

MINUTES

Ordinary Council Meeting

26 November 2013

To: The Mayor and Councillors

Here within are the minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 26 November 2013.



CLIFF FREWING
CHIEF EXECUTIVE OFFICER
29 November 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. Please note that the December Ordinary Council Meeting will be held on the second Tuesday of the month, 10 December 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 four 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/

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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 26 November 2013.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7:00pm and welcomed everyone in attendance. She noted that this was the first Ordinary Council Meeting of the new Council, and formally welcomed new Councillors Cheryle Irons and Michael Huston. She 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 October 2013 are attached to the back of the agenda.

3.2 PUBLIC QUESTION TIME FORM

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 CONDOLENCES – DOROTHY WINMAR

The Mayor advised that sadly Mrs Yurleen Dorothy Winmar, local Elder and native title holder, died on Sunday 17 November. The Mayor expressed the Council's sincere condolences to Dorothy's family.

Dorothy was the winner of the 2011 NAIDOC female elder award. Her focus was on her cultural heritage and connection to Perth and Derbarl Yerrigan as a proud Wadjuk Nyoongar. Over 15 years she conducted numerous guided cultural heritage tours and had extensive experience in developing cultural awareness training packages. She worked with the Prisons Visitors Scheme for 30 years, and was a lifetime member of the Derbarl Yerrigan Aboriginal Health Service, she was a

qualified health worker and was the founder of the Moorditj Keila Aboriginal Group (excerpt from NAIDOC Award Profile).

The City in conjunction with the WA Film and Television Institute was recently able to capture some of Dorothy's stories in an oral history filming project, and this is available in the City's Libraries for viewing.

3.5 PETITION IN RELATION TO PROPOSED LOCAL GOVERNMENT BOUNDARY CHANGES

The Mayor advised that a petition regarding Local Government boundary changes was being circulated and was available for signing in the lobby if anyone was interested.

The text of the petition reads:

"To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned residents of Western Australia are opposed to the planned changes of electoral boundaries proposed by the Government for the new local governments in the Metropolitan Local Government Reform that traverse the Swan River.

Your petitioners therefore respectfully request the Legislative Council oppose the change to local government boundaries where the proposed new local government proposed in the Metropolitan Local Government Reform traverse the Swan River.

This would be in keeping with the State Government Legislative Assembly electoral boundaries which uses the Swan River and the Canning River as a natural boundary in the metropolitan area. Similarly the Legislative Council electoral boundaries use the Swan River as the delineation between the North and the South Metropolitan Regions.

The Federal Government electorates of Perth and Curtin in the west and Swan and Tangney in the east use the Swan River as a natural boundary.

The Local Government Advisory Board in assessing proposals takes into account physical and topographical features when preparing a report to the Minister for Local Government. The Swan River would most certainly feature as the most significant physical feature in metropolitan area of Perth when determining local government boundaries and should not be dismissed in the Metropolitan Local Government Reform process.

And your petitioners as in duty bound, will ever pray."

4. ATTENDANCE

Mayor Doherty (Chair)

Councillors

V Lawrance, JP	Como Ward
S Hawkins-Zeeb	Manning Ward
C Cala	Manning Ward
C Irons	Mill Point Ward
M Huston	Mill Point Ward
F Reid	Moresby Ward
K Trent, OAM, RFD, JP	Moresby Ward

Officers

C Frewing	Chief Executive Officer
M Kent	Director Financial and Information Services
V Lummer	Director Development and Community Services
M Taylor	Acting Director Infrastructure Services
P McQue	Manager Governance and Administration
D Gray	Manager Financial Services
G Nieuwendyk	Corporate Support Officer
A Albrecht	Governance Officer

Gallery

There were 78 members of the public and 1 member of the press present.

4.1 APOLOGIES

G Cridland Como Ward

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.

The Mayor noted that she had declared an impartiality interest in Item 15.1.2.

Councillor Huston declared an impartiality interest in Items 7.2.4 and 10.2.1. Councillor Huston advised that he had a right of occupancy at 193 Mill Point Rd, and that the proximity of this property to the South Perth Foreshore could lead to a perception that his impartiality on these items may be affected.

The Mayor advised in accordance with Local Government (Rules of Conduct) Regulations 2007 these declarations would be read out immediately before Items 7.2.4, 10.2.1 and 15.1.2 were discussed.

6. PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

No public questions were taken on notice at the 15 October 2013 Ordinary Council Meeting.

6.2 PUBLIC QUESTION TIME: 26 NOVEMBER 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 reminded the public gallery that she was available to meet with members of the community on the first Friday of each month in the Library Function Room. The next meeting day is Friday 6 December 2013, 10am – 12pm. The Mayor advised that she would not be able to attend this meeting, but that Deputy Mayor Cridland would attend in her place.

The Mayor then opened Public Question Time at 7.15 pm.

Motion to Suspend Standing Orders and COUNCIL DECISION

Moved: Councillor Huston

Seconded: Councillor Irons

That Standing Orders be suspended during Public Question Time for this meeting (26 November 2013), so that people in the gallery may ask their own questions, and that a report be provided back to Council regarding extending this proposal to all future Council meetings.

CARRIED 8/0

A table of public questions and the responses given can be found in **Appendix I**.

The Mayor closed Public Question Time at 7.55 pm.

Motion to Resume Standing Orders and COUNCIL DECISION

Moved: Councillor Cala

Seconded: Councillor Huston

That Standing Orders be resumed.

CARRIED 8/0

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: 15 October 2013

Recommendation and COUNCIL DECISION

Moved: Councillor Reid

Seconded: Councillor Trent

That the Minutes of the Ordinary Council Meeting held 15 October 2013 be taken as read and confirmed as a true and correct record.

CARRIED (8/0)

7.1.2 Special Council Meeting Held: 22 October 2013

Recommendation and COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Cala

That the Minutes of the Special Council Meeting held 22 October 2013 be taken as read and confirmed as a true and correct record.

CARRIED (8/0)

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.

Declaration of Impartiality Interest from Councillor Huston

"I declare an impartiality interest in Agenda Items 7.2.4 (Concept Briefing – South Perth Foreshore 2013 and Beyond and the Old Mill Project) and 10.2.1 (South Perth Foreshore 2013 and Beyond Project Status) on the Council Agenda for the meeting to be held 26 November 2013.

I disclose that I have a right of occupancy at 193 Mill Point Road. As a consequence, there may be a perception that my impartiality on these items may be affected, given the proximity of the South Perth Foreshore to the property where I have a right of occupancy. I declare that I will consider this matter on its merits and vote accordingly."

7.2.1 Agenda Briefing – Ordinary Council Meeting – 15 October 2013

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

7.2.2 Concept Briefing – Community Facilities Review Update – 8 October 2013 (*Confidential*)

An external consultant provided information and answered questions regarding the Community Facilities Review Update. Notes from this concept briefing are included as ***Confidential Attachment 7.2.2.***

7.2.3 Concept Briefing – Role of Councillors and Rules of Conduct – 29 October 2013

Neil Douglas, from McLeod's Lawyers provided information and answered questions regarding the role of Councillors and the Code of Conduct. Notes from this concept briefing are included as **Attachment 7.2.3.**

7.2.4 Concept Briefing – South Perth Foreshore 2013 and Beyond and the Old Mill Project – 30 October 2013

Officers of the City provided information and answered questions regarding the South Perth Foreshore 2013 and Beyond project and the Old Mill Precinct Redevelopment project. Notes from this concept briefing are included as **Attachment 7.2.4.**

7.2.5 Concept Briefing – Bulk Verge Side Collection Services – 12 November 2013

Officers of the City provided information and answered questions regarding Bulk Verge Side Collection Services. Notes from this concept briefing are included as **Attachment 7.2.5.**

Recommendation and COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Huston

That the attached notes under items 7.2.1 and 7.2.5 on Council Briefings be noted.

