

MINUTES

Ordinary Council Meeting

27 August 2013

Notice of Meeting

To: The Mayor and Councillors

Here within are the minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 27 August 2013.



PHIL MCQUE
ACTING CHIEF EXECUTIVE OFFICER
30 August 2013

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is, discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Ordinary Council Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November, with the exception of October. Please note that the October Ordinary Council Meeting will be held on 15 October 2013.

Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into six wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

www.southperth.wa.gov.au/Our-Council/

Contents

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	5
2. DISCLAIMER	5
3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER	5
3.1 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES	5
3.2 PUBLIC QUESTION TIME FORMS	5
3.3 AUDIO RECORDING OF COUNCIL MEETING	5
3.4 HON A J SIMPSON, MINISTER FOR LOCAL GOVERNMENT	5
3.5 WALGA AWARDS 2013	6
3.6 BATTLE FOR BURSWOOD	6
4. ATTENDANCE	6
4.1 APOLOGIES	7
4.2 APPROVED LEAVE OF ABSENCE	7
5. DECLARATION OF INTEREST	7
6. PUBLIC QUESTION TIME	7
6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	7
6.2 PUBLIC QUESTION TIME: 27 AUGUST 2013	7
6.2.1 Stephanie Wharton, 11 South Terrace, Como	9
6.2.2 John Van Uden, Unit No. 2, 6 Manning Tce, South Perth	9
6.2.3 Marcia Manolas, 193 Mill Point Road, South Perth	10
6.2.4 Ken Manolas, 193 Mill Point Road, South Perth	11
6.2.5 Hamilton Stott, 130 Ryrie St, Como	12
6.2.6 Genevieve Nevard, 195 Mill Point Road, South Perth	13
6.2.7 Jennifer Nevard, 195 Mill Point Road, South Perth	14
6.2.8 Norma Crossing, Unit 5/6 Manning Tce, South Perth	15
6.2.9 Peter Dreverman, 2/20 Garden Street, South Perth	15
6.2.10 Kaye Klironomos, 46 Gwentyfred Rd, Kensington	16
6.2.11 Tula Mylonas, 1 Hurlingham Tce, South Perth	17
6.2.12 Didier Murcia, 189 Mill Point Road, South Perth	18
6.2.13 Geoff Defrenne, 24 Kennard St, Kensington	21
6.2.14 Loula Papandreou, 1 Saunders St, Como	22
6.2.15 Soo Hin Ong, 4/6 Manning Terrace, South Perth	23
7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1	23
7.1 MINUTES	23

7.1.1	Ordinary Council Meeting Held: 23 July 2013	23
7.1.2	CEO Evaluation Committee Meeting Held: 13 August 2013	23
7.2	BRIEFINGS	23
7.2.1	Agenda Briefing – Ordinary Council Meeting – 16 July 2013	24
7.2.2	Concept Briefing - Local Area Traffic Management Study and Transit Alignment Study - 24 July 2013	24
8.	PRESENTATIONS	24
8.1	PETITIONS	24
8.2	PRESENTATIONS	24
8.2.1	Good Samaritan Industries – Certificate of Appreciation	24
8.2.2	Australasian Reporting Award 2013 – Bronze	24
8.2.3	Certificate of Acknowledgement - Achieving Milestone 5 of the Water Campaign	24
8.3	DEPUTATIONS	25
8.4	COUNCIL DELEGATES REPORTS	25
8.5	CONFERENCE DELEGATES REPORTS	25
8.5.1	Conference Delegate: 2013 Liveable Cities Conference – 17 to 19 June 2013	25
8.5.2	Conference Delegate: Local Government Chief Officer Group Meeting – 17 to 19 July 2013	25
9.	METHOD OF DEALING WITH AGENDA BUSINESS	26
10. R E P O R T S		27
10.0	MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS	27
10.0.1	Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone (<i>Item 10.3.2 Council meeting 26 February 2013 refers</i>)	27
10.0.2	Civic Triangle, South Perth	36
10.1	STRATEGIC DIRECTION 1: COMMUNITY	39
10.1.1	Community Advisory Groups Annual Review	39
10.1.2	Approval for external events on City reserves	43
10.1.3	Tender 17/2013 Provision of Security, Patrols and Guard Services	47
10.1.4	Community Sport and Recreation Facility Fund (CSRFF) – Small Grants Funding	51
10.2	STRATEGIC DIRECTION 2: ENVIRONMENT	55
10.2.1	Tender 7/2013 Tree Watering and Planting Services	55
10.3	STRATEGIC DIRECTION 3: HOUSING AND LAND USES	58
10.3.1	Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building - Lot 20 (No. 98) Mill Point Road, South Perth	58
10.4	STRATEGIC DIRECTION 4: PLACES	67
10.5	STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT	68

10.5.1	Tender 13/2013 Supply the Services of Plant with Skilled Operator to carry out Minor Works	68
10.5.2	Tender 15/2013 Provision of Electrical Maintenance Services	72
10.6	STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT	76
10.6.1	Monthly Financial Management Accounts – July 2013	76
10.6.2	Monthly Statement of Funds, Investments and Debtors at 31 July 2013	80
10.6.3	Listing of Payments	85
10.6.4	Applications for Planning Approval Determined Under Delegated Authority	87
10.6.5	Disposal of Lot 800 Ray Street South Perth	89
10.6.6	Financial Interest Returns 2012-2013	93
10.6.7	Amendment to Delegation DC690 Town Planning Scheme No. 6	95
11.	APPLICATIONS FOR LEAVE OF ABSENCE	97
11.1	REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR HOWAT	97
12.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	97
12.1	PARKING ADJACENT TO PUBLIC TRANSPORT – COUNCILLOR SKINNER	97
13.	QUESTIONS FROM MEMBERS	99
13.1.	RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE	99
13.1.1	Questions from Councillor McMullen	99
13.2	QUESTIONS FROM MEMBERS	100
13.2.1	Question from Councillor McMullen	100
13.2.2	Questions from Councillor Cridland	100
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	101
15.	MEETING CLOSED TO PUBLIC	102
15.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	102
15.1.1	Community Facilities Review – <i>Confidential</i>	102
15.1.2	Recommendations from the CEO Evaluation Committee Meeting Held 13 August 2013 – <i>Confidential</i>	102
15.2	PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC	102
15.2.1	Community Facilities Review	102
15.2.2	Recommendations from the CEO Evaluation Committee Meeting Held 13 August 2013	103
16.	CLOSURE	103
17.	RECORD OF VOTING	105

Ordinary Council Meeting Minutes

Minutes of the Ordinary Meeting of the City of South Perth Council held in the Council Chambers, Sandgate Street, South Perth Tuesday 27 August 2013.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7:00 pm and welcomed everyone in attendance. He then acknowledged we are meeting on the lands of the Noongar/Bibbulmun people and that we honour them as the traditional custodians of this land.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES

The Mayor advised that the Mayor and Council Representatives Activities Reports for the month of July 2013 are attached to the back of the agenda.

3.2 PUBLIC QUESTION TIME FORMS

The Mayor advised the public gallery that Public Question Time forms were available in the foyer and on the website for anyone wanting to submit a written question. She referred to clause 6.7 of the Standing Orders Local Law 'procedures for question time' and state that it is preferable that questions are received in advance of the Council Meetings in order for the Administration to have time to prepare responses.

3.3 AUDIO RECORDING OF COUNCIL MEETING

The Mayor requested that all mobile phones be turned off. She then reported that the meeting is being audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.16 of the Standing Orders Local Law 2007 which states: "A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member" and stated that as Presiding Member she gave permission for the Administration to record proceedings of the Council meeting.

3.4 HON A J SIMPSON, MINISTER FOR LOCAL GOVERNMENT

The Mayor welcomed the Minister for Local Government, Hon A J Simpson and his media adviser, Deanie Carbon, to the City of South Perth Ordinary Council Meeting.

The Minister thanked the City of South Perth for the opportunity to attend the Council meeting and gave a short address.

The Mayor presented the Minister with a gift in appreciation of his attendance.

3.5 WALGA AWARDS 2013

The Mayor noted that three of the City of South Perth Elected Members had received prestigious awards at the WALGA Convention and Exhibition held this week.

Councillors Colin Cala and Bill Gleeson received the *Local Government Merit Award* and Councillor Sharron Hawkins-Zeeb received an award for completing the *Diploma of Local Government (Elected Member)* course.

The Mayor congratulated these Councillors on their achievements.

3.6 BATTLE FOR BURSWOOD

The Mayor provided details on a Community Rally to be held 10.30am, Sunday 15 September 2013 in the Memorial Gardens, Victoria Park, in support of the 'Battle for Burswood'. Postcards, seeking community feedback, were handed out to all those in attendance at the meeting, and the Mayor encouraged participation.

4. ATTENDANCE

Mayor Doherty (Chair)

Councillors

I Hasleby	Civic Ward
V Lawrance	Civic Ward
G Cridland	Como Beach Ward
G W Gleeson	Como Beach Ward
S Hawkins-Zeeb	Manning Ward
C McMullen	Manning Ward
C Cala	McDougall Ward
P Howat	McDougall Ward
R Grayden	Mill Point Ward
B Skinner	Mill Point Ward
F Reid	Moresby Ward
K Trent, OAM, RFD	Moresby Ward

Officers

P McQue	Acting Chief Executive Officer
M Kent	Director Financial and Information Services
M Taylor	Acting Director Infrastructure Services
D Gray	Manager Financial Services
R Bercov	Strategic Urban Planning Adviser
R Kapur	Manager Development Services
G Fraser	Senior Strategic Planning Officer
C Jones	Graphic Design Officer
G Nieuwendyk	Corporate Support Officer
A Albrecht	Governance Officer

Gallery

There were 86 members of the public and 1 member of the press present.

4.1 APOLOGIES

C Frewing
V Lummer

Chief Executive Officer
Director Development and Community Services

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATION OF INTEREST

Conflicts of Interest are dealt with in the *Local Government Act, Rules of Conduct Regulations* and the *Administration Regulations* as well as the City's Code of Conduct 2008. Members must declare to the Chairperson any potential conflict of interest they have in a matter on the Council Agenda.

6. PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.2 PUBLIC QUESTION TIME: 27 AUGUST 2013

The Mayor stated that public question time is operated in accordance with *Government Act* regulations. She said that questions are to be in writing and questions received prior to this meeting will be answered tonight, if possible or alternatively may be taken on notice. Questions received in advance of the meeting will be dealt with first, on a rotational basis, long questions will be paraphrased and same or similar questions asked at previous meetings will not be responded to.

The Mayor advised that there were other ways people could raise questions, such as contacting their Ward Councillors or by logging on to the City's website and submitting a question via 'enquires'. The Mayor noted that she would be available to meet with members of the community on Friday 13 September, from 10:00 am to 12:00 pm in the Library Function Room.

Prior to opening public question time, the Mayor made a statement regarding the South Perth Foreshore. The purpose of this statement was to respond to concerns raised by residents regarding the South Perth Foreshore 2013 and Beyond project.

Mayor's Statement – South Perth Foreshore

"I hope that by now residents and users of the South Perth Foreshore are aware of the planning underway for the revitalisation of this asset of the City.

A key aspect of the planning includes a thorough process of gathering as much information as possible to make sure that the revitalised foreshore enriches the quality of life we offer in this City. Information-gathering is a lengthy process and I ask everyone to:

- a) please contribute to it, and
- b) be patient while it is underway.

I believe it's worth detailing the process we are going through so that everyone understands that no decisions are yet being made and that nothing is going to happen overnight.

1. **Stage One** started the conversation about what people wanted for the South Perth Foreshore late last year.
2. The feedback generated from Stage One went into **Stage Two** - production of draft documents which interpreted the dreams, themes and ideas put forward by the community, placing them into Objectives, Nodes and Opportunities.
3. We are currently in **Stage Three**. The draft documents were endorsed by Council at the May 2013 meeting and are now being widely advertised for comment, together with a survey to gauge opinions about the Objectives, Nodes and Opportunities listed. Submissions will enable the City to prioritise which Objectives, Nodes and Opportunities should be considered in what order, for further more detailed planning.

To date we have received hundreds of submissions via an online survey so far and hopefully there will be more by the closing date of Friday August 30.

All these submissions will be collated, considered and used to form a report which will be brought to Council in November.

Only after Council has considered that report will we move to **Stage Four**.

It will be then that the City will be looking at detailed planning for the foreshore Nodes and Master-planning for future projects, as well as budgeting and funding.'

Any implementation strategy will be long-term – that means over years not months - and the City will keep the community informed along the way.

I take this opportunity to thank everyone for their submissions and suggestions so far. Some have been generated publicly through flyers, emails, letters to the media etc, others privately via our survey process. There's still time to complete the survey and I urge any of you who haven't yet filled it in to get online and have your say.

All points of view are important and have value. No one submission is more important than another when it forms part of a comprehensive consultation process and no single issue will take precedence over any other.

That's why EVERY point of view relating to the future of South Perth foreshore which stems from consultation will form part of the proper consultation process and be deliberated in line with every other submission received.

As I stated earlier, the report generated from those submissions will be placed before Council for consideration in November. This is fair and proper as it gives equal representation and consideration to all.

This brings me to my final point – a point of clarification.

A public debate on our South Perth Foreshore consultation process has erroneously generated some fear that the City of South Perth might consider selling some or all of its landholdings along South Perth Foreshore, or leasing for a period of 99 years.

The City of South Perth Public Open Space Strategy has looked at our public open space assets to determine whether they are meeting the needs of the community. The strategy has been wrongly interpreted to infer that we would consider selling South Perth Foreshore. This is not true.

The City has publicly stated that it has no intention of selling land along the foreshore and that statement stands. We do not intend to sell land along the foreshore, nor will we enter into 99 year lease agreements for any part of it.

What is apparent from the hundreds of responses to date is that we all – wherever we live - consider South Perth Foreshore to be a very special public place. South Perth Foreshore is a tremendous asset to the City.

It is an asset which will be held by the City for future generations to enjoy.”

Open of Public Question Time

The Mayor opened Public Question Time at 7:17 pm.

Please note: *Written Questions submitted in sufficient time prior to the meeting were provided in a PowerPoint presentation and read out by the Mayor for the benefit of the public gallery. Questions relating to the South Perth Foreshore (that had been received prior to the meeting) were grouped together and responded to in one statement made by the Acting Director Infrastructure Services. However, these questions have been answered individually below. The statement made by the Acting Director Infrastructure Services has also been included. Questions that could not be answered at the meeting were taken on notice.*

6.2.1 Stephanie Wharton, 11 South Terrace, Como

(Written questions submitted prior to the meeting)

Question 1

Would the Council please verify the alleged resolution that Lot 6 will always remain as a buffer zone. Is this the case?

Response

A search of the City's records has confirmed that the Council has never required retention of Lot 6 as a 'buffer' for the adjoining residential development at No. 146 South Terrace.

6.2.2 John Van Uden, Unit No. 2, 6 Manning Tce, South Perth

(Written questions submitted prior to the meeting)

Question 1

The Council has stated in its 2013-2014 budget review that 27% of land asset sales shall bring in a cash return of \$22.85 million – Please identify which parcel(s) of real estate are those which will bring in this cash?

Response

The Civic Triangle, South Perth; Lot 800 Ray Street, South Perth; and two lots in the Manning Community Hub.

6.2.3 Marcia Manolas, 193 Mill Point Road, South Perth

(Written questions submitted prior to the meeting)

Question 1

Is the Council prepared to pass a Resolution prior to the South Perth Foreshore 2013 and Beyond Proposal being adopted of 'No Sale of Land or a maximum of 21 years or similar leasehold within Sir James Mitchell Park, foreshore and lakes area' prior to the Proposal being forwarded to commercial stakeholders for comment?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

Question 2

Is Council prepared to promote development with developers (Third Party) the criteria that are aligned with the Swan River Trust requirements?

Response

Any development in City land that is encompassed by the Swan River Trust Development Control Area must comply with Trust legislation, planning and policies, which takes into account the local town planning and Metropolitan Region Planning Schemes (MRS).

Question 3

Is Council proposing to change the use and zoning of Sir James Mitchell Park to accommodate commercial developments including but not limited to:

- (a) Resumed area of Sir James Mitchell Park with the resumption order gazetted and stamped on the Certificate of Titles, "Swan River Improvements and foreshore Recreation grounds at South Perth
- (b) Any balance of area of land within Sri James Mtiche3ll Park designated Freehold Public Open Space Land
- (c) Special Zone A
- (d) Crown Land vested in the City of South Perth

Response

As stated by the Mayor, the City is not proposing to change the use and zoning of Sir James Mitchell Park.

'Special Zone A' no longer exists. The zoning of that land was changed to Local Scheme Reserves Parks and Recreation when the current Town Planning Scheme No.6 was gazetted.

Question 4

If Council is proposing to change the use, zoning, offer any land for sale, or long term leaseholds of any of the above areas of land within Sir James Mitchell Park to accommodate commercial development, will Council be seeking broad spectrum public consultation?

Response

As stated by the Mayor, the City is not proposing to change the use and zoning of Sir James Mitchell Park, nor is it proposing to sell or long term lease any areas of land within the Park.

If Council did chose to do any of the above, community consultation would apply as set out in policy P103 Communication and Consultation.

6.2.4 Ken Manolas, 193 Mill Point Road, South Perth

(Written questions submitted prior to the meeting)

Question 1

[Certificates of Title were submitted with these questions.] Is Council aware various parcels of land within Sir James Mitchell park, were resumed on the South Perth Foreshore under the Public Works Act (1902-1933)? (The purpose of the resumption was “for the purpose of the following namely: Swan River Improvements and Foreshore Recreation Grounds at South Perth”)

Response

This question has been taken on notice.

Question 2

Has Council obtained a legal opinion as to whether it is bound by the original purpose of the resumption in its dealings with the resumed land, and if so, does the land need to remain as Public Open Space in accordance with the resumption order, “Swan River improvements and recreation grounds at South Perth”?

Response

This question has been taken on notice.

Question 3

Can Council within the purpose of the resumption order permit any commercial development on the resumed land and if so can it permit commercial recreation or use large scale buildings?

Response

This question has been taken on notice.

Question 4

Does the City of South Perth have the power to grant lengthy leases over it or to sell the land (or any part of it) notwithstanding the purpose for which the land was resumed?

Response

This question has been taken on notice.

Question 5

Is the City bound by the original purpose of resumption in its dealings with a third party and is the third party then bound by the same obligations set out in the purpose of the resumption 1940?

Response

This question has been taken on notice.

Question 6

How liberally could the City of South Perth interpret “Swan River Improvement and Foreshore Recreation Ground at South Perth” and what type of commercial development would the Council consider?

Response

This question has been taken on notice.

6.2.5 Hamilton Stott, 130 Ryrie St, Como

(Written questions submitted prior to the meeting)

Question 1

Before Council considers sale of any freehold public open space parks or leasehold, (this does not include freehold land within structures, e.g. Child Care Centres), will Council undertake prior to implementation of any plan, broad community consultation here a specific plan and proposed use of the area of the park is provided to the broader public for comment?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

If Council did chose to do any of the above, community consultation would apply as policy P103 Communication and Consultation.

Question 2

If so, will Council give an undertaking to have broad public consultation similar to the consultation currently ongoing, on the proposed plan arising from the South Perth Foreshore 2013 and Beyond survey for Sir James Mitchell Park prior to implementation?

Response

Community consultation would apply as set out in policy P103 Communication and Consultation.

Question 3

Are Councillors aware once the South Perth Foreshore 2013 and Beyond proposal is adopted, there is no further broad public consultation? Would Council consider a broad public consultation of the actual proposed plan?

Response

When the current feedback period and survey close on 30 August 2013, every submission received and survey response will be collated, considered and used to form a report which will be brought to Council in November.

When adopted, the South Perth Foreshore 2013 and Beyond Strategy will outline future opportunities for the foreshore as a whole; and node-specific opportunities for the nodes of the foreshore, for example Mends Street, the Lakes, etc.

The City will progress to plans for specific nodes based on the priorities obtained from the consultation, and given applicable funding. These will be developed with community consultation, applying public consultation policy P103 - Refer the timeline on page 29 of Part 01 of the South Perth Foreshore 2013 and Beyond document, which indicates the identified opportunities being planned, consulted and delivered in the future.

Question 4

Does Council agree, the South Perth Foreshore 2013 and Beyond proposal is non-specific relating to the size and type of commercial development for the various nodes?

Response

It is, because the South Perth Foreshore 2013 and Beyond document currently out for consultation outlines opportunities that were developed from the ideas gathering

process of the earlier stage of the project which involved community consultation, and is not yet at detailed planning stage.

The project is about more than commercial development, it is about revitalising the foreshore, and managing it well into the future. The final South Perth Foreshore 2013 and Beyond Strategy document will outline an implementation strategy for this future planning.

