept constant for the forecast period;
7. Reticulation operational costs have been reduced to reflect the anticipated cost savings due to the new irrigation infrastructure being installed and operating more efficiently.

As a result of this process, four (4) separate key financial models were examined, with twelve (12) sub-models produced which underpin each key model (48 models assessed in total). These models are described in detail in the consultant's report.

Preferred Model

The applicable funding models were reduced to two (2) (i.e. Models 2.1 and 2.1b) following presentations to initially to the Director Financial and Information Services and then the Chief Executive Officer. The other forty six (46) funding models were discarded because they:

- were not fundable from a practicable point of view;
- resulted in a continual drain on the CPGC Reserve;
- required too long a period to repay the loan borrowing;
- did not sustain the dividend to the City at a comparable level close to that required by Policy P608.

As a result of this process and with some refinement, Model 2.1b at ***Confidential Attachment 10.0.3***, has been recommended as being best suited to facilitate the redevelopment of the CPGC.

This model was compiled based on the following assumptions being utilised:

- The dividend to the Municipal Fund being set at 60% of net cash flow after operating and loan repayments are deducted, but before capital expenditure, with a minimum dividend cap of \$215,000 (This will require an amendment to the Dividend Policy for CPGC);
- Use of \$1,000,000 in Reserve funds in Year 1 to reduce the amount of the Stage 1 loan borrowings;
- Use of \$1,000,000 in Reserve Funds in Year 5 to reduce the amount of the Stage 2 loan borrowings;
- Loan borrowing for Stage 1 of \$4,765,000 raised in Year 1;
- Loan borrowing for Stage 2 of \$1,233,000 raised in Year 5;
- Annual interest rate of 6% used for calculation of interest on loan borrowings;
- Loan repayments calculated on 12 monthly repayments over the term of the loan;
- The term of the loans being fifteen (15) years.

The advantages of this funding model are as follows:

- It allows for a fairly consistent and robust dividend to the City over the ten (10) year period (average of \$266,100 dividend);
- It maintains the Golf Course Reserve balance at acceptable levels, as well as providing a further \$1 million to upgrades in year five (5);
- It will allow the City to retire the debt within a fifteen (15) year period. This is well within the irrigation's estimated life span of twenty five (25) years.

It is therefore recommended that funding Model 2.1b of the Consultants report on *Funding Options for Infrastructure Upgrades to Collier Park Golf Course* be adopted by the Council.

Implementation

Subject to approval by the Council of the preferred funding model to implement the planned upgrade to CPGC, it is proposed to commence work on the 'Island Nine' in April 2011.

In terms of the construction process, it is important that the lake redevelopment works commence at the end of summer when water levels are at their lowest, and this typically occurs in April annually. If construction of the lake occurs outside this "window" then the City could be faced with costly dewatering and potential acid sulphate issues during the bulk earthworks phase. Construction will require closure of the Island Nine course for about 7 months from early April to early November 2011.

The Consultants report highlights that the upgrade to the 'Pines Nine' is to commence at year five (5). However, prior to commencement of the upgrade to the 'Pines Nine' at Year 5, the financial model and cost estimates would be reviewed to ensure that the assumptions made for funding Model 2.1b are still correct.

The Consultants report recommends that the 'Lake Nine' upgrade is completed on or after year fifteen (15). This is outside of the scope of the current financial modelling and will need to be reassessed in time. The reasons for this timing include:

- The loan for the 'Island Nine' works will be paid off allowing additional funding to be available;
- The 'Island Nine' is the most recent on the Course, having been constructed in 1994.

Consultation

- Council has been periodically updated of progress of the Master-planning process via the internal 'Bulletin';
- The Course Master-plan was the subject of a Council Concept Briefing held on Tuesday 30 June, 2009;
- Specialist consultants have been engaged to assist with the development and implementation of the Course Master-plan and the funding and implementation strategy;
- The funding and implementation strategy was the subject of a Council Concept Briefing held on Tuesday 30 November 2010.

Policy and Legislative Implications

- Section 6.20 of the *Local Government Act (1995)* details the process by which a local authority seeks to borrow funds;
- Policy P608 - Dividend Policy Collier Park Golf Course will require amendment to reduce the sixty six point seven percent (66.7%) of the Net Cash Operating Result of the Collier Park Golf Course before Capital Expenditure is to be returned to the Municipal Fund to sixty percent (60%).

Financial Implications

The current CPGC Reserve balance at 31 October 2010 is \$1,597,596.

The financial modelling for implementation of the Island Nine Course redevelopment has been based on the following revised estimates (ex GST):

Island Nine

Irrigation works	\$2,900,000
Lake works	\$1,970,000
Course modifications	\$ 129,000
Course furniture	\$ 150,000
Planting	\$ 113,000
Paths	\$ 503,000
Total	\$5,765,000

The estimates used for the Pines and then Lake Nines are as follows:

Pines Nine

Irrigation works	\$1,426,700
Course upgrades	\$ 806,300
Total	\$2,233,000

Lake Nine

Irrigation works	\$1,138,500
Course upgrades	\$ 754,000
Total	\$1,893,100

Total Upgrades **\$9,891,100**

To commence the upgrade to the 'Island Nine', a total amount of \$5,765,000 is required. The recommended funding Model 2.1b allows for \$1.0 million to be expended from the CPGC Reserve to implement the 'Island Nine' upgrade. This means that a shortfall of \$4,765,000 is required to be borrowed for the 'Island Nine'. For ease, it is a recommendation to the Council that a total of \$4.8 million be borrowed to fund the upgrade to the 'Island Nine'.

Additional funding of \$2,233,000 is required at year five (5) to support the 'Pines Nine' upgrade. This is proposed to include a further \$1 million from the CPGC Reserve and \$1,133,000 in loan borrowings. However, the implementation of the 'Pines Nine' and the funding thereof will be the subject of a future report to Council.

All borrowing will be in accordance with statutory requirements as established in Section 6.20 of the *Local Government Act (1995)*.

Strategic Implications

This project compliments the City's Strategic Plan 2010 – 2015 and in particular:

- Direction 1.1 - Community
“Develop, prioritise and review services and delivery models to meet changing community needs and priorities”
- Direction 2.3 - Environment
“Review and integrate sustainable water management strategies to improve community and City practices ”

Sustainability Implications

The CPGC Master-plan, as a strategic document, sets the parameters by which course development is to occur and these are based on sustainability principles. Such sustainability initiatives include but are not limited to:

- Use of state of the art reticulation system that is more efficient and water wise;
- Stormwater harvesting and reuse of treated stormwater to reduce the need to irrigate the course using bore/ground water;
- Use of native (endemic) vegetation that requires minimal watering and maintenance;
- Use of alternative energy sources such as solar power for lighting;
- Use of porous pavements for roads and car parking.

OFFICER RECOMMENDATION ITEM 10.0.3

That ...

- (a) the revised green fee structure for Collier Park Golf Course as detailed in report Item 10.0.3 of the November 2010 Agenda be adopted;
- (b) funding Model 2.1b at **Confidential Attachment 10.0.3** detailing Funding Options for Infrastructure Upgrades to Collier Park Golf Course be adopted;
- (c) Policy P608 - Dividend Policy Collier Park Golf Course, be amended to reduce the Net Cash Operating Result of the Collier Park Golf Course before Capital Expenditure to be returned to the Municipal Fund, from sixty six point seven percent (66.7%) to sixty percent (60%); and
- (d) Council authorise the Chief Executive Officer to seek loan borrowings of \$4,800,000 during 2010/2011 to implement the planned upgrade to the 'Island Nine' at the Collier Park Golf Course.

10.0.4 Proposed Dog Local Law (*Item 10.0.1 deferred November 2010 Council Meeting*)

Location: City of South Perth
Applicant: Council
File Ref: LE/102
Date: 2 December 2010
Author: Phil McQue, Manager Governance and Administration
Reporting Officer: Vicki Lummer, A/Chief Executive Officer

Summary

The Council resolved at the 23 November 2010 Council Meeting to hold a workshop on the proposed Dog Local Law. A Councillor workshop was subsequently held 1 December 2010, with the workshop forming the view that a report be submitted to the 14 December 2010 Council Meeting recommending that a public forum be held in March 2011 to seek further community feedback and views on the proposed Dog Local Law.

Background

A draft Dog Local Law was presented to a Council Concept Forum in August 2010 as part of the review of the 1997 Dogs Local Law. The draft Dog Local Law was reviewed and modified with Councillor input at this forum and presented to Council for consideration in August 2010.

The proposed Dog Local Law is largely based on the Western Australian Local Government Association's model dog local law with the primary objective of making provisions that ensure public safety and provide a safe co-operative community space, to control the number of dogs that can be kept on the premises and the manner of keeping of those dogs, and to prescribe areas in which dogs are prohibited or required to be on a lead.

The Council at the 24 August 2010 meeting resolved to call for public submissions in relation to the proposed Dog Local Law to replace the City's 1997 Dogs Local Law in its entirety, in accordance with s3.12.12(3)(a)(b) and (3a) of the *Local Government Act 1995*. State wide and local public notice was given for the 62 day submission period, commencing on 28 August and concluding on 29 October 2010, with a total of 32 submissions being received during this period.

A further report was subsequently submitted to the 23 November 2010 Council meeting recommending adoption of the Dog Local Law, where the Council resolved "*that the officer recommendation not be adopted and that in the first instance, Item 10.0.1 be deferred to a future Council Meeting after a workshop has been conducted*".

Comment

A Councillor workshop was held 1 December 2010 to discuss the key issues associated with the proposed Dog Local Law. The workshop formed the view that given the high level of community interest in the proposed Dog Local Law, a report should be submitted to the 14 December 2010 Council meeting recommending that a public forum be held in March 2011 to seek further community feedback and views prior to the Council reconsidering this matter.

Consultation

Section 3.12(3) of the *Local Government Act 1995* requires the local government to give State-wide public notice stating that the local government proposes to make a local law the purpose and effect of which is summarised in the notice.

Notices advising of the proposed Dog Local Law were placed in the West Australian newspaper on 28 August 2010, in the Southern Gazette newspaper on 7 September 2010 and were also placed on the notice boards at the Civic Centre and branch libraries and in the 'Out for Comment' section on the City's website.

The proposed Dog Local Law was subject to a public submission period of 62 days, well in excess of the required statutory period of six weeks, resulting in 32 submissions being received.

Policy and Legislative Implications

Section 3.12 of the *Local Government Act 1995* and regulation 3 of the *Local Government (Functions & General) Regulations* set out the procedural requirements for the making of a local law.

Financial Implications

The costs associated with the development and implementation of this local law include consultancy fees, advertising, gazettal and publication costs, internal changes to infringement books and procedures, and internal costs such as staff training. The proposed public forum in March 2011 will also incur some minor costs.

Strategic Implications

The proposal is consistent with Strategic Direction 6: 'Governance' of the Strategic Plan - *Ensure that the City's governance enables it to respond to the community's vision and deliver its service promises in a sustainable manner.*

As noted above, the proposed new local law would bring this area of the City's operations into line with contemporary best practice in many other local governments throughout the State.

Sustainability Implications

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

OFFICER RECOMMENDATION ITEM 10.0.4

That the Council hold a public forum in March 2011 to seek community feedback on the proposed Dogs Local Law 2011.

10.1 STRATEGIC DIRECTION 1 : COMMUNITY

10.1.1 Funding Assistance - Round Two

Location:	City of South Perth
Applicant:	Council
File Ref:	GS/103/1- 2010/2011
Date:	1 December 2010
Author:	Natasha Hughes, Community Development Officer
Reporting Officer:	Sandra Watson, Manager Community Culture & Recreation

Summary

This report relates to applications in the Community Development category of the Funding Assistance Program - Round Two - 2010/2011.

Background

In June 2001 the City implemented a Funding Assistance Program to enable the City to equitably distribute funding to community organisations and individuals to encourage community and personal development, and foster community services and projects.

The Funding Assistance Program incorporates a number of levels and categories in response to identified areas of need and these are:

Community Partnerships - with identified organisations that provide a major benefit to the City of South Perth community.

Community Development Funding

- Community Development Category - Project funding for incorporated not for profit groups which are considered by council in two rounds annually.
- Individual Development Category - Financial assistance for individuals attending interstate or international sporting, cultural or academic activities or events.

Community Grants - Smaller grants up to \$1,000 for groups proposing projects that do not fit within the Community Development category.