CARRIED (8/0)

8. PRESENTATIONS

8.1 PETITIONS

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

8.1.1 Dylan Smith, Junior Youth Group Making a Difference - Petition regarding a dog park for Kensington

A petition was received 15 October 2013 from Dylan Smith on behalf of the Making a Difference Junior Youth Group, together with 59 signatures for the petition.

The petition was not in the format required under the City of South Perth Standing Orders Local Law 2007. However, the petition related to a suggestion that a fenced off dog park be established in the Kensington area, possible behind the police station at George Reserve.

8.1.2 Hilary Byrne, 28 Wooltana Street, Como – Petition opposing Amendment No. 34 to the Town Planning Scheme No. 6

A petition was received 11 November 2013 from Hilary Byrne, 28 Wooltana Street, Como, together with 217 signatures in opposition to the proposed Amendment No. 34 to the Town Planning Scheme No. 6.

The text of the petition reads:

“We the undersigned electors of the City of South Perth request that the Council of the City of South Perth reject the proposed planning Scheme No. 6 amendment No. 34. As the bulk and scale of the proposed development is not in keeping with the local building heights and density and will destroy the local streetscape. Maximum vertical height of development of 10.5m to be agreed to and NO HIGHER..”

8.1.3 Jane Rattenbury, 55 Ley Street, Como – Petition opposing Amendment No. 34 to the Town Planning Scheme No. 6

A petition was received 11 November 2013 from Jane Rattenbury, 55 Ley Street, Como, together with 185 signatures in opposition to the proposed Amendment No. 34 to the Town Planning Scheme No. 6.

The text of the petition reads:

“We the residents of the City of South Perth are strongly opposed to the proposed amendment no. 34 to City of south Perth Planning Scheme No. 6; increased building height limit and rezoning of Part Lot 2 (No. 54) Manning Road Corner Ley Street, Manning (Former Telstra Site) and want this amendment REJECTED. We request the section on Manning Road to be zoned “Highway Commercial” with a density coding of R80 and the balance of the lot to be zoned “Residential” with a density coding of R50/R60 for maximum height limit to be 3 storeys and suggest a townhouse development approach to be more in keeping with local amenity.

- *Request minimum set-backs of Manning Road of 3.5m this will facilitate a better interface with the public street and energise the local residents!*
- *Request minimum set-backs of Ley Street 4.5m (Both North and South of Telstra facility) in recognition of the low density housing in Ley Street opposite Pt. Lot 2.*
- *Request a 3.5m set-back to the northern and eastern boundaries adjacent to the Davilak Crescent reserve to provide a buffer to the Davilak Crescent Reserve and protect the integrity of the Reserve.*
- *Minimum proportion of larger (100 sqm) dwellings to be 62.5% or greater.*
- *Parking required for the “Highway Commercial” zone to be continued on Pt. Lot 2 (No. 54) site with a Manning Road entrance to ensure local residents are not impacted by customer street parking in surrounding streets (ie Wooltana Street).”*

8.1.4 John and Anna Davis, 11a Philp Avenue, Como – Petition opposing Amendment No. 34 to the Town Planning Scheme No. 6

A petition was received 11 November 2013 from John and Anna Davis, 11a Philp Avenue, Como, together with 72 signatures in opposition to the proposed Amendment No. 34 to the Town Planning Scheme No. 6.

The text of the petition reads:

“In reference to the proposed future development of Part Lot 2 (No. 54) Manning Road, Manning, we the undersigned are against the proposed density coding change to R160 and would recommend a rezoning to “Highway commercial” with a density coding of R80 for the Manning Road frontage, and the balance of the Part Lot 2 (No. 54) Manning Road to be zoned “residential” with a density coding of R60 maximum height of 10.5m. This would be more in keeping with the local neighbourhood atmosphere and not detract to significantly for the local amenity.”

Recommendation and COUNCIL DECISION

Moved: Councillor Cala

Seconded: Councillor Trent

That the Petitions at Items 8.1.1 to 8.1.4 be received and forwarded to the relevant Director for consideration.

CARRIED (8/0)

8.1.5 Marcia and Ken Manolas, 193 Mill Point Rd, South Perth – Petition regarding the preservation of Sir James Mitchell Park

A petition was received 19 November 2013 from Marcia and Ken Manolas, 193 Mill Point Rd, South Perth, together with 7111 signatures (including 433 received on-line) regarding the preservation of Sir James Mitchell Park.

The text of the petition reads:

“We, the undersigned, wish to ensure that the green public open spaces comprising Sir James Mitchell Park are preserved for future generations and are not degraded through high density development and commercialisation. Sir James Mitchell Park, (“the Park”) comprises the foreshore land from Narrows Bridge along the Esplanade Foreshore; and includes ‘Sir James Mitchell Park’ ie Mends St. to Ellam St, including the lake areas

We petition the City of South Perth to amend the Public Open Space Policy as this relates to the South Perth Foreshore before the current community consultation findings are adopted, and include the following:

- 1. No land within the Park is to be sold;*
- 2. There is to be no high rise, high density development of any nature within the Park;*
- 3. All development (if any) is to be restricted to low impact, low density single storey activities – as verbally promoted by the Council (e.g. café, kiosks and similar);*
- 4. Leases granted (if any) with the Park are to be restricted to an aggregate maximum term (including options) of 21 years – similar to those applied in Kings Park;*
- 5. Any development on the land originally resumed within Sir James Mitchell Park for ‘Foreshore Recreation’ to be designated exclusively for that purpose only.”*

Please note: Councillor Huston advised that an addendum to the petition of an additional 25 signatures (10 on-line) had been received. These documents were to be submitted to Council.

Recommendation and COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Irons

That the Petition received 19 November 2013 from Marcia and Ken Manolas, 193 Mill Point Rd, South Perth, together with 7136 signatures (including 443 received on-line) be noted and taken into consideration during the debate on Item 10.2.1.

CARRIED (8/0)

8.2 PRESENTATIONS

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

Nil.

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

8.4.1 Council Delegate: Rivers Regional Council Ordinary General Meeting – 17 October 2013

A report from Crs Trent, Cala and Mark Taylor (A/Director Infrastructure Services) summarising their attendance at the Rivers Regional Council meeting held 17 October 2013 is at **Attachment 8.4.1**.

8.4.2 Council Delegate: Rivers Regional Special Council Meeting – 31 October 2013

A report from Crs Trent, Cala and Mark Taylor (A/Director Infrastructure Services) summarising their attendance at the Rivers Regional Council meeting held 31 October 2013 is at **Attachment 8.4.2**.

Recommendation and COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Cala

That the Council Delegates' Reports under items 8.4.1 and 8.4.2 be received.

CARRIED (8/0)

8.5 CONFERENCE DELEGATES REPORTS

Nil.

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. She then sought confirmation from the Chief Executive Officer that all the report items were discussed at the Agenda Briefing held on 19 November 2013.

The Chief Executive Officer confirmed that this was correct. He noted, however, that Item 10.5.4 (*Car Park 1, Ray St, South Perth*) was a late report, submitted at the Agenda Briefing meeting 19 November 2013.

ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.2.1 Amended Motion from Councillor Lawrance
- Item 10.3.2 Withdrawn by Councillor Huston for discussion
- Item 10.5.4 Amended Motion from Councillor Irons

COUNCIL DECISION - EN BLOC RESOLUTION

Moved: Councillor Trent

Seconded: Councillor Cala

That with the exception of withdrawn items 10.2.1, 10.3.2 and 10.5.4 the officer recommendations in relation to agenda items 10.0.1, 10.0.2, 10.0.3, 10.1.1, 10.1.2, 10.3.1, 10.5.1, 10.5.2, 10.5.3, 10.6.1, 10.6.2, 10.6.3, 10.6.4, 10.6.5, 10.6.6, 10.6.7, 10.6.8, and 10.6.9 be carried en bloc.