6.2.6 Genevieve Nevard, 195 Mill Point Road, South Perth

(Written questions submitted prior to the meeting)

Question 1

Is Council aware there has been at least one case in WA in which a local government has attempted to impose conditions within a leasing agreement - once the lease was in place, the third party approached the Minister of the day and had the lease substantially increased in length, the original conditions overturned and new leasing conditions established?

Response

No.

Question 2

Are the City of South Perth Councillors aware of the risks attendant upon Council undertaking business agreements in good faith when they are dealing with a third party who may be seeking to maximise the area and level of control they have in any agreements over public land; and to maximise their returns on investment?

Response

Yes.

Question 3

Is the Council prepared to pass resolutions to protect Sir James Mitchell Park by limiting the leasehold to 21 years and declaring there will be no sale of land within Sir James Mitchell Park and Foreshore?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

Question 4

Can the Council confirm that there has been no attempt by current Council members or the City's administration to 'sound out':

- i) Any potential business investors interested in occupying, via a sale or lease, any of the resumed areas along Mill Point Rd running onwards from 180 Mill Point Rd?
- ii) Any potential business investors interested in occupying, via a sale or lease, any of the other resumed areas of Sir James Mitchell Park?
- iii) Leasing or sale arrangements designed to attract multi-storey facilities in any of the resumed areas of Sir James Mitchell Park.

Response

The City can confirm there has been no attempt by the City's administration to carry out any of the points listed in the question. To confirm the activities of individual Councillors you would need to address this question to them directly. However, there is no official directive or Council resolution to do so.

6.2.7 Jennifer Nevard, 195 Mill Point Road, South Perth

(Written questions submitted prior to the meeting)

Question 1

Council held public lands fall into 3 categories (Freehold Title, blocks resumed by the State Government and vested in the City; and land abutting the Swan River which requires agreement of the Swan River Trust for any proposed changes). Did Council administration provide Councillors with background on the differing legislative arrangements before Council endorsed the South Perth Foreshore 2013 and Beyond Proposals Parts 1 and 2 documents?

Response

Land ownership and site zoning is included in both parts Part 01 and Part 02 of the South Perth Foreshore 2013 and Beyond, with the latter 'Background and Context' document providing the more detailed information, including copies of the Town Planning Scheme maps, and a Land Ownership map on page 24, as well as a historical and cultural mapping diagram on page 22. These documents are drafts, and will be reviewed for the final South Perth Foreshore 2013 and Beyond Strategy document.

Question 2

Are the City of South Perth Councillors aware that the release of the South Perth Foreshore 2013 and Beyond Proposal and Public Open Space Strategy Part 2 which invites public consideration of sale or leasing public lands may have promoted speculation that they may be purchasing or long term leasing opportunities for multi-story developments within the Sir James Mitchell Park?

Response

The South Perth Foreshore 2013 and Beyond project and the Public Open Space Strategy do not 'invite' the consideration of sale or leasing. Much of the speculation about long term leasing opportunities and sale of foreshore land has been generated through public flyers that have been anonymously distributed, word of mouth speculation, campaigning and rumours.

The project has been widely advertised, and all of the documents and supporting information such as the Public Open Space Strategy and earlier Management Plans have been available both electronically on the City's website, in predominant locations including the Home Page; and from the City's administration buildings and libraries.

Question 3

If no part of Sir James Mitchell Park is intended for sale or long term lease beyond 20 years, what is the Council currently doing to clarify this misconception?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

Question 4

By limiting development opportunities on public parkland to short term lease arrangements (e.g. 21 years), commercial activities remain relatively low impact and small scale. Is the City of South Perth Council prepared to apply a similar policy on Sir James Mitchell Park and all other City of South Perth parkland?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

6.2.8 Norma Crossing, Unit 5/6 Manning Tce, South Perth

(Written questions submitted prior to the meeting)

Question 1

RE: Your plans for the Foreshore: where is all the car-parking going to be?

Response

As recommended as a 'Next Step' in the South Perth Foreshore 2013 and Beyond Part 01, page 11, in its Whole of Foreshore: Transport and Access considerations, the City should "Engage a transport consultant to prepare a multi-modal transport study including recommendations to resolve the conflict between cyclists, pedestrians and vehicles. The study should consider the requirements of Amendment No.25 to the Town Planning Scheme No. 6 and opportunities associated with the potential new train station at Kwinana Freeway near Richardson Park; and Review current parking provisions (including time and taxi allocations)."

Question 2

In relation to section '10. Ellam Street', '10.7 Increased residential density' – whereabouts?

Response

One of the 'Things to consider' listed for the Ellam Street node of the South Perth Foreshore is 'minimal residents benefiting due to the surrounding low density' which contributes to the area being 'underutilised', as another thing to consider. The surrounding area is predominantly zoned residential R15, R20 R15/R40 with a few lots at R60. It is this surrounding residential area, not the park itself for which the opportunity 'increased residential density' refers. Refer the Town Planning Scheme No. 6 Map which is included as an Appendix at the end of Part 02 of the South Perth Foreshore 2013 and Beyond document.

6.2.9 Peter Dreverman, 2/20 Garden Street, South Perth

(Written questions submitted prior to the meeting)

Questions relate to the parcel of park land know as Sir James Mitchell Park, north of Mill Point Rd, and west of Coode St, as you are aware the land is currently freehold land held by the City of South Perth. The land was resumed in 1940.

Question 1

Are ALL the Councillors of the Council aware that the block of Sir James Mitchell Park is freehold and that it is subject to special conditions of resumption and land use (Swan River Improvement and Foreshore Recreation Grounds), as noted on the original Title documents?

Response

Yes.

Question 2

At the time of drafting the South Perth Foreshore plan, were ALL the councillors aware that the block of Sir James Mitchell Park was freehold and that it was subject to special conditions of resumption and land use?

Response

Councillors were provided with a special briefing on the South Perth Foreshore 2013 and Beyond project, have provided direct input to the project, and endorsed the current draft of the South Perth Foreshore 2013 and Beyond documents Part 01 and Part 02 at their May 2013 meeting.

Question 3

At the time of drafting of the South Perth Foreshore plan, were the Councillors aware of the Special Zone A areas, which allow for the commercial development (to my understanding there are two areas, one in front of Jubilee St and other at Raneleigh Crescent)?

Response

Special Zone A no longer exists. The use of that land was changed to Local Scheme Reserves Parks and Recreation when the current Town Planning Scheme No.6 was gazetted.

There is originally only one area known as Special Zone A, in front of Jubilee Street.

Question 4

Are there any other Special Zone A areas in the South Perth Foreshore Plan?

Response

No.

Question 5

Are the Councillors aware that the special resumption conditions of Sir James Mitchell Park may preclude the possible land use as envisioned in the proposed plan of the Foreshore Park land as outlined in current public disclosure documentation and could put the Council in conflict with resumption conditions?

Response

This question has been taken on notice.

Extension of Public Question Time

Councillors voted to extend public question time to address a large number of questions received regarding the South Perth Foreshore.

COUNCIL DECISION

Moved: Councillor McMullen

Seconded: Councillor Hasleby

That public question time be extended by 15 minutes.

CARRIED (13/0)

6.2.10 Kaye Klironomos, 46 Gwentyfred Rd, Kensington

(Written questions submitted prior to the meeting)

Question 1

Is the City of South Perth proposing low key single storey lifestyle development as verbally advised by Council's administration evening 17 July 2013, and the salaried promotional person employed at Meds St during the weekends month of August, or is the City of South Perth promoting high rise, high density development as illustrated in the Foreshore 2013 and Beyond document Part 2, by reference to

Brisbane Southbank, and Melbourne Docklands and asked in the Survey, Ellam St, 10.7 “increased residential density”?

Response

Any development along the foreshore, in the foreshore reserve is guided by the current zoning and planning requirements, including requirements of the Swan River Trust. Any development surrounding the foreshore reserve is guided by the Town Planning Scheme 6 and the Metropolitan Region Scheme, as included in the South Perth Foreshore 2013 and Beyond documents in the Appendices.

Assessing the opportunities listed in the current draft SPF document will be assisted by the feedback results we receive via the current survey, which closes Friday 30 August, and is available online on the City’s website.

The potential for increased residential densities in the Ellam Street area is referring to the existing residential area and not the foreshore.

Question 2

If you are promoting low key infrastructure, why does all written documentation refer to and illustrate high density high rise development?

Response

High density high rise development is not illustrated in the draft South Perth Foreshore 2013 and Beyond documents, which are out for comment, except of pictures of the existing South Perth skyline.

6.2.11 Tula Mylonas, 1 Hurlingham Tce, South Perth

(Written questions submitted prior to the meeting)

Question 1

Is Council aware without public consultation, commercial development within the Park could not have been initiated?

Response

Applications for commercial development on the South Perth foreshore are received by the City all the time. They are dealt with by the current zoning for the foreshore and the Swan River Trust legislation, policies and planning requirements.

Question 2

Is Council aware by commencing the consultation process of public comment on commercialising in the South Perth Foreshore 2013 and Beyond proposal and upon adopting the proposal, developers are able to lodge plans with Council, Swan River Trust and then exhaust the avenues of process to the Minister and/or Development Assessment Panel (developments over \$3 million) or direct the Minister for developments leaving Council with no control of the type and size of the development?

Response

Applications for commercial development on the South Perth foreshore are received by the City all the time. They are dealt with by the current zoning for the foreshore and the Swan River Trust legislation, policies and planning requirements.

Question 3

More importantly, has Council obtained legal opinion as to how it can pass resolutions to protect the area of the Foreshore – from Narrows Bridge to Ellam Street, including Sir James Mitchell Park and Clydesdale Park – from developers who

may exhaust the planning system currently available (Swan River Trust, and then applying to the Minister and/or direct to DAP which they are able to do for any development over \$3 million and directly to the Minister is over \$7 million)?

Response

No, a legal opinion is not required.

Question 4

Will Council consider delaying the adoption of the South Perth Foreshore 2013 and Beyond Proposal until it has sought legal opinion as to what procedures it can put in place to remain in control of the application process, building and planning approval when Developers lodge plans with Council?

Response

There is no need to because the current zoning of the South Perth Foreshore provides more than adequate protection.

6.2.12 Didier Murcia, 189 Mill Point Road, South Perth

(Written questions submitted prior to the meeting)

Question 1

Does the City propose to change the zoning of any part of Sir James Mitchell Park?

Response

No.

Question 2

Does the City propose to sell (or grant any lease of more than 20 years) over any part of Sir James Mitchell Park?

Response

The Mayor provided a statement at the August Council meeting which confirmed there will be no sale or 99 year leases of land on the South Perth Foreshore.

Question 3

If the answer to questions 1 or 2 is yes, please provide details of the City's proposal?

Response

Please see responses provided above.

Statement made by Mark Taylor, Acting Director Infrastructure Services in response to the above questions relating to the South Perth Foreshore

"A number of Public Questions have been received about the South Perth Foreshore (SPF) 2013 and Beyond project. As the Mayor has already advised, I will provide a summary response to the questions. Individual responses to each question will be provided in the Meeting Minutes and will also be provided in writing to the residents who have submitted them.

Background

The 1 July 2013 draft *SPF 2013 and Beyond* document set comprises:

- **Part 01 - The Feedback and Opportunities;**
- **Part 02 – Background and Context; and**
- **The Survey, which closes this Friday 30 August.**

These documents are available on the City's website in the City administration and libraries. The survey can be filled on line or paper copies can be made available on request/

The aim of the survey is to gauge opinions about the Objectives, Nodes and Opportunities listed in the draft Part 01 document and to prioritise which Objectives, Nodes and Opportunities should be considered in what order, for further more detailed planning.

There is also a list of **Frequently Asked Questions** available on the City's website, which provides answers to many of the questions raised this evening, questions raised at previous Council meetings, the 17 July Information Session, and from phone calls and correspondence.

Zoning, Classification & Land Ownership

Many of the questions refer to **historical information and old zoning** descriptions, dating back from the 1940s.

The City is aware of the history of the South Perth Foreshore, including aboriginal history, resumption of land from the 1930s on, reclamation of land from the Swan River and the historical zoning of the land.

The City is bound by the **current zoning** of the area for use as Parks and Recreation, as a Regional Reserve. The wording on the original title of land is historical information, and the City does not need to 'interpret' it, but apply the current zoning and public open space classification in considering its management of the foreshore.

The foreshore is zoned Parks and Recreation in both the overarching Metropolitan Region Scheme (MRS) and the City's Town Planning Scheme (TPS No. 6). This means that it requires approval from the State Government for any change of zoning. The foreshore is a Class C Reserve, requiring the Governor in Executive Council to determine classification amendments.

The land ownership is essentially of 2 types:

- Land owned freehold by the City of South Perth and its predecessor, the South Perth Road Board; and
- Land owned by the State of WA with a Management Order to the City of South Perth.

[Refer Part 02 Background and Context, South Perth Foreshore 2013 and beyond, Page 24 Figure 06, for a map of the land ownership, and the TPS maps for more information.]

Special Zone A (north of Jubilee Street) was created in TPS No. 1 of 1962, and was retained until TPS No. 5. The zoning was changed in the current TPS No. 6 to Local Scheme Reserve, Parks and Recreation, so Special Zone A no longer applies.

The foreshore is public open space classified as Regional Reserve in the City's Public Open Space (POS) Strategy 2012. Regional reserves are considered "...of regional significance because of their important contribution to the metropolitan region's sense of place and their attraction of users from throughout the region, along with their attraction to local residents."

Kings Park is also classified as a regional reserve.

The POS Strategy has investigated the City's entire public open space assets to determine whether they are meeting the needs of the community. The strategy has been wrongly interpreted to infer the City would consider selling the South Perth Foreshore. This is not true. The POS Strategy actually provides more protection for the South Perth Foreshore because it provides clear criteria for the retention and management of POS.

Land Use, Facilities & Activities

As a regional reserve, many facilities may be accommodated. The POS Strategy lists the type of facilities that are applicable to specific types of reserves, including regional reserves (Refer Table 1), although not all reserves will include all the facilities listed, for example some are more focused towards sporting activities than others.

The SPF 2013 and Beyond project will provide guidance as to whether there is a public desire for the foreshore to accommodate any further commercial activities.

It is these opportunities that are listed on the Survey that is currently being completed by many people to provide the City with their opinions and comments. Some, but not all of these opportunities are 'commercial', and include ideas ranging along the lines of 'a pedestrian friendly piazza and promenade' at Mends Street, 'public art', a 'designated dog beach' and 'commercial activity – food and beverage' at Ellam Street, for example. These opportunities were developed from the earlier public and stakeholder consultation.

Any prospective businesses and/or buildings need to fit into the recreational zoning and use, as do the current businesses of the park, including the cafes and hire facilities. Any new leases would be along the same terms as the existing leases; and there will be no sale of land, or 99 year leases, as the Mayor has stated.

Part 02 of the document refers to **Case Studies** to which the consultants preparing the South Perth Foreshore 2013 and beyond draft 1 July 2013 documents referred, including Geelong Waterfront, Geelong, Victoria; Southbank, Brisbane, Queensland; and Docklands, Melbourne, Victoria. Their size, aspect and components were considered for comparative purposes with the South Perth Foreshore, along with the planning processes that have guided their development.

Pages 14-15 of Part 02 of the document, indicate that these developments are included to assess comparative places, "...to guide the vision for the South Perth Foreshore' and to draw from the studies 'Aspirations, benchmarks, issues, pitfalls to avoid and things to resolve.' That is, to learn from these places, not necessarily to copy them. The South Perth Foreshore is unique.

Planning for the South Perth Foreshore by the South Perth Road Board/ City of South Perth has ensured good management of the park as recreational grounds for many decades.

This included the development of the Sir James Mitchell Park Foreshore Management Plan, April 2001; which has guided the management of the area since, and seen many improvements including the beaches, the deck, the path network, and ongoing maintenance of the foreshore. The 2001 Management Plan was to be reviewed at a minimum of 5 years, which by 2013 was well overdue; hence the current South Perth Foreshore 2013 and Beyond project (initially labelled the 'South Perth Foreshore Vision').

Communication and Consultation

In respect to community consultation about future works within the Foreshore following adoption of the SPF 2013 and Beyond draft document, the City's Communication and Consultation Policy P103 is utilised. Projects are assessed against their importance and potential impact. The appropriate level of community consultation is then applied.

The City looks forward to keeping residents and others informed on the process, with the relevant level of communication and consultation. It should be noted that community feedback is one part of the information gathering process upon which decisions are based. Other information which may be taken into account includes technical advice, legal advice, third party expert advice and other stakeholder advice.

The SPF 2013 and Beyond project has been widely advertised, including postcards sent to all South Perth households and businesses, banners along the foreshore and flyers/ FAQs being distributed during the weekends of August. Engagement with relevant external stakeholder groups such as the Sir James Mitchell Park and Sustainability Community Advisory groups, State Government agencies (Swan River Trust), Aboriginal groups, local business, schools and youth, residents and the wider community, have also taken place.

The Council of the City of South Perth is also involved in the process as a stakeholder, via direct briefing, workshops and Bulletin updates, throughout the project.

Other questions put to this meeting are pre-empting a process which the City has yet to finalise. The Mayor has clearly outlined the Stages of the project, and where we are at – Stage 3 currently. Refer to the timeline on page 29 of Part 01 of the South Perth Foreshore 2013 and beyond document, which indicates the identified opportunities being planned, consulted and delivered in the future, through 2014, 2015 and beyond. This will depend on feasibility and funding for each.”

6.2.13 Geoff Defrenne, 24 Kennard St, Kensington

(Written questions submitted prior to the meeting)

Proposed verge pickups

Question 1

Did the Administration have the authority to advertise there would be one green and one general pickup?

Question 2

Has the Administration complied with the July resolution 10.6.7 (c) “That a further report on future Bulk Waste Disposal options be put forward in August 2013 for consideration by Councillors”?

Item 10.1.3 - Security Services

The patrols are due to commence on the 1 August 2013.

Question 3

Given that August is nearly over, how can the Council accept a tender for services that cannot be possibly complied with?

Welcome to Country

I note in the payments listing that Dorothy Winmar received two payments for welcome to country ceremonies.

Question 4

Given that Dorothy Winmar does not have an ABN number is the payments of \$300 after deducting withholding tax of 46.5%?

Question 5

Is Dorothy Winmar an employee of the city?

Question 6

Is Dorothy Winmar a contractor to the city?

I note in the payments listing of payments to people for MC'ing two functions.

Question 7

Given that both people appear to have performed the same duties (perhaps on different numbers), why was there such a large discrepancy in the two payments?

[Kerry-Ann Winmar Elders Dinner – MC Duties \$200.00]

[Entertainment Pioneer Luncheon – MC Jenny Seaton \$1,155.00]

Native Title

Question 8

Given that the city has freehold title to the land the Council Chambers is on, and is not subject to native title claim; why does the Mayor in her opening declaration say “acknowledge we are meeting on the lands of the Noongar/Bibbulmun people”?

Question 9

Is the land on the southern side of Hobbs Ave, Como Noongar/Bibbulmun land or does it belong to the title holders?

These questions were taken on notice.

6.2.14 Loula Papandreou, 1 Saunders St, Como

(Written questions submitted at the meeting)

In relation to Sir James Mitchell Park, the Swan River and Canning Management Act 2006, provides that land and waters in the development control area that are owned or vested in the City of South Perth may be used but not developed without approval by the Minister (Sections 68, 69 and 70).

Question 1

Can Council confirm any proposal for: commercial development is first lodged with the Swan River Trust? Because the Swan River Trust cannot approve works which are for commercial use, is the Trust required to notify Council only but refers to commercial application to the Minister?

Question 2

How is Council going to control any commercial development within the Parkland when the application will not be lodged with Council?

These questions were taken on notice.

6.2.15 Soo Hin Ong, 4/6 Manning Terrace, South Perth

(Written questions submitted at the meeting)

Question 1

In relation to the South Perth Foreshore 2013 Survey, there is no provision for items that are not required. There are columns for “low importance” etc. but no column for items we feel are not required?

Question 2

In the 2013/2014 Annual Budget 27% is to be derived from land asset sales – the disposal proceeds anticipated is \$22.8m. May I know which areas are marked for land sale and the designated use for the land marked for sale?

These questions were taken on notice.

Close of Public Question Time

The Mayor closed Public Question Time at 7:52 pm.

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 July 2013

COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Skinner

That the Minutes of the Ordinary Council Meeting held 23 July 2013 be taken as read and confirmed as a true and correct record.

CARRIED (13/0)

7.1.2 CEO Evaluation Committee Meeting Held: 13 August 2013

COUNCIL DECISION

Moved: Councillor Skinner

Seconded: Councillor Cala

That the Minutes of the CEO Evaluation Committee Meeting held 13 August 2013 be taken as read and confirmed as a true and correct record.

CARRIED (13/0)

7.2 BRIEFINGS

The following Briefings which have taken place since the last Ordinary Council meeting, are in line with the ‘Best Practice’ approach to Council Policy P672 “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 – Ordinary Council Meeting – 16 July 2013

Officers of the City presented background information and answered questions on items identified from the July 2013 Council Agenda. Notes from the Agenda Briefing are included as **Attachment 7.2.1**.