Submissions in the Community Development Funding category, which is the subject of this report, are assessed against the following criteria:

1. The demonstrated community need for the project (priority is given to projects that do not duplicate projects or services already existing within the City);
2. The proposed benefits for the participants involved as well as for the wider City of South Perth community;
3. The expected number of participants who are residents of the City of South Perth;
4. Demonstrated need for financial assistance from the City of South Perth (priority is given to projects that can demonstrate that other potential sources of funding have been exhausted or are not available), or partnering opportunities with other organisations have been explored;
5. The level of cash or in kind support committed to the project;
6. The sustainability of the project and / or the organisation;
7. The level of exposure given to the City in the promotion of the project (Recipients are required to promote the City's support of the project).

Full details of the funding program can be found on the City's website where information is available about program guidelines, eligibility, selection criteria and acquittal information along with resources to assist with grant seeking and the development of grant submissions.

Comment

Five applications were received in this round requesting a total of \$38,925.97. Details of all applications are included in the submission summary at **Attachment 10.1.1**. Four of the five applications comply with the requirements of the program. The applications cover a range of community services and projects and were submitted by:

- CLAN WA
- South Perth Out of School Care Incorporated
- Edventures
- Continnence Advisory Service of WA
- Uniting Care West

This report recommends that two of the five eligible submissions are fully supported, two are partly supported and that one is not supported for reasons outlined in the attached submission summary. The total recommended funding amount is \$23,831.00

Consultation

This funding round was advertised on the City's website and in the Southern Gazette. The City's Community Development Officer distributed information at the Connecting Schools function, the Community Funding Options Workshop and when liaising with community groups and schools. In addition, the Community Development Officer is proactive in discussing projects with applicants and assisting in the development of submissions.

Policy Implications

This report refers to the Funding Assistance Policy P202.

Financial Implications

A total amount of \$195,000 is allocated in the 2010/2011 budget for the Community Development, Individual Development, Community Grants and Community Partnership categories of the Funding Assistance program. The recommendation of this report is within budgetary parameters.

Strategic Implications

This report is complimentary to Strategic Directions, 'Community' , and relates to Strategy 1.3: *'Encourage the community to increase their social and economic activity in the local community'.*

Sustainability Implications

Through the City's Funding Assistance program a range of community services and initiatives, many of which are run by volunteers, are fostered and supported whereas it would not be sustainable for the City or other government level organisations to deliver these programs.

OFFICER RECOMMENDATION ITEM 10.1.1

That \$23,831.00 be distributed to four organisations from City funds for Round Two of the Community Development category of the Funding Assistance Program as detailed in **Attachment 10.1.1** to report Item 10.1.1 of the December 2010 Council Agenda.

10.2 STRATEGIC DIRECTION 2: ENVIRONMENT

10.2.1 Repairs to River Walls - Review of Submissions for Tender 19/2010

Location:	City of South Perth
Applicant:	Council
File Ref:	Tender 19/2010
Date:	23 November 2010
Author:	Mark Taylor, Manager City Environment
Reporting Officer:	Stephen Bell, Director Infrastructure Services

Summary

Schedule of Rates tenders have been called and received for Repairs to River Walls. The duration of the contract is for twelve (12) months with an option to renew for a further twelve (12) months subject to the Contractor's performance being deemed satisfactory over the preceding year of the Contract. This report outlines the assessment process and recommends that the Council endorse the tenders submitted by MMM Contractors WA Pty Ltd and DME Contractors, be accepted for a period of twelve (12) months commencing 1 January 2011, with an option to extend for a further twelve (12) months depending on performance.

Background

The City has extensive sections of river walls and coastal protection structures on its nineteen (19) km of river foreshore. Maintenance responsibility for river walls since the demise of the Public Works department in 1985 has been ad-hoc and responsibility has been the subject of debate in recent years. The Swan and Canning Rivers Management Act 2006 came into effect on 25 September 2007 providing a new direction for the protection and management of the rivers. This included the principle of shared responsibility for maintenance between the Swan River Trust and the respective Local Governments.

Unfortunately, the lack of suitable maintenance over this period has resulted in significant deterioration to the standard of the river wall asset. In response, the City, the Swan River Trust (Trust) and Main Roads WA (MRWA) have been progressively working on improving this asset.

The City has recently completed an inventory of these structures and is currently developing an asset management plan. Responsibility for the management of river walls and other foreshore measures within the City boundaries is shared between the City, the Trust and MRWA (on the western foreshore where the walls and other measures protect their infrastructure i.e. Kwinana Freeway and Shared Use Path). To that end, a maintenance agreement has been developed in principle and will include a Memorandum of Understanding between the agencies.

The requirement to undertake specialist maintenance has resulted in calling this tender. Previously, the City was using either contracts for specific works, which it will continue to do for much larger projects, or its general works contract (*Tender 5/2010 Supply the services of Plant with skilled operator to carry out minor works*), which was not considered entirely suitable. The new contract is much more specific in regard to the type of work requested.

Proposed works include, but are not limited to:

- Maintenance and repairs to precast concrete river walls;
- Construction of limestone block walls;
- Maintenance and repairs to existing limestone block walls;
- Construction of 'Elcorock' geotextile sand container toe protection;
- Construction and repairs to rock revetments;
- Other works of a minor nature as directed.

Tenders were invited on Saturday 30 October 2010 and during the advertised period twelve (12) sets of documents were distributed to Contractors. At the close of tenders on 16 November 2010 five (5) submissions were received from registered companies and these are shown in the table below (in no apparent order).

List of Tenders Received
MMM Contractors WA Pty Ltd
Freo Constructions
DME Contractors
Advantearing Civil Engineers
Earthcare Landscapes

Comment

All tenders were compliant even though some had not completed all of the pricing schedules. The reason why this was permitted was due to the wide range of works requested and that each section of the Schedule relates to a different type of wall treatment. The City is interested in receiving the best price and methodology for each particular type of treatment under a Schedule of Rates contract. This means, the City can utilise the services of a particular contractor for a certain type of maintenance work under a Panel Contract arrangement.

Because of this factor, it was difficult to ascertain a total price comparison for this contract. As a result, this contract was assessed using the 'non-weighted cost method', where the qualitative criteria are assessed separately to the price. This is an accepted assessment methodology.

The tenders were first assessed in more detail against the qualitative criteria as established below. For this process, the City enlisted the services of its coastal engineering consultants.

Qualitative Criteria	Weighting %
1. Demonstrated ability to perform the tasks as set out in the specification	40%
2. Work methodology	40%
3. Referees	20%
TOTAL	100%

The main criteria for evaluation were based upon each company's ability to perform the tasks set out in the specification, such as availability of personnel and construction equipment and qualifications regarding pricing and tender conditions. In addition, the City was interested in their methodology and approach to the tasks.

Each company's submission and response to the criteria was then incorporated into the Selection Criteria matrix. Some of the submissions were lacking in detail and their qualitative scoring reflected this. In addition, the Panel was concerned about some company's intended use of sub-contractors for works. The City is keen to deal directly with the contractor on these types of projects, to avoid problems that have arisen in the past.

The final scores appear below.

Tenderer	Score
MMM Contractors WA Pty Ltd	7.8
Freo Constructions	3.6
DME Contractors	6.4
Advantearing Civil Engineers	3.0
Earthcare Landscapes	4.0

An assessment was then made on the Schedules of Rates submitted by each company (**Confidential Attachment 10.2.1 refers**). The Tender Panel considered most of the prices submitted by DME and MMM to be appropriate and closest to market conditions. Other companies submitted cheaper prices for some of the works in the schedule, however the Tender Panel considered these prices to be unrealistic for the type of work required.

As a result of the qualitative and price assessments, the two highest scoring bids were from MMM Contractors WA Pty Ltd (MMM) and DME Contractors (DME). MMM is known to the City of South Perth and has completed many different types of river wall repairs for the City in recent years. MMM owns most of its construction equipment and has a good safety record. DME has completed sea walls and foreshore works for many local government authorities around Perth. The company owns only limited construction equipment but has a good safety record.

Accordingly, it is recommended that MMM and DME be placed on the Contractor's Panel, based upon their responses to the Tender 19/2010, and Schedule of Rates submitted.

Consultation

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

Tenders were invited on Saturday 30 October 2010 and during the advertised period twelve (12) sets of documents were distributed to Contractors. At the close of tenders on 16 November 2010 five (5) submissions were received.

Policy and Legislative Implications

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

The aggregated value of the river wall repairs is likely to exceed the amount which the Chief Executive Officer has been delegated to accept, therefore this matter is referred to Council for its decision.

The following Council Policies also apply:

Policy P605 - *Purchasing & Invoice Approval*;

Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

The City has allocated \$395,000 for river wall maintenance in the 2010/2011 Infrastructure Capital Works program. During 2010/2011, about three quarters of the budget will be expended under specific tendered contracts. An example is the wall maintenance project south of Canning Bridge which was recently awarded to MMM (Tender 20/2010). Works under Tender 19/2010 should therefore account for about \$100,000 of the budget for 2010/2011.

If the City elects to extend the contract by a further twelve months, the total value of the aggregated works is likely to exceed the amount which the CEO has delegated authority to accept, hence the reason for this report. The amount to be allocated towards river wall maintenance in 2011/2012 will be the subject of future budget deliberations.

Strategic Implications

This matter relates to Strategic Direction 2 “Environment’ *Nurture and develop natural spaces and reduce impacts on the environment.*

Sustainability Implications

Appropriate maintenance of river walls is important to ensure the reserves they are protecting are not compromised. Regular preventative and restorative maintenance will also ensure river walls are not allowed to deteriorate to the point where they need to be replaced prematurely.

OFFICER RECOMMENDATION ITEM 10.2.1

That the Schedule of Rates tenders submitted by MMM Contractors WA Pty Ltd and DME Contractors for Tender 19/2010 Repairs to River Walls, be accepted for a period of twelve months commencing 1 January 2011, with an option to extend for a further twelve (12) months based on satisfactory performance.

10.2.2 Restoration of Redmond Reserve Escarpment - Tender 23/2010

Location: City of South Perth
Applicant: Council
File Ref: Tender 23/2010
Date: 1 December 2010
Author: Tamara Wilkes-Jones, City Environment Coordinator
Reporting Officer: Stephen Bell, Director Infrastructure Services

Summary

Lump sum tenders have been called and received for the Restoration of Redmond Reserve Escarpment. The duration of the contract is for a period of 10 months with an additional 24 months maintenance period. This report outlines the assessment process and recommends that Council endorse the tender submitted by Natural Area Management & Services for the amount of \$134,310.65 plus GST, be accepted.

Background

Redmond Reserve, which is located on the banks of the Canning River, forms part of the extensive Salter Point and Waterford foreshore complex, connecting Mt Henry (a bush forever site) and Sandon Park, to the Waterford Clontarf section. The area identified for restoration (refer locality diagram below) is located in the western section of the reserve and is closely bordered by the existing stairs off Redmond Reserve and Aquinas Bay. The escarpment consists of Bassendean dunes with underlined and exposed outcrops of Tamala limestone. The site has experienced ongoing erosion from wind, wave action and human traffic.



Locality Diagram

Previous attempts in the early 1990's to stabilise the embankment through terracing, reticulation and planting resulted in limited success due to irregular maintenance and weed infestation, resulting in site decline and erosion. Resident houses above the site were at risk and the endemic riparian habitat was constantly disturbed by the movement of soil. One of the predominate failings of this attempt to stabilise the escarpment was the lack of foreshore erosion control. The escarpment slope of approximately 40° was highly susceptible to foreshore erosion caused by wave action and the constant undermining resulted in soil slumping. This loss of soil slowly began progressing up into the escarpment whilst contributing sediment to the river.

In preparation to halt the erosion and restore the site the City completed a site survey and geotechnical investigation which has been used to compliment the various stages of restoration. In early 2010 a 'Massbloc' retaining wall spanning the base of the escarpment was constructed. The 'Massbloc' wall has halted the foreshore erosion and slumping and provided the foundation for the next stage of restoration works.

Due to the complexities of the site the City engaged an environmental consultant in August 2010 to produce a restoration plan for the embankment. The completed maps and plan details restoration not only for this area of the escarpment but also for the area adjacent to the Aquinas College boundary and the surrounds of Sulman Avenue stairs. It is anticipated that this plan will be used for future restoration works. The Restoration Plan and the Tender therefore specified the following works:

- Removal of unsuccessful retaining structures, star pickets, fencing and reticulation;
- Removal and treatment of weeds and non indigenous native vegetation;
- Manual reshaping of the soil to accommodate the installation of palisades and jute matting;
- The planting of approximately 9,000 native stock, to be supplied by the City; and
- The on-going maintenance of the site including weed control, material repair or replacement, watering and plant replacement for a period of twenty four (24) months.