CARRIED (8/0)

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Proposed Amendment No. 43 to Town Planning Scheme No. 6: Gross Floor Area definition - Consideration of submissions and final adoption

Location: City of South Perth
Ward: Not applicable
Applicant: City of South Perth
Date: 1 November 2013
Author: Cameron Howell, Planning Officer, Development Services
Reporting Officer: Vicki Lummer, Director Development and Community Services

Summary

Amendment No. 43 to Town Planning Scheme No. 6 (TPS6) proposes to modify the existing definition of 'gross floor area' to resolve an unintended outcome whereby car parking areas within a building are included when calculating the required number of car and bicycle parking bays, resulting in more on-site parking bays being required than are actually necessary. A detailed explanation of the proposal is contained in the Amendment Report, provided as **Attachment 10.0.1(b)**.

Amendment No. 43 has been advertised and two submissions were received, neither of which expresses any objection. The Council now needs to consider the submissions and resolve whether the Amendment should proceed, with or without modifications, or should not proceed. The recommendation is for the Amendment to be finally adopted by the Council without modifications and be forwarded to the Western Australian Planning Commission for final approval by the Minister for Planning.

Officer Recommendation and COUNCIL DECISION

That

- (a) the Western Australian Planning Commission be advised that Council recommends that:
 - (i) the Submissions expressing no objection to Amendment No. 43 be UPHELD;
 - (ii) Amendment No. 43 proceed without modifications;
- (b) Amendment No. 43 to Town Planning Scheme No. 6 is hereby finally adopted by the Council in accordance with the Town Planning Regulations 1967 (as amended), and the Council hereby authorises the affixing of the Common Seal of Council to three copies of the Amendment No. 43 document (**Attachment 10.0.1(b)**), as required by those Regulations;
- (c) the Report on Submissions containing the Council's recommendations and the Schedule of Submissions containing an assessment of the Submissions (**Attachment 10.0.1(a)**), be adopted and together with 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 approval of Amendment No. 43 by the Minister for Planning;
- (d) the submitters be thanked for participating in the process and be advised of the above resolution.

CARRIED EN BLOC RESOLUTION

10.0.1 Proposed Amendment No. 43 to Town Planning Scheme No. 6: Gross Floor Area definition - Consideration of submissions and final adoption

Background

This report includes the following attachments:

Attachment 10.0.1(a)	Report on Submissions and Schedule of Submissions (for referral to the Minister)
Attachment 10.0.1(b)	Amendment No. 43 documents for final adoption

Amendment No. 43 was initiated at the July 2013 Council meeting (agenda item 10.4.1). On 25 July 2013, the Scheme Amendment documents were forwarded to the Environmental Protection Authority (EPA) seeking confirmation that an EPA assessment is not required; and to the Western Australian Planning Commission (WAPC) for information. The EPA clearance was received on 14 August 2013. Subsequently, comments were sought from the community during a 46-day advertising period.

Through experience in dealing with non-residential development applications, City officers have identified a need to modify the manner in which the required minimum numbers of car and bicycle parking bays are calculated. Recent proposals have included car parking facilities located within the building. For land uses that are required to provide a minimum number of bays based upon the gross floor area of the building, the portions of the building occupied by car parking facilities are required to be included in the car parking and bicycle parking calculations. In essence, these developments are required to provide additional parking bays to service areas used for car parking.

To overcome this unintended and undesirable outcome, in most instances, City officers and the Council have been able to exercise discretion using clause 7.8(1) of TPS6, to exclude car parking areas from the car parking and bicycle parking calculations. However that discretionary power is not available for developments in the area covered by Amendment No. 25 to the Scheme. Amendment No. 25 came into effect on 18 January 2013 and introduced new provisions for 'comprehensive new development' in Special Control Area SCA1 South Perth Station Precinct. Clause 7.8(2)(d), which was added to TPS6 through Amendment No. 25, prevents the Council from exercising discretion for 'comprehensive new developments' within the South Perth Station Precinct (SCA1).

Within SCA1, for non-residential land uses, on-site car parking bays are required to be provided at a ratio of 1 bay per 50 square metres of gross floor area. Development applications received within SCA1 have proposed to locate the car parking bays for non-residential uses within the building. As a result, these car parking bays and the associated vehicle access-ways contribute to the gross floor area of the building and therefore TPS6 requires additional car parking to be provided. The provision of additional car parking bays to service a car park is not logical or beneficial, however the Council has no ability to exercise discretion to exclude the car park from the car parking calculation.

The same dilemma occurs in relation to required bicycle parking bays and associated end-of-trip facilities (clothes lockers and showers). To overcome the problem referred to above, the Scheme Amendment was prepared.

Comment

The Scheme Amendment will modify the definition of 'gross floor area' to exclude from car parking and bicycle parking calculations areas within a building used for parking of cars and bicycles, for vehicular access or for end-of-trip facilities (clothes lockers and showers) for cyclists.

No changes to the existing car and bicycle parking ratios are proposed.

The draft amending clauses and an expanded summary of all proposed changes are included in **Attachment 10.0.1(b)**.

10.0.1 Proposed Amendment No. 43 to Town Planning Scheme No. 6: Gross Floor Area definition - Consideration of submissions and final adoption

Consultation

Following Council’s receipt of confirmation that an EPA assessment was not required, the advertising process commenced on 30 August 2013.

The statutory advertising required by the *Town Planning Regulations*, Town Planning Scheme No. 6 and Council Policy P301 was undertaken in the manner described below:

- Letters and Notices mailed to affected government agencies;
- *Southern Gazette* newspaper notice in two issues - 3 and 17 September 2013; and
- Notices and Amendment documents displayed in Civic Centre customer foyer, in the City’s Libraries and on the City’s web site (‘Out for Comment’).

The required minimum advertising period is 42 days. On this occasion, the actual advertising period was 46 days - from 3 September to 18 October 2013, however the amendment documents were available for viewing on the City’s website and at the Civic Centre from 30 August 2013.

During the advertising period, two submissions were received, neither supporting nor objecting to the proposal.

The submissions and officer responses are contained in the attached Report on Submissions and Schedule of Submissions (**Attachment 10.0.1(a)**). These documents will be provided to the WAPC for further consideration and for recommendation to the Minister for Planning. After considering the submissions, the Council needs to resolve whether to recommend to the Minister that the Amendment should proceed, with or without modification, or should not proceed. The Minister is responsible for the final determination of the proposal.

Policy and Legislative Implications

The statutory Scheme Amendment process is set out in the *Town Planning Regulations 1967*. The statutory Scheme Amendment process as it relates to the proposed Amendment No. 43 is set out below, together with actual and estimated dates for each stage of the process:

Stage of Amendment Process	Actual and Estimated Dates
Council resolution to initiate Amendment	23 July 2013
Council adoption of draft Amendment proposals for advertising purposes	23 July 2013
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period, and copy to WAPC for information	25 July 2013
Public advertising period of 46 days	3 September - 18 October 2013
Council consideration of Report on Submissions	26 November 2013
Referral to WAPC and Planning Minister for consideration, including: <ul style="list-style-type: none"> • Report on Submissions; • Council’s recommendation on the proposed Amendment • Three signed and sealed copies of Amendment documents for final approval 	December 2013
Minister’s final determination of Amendment and publication in <i>Government Gazette</i>	Not yet known

10.0.1 Proposed Amendment No. 43 to Town Planning Scheme No. 6: Gross Floor Area definition - Consideration of submissions and final adoption

Following the Council's decision to recommend to the Minister that Amendment No. 43 proceed without modifications, three copies of the Amendment document will be executed by the City, including the application of the City Seal. Those documents will be forwarded to the WAPC with the Council's recommendation.