7.2.2 Concept Briefing - Local Area Traffic Management Study and Transit Alignment Study - 24 July 2013

External presenters and Officers of the City provided information and answered questions regarding the Local Area Traffic Management Study Area 9a, 9b and 10 and the Transit Alignment Study between Canning Bridge Station and Curtin University. Notes from this concept briefing are included as **Attachment 7.2.2**.

COUNCIL DECISION

Moved: Councillor Hasleby

Seconded: Councillor Hawkins-Zeeb

That the attached notes under items 7.2.1 and 7.2.2 on Council Briefings be noted.

CARRIED (13/0)

8. PRESENTATIONS

8.1 PETITIONS

A formal process where members of the community present a written request to Council.

Nil.

8.2 PRESENTATIONS

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

8.2.1 Good Samaritan Industries – Certificate of Appreciation

A certificate of appreciation is to be presented to the City by the Good Samaritan Industries in acknowledgement of the City's support of the Good Sammy recycling bins. Good Samaritan Industries is a Western Australian charity that provides paid employment for people with disabilities. One Good Sammy recycling/donation bin in place helps to provide paid employment for up to four people with disabilities.

8.2.2 Australasian Reporting Award 2013 – Bronze

A bronze award for distinguished achievement in reporting was presented to the City by the Chairman of the Australasian Reporting Awards in relation to the preparation of the 2011/2012 Annual Report document.

8.2.3 Certificate of Acknowledgement - Achieving Milestone 5 of the Water Campaign

A certificate of acknowledgement was presented to the City by the International Council of Local Environmental Initiatives (ICLEI) for achieving Milestone 5 of the Water Campaign.

Over past 9 years the City has been participating in the International Council of Local Environmental Initiatives (ICLEI) Water Campaign™ and progressing through a five milestone framework. This program was established across Australia to support

Local Government Sector in the water management area including water conservation and water quality improvement.

This June the City has successfully completed Milestone 5 of the Water Campaign™ program and produced Milestone 5 report that demonstrates the City's achievement of the corporate goal of reducing water consumption by 50 percent ahead of schedule and outlines the City's continuing commitment to sound water management. Continuing with water conservation and water quality improvement will result in the City being more sustainable and more resilient to anticipated climate change impact.

8.3 DEPUTATIONS

A formal process where members of the community many, with prior permission, address Council on Agenda items where they have a direct interest.

8.4 COUNCIL DELEGATES REPORTS

Nil.

8.5 CONFERENCE DELEGATES REPORTS

8.5.1 Conference Delegate: 2013 Liveable Cities Conference – 17 to 19 June 2013

A report from Councillor Fiona Reid summarising her attendance at the 2013 Liveable Cities Conference, Melbourne, 17 to 19 June 2013, is at **Attachment 8.5.1.**

8.5.2 Conference Delegate: Local Government Chief Officer Group Meeting – 17 to 19 July 2013

A report from Chief Executive Officer Cliff Frewing, summarising his attendance at the Local Government Chief Officers Group Meeting, Sydney, 17 to 19 July 2013, is at **Attachment 8.5.2.**

COUNCIL DECISION

Moved: Councillor Grayden

Seconded: Councillor Howat

That the Conference Delegates' Reports under Item 8.5.1 and 8.5.2 be received.

CARRIED (13/0)

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. She then sought confirmation from the Acting Chief Executive Officer that all the report items were discussed at the Agenda Briefing held on 20 August 2013.

The Acting Chief Executive Officer confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

Item 10.0.1 Alternative Motion from Councillor Reid
Item 10.1.2 Amended Motion from Councillor Grayden
Item 10.3.1 Amended Motion from Councillor Grayden

COUNCIL DECISION - EN BLOC RESOLUTION

Moved: Councillor Lawrance

Seconded: Councillor Gleeson

That with the exception of withdrawn items 10.0.1, 10.1.2 and 10.3.1 the officer recommendations in relation to agenda items 10.0.2, 10.1.1, 10.1.3, 10.1.4, 10.2.1, 10.5.1, 10.5.2, 10.6.1, 10.6.2, 10.6.3, 10.6.4, 10.6.5, 10.6.6, and 10.6.7 be carried en bloc.

CARRIED (13/0)

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone (Item 10.3.2 Council meeting 26 February 2013 refers)

Location:	City of South Perth
Applicant:	Planning consultant MGA Town Planners (Peter Goff) on behalf of owners Australian Leisure and Hospitality Group Pty Ltd
File Ref:	LP/209/40
Date:	1 August 2013
Author:	Gina Fraser, Senior Strategic Planning Officer
Reporting Officer:	Vicki Lummer, Director, Development & Community Services

Summary

The purpose of Amendment No. 40 is to rezone Lot 6 (No. 148) South Terrace, South Perth, from the 'Residential' zone with a density coding of R40, to the 'Highway Commercial' zone with R80 coding. Lot 6 has been owned by Australian Leisure and Hospitality Group Pty Ltd (ALHG) for many years and is currently vacant other than for landscaping. The applicant proposes to use the land for additional car parking for the Hotel. The proposal has been advertised for community comment, and 146 submissions and three late items of correspondence were received. These are all discussed in the 'Consultation' section of this report.

It is recommended that the Council recommend to the Minister for Planning that Amendment No. 40 be approved without modification.

Officer Recommendation

Moved: Councillor Hasleby

Seconded: Councillor Gleeson

That:

- (a) the Western Australian Planning Commission be advised that Council recommends that:
- (i) Submissions 1.1 to 1.3 inclusive, supporting the proposed Amendment No. 40 rezoning be UPHELD;
 - (ii) Submissions 2.1 to 2.5 inclusive, conditionally supporting the proposed Amendment No. 40 rezoning be generally UPHELD;
 - (iii) Submissions 3.1 to 3.8 inclusive, opposing the proposed Amendment No. 40 rezoning be NOT UPHELD;
 - (iv) Submissions 4.1 to 4.5 inclusive, supporting a future replacement liquor store elsewhere on the Como Hotel site, be NOT UPHELD at this time, but be reconsidered at the time of any relevant future development application;
 - (v) Submissions 5.1 to 5.125 inclusive, opposing a future replacement liquor store elsewhere on the Como Hotel site, be NOT UPHELD, but be reconsidered at the time of any relevant future development application; and

Recommendation continued

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

- (vi) Amendment No. 40 to the City of South Perth Town Planning Scheme No. 6, comprising **Attachment 10.0.1(b)**, be adopted 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) rezoning Lot 6 (No. 148) South Terrace, South Perth, from the 'Residential' zone with a density coding of R40, to the 'Highway Commercial' zone with a density coding of R80; and
 - (ii) amending the Scheme (Zoning) Map for Precinct 3 'South Perth Civic', accordingly;
- (c) the Council hereby authorises the affixing of the Common Seal of Council to three copies of the Amendment No. 40 document (**Attachment 10.0.1(b)**), as required by those Regulations;
- (d) the Report on Submissions and Schedule of Submissions containing the Council's recommendations, a copy of the submissions and three executed copies of the amending documents, be forwarded to the Western Australian Planning Commission for final determination of the Submissions and for final determination of Amendment No. 40 by the Minister for Planning;
- (e) the applicants be advised that:
 - (i) Council's continuing support for Amendment No. 40 is not to be construed as approval of, or support for, the concept plans which were submitted as part of the Amendment No. 40 proposal to illustrate possible further improvements to the Como Hotel or its site. At the time of submission of any relevant development application, the City will assess the application for compliance with all relevant requirements contained in the City's Town Planning Scheme No. 6 and Council Policies, and in particular, the impact on the amenity of the neighbouring area;
 - (ii) at the time of any firm development application for a replacement liquor store on the site, all submissions commenting on the future improvement of the Como Hotel or its site which were lodged during the Amendment No. 40 process, will be re-examined as part of that later development assessment process, together with any other comments submitted by consulted neighbours during that process; and
 - (iii) any future development application for improvements to the Como Hotel or its site, would be determined by the Council having regard to, in addition to any other matter that the Council may consider, the need to:
 - (A) protect and retain any significant trees on Lot 6 and the main Hotel site;
 - (B) provide an attractive, 2.1 metre high, substantial, acoustic-designed masonry fence along the western and northern boundaries of Lot 6 (No. 148) South Terrace, South Perth, to assist with containing operating, patron and vehicular noise emanating from the Hotel site;
 - (C) provide a more effective acoustic barrier along the perimeter of the beer garden;
 - (D) provide additional noise attenuation by means of effective tree planting in a landscaped strip with a minimum width of 2.0 metres, located alongside the Lot 6 boundary fences;

Recommendation continued

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

- (E) place a vehicle barrier or wheel stop along the western and northern boundaries of any car parking area to be developed on Lot 6, to prevent accidental vehicle damage to Lot 6 landscaping, boundary fences and other properties adjoining the fences; and
 - (F) examine existing and future car park design and vehicular movement within the Hotel site having regard to comments received from Main Roads Western Australia, Riley Consultants, and the City's Manager Engineering Infrastructure during the consultation process for Amendment No. 40, in relation to the possible closure of the vehicle crossover from the Hotel site to Canning Highway and the relocation of the South Terrace crossover further to the west; and
- (f) the submitters be thanked for their participation in the Amendment No. 40 process and be advised of the above resolution.

LOST (2/11)

ALTERNATIVE MOTION AND COUNCIL DECISION

Moved: Councillor Reid

Seconded: Councillor Grayden

That

- (a) the officer recommendation not be adopted;
- (b) the Council is not prepared to recommend final approval of Amendment No. 40 to Town Planning Scheme No. 6 to rezone Lot 6 (No. 148) South Terrace, South Perth, from Residential (R40) to Highway Commercial (R80) zone;
- (c) the Western Australian Planning Commission be advised that Council recommends that:
 - (i) Submissions 1.1 to 1.3 inclusive, supporting the proposed Amendment No. 40 rezoning be NOT UPHELD;
 - (ii) Submissions 2.1 to 2.5 inclusive, conditionally supporting the proposed Amendment No. 40 rezoning be NOT UPHELD;
 - (iii) Submissions 3.1 to 3.8 inclusive, opposing the proposed Amendment No. 40 rezoning be UPHELD;
 - (iv) Submissions 4.1 to 4.5 inclusive, supporting a future replacement liquor store elsewhere on the Como Hotel site, be NOT UPHELD at this time, but be reconsidered at the time of any relevant future development application;
 - (v) Submissions 5.1 to 5.125 inclusive, opposing a future replacement liquor store elsewhere on the Como Hotel site, be NOT UPHELD at this time, but be reconsidered at the time of any relevant future development application; and
 - (vi) Amendment No. 40 to the City of South Perth Town Planning Scheme No. 6, comprising Attachment 10.0.1(b), not be proceeded with;
- (d) City Officers be directed to rewrite the 'Report on Submissions' comprising Attachment 10.0.1(a), including revisions to the general commentary, and Council's responses and recommendations on every submission, to reflect the Council's decision in part (b) above, based on the reasons set out in the Alternative Motion.
- (e) the Report on Submissions and Schedule of Submissions containing the Council's recommendations, and a copy of the submissions, be forwarded to the Western Australian Planning Commission for final determination of the Submissions and for final determination of Amendment No. 40 by the Minister for Planning;

COUNCIL DECISION continued

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

- (f) the submitters be thanked for their participation in the Amendment No. 40 process and be advised of the above resolution.

CARRIED (12/1)

Reason for change

- The proposed amendment is not consistent with the City’s Strategic Plan 2013–2023, Direction 3 - Housing and Land Uses “Accommodate the needs of a diverse and growing population” for the following reasons:
 - There is no demonstrated need for additional parking required on the site for current operations.
 - The site can currently be developed for residential development (R40) which is more consistent with the City’s Strategic Plan 2013-2023 and future housing needs.
- The proposed amendment can only be considered in relation to the proposed use (car parking) and not future potential development. Therefore the officers comment that the report recommendation “is aligned to the City’s Sustainability Strategy 2012–2015 where until the operations of the Hotel are expanded, the additional car bays will assist in reducing any overflow parking (not demonstrated) in surrounding residential streets and improve the safety and amenity of the locality in this regard”, is not relevant to this proposed amendment.
- There are no “community objectives regarding development and land use” achieved by this proposed amendment, as stated in Clause 9.8(1) of TPS6, that “the City is required to keep the Scheme under constant review and where appropriate, carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means of pursuing community objectives regarding development and land use”.
- The proposed amendment is overwhelmingly opposed by the City of South Perth community, see Attachment 10.0.1 (a).

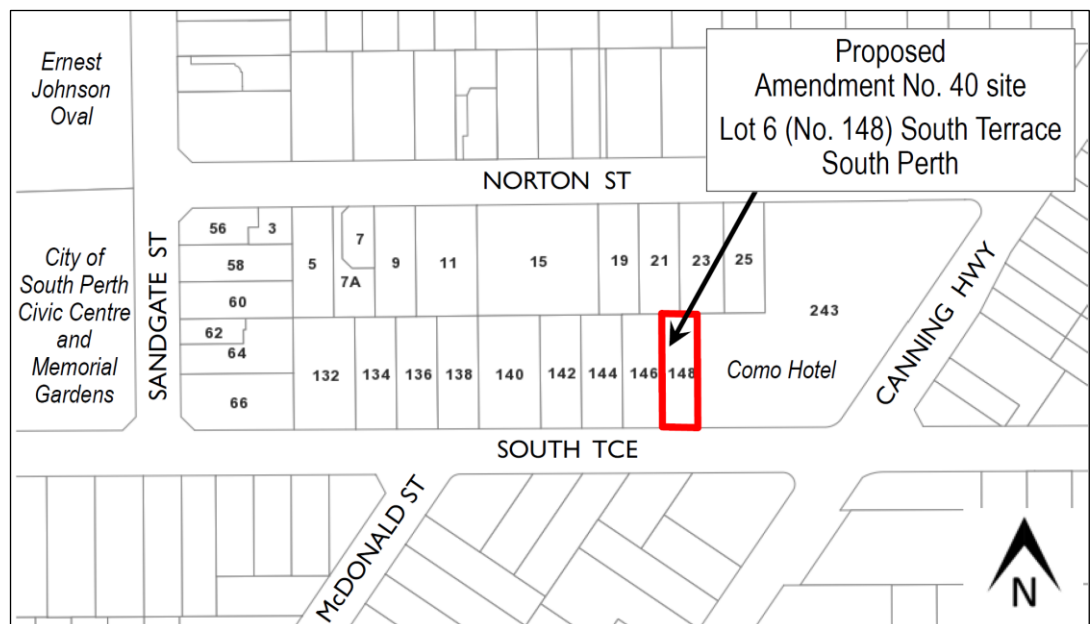
Background

This report includes the following attachments:

Attachment 10.0.1(a): Report on Submissions

Attachment 10.0.1(b): Amendment No. 40 document for final adoption

The location of the Amendment site is shown below:



10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

Amendment No. 40 was initiated at the February 2013 Council meeting for the purpose of rezoning Lot 6. The proposal is more fully described and explained in the Amendment No. 40 Report (**Attachment 10.0.1(b)**).

Comment

The attached Report on Submissions on Amendment No. 40 (**Attachment 10.0.1(a)**) describes the consultation process which was recently undertaken. During this period, 146 submissions were received, one being a petition containing 542 signatures. The petition was tabled at the June 2013 Council meeting. It is discussed more fully in the Report on Submissions. In addition, three late items of correspondence were received, one being from the recently formed *Save Como Action Group*.

In terms of the submissions that focussed on the purposes of Amendment No. 40, rather than possible future development proposals, the numbers supporting and opposing the proposed rezoning are equal: 3 supporting, 5 conditionally supporting, and 8 opposing. The attached Report on Submissions recommends conditional support for these submissions, and foreshadows conditions to be applied to any future development approval. The imposition of these conditions will need to be dealt with at a future time, should a development application be submitted for the improvements to the Como Hotel and its site which have been presented by the owners for public information. The remainder of the submissions predominantly relate to one particular element of those future improvements, namely the replacement of the existing bottle shop with a large format packaged liquor store, proposed to be a *Dan Murphy's* outlet.

It appears that many submitters were prompted to lodge a submission after receiving one or more of the flyers that were circulated widely within the City during the consultation period. Two different flyers, one of which is anonymous, have been provided to the City by residents who received them. A similar advertisement was also published in the local *Southern Gazette* newspaper. These flyers and advertisement describe, and encourage objection to, the possible development of a *Dan Murphy's* outlet on a part of the Como Hotel site which is not the subject of Amendment No. 40. They do not describe or comment in any detail on the immediate issue being considered by the Council, which is the rezoning of Lot 6 (No. 148) South Terrace to accommodate additional parking bays. The City is unable to provide substantive comments on these submissions because they do not relate directly to Amendment No. 40, but to a development application which has not yet been submitted. The comments contained in submissions relating to this future proposal are not based so much on the Amendment No. 40 rezoning proposal, but primarily on conjecture as to the possible size, design and location of such a future retail liquor outlet.

Submissions supporting and opposing a possible future replacement liquor store are classified as categories 4 and 5 in the assessment of submissions in the Report on Submissions (**Attachment 10.0.1(a)**). These submissions, although numerically far greater than those commenting on the actual rezoning, cannot be considered as part of this process. However, they are not being dismissed altogether. Rather, they will be retained on the City's file for the Hotel site and will be reconsidered at the time of any future development application for a replacement liquor store, when they will be relevant.

A development application may be submitted to the City for a replacement liquor store on the Hotel site, irrespective of the success of the current rezoning request

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

for Lot 6. Any such application would be assessed by the City in the normal way, to ensure compliance with all relevant Scheme and policy requirements, such as preservation of the amenity of surrounding residential lots, building design, car parking, setbacks from boundaries, building height, plot ratio, fencing, landscaping, and tree preservation, in addition to a wide range of other matters required to be considered by the Council for any development application, as listed in clause 7.5 of Town Planning Scheme No. 6 (TPS6). Neighbour consultation would also be undertaken as part of this process before the Council makes a determination on any future development application.

All of the submissions, including those commenting on the future development and improvements to the site, the comments from the *Save Como Action Group*, and the petition, have been placed in the Council Members' lounge for examination prior to the Council Briefing and Meeting.

Several letters were also received by the City some weeks after the conclusion of the consultation process. These letters have not been treated as submissions, as they were received too late for inclusion in the relevant reports. However, they have also been placed in the Council Members' lounge and will be forwarded to the Minister for Planning along with the submissions, in due course.

Consultation

As required by the *Town Planning Regulations*, the Amendment No. 40 proposal was forwarded to the Environmental Protection Authority (EPA) for assessment, on 18 March 2013. The EPA responded by letter dated 8 April 2013, advising that no assessment or conditions are required under Part IV Division 3 of the Environmental Protection Act.

Following receipt of the EPA advice, the statutory advertising required by the Regulations, TPS6 and Council Policy P301 'Consultation for Planning Proposals' was undertaken. The 46-day community consultation period commenced on 30 April and concluded on 14 June 2013.

The draft Amendment was advertised in the manner described below:

- Letters inviting comment sent to owners of 52 surrounding properties;
- Notice published in two issues of the *Southern Gazette* newspaper: on 4 and 18 September 2012;
- A sign containing relevant details placed on the Amendment site (Lot 6); and
- Notices and Amendment documents displayed in the Civic Centre customer foyer, City Libraries and on the City's web site ('Out for Comment').

The required minimum advertising period is 42 days. It is the City's practice to extend community consultation for a few days to allow for late submissions and delays in postage and delivery. On this occasion, the actual advertising period was 46 days. During the advertising period, 146 submissions were received. The submissions, together with a Council response, are summarised in the Report on Submissions provided as **Attachment 10.0.1(a)**.

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

The submissions have been categorised in the Report on Submissions, as follows:

1.	Submissions supporting Amendment No. 40 rezoning	3
2.	Submissions conditionally supporting Amendment No. 40 rezoning	5
3.	Submissions opposing Amendment No. 40 rezoning	8
4.	Submissions supporting a future liquor outlet	5
5.	Submissions opposing a future liquor outlet	125
TOTAL		146

In addition, three items of correspondence were received some weeks after the close of the consultation period. These all opposed a future liquor outlet in the nature of a large format store.

Matters on which conditional support was expressed by submitters include the following:

- protection of mature trees on Lot 6 and the main Hotel site;
- provision of an attractive, substantial, acoustic-designed masonry fence along the western and northern boundaries of Lot 6 to protect neighbours from operating, patron and vehicular noise;
- provision of an acoustic barrier around the beer garden;
- provision of effective tree planting alongside the Lot 6 boundary fences to assist with noise attenuation;
- placement of bollards along the western and northern boundaries of any car parking area to be constructed on Lot 6, to prevent damage to the fence and properties adjoining the fence;
- planting of thorny creepers alongside the boundary fences as a deterrent to unauthorised access to the residential properties adjoining the Hotel site; and
- possible closure of the vehicle crossover from the Hotel site to Canning Highway.