Tenders were invited on Saturday 6 November 2010 and during the advertised period eleven (11) sets of documents were distributed. At the close of tenders on 23 November 2010, three (3) submissions were received.

Tender	Tendered price (ex GST)
Rockingham Regional Environment Centre Inc	\$257,223.91
Syrinx Environmental PL	\$220,036.36
Natural Area Management & Services	\$134,310.65

Comment

The tenders were assessed against the qualitative criteria as established below:

Qualitative Criteria	Weighting %
1. Demonstrated experience in completing similar projects	30%
2. Referees	5%
3. Demonstrated understanding, suitability and logic of works program	10%
4. Financial capacity and other work and financial commitments	5%
5. Satisfactory resources to complete works	10%
6. Price	40%
TOTAL	100%

Each company's price submission, response to the criteria, including a referee check, was then incorporated into the Selection Criteria matrix. Each submission's qualitative scoring is reflected below.

Tender	Score
Rockingham Regional Environment Centre Inc	6.0
Syrinx Environmental PL	9.1
Natural Area Management & Services	9.9

The tendered price from Natural Area Management & Services (NAMS) is considerably less than those submitted by the other two companies, which was initially of concern to the Tender Assessment Panel. As a result, a detailed list of questions about their approach to the specification were presented to NAMS for clarification. The responses from NAMS have satisfied the City that its tender submission will more than adequately meet the specification. As a result, the City is recommending that the tender submission from NAMS (Tender 23/2010) for the Restoration of Redmond Reserve be accepted by Council

Consultation

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

Tenders were invited on Saturday 6 November 2010 and during the advertised period eleven (11) sets of documents were distributed. At the close of tenders on 23 November 2010, three (3) submissions were received.

Policy and Legislative Implications

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

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

The following Council Policies also apply:

Policy P605 - *Purchasing & Invoice Approval*;

Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

The tendered price submitted by Natural Area Management & Services is \$134,310.65 plus GST. Of this price, \$89,000 is scheduled to be expended during 2010/2011. The remaining \$45,311 is proposed to be expended during 2011/2012 and 2012/2013 respectively. The reason for the continued expenditure is the ongoing maintenance component of the contract, which extends for twenty four (24) months.

The City has allocated \$90,000 in the 2010/2011 Infrastructure Capital Works program for this project. Allocations to cover proposed expenditure for 2011/2012 and 2012/2013 will be presented to Council for consideration at future budget deliberation.

Strategic Implications

This matter relates to Strategic Direction 2 “Environment’ *Nurture and develop natural spaces and reduce impacts on the environment*.

Sustainability Implications

Responsible environmental management is a key objective of the City. The purpose of this tender to remove invasive weed species and replace them with more sustainable endemic vegetation.

OFFICER RECOMMENDATION ITEM 10.2.2

That...

- (a) the Tender submitted by Natural Area Management & Services for the Restoration of Redmond Reserve Escarpment (Tender 23/2010) be accepted; and
- (b) additional funding of \$45,310, to complete the project, be considered for inclusion in both the 2011/12 and 2012/13 Annual Budgets.

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Change of Use (from Single House) to Consulting Rooms - Lot 430 (No. 113) Manning Road Manning.

Location:	Lot 430 (No. 113) Manning Road, Manning
Applicant:	Mike Allen Planning
Lodgement Date:	30 September 2010
File Ref:	11.2010.532 MA3/113
Date:	1 December 2010
Author:	Adrian Ortega, Planning Officer, Development Services
Reporting Officer:	Vicki Lummer, Director Development & Community Services

NOTE: This application has been withdrawn at the request of the applicant.

10.3.2 Proposed Amendment (Additional Staff) to Approved Use (Consulting Rooms) - Lot 429 (No. 2) Welwyn Avenue, Manning.
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Location: Lot 429 (No. 2) Welwyn Avenue, Manning
 Applicant: Aubrey Monie
 Lodgement Date: 1 November 2010
 File Ref: 11.2010.605 WE1/2
 Date: 1 December 2010
 Author: Patricia Wojcik, Planning Officer
 Reporting Officer: Vicki Lummer, Director Development and Community Services

Summary

To consider an application for an amendment to an existing planning approval. The original planning approval was granted in August 2008 for a change of use from single house to consulting rooms on Lot 429 (No. 2) Welwyn Avenue, Manning. The proposed amendment is to increase the number of practitioners from one to two.

Element on which discretion is sought	Source of discretionary power
Two practitioners	TPS6 Clause 7.8(1)

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

Background

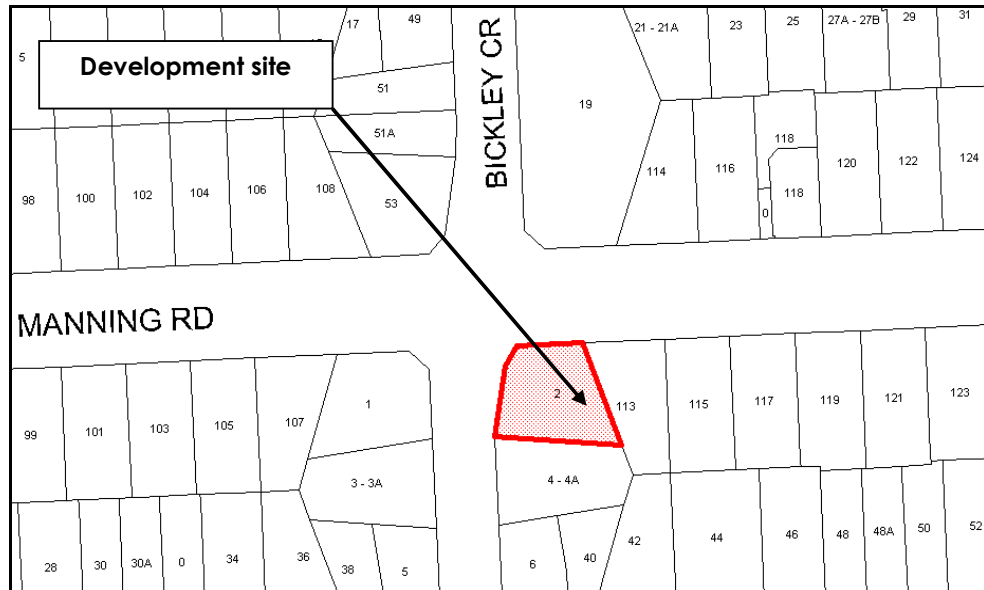
The development site details are as follows:

Zoning791	Residential
Density coding	R20
Lot area	956 sq. metres (eff. 976 sq. metres)
Building height limit	7.0 metres
Development potential	2 dwellings, or non-residential uses as approved
Plot ratio limit	Not applicable

This report includes the following attachments:

- **Confidential Attachment 10.3.2(a)** Plans of the proposal.
- **Attachment 10.3.2(b)** Applicant's cover letter.
- **Attachment 10.3.2(c)** Site photographs.

The location of the development site is shown below:



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

3. The exercise of a discretionary power

Applications which, in the opinion of the delegated officer, represents a significant departure from the Scheme, the Residential Design Codes or relevant Planning policies.

Comment

(a) Description of the proposal

The subject site is currently developed with consulting rooms as depicted in the site photographs referred to as **Attachment 10.3.2(c)**. The proposed amendment to the existing planning approval is to change from currently having one practitioner to now having two practitioners on site, as outlined in the applicant's cover letter referred to as **Attachment 10.3.2(b)**.

The proposal conflicts with Table 4 of Town Planning Scheme No. 6 (TPS6). Table 4 specifies a maximum of one practitioner in areas coded R20 for consulting rooms within the residential zone.

(b) Landscaping

Landscaping is still being provided in excess at 34%, in lieu of the minimum 25%, therefore the proposed development complies with Table 4.

(c) Car parking

The required number of car bays is 11, and the proposed number of car bays is 11, therefore the proposed development complies with Table 6.

(d) Bicycle Parking

The required number of bicycle bays is two, and the existing number of bicycle bays is four, therefore the proposed development complies with Table 6.

(e) Number of practitioners

The number of practitioners permitted is one, and the number of practitioners proposed is now two. Clause 7.8 (Discretion to Permit Variations from Scheme Provisions) of TPS6 outlines the cases in which Council has discretion to allow variations from scheme provisions. The variation currently being considered would fall under “related matters” as the number of practitioners relates directly to car parking. Given that an extra car parking bay has been provided for the additional practitioner, it is recommended that the proposed amendment be approved.

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

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

- (a) Maintain the City's predominantly residential character and amenity;*
- (c) Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;*
- (d) Establish a community identity and “sense of community” both at a City and precinct level and to encourage more community consultation in the decision-making process;*
- (e) Ensure community aspirations and concerns are addressed through Scheme controls;*
- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development; and*
- (g) Protect residential areas from the encroachment of inappropriate uses.*

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

In considering the application, 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 Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (a) The objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
 - (i) The preservation of the amenity of the locality;*
 - (s) Whether the proposed access and egress to and from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the site;*
 - (t) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

- (u) *Whether adequate provision has been made for access by disabled persons;*
- (v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (w) *Any relevant submissions received on the application, including those received from any authority or committee consulted under Clause 7.4; and*
- (x) *Any other planning considerations which Council considers relevant.*

Consultation

(a) Neighbour consultation

Neighbour consultation has been undertaken for this proposal to the extent and in the manner required by Policy P355 “Consultation for Planning Proposals”. The owners of properties at Nos. 109, 113, 114, 11 and 116 Manning Road, 40 Downey Drive, 53 Bickley Crescent, 19 Pether Road, 1, 3, 3A, 4, 4A, 5 and 6 Welwyn Avenue were invited to inspect the application and to submit comments during a 14-day period. A total of 15 neighbour consultation notices were mailed to individual property owners. During the advertising period, no submissions were received.

Policy and Legislative Implications

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

Financial Implications

The determination has no financial implications.

Strategic Implications

This matter relates to Strategic Direction 3 “Housing and Land Uses” identified within Council’s Strategic Plan which is expressed in the following terms:

Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.

Sustainability Implications

Being non-residential land uses of a non-sensitive nature, it is considered that the development enhances sustainability by providing local businesses and employment opportunities.

Conclusion

The site currently operates as consulting rooms for physiotherapy. The proposed amendment to the existing planning approval is now to have two practitioners in place of one. While this proposal departs from the Scheme provisions outlined in Table 4, one extra car bay has been provided for the proposed additional practitioner. Provided that standard conditions are applied as recommended, it is considered that the application should be approved with conditions.

OFFICER RECOMMENDATION ITEM 10.3.2

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for an amendment (Additional Staff) to approved use (Consulting Rooms) on Lot 429 (No. 2) Welwyn Avenue, Manning **be approved**, subject to:

(a) **Standard Conditions**

- | | | | |
|-----|----------------------------|-----|------------------------|
| 352 | Car parking bays marked | 660 | Expiration of approval |
| 354 | Car parking - Condition of | | |

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

(b) **Specific Conditions**

The number of staff approved to operate from the premises is for two practitioners and one support staff.

(c) **Standard Advice Notes**

- | | | | |
|------|----------------------------------|-----|---------------------|
| 649A | Minor variations - Seek approval | 651 | Appeal rights - SAT |
|------|----------------------------------|-----|---------------------|

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

(d) **Specific Advice Notes**

Any activities conducted will need to comply with the *Environmental Protection (Noise) Regulations 1997* at all times.

10.3.3 Amendment to Planning Approval : Ground Floor Additions - Lot 2 (No. 53) South Perth Esplanade and Lot 6 (No. 1) Ferry Street, South Perth.