Financial Implications

The proposed Scheme Amendment No. 43 has financial implications in relation to the remaining statutory processes, all of which will be met by the City.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 4 - Places "*Develop, plan and facilitate vibrant and sustainable community and commercial places*".

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The proposed Amendment No. 43 will improve the Scheme Text, resulting in a more rational method of determining the required number of car and bicycle bays for non-residential development and more effective development assessments. The Amendment will assist applicants, City officers and Council Members when dealing with development applications for non-residential land uses.

Conclusion

The Amendment No. 43 Report comprising **Attachment 10.0.1(b)** contains a full description and justification of the Amendment proposals. Since no objections were received in response to the advertising, the proposed Amendment should now be finally adopted by the Council and a recommendation that the Amendment proceed without modifications be forwarded to the Minister.

10.0.2 Bulk Verge Side Collection Services

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
Date:	13 November, 2013
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Mark Taylor, A/Director Infrastructure Services

Summary

The Bulk Verge Side Collection Service was reintroduced in 1997 as a single combined service and within two years had become a biannual combined service and has remained substantially unchanged until 2010 when greater emphasis on separation and resource recovery was sought from both the contractor and the homeowner. In the years since not only has contractor costs escalated with the added responsibility for resource recovery and greater separation but also the quantity of bulk waste being deposited on the verge has increased plus a general decrease in guidelines compliance from homeowners.

This report will consider the options for continuing the service into 2014 and beyond.

Officer Recommendation and COUNCIL DECISION

That:

- a) The City undertake two green waste collections and one hard waste collection for 2014/15 as separate collections approximately four months apart;
- b) Tenders be invited for the provision of a separate green waste collection service in March 2014 to complete the current financial year service, plus two separate green waste and one separate hard waste collection through 2014/2015; and
- c) The City continues with the practice of having a Ranger available part-time in the lead up to the service, to provide guidance and ensure compliance.

CARRIED EN BLOC RESOLUTION

Background

The Bulk Verge Side Collection Service (BVCS) was reintroduced in 1997 as a single combined service after a period of nine years. Within two years the service had expanded to a combined green waste and general hard waste collection service provided twice a year. Specific guidelines established at the commencement of the service provided for the general separation of green waste from general hard waste with quantities nominally limited to 6 cubic metres in total and comprising 2 cubic metres from each of the categories of green, general and metal wastes. Since 2002 the City has maintained records of the quantity of bulk waste collected from the verge.

In late 2012 the City commissioned Talis Consultants Pty. Ltd. to undertake a Waste Management Services Review with specific reference to the Collier Park Waste Transfer Station and the BVCS (Talis Report).

By May 2013 it became obvious the Consultant would not finalise their report in sufficient time to enable the City to be able to call tenders for a BVCS service to be undertaken in 2013/2014 unless a decision on how to proceed was made. At an officer briefing the Consultant strongly advocated the implementation of green waste and general hard waste components of the BVCS at separate times. The officer group acknowledged the challenges the previous collection had to the City and the

10.0.2 Bulk Verge Side Collection Services

escalating cost of the combined service. Projected from the previous contracted rates, this was expected to be about \$445,000. As a result, the City called tenders on the basis of providing a single general hard waste collection and green waste collection at different times. Council was advised of this action in a Bulletin Item of late May 2013.

At the July 2013 meeting Council accepted a tender for a single general hard waste collection for the fixed sum of \$194,250 (Tender 12/2013). No tender was accepted for the green waste collection component due to concerns about the tenders received.

Following rollout of the general hard waste collection, Council became concerned at the apparent reduction in service due there now being only one green waste and one general hard waste collection per year in the BVCS. As a result, Council at the October 2013 meeting resolved to take no action on the proposed green waste collection scheduled for autumn 2014 until after a workshop was held to discuss the most appropriate number and timing of the “verge collections”. This would then be assessed and determined by Council at the November 2013 meeting.

Council also considered the now completed Talis Report and adopted 16 out of its 17 recommendations (Recommendation No.6 was not adopted). This included Recommendation 10 of the report which states:

Implement green waste and hard waste bulk verge collections at separate times.

This recommendation came about from review of 19 metropolitan local governments undertaken as part of development of the Talis Report. The review revealed that:

“The most common approach to bulk verge collections is through separate green waste and separate hard waste services run at different times; 14 local governments utilise one separate hard waste collection per annum, 4 undertake a single green waste collection and 8 utilise two separate green waste collections. This is (one general waste and two green waste collections)... the most common approach to bulk verge collections in the Perth Metropolitan Area” with the one separate hard waste collection and one green waste collection the second most utilised service.

The main reasons for separating green waste and general hard waste include:

- Reduction in contamination of waste;
- Encourages green waste through the Transfer Station which can then be utilised as mulch;
- Easier to manage;
- Faster service;
- Improved verge amenity during the BVCS.

At the Councillor Workshop the following options for a BVCS were considered.

Table 1 – Alternative BVCS

Collection Alternatives	Advantages	Disadvantages	Cost ('000)
<p>1. Bi-annual service of about six months apart comprising one separate green waste collection and one separate general hard waste collection.</p>	<p><i>Minimal contamination; Separation of recyclable materials;</i></p> <p><i>Encourages green waste through the Transfer Station;</i></p> <p><i>Relatively simple to enforce;</i></p> <p><i>Operational advantages; Service completed on time;</i></p> <p><i>Least expensive service.</i></p>	<p><i>Reduction in the number of services compared to what was provided previously.</i></p>	<p>\$413</p>
<p>2. Tri-annual service of about four months apart comprising one separate green waste collection followed by a separate general hard waste collection and a further green waste service.</p>	<p><i>Minimal contamination; Separation of recyclable materials;</i></p> <p><i>Relatively simple to enforce;</i></p> <p><i>Only one service short of the original BVCS.</i></p>	<p><i>BVCS spread over more weeks in year;</i></p> <p><i>Potential to generate more waste;</i></p> <p><i>Increased costs.</i></p>	<p>\$551</p>
<p>3. Two green waste collections and two general hard waste collections distributed evenly through the year.</p>	<p><i>Least potential for contamination;</i></p> <p><i>Very good separation of recyclable materials;</i></p> <p><i>Simple to enforce;</i></p> <p><i>Number of services remains unchanged.</i></p>	<p><i>Over half the year subject to the BVCS;</i></p> <p><i>May be difficult to source contractor due to commitment in time - risk in tendering;</i></p> <p><i>High risk of additional waste;</i></p> <p><i>Most expensive option.</i></p>	<p>\$761</p>
<p>4. A bi-annual service comprising a separated green waste collection at the same time as a general hard waste collection service followed by a similar collection about six months later.</p>	<p><i>Restores the service previously provided;</i></p> <p><i>With compliance high potential for recyclable materials;</i></p> <p><i>Second least expensive option.</i></p>	<p><i>Increased risk of contamination;</i></p> <p><i>Difficult to enforce without staffing;</i></p> <p><i>Operational issues for contractor;</i></p> <p><i>Does not conform to adopted principle of separate collection for green and general hard waste.</i></p>	<p>\$525</p>

By accepting the now adopted principle of separating the green and general hard waste components of the BVCS, considering the relative advantages and disadvantages of the three remaining options (1, 2 & 3) and the desire by Council not to reduce the level of service to only one of each type of collection, Option 2 (two green waste collections and one general hard waste collection) is most likely to receive widespread community acceptance. This option is therefore recommended to Council for adoption.