In the interests of vehicular safety and practical vehicle movements within the site, the last matter is not supported by the City's Manager, Engineering Infrastructure. Similarly, the planting of thorny creepers on the boundary fences is not supported for safety reasons. All of the other matters listed above will be closely examined at the time of any relevant development application.

If the Council supports the officer recommendation on the submissions, when the Council has adopted the Amendment document at **Attachment 10.0.1(b)**, it will be forwarded to the Western Australian Planning Commission (WAPC) with a recommendation that the Minister for Planning grant final approval without modification.

Policy and Legislative Implications

Amendment No. 40 fulfils the requirement of clause 9.8 'Amendments to the Scheme', which includes the following provision:

"(1) The Council shall keep the Scheme under constant review and where appropriate carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means for pursuing community objectives regarding development and land use."

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

The Scheme Amendment will have the effect of rezoning one lot from Residential zone with a density coding of R40, to the Highway Commercial zone with a density coding of R80.

The Council has undertaken public advertising as required by the Regulations, TPS6 and Council Policy P301, and must now consider whether to recommend to the Minister for Planning to finally approve Amendment No. 40 with or without modifications, or not approve it. The recommendation is to approve the Amendment proposal without modification. If the Minister approves the proposal, the City will arrange for Notice of the Minister’s approval to be published in the *Government Gazette* and in the *Southern Gazette*. The Amendment provisions will then become operative.

The statutory Scheme Amendment process is set out below, together with a date for each stage. The stages which have been completed, including the consideration at the 27 August Council meeting, are shaded:

Stage of Amendment Process	Date
Council decision to initiate Amendment No. 40	26 February 2013
Council adoption of draft Amendment No. 40 Report and Scheme Text for advertising purposes	26 February 2013
Referral of draft Amendment No. 40 documents to EPA for environmental assessment, and to WAPC for information	18 March 2013
Receipt of EPA comments advising that no environmental assessment or conditions are required	8 April 2013
Public advertising period of 46 days	30 April to 14 June 2013
Council consideration of Report on Submissions on Amendment No. 40	27 August 2013
Referral to WAPC and Minister for consideration of: <ul style="list-style-type: none"> • all of the submissions • Report on Submissions and Schedule of Submissions • Council’s recommendation on proposed Amendment No. 40 • Three signed and sealed copies of Amendment documents for the Minister’s final determination 	Within two weeks of the August 2013 Council meeting
Minister’s final determination of Amendment No. 40	Not yet known
City’s publication of Notice of the Minister’s final determination of Amendment No. 40 in <i>Government Gazette</i> and <i>Southern Gazette</i> newspaper	Not yet known - following receipt from WAPC of advice of Minister’s final determination

Financial Implications

All financial costs incurred during the course of the statutory Scheme Amendment process are being met by the applicant through payment of the required Planning Fee.

Strategic Implications

This report is consistent with the City’s [Strategic Plan 2013–2023](#), Direction 3 - Housing and Land Uses “Accommodate the needs of a diverse and growing population”.

10.0.1 Proposed Amendment No. 40 to TPS6 to rezone Lot 6 (No. 148) South Terrace from Residential (R40) to Highway Commercial zone

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The Amendment site (Lot 6 No. 148) South Terrace) has remained vacant for about 28 years. The proposed Amendment No. 40 will allow this unused resource to be used appropriately in conjunction with the Hotel for the purpose of additional car parking. Until the operations of the Hotel are expanded, the additional car bays will assist in reducing any overflow parking in surrounding residential streets and improve the safety and amenity of the locality in this regard.

Clause 9.8(1) of TPS6 states that *“the City is required to keep the Scheme under constant review and where appropriate, carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means of pursuing community objectives regarding development and land use.”*

The Amendment No. 40 proposal has been examined by the City and advertised for community comment. After considering the submissions, the proposal has been found to warrant continued support.

Conclusion

Having regard to the discussion contained in this report, City officers are satisfied that Amendment No. 40 should now be adopted by the Council as a recommendation to be forwarded to the Minister for Planning for his final determination. The Scheme Amendment process is designed by statute to be open and accountable, and inclusive of community input. Although 148 submissions were received, only 16 of these related directly to the rezoning of Lot 6 and these were evenly divided between support and objection. However, having regard to the matters raised in the conditionally supporting submissions, it is recommended that several issues be closely re-examined at the time of any future development application for a replacement bottle shop on the Hotel site. Following the Council's final adoption of Amendment No. 40, the City's recommendations will be forwarded to the WAPC and the Minister for Planning for final processing and determination.

10.0.2 Civic Triangle, South Perth

Location: City of South Perth
Applicant: Council
Date: 5 August 2013
Author: Phil McQue, Manager Governance & Administration
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

This report notes the outcome of the recent community consultation on the Business Plan for the disposal of the Civic Triangle and also recommends that the Council decline all tenders received in November 2012 for the provision of specialist property management advice, marketing and real estate services with tenders to be recalled due to the time that has elapsed.

Officer Recommendation and COUNCIL DECISION

That the Council:

- a) Note that there were no submissions received during the community consultation period for the Business Plan on the disposal of the Civic Triangle;
- b) Decline all tenders received in 2012 for the provision of specialist property management advice, marketing and real estate services; and
- c) Call tenders commencing 31 August 2013 for the provision of real estate and property advice for the disposal of the Civic Triangle, with a further report on the tender results to be considered by the Council in November 2013.

CARRIED EN BLOC RESOLUTION

Background

The South Perth Civic Triangle is a Council owned 7133 square metre site comprising nine separate lots bounded by Mends Street, Labouchere Road and Mill Point Road (excluding the Australia Post site). The City commenced strategically acquiring the lots in 1986 with the longer term objective and vision to facilitate and enable a vibrant mixed use 'civic heart' development that incorporates retail, residential, commercial and public open space on this strategic landmark location.



The Civic Triangle redevelopment is a significant metropolitan project. The preliminary development proposals developed by the City's architects indicate that the highest and best use (inclusive of significant public open space) would involve construction / development costs of approximately \$175M comprising a twenty

storey building, approximately 140 apartments, 11,000 sqm of commercial area, 2,500sqm of public open space and 250 car parking bays.

Comment

The Council called tenders in October 2012 for the provision of specialist property management advice, marketing and real estate services. Six tenders were received and presented to Council in December 2012, where it resolved:

That the Council

- (a) note the outcomes of the Civic Triangle Project Tender;*
- (b) not accept any tenders at this time;*
- (c) invite Matt Garmony from Garmony and Associates to present the findings of their confidential report on the Civic Triangle and if required continue to work with Garmony and Associates to provide further financial analysis on the options available to Council; and*
- (d) agree to prepare a Business Plan for community consultation in respect to the proposed disposition of the Civic Triangle.*

Two further Councillor workshops were then held in early 2013 with Garmony Property Consultants to assess and review the confidential valuations and subdivision scenarios (one, two or three subdivision lots), based on the “hypothetical development method” for market valuations, leasehold valuations (99 year) and ground rental valuations (99 year).

The Council then resolved in May 2013 to adopt the Business Plan for the disposal of the Civic Triangle for community consultation. This Business Plan was advertised statewide for a period in excess of six weeks closing 26 July 2013, with no submissions received during this period.

Given the significant time that has elapsed since this calling of the tenders in October 2012, it is now recommended that the Council decline all tenders received and recall tenders for the provision of real estate / property advice with a report to be submitted to Council to consider tenders in due course.

It is proposed to commence the calling of tenders 31 August 2013 state-wide via *The West Australian* in the property section. The tender will be open for approximately two months closing at the end of October 2013, with a further report to be submitted to Council on the results of the tender in November 2013.

Consultation

The disposal of the Civic Triangle has been the subject of Council workshops in January 2013 and April 2013 and a report to Council in May 2013.

The City consulted statewide on the Business Plan for the disposal of the Civic Triangle during June and July 2013, with no submissions received during this consultation period.

Policy and Legislative Implications

The Council has complied with s3.59 *Commercial Enterprises, Local Government Act 1995* by preparing and advertising the Business Plan statewide for the purposes of community consultation in excess of six weeks.

Part 4 Provision of Good and Services in the Local Government (*Functions and General*) Regulations 1996 prescribe the requirements in relation to tenders.

Financial Implications

The Council has budgeted for \$16.5M gross revenue in the long term financial plan for the proposed disposition of the Civic Triangle (after allowing for sale costs and GST). The Civic Triangle disposal proceeds are inextricably linked to funding other identified Council strategic priorities such as the Manning Community Hub, EJ Oval redevelopment and GLBC expansion. There is financial risk in further deferring or abstaining from disposing of the site as a number of the City's major projects are premised on the impending disposal of the Civic Triangle.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

It is also consistent with the City's Corporate Plan 2013-2017, Strategic Initiative 4.5.1 – “*Progress and finalise the disposal of the Civic Triangle Land*” and the City's Long Term Financial Plan.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#) and is part of the City's strategic management of its property portfolio.

10.1 STRATEGIC DIRECTION I: COMMUNITY

10.1.1 Community Advisory Groups Annual Review

Location: City of South Perth
Applicant: Council
Date: 9 August 2013
Author: Amanda Albrecht, Governance Officer
Reporting Officer: Phil McQue, Manager Governance and Administration

Summary

The City has three Community Advisory Groups established by resolution of Council in accordance with Policy P112. Policy P112 requires the Chief Executive Officer to provide an annual report to Council detailing the activities and achievements of each group and reviewing its terms of reference. As the last report to Council was in August 2012, this report covers the period since that time.

Officer Recommendation and COUNCIL DECISION

That Council

- (a) receive the report on the City's Community Advisory Groups and the terms of reference; and
- (b) acknowledge the 'Groups' contribution to the success of the City's operations.

CARRIED EN BLOC RESOLUTION

Background

The City recognises the important role community advisory groups play in providing advice to the City and the contribution that community members make in the decision-making processes of the City. Policy P112 (formerly P502) was adopted by Council at its October 2002 meeting and authorise the Chief Executive Officer to formalise the arrangements for establishing new and reviewing existing advisory groups, including appointment of members. Advisory Groups established under this policy are to be distinguished from committees established under the *Local Government Act 1995*.

During the period under review (August 2012 to July 2013), the City has operated a number of Advisory groups which draw their membership from the community. Currently the following Advisory Groups are in operation:

- (i) Sir James Mitchell Park Community Advisory Group (SJMPAG)
This group was established in June 2000 to oversee the implementation of the Sir James Mitchell Park Management Plan, jointly developed with the Swan River Trust. The group has six representatives – three living adjacent to the Park and three from elsewhere in the City. Representatives are selected on merit following a public advertising process, when a member resigns.
- (ii) Community Sustainability Advisory Group (CSAG)
This group operated from 1999 to 2005 as the Environmental Advisory Group but was rebadged in February 2005 to give the group a more strategic focus on sustainability. The group has seven representatives, all from within the City. Representatives are selected on merit following a public advertising process.

10.1.1 Community Advisory Group Annual Review

(iii) South Perth Youth Network (SPYN)

This group operated from 1990 until 2009 as the South Perth Youth Advisory Council but was rebranded to give the group a more strategic focus on local issues affecting the City's youth. Anyone aged 12-25 years who lives, works or recreates in the City of South Perth, is welcome to join the network. Currently the SYPN has a core team of about 25 young people.

The City's Design Advisory Consultants group (DAC) are not considered to be a Community Advisory Group. The DAC are a specialised group of consultants that are paid to provide professional and technical advice to City Planning Officers in relation to the design of buildings and other related matters.

Comment

Summary of Activities / Achievements

Sir James Mitchell Park Community Advisory Group (SJMP CAG)

The Sir James Mitchell Park (SJMP) Community Advisory Group met on five occasions during 2012/2013. Projects discussed during these meetings included:

- Masterplan for SJMP – South Perth Foreshore 2013 & Beyond
- SJMP Foreshore Pedestrian Promenade & Landscaping
- Perth Water Vision
- Fencing Damaged Walls in SJMP
- Old Mill Redevelopment
- Proposed Amphibious Charter Vessel Operation
- The Role of the Group and feedback mechanisms

Members of the SJMP CAG also attended community consultation feedback sessions for the *South Perth Foreshore 2013 & Beyond* project. The City will be reviewing the structure of community liaison regarding Sir James Mitchell Park as part of the implementation of the *South Perth Foreshore 2013 and Beyond*, when it is considered by Council later this year. This will include a review of this advisory group.

A copy of the SJMP CAG terms of reference can be found at **Attachment 10.1.1(a)**.

Community Sustainability Advisory Group (CSAG)

For the year 2012-2013, all the activities of the Community Sustainability Advisory Group (CSAG) have been as a sub-group of the City's informal Sustainable Living Reference Group.

Eight meetings were conducted over the 2012-2013 period. Meeting venues were mainly in the Library Function room and the Operations Centre conference room.

Activities:

- The development of the facilitation of the Living Smart course held from February to March 2013.
- Ongoing input into the City's Sustainable Living Awareness Campaign.
- Attended the Great Gardens event at Perth Zoo in April 2013, featuring Professor Tim Flannery.
- Most of the Group provided input and feedback as part of the initial community consultation and engagement activities for the Sir James Mitchell Park Master Plan Vision project.

10.1.1 Community Advisory Group Annual Review

- The development and planning of the City's Sustainable September event held on 15th September 2012.
- The development and planning of the City's Sustainable September event planned for 14th September 2013.

The CSAG terms of reference can be found at **Attachment 10.1.1(b)**. The Terms of Reference was not reviewed in 2012-2013, but will be planned for 2013-2014.

South Perth Youth Network (SPYN)

The SPYN is a team of young people who meet regularly to identify and discuss issues that are important to local young people and develop projects in response. It also provides a 'youth voice' in City of South Perth consultations and occasionally external consultations. The group does not have a calendar of set meetings but usually meets every second Monday 5pm - 7:30pm at the George Burnett Leisure Centre.

The SPYN consists of young people aged 13 - 25 years and the meetings are coordinated by the City's Youth and Children's Officer.

In 2012/13 the South Perth Youth Network won 2 awards for the Secret Event, being:

- Highly Commended in the category of "Young Legends" of the Keep Australia Beautiful Sustainable Cities Award
- Parks & Leisure Australia (WA) Awards Event Category

In the past year, the SPYN have been involved in the following:

- Fiesta Fun Day Skate Competition
- Nike Am Series National Skate Competition
- Joint series of skate workshops and competitions in partnership with Skateboarding Australia (SbA)
- Coordinated a 'youth area' at Australia day festivities
- Planning of the 'Secret Event' held in December 2013/14
- 2013 youth week activities including a photography competition, laser tag, and a skate workshop

The SPYN information guide can be found at **Attachment 10.1.1(c)**.

Consultation

The City Officers responsible for supporting each of the advisory groups were approached to provide the information in this report.

Policy and Legislative Implications

The City has established community advisory groups in accordance with Policy PI 12.

Financial Implications

The operation of community advisory groups has a minimal financial impact on the operation of the City.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 1 - Community "Create opportunities for an inclusive, connected, active and safe community".

10.1.1 Community Advisory Group Annual Review

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The creation of advisory groups contributes to the City's sustainability by promoting effective communication and community participation.

10.1.2 Approval for external events on City reserves

Location: City of South Perth
Applicant: Council
Date: 9 August 2013
Author: Jenni Hess, Recreation Development Coordinator
Reporting Officer: Sandra Watson, Manager Community, Culture and Recreation

Summary

The purpose of this report is to consider an application from Mellen Events to conduct a concert, featuring an iconic 1980's Australian band, on Saturday 29 March 2014 on Sir James Mitchell Park (Coode Street); and to delegate authority to the Chief Executive Officer to approve future external events of a similar nature.

Officer Recommendation

Moved: Councillor McMullen

Seconded: Councillor Gleeson

That Council:

- (a) approves 'in principle' the application from Mellen Events to conduct a concert on Sir James Mitchell Park (Coode Street) on Saturday 29 March 2014; subject to the City's formal booking process; and
- (b) delegates authority to the Chief Executive Officer for the approval of external events on the City's reserves for the 2013/2014 summer period.

AMENDED MOTION

Moved: Councillor Grayden

Seconded: Councillor Skinner

That the officer recommendation be amended by deleting recommendation (b).

CARRIED (7/6)

COUNCIL DECISION

That Council approves 'in principle' the application from Mellen Events to conduct a concert on Sir James Mitchell Park (Coode Street) on Saturday 29 March 2014; subject to the City's formal booking process.

CARRIED (13/0)

Background

Mellen Events is a concert promotion company responsible for a number of concerts and festivals throughout WA, including A Day on the Green, Live at the Quarry and the Kimberley Moon Experience. In 2010, following a recommendation from the Community Culture and Recreation department and as endorsed by the Executive Management Team (EMT), it was agreed that Mellen Events be permitted to conduct two concerts per year on Sir James Mitchell Park.

Mellen Events has now held two concerts and one festival since 2010 (Cat Empire, March 2010), Joe Cocker (February 2011), Summadayze Festival (January 2012), with another concert being scheduled but subsequently cancelled due to low ticket sales (Steely Dan - October 2011). Although some issues were identified with the Summadayze Festival, there have been little or no issues associated with all other events and as such, Mellen Events has approached the City to run a concert in March 2014.

Comment

The proposed concert features an iconic Australian band from the eighties. It involves one stage, with three to five performers, including the main act, with people seated, similar to the previous Joe Cocker concert. The attendance for the event is anticipated at between 8000 - 10,000 people. A number of food outlets will be available for patrons to purchase food and drinks. The concert area, including spectator areas, will be fully fenced and the gates will be opened at 5.00pm and closed at 10.30pm.

Due to commercial confidence, the main act is unable to be revealed in this report. However, Mellen Events has indicated that the act was a very popular 1980's Australian band that will appeal to the 'Baby Boomer' and 'Generation X's' or 35 years and older cohorts. The Manager Community Culture and Recreation has been made aware of the proposed act and is satisfied that the concert lineup will be well received by the local community and people in the identified age bracket. The City is proposing the Coode Street/Flagpole site of Sir James Mitchell Park, which has been touted as the landmark event site on the Draft *South Perth Foreshore 2013 and Beyond* document. A 'bump in' or infrastructure setup of five (5) days has been requested, with a 'bump out' or pack down of three (3) days. The event will coincide with the City's event season and will complement the proposed stellar 20th anniversary of Fiesta celebrations in 2014, with the event occurring one week after the Fiesta closing concert. The proposed concert is comparable to the City's Fiesta concert, with the exception of this being a ticketed event. The City's 2013 Fiesta concert attracted approximately 13,000 people and as such, this area of Sir James Mitchell Park caters very well to this type of event. In addition, Mellen Events conducted a similar event, featuring Cat Empire in 2010 at this location, which was incident free. Consistent with the City's Strategic Plan 2013-2023, the event will create opportunities and increase social activity in the local community.

The City currently manages the community and recreational use of Sir James Mitchell Park. In addition to the City's Fiesta and Australia Day events, there are a number of external events that occur on an annual basis on SJMP including: Bicycling WA Great River Ride; RSPCA Million Paws Walk; John Hughes Big Walk and Perth 4WD and Adventure Show. The booking process for each of these events is managed by City Officers. The City has received two expressions of interest in 2013 for concerts by Mellen Events. The turnaround time required by Mellen Events to be able to announce a venue was short (2 weeks), which didn't allow enough time for preparation of a report to Council to consider their application. Therefore, the two events were withdrawn. It is therefore proposed that delegated authority be given to the Chief Executive Officer to approve external events; that are of similar nature to this application, and targeted at a demographic deemed suitable by the City's officers.

The City's contracted Event Manager, Peter Roan (Keos Events) has agreed to be the City liaison for the proposed concert as part of his current contract with the City and will manage all necessary requirements on the City's behalf. The City's usual event application process will occur and an internal working group comprised of key officers will be established to assess all conditions and requirements as follows:

- (a) In conjunction with the City's Event Manager, a working group comprising external and internal stakeholders be established to ensure a successful event management process;
- (b) Application form for a major event to be received 6-8 weeks prior to the event;
- (c) All necessary documentation including, but not limited to, Traffic Management Plan, Risk Management Plan, liquor licensing consent, Swan River Trust consent,

10.1.2 Approval for external events on City reserves

- Event Management Plan, Noise Management Plan, site plan, public liability insurance, stall holder licensing, project timeline and resident notification draft letter, be submitted to the City at least six (6) weeks prior to the event;
- (d) Resident notification, at the cost of the event organiser, will take the form of a registered post letter (approved by the City) to be sent four (4) weeks prior to the event, with a second reminder letter to be sent two (2) weeks prior to the event;
 - (e) Advertising of the event in the local newspaper, advising event information, traffic management arrangements and 'hotline' contact numbers, to take place each week in the month prior, leading up to the event;
 - (f) The event fee and restoration bond charged to Mellen Events be approved by the Executive Management Team and incorporate reserve hire, health requirements, building licenses, staff hours and cost recovery contingencies to ensure all costs are recovered (at a minimum); and
 - (g) The attendance capacity for the event be capped at 10,000 people.