Location: Lot 2 (No. 53) South Perth Esplanade, South Perth
Lot 6 (No. 1) Ferry Street, South Perth

Applicant: Peter Jodrell Architect

Lodgement Date: 13 September 2010

File Ref: 11.2010.494 SO1/53 - FE2/1

Date: 1 December 2010

Author: Chris Schooling, Senior Planning Officer

Reporting Officer: Vicki Lummer, Director Development Community Services

Summary

To consider an amendment to a previously granted application for planning approval for ground floor additions to an existing “Tourist Accommodation” development at Lot 2 (No. 53) South Perth Esplanade and Lot 6 (No. 1) Ferry Street, South Perth. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Car parking provision	TPS6 Clause 7.8(1)

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

Background

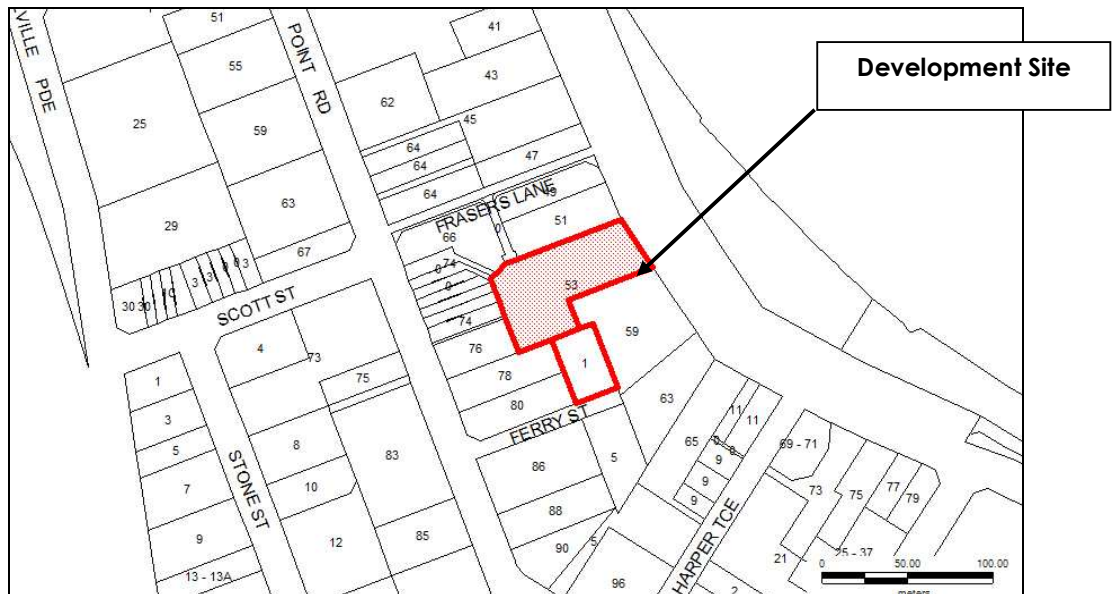
The development site details are as follows:

Zoning	Residential
Density coding	R80
Lot area	4,570 sq. metres
Building height limit	13 metres
Plot ratio limit	0.75

This report includes the following attachments:

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

The location of the development site is shown below:



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

3. The exercise of a discretionary power

(b) Applications which in the opinion of the delegated officer represents a significant departure from the Scheme, the Residential Design Codes or relevant Planning policies.

4. Applications previously considered by Council

Matters previously considered by Council where drawings supporting a current application have been significantly modified from those previously considered by Council at an earlier stage of the development process, including at an earlier rezoning stage, or as a previous application for planning approval.

Comment

(a) Existing development on the subject site

The subject site is located at Lot 2 (No. 53) South Perth Esplanade and Lot 6 (No. 1) Ferry Street, South Perth (Site). The existing development on the site currently features the land use of “Tourist Accommodation”, as depicted in the site photographs at **Attachment 10.3.3(b)**.

(b) Description of the surrounding locality

The site has a frontage to South Perth Esplanade to the east and frontage to Ferry Street to the south, as seen in **Figure 1** below:



(c) **Background Previous Approval**

At its December 2009 meeting, Council resolved to approve a development application for additions and alterations to existing tourist accommodation at Lot 2 (No. 53) South Perth Esplanade and Lot 6 (No. 1) Ferry Street, South Perth (Site). This application was similar to a previous approval granted by Council at its November 2006 meeting.

The application proposed to increase the development yield by 10 new tourist accommodation apartments, provide two new car parking bays, redevelop the rear courtyard car park into an outdoor terrace, and expand the foyer area.

(d) **Description of the proposal**

The proposal subject of the current application seeks to amend the December Council approval by removing all car parking from the rear courtyard to the extremities of the development site, and converting one unit into a resident lounge, as depicted in the submitted plans at **Confidential Attachment 10.3.3(a)**. Furthermore, the site photographs show the relationship of the site with the surrounding built environment at **Attachment 10.3.3(b)**.

The following components of the proposed development do not satisfy the City of South Perth Town Planning Scheme No. 6 (**Scheme TPS6**) and Council policy requirements:

- (i) Plot ratio; and
- (ii) Car parking.

The applicant's letter, **Attachment 10.3.3(c)**, describes the proposal in more detail.

The proposal complies with the Scheme and relevant Council policies, with the exception of the remaining non-complying aspects, with other significant matters all as discussed below.

(e) **Plot ratio**

The maximum permissible plot ratio for "Tourist Accommodation" land uses in a Residential zone with a density coding of R80 is 0.75 (3427.5 sq. metres). The proposed plot ratio is 0.89 (4,055 sq. metres). The plot ratio for the site has not changed from that previously approved by Council in December 2009.

(f) **Car parking**

The required number of car bays is 84 and the proposed number of car bays is 58, which represents a shortfall of 26 bays (31 percent). The application proposes a reduction of two car parking bays from the number previously approved by Council in December 2009. The proposed development therefore, does not comply with the car parking requirement in Table 6 of TPS6.

Council discretion - Cl. 6.3.4 - Council has discretionary power under Clause 6.3.4 of TPS6 to approve the proposed car parking if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the proposed car parking be approved as the applicant has satisfied the City in relation to the following requirement of that clause (emphasis added):

- (i) The Council is satisfied that the proposed number of bays is sufficient, having regard to the peak parking demand for different uses on the development site.

Council discretion - Cl. 7.8.1 - Council has discretionary power under Clause 7.8.1 of TPS6 to approve the proposed car parking if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the proposed car parking be approved as the applicant has satisfied the City in relation to the following requirements of that clause (emphasis added):

- (i) Approval of the proposed development would be consistent with the orderly and proper planning of the precinct and the preservation of the amenity of the locality.
- (ii) The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the precinct or upon the likely future development of the precinct.
- (iii) The proposed development meets the objectives for the City and for the precinct in which the land is situated as specified in the Precinct Plan for that precinct.

As a response to the above sub-clauses, the applicant submits the opinion that a large proportion of tourist accommodation clients do not use private or rental vehicles, and as a result, "Tourist Accommodation" developments generally do not require one car parking bay for each bedroom. Furthermore, this particular development is located in close proximity to public transport and commercial services which negates the need for guests to use private or rental vehicles.

It is further considered that the relocation of car parking facilities to the extremities of the development site, rather than in an internal courtyard, increases the useability of the courtyard space (as vehicle movements are removed) and provides greater amenity for the residents.

As all car parking is now accessed from public roads such as South Perth Esplanade and Ferry Street, there will be no impact on the amenity of neighbouring properties, particularly those at 74 Mill Point Road, from vehicle movements. Access to the rear car park was previously permitted adjacent to these properties by an easement over part of 7/74 Mill Point Road.

It has been observed by the City that on numerous occasions the full compliment of car parking provided for the site is not fully utilised, as identified in **Attachment 10.3.3(b)**. It would therefore not be appropriate to require more car parking which would not be utilised by guests and staff. Additionally, given Council has previously supported variations to on-site car parking for this site, it is considered acceptable to approve the car parking variations proposed in this application. In this instance, it is considered that the proposal complies with the discretionary clause, and is therefore supported by the City.

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

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

- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development; and*
- (g) Protect residential areas from the encroachment of inappropriate uses.*

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

In considering the application, 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 Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (a) The objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (b) The requirements of orderly and proper planning, including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
- (i) The preservation of the amenity of the locality;*
- (j) All aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;*
- (n) The extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details;*
- (o) The cultural significance of any place or area affected by the development;*
- (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; and*
- (x) Any other planning considerations which Council considers relevant.*

The proposed development is considered satisfactory in relation to all of these matters, subject to the recommended conditions.

Consultation

(a) Neighbour consultation

Neighbour consultation has been undertaken for this proposal to the extent and in the manner required by Policy P355 "Consultation for Planning Proposals". Under the standard consultation method, individual property owners, occupiers and / or strata bodies at No. 59 South Perth Esplanade and No. 76 Mill Point Road were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of 10 consultation notices were sent and no submissions were received. Comments from the owners of a property on Mill Point Road were received outside of the standard consultation method, raising concerns regarding access to a proposed rear garage. The applicants have removed the garage in response to these concerns.

Policy and Legislative Implications

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

Financial Implications

The determination has no financial implications to the City.

Strategic Implications

This matter relates to Strategic Direction 3 “Housing and Land Uses” identified within Council’s Strategic Plan which is expressed in the following terms:

Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.

Sustainability Implications

Being non-residential land use of a non-sensitive nature, it is considered that the development enhances sustainability by providing local businesses and employment opportunities.

Conclusion

It is considered that the proposal meets all of the relevant Scheme, R-Codes and City policy objectives and provisions, as it will not have a detrimental impact on adjoining residential neighbours. Accordingly, it is considered that the application should be conditionally approved.

OFFICER RECOMMENDATION ITEM 10.3.3

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this Amendment to Planning Approval – Ground Floor Additions at Lot 2 (No. 53) South Perth Esplanade and Lot 6 (No. 1) Ferry Street, South Perth, **be approved** subject to:

(a) **Standard Conditions**

625	Sightlines for drivers	470	Retaining walls - If required
352	Car bays - Marked and visible	471	Retaining walls - Timing
354	Car bays - Maintained	455	Dividing fences - Standards
639	Verge licence required	456	Dividing fences - Timing
425	Colours and materials - Matching	340	Parapet walls - Finish of surface
427	Colours and materials - Details	550	Plumbing hidden
664	Inspection (final) required	445	Stormwater infrastructure
560	Rubbish storage area	639	Verge licence required
660	Expiry of approval		

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

(b) **Specific Conditions**

- (i) The refuse enclosure / area is to be to the satisfaction of Council’s Coordinator, Environmental Health. The refuse receptacle is to be provided with the following:
 - (A) A tap connected to an adequate supply of water.
 - (B) Smooth, impervious walls constructed of approved materials not less than 1.5 metres in height.

Item 10.3.3 recommendation (cont'd)

- (C) An access way of not less than 1.0 metre in width for a 240 litre mobile garbage bin or 1.5 metre width for a 1,100 litre garbage bin, fitted with a self-closing gate.
- (D) Smooth, impervious floor of not less than 74mm thickness, evenly graded and adequately drained to a minimum 100mm diameter industrial graded floor waste.
- (E) Easy access to allow for the removal of containers.
- (F) Internal bin areas to be sealed from other internal rooms and be provided with mechanical ventilation capable of exhausting not less than 5.0 litres of air per second per 1.0 square metre of floor area, ducted.
- (G) The minimum size of the bin enclosure is to the satisfaction of the Council's Coordinator, Environmental Health at a general rate of 1.5 sq. metres per 240 litre bin or 2.5 sq. metres per 1100 litre bin.

(c) **Standard Advice Notes**

<p>648 Building licence required</p> <p>647 Revised drawings required</p> <p>645 Landscaping - Plan required</p> <p>649B Final clearance requirements</p> <p>651 Appeal rights - Council</p>	<p>646 Landscaping - General standards</p> <p>646A Masonry fences require BA</p> <p>649A Minor variations - Seek approval</p>
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Footnote A full list of Standard Conditions and Advice Notes is available for inspection at the Council Offices during normal business hours.

(d) **Specific Advice Notes**

The applicant is advised that:

- (i) Noise generally - 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 as determined by the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;
- (ii) Environmental Protection (Noise) Regulations 1997 - Construction work on premises shall be carried out between 7:00am and 7:00pm from Monday to Saturday. Any works undertaken on a Sunday or public holiday shall be in accordance with Regulation 7, unless a Noise Management Plan has been approved by the City of South Perth Chief Executive Officer and subject to:
 - (A) Construction work to be carried out in accordance with AS 2436 – 1981.
 - (B) The equipment used on the premises is the quietest reasonably available.
 - (C) The construction work carried out in accordance with a noise management plan that:
 - (1) Is approved by the City's Chief Executive Officer; and
 - (2) Submitted no later than seven days prior to any construction work.
 - (D) Provide written notification to all premises likely to receive noise emissions that fail to comply with prescribed standards under Regulation 7, at least 24 hours prior to the commencement of any construction.
 - (E) That the construction work is reasonably necessary at that time.