During the recently completed September hard waste collection the City utilised the services of a part time Ranger to “inform and assist” residents as the means to ensure the separation required. This practice will now be incorporated into all future BVCS. It should be noted that the above recommendation is intended to cover the period up to June 2015. During this time the City will be in contact with the Town of Victoria Park to ensure there is a coherent waste strategy developed for the future.

Consultation

No formal public consultation was undertaken as part of this review although in the course of the investigations the Consultant did have the opportunity to talk to residents, verge side during the bulk waste collection.

Consideration of the form the BVCS should take for the second half of 2013/2014 and beyond was the subject of an Elected Members Workshop held on the 12 November.

Policy and Legislative Implications

The recommendation for the continuation of selected waste services within the City of South Perth is consistent with key recommendations of the adopted Waste Management Services Review (Talis Report) and expectations of the Waste Strategy developed by the Waste Authority in accordance with the Waste Avoidance and Resource Recovery Act 2007.

Financial Implications

No capital improvements or major changes in operations that have not already been included in the 2013/2014 Budget are recommended and as a consequence it has limited impact on this area.

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](#). A growing population will inevitably increase pressures on the environment with growing waste generation and disposal rates. Sustainable waste management aims to address these long term pressures through the recovery, recycling, and reuse of resources, and the minimisation of waste streams. This includes the management of resources in an environmentally sound and economically effective manner.

10.0.3 Tender for Provision of Property Advice and Real Estate Services, Civic Triangle, South Perth

Location: City of South Perth
Ward: Mill Point Ward
Applicant: Council
Date: 12 November 2013
Author: Phil McQue, Manager Governance & Administration
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

This report notes the outcome of the tender evaluation for the provision of property advice and real estate services in relation to the proposed disposal of the Civic Triangle in South Perth.

Officer Recommendation and COUNCIL DECISION

That the Council:

- a) Note the outcomes of the tender evaluation for the provision of property advice and real estate services in relation to the disposal of the Civic Triangle;
- b) Invite Knight Frank, Colliers International and Jones Lang Lasalle to present their respective tender submissions to the Councillors at a Council workshop in early December 2013
- c) Note that a further report will be submitted to Council in December 2013 in relation to the appointment of a preferred tenderer.

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

10.0.3 Tender for Provision of Property Advice and Real Estate Services, Civic Triangle, South Perth

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.

The Council previously 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 to undertake further financial analysis.

Two further Councillor workshops were 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 state-wide for a period in excess of six weeks closing 25 July 2013, and included an overall assessment of the major land transaction, its effect on the provision of services and facilities by the City, its expected financial effect on the City and the ability of the City to undertake the transaction. There were no submissions received during this period.

In August 2013, the Council resolved to note the outcome of the Business Plan community consultation, and due to the time that had elapsed, decline all tenders received in 2012 and call tenders, with a further report to be submitted to Council for consideration in November 2013.

Comment

Tenders were advertised state-wide for the engagement of engagement of a firm to undertake the following scope of works:

- Provision of property advice in respect to the disposal of the Civic Triangle
- Provision of marketing and real estate services for the disposal of the Civic Triangle

The tender selection criteria and weighting was as follows:

Qualitative Criteria	Weighting %
Demonstrated skills and experience in completing similar projects	30%
Demonstrated understanding of the scope of works	30%
Price	40%

There were fourteen tenders received, inclusive of a standard and alternative tender from one tenderer. The Tender Panel, comprising the Chief Executive Officer, Director Finance and Information Services and Manager Governance and Administration assessed the tenders against the criteria that reflected the critical elements of the project, being demonstrated skills and experience, demonstrated understanding of the scope of works and the fee structure.

The quality of a number of tenders was extremely high on this occasion, with a number of multi-national property consultants submitting outstanding tenders. The Tender Panel’s evaluation concluded that three multi-national property consultants in

10.0.3 Tender for Provision of Property Advice and Real Estate Services, Civic Triangle, South Perth

particular demonstrated extremely strong skills, experience and understanding of the requirements and outcomes of this tender.

In particular, these three multi-national firms had proven successful experience in managing projects of this large scale and access to an international network of renowned proper developer clients, with a particular emphasis on South East Asia.

The Tender Panel is extremely confident that the appointment of any one of these three property consultants would allow the Council to achieve its objective of receiving the maximum possible revenue for this sale whilst ensuring that a quality property developer purchaser is appointed that would facilitate a strategic landmark development being constructed in our 'civic heart'.

The Tender Panel has shortlisted Knight Frank (standard and alternative tender), Colliers International, and Jones Lang Lasalle, with each achieving a weighted score in excess of 8 out of 10. Given the significance of this Council project and the three firms all receiving a very similar evaluation score, the Tender Panel is recommending that these three firms be invited to present to Councillors on their tender in early December 2013, with the Council to then appoint a preferred tender at the December 2013 Council meeting.

A copy of each tender and a summary of the tendered fees have been provided for Councillors information in the Councillors lounge.

Tender	Weighted Score
MMJ Real Estate Pty Ltd	5.0
CBRE Pty Ltd	7.0
Knight Frank	8.2
Knight Frank *alternative tender	8.3
Integral Project Creation	5.0
Deloitte Touche Tohmatsu	5.5
Ernst Young	5.0
Colliers International	8.6
Ron Farris Real Estate Pty Ltd	2.3
Burgess Rawson	5.8
Dempsey Real Estate	6.5
Tom Esze.com	5.3
Jones Lang Lasalle	8.8

Consultation

The disposal of the Civic Triangle has been the subject of several Council workshops and reports to Council over a number of years, including recent Council workshops in January and April 2013 and reports to Council in May and August 2013.

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

Tenders were advertised state-wide via The West Australian on 31 August 2013 and 4 September 2013, closing 25 October 2013.

Policy and Legislative Implications

The Council has complied with s3.59 *Commercial Enterprises, Local Government Act 1995* by preparing and advertising the Business Plan state-wide 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. 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 proposed disposition of the Civic Triangle 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”.

It is also consistent with the Corporate Plan 2013-2017, Strategic Initiative 4.5.1 – “Progress and finalise the disposal of the Civic Triangle Land” and the 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 Australia Day 2014

Location: City of South Perth
Applicant: Council
Date: 30 October 2013
Author: Sandra Watson, Manager Community, Culture and Recreation
Reporting Officer: Vicki Lummer, Director Development and Community Services

Summary

To outline the plans and strategies to manage the Australia Day celebrations on the South Perth foreshore in 2014 and to approve the parking restrictions and road closures applicable for the event.

Officer Recommendation and COUNCIL DECISION

That

- (a) Council adopts the Safer Australia Day Strategy 2014 as detailed in this report;
- (b) The General 'No Parking' clause in section 4.4, schedule 4 of the City's Parking Local Law 2011 (as amended) be approved for:
 - (i) The temporary road closures, bounded by Labouchere Road to Angelo Street to Douglas Avenue to Canning Highway to Ellam Street, from 8.00am to 9.00pm on 26 January 2014; and
 - (ii) The parking restrictions, bounded from Labouchere Road, corner of Angelo Street to Hensman Street to Canning Highway to Ellam Street as outlined.

CARRIED EN BLOC RESOLUTION

Background

In July 2004, Council adopted Skyworks Strategy 2005 (the Strategy) to address crowd control, traffic management, litter, anti-social behaviour and excessive alcohol consumption on the South Perth foreshore for future Australia Day events. These issues were identified in a post-2004 event review after significant anti-social problems were experienced at the 2004 event. In addition, the City decided to introduce a range of new initiatives at the Australia Day celebrations including entertainment options and activities related to risk management in an effort to provide a range of opportunities for the community to participate in for the entire day and not just attend the event for the fireworks.

The Strategy focused on the following areas:

- The introduction of new Local Laws;
- Increased crowd control measures;
- Revised Traffic Management and Road Closure Plans;
- Initiatives to improve public transport and waste management; and
- A significant media and communications campaign.