Consultation

In conjunction with the City's Event Manager, a working group comprising external and internal stakeholders will be established to ensure a successful event management process. It will incorporate a cross departmental group to meet all departmental and legislative requirements of the City.

Residents will be notified about the event via registered post, advertising in the local newspaper, the City's website, Facebook page, and e-newsletter.

Policy and Legislative Implications

This report relates to: Policy PI06 – Use of City Reserves and Facilities.

To conduct an event of this nature, the following legislative regulations apply:

- City's Public Place and Local Government Property Local Law 2011
- Environmental Protection (Noise) Regulations 1997 – Regulation 18
- Swan and Canning Rivers Management Regulations 2007 – Landowners consent
- Building Regulation 1989
- Liquor Control Act 1988
- Australian Standard AS/NZS 4360:1999 (risk management plan)
- Security and Related Activities (Control) Act 1995 (Crowd Control).

Financial Implications

A hire fee reflective of the nature of the event, the anticipated impact on the park and surrounds and other factors will be negotiated between Mellen Events and the City. A restoration bond will also be set to cover any post event costs to the City for remedial works to the turf at Sir James Mitchell Park (Coode St).

This will occur for ongoing events.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 1 – Community "Create opportunities for a safe, active and connected community".

This report is also consistent with the draft *South Perth Foreshore 2013 and Beyond* document that identifies the flagpole zone of the foreshore as "A landmark event site, representing national, state, indigenous and the City of South Perth."

10.1.2 Approval for external events on City reserves

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). Having a wide range of activities on City reserves acknowledges the diversity of the community and enables quality of life. It creates opportunities for the community to live and recreate.

10.1.3 Tender 17/2013 Provision of Security, Patrols and Guard Services

Location: City Buildings, South Perth
Applicant: Council
Date: 30 July 2013
Author: Gil Masters, Buildings and Assets Coordinator
Reporting Officer: Mark Taylor, Acting Director Infrastructure Services

Summary

Tenders have been called for the Provision of Security, Patrols and Guard Services to be carried out throughout the City on a daily and weekly basis for an initial period of 24 months. Subject to satisfactory performance over the preceding two year period, there is an option available to extend the contract for a further twelve months at the City's discretion.

This report outlines the assessment process and recommends that the Council approve the Schedule of Rates tender submitted by Perth Security Services for the estimated price of \$120,902 per annum, excluding GST.

Officer Recommendation and COUNCIL DECISION

That:

1. The Schedule of Rates tender submitted by Perth Security Services for the Provision of Security, Patrols and Guard Services, for the estimated price of \$120,902.05 ex GST per annum be accepted, for an initial period of 24 months, commencing 1 August 2013 and terminating 31 July 2015; and
2. Subject to satisfactory performance over the preceding two year period, there is an option to extend the contract for a further twelve months at the City's discretion.

CARRIED EN BLOC RESOLUTION

Background

Since 2001, the City has utilised the services of a contracted security company to undertake a number of services which include:

- Nightly random patrols;
- Lock up of public toilets of an evening;
- Undertake daily day patrols of the car park at the Collier Park Golf Course;
- Escort staff members to their vehicles after evening work (George Burnett Leisure Centre & Manning Library); and
- Undertake assistance with hostel staff with patients of an evening at the Collier Park Hostel.

The scope of work which primarily addresses the City's requirement is as follows:

- That the City's assets are secure on a daily basis;
- The incidents of unauthorised persons or intruders are prevented and minimised;
- Facilities are secured in the event of a breach; and
- To provide and prepare daily detailed reports for consideration by the City officers.

The City requires the successful contractor to be flexible and have the ability to alter the number or frequency of daily lock ups, staff escorts, and day and evening random patrols.

The Provision of Security, Patrol and Guard Services required under this contract will be for an initial period of 24 months with an option to extend for a further 12 months at the discretion of the City, subject to satisfactory performance.

10.1.3 Tender 17/2013 Provision of Security, Patrols and Guard Services

Due to its flexible nature, the City has requested a Schedule of Rates rather than a Lump Sum (or fixed) tender price. The City's annual expenditure on security varies from year to year and to assess the tenders the contract price was formulated based on the current services supplied to the City over the past 12 months. The annual contract cost has been approximately \$120,000.

Comment

Tenders were called in the West Australian on Saturday 8 June 2013 and closed at 2.00 pm on Tuesday 25 June 2013. At the close of tenders 8 submissions were received.

An initial compliance check was made of the tenders. All tenders submitted were considered to be conforming. The prices provided by tenderers based on the Schedule of Rates submitted and calculated against the previous year's contract are as follows:

Tender Submission	Price (ex GST)
1. Major Security Services	\$118,185.76
2. Perth Security Services	\$120,092.05
3. Patrons Protection Services	\$121,623.38
4. Wilson Security	\$155,061.44
5. Southern Cross Group Services	\$155,621.57
6. Falcon Protective Services Pty Ltd	\$167,181.97
7. Southern Cross Protection Pty Ltd (Alt)	\$209,853.60
8. Australian Event Protection Services	\$369,972.22

Tenders were then assessed in more detail against the qualitative criteria as established below.

Qualitative Criteria	Weighting %
1. Qualifications of Specified Personnel	10%
2. Organisational Experience	10%
3. Suitability of Proposed Service	15%
4. Demonstrated Experience	15%
5. Price	50%
TOTAL	100%

Each company's submission and response to the criteria was then incorporated into the Selection Criteria matrix. The final tender matrix scores appear below.

Tender Submission	Score
Perth Security Services	8.87
Major Security Services	8.70
Patrons Protection Services	8.70
Wilson Security	7.94
Southern Cross Group Services	7.42
Falcon Protective Services Pty Ltd	5.63
Southern Cross Protection Pty Ltd	5.17
Australian Event Protection Services	4.50

It is very important when assessing these tenders the City considers the following factors:

- a) The rates submitted should reflect staffing costs such as the award hourly rate, including weekend rates, public holiday rates, staff overheads (insurances', workers compensation etc.) and vehicle expenses.
- b) The contractor's staff must have the necessary qualifications and have the entire security requirement to work within the security services industry.
- c) The contractor's staff must have the ability to undertake all of the daily requirements including:
 - i. Undertaking random patrols nightly and ensuring that the times vary daily
 - ii. provide quick responses is an important facet of the service and to have responses within the Australian Standards was a high priority
 - iii. Ensure that all programed services are carried out on time
- d) They must provide daily and timely and accurate reports to reflect day's record of events.
- e) They must be experienced in the full range of services particularly in the Local Government sector.
- f) The contractor must ensure the fees tendered reflect the true cost of the service.

All of the tenderers have a varying range of experience in the provision of security services within the local government sector and this has been a factor in the overall assessment of the tender. Experience in the local government sector, particularly in Western Australia, was considered very important and the assessment score also reflects this.

As a result of this process, the tender by Perth Security Services achieved the best score within the qualitative criteria despite its relatively higher tender estimated annual price. Despite not being the lowest priced tender, the assessing officers believe it represents the best outcome for the City. Perth Security Services is the City's current contractor. It has, for the past four years, carried out all facets of the work to a high standard. Most of the work is undertaken after hours, therefore it is important that the fees charged should reflect the true cost involved in providing the services as discussed above. It is also important for the City to trust that the contractor is carrying out the work efficiently and effectively, which Perth Security Services has already demonstrated.

It is therefore recommended that Council approve the tender from Perth Security Services for the Provision of Security, Patrols and Guard Services within the City.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

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

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

The following Council Policies also apply:

Policy P605 - *Purchasing & Invoice Approval*;

Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

Funding for the work is drawn from the Safer City Program with funding of \$43,000 allocated in 2013/2014 Budget and a further \$80,000 is available through various City budgets to cover the total annual expenditure.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 1 – Community “*Create opportunities for a safe, active and connected community*”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This tender will ensure that the City is provided with the best available service to complete operational maintenance as identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable asset maintenance of the City's Infrastructure.

10.1.4 Community Sport and Recreation Facility Fund (CSRFF) – Small Grants Funding

Location: City of South Perth
Applicant: Council
Date: 9 August 2013
Author: Jenni Hess, Recreation Development Coordinator
Reporting Officer: Sandra Watson, Manager Community Culture and Recreation

Summary

To consider an application for the 2013/2014 Community Sporting Recreation Facilities Fund (CSRFF) Small Planning Grants.

Officer Recommendation and COUNCIL DECISION

That the application for funding for the Community Sporting Recreation Facilities Funding (CSRFF) – Small Planning Grants 2013/14, be submitted to the Department of Sport and Recreation together with the comments from the officer report and the following ranking and rating:

Applicant	Ranking	Rating
South Perth Bowling Club	I	B

CARRIED EN BLOC RESOLUTION

Background

The Department of Sport and Recreation (DSR) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation. The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. Priority is given to projects that lead to facility sharing and rationalisation. The State Government has allocated \$20M for the 2014/2015 funding round.

Table I CSRFF Grant Categories

Grant category	Total Project Cost Range	Standard DSR Contribution	Frequency
Small grants	\$7,500 - \$150,000	\$2,500 - \$50,000	Bi-annual
Annual Grants	\$150,001 - \$500,000	\$50,001 - \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,667 - \$4 million	Annual

The maximum grant awarded by DSR will be no greater than one-third of the total cost of the project up to a maximum of \$4 million. The CSRFF grant must be at least matched by the applicants own cash contribution equivalent to one third of the total project cost, with any remaining funds being sourced by the applicant. In some cases, funds provided by the Department do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any such shortfall.

As stated in the CSRFF guidelines, small planning grants for this round of applications require an implementation period of one year.

Therefore, the application from the South Perth Bowling Club is required to be claimed by 15 June 2014.

Comment

One project is proposed by the City for 2013/2014 CSRFF small planning grants round:

(i) South Perth Bowling Club (replacement of synthetic bowling green)

CSRFF Grant sought	\$ 35,333	(ex GST)
South Perth Bowling Club contribution	\$ 71,333	(ex GST)
City's contribution	\$ 0	(ex GST)
Estimated Total Project Cost	\$ 107,000	(ex GST)

Assessment

A panel comprising the Manager Community Culture and Recreation, Manager City Environment and the Recreation Development Coordinator assessed and ranked the application against the following criteria set by the Department of Sport and Recreation:

A	Well planned and needed by municipality
B	Well planned and needed by applicant
C	Needed by municipality, more planning required
D	Needed by applicant, more planning required
E	Idea has merit, more preliminary work required
F	Not recommended

The results are summarised below.

2013/2014 CSRFF small planning grants round

Applicant	Project	Ranking	Rating	City's Contribution	Total project Cost
South Perth Bowling Club	Replacement of synthetic bowling green	I	B	\$0	\$107,000
TOTAL				\$0	\$107,000

South Perth Bowling Club (replacement of synthetic bowling green)

The South Perth Bowling Club (SPBC) is located on Crown land, being Lot 993 on Plan 188180 (known as Windsor Park)), vested with the City of South Perth for the purposes of Parks and Recreation.

The SPBC has a total membership of 120, made up of 80 playing members and 40 social members. The playing membership has remained at 80 for the last three years with the average age of participants decreasing as an increasing percentage of younger members are attracted to the club. The club has seven men's pennants teams and three women's pennants teams.

The SPBC was established in 1916 and has a current lease with the City due to expire in 2024. The facilities consist of a clubhouse, and 2 floodlit synthetic carpet greens, accommodating all year round use. The 'A' green was replaced 2 years ago with an expected life span of 5-7 years. The 'B' green is currently in poor condition, deemed unreparable and in need of replacement.

10.1.4 Community Sport and Recreation Facility Fund (CSRFF) – Small Grants Funding

The City of South Perth has three bowling clubs, being South Perth Bowling Club (2 synthetic greens), Como Bowling and Recreation Club (3 grass greens and one disused green) and Manning Memorial Bowling Club (1 synthetic and 3 grass greens and one disused green). In total the City has nine usable bowling greens.

The Bowls WA Strategic Facilities Plan was developed in 2010. Based on its metropolitan facilities hierarchy, South Perth Bowling Club is considered a small local club with a medium level of sustainability, defined as:

“The grassroots for bowls in WA but is also the most likely to be at risk of financial failure and hence relocation, amalgamation or closure. However, a well-managed, promoted and attended club provides the local community with a wide range of benefits. Small clubs often have not taken advantage of the growth of community bowls competitions or other sources of revenue which are required to ensure club facilities are maintained and replaced when necessary”.

The Plan further identifies a sustainable small club as one that has 2-3 greens; capitated membership of 60-100, social membership of 30-100; located in an established suburb within 20km from the City; with a medium standard of green. It was noted that:

“a reduction in the number of greens could be achieved if Clubs could convert from grass to synthetic. This is due to the ability of synthetic to be played on at all times of the year and because grass greens need to be rested and resurfaced. While this option has a considerable capital cost it may be beneficial for a number of clubs if they are able to also introduce alternative community bowls programs and competitions to increase participation and revenue.”

The Plan goes on to say there are no identified gaps or requirements for local level clubs at the present time but this may change with increasing population and densities. The lawn bowls playing population in the central Perth metropolitan area is expected to marginally increase from 13,580 in 2010 to 14,400 in 2021, to 15,300 in 2031.

The 2010 Annual Report on Participation in Exercise, Recreation and Sport Survey (ERASS) conducted by the Australian Sports Commission identifies Lawn bowls as a top ten organised physical activity in Australia, and a top ten club based physical activity in Australia with a 20% increase in participation experienced between 2001-2010, being participated in at least once per week. Participation in WA has gradually increased from 33,700 total participation in 2008 to 41,400 in 2010.

This project has been rated ‘B -Well planned and needed by applicant and in making this assessment the panel noted:

- The South Perth Bowling Club is a sustainable small club needing little to no financial support from the City demonstrating self-sufficiency;
- The project is to replace like for like and not introducing new facilities
- There is a reasonable demonstration that lawn bowls in healthy and not declining in participation;
- The City is supportive of the Club replacing a synthetic bowling green;
- The proposed upgrade is consistent with the City’s Community Facilities Needs Study (2004), Future Directions and Needs Study for Sporting and Recreational Clubs (2006), and Active Futures Physical Activity Plan 2009 - 2014 which outlines key recommendations for upgrades, redevelopments and community capacity building.

Consultation

Initial consultation was undertaken with the City via the Recreation Development Coordinator. The City advertised the funding round by direct mail out to clubs, and email notification.

South Perth Bowling Club has provided letters of support from Bowls WA and has advised that they have made contact with the Department of Sport and Recreation.

Policy and Legislative Implications

This report relates to Policy PI 10 - Support of Community & Sporting Groups.

Financial Implications

The City supports the application from the South Perth Bowling Club. As the Club is not requesting any financial contribution from the City for its application, no provisional amount has been allocated in the annual budget.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 1-Community “*Create opportunities for an inclusive, connected, active and safe community*”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The South Perth Bowling Club's application demonstrates self-sufficiency, not being reliant on the City for a financial contribution.

10.2 STRATEGIC DIRECTION 2: ENVIRONMENT

10.2.1 Tender 7/2013 Tree Watering and Planting Services

Location: City of South Perth
Applicant: Council
Date: 8 August, 2013
Author: Geoff Colgan, A/Manager City Environment
Reporting Officer: Mark Taylor, A/Director Infrastructure Services

Summary

A Request for Tender has been called for the Provision of Tree Watering and Planting Services to be carried out throughout the City on an 'instruction only' basis for an initial period of 24 months. Subject to satisfactory performance over the preceding two year period, there is an option available to extend the contract for a further twelve months at the City's discretion.

This report outlines the assessment process and recommends that Council approve the tender submitted by Tree Needs Tree Surgeons for the estimated price of \$222,050 over a two year period, excluding GST.

Officer Recommendation and COUNCIL DECISION

That

- a) The Schedule of Rates tender submitted by Tree Needs Tree Surgeons for the provision of Tree Watering and Planting for the estimated price of \$222,050 ex GST over a two year period be accepted, for an initial period of 24 months, commencing 1 September 2013 and terminating 31 July 2015; and
- b) Subject to satisfactory performance over the preceding two year period, there is an option to extend the contract for a further twelve months at the City's discretion.

CARRIED EN BLOC RESOLUTION

Background

The City of South Perth issued a Request for Tender (RFT) for a Tree Watering and Planting Service within the City for a two year period, finishing on the 30 June 2015, with the option of a further 12 months, at the City's discretion.

Comment

Tenders were called in the West Australian on Saturday 8 June 2013 and closed at 2.00 pm on Tuesday 25 June 2013. At the close of tenders two submissions were received.

Tenders were received from:

- a) Trees Needs Tree Surgeons
- d) Tree Planting and Watering

An initial compliance check was made of the tenders. All tenders submitted were considered to be conforming. The prices provided by tenderers based on the Schedule of Rates submitted.

10.2.1 Tender 7/2013 Tree Watering and Planting Services

Tender Submission	Price
Trees Needs Tree Surgeons	\$222,050
Tree Planting and Watering	\$314,247

Tenders were then assessed in more detail against the qualitative criteria as established below.

Qualitative Criteria	Weighting %
1. Satisfactory resources to complete works & demonstrated ability to successfully complete works	35%
2. Referees	15%
3. Price	50%

Each company's submission and response to the criteria was then incorporated into the Selection Criteria matrix. The final tender matrix scores appear below.

Tender Submission	Score
Trees Needs Tree Surgeons	9.70
Tree Planting and Watering	7.32

All of the tenderers have a varying range of experience in the provision of tree planting and watering services within the local government sector and in particular on street verges and this has been a factor in the overall assessment of the tender.

As a result of this process, the tender by Trees Need Tree Surgeons achieved the best score within the qualitative criteria. The assessing officers believe it represents the best outcome for the City. Trees Need Tree Surgeons is one of the City's current tree pruning contractors. The company has, for the past ten years, carried out all facets of the work to a high standard. It is also important for the City to trust that the contractor is carrying out the work efficiently and effectively, which Trees Need Tree Surgeons has already demonstrated.

It is therefore recommended that Council approve the tender from Trees Need Tree Surgeons for the Tree Planting and Watering Services within the City.

Consultation

Public tenders were invited in accordance with the Local Government Act 1995.

Policy and Legislative Implications

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

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

The following Council Policies also apply:
Policy P605 - *Purchasing & Invoice Approval*;
Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

Funding for the work is available in the 2013/2014 Budget, as well as being programmed for the 2014/2015 and potentially the 2015/2016 budgets.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 2 – Environment – *“Enhance and develop public open spaces and manage impacts on the City’s built and natural environment.”*

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This tender will ensure that the City is provided with the best available service to complete operational maintenance as identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable asset maintenance of the City’s Infrastructure.

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building - Lot 20 (No. 98) Mill Point Road, South Perth

Location: Lot 20 (No. 98) Mill Point Road, South Perth
Applicant: Doepel Marsh Architects
Lodgement Date: 29 July 2013
File Ref: 11.2013.151.2 MI3/98
Date: 1 August 2013
Author: Siven Naidu, Senior Statutory Planning Officer, Development Services
Reporting Officer: Vicki Lummer, Director, Development and Community Services

Summary

To consider a planning application on Lot 20 (No. 98) Mill Point Road, South Perth for a proposed fourth storey (third floor) office addition and change of use (café / restaurant to office on ground floor) to an approved three storey building.

The subject application was refused under delegated authority following discussions with officers at various levels within Planning Services. Officers had observed that the relevant provisions of Schedule 9 (Table A, Element 6 “Relationship to the Street”) did not offer discretion with regard to the street setback of floor levels above the podium. In view of practical constraints this posed, the City subsequently decided to undertake legal advice in this regard. In the meantime, the applicant lodged an application with the State Administrative Tribunal for a review of the City’s decision. In accordance with the SAT order, referred to as Attachment 10.3.1(c), Council is being asked to reconsider this matter.

Since the delegated refusal, legal advice has been received by McLeods Barristers & Solicitors, referred to as Confidential Attachment 10.3.1(d). This advice concludes that Council does have the ability to exercise discretion under the amendment. In addition, Council has been advised that the associated wording in the Scheme be reviewed and amended at the earliest opportunity in order to clarify this intent relating to the ability to exercise discretion. In accordance with the provisions contained in Schedule 9 of the Scheme which are applicable to comprehensive new development within Special Control Area SCAI, Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Element 6 “Relationship to the Street” (Street setbacks)	Schedule 9, Table A – Scheme Amendment 25

In view of current legal advice permitting the scope for discretion and a re-assessment of the development application, it is recommended that the proposal be approved subject to the recommended conditions.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

Officer Recommendation

Moved: Councillor Trent

Seconded: Councillor Reid

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a proposed fourth storey office addition and change of use (café / restaurant to office) to an approved three storey building on Lot 20 (No. 98) Mill Point Road, South Perth, be approved subject to the following conditions:

(a) Standard Conditions

210	Screening - Permanent	425	Colours and materials - Matching
		660	Expiry of approval

(b) Specific Conditions / Reasons

Revised drawings shall be submitted, and such drawings shall incorporate the following:

- (i) Except for the 6.0 metre long portion of the wall on the fourth floor (above the podium) that is adjacent to the lift and entrances to the proposed tenancies and is proposed with a 3.0 metre setback from Harper Street; the remainder of this wall shall be setback at 4.0 metre from the street.