10.3.4 Request for Amendment to Town Planning Scheme No. 6 for Lifestreams Christian Church, Lot 3298 Murray Street, Como (Amendment No. 26)

Location: Lot 3298 Murray Street, Como
 Applicant: Lifestreams Christian Church Inc
 File Ref: LP/209/26
 Date: 1 December 2010
 Author: Gina Fraser, Senior Strategic Planning Officer
 Reporting Officer: Vicki Lummer, Director Development & Community Services

Summary

The Lifestreams Christian Church are refining their Master Plan proposals for their Como site and now request additional building height and density coding for the site. The proposal is to increase the density coding from R30 to R40, and to introduce site-specific performance-based increases from the current 7.0m (approximately 2 storeys) Building Height Limit to 13.0m, 14.0m and 17.5m (approximately 4-5 storeys) on specific parts of the site, subject to meeting all of the proposed performance criteria.

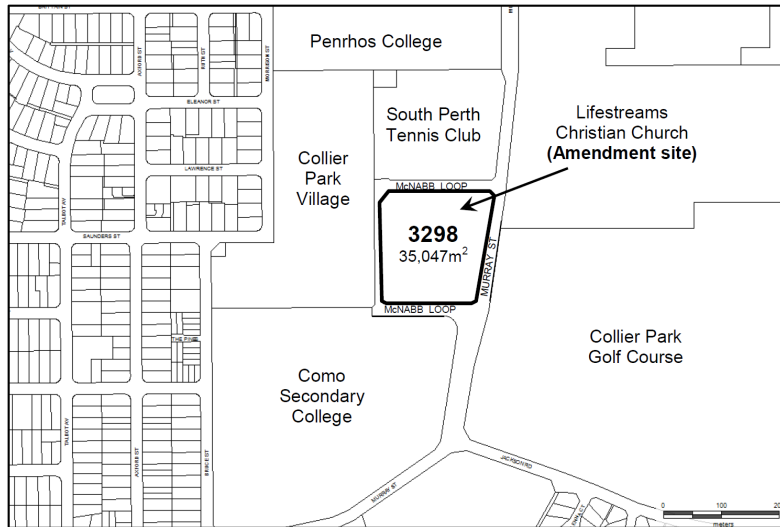
It is recommended that the requested Amendment No. 26 to Town Planning Scheme No. 6 (TPS6) be initiated and the draft Amendment proposals be endorsed for the purposes of advertising.

Background

The site of the Lifestreams Christian Church (formerly known as the South Perth Church of Christ), is bounded by McNabb Loop and Murray Street, Como. The site currently contains a Church / administration support building, a multi-purpose community hall, the 'Shed' community workshop and the Sonshine FM community radio station building. The site details are as follows:

Existing Zoning	Private Institution
Existing density coding	R30
Proposed density coding	R40
Lot area	35,047 sq. metres
Existing Building Height Limit	7.0 metres (approximately 2 storeys)
Proposed Building Height Limit	13.0m (approximately 4 storeys) 14.0m (approximately 4 storeys) and 17.5m (approximately 5 storeys)
Development potential	Various private institutional uses
Existing plot ratio limit	0.6
Proposed plot ratio limit	0.6

The location of the Lifestreams Christian Church site is shown below:



For some years, the Lifestreams Christian Church (the Church) has been examining future development options for their under-utilised site. In October 2008, the Council considered and granted ‘informal preliminary support’ under clause 7.10 of TPS6, for a Master Plan for the future development of the site. The endorsed concept plan was for a Mixed Development comprising 74 Multiple Dwellings, a Café/Restaurant, Local Shop and an auditorium. The development was to comprise four additional buildings of two to three storeys in height.

The endorsed Master Plan proposals have since been tested in more detail by the applicants, who have found that they are unable to meet current Scheme provisions in an economically sustainable development, while providing the range of community services that are needed. Following discussions with representatives of the Church, together with their architects and planning consultants, a ‘performance-based’ approach has been agreed upon for some of the additional entitlements being sought. This approach has been used successfully for several site-specific proposals. It safeguards the amenity of the locality while ensuring a superior design quality in any future development.

Comment

The Amendment No. 26 report at **Attachment 10.3.4** discusses the rationale for the proposal. The amendment proposals are as follows:

- (a) amending clause 5.4 to:
 - (i) increase the Building Height Limit from 7.0 metres to 13.0, 14.0 and 17.5 metres on specific portions of the site, where all of the applicable performance criteria are met; and
 - (ii) prescribe car parking provisions for the site; and
- (b) amending the Zoning Map for Precinct 9 ‘Como’ to increase the density coding for Lot 3298 Murray Street, Como, from R30 to R40.

(a) **Amending clause 5.4 'Development Requirements for Certain Sites'**

This clause contains special site-specific provisions for particular sites. In some cases, the 'performance-based' principle has been applied. In such cases, as is proposed in part for Amendment No. 26, the current Scheme provisions remain in place, but some specific requirement may be exceeded up to a prescribed limit, subject to applicable performance criteria being met. In the case of Amendment No. 26, a new sub-clause 5.4(8) is to be added, dedicated to the Church site ('Site H'). Sub-clause (8) will cover the following:

- (i) Increased Building Height Limit: Increased building height limits may be 'earned' for specific parts of the Church site, subject to all of the five applicable performance criteria being met. The principal objective of these provisions is to protect the amenity of the only neighbouring residential site, being the Collier Park Village, by applying a 'lower' (13.0 metres) increased height limit to the western side of the Church site, with a slightly higher control (14.0 metres) throughout the remainder of the site. Certain minor ornamental design features would also be permitted to a maximum height of 17.5 metres, provided that these are set back 60.0 metres from McNabb Loop (west) and 30.0 metres from other street boundaries. The buildings which would face Collier Park Village will also be required to be articulated so as to reduce the impact of building bulk when viewed from the Village. Other design and landscaping criteria will also apply.
- (ii) Reciprocal car parking: Clause 5.4(8) will also recognise that the provision of car parking for the different uses on the site and in designed bays along surrounding streets, may be shared by different uses on the site, having regard to their different peak times of usage. The precise number, location and design of the bays will be determined at the time of a future development application. While it is proposed that all bays provided for occupiers of the residential units must be in undercroft garaging or other forms of covered parking, the bays provided for the non-residential uses will also be available for use by residential visitors.

(b) **Increased density coding**

The WAPC's new Multi Unit Housing Code (MUHC) came into operation on 22 November 2010. This Code no longer enables the calculation of the number of dwellings by way of minimum lot sizes, but controls residential development by way of a maximum plot ratio and unit sizes, among other controls. Therefore, the precise number of units cannot be calculated as previously. The number of dwellings will depend on their size - the smaller the unit, the more can be accommodated within the same plot ratio area.

The attached Amendment report at **Attachment 10.3.4** describes the applicant's reasons for the requested increase from R30 to R40 density coding. Under the MUHC, the R40 coding has a higher plot ratio. The increased number of dwellings provided for by the increase of coding from R30 to R40 will allow for the much needed community, social and/or student housing which will offer significant benefits to the community. As the site is surrounded by parks, reserves and educational uses on three sides the proposed development can be accommodated on the site without any undue impact on the residential character and amenity of the locality. The precise number, type and combination of dwellings will ultimately be decided by the Church based on community need at the time of a future development application. This has not yet been determined.

In respect of dwelling size, the MUHC contain the following provisions:

EITHER:

(Performance Criteria)

“P3 Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided.”

OR

(Acceptable Development)

“A3.1 Development that contains more than 12 dwellings are to provide diversity in unit types and sizes as follows: -

- minimum 20 per cent 1 bedroom dwellings, up to a maximum of 50 per cent of the development; and
- minimum of 40 per cent 2 bedroom dwellings;

and

A3.2 The development does not contain any dwellings smaller than 40 sq m plot ratio area, excluding outdoor living areas and external storage.”

A comparison between the existing R30 coding and the requested R40 coding is shown below:

Density coding	Residential development under MUHC	
	Maximum plot ratio	Maximum plot ratio area
Existing R30	0.5	17,523 sq.m
Proposed R40	0.6	21,028 sq.m

Consultation

Community consultation has not yet been undertaken in relation to the proposed Scheme Amendment. Neighbour and community consultation requirements are contained in the *Town Planning Regulations 1967* and in the City’s Planning Policy P355 *Consultation for Planning Proposals*. Following Council’s endorsement of the draft Scheme Amendment, community consultation will be undertaken as prescribed in Policy P355. The consultation process will also involve referral to the Environmental Protection Authority for assessment and also to the Water Corporation.

Community consultation will involve a 42-day advertising period during which notices will be placed on the City’s web site, in the *Southern Gazette* newspaper and in the City’s Libraries and Civic Centre. Being a site-specific proposal, signs will be placed on the Church site. Notices will also be mailed to neighbouring residents to the extent required by Policy P355 ‘Consultation for Planning Proposals’. Notices will be provided to the Administration of the Collier Park Village for distribution to residents as appropriate. Any submissions received during this period will be referred to a later Council meeting for consideration.

Policy and Legislative Implications

The statutory Scheme Amendment process is set out in the *Town Planning Regulations 1967*. The process as it relates to the proposed Amendment No. 26 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
Preliminary consultation under Policy P355	Not applicable
Council resolution to initiate Amendment No. 26 to TPS6	14 December 2010
Council adoption of draft Scheme Amendment No. 26 proposals for advertising purposes	14 December 2010
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period, and copy to WAPC for information	Late December 2010
Public advertising period of not less than 42 days	Commencing late January 2011 for 6 weeks
Council consideration of Report on Submissions	April 2011 Council meeting
Referral to the WAPC and Planning Minister for consideration, including: <ul style="list-style-type: none"> • Report on Submissions; • Council's recommendation on the proposed Amendment No. 26; • Three signed and sealed copies of Amendment No. 26 documents for final approval 	Early May 2011
Minister's final determination of Amendment No. 26 to TPS6 and publication in <i>Government Gazette</i>	Unknown

Immediately after the Council has endorsed the draft Amendment proposals for advertising, the Amendment documents will be forwarded to the EPA for environmental assessment during a 28 day period, and a copy will be forwarded to the WAPC for information. Public advertising of Amendment No. 26 will commence upon receiving favourable assessment and advice from the Environmental Protection Authority.

Financial Implications

Financial costs incurred during the course of the statutory Scheme Amendment process will be covered by the Planning Fee associated with Scheme Amendments, in accordance with the Council's adopted fee schedule. In this case, an estimated up-front Planning Fee of \$15,000 is proposed, payable upon initiation of the Amendment by the Council. Any unused fees will be refunded at the conclusion of the Amendment process.

Strategic Implications

This matter relates to Strategic Directions 3 "Housing and Land Uses" identified within the Council's Strategic Plan 2010-2015 which is expressed in the following terms: *Accommodate the needs of a diverse and growing population with a planned mix of housing types and non-residential land uses.*

Sustainability Implications

The proposed Amendment No. 26 provides an opportunity for more effective use of land and enhancement and expansion of existing community services. The amendment to certain TPS6 provisions will facilitate a more flexible design of appropriate land uses in a way that respects neighbouring residential development.

Conclusion

The requested amendments to TPS6 appear to be moderate, having regard to the unique location of the Church site in having only one side facing neighbouring residential development. Application of the requested additional building heights will be governed by the required satisfaction of all of the proposed performance criteria, and should not cause any detrimental impact on neighbouring sites.

It is requested that Council initiate the statutory Scheme Amendment process for the proposed Scheme Amendment No. 26 to enable the Amendment to be advertised to the public.

OFFICER RECOMMENDATION ITEM 10.3.4

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 10.3.4**;
- (b) the Report on the Amendment containing the draft Amendment No. 26 to the City of South Perth Town Planning Scheme No. 6, **Attachment 10.3.4**, be adopted.
- (c) in accordance with section 81 of the *Planning and Development Act 2005*, Amendment No. 26 be forwarded to the Environmental Protection Authority for assessment under the *Environmental Protection Act 1986*;
- (d) Amendment No. 26 be forwarded to the Western Australian Planning Commission for information;
- (e) upon receiving clearance from the Environmental Protection Authority, advertising of Amendment No. 26 be implemented in accordance with the *Town Planning Regulations* and Council Policy P355 *Consultation for Planning Proposals*; and
- (f) the following footnote shall be included by way of explanation on any notice circulated concerning this Amendment No. 26:

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 whether to proceed with, modify or abandon the proposal. The Minister will also consider your views before making a final decision.
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- (g) the applicants be advised that the estimated Planning Fee for Amendment No. 26 is \$15,000, to be paid upon being invoiced by the City following Council decision to initiate the Amendment, any variations to the fee will be either invoiced or unused monies refunded during or upon completion of the process or if the Amendment is discontinued, as necessary.