The Strategy aimed to improve the experience of the event for the wider community by controlling liquor consumption, traffic and parking management, improving policing and reducing the amount of anti-social behaviour on the South Perth foreshore. Following the Australia Day celebrations in January 2005, the City

10.1.1 Australia Day 2014

conducted a community consultation survey to determine what effect the Strategy had had in terms of addressing the concerns of the previous year. The results showed that the Strategy had worked well and this was further built upon in 2006 through to 2008 with successful events conducted.

Following on from this, the 2009 Australia Day event saw the City of South Perth introduce a 'Family Zone' and a 'Youth Zone' as part of the celebrations. Both areas were extremely well received and they provided a range of creative and physical activities for families, young people and the community in general to enjoy throughout the day leading up to the fireworks. These initiatives were generously funded in part by Lotterywest. In 2010, the City built upon the popularity of the two 'zones' in the previous year to host a hugely successful event on the South Perth Foreshore. This event once again received substantial financial support from Lotterywest and Healthway, with 30,000 visitors enjoying the Family Zone and 10,000 visitors experiencing the Youth Zone.

In 2011 the decision was made to combine the Family and Youth Zones into one 'Celebration Zone' located on Sir James Mitchell Park directly behind the flagpole area. This decision was taken to enable families and groups to come together in one area, rather than being separated across two 'zones'. The 'Celebration Zone' was expanded to 100,000m², which was more than double the size of the two previous zones combined. This initiative was so successful that in 2012 it was continued, with the 'Celebration Zone' containing seventy (70) free activities for all ages, a central 'Big Top' with on stage entertainment including a screening of the Australian film 'Danny Deckchair' and a performance from the renowned 'Pigram Brothers', free drinking water stations and various healthy food stalls. In addition, the zone was once again alcohol and smoke free. However in 2012 the attendances were less than previous years due to extreme weather conditions on Australia Day which included 44° temperatures and an electrical storm. The weather conditions effected attendance numbers for the entire event including the City of Perth event and activities. However from the City of South Perth's perspective, the Celebration Zone was still successful, attracting 30,000 visitors and there was little or no anti-social issues or incidences of Police involvement .

In 2013 the City continued the same formula, with the key elements of the 2011 and 2012 events being retained such as the 'Big Top' tent, the screening of an iconic Australian film (Red Dog), the multi-cultural stage performances and the art competition tent. The 'Celebration Zone' contained sixty (60) free activities for all ages, ample shaded areas, free drinking water stations, various healthy food stalls and was once again alcohol and smoke free.

Comment

The 2014 celebrations will see an increase from 60 to 70 free activities for all ages, with a new event layout and additional features designed to accommodate people with disability. The City will install approximately one kilometre of accessible 'grass tracks' inside the Celebration Zone, there will be a free shuttle service for wheelchair users living in South Perth and ACROD parking areas will be increased from one to three along the foreshore.

Instead of a defined 'family zone' and 'youth zone' the new event layout will consist of six activity areas including a 'Toddler & Kids Zone', the 'Challenge Area', the 'Sports Zone', the 'Art Section', the 'Adrenalin Corner' and the 'Rides Park'. The 'Big Top' tent will host a free screening of the iconic Australian film 'Storm Boy', followed by live entertainment throughout the afternoon. As in previous years there will be

ample shaded areas, free drinking water stations, various healthy food stalls and the event will once again be alcohol and smoke free.

For 2014 the Safer Australia Day Strategy will be conducted along the same format and operations as previous years and the 'Celebration Zone' will again be an integral part of the Strategy. Strategies for Australia Day 2014 will consist of the following:

1. Public Transport

In 2012, the City expanded on its free bus shuttle service from George Burnett Leisure Centre to the 'Celebration Zone'. The buses ran every fifteen minutes between the hours of 10.00am and 9.30pm following the fireworks. This service is targeted towards City of South Perth residents in Manning, Karawara and Salter Point in particular, however anyone including non-residents are able to utilise this service. In 2014 the City will utilise the same amount of buses based at George Burnett Leisure Centre and for South Perth residents there will be the added service of an extra bus with a wheelchair lift which will need to be booked prior to Australia Day.

2. Local Laws

The Special Events Local Law provides City officers and other enforcement agencies with a range of offences that are backed up by additional powers under the Local Government Act (WA) 1995. The additional offences include the possession of liquor (whether or not the liquor is in a sealed container), possession or use of a large object ("large object" includes lounge chair, bed, refrigerator, spa/wading pool etc., and excludes shade shelters/umbrella's) and possession or use of loud stereos (as determined by amplification outputs). Since the introduction of these local laws, there has been a dramatic reduction in the number of large items being brought to the foreshore. In previous years large items such as lounges and inflatable swimming pools would be brought down to the foreshore resulting in the creation of nuisance obstructions or litter after the event had concluded.

3. Crowd Control

The Western Australian Police Service (WAPS) and City of South Perth Rangers will commence patrolling the restricted areas and Sir James Mitchell Park (SJMP) from approximately 6.00am on the morning of 26 January 2014. Initially Rangers will focus on illegal parking and large objects being taken to the foreshore and new in 2014, will also help control sensitive access points into the Celebration Zone. Management of the crowd will also be assisted by exclusion zones on Sir James Mitchell Park, Coode Street car park and Queen Street Jetty area. This will provide access for the various emergency services and hazard management agencies (HMA's) including the Police Command Posts. These restriction zones will assist with patrolling and rapid responses from the various HMA's. In addition, St Johns Ambulance will be providing a primary treatment facility on the South Perth foreshore to administer first aid assistance and to reduce the need for patient transfer to hospital plus the Department of Child Protection will have a lost children's facility inside the Celebration Zone.

4. Celebration Zone

Australia Day 2009 heralded the successful launch of the Family and Youth Zones and in 2010 the City extended these areas in response to the excellent feedback and successes of the 2009 event. In 2011, 2012 and 2013 as previously outlined, the two 'zones' were combined into one giant 'Celebration Zone' covering 100,000² immediately behind the flagpole area on Sir James Mitchell Park. This secure and managed area will once again in 2014 be transformed into a safe fun zone brimming with activities and entertainment for young children, youth and adults.

5. Road Closures (Access Restricted Area)

The roads bounded by Labouchere Road, Angelo Street, Douglas Avenue, Canning Highway and Ellam Street will be closed from 8.00am to 9.00pm on Australia Day allowing adequate time for people to attend the City's Australia Day Citizenship ceremony on the South Perth foreshore. This early closure is required to prevent people parking their vehicles in the access restricted areas and/or in car parks on the foreshore, congesting traffic and conflicting with pedestrian movement at the closure of the event. The road closures will be advertised in accordance with the requirements of the Local Government Act 1995 and in a number of different mediums including City publications, the community newspaper and on the City's website.

The City may declare general 'no parking zones', in accordance with the City's Parking Local Law, section 4.4 which states as follows:

4.4 General No Parking Zones

(1) In this clause—

(a) **'general no parking zone'** means, the area contained within the wards of Civic and Mill Point in the City of South Perth which area is bounded by and includes South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north; and

(b) the general no parking zone applies from 6.00am on 26 January to 6.00pm on 27 January each year.

(2) Where a general no parking zone applies, the local government establishes a general no parking zone, the local government must erect a sign at entry points to the general no parking zone indicating—

(a) the area that is a general no parking zone; and

(b) the dates and times during which the area is a general no parking zone.

(3) A driver must not park a vehicle on the road or a nature strip in a general no parking zone.