(c) Standard Advice Notes

700A	Building permit required	790	Minor variations – Seek approval
005	Revised drawings required	795B	Appeal rights- Council decision

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

AMENDED MOTION

Moved: Councillor Grayden

Seconded: Councillor McMullen

That recommendation **(b)** (i) be replaced with:

- (i) That the wall on the fourth floor (above the podium) be set back a distance of 3.0 metres from Harper Street instead of 4.0 metres set back.

CARRIED (13/0)

COUNCIL DECISION

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for a proposed fourth storey office addition and change of use (café / restaurant to office) to an approved three storey building on Lot 20 (No. 98) Mill Point Road, South Perth, be approved subject to the following conditions:

(b) Standard Conditions

210	Screening - Permanent	425	Colours and materials - Matching
		660	Expiry of approval

(b) Specific Conditions / Reasons

Revised drawings shall be submitted, and such drawings shall incorporate the following:

COUNCIL DECISION continued

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

- (i) That the wall on the fourth floor (above the podium) be set back a distance of 3.0 metres from Harper Street instead of 4.0 metres set back.

(c) Standard Advice Notes

700A	Building permit required	790	Minor variations – Seek approval
005	Revised drawings required	795B	Appeal rights- Council decision

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

CARRIED (13/0)

Background

The development site details are as follows:

Zoning	Mends Street Centre Commercial
Density coding	R100
Lot area	759 sq. metres
Building height limit	41.0 metres (Comprehensive New Development)
Development potential	Comprehensive New Development as per Schedule 9 in Scheme Amendment 25
Plot ratio limit	No maximum plot ratio within the precinct

This report includes the following attachments:

- Confidential Attachment 10.3.1(a)** Plans of the proposal.
Attachment 10.3.1(b) Notice of determination dated 17 June 2013.
Attachment 10.3.1(c) SAT order dated 18 March 2013.
Confidential Attachment 10.3.1(d) Legal advice dated 18 July 2013.
Attachment 10.3.1(e) Applicant’s supporting report.

The location of the development site is shown below:



Pursuant to Section 31(1) of the *State Administrative Tribunal Act 2004* (WA), this application is being referred to a Council meeting for consideration, having regard to the notice of determination of the original proposal, referred to as **Attachment 10.3.1(b)**.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

Comment

(a) Background

In December 2012, Council approved an application for a café / restaurant and offices within a three-storey building on Lot 20 (No. 98) Mill Point Road, South Perth (the site).

In March 2013, the applicant sought a review from the State Administrative Tribunal (SAT) in relation to some specific conditions of the planning approval. Based upon the officer's recommendations, the amended conditions were approved by Council in April 2013.

In June 2013, an application was submitted with the City for the subject lot, proposing a fourth storey office addition and change of use (café / restaurant to office) to the already approved three storey building. Officers refused this application for the reason that the wording of the specific provision Clause 6.62 of Table A, Schedule 9 of TPS6 does not provide discretion to this setback.

Preliminary discussions on other forthcoming proposals within the South Perth Station precinct resulted in further discussions within Planning Services. It was identified that some provisions required clarity in terms of their wording, and a decision was taken to obtain legal advice.

The application, refused in June 2013, is currently before the SAT for a review. Pursuant to Section 31(1) of the *SAT Act 2004 (WA)*, the Council has been invited to reconsider its position in relation to the refusal as identified under the "Summary" section and described in this report.

(b) Description of the surrounding locality

The site has a frontage to Mill Point Road to the south-west and Harper Terrace to the north-west, and is located adjacent to a mixed development to the south-east and a shop to the north-east, as seen below:



10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

(c) Description of the proposal

The proposal involves an addition of fourth storey (third floor) offices to the approved three storey development and a change of use from café / restaurant to office on the ground floor on Lot 20 (No. 98) Mill Point Road, South Perth, as depicted in the submitted plans referred to as **Confidential Attachment 10.3.1(a)**.

The following components of the proposed development are compliant with the *City of South Perth Town Planning Scheme No. 6* (Scheme; TPS6) and Council policy requirements:

- Proposed office use on the ground level (Table A, Schedule 9 of TPS6);
- Building setbacks of the fourth storey from the street - Mill Point Road (Table A, Schedule 9 of TPS6);
- Building setbacks of the fourth storey to the side and rear boundaries (Table A, Schedule 9 of TPS6);
- Building height limit (Schedule 9 of TPS6);
- Car parking provision (Table A, Schedule 9 of TPS6); and
- Minimum plot ratio (Table A, Schedule 9 of TPS6).

The following component of the proposed development, which is discussed within this report, is considered to partially comply with the applicable discretionary clauses, and can therefore be supported with the relevant recommended conditions:

- Fourth floor setbacks from the street - Harper Terrace (Table A, Schedule 9 of TPS6).

(d) Street setback of the fourth storey from Harper Street

The prescribed minimum street setback to Harper Terrace for the building above the podium (fourth storey / the third floor level) is 4.0 metres. The development proposes a setback of 3.0 metres; therefore does not comply with the setback prescribed by Element 6 of Table A, within Schedule 9.

The delegated refusal was based upon the outcome of discussions with officers at various levels within Planning Services. Element 6 in Table A, specifically Clause 6.6.2 “*For storeys above the podium, the minimum street setback shall be 4.0 metres*” does not provide any discretion to vary the minimum setback requirement.

Clause 6.6.5, “*The above development requirements of Clause 6.5 shall apply, unless otherwise approved by Council, where the development meets the intent of the relevant guidance statement(s) of Element 6*”, seemingly would be the only other clause which allows variation to the requirement in Clause 6.6.2, however as read, this clause applies only to Clause 6.5. Legal advice indicates that this clause should have read Clause 6.6 and not Clause 6.5, referred to in **Confidential Attachment 10.3.1(d)**.

Legal advice further states as follows; “*Although not free from doubt, the better view is that Clause 6.6.5 would apply to allow the street setback required by Clause 6.6.2 to be varied.*” The City intends to have this description reviewed as part of the Scheme review at a future date. The intention at the time of preparing these provisions had been that discretion should be permitted.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

In response to the above, the applicant submits the following comments in support of the application, referred to as **Attachment 10.3.1(e)**:

“Lift and stair location

The narrowness of the site prevents the relocation of the lift and stair once the fourth floor setbacks are applied. The lift and stair can accommodate the 3.0 metre setback to the eastern boundary, but not the 4.0 metre western setback as there is insufficient space to enter or exit the lift. With the relaxation of the 1.0 metre, doors can be fitted to allow access into each side of the floor.

Amenity

As the road reserve facing the building is some 20.0 metres wide and the floor is hidden by the podium from view at street level, it is believed that Council can support this 3.0 metre setback to allow access into the building via the lift.

Wider sites will not have the same difficulty and would be able to satisfy all side setbacks above the podium level as prescribed. For the reasons outlined above, Council support is requested to enable a common sense and practical solution to be supported.”

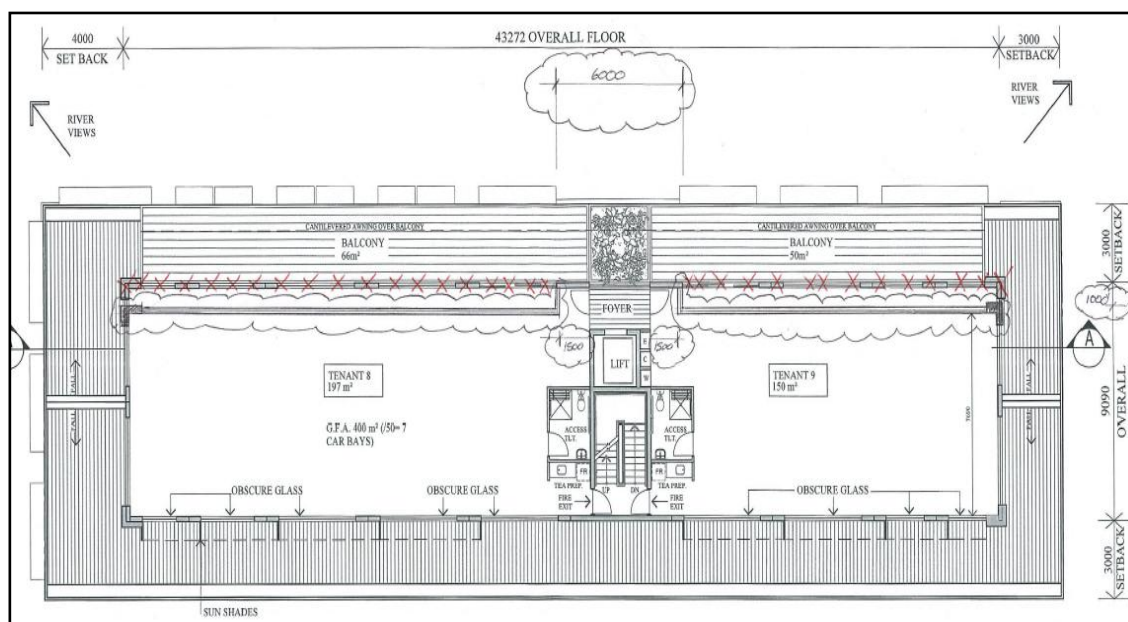
From the applicant’s justification above, the primary purpose for the proposed setback variation to Harper Street is to allow adequate space to enter and exit the lift and appurtenant office tenancies.

Officers consider that adequate space to enter and exit the lift is a valid functional reason to support a street setback variation along Harper Terrace from 4.0 metres to 3.0 metres, directly in front of the lift and appurtenant office tenancies. This length of the wall is calculated as 6.0 metres. The practical or functional constraint, identified by the applicant, will be addressed by allowing this setback variation.

However, for the remainder of the length of the wall along Harper Street where the office tenancies are proposed to be extended out to the same alignment at the 3.0 metre street setback, officers are not able to support this variation. Officers observe that there is no justification to allow larger office spaces at the cost of a lesser street setback. Officers also observe that due to structural reasons, the same reduced street setback could be continued if the owner / applicant decided to construct the floors above. Accordingly, officers recommend that the 4.0 metre setback for the remainder of the length be maintained. The cloud bubbles in the drawing below indicate the setback that the officers are able to support.

Additionally, officers observe that the built outcome will result in better articulation of the street frontage and add aesthetical value to the 43.27 metre long street facing wall. Accordingly, officers recommend a condition of approval to this effect.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth



(e) Car parking

The approved development provided 36 car parking bays that were in surplus to the number required under Schedule 9 of TPS6. The total number of car bays required for the entire development; approved plus the proposed is 40. The applicants have accordingly modified the drawings to provide 40 onsite bays, thus demonstrating compliance with the car parking requirement of Schedule 9 of TPS6.

(f) Scheme Objectives - Clause 1.6 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 1.6 of TPS6 which are, in the opinion of Council, relevant to the proposed development. Of the 12 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (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.*
- (i) *Create a hierarchy of commercial centres according to their respective designated functions, so as to meet the various shopping and other commercial needs of the community.*
- (j) *In all commercial centres, promote an appropriate range of land uses consistent with:*
 - (i) *the designated function of each centre as set out in the Local Commercial Strategy; and*
 - (ii) *the preservation of the amenity of the locality.*

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

(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.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

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.*
- (d) *Any other Council policy of the Commission or any planning Council policy adopted by the Government of the State of Western Australia.*
- (f) *Any planning Council policy, strategy or plan adopted by Council under the provisions of Clause 9.6 of this Scheme.*
- (j) *All aspects of design of any proposed development including but not limited to, height, bulk, orientation, construction materials and general appearance.*
- (k) *The potential adverse visual impact of exposed plumbing fittings in a conspicuous location on any external face of a building.*
- (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.*
- (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) Design Advisory Consultants' comments

The design of the proposal was considered by the City's Design Advisory Consultants (DAC) at their meeting held on 2 April 2013. The proposal was favourably received by the consultants. Their comments and responses from the applicant and the City are summarised below:

#	DAC Comments	Applicant's Response	Officer Comment
1.	The Design Advisory Architects noted that this development proposal is a fourth storey addition to a recent Council approved three-storey non-residential development on the subject site.	Not applicable.	The comment is NOTED.
2.	Subject to compliance with the relevant planning provisions, which will be examined during the planning assessment stage, the Architects observed that the proposed storey with increased setbacks from the lot boundaries would enhance the overall visual appeal of the development.	Applicant's submission at Attachment 10.3.1(e) .	Addressed under (d) "Street setback" in the report. The comment is NOTED.

(b) Neighbour consultation

Neighbour consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 "Consultation for Planning Proposals". Under the "Area 1" consultation method, individual property owners, occupiers and / or strata bodies were invited to inspect the plans and to submit comments during a minimum 14-day period.

10.3.1 Proposed Fourth Storey Office Additions and Change of Use (Café/Restaurant to Office on Ground Floor) to an Approved Three Storey Office Building – Lot 20 (No. 98) Mill Point Road, South Perth

During the advertising period, a total of 34 consultation notices were sent out. No submissions were received in favour or against the proposal.

(c) External agencies

Legal advice was requested from McLeods Barristers & Solicitors, referred to as **Confidential Attachment 10.3.1(d)**, who have provided comment with respect to the interpretation and implementation of exercising discretion in relation to Element 6 “Relationship to the Street”, and appropriate modifications to the Scheme text at a future date.

Policy and Legislative Implications

Comments have been provided elsewhere in this report in relation to the various provisions of Amendment 25 and the Scheme, where relevant.

Financial Implications

This determination has no financial implications.

Strategic Implications

This report is consistent with the City’s [Strategic Plan 2013–2023](#), Direction 3 - Housing and Land Uses “*Accommodate the needs of a diverse and growing population*”.

Sustainability Implications

This report is aligned to the City’s [Sustainability Strategy 2012–2015](#). Being non-residential land uses, it is considered that the development enhances sustainability by promoting local businesses and employment opportunities. The proposed additions are observed to align with the sustainability principles.

Conclusion

It is considered that the proposed additions meet the relevant Scheme and Amendment 25 objectives and provisions. Accordingly, it is considered that the recommendation with conditions be approved by Council.

10.4 STRATEGIC DIRECTION 4: PLACES

Nil

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 Tender 13/2013 Supply the Services of Plant with Skilled Operator to carry out Minor Works

Location: City of South Perth
Applicant: Council
File Ref: Tender 13/2013
Date: 7 August 2013
Author: Fraser James, Tenders & Contracts Officer
Reporting Officer: Mark Taylor, Acting Director Infrastructure Services

Summary

The City has called tenders to *Supply the Services of Plant with Skilled Operators to carry out Minor Works* as defined by Tender 13/2013. The tender is for a period of supply expiring on 30 June 2015. Subject to satisfactory performance, the Contract can be renewed for a further twelve (12) months to 30 June 2016. The Contract pricing is fixed on an annual basis.

This report outlines the assessment process and recommends that the Council approve the creation of a Panel of Contractors split into three categories to carry out a range of activities predominately relating to roads, paths and drains but also intermittent activities generally related to streetscape and parks works such as the construction of limestone walls. It will also be recommended that the panel of contractors be split into three categories:

- Various (larger) Operators and Equipment including Supervision and additional Labour Specific Works Contractors
- Sole Operator with own Equipment
- Dry & Wet Hire

Officer Recommendation and COUNCIL DECISION

That:

- (a) A Panel of Contractors be created based on a Schedule of Rates to provide the City with Services of Plant with Skilled Operators to carry out Minor Works as defined by Tender 13/2013 for a period commencing 1 September 2013 and terminating 30 June 2015, with the option of a further 12 month period, subject to satisfactory performance; and
- (b) The Panel of Contractors be broken into three categories, with the preferred contractors for each category being:
 - (i) Various (larger) Operators and Equipment including Supervision and additional Labour
 - a. JSB Fencing & Machine Hire
 - b. HAS Group
 - c. MMM WA Pty Ltd
 - d. Ultimate Drainage
 - e. Mining Equipment Solutions
 - f. Dowsing Concrete
 - (ii) Sole Operator with own Equipment
 - a. Radonich Contracting
 - b. Dinos Dingos
 - c. J & V Earthmoving
 - (iii) Wet and Dry Hire
 - a. Mayday Earthmoving

CARRIED EN BLOC RESOLUTION

10.5.1 Tender 13/2013 Supply the Services of Plant with Skilled Operators to carry out Minor Works

Background

The City requires the service of contractors to supply a variety of plant with the option of skilled operators to carry out various minor works. This is essential to facilitate the completion of the Infrastructure Services capital works and maintenance programs.

This Request for Tender (RFT) forms part of the City's annual supply tenders and is for a period of supply expiring on 30 June 2015. Subject to satisfactory performance, there is scope to renew the contracts for a further twelve (12) months until 30 June 2016 at the City's discretion. The budget estimate to undertake various works within the City for the contract period is approximately \$275,000 ex GST per year, dependent on the type of work required in the capital works program.

Comment

Tenders were advertised in the West Australian on Saturday 22 June 2013 and closed 2.00 pm Tuesday 9 July 2013. Ten responses to the RFT were received.

An initial compliance check was made by the Tender Assessment Panel and all submissions were progressed to the next stage of assessment.

It was clear during the initial assessment that each contractor offered a different type of service for different categories and at different prices. For this reason the Assessment Panel agreed that the City would benefit from a Panel of Contractors separated into three categories offering a variety of services.

The tenders were assessed against the qualitative criteria below.

Qualitative Criteria	Weighting %
6. Respondents resources, skills and experience of key personnel	20%
7. Demonstrated experience in completing similar relevant projects	10%
8. Referees	10%
9. Price	60%
TOTAL	100%

All tenders were grouped in three categories below, which are deemed to be suitable for City works:

1. Various (larger) Operators and Equipment including Supervision and additional Labour (Pricing: Operator with truck. Ranges between \$85- \$120 / hr)

Tender Submission	Rating
JSB Fencing & Machine Hire	9.1
HAS Group	8.9
MMM WA Pty Ltd	8.1
Ultimate Drainage	8.1
Mining Equipment Solutions	8.0
Dowsing Concrete	7.4

2. Sole Operator with own Equipment. (Pricing: Operator only. Ranges between \$52- \$55 / hr)

10.5.1 Tender 13/2013 Supply the Services of Plant with Skilled Operators to carry out Minor Works

Tender Submission	Rating
Dino Dingos	8.4
Radonich Contracting	8.2
J & V Earthmoving	8.1

3. Wet and Dry Hire (Pricing: Operator with 4 ton excavator – \$93 / hr)

Tender Submission	Rating
Mayday Earthmoving	9.2

The City has a range of minor works projects that require suitably qualified and experienced contractors for work that is specific to that project. These jobs can vary in scope, size and complexity. Time can be a major factor with the City sometimes requiring contract services at short notice. For this reason the assessing officers believe the establishment of a Panel of Contractors will allow the City the flexibility to choose a contractor that has the specific equipment and operator for the proposed project, at the time it is required.

The priority for selection of contractors will be made from the highest scoring (under the assessment criteria) to the lowest in each of the categories. If a chosen contractor is unavailable then another contractor can be selected, providing surety of project completion. Being appointed a Panel member does not guarantee the contractor a certain amount of work.

This Panel Tender is modelled on WALGA's Preferred Supply Contracts. It takes into account value for money, best price guarantee and a broad range of suppliers. The Assessment Panel has liaised extensively with the WALGA Procurement Consultancy Service in assessing and developing this Panel of Contractors. City Policy P605 *Purchasing & Invoice Approval* will continue to be utilised in purchasing decisions.

In conclusion, it is recommended that a Panel of Contractors be formed comprising of the tender companies who submitted tenders based on the following groupings:

- Various (larger) Operators and Equipment including Supervision and additional Labour
- Sole Operator with Own Equipment.
- Wet and Dry Hire

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

The City has utilised the services of the WALGA Procurement Consultancy Service to clarify aspects of its assessment of this tender.

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 establishes regulations how tenders must be called and accepted.

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

10.5.1 Tender 13/2013 Supply the Services of Plant with Skilled Operators to carry out Minor Works

The following Council Policies also apply:
Policy P605 - *Purchasing & Invoice Approval*;
Policy P607 - *Tenders and Expressions of Interest*.

Financial Implications

The full cost of the works is reflected in the 2013/2014 Infrastructure Capital Works and Maintenance budgets and will be taken into account during formulation of the 2014/2015 and 2015/2016 Annual Budgets should the City decide to renew the Contract for a further 12 months.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 5 – Infrastructure and Transport “*Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community*”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This tender will ensure that the City is provided with the best available service to complete the works identified in the 2013/2014 annual budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable maintenance of the City's roads, paths and drains network and intermittent activities as required.