10.3.5 Waterford Triangle – Stage 2 Urban Design Study

Location: City of South Perth
Applicant: Council
File Ref: LP/1001
Date: 16 November 2010
Author : Vicki Lummer, Director Development & Community Services
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

The Urban Design Plan and Guidelines presented to Council have been developed through an innovative and inclusive community engagement process. The resultant plan takes into consideration the surrounding development both within the City of Canning and Curtin University. The proposed increases in height and density are reasonably modest but reflect the aspirations and input from the community. Proposed changes to the public realm, in terms of improved parks, roads and laneways are necessary to support the increased development potential

The plan will be implemented through amendments to the town planning scheme, which will involve further community engagement and discussion.

Background

In December 2006, the stage 1 study was completed with the Alcoa Research Centre for Stronger Communities report on the Waterford Triangle Urban Design Review Strategy Community Engagement Project. This project confirmed that the ratepayers and residents of the Triangle are keen to be involved in decision making about their future. The study found there was a general feeling of tolerance and compassion for student tenants and for the lack of maintenance of gardens, with an understanding of the pressure for more appropriate housing that better suits these household types.

The Stage 1 report is available on the City's web site at [www.southperth.wa.gov.au/Planning/Precinct Studies/Waterford Triangle Study](http://www.southperth.wa.gov.au/Planning/Precinct%20Studies/Waterford%20Triangle%20Study).

The main purpose of Stage 2 of the Waterford Triangle study is to consult further with the owners, residents and other key stakeholders of the Waterford Triangle to produce design options for the future development of the area.

The Urban Design Plan and Design Guidelines developed by GHD represents the culmination of an extensive community consultation and engagement process (see below) to ensure the final plan reflects the needs and aspirations of the local community.

This report includes the following attachments :

Attachment 10.3.5.(a) - Waterford Triangle Urban Design Plan & Design Guidelines

Attachment 10.3.5.(b) – Waterford Triangle Urban Design Guidelines

Attachment 10.3.5 (c) – Waterford Triangle Community Consultation No.2

Comment

The study began in March 2010 with the engagement of GHD consultants. The consultation methods described below have resulted in an Urban Design Plan and Guidelines that generally meet the community's expectations for the locality.

The Waterford Triangle currently houses a variety of households from students to the elderly. The current built form is relatively uniform at 1 storey with a small number of 2 storey developments and housing stock is 30 + years old. The R coding is R20.

The community identified 10 guiding principles that must be addressed in the Urban Design Plan. These principles formed the Design Brief and state that the Waterford Triangle should:

1. Continue to be a place for a mixture of residents, students and non-students, owner-occupiers and tenants, housing needs to provide sufficient opportunity for this diversity of lifestyle opportunity within the area.
2. Maintain its sense of community with a focus on the design and use of public spaces, easy access to facilities, amenities and surrounding needs.
3. Improve, through re-design, the leafy landscape, park and places for residents to exercise, play and meet in the public domain.
4. Have streets which do not carry large numbers of vehicles or provide for through-traffic but instead cater for slow-moving vehicles, pedestrians and bicycles.
5. Improve the quality of its streets to offer better:
 - pathways and cycle access;
 - lighting and open-sightlines;
 - balance between visitor parking and green space;
 - infrastructure and street-care;
 - incorporate better Water Sensitive Urban Design into public areas;
 - signage and local identity of place;
 - small spaces for people to stop and chat; and
 - allocation of space between private and public activities.
6. Improve the edge of the site adjacent to Manning Road in terms of safe access for abutting properties, and explore better access alternatives to individual driveways onto Manning Road.
7. Encourage redevelopment to adopt best design for energy and water conservation, and to reflect a set of consistent design values for Waterford.
8. Re-think the configuration of spaces and land uses to offer more variety and interaction between residents.
9. Introduce some key facilities/amenities/activities/businesses which might be of use to local people and create a stronger community spirit and sense of belonging.
10. Investigate ways to better link to the Canning River, Curtin University and the nearby Waterford Plaza Shopping Centre.

The main features of the plan that respond to the above Design Brief are :

- Landuse remains residential, with possible café/shop subject to further discussion with Town of Victoria Park.
- A new green POS link is provided from the existing public open space to Manning Road, which will align with the entrance to the new subdivision on the southern side of Manning Road, creating a linkage to the Canning River
- Diversity of Housing types are proposed – Single, Grouped and Multiple dwellings
- Increased densities and height – 4 to 5 storeys and densities ranging from R30 to R120 depending on areas of land to be developed.

- Rear Laneway access to properties fronting Manning Road for houses between Conlon and Garvey Streets and front access laneway for those houses between Garvey and McKay Streets
- Upgrades to streets within the precinct that improve their quality and amenity and introduction of Water Sensitive Urban Design into the area.
- Improvements to the park and better urban design around the park

It is important to note that the Urban Design Plan shows indicative new buildings on the land. These buildings are not how the development will take place, merely how it could happen.

The Urban Design Guidelines achieve:

- Visually attractive streetscapes
- Built form which relates to the existing development at Curtin and also the more human scale at the street
- Vehicle access and parking which is safe and convenient
- Visual interest
- A high standard of sustainability initiatives

Consultation

Three briefing sessions have been held for elected members on 3 March 2010, 19 May 2010 and 10 November 2010. These sessions have allowed elected members to be fully briefed on the process and progress of the study and its final outcomes.

Prior to the first community workshop, all of the owners/occupiers of the houses in the study area received letters and information packs to advise them of the study and also to provide food for thought in terms of the future of the area. All owners and occupiers were invited to Community Forum No.1. Community Forum No. 1 took place on 14 April with staff members plus 35 participants, including 3 councillors.

The forum focussed on : What are the things of value about Waterford? What are the things about Waterford which can be improved? Ranking the things of value and things which can be improved. The feedback from these discussions was used to formulate the 10 guiding principles to guide the Design Brief. At the end of the first Forum, community members were able to nominate themselves to be part of the Community Design Review Panel (CDRP). Six to eight members were sought to constitute the CDRP, whose job it would be to work with the consultants and review any work done by the consultants, in terms of the 10 principles of the Design Brief listed above. The City received 11 nominations for the panel and chose 8 members based on having a variety of ages, sex, occupation and geographic location in the Triangle on the panel.

The CDRP held several meetings to review the work produced by the consultants and with the aid of the City agreed on a preferred Urban Design Direction.

Community Forum 2 was held on 14 July 2010. 28 community members were present as well as staff and councillors. The preferred Urban Development Direction was presented by the consultants and the participants were able to provide feedback consisting of their likes, dislikes and comments on land use, density, parks and open space, streetscapes and access and social and community opportunity.

Written submissions were accepted for a number of weeks after the forum and together with the feedback from the forum, provided the basis for changes to the Urban Design Plan and Guidelines. The Urban Design Plan and Guidelines were formulated and submitted to the CDRP (and City officers) for comment. The final documents reflect comments made or provide reasons for the recommended design plan.

Policy and Legislative Implications

The Waterford Triangle Urban Design Guidelines and Plan are currently non statutory documents which will guide and form the basis for implementation through future town planning scheme amendments.

Financial Implications

There are no financial implications in regard to this recommendation, however the next stage of planning for this redevelopment will involve decisions with financial implications for the City and owners in the area.

Strategic Implications

This matter relates to Strategic Direction 2 “Environment” identified within the Council’s strategic plan which is expressed in the following terms: *“Improve streetscape amenity whilst maximising environmental benefit.”*

It also relates to Strategic Direction 3, which is expressed in the following terms: *“Develop integrated local land use planning strategies to inform precinct plans, infrastructure, transport and service delivery.”*

It also relates to Strategic Direction 4 Places – *Plan and Develop safe, vibrant and amenable places.*

It also relates to Strategic Direction 5, which is expressed in the following terms: *“Ensure the City provides appropriate levels of pedestrian amenity.”*

Sustainability Implications

Providing opportunities for appropriate housing types for a variety of households will increase the sustainability of the area. In addition the design guidelines have been formulated to improve energy efficiency of dwellings, design for renewable energy and water recovery and reuse.

The road reserves are proposed to be reclaimed for Water Sensitive Urban Design features and this area could become a showcase for this type of sustainable development within the City.

OFFICER RECOMMENDATION ITEM 10.3.5

That....

- (a) Council use the Waterford Triangle Urban Design Plan and Design Guidelines at **Attachments 10.3.5(a) and 10.3.5(b)** as the guide for future redevelopment of the precinct;
- (b) the Administration engage further with the community to:
 - (i) Develop an understanding amongst affected owners of the costs involved with the implementation of the plan; and
 - (ii) progress the required the Town Planning Scheme amendments which will facilitate the implementation of the Waterford Triangle Urban Design Plan and Design Guidelines.

10.4 STRATEGIC DIRECTION 4: PLACES

Nil

10.5 STRATEGIC DIRECTION 5: TRANSPORT

Nil

10.6 STRATEGIC DIRECTION 6: GOVERNANCE

10.6.1 Monthly Financial Management Accounts – November 2010

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	04 December 2010
Author / Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

Monthly management account summaries comparing the City's actual performance against budget expectations are compiled according to the major functional classifications. These summaries are then 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 a comprehensive suite of reports that have been acknowledged by the Department of Local Government and the City's auditors as reflecting best practice in financial reporting.

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 September onwards. This schedule reflects a reconciliation of movements between the 2010/2011 Adopted Budget and the 2010/2011 Amended Budget including the introduction of the capital expenditure items carried forward from 2009/2010 (after September 2010).

A monthly Statement of Financial Position 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 this statement 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:

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

Operating Revenue to 30 November 2010 is \$33.95M which represents 101% of the \$33.68M year to date budget. Revenue performance is close to budget expectations overall - although there are some individual line item differences. Meter parking is in line with budget expectations although infringements remain significantly behind budget - possibly reflecting a behavioural change amongst those parking in the Mill Pt precinct. Interest revenues are ahead of budget expectations - with higher holdings of both Municipal and Reserve funds contributing to the favourable variance.

Planning revenues are slightly behind budget expectations although building revenues remain comfortably ahead of budget. Collier Park Village revenue is very close to budget expectations whilst the Hostel revenue remains favourable due to a number of adjustments to commonwealth subsidies. Golf Course revenue is now slightly behind budget targets. Infrastructure Services revenue is largely on budget in most areas other than a couple of favourable timing differences noted in the variance schedule - which will be adjusted in the Q2 Budget Review. Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances **Attachment 10.6.1(5)**.

Operating Expenditure to 30 November 2010 is \$16.08M which represents 99% of the year to date budget. Operating Expenditure to date is 3% under budget in the Administration area, 1% over budget in the Infrastructure Services area and 6% under budget for the golf course.

The Infrastructure Services area indicates some possible over servicing of certain parks areas - and this matter is under investigation by the relevant manager at present. Waste management costs are very close to budget expectations. Golf Course expenditure is very close to budget at this time with only minor timing differences being evident.

There are a number of budgeted (but vacant) staff positions across the organisation that are presently being recruited for. The salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 3.6% under the budget allocation for the 223.2 FTE positions approved by Council in the budget process - after having allowed for agency staff invoices to month end.

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

Capital Revenue is disclosed as \$1.72M at 30 November against a year to date budget of \$1.46M. The major factors contributing to this significant favourable variance are a favourable timing difference on the lease premium and refurbishment levy attributable to additional re-leased units at the Collier Park Village and an unanticipated grant allocation from the Swan River Trust for river wall works (which will be adjusted in the Q2 Budget Review). Details of the capital revenue variances may be found in the Schedule of Significant Variances. **Attachment 10.6.1(5)**.

Capital Expenditure at 30 November 2010 is \$7.62M representing 76% of the year to date budget and 37.8% of the full year revised budget (after the inclusion of \$4.0M of carry forward works). The major element of the capital program delivered so far this year is \$4.7M in progress claims on the Library & Community Facility project (which brings the project within 6% of budgeted cash flow expectations).

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.