On Australia Day 2014 this area will be restricted with no parking on the road or verge and have staffed road closures at each intersection. Several intersections will be accessible into the access restricted area for use by residents, visitors and businesses. Permits to access the restricted area will once again be issued to residents, their visitors (those who can be parked on site only) and businesses. Verge parking permits will also be provided to residents within the access restricted area who do not have any physical onsite parking and as a result, are required to park their vehicles on the verge normally. To ensure vehicle and pedestrian safety, Police Traffic Branch and emergency services support the exclusion of vehicles parking on the road verge within the access restricted area. The exclusion of parked cars enables clear vision for pedestrians and access throughout the restricted area by authorised emergency vehicles.

The Coode Street boat ramp will be closed during the event to support the closure of Perth Waters to boats because of the fireworks. During the Australia Day event the Coode Street boat ramp parking area is used for the WA Police compound, by State Emergency Services and by St John Ambulance. There will be three ACROD

parking areas along the foreshore: at the end of Hurlingham Street, in the 'Boat Shed Restaurant' car park and inside the Celebration Zone (close to the Big Top). The City will employ the services of traffic management officers to secure the road closures as previously outlined in this report. Indicative costs for this service have been included in the 2013/2014 operating budget – Australia Day.

6. Traffic Management (Parking Restricted Area)

The proposed parking restricted area during Australia Day 2014 will extend from the access restricted area (as per item 5 of this report) to Hensman Street, to Canning Highway and to Ellam Street and be effective from 8.00 am to 9.00 pm. In 2011 the City successfully trialled a reduction in the amount of parking restricted streets in this area and in 2013 a further reduction was trialled, with the area between Hensman Street and South Terrace no longer being part of the Parking Restricted Area. Street signage, advertising in the community newspaper and a pamphlet drop will publicise all restrictions to local residents.

7. Waste Management

Event organisers (City of Perth and City of South Perth) will provide sufficient separate mini-skips for rubbish and recycling, which will be located at regular intervals along the foreshore. Biodegradable rubbish/recycling collection bags will also be distributed amongst the crowd for their use and to facilitate the post event clean-up.

8. Media and Communications

The Safer Australia Day Strategy 2014 provides for a number of initiatives and strategies which when combined are designed to more effectively manage the event. As in previous years, a targeted media and communications campaign is key. In that regard, the City will undertake some of this campaign directly and work closely with the event organisers and their radio and TV media partners to ensure the various elements of the City's Strategy are effectively communicated. In addition, the City will liaise with the Community Newspaper Group in terms of media releases and editorial leading up to Australia Day, as well as post event coverage.

Consultation

In reviewing and developing the Safer Australia Day Strategy 2014, consultation has occurred with officers of the following external organisations:

- City of Perth
- Town of Victoria Park
- Main Roads
- WA Police
- Department of Health
- DPI Marine Safety
- Keep Australia Beautiful
- Swan River Trust
- Department of Child Protection
- Total Road Services (TRS) - traffic management company
- Public Transport Authority
- Lotterywest
- State Emergency Service
- St John Ambulance
- Department of Mines and Petroleum
- FESA SES
- FESA Fire
- AEP Australian Event Protection
- Department of Environment and Conservation

10.1.1 Australia Day 2014

In addition consultation has also taken place with the Inclusive Community Action Group South Perth, which is facilitated by the City of South Perth.

Policy and Legislative Implications

Nil.

Financial Implications

Funding has been allocated in the 2013/2014 operating budget for the Australia Day event, plus grant funding applications have been submitted as follows:

- Lotterywest \$350,000 (awaiting notification – for the Celebration Zone)
- WALGA Road Safety Program - \$1000 (to be confirmed)

Strategic Implications

This report is consistent with the [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 Safer Australia Day Strategy 2014 will embrace and implement the City’s Sustainability Strategy in the areas of waste management in particular.

10.1.2 Public Art Strategy

Location: City of South Perth
Applicant: Council
File Ref: RC/402
Date: 1 November 2013
Author: Sabrina Bruni, Arts and Events Coordinator
Reporting Officer: Sandra Watson, Manager Community, Culture and Recreation

Summary

The City of South Perth currently has a distinct and diverse collection of temporary and permanent artworks in public places that celebrate the identity and history of the community, enhance the environment and contribute to a sense of place. However there is tremendous scope for further development and better management of the City's public art collection.

The purpose of this report is to seek Council endorsement of the Public Art Strategy (PAS) which has been developed to provide a framework and a considered approach to the development and management of public art within the City of South Perth. The Public Art Strategy also recommends that the Public Art Policy (P101) be amended to include a more purposeful method of 'encouraging' private developers to contribute to public art. Accordingly, this policy has been amended and provided as an attachment to this report.

Officer Recommendation and COUNCIL DECISION

That

- (a) The Public Art Strategy be endorsed and officers begin implementing the strategies outlined in the document;
- (b) The amended Public Art Policy (P101) which now incorporates a percent for art ordinance for private developers be endorsed.

CARRIED EN BLOC RESOLUTION

Background

The City has a significant number of public art pieces that have accrued over time that now need a resourceful approach to their management and administration. Additions to the Town Planning Scheme 6 and the 2012 review of the Public Art Policy (P101), which allows for a percentage for art ordinance, have resulted in the potential for escalating future acquisitions.

The development of a Public Art Strategy (PAS) establishes the strategic and administrative structure to managing the City's current public art assets and future projects. The purpose of the PAS is to provide the background and context to guide the City's direction in public art and articulate strategies that will;

- Better streamline the management of future projects and current works;
- Provide a more integrated approach to the management of the City's public art;
- Identify future projects and other potential opportunities; and
- Assist in maintaining a sustainable collection of public artwork.

Following a councillors briefing session held in August 2013, the PAS has had some amendments made to it. Incorporating these amendments, the final document contains a number of suggested strategies which are categorised into four guiding principles:

10.1.2 Public Art Strategy

1. Managing the public art process;
2. Maintaining the City's assets;
3. Promoting the City's assets; and
4. Further developing the public art collection.

Comment

A comprehensive review of the current policy relating to public art (P101) and current City practises in the area of public art was undertaken which included an update of the inventory of existing City artworks, research into other local government strategies, policies and practices relating to public art, consultation with City stakeholders and officers and consultation with an external art management agency.

From this review it was determined that there were a number of opportunities and areas of improvement. These opportunities have been identified as 'suggested strategies' and the objective, implementation and deadline for these strategies have been detailed within the PAS.

Identified strategies have been limited to achievable outcomes that can be managed within the next two years. This will allow for further review and amendment to the PAS should local government amalgamations take place in 2015.

Consultation

Extensive internal consultation with relevant officers was undertaken as well as a briefing to Council on the 26 August 2013 which sought comment and feedback. Eight councillors attended the briefing and provided comment. Additional feedback was also sought between the period of 27 August 2013 until 1 November 2013 from elected members not in attendance at the briefing and internal stakeholders. These suggestions have all been taken into consideration and additional amendments have been made. (See table below)

In addition there is special provision in the PAS for the establishment of an advisory group on public art comprised of relevant City officers, elected members and members of the community who have significant knowledge of the arts. This group will provide a further opportunity for consultation on public art projects to take place with external and internal stakeholders.

Amendment/Recommendation
Achievable timeline allocated against each objective
Layout and document context changes
Updated information with regard to Town Planning Scheme 6 information listed under developer contribution's section
Inclusion of current major strategic projects as examples of future percentage for art ordinance developments
Removal of images that show examples of public art outside of the City of South Perth and replaced with images of some of the City's public art

A copy of the final Public Art Strategy can be found at **Attachment 10.1.2 (a)**. A copy of the revised Public Art Policy (P101) can be found at **Attachment 10.1.2(b)**.