10.5.2 Tender I5/2013 Provision of Electrical Maintenance Services

Location: City Buildings, South Perth
Applicant: Council
Date: 7 August 2013
Author: Gil Masters, Buildings and Assets Coordinator
Reporting Officer: Mark Taylor, Acting Director Infrastructure Services

Summary

Tenders have been called for the Provision of Electrical Maintenance Services to be carried out throughout the City on a daily basis for an initial period of 24 months. Subject to satisfactory performance over the preceding two year period, there is an option available to extend the contract for a further twelve months at the City's discretion.

This report outlines the assessment process and recommends that the Council approve the Schedule of Rates tender submitted by Harrison's Electrics for the estimated price of \$143,141 per annum, excluding GST.

Officer Recommendation and COUNCIL DECISION

That

- a) The Schedule of Rates tender submitted by Harrison Electrics for the Provision of Electrical Maintenance Services, for the estimated price of \$143,141 ex GST per annum be accepted, for an initial period of 24 months, commencing 1 November 2013 and terminating 31 October 2015; and
- b) Subject to satisfactory performance over the preceding two year period, there is an option to extend the contract for a further twelve months at the City's discretion subject to satisfactory performance.

CARRIED EN BLOC RESOLUTION

Background

The City employs the services of an Electrical Contractor to carry out the provision of electrical maintenance services which includes:

- Electrical maintenance to all buildings and assets.
- The legislative requirement to carry out six monthly inspections to emergency lighting.
- Recording of selected electricity meters for rental recoups.
- Maintenance to the public barbecues.
- Regular inspections to lighting including follow up maintenance work after the inspections which include parks and reserves, street precinct, car parks and road reserve lighting.

The contract is based on a Schedule of Rates rather than a Lump Sum (or fixed) tender price due to the variable level of maintenance required. The City's annual expenditure on electrical maintenance varies each from year to year and to assess the tenders the contract price was formulated based on the current services supplied to the City over the past 12 months. The annual value of the contract is approximately \$145,000.

Comment

Tenders were called in the West Australian on Saturday 13 July 2013 and closed at 2.00 pm on Tuesday 30 July 2013. At the close of tenders 14 submissions were received.

10.5.2 Tender 15/2013 Provisions of Electrical Maintenance Services

An initial compliance check was conducted by the Evaluation Panel to identify submissions that were non-conforming with the immediate requirements of the tender. This included compliance with contractual requirements and provision of requested information. As a result of this compliance check Western Wiring Electrical Contractor was excluded due to incomplete schedules, a lack of detail and high pricing within their submission.

All other tenders were processed through to qualitative criteria assessment on the basis that all terms and conditions and mandatory requirements of the RFT had been met.

Tender Submission	Price (ex GST)
1. Harrison Electrics Pty Ltd	\$143,141
2. MMJ Electrical Pty Ltd	\$147,089
3. EAMCO Electrical Pty Ltd	\$156,050
4. Berry Rewind & Electrical Pty Ltd	\$160,106
5. MTS Electrical Contracting Pty Ltd	\$161,350
6. Auriemma Electrical Services	\$167,532
7. CPD Group Pty Ltd	\$169,406
8. Datatel Electrical & Communications	\$172,745
9. MACS Maintenance & Contracting	\$179,471
10. Alltech Electrical & Data Services	\$184,145
11. ODG Haden Pty Ltd	\$242,542
12. Surun Services Pty Ltd	\$259,702
13. Cable Logic Pty Ltd	\$260,759

Tenders were then assessed in more detail against the qualitative criteria as established below.

Qualitative Criteria	Weighting
10. Works record and experience	10%
11. Inventory of Safety Equipment	15%
12. Demonstrated ability to perform on time	15%
13. Demonstrated availability of resources and equipment	20%
14. Price	40%
TOTAL	100%

10.5.2 Tender 15/2013 Provisions of Electrical Maintenance Services

Each company's submission and response to the criteria was then incorporated into the Selection Criteria matrix. The final tender matrix scores appear below.

Tender Submission	Rating
1. Harrison Electrics Pty Ltd	7.60
2. Auriemma Electrical Services	7.37
3. EAMCO Electrical Pty Ltd	7.34
4. MMJ Electrical Pty Ltd	7.04
5. MTS Electrical Contracting Pty Ltd	6.64
6. Datatel Electrical & Communications	6.47
7. Berry Rewind & Electrical Co Pty Ltd	6.43
8. CPD Group Pty Ltd	6.37
9. Alltech Electrical And Data Services	6.35
10. MACS Maintenance & Contracting	6.33
11. Surun Services Pty Ltd	4.79
12. Cable Logic Pty Ltd	4.76
13. ODG Haden Pty Ltd	4.27

All of the tenderers have a varying range of experience in the provision of electrical maintenance within the local government sector and this has been a factor in the overall assessment of the tenders.

The Schedule of Rates submitted by each company varied with a number of submissions considered to be competitive throughout the range of the Schedule of Rates except in the area of inspections for emergency lighting, meter recording and fortnightly inspections. There was a large range of call out hourly rates which again skewed the Schedule of Rates submissions as hourly rates varied from \$87.00 to \$216.00 per hour.

Prior to selecting a preferred contractor the Panel compared the lowest prices submitted for each of the components of the tender to ascertain whether significant savings could be made by choosing more than one contractor. It was determined that the savings would be minimal.

Harrison Electrics Pty Ltd is the current City contractor and has also been awarded specific project contracts independent of this annual maintenance contract. All work has been carried out to the specified standards and timelines. Harrison Electrics has the manpower to cover all aspects of the maintenance work required by the City. They have included in their price structure no charge for the provision of an Elevated Work Platform, when required and this will increase savings based on current calculations.

In conclusion, based on the Panel's evaluation, the tender from Harrison Electrics Pty Ltd for the Provision of Electrical Maintenance Services within the City represents the best value offer and is therefore recommended to be approved by Council

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

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

The value of the tender exceeds the amount which the Chief Executive Officer is 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

Funding for the work required under this contract will be drawn from the annual maintenance program covering areas of Engineering Services, Parks, Streetscapes, Collier Park Golf Course and Building Maintenance.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 5 – Infrastructure and Transport “*Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community*”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This tender will ensure that the City is provided with the best available service to complete operational maintenance as identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable asset maintenance of the City's Infrastructure.

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts – July 2013

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 8 August 2013
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 previously been acknowledged by the Department of Local Government and the City's auditors as reflecting best practice in financial reporting.

Officer Recommendation and COUNCIL DECISION

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 Attachment 10.6.1(6)(A) & (B) not be presented for July 2013;
- (d) the Rate Setting Statement provided as Attachment 10.6.1(7) be received.

CARRIED EN BLOC RESOLUTION

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 Management 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 reflects the City's 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 adopts a definition of 'significant variances' as

10.6.1 Monthly Financial Management Accounts July 2013

being \$5,000 or 5% of the project or line item value (whichever is the greater). Notwithstanding the statutory requirement, the City may elect to provide 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 capital 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 2013/2014 Adopted Budget and the 2013/2014 Amended Budget including the introduction of the capital expenditure items carried forward from 2012/2013.

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) & 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 31 July 2013 is \$35.24M which represents some 101% of the \$35.04M year to date budget. Revenue performance is very close to budget in most areas other than rating income which is favourable due to the receipt of some increased GRV information from the Valuer General's Office immediately prior to striking the 2013/2014 rates.

10.6.1 Monthly Financial Management Accounts July 2013

Parking infringement revenue was significantly better than expected in July - but meter parking was slightly under budget. Interest revenues are consistent with the budget expectation for July. Rates revenue is favourable to budget as noted above.

Planning revenues are 58% ahead of budget target - largely due to the receipt in July of revenues relating to a development at 6 Bowman St. Building Services revenues are now 18% ahead of budget due to the receipt of a fee for a large development at 9 South Perth Esplanade.

Collier Park Village revenue is close to budget expectations whilst Collier Park Hostel revenue is 11% unfavourable to budget due to lesser than anticipated receipt of commonwealth subsidies.

Golf Course revenue is close to budget after a solid monthly performance on green fees. Infrastructure Services revenue overall is on budget for the year to date including the largest revenue item in the Infrastructure area which is waste management levies.

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

Operating Expenditure to 31 July 2013 is \$3.07M which represents 90% of the year to date budget of \$3.42M. Operating Expenditure is 9% under budget in the Administration area, on budget for the golf course and 13% under in the Infrastructure Services area.

For the first month of the year, reversals of year end accruals and delays in incurring costs whilst various programs are developed and rolled out typically result in favourable timing differences. These are not considered to require intervention at this stage of the year.

As would be expected in any entity operating in today's economic climate, there are some budgeted (but vacant) staff positions across the organisation. Overall, the salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 7.8% under the budget allocation for the 229.5 FTE positions approved by Council in the budget process. Factors impacting this include the reversal of year end accruals, vacant positions in the process of being filled, staff on leave and timing differences on receipt of agency staff invoices. A number of these variances will reverse over the next couple of months.

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

Capital Revenue is disclosed as \$0.29M at 31 July - 3% over the year to date budget of \$0.28M. Details of any capital revenue variances may be found in the Schedule of Significant Variances - **Attachment 10.6.1(5)**.

Capital Expenditure at 31 July is \$0.24M representing 123% of the year to date budget - but most capital expenditure projects do not commence before August. The table reflecting capital expenditure progress versus the year to date budget by directorate will be presented from the August accounts onwards. Comments on specific elements of the capital expenditure program and variances disclosed therein are provided bi-monthly from the October management accounts onwards when they offer meaningful comparisons between budget and actual.

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

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act* and Local Government Financial Management Regulation 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 variances which in turn promotes dynamic and prudent financial management.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 6 - Governance, Advocacy and Corporate Management "*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan*".

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This report addresses the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances. Furthermore, 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.

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2013

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 08 August 2013
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.

Officer Recommendation and COUNCIL DECISION

That Council receives the 31 July 2013 Statement of Funds, Investment & Debtors comprising:

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

CARRIED EN BLOC RESOLUTION

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

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2013

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 \$41.9M (\$43.8M last month) compare favourably to \$40.5M at the equivalent stage of last year. Reserve funds are \$3.6M higher overall than the level they were at the same time last year - reflecting \$1.8M higher holdings of cash backed reserves to support refundable monies at the CPV & CPH. The Asset Enhancement Reserve is \$0.9M higher. The Sustainable Infrastructure Reserve is \$0.4M higher whilst the Technology Reserve is now \$0.1M higher. The Waste Management Reserve is \$0.1M lower and the River Wall Reserve and Future Building Reserves are \$0.2M and \$0.5M higher respectively. Various other reserves are modestly lower.

Municipal funds are some \$2.2M lower, largely as a consequence of rates notices being issued one week later this year - but this timing difference is expected to have reversed by the end of August.

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 dynamically monitored and re-balanced as trends emerge.

Excluding the 'restricted cash' relating to cash-backed Reserves and monies held in Trust on behalf of third parties; the cash available for Municipal use currently sits at \$4.3M (compared to \$6.7M last month). It was \$6.5M at the equivalent time in the 2012/2013 year **Attachment 10.6.2(1)**.

(b) Investments

Total investment in money market instruments at month end was \$41.1M compared to \$39.7M at the same time last year. This is due to higher cash investments relating to accumulated cash reserves - although only around 60% of the increased cash holding relates to discretionary reserves whilst the remaining 40% relates to quarantined reserves.

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 all of the funds are invested in securities having a S&P rating of A1 (short term) or better. There are currently none 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 Department of Local Government Operational Guidelines for investments.

All investments currently have a term to maturity of less than one year - which is considered prudent both to facilitate effective cash management and to respond in the event of 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

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2013

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 \$0.13M. This compares to \$0.17M at the same time last year. Prevailing interest rates are significantly lower and appear likely to keep continue trending downwards.

Investment performance will be closely monitored given yet another interest rate cut at the beginning of August 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 will 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 4.03% with the anticipated weighted average yield on investments yet to mature now sitting at 4.00% (compared with 4.12% last month). At-call cash deposits used to balance daily operational cash needs have been providing a very modest return of only 2.50% since the May 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 July 2013 (before the due date for the first instalment) represent 6.7% of rates levied compared to 8.1% at the equivalent stage of the previous year.

This result is attributable to the one week later issue of rates notices this year but it is expected that this timing difference will reverse during August. We expect to enjoy similar collections to the 2012/2013 year by due date with a good acceptance of our 2013/2014 rating strategy, communications and the range of convenient, user friendly payment methods.

Combined with the Rates Early Payment Incentive Scheme (generously sponsored by local businesses), these strategies will provide strong encouragement for ratepayers to meet the rates obligations in a timely manner.

(ii) General Debtors

General debtors (excluding UGP debtors & Pension Rebates on Rates) stand at \$1.2M at month end (\$2.0M last year). GST Receivable is \$0.9M lower than the balance at the same time last year but Sundry Debtors are slightly higher.

Continuing positive collection results are important to effectively maintaining our cash liquidity and these efforts will be closely monitored during the year. Currently, the majority of the outstanding amounts are government & semi

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2013

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 \$7.40M billed for UGP Stage 3 project, (allowing for interest revenue and adjustments), some \$7.36M was collected by 31 July with approximately 99.0% of those in the affected area having now paid in full. Of the remaining 24 properties wall but I have now made satisfactory payment arrangements to progressively clear the debt after being pursued by our external debt collection agency. The one property owner who has made no payment is the subject of legal action being initiated by Ampac Collections.

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).

Since the initial \$4.54M billing for the Stage 5 UGP Project, some \$3.90M (or 86.1% of the amount levied) has already been collected with 75.2% of property owners opting to settle in full and a further 24.0% paying by instalments so far. The remainder (0.8%) have yet to make a satisfactory payment arrangement and collection actions are currently underway.

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

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

Financial Implications

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

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 6 - Governance, Advocacy and Corporate Management "Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan".

10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 July 2013

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). 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.

10.6.3 Listing of Payments

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 08 August 2013
Authors: Michael J Kent and Deborah M Gray
Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 July 2013 and 31 July 2013 is presented to Council for information.

Officer Recommendation and COUNCIL DECISION

That the Listing of Payments for the month of July 2013 as detailed in the report of the Director of Financial and Information Services, **Attachment 10.6.3**, be received.

CARRIED EN BLOC RESOLUTION

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 cannot be individually debated or withdrawn.

The report format reflects contemporary practice in that it 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

10.6.2 Listing of Payments

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. These transactions are of course subject to proper scrutiny by the City's auditors during the conduct of the annual audit.

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

This report presents details of payment of authorised amounts within existing budget provisions.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 6 - Governance, Advocacy and Corporate Management "Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan".

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

10.6.4 Applications for Planning Approval Determined Under Delegated Authority

Location: City of South Perth
Applicant: Council
Date: 1 August 2013
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 July 2013.

Officer Recommendation and COUNCIL DECISION

That the report and **Attachments 10.6.4** relating to delegated determination of applications for planning approval during the month of July 2013, be received.

CARRIED EN BLOC RESOLUTION

Background

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

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

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

Comment

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

Consultation

During the month of July 2013, forty-three (43) development applications were determined under delegated authority at **Attachment 10.6.4**.

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

This report is consistent with the City’s [Strategic Plan 2013–2023](#), Direction 6 - Governance, Advocacy and Corporate Management “Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan”.

10.6.4 Applications for Planning Approval Determined Under Delegated Authority

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). Reporting of applications for planning approval determined under delegated authority contributes to the City's sustainability by promoting effective communication.

10.6.5 Disposal of Lot 800 Ray Street South Perth

Location:	City of South Perth
Applicant:	Council
Date:	6 August 2013
Author:	Phil McQue, Manager Governance & Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report considers the outcome of the negotiations with the City of South Perth and Geoffrey Charles Ogden and the statutory community consultation in relation to the sale of Lot 800 Ray Street South Perth.

The report recommends that the Council note the two submissions received, approve the sale of the Lot 800 Ray Street South Perth to Geoffrey Charles Ogden or nominee for the negotiated disposal price of \$3,700,000, and authorise the Mayor and Chief Executive Officer to execute the relevant transfer of land documentation.

Officer Recommendation and COUNCIL DECISION

That the Council:

- (a) note the submissions received in relation to the sale of Lot 800 Ray Street South Perth;
- (b) approve the sale of the Lot 800 Ray Street South Perth to Geoffrey Charles Ogden or nominee for the agreed value of \$3,700,000; with an agreed payment plan of a \$2,500,000 deposit, a further \$600,000 on the first annual anniversary date of acceptance of offer, a further \$600,000 on the second anniversary date of acceptance of offer; with the City to retain all revenue derived from Lot 800 Ray Street South Perth until the third and final payment is received; and
- (c) authorise the Mayor and Chief Executive Officer to execute the relevant transfer of land documentation.

CARRIED EN BLOC RESOLUTION

Background

The Council in February 2011 resolved to subdivide former Lot 114 Ray Street South Perth into four lots to facilitate the disposition of the newly created Lot 800 Ray Street (part of Windsor car park) and Lot 801 Ray Street (South Shore Centre vehicle ramp). The Council considered this parcel of land was underutilised, no longer required by the City and considered surplus to the City's operational and strategic requirements.

The Council resolved in April 2013:

That the Council:

- a) *Delegate authority to the Chief Executive Officer to negotiate with the Windsor Hotel or nominee the sale of Lot 800 Ray Street South Perth for a disposal valuation no less than the market valuation outlined in the confidential 22 March 2013 Garmony Property Consultants report;*
- b) *Authorise the Chief Executive Officer to give statutory public notice of the proposed disposition of Lot 800 Ray Street South Perth should the negotiations successfully achieve the market valuation;*
- c) *Consider a further report to Council in the event that submissions are received during the public submission period;*
- d) *Delegate authority to the Mayor and Chief Executive Officer to execute the sale of land documentation for Lot 800 Ray Street South Perth in the event that no submissions are received during the public submission period.*

10.6.5 Disposal of Lot 800 Ray Street, South Perth

The Council was of the view that there were sound reasons to dispose of this strategically located property to the owner of the adjoining land by private treaty as it would facilitate a development that would benefit the community and complement the surrounding uses.

Disposing of Lot 800 Ray Street to the adjoining owner by private treaty presents the most logical, orderly and complementary development potential and would also generate distinct benefits for the South Perth community. The other reasons for progressing this method of disposal included:

- A new major development on the enlarged adjoining site would enhance the design options for the site and the amenity of the Mends Street Precinct;
- It would promote economic and social vitality by providing greater development potential in line with Amendment 25 to Town Planning Scheme 6, which would in turn act as a catalyst in creating confidence for further developments in this unique commercial activity precinct.
- The adjoining landowners will be able to consolidate their land holdings and facilitate a major redevelopment that will integrate with the surrounding properties resulting in better built form and urban design outcomes;
- It would enable a well-integrated development to be designed on the enlarged development site. If Lot 800 Ray Street were sold to another buyer, this could lead to construction of a less desirable independent development. Such an alternative development would have a more constrained outlook and restricted vehicular access. Opportunities for optimum built form would also be reduced.
- If the car park were sold to a third party on the open market, the need to maintain existing use and access would severely restrict design options for a new independent development.
- Lot 800 Ray Street is operated by the City as a public car park. The Windsor Hotel owners operate a public car park on their adjoining land which creates considerable confusion due to differing fee paying arrangements between the City and the Windsor Hotel car parks. This confusion would be eliminated if both car parks were merged on a single site and had the same operating conditions.

Comment

The City commenced negotiations with Geoffrey Charles Ogden in May 2013 cognisant of the licensed market valuation by Garmony Property Consultants provided to Councillors under confidential separate cover in March 2013. The negotiated disposal price of \$3,700,000 was agreed to subject to the following conditions of sale:

1. *The sale is subject to and conditional upon statutory advertising inviting community comment as required under section 3.58(3) of the Local Government Act 1995. If there is any response to the advertisement, Council will consider the responses and then determine if it wishes to proceed with the sale;*
2. *The details of the sale will need to be included in the statutory advertisement referred to in 1. above and a non-statutory advertisement will also be advertised;*
3. *A 10% deposit being paid on acceptance of offer; and*
4. *Settlement to occur within 30 days of Council resolving to proceed with the sale if it confirms the sale following the statutory advertising or if there are no submissions within 30 days of the expiry date for submissions as detailed in 1. above.*

The following payment plan was agreed to between the City and Geoffrey Charles Ogden:

- An initial \$2,500,000 deposit;

10.6.5 Disposal of Lot 800 Ray Street, South Perth

- A further \$600,000 on the first annual anniversary date of acceptance of offer;
- A further \$600,000 on the second anniversary date of acceptance of offer;
- The City to retain all revenue derived from Lot 800 Ray Street South Perth until the third and final payment is received;

Annual parking revenue from Lot 800 Ray Street South Perth totals approximately \$160,000 per annum. The City's financial analysis of the proposed payment plan indicates there to be a further net financial gain to the City under this proposal.

Given that the negotiated disposal price is consistent with the licensed market valuation and the City also retains all parking revenue until the final payment is made, it is recommended that the Council approve the sale of Lot 800 Ray Street South Perth to Geoffrey Charles Ogden and authorise the Mayor and Chief Executive to execute the relevant transfer of land documentation.

Consultation

The creation and proposed disposition of Lot 800 Ray Street South Perth has previously been the subject of Council workshops in February 2011, March 2011 and April 2013 and the subject of Council reports in February 2011, September 2012 and April 2013. This matter has also previously been the subject of a Special Electors Meeting in December 2011.

The Statutory public submission period was opened from 27 July 2013 to 12 August 2013, and advertised state-wide in *The West Australian* and locally in *The Southern Gazette*. A total of two submissions were received during this period.

Submission 1 (received 9 August 2013)
"The selling of the car bays behind the newsagent and the Windsor could only be described as of no use for the general public requiring the services of these establishments. Please vote NO to this sale."
Submission 2 (received 11 August 2013)
"As a substantial rate payer I am vehemently opposed to the sale of any car spaces unless they are to be replaced immediately by other bays in very close proximity. If Council wishes to dispose of car parking land to a developer then make it a condition of the purchase that Council is given (by title) a significantly greater number in return at the completion of the development. As a new resident parking and traffic within the business area in and around Mends St is at best a congested mess. Have more parking not less. Parking must be easy to get to, safe to use and affordable by all. Once this is fixed then maybe the business vibrancy may happen."

The main concern raised in both submissions relate to concerns surrounding a potential loss of 31 car parking bays within the Mends Street precinct. However, the conditions of sale address this concern with the 31 car parking bays to remain in operation until the land is developed, and in any future development the City would require the owner to provide at the very minimum an equivalent number of public car parking bays. This is in addition to the other approximate 650 car parking bays already provided for within the Mends Street precinct.

10.6.5 Disposal of Lot 800 Ray Street, South Perth

Whilst there has been some minor community opposition to the proposed disposition, it is recommended that the sale proceed based on the reasons provided in the 'Background' part of this report.

Policy and Legislative Implications

The City is proposing to dispose of Lot 800 Ray Street South Perth by private treaty in accordance with s3.58 *Disposing of property, Local Government Act 1995*.

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Given that the value of Lot 800 Ray Street South Perth is less than \$10,000,000, the proposed disposition is not considered a 'commercial enterprise' for the purposes of Section 3.59 of the *Local Government Act 1995* and there is therefore no requirement to prepare a Business Plan for community consultation.

Financial Implications

The sale proceeds from the disposition of Lot 800 Ray Street South Perth are provided for in the 2013/2014 budget and will fund strategic priority services and facilities. Should the sale of Lot 800 Ray Street South Perth not proceed, the Council will be required to reduce its capital expenditure to an amount comparable with the anticipated sale revenue.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 6 - Governance, Advocacy and Corporate Management "Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan" and Initiative 4.6.1 of the Corporate Plan 2013-2017 Dispose of Identified Parcels of Land.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#).

10.6.6 Financial Interest Returns 2012-2013

Location: City of South Perth
Applicant: Council
Date: 7 August 2013
Author: Amanda Albrecht, Governance Officer
Reporting Officer: Phil McQue, Manager Governance and Administration

Summary

In accordance with the City's Management Practice M676 'Financial Interest Returns', the CEO is to prepare a report on the lodging of returns for presentation to Council as soon as reasonably practicable after 31 August each year.

Officer Recommendation and COUNCIL DECISION

That the report on Financial Interest Returns for 2012-2013 be received.

CARRIED EN BLOC RESOLUTION

Background

Part 5 of the *Local Government Act 1995 (the Act)* requires that Councillors and designated employees (that is, employees who exercise delegated power) to lodge a 'Statement of their Financial Interests' within three months of the commencement of their term or employment respectively (Primary Return) and annually thereafter by or before 31 August each year (Annual Return).

These returns are held on a register of financial interests, which is available for public inspection upon request.

The City's Management Practice M676 'Financial Interest Returns' sets out the process that must be followed in order to comply with the Act, including a requirement to report back to Council.

Comment

Annual Returns for the period 1 July 2012 to 30 June 2013 have now been completed by all Councillors and designated employees, in compliance with statutory requirements.

Receipt of these returns has been acknowledged, and the returns have been placed on the register of financial interests.

One primary return was also completed for the period 1 July 2012 to 30 June 2013. However, this return has subsequently been removed from the register as the employee has now resigned. Two other returns have also been removed from the register during the period 1 July 2012 to 30 June 2013, due to resignations of these employees.

Consultation

Nil.

Policy and Legislative Implications

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

The report is consistent with the City's Management Practice M676 that requires the Chief Executive Officer to prepare a report to Council on the lodging of returns as soon as practicable after 31 August each year.

Financial Implications

Nil.

Strategic Implications

This report is consistent with the [Strategic Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Sustainability Implications

This report is aligned to the City’s [Sustainability Strategy 2012–2015](#). Reporting on the lodging of Financial Interest Returns contributes to the City’s sustainability by promoting effective communication.

10.6.7 Amendment to Delegation DC690 Town Planning Scheme No. 6

Location: City of South Perth
Applicant: Council
Date: 9 August 2013
Author/Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to amend the existing delegation from Council to the Chief Executive Officer with regards to planning applications determined under delegated authority by City officers. This amendment aims to facilitate decision-making at Council meetings in relation to certain types of developments.

Officer Recommendation and COUNCIL DECISION

That:

Council adopts amendments to the following delegation made under Section 5.42 of the Local Government Act 1995; section 68 of the Planning and Development Act 2005; and Clause 9.7 of the City of South Perth Town Planning Scheme No. 6 (the Scheme):

DC 690 Delegation to the Chief Executive Officer with regards to determining planning applications under delegated authority to City officers

CARRIED EN BLOC RESOLUTION

Background

The City proposed to incorporate changes to the existing delegation DC690 with regards to the following planning matters:

- Proposed fences that are higher than 2.0 metres;
- Proposed development on lots with a building height limit of 7.0 metres abutting River Way; and
- Proposed Family Day Care, Display Homes and Temporary Uses where the City does not receive objections during consultation.

This report includes the following attachments:

- **Attachment 10.6.7(a)** Existing Delegations from Council to the Chief Executive Officer
- **Attachment 10.6.7(b)** New Delegations from Council to the Chief Executive Officer

Comments

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.

Delegation from Council DC342 Town Planning Scheme No. 6 guides the administrative process regarding referral of applications to Council meetings or determination under delegated authority. The existing Delegation DC342, referred to as Attachment 10.6.8(a) identifies the extent of delegated authority conferred upon City officers in relation to applications for planning approval.

The amended Council Delegation DC342 Town Planning Scheme No. 6, referred to as Attachment 10.6.8(b) identifies the proposed changes.

Clause 9.7 'Delegation' of the Town Planning Scheme No. 6

Clause 9.7 'Delegation' of the Scheme states as follows:

- (1) *The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or to the Chief Executive Officer, within the meaning of those expressions under the Local Government Act, 1995 (as amended), the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.*
- (2) *The Chief Executive Officer may delegate to any employee of the Council the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under sub-clause (1).*
- (3) *The exercise of the power of delegation under sub-clause (1) requires a decision of an absolute majority as if the power had been exercised under the Local Government Act, 1995 (as amended).*
- (4) *Sections 5.45 and 5.46 of the Local Government Act, 1995 (as amended) and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.*

Policy and Legislative Implications

Delegation under Clause 9.7 'Delegation' of the Town Planning Scheme No. 6.

Financial Implications

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

Strategic Implications

This report is consistent with the [Strategic Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Direction 6.3 specifically focusses on such matters and states: “*Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner*”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The proposed amendments to the delegation are aimed at providing greater responsiveness to community's expectations, thus promoting the principles of sustainability.

Conclusion

As a measure to ensure that certain types of developments are determined at a Council meeting to allow for greater community and the Council involvement, it is recommended that the Council adopts the proposed amendments to the existing delegation.

11. APPLICATIONS FOR LEAVE OF ABSENCE

11.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR HOWAT

I hereby apply for Leave of Absence from all Council Meetings for the period 1 to 6 September 2013, inclusive.

COUNCIL DECISION

Moved: Councillor Cala

Seconded: Councillor Gleeson

That leave of absence be granted to Councillor Howat for the period 1 to 6 September 2013, inclusive.

CARRIED (13/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 PARKING ADJACENT TO PUBLIC TRANSPORT – COUNCILLOR SKINNER

MOTION (as amended by Councillor Skinner prior to Council consideration)

Moved: Councillor Skinner

Seconded: Councillor Reid

That Council consider, as a priority, the introduction of a restricted parking time on all residential streets in proximity of public transport.

AMENDED MOTION

Moved: Councillor Lawrance

Seconded: Councillor Cridland

That 'in conjunction with the planned parking strategy' be added to the end of the motion.

CARRIED (13/0)

COUNCIL DECISION

That Council consider, as a priority, the introduction of a restricted parking time on all residential streets in proximity of public transport, in conjunction with the planned parking strategy.

CARRIED (13/0)

COMMENT

(Councillor Skinner circulated additional comment regarding this motion at the Council meeting).

Throughout the City our residents who live adjacent to public transport (railway station and bus stops) are being increasingly inconvenienced by all day commuter parking. The consequential impact of commuter all day parking is that there is no street parking available to residents or for their visitors.

I have also been advised that ambulances, Silver Chain, other home care and emergency services, cannot find adjacent parking to service their clients.

I sympathise with the commuters on avoiding parking costs in the City – if they can find a space. However, our prime responsibility is to protect our residents and the South Perth community from detrimental commuter parking on side streets.

I did discuss the notice of motion with the CEO prior to lodging the motion on notice; he indicated that commuters were parking at the Preston Street shopping centre. He advised that action had been taken at Preston Street to install timed parking restrictions to protect the economic viability of the business owners at that centre - it has worked.

The streets involved are those adjacent to Labouchere Road – Comer, Gardner, and South Terrace (from Labouchere Road to Melville Parade) etc., and successive side streets off Labouchere.

On Mill Point Road there is Onslow Road and Angelo Street. On the hill of Onslow Street with the junction of Angelo is mainly taken up with DOCETS associated with the zoo; however, from Clarence/York Street to Mill Point Road it is exclusive commuter parking and all spaces taken by about 7.30 am. Likewise, Angelo Street from Onslow Road to Labouchere spaces is full 7-7.30 am.

In Civic Ward the side streets are also affected, and I am particularly aware that there is parking congestion around Manning Terrace and its surrounds which is adjacent to a bus stop.

There is an allocation on the 2013-14 Budget to formulate a Parking Strategy throughout the City and my proposed motion is complimentary to the proposed strategy.

It is recognised that the officers have taken action in installing timed parking in streets where there had been demand and valid complaints from residents, but on an ad hoc basis. I am suggesting that an overall strategy be formulated before the increased pressure of density development in the Town Planning Scheme Amendment 25, and other amendments, has an impact and compounds current commuter parking problems on residential streets.

In conclusion, the Mill Point, Civic and parts of Como Beach Wards, being the closest to the City are most affected by commuter street all day parking and have a detrimental impact on our South Perth residents.

I seek your support of the motion in the best interests of the residents of our City.

ACTING CEO COMMENT

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

The City has effective parking management practices in place across the City. However, changes do occur to parking habits which often require a review of existing parking controls to ensure that the strategic objectives of providing and managing parking for our community can be met. In the recent Local Area 9A,9B and 10 Traffic Study, commuter parking was identified as a major issue and the recommended action to address this was the development of a 'Whole of City' Parking Strategy. The Working Party now has the development of a 'City Wide Parking Strategy' as a priority item.

Given the metropolitan significance of such a strategy and the considerable analysis and research involved, it is proposed that this 'City Wide Parking Strategy' will be completed within the 2013/2014 financial year for consideration by Council.

13. QUESTIONS FROM MEMBERS

13.1. RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

13.1.1 Questions from Councillor McMullen

At the 23 July 2013 Ordinary Council Meeting, two questions from Councillor McMullen were taken on notice. In a letter dated 7 August 2013 the Chief Executive Officer provided a response to Councillor McMullen's questions as follows:

Question 1

Should the City review the effectiveness of advertising in the Southern Gazette, given its importance as a vector for our consultation notices and our need for these notices to be reliably delivered?

Response

In planning matters, the City is governed by the legislation being the Town Planning Scheme and the Planning and Development Act. In this instance a planning policy was being advertised in accordance with the scheme clause 9.2 (2) (a) which states "The Councilshall publish a notice ... in a local newspaper circulating within the scheme area....."

More generally, the City's communications unit continually reviews and evaluates the effectiveness of its communications strategy, including independent market research on its performance. The 2012 market research highlighted a decline in readership and awareness of the City's *Peninsular Snapshot* featured in the *Southern Gazette* which led to a realignment of the City's communication strategy with a greater emphasis to be placed on mail-drop communications and electronic communications.

This has included increasing the highly regarded mail dropped *Peninsula* newsletter to a bi-monthly production and the introduction of an e-newsletter in late 2012 which has proven very successful since its launch. The City is also planning to launch a comprehensive social media strategy in coming months to ensure our various communications are spread across multiple platforms with the desired effect of reaching and engaging with as many as we can in our community.

Question 2

The majority of the City's R15 zoned properties are close to major traffic routes such as the Canning Highway, Mill Point Road, and if the South Perth Railway Station goes ahead, the feeder routes to that development. There appears to be some community appetite to increase development in at least some of these areas and whilst I am in no way suggesting we should eliminate R15 in the City, are there any other areas such as the area we considered tonight (Item 10.0.2 refers) that we should be considering as part of our Draft Housing Strategy?

Response

There is much work still to undertake in the development of the draft Local Planning Strategy, which will include looking at residential densities to support the activity

centres and corridors in the City. It is these areas and other areas that are supported by sound planning reasons that increases in density will be considered.

13.2 QUESTIONS FROM MEMBERS

13.2.1 Question from Councillor McMullen

Question 1

The Salter Point community is excited by and keen to provide input to streetscape policies in their local area, arising from Council's resolution last month. Can the City provide an indication of the structure and approximate timing the consultation?"

Response

The preliminary consultation for proposed Amendment No. 42 to Town Planning Scheme No. 6 and possible modifications to Council Policy P306 are to be run concurrently for a minimum period of 21 days later this year. During the preliminary consultation period, the City will hold a community workshop which is to be facilitated by a consultant. The City has prepared a facilitator's brief for the community workshop and it is anticipated that the facilitator will be appointed in mid-September. When the date of the community workshop has been set, letters will be sent to all affected landowners inviting them to attend, and to submit comments on the proposals, either directly to the City or at the community workshop.

The exact timing of the preliminary consultation and the date and venue of the community workshop have not yet been determined. The local government elections are scheduled for 19 October. The community workshop will be held some time in October or November after the new Council is sworn in.

The community's feedback on these proposals will be reported to Council early in 2014.

13.2.2 Questions from Councillor Cridland

Mary Street Footpaths and Trees

Question 1

By what month will the City have completed the repair / replacement of the dangerous, broken and uneven footpath and crossovers in Mary Street Como (between Preston and Ednah Streets)?

Response

The City is currently assessing options for the best treatment to replace the existing concrete pathway. It is anticipated this will be resolved by the end of September 2013.

Question 2

Has the City any plans to install root barriers in Mary Street Como (between Preston and Ednah Streets) to protect public footpaths / homeowners from structural damage? If so when are these barriers planned to be installed?

Response

The City will be installing root a barrier, per the recommendation of the Arborist's report. The barrier will be installed when the footpath is replaced.

Question 3

Will the City request the permission of the author of the arborial report (commissioned and paid for by the City) for their consent to release of the report to homeowners in the Mary Street Como (between Preston and Ednah Streets) area who have suggested that their property has been damaged by verge trees? If not, why not?

Response

The City will be seeking permission from the author of the Arborist's report to release it to homeowners in the Mary Street Como area, between Preston and Ednah Streets who allege that their property has been damaged by verge trees.

Question 4

Is it the City's standard practice to commission reports which contain a condition precluding their release to residents of the City? If so, why is that the standard practice? If not, why was the arborial report relating to the Mary Street Como (between Preston and Ednah Streets) area produced with this condition?

Response

It is not the City's standard practice to commission reports which contain a condition precluding their release to residents of the City; however consultants often place this statement on their reports.

Footpaths

Question 5

When will the results of the Salter Point footpath survey be released and what are next steps to improving footpath coverage in the City?

Response

This matter was the subject of an Elected Member's Bulletin item on 16 August. A copy of the item was provided to Councillors.

Drainage Sump Rehabilitation

Question 6

Does the City have any planned work this financial year to cover over any drainage sumps to rehabilitate / reform them as public open space (eg playgrounds)? If so, which sump(s) are to be rehabilitated and what is planned and by when?

Response

There are no plans for drainage sump rehabilitation this financial year.

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 Community Facilities Review – *Confidential*

Location: City of South Perth
Applicant: Council
Date: 7 August 2013
Author: Phil McQue, Manager Governance and Administration
Reporting Officer: Cliff Frewing, Chief Executive Officer

Confidential

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following: *a matter affecting an employee or employees.*

Note: *Confidential Report* circulated separately.

15.1.2 Recommendations from the CEO Evaluation Committee Meeting Held 13 August 2013 – *Confidential*

Location: City of South Perth
Applicant: Council
Date: 14 August 2013
Author/ Reporting Officer: Helen Cardinal, Manager Human Resources

Confidential

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following: *a matter affecting an employee or employees.*

Note: *Confidential Report* circulated separately.

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.2.1 Community Facilities Review

COUNCIL DECISION

Moved: Councillor Skinner

Seconded: Councillor McMullen

That the Council

- a) Note the progress made on the investigations into Options 2 and 3 of the Grant Thornton Strategic Aged Care Review of Collier Park and Village; and
- b) Approve the Chief Executive Officer making a formal submission to the Minister for Lands to acquire Reserve 38665 'conditional' freehold title.

CARRIED (13/0)

15.2.2 Recommendations from the CEO Evaluation Committee Meeting Held 13 August 2013

COUNCIL DECISION

Moved: Councillor Hawkins-Zeeb

Seconded: Councillor Trent

That Council adopts the CEO Evaluation Committee Recommendation as contained in the Confidential Report Item 15.1.2 of the August 2013 Council Agenda.

CARRIED (13/0)

16. CLOSURE

The Mayor thanked everyone for their attendance and closed the meeting at 9:27 pm.

DISCLAIMER

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

These Minutes were confirmed at a meeting on 24 September 2013.

Signed _____

Chairperson at the meeting at which the Minutes were confirmed.

17. RECORD OF VOTING

27/08/2013 7:32:36 PM

Extension of Public Question Time

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 7:48:24 PM

7.1.1 Ordinary Council Meeting Minutes 23 July 2013

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 7:49:11 PM

7.1.2 CEO Evaluation Committee Meeting Minutes 13 August 2013

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 7:49:57 PM

7.2 Briefings

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 7:52:38 PM

8.5 Conference Delegates Reports

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 7:56:22 PM

En Bloc Motion

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 8:18:46 PM

10.0.1 Officer Recommendation

Motion Not Passed 2/11

Yes: Mayor Sue Doherty, Cr Ian Hasleby

No: Cr Veronica Lawrance, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 8:28:18 PM

10.0.1 Alternative Motion

Motion Passed 12/1

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

No: Cr Ian Hasleby

27/08/2013 8:52:30 PM

10.1.2 Amended Motion

Motion Passed 7/6

Yes: Cr Glenn Cridland, Cr Sharron Hawkins Zeeb, Cr Kevin Trent, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

No: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Bill Gleeson, Cr Chris McMullen, Cr Fiona Reid

27/08/2013 8:53:33 PM

10.1.2 Substantive Motion (as amended)

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 8:59:18 PM

10.3.1 Amended Motion

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 8:59:46 PM

10.3.1 Substantive Motion (as amended)

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

No: Absent: Casting Vote

27/08/2013 9:00:56 PM

11.1 Leave of Absence – Cr Howat

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 9:16:35 PM

12.1 Amended Motion

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 9:17:07 PM

12.1 Substantive Motion (as amended)

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 9:23:02 PM

15.1.1 Officer Recommendation

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala

27/08/2013 9:23:43 PM

15.1.2 CEO Evaluation Committee Recommendation

Motion Passed 13/0

Yes: Mayor Sue Doherty, Cr Veronica Lawrance, Cr Ian Hasleby, Cr Glenn Cridland, Cr Bill Gleeson, Cr Sharron Hawkins Zeeb, Cr Chris McMullen, Cr Kevin Trent, Cr Fiona Reid, Cr Betty Skinner, Cr Rob Grayden, Cr Peter Howat, Cr Colin Cala