TABLE 1 - CAPITAL EXPENDITURE BY DIRECTORATE

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	79,500	38,133	48%	160,000
Library & Community Facility	4,975,000	4,706,939	94%	6,175,000
Financial & Information Services *	348,000	275,687	79%	1,533,500
Planning & Community Services	350,300	176,170	50%	1,572,500
Infrastructure Services	3,947,874	2,175,447	55%	9,729,555
Waste Management	110,000	55,547	50%	445,000
Golf Course	252,000	195,884	77%	537,000
Total	10,062,674	7,623,807	76%	20,152,555

* Financial & Information Services is also responsible for the Library & Community Facility building project.

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 sustainable financial management which directly relate to the key result area of Governance identified in the City’s Strategic Plan - *‘To ensure that the City’s governance enables it to respond to the community’s vision and deliver on its promises in a sustainable manner’*.

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 Statement of Financial Position 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 **10.6.1(6)(B)** be received;
- (d) the Rate Setting Statement provided as **Attachment 10.6.1(7)** be received.

10.6.2 Monthly Statement of Funds, Investments and Debtors at 30 November 2010

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 04 December 2010
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 funds held in 'cash backed' Reserves. As 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 these 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 same 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 \$48.65M compare very favourably to \$45.58M at the equivalent stage of last year. Reserve funds are \$4.34M higher than the level they were at for the same time last year - reflecting higher holdings of cash backed reserves to support refundable monies at the CPV & CPH. The balance of the Future Building Projects Reserve is \$2.00M less than at November 2009 as funds have been applied to the Library & Community facility project - but the UGP Reserve is \$1.0M higher. The Waste Management and Plant Replacement Reserves are both \$0.2M higher whilst several other Reserve balances are also modestly higher when compared to last year.

Municipal funds are \$1.35M lower which reflects higher cash outflows on the Library & Community Facility project. Collections from rates this year have remained strong and are still close to last year's excellent performance.

Our convenient and customer friendly payment methods, supplemented by the Rates Early Payment Incentive Prizes (with all prizes donated by local businesses), have again proven very effective in having a positive effect on our cash inflows.

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

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$17.69M (compared to \$18.72M last month) It was \$19.04M at the equivalent time in 2009/2010. **Attachment 10.6.2(1)**.

(b) Investments

Total investment in money market instruments at month end was \$48.00M compared to \$44.32M at the same time last year. This is due to the higher holdings of Reserve Funds as investments as described above.

The portfolio currently comprises at-call cash and term deposits only. Although bank accepted bills are permitted, they are not currently used given the volatility of the corporate environment at present. Analysis of the composition of the investment portfolio shows that approximately 96.8% of the funds are invested in securities having a S&P rating of A1 (short term) or better. The remainder are invested in BBB+ rated securities.

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

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are within the 25% maximum limit prescribed in Policy P603. Counterparty mix is regularly monitored and the portfolio re-balanced as required depending on market conditions. The counter-party mix across the portfolio is shown in **Attachment 10.6.2(2)**.

Total interest revenues (received and accrued) for the year to date total \$0.98M - well up from \$0.67M at the same time last year. This result is attributable to the higher interest rates available during the year and higher levels of cash holdings - particularly Reserve funds.

Investment performance continues to be monitored in the light of current modest interest rates to ensure that we pro-actively identify secure, but higher yielding investment opportunities as well as recognising any potential adverse impact on the budget closing position. Throughout the year, we re-balance the portfolio between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs.

Treasury funds are actively managed to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The weighted average rate of return on financial instruments for the year to date is 5.58% with the anticipated weighted average yield on investments yet to mature now sitting at 5.82% (compared with 5.73% last month). Investment results to date reflect prudent selection of investments to meet our immediate cash needs. At-call cash deposits used to balance daily operational cash needs currently provide a modest return of only 4.50% since the early November Reserve Bank decision on interest rates.

(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 debtor's category classifications (rates, general debtors & underground power) are provided below.

(i) Rates

The level of outstanding local government rates relative to the same time last year is shown in **Attachment 10.6.2(3)**. Rates collections to the end of November 2010 (after the due date for the first instalment) represent 81.0% of rates levied compared to 81.5% at the equivalent stage of the previous year. This is considered to be only a timing difference.

Feedback from the community suggests a good acceptance of the rating strategy and communication approach used by the City in developing the 2010/2011 Annual Budget. 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) has provided strong encouragement for ratepayers - as evidenced by the strong early collections.

The good initial collection result is being supported administratively throughout the remainder of the year 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 \$2.96M at month end (\$2.40M last year) excluding UGP debtors (\$2.01M last month). Major changes in the composition of the outstanding debtors' balances relate to a much higher GST Receivable due to payments on the Library & Community Facility project and other capital projects (\$1.0M higher) but lesser amounts for outstanding parking infringements and grant funding.

Excluded from these figures is the Pension Rebate recoverable amount which can not be collected from the Office of State Revenue until eligible pensioners qualify for their entitlement by making a payment of the non rebated amount.

The majority of the outstanding amounts are government & semi government grants or rebates (other than infringements) - and as such, they are considered collectible and represent a timing issue rather than any risk of default.

(iii) Underground Power

Of the \$6.74M billed for UGP (allowing for adjustments), some \$5.95M was collected by 30 November with approximately 78.6% of those in the affected area electing to pay in full and a further 20.6% opting to pay by instalments. The remaining 0.8% (15 properties) represents properties that are disputed billing amounts. Final notices were issued and these amounts have been pursued by external debt collection agencies as they have not been satisfactorily addressed in a timely manner. As a result of these actions, legal proceedings have been instituted in relation to one of the outstanding debts (scheduled for Jan 2011 hearing), 3 have commenced a payment plan in November and 10 others are currently in the process of negotiating a suitable payment plan commencing in December.

Collections in full continue to be better than expected as UGP accounts are being settled in full ahead of changes of ownership or as an alternative to the instalment payment plan.

Residents opting to pay the UGP Service Charge by instalments continue to be subject to interest charges which accrue on the outstanding balances (as advised on the initial UGP notice).

It is important to recognise that this is **not** an interest charge on the UGP service charge - 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 sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

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 30 November 2010 Monthly Statement of Funds, Investment and 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:	03 December 2010
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 November 2010 and 30 November 2010 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 (regular supplier) or Non Creditor (once only supply) 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 report format now reflects 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 included a payment to Creditor number 76357 (Australian Taxation Office).

- **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 are no longer 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 sustainable financial management which directly relate to the key result area of Governance identified in the City's Strategic Plan - *'To ensure that the City's governance enables it to respond to the community's vision and deliver on its promises in a sustainable manner'*.

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 month of November as detailed in the report of the Director of Financial and Information Services, **Attachment 10.6.3**, be received.

10.6.4 Capital Projects – Special Budget Review

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 05 December 2010
Author/Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

This report recommends a re-allocation of funds from a capital project that was listed on the 2010/2011 Budget (but was cancelled by a decision of Council in October 2010), to a new but necessary capital initiative that has not currently been funded. There will be no requirement for additional funding at this time as the already allocated (but no longer required) funds will be re-deployed to the unfunded capital initiative.

Dynamic treasury management to recognise changed circumstances and emerging opportunities is an important part of responsible financial management - and is actively encouraged in the local government arena. This budget re-allocation is supported as one of those circumstances that require such a timely treasury intervention. However, given the size of the re-allocation, it is considered both prudent and appropriate to make the budget adjustment the subject of a separate report (for the purposes of transparency and accountability) - rather than including it as a line item within the next major Budget Review in February 2011.

Background

In October 2010 Council considered a report (Item 10.0.3) on the SJMP flag pole project and reached a view at that time that the project should not proceed. As a consequence of that decision, the City now has \$215,000 on its 2010/2011 Budget that must be re-assigned or returned to budget surplus. This amount represents the project's allocated funding less monies already expended on progressing the design and consultation to the stage it reached in October 2010. A further \$78,000 must be quarantined as it represents Infrastructure Australia funding already recognised as revenue in 2009/2010 that will either have to be returned or assigned to a different civic project (approved by the commonwealth government). This leaves a net amount remaining of \$137,000 that is no longer needed for the cancelled project.

A budget amendment is therefore required to recognise the cancellation of the flag pole project and the quarantining (in Reserve funds) of the \$78,000 grant money that can not be expended until approval for a substituted project is received.

A further opportunity therefore exists to identify an appropriate, but currently unfunded, project on which the City could use the remaining funds in a responsible and value-adding way.

Comment

The construction of the new Library and Community Facility is rapidly approaching completion. For much of December and January, City staff will be undertaking the necessary tasks to commission the building and its technology - as well as stocking the Library with its book and audio visual collections and other materials. Other logistical matters will also be progressed in relation to preparing for the opening of the Community Facility during this period.

Although the internal construction and fit-out will be completed well ahead of Christmas, some external works such as re-instating the car park areas and de-mobilising the construction site (which are funded and accommodated within the project contract and existing approved budget) may progress into early January.

Completion of these external works will open the site to full public view and access for the first time in 15 months - highlighting the deterioration that has occurred in the standard of the garden areas adjacent to the lower car park on South Terrace and the area around the entrance to the upper level of the Community Centre.

A significant contributing factor to this deterioration in the standard of the gardens has been the inability of City staff to access the construction site for a prolonged period. However, a critical analysis of these gardens reveals that they have looked rather 'tired' for some time, are filled with a number of inappropriate species and are overgrown. Some larger trees require significant remedial pruning to re-shape their canopy.

Furthermore, construction works including the removal of the old electrical transformer and the installation of the new pad mount transformer, have necessitated significant remedial works to garden areas that have been disrupted.

During the project's construction period, major legislative changes have also occurred in the Occupational Health and Safety regulations in relation to 'working at heights'. As a consequence of these changes, the majority of the upper side of the long pedestrian ramp from the South Terrace footpath to the lower entrance of the Community Facility now constitutes a height risk and requires a balustrade along its length to prevent people from potentially 'falling' from the garden beds above. Similarly the existing Toodyay stone retaining wall along the South Terrace edge of the lower car park constitutes a height risk and must also have a balustrade or similar restraint put in place. The old (now unused) transformer shed adjacent to the stairs between the upper and lower levels no longer has a roof and will be re-claimed as part of the garden area (under the building contract) - but this will also require a new balustrade to be installed at this point because of the falling from height risk.

Funding was not provided for landscaping works under the building contract as it was not included in the project specification. Whilst it may be argued that soft landscaping perhaps relates more to aesthetics, it is worth reflecting on how sub-standard garden areas adjacent to the building may detract from the excellent outcome that the City will have achieved by delivering its new community facility. The occupational health and safety related expenditure (although it could not have been foreseen at the time the building contract was let) is considered a must as a responsible corporate citizen and can not be ignored.

Accepting that at least some (hard and soft) landscaping works must be funded simply to return our building surrounds to a decent standard of presentation and to address OHS issues, it seems to be a timely opportunity to also consider funding 'end of trip' cycling facilities such as bike racks, seating and a water fountain in the reclaimed garden area on the upper level closest to the Community Facility (where the old electrical distribution board was located).

Applying a new surface (including tactile pavers) to the retained stairs between the upper and lower levels of the car park could also possibly be incorporated into the hard landscaping works. Planting to the garden beds immediately in front of the Council Chamber and Administration Office could be done at the same time as the suggested remedial works.

To fund this worthy project, it is recommended that the funding previously allocated to the SJMP flagpole project (that is no longer required) be redeployed to the Civic Centre remedial landscaping project.

Funding approval at the December meeting of Council will enable priority remedial garden works, planting and car park shade tree planting to be undertaken before the official opening of the building at the end of January 2011 - as well as allowing purchase orders to be raised before the Christmas shut down for materials such as balustrade / handrails, park seats, bicycle racks, drinking fountain and bins that will have a significant lead time before delivery. These items will be installed in 2011 after the official building opening.

This budget amendment will be cost neutral as it represents only a re-allocation of funding that has already been approved in the 2010/2011 Budget.

Consultation

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

Policy and Legislative Implications

Good financial management dictates dynamic budget reviews to recognise changed circumstances and emerging opportunities.

Financial Implications

The amendments contained in this report will have no net impact on the projected 2010/2011 Budget Closing Position.

Strategic Implications

This report deals with matters of sustainable financial management which directly relate to the key result area of Governance identified in the City’s Strategic Plan - *‘To ensure that the City’s governance enables it to respond to the community’s vision and deliver on its promises in a sustainable manner’*.