Policy and Legislative Implications

The PAS recommends a review of the current Public Art Policy P101 to incorporate a percentage for art ordinance on developments of \$4M or over in development value. This aspect of the policy has an associated expectation that private developers

10.1.2 Public Art Strategy

contribute 1% of the total cost of their project (for projects over \$4 million) towards a public art piece. The Policy has been amended to reflect the recommendation in the Public Art Strategy.

Financial Implications

\$50,000 has been set aside in this financial year to establish the 'Public Art Fund'. Other costs associated with the objectives and strategies in the Public Art Strategy will be covered by the 2013/14 operating budget including staff resources. Any public art projects that are initiated in the future will be costed within the total project cost in the case of City developments or redevelopments and in the case of developer contributions towards public art, any costs associated with these projects will be encompassed within the contribution from the private developer.

Strategic Implications

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

The PAS aligns with the following goals in the *City of South Perth Strategic Plan 2010–2015*:

1. Community – Create opportunities for a safe, active and connected community.
2. Environment – Nurture and develop natural spaces and reduce impacts on the environment.
4. Places – Plan and develop safe, vibrant and amenable places.

Sustainability Implications

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

10.2 STRATEGIC DIRECTION 2: ENVIRONMENT

Declaration of Impartiality Interest from Councillor Huston

"I declare an impartiality interest in Agenda Items 7.2.4 (Concept Briefing – South Perth Foreshore 2013 and Beyond and the Old Mill Project) and 10.2.1 (South Perth Foreshore 2013 and Beyond Project Status) on the Council Agenda for the meeting to be held 26 November 2013.

I disclose that I have a right of occupancy at 193 Mill Point Road. As a consequence, there may be a perception that my impartiality on these items may be affected, given the proximity of the South Perth Foreshore to the property where I have a right of occupancy. I declare that I will consider this matter on its merits and vote accordingly."

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

Location: City of South Perth
Applicant: Council
Date: 8 November 2013
Authors: Karen Lancaster, Landscape Architect
Mark Taylor, Acting Director Infrastructure Services
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

The City has completed the first two stages of community and stakeholder consultation for the South Perth Foreshore 2013 and Beyond project. This report summarises the feedback received, discusses the next steps, and recommends Council approve the progression to the next stage of the project to develop a Strategy Document and Management Plan.

Officer Recommendation

That based on the community and stakeholder feedback received for the South Perth Foreshore 2013 and Beyond project, Council approves the development of a Strategy Document and Management Plan for the South Perth foreshore.

Amended Motion

Moved: Councillor Lawrance

Seconded: Councillor Reid

That based on the community and stakeholder feedback received for the South Perth Foreshore 2013 and Beyond project, Council approves the development of a Strategy Document and Management Plan for the South Perth foreshore (incorporating Sir James Mitchell Park), which includes the following:

- a) No freehold and/or resumed land on the South Perth foreshore be sold or the subject of a 99 year lease for the purpose of development;
- b) Existing land titles be reviewed to ensure they reflect their original intention;
- c) Items rated greater than 3 (neutral) in the Survey will be considered and Items rated less than 3 will be excluded;
- d) Additional information presented during the feedback period that corrects or enhances the draft document be incorporated; and

- e) All steps be taken to ensure:
 - i. amenity of the South Perth foreshore is retained; and
 - ii. longevity of the South Perth Foreshore as recreational parkland for future generations.

Amendment to the Amended Motion

Councillor Huston suggested the following amendments to the above amended motion:

That based on the community and stakeholder feedback received for the South Perth Foreshore 2013 and Beyond project, Council approves the development of a Strategy Document and Management Plan for the South Perth foreshore (incorporating Sir James Mitchell Park), which includes the following:

- a) No freehold and/or resumed land on the South Perth foreshore be sold or;
- b) No freehold and/or resumed land on the South Perth foreshore be subject of a lease exceeding 21 years (including options) ~~99 year lease~~ for the purpose of development;
- c) Existing land titles be reviewed to ensure they reflect their original intention of foreshore recreation and to be designated for that purpose only (excluding the area zoned local reserve);
- d) Items rated greater than 3 (neutral) in the Survey will be considered and Items rated less than 3 will be excluded;
- e) Additional information presented during the feedback period, and during public presentations made to Council on 19 November 2013, that corrects or enhances the draft document be incorporated; and
- f) All steps be taken to ensure:
 - i. amenity of the South Perth foreshore is retained; and
 - ii. longevity of the South Perth Foreshore as recreational parkland for future generations;
- g) Any policy arising from the Management Plan or Strategy Document be referred to a future Council Meeting for approval; and

These amendments were acceptable to the mover and seconder of the motion and incorporated into the amendment.

Amendment to the Amended Motion

Councillor Hawkins-Zeeb suggested an additional clause h)

- h) Ensure that all existing policy documentation be altered to reflect the aforementioned issues and referred to a future Council meeting for approval.

This amendment was acceptable to the mover and seconder of the motion and incorporated into the amendment.

The Mayor put the motion.

COUNCIL DECISION

That based on the community and stakeholder feedback received for the South Perth Foreshore 2013 and Beyond project, Council approves the development of a Strategy Document and Management Plan for the South Perth foreshore (incorporating Sir James Mitchell Park), which includes the following:

- a) No freehold and/or resumed land on the South Perth foreshore be sold;
- b) No freehold and/or resumed land on the South Perth foreshore be subject of a lease exceeding 21 years (including options) for the purpose of development;
- c) Existing land titles be reviewed to ensure they reflect their original intention of foreshore recreation and to be designated for that purpose only (excluding the area zoned local reserve);
- d) Items rated greater than 3 (neutral) in the Survey will be considered and Items rated less than 3 will be excluded;
- e) Additional information presented during the feedback period, and during public presentations made to Council on 19 November 2013, that corrects or enhances the draft document be incorporated; and
- f) All steps be taken to ensure:
 - i. amenity of the South Perth foreshore is retained; and
 - ii. longevity of the South Perth Foreshore as recreational parkland for future generations.
- g) Any policy arising from the Management Plan or Strategy Document be referred to a future Council Meeting for approval; and
- h) Ensure that all existing policy documentation be altered to reflect the aforementioned issue and referred to a future Council meeting for approval.

CARRIED (8/0)

Background

The extent of the South Perth Foreshore (SPF) for the purposes of the SPF 2013 and Beyond project covers the Swan River foreshore parkland from Ellam Street in the east to Mill Point Reserve, west of the Narrows Bridge. The majority of this foreshore is known as Sir James Mitchell Park; however, Clydesdale Park, the Esplanade and Mill Point Reserve are also included. The project also considers physical and visual connections to the foreshore including the Perth Zoo and the Mends Street precinct, as the gateway to the City of South Perth.

The South Perth Foreshore is the largest and most important recreational reserve within the City of South Perth. Like other large public open space areas such as Cottesloe Beach, the SPF is of regional significance. On a regional basis it is considered by many to be, along with Kings Park and Cottesloe Beach to name a few, one of the most significant areas of public open space in the greater Perth metropolitan area.

The existing management framework for the SPF is the Sir James Mitchell Park Foreshore Management Plan (2001 Plan). This document was adopted by the City and the Swan River Trust in April 2001, following an extensive community involvement, which is indicative of the considerable public interest in the SPF. The

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

2001 Plan has been successful in many ways, mainly because it has provided a stable management framework for the City to work from. Twelve years on, many of the priority actions identified in the 2001 Plan have been implemented and it is in need of review.

In addition, much of the infrastructure within the SPF is reaching or has reached the end of its useful life. The City provides considerable funds each year to maintain the status quo on the SPF, with \$800,000 allocated in the 2012/2013 annual budget. However, funding for key and necessary infrastructure upgrades and improvements (such as the river wall, irrigation system, lakes remediation, playgrounds, furniture and barbecues), is a lot more difficult to come by.

A number of improvements have been made by the City, some with State Government contributions, including the beaches