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 10.6.4

That following the special review of the Capital Budget, the 2010/2011 Budget be amended as shown below:

A/C Number	Account Title	Type	Current Budget	Adjustment	Amended Budget
6225.2500.30	SJMP Flagpole Project	Exp	260,000	(215,000)	45,000
TBA	Civic Gardens Remedial Work	Exp	0	137,000	137,000
1044.9929	Transfer to Park Reserve	Trans	57,214	78,000	135,214
9929.7801	Transfer from Muni Fund	Trans	(50,000)	(78,000)	(128,000)

(Note: An Absolute Majority is Required)

10.6.5 Use of the Common Seal

Location: City of South Perth
 Applicant: Council
 File Ref: GO/106
 Date: 1 December 2010
 Author: Kay Russell, Executive Support Officer
 Reporting Officer: Phil McQue, Governance and Administration Manager

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.

November 2010

Nature of Document	Parties	Date Seal Affixed
Lease Agreement	CoSP and Wesley South Perth Hockey Club Inc	3 November 2010
Fire Alarm Monitoring Services End User Agreement (Collier Park Hostel)	CoSP and FESA (Fire and Emergency Services Authority of WA)	4 November 2010
Fire Alarm Monitoring Services End User Agreement (George Burnett Leisure Centre)	CoSP and FESA (Fire and Emergency Services Authority of WA)	4 November 2010
Extension of Lease Agreement	CoSP and Crown Castle Australia Pty Ltd	5 November 2010
Deed of Lease - Collier Park Village	CoSP and John Albert Clancy and Anthea Margaret Clancy	8 November 2010
Deed of Lease - Collier Park Village	CoSP and Raymond Jack Kent and Adelle Rae Kent	8 November 2010
Deed of Agreement to Lease - Collier Park Village	CoSP and Raymond Jack Kent and Adelle Rae Kent	8 November 2010

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 Strategic Direction 6 of the Strategic Plan - *Governance – Ensure that the City's governance enables it to both respond to the community's vision and deliver on its service promises in a sustainable manner.*

Sustainability Implications

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

OFFICER RECOMMENDATION ITEM 10.6.5

That the report on the use of the Common Seal for the month of November 2010 be received.

10.6.6 Applications for Planning Approval Determined Under Delegated Authority

Location: City of South Perth
Applicant: Council
File Ref: GO/106
Date: 1 December 2010
Author: Rajiv Kapur, Manager Development Services
Reporting Officer: Vicki Lummer, Director Development and Community Services

Summary

The purpose of this report is to advise Council of applications for planning approval determined under delegated authority during the month of November 2010.

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 November 2010, sixty-seven (67) development applications were determined under delegated authority at **Attachment 10.6.6**.

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 Strategic Direction 6 “Governance” within the Council’s Strategic Plan. Strategic Direction 6 is expressed in the following terms:

Ensure that the City’s governance enables it to both respond to the community’s vision and deliver on its service promises in a sustainable manner.

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 10.6.6

That the report and **Attachment 10.6.6** relating to delegated determination of applications for planning approval during the month of November 2010, be received.

11. APPLICATIONS FOR LEAVE OF ABSENCE
12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
13. QUESTIONS FROM MEMBERS
 - 13.1. Response to Previous Questions from Members Taken on Notice
 - 13.2. Questions from Members
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.

15.1.1 City of South Perth Australia Day Citizen of the Year and Premier's Australia Day Active Citizenship Awards CONFIDENTIAL- NOT TO BE DISCLOSED REPORT
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Location: City of South Perth
Applicant: Council
File Ref: CR/108
Date: 1 December 2010
Author: Natasha Hughes, Community Development Officer
Reporting Officer: Sandra Watson, Manager Community Culture & Recreation

Confidential

This report is declared ***Confidential*** under Section 5.23 (h) of the *Local Government Act* as it relates to the selection of a community member as the recipient of an Award to be announced and presented at the Australia Day Citizenship Ceremony.

Note: Report circulated separately

15.1.2 Review of the Collier Park Golf Course Lease CONFIDENTIAL Not to be Disclosed REPORT
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Location: City of South Perth
Applicant: Council
File Ref: PR/301
Date: 3 December 2010
Author: Mark Taylor, Manager City Environment
Reporting Officer: Stephen Bell, Director Infrastructure Services

Confidential

This report has been designated as ***Confidential*** under the *Local Government Act* Sections 5.23(2)(b)(c) as it relates to the personal affairs of a person and a contract entered into.

Note: Report circulated separately

- 15.2 Public Reading of Resolutions that may be made Public.

16. CLOSURE
17. RECORD OF VOTING



Mayors Activity Report - November 2010

Date	Activity
Tuesday, 30 November	<p>Annual Electors Meeting</p> <p>Chair Council Briefing Golf Course Business Plan Update</p> <p>Meeting on Swan Canning River Forum with Mark Batty, WALGA</p> <p>Meeting on Swan-Canning Rivers re Water Sensitive Urbanisation - + Marion Fulker - CEO Committee for Perth; Professor Richard Weller, Faculty of Architecture, UWA; Martin Bowman, Adjunct Professor of Environmental Science Murdoch, and Mark Batty - Policy and Environment, WALGA.</p> <p>Attend Chamber of Commerce and Industry Corporate event with key note speaker Hon Colin Barnett, MLA, Premier of WA + Councillors & CEO</p> <p>Attend Esther Foundation handover ceremony of St Emilie's Convent, Kalamunda + CEO</p>
Monday, 29 November	<p>Attend Zoo Board meeting</p> <p>Mayor/CEO weekly meeting</p>
Friday, 26 November	<p>Meeting with taxation lawyer from Stirling Alliance regarding options for Tax Increment Funding of transit orientated development</p>
Thursday, 25 November	<p>Attend 2010 International Association of Science Parks (IASP) - Asian Science Park Association (ASPA) Joint Conference dinner</p> <p>Attend Curtin Annual Ethics Lecture, Curtin University as guest of the vice-chancellor.</p>
Wednesday, 24 November	<p>Attend farewell event for Committee for Economic Development CEO, Robin McClellan</p> <p>Host John Curtin Leadership Academy Graduation Presentation</p> <p>Meeting with St Martin's Church, Kensington - Rev. Joanne Baines + Deputy Mayor, Cr Sue Doherty</p>
Tuesday, 23 November	<p>Chair November Council meeting</p> <p>Present deputation to WA Planning Commission Board on Canning Bridge with Mayor Russell Aubrey of Melville City Council</p> <p>Mayor/CEO weekly meeting</p>
Monday, 22 November	<p>Attend City of Gosnells Official Opening Ceremony + CEO</p> <p>Meet with Tony Morgan - Chairman, East Perth Redevelopment Authority (Knowledge arc light rail) and our vision ahead + CEO</p> <p>Meeting on Como kindy parking situation with School Principal + Manager</p>

AGENDA : ORDINARY COUNCIL MEETING : 14 DECEMBER 2010

	Engineering Infrastructure.
Saturday, 20 November	Attend Australian of the Year Awards 2011 + CEO Attend Old Mill Concept Open Day
Friday, 19 November	Attend South Perth Hospital Christmas Celebration + Councillors
Thursday, 18 November	Chair John Curtin Leadership Academy Board Meeting
Wednesday, 17 November	Chair Briefing on Jackson/Henley/Murray Streets options
Tuesday, 16 November	Chair Council briefing - Agenda items Attend CEDA seminar: Living Leadership - indigenous engagement strategies Mayor/CEO weekly meeting Host Big Ideas for the Future presentation by Ian Satchwell ACIL Tasman, with City of Melville and Town of Victoria Park
Monday, 15 November	Presentation at South Perth Historical Society 21st AGM - President Lynne O'Hara + Deputy Mayor, Cr Sue Doherty, Crs Betty Skinner, Kevin Trent, Colin Cala and Veronica Lawrance Attend CEO Evaluation Committee Attend South Perth Youth Network meeting
Friday, 12 November	Attend RPGC Charity Golf Day Dinner Meeting on Light Rail options with Chris Fitzardinge - South West Group + CEO Presentation at Como Primary School assembly and present prize to "Service to School" recipient
Thursday, 11 November	Chair WALGA Swan canning Policy Forum meeting Attend Committee for Perth AGM & presentation on Directions 2031 and beyond by Eric Lumsden, Director General of Planning Attend Remembrance Day service - Laying of Wreath + Deputy Mayor, Cr Sue Doherty & Crs Kevin Trent, Pete Best, Veronica Lawrance, Les Ozsdolay, Travis Burrows, Betty Skinner, Rob Grayden, Colin Cala
Wednesday, 10 November	Chair Waterford Triangle Briefing Attend Wesley Children's Art Exhibition Launch Attend Millennium Kids Board meeting Local Government Natural Resource Management Meeting at City of Cockburn + Cr Pete Best Attend Information briefing by Bill Hames - Design Advisory Consultants Project on Activity Centres + CEO
Tuesday, 9 November	Attend Site inspection - Library/Hall Project and Tour of City with Councillors. Attend WALGA: Better Local Government Taskforce Meeting Attend CEDA: A Conversation about making the most of the boom with Michael Chaney + CEO Mayor/CEO weekly meeting

AGENDA : ORDINARY COUNCIL MEETING : 14 DECEMBER 2010

Monday, 8 November	Attend WALGA: Swan Canning Policy Forum Communication Taskforce
Friday, 5 November	Meeting Mayor of Victoria Park regarding Swan Canning Rivers Discussion : Friends of The Old Mill project + Phillip Pental Young Heritage Awards & Exhibition 2011 with President, South Perth Historical Society, Lynn O'Hara
Thursday, 4 November	Friends of the Old Mill - general discussion with Manager Libraries and Heritage Discussion on Climate change issues in the City with City Sustainability Officer Attend Iconic River Trials meeting - SCRITP Advisory Group Meeting Meeting with the Lord Mayor, City of Perth regarding Swan Canning Rivers
Wednesday, 3 November	Chair Council Briefing :Town Planning Workshop - Major Developments Attend Australian Institute of Company Directors Leaders Edge seminar: Integration of Indigenous cultural practices Present Awards at Clontarf College - Year 12 Graduation Ceremony Meet with Chair Of CEO Evaluation Committee, Cr Travis Burrows
Tuesday, 2 November	Meeting on Como Community Kindergarten transition with Director Development and Community Services and Manager Community Culture and Recreation Meeting on Canning Bridge Precinct Vision with Mayor Russell Aubrey of the City of Melville. Meeting with Minister for Planning John Day + CEO Mayor/CEO weekly meeting
Monday , 1 November	John Curtin Leadership Academy : Meeting Vice-Chancellor Curtin University Chair Inclusive Community Action Group (formerly Access Ambassadors group) Welcome speech to WA Sports Federation / DSR annual golf day at Collier Park Golf Course Meeting on Swan River project with Professor Richard Weller

**Council Representatives' Activity Report -
November 2010**

November 2010	Activity
Monday, 29 November	Attend Neighbourhood Watch Xmas celebration - Cr Betty Skinner
Monday, 29 November	Attend Como Secondary College Valedictory ceremony - Deputy Mayor, Cr Sue Doherty
Friday 26, November	Attend Schools Challenge Wesley College - Cr Ian Hasleby
Thursday, 25 November	Attend Friends of NGALA Christmas celebration - Deputy Mayor, Cr Sue Doherty
Wednesday, 24 November	Attend Signing of a Charter of Mutual Friendship by City of Perth - Deputy Mayor, Cr Sue Doherty
Tuesday, 23 November	WALGA Breakfast : Forced Amalgamations - How Real is the Threat? - Deputy Mayor, Cr Sue Doherty + Crs Veronica Lawrance, Pete Best, Kevin Trent and Manager, Legal and Governance Officer
Friday, 19 November	Present Award at Kensington Secondary School graduation ceremony - Deputy Mayor, Cr Sue Doherty
Thursday, 18 November	Attend seminar "the new Mc Mansions?" - Deputy Mayor, Cr Sue Doherty + Cr Veronica Lawrance & Director, Development and Community Services at Australian Institute of Urban Studies.
Saturday, 13 November	Attend community McHappy Day at South Perth McDonald's - - Deputy Mayor, Cr Sue Doherty
Wednesday 10, November	Attend Bill McGrath Reserve - park sign installation - Cr Kevin Trent
Monday, 8 November	Conduct Citizenship ceremony - Deputy Mayor, Cr Sue Doherty
Monday, 8 November	Attend Bank of I.D.E.A.S seminar. -- Deputy Mayor, Cr Sue Doherty
Wednesday, 3 November	Attend Perth Region NRM Awards of Recognition - Cr Pete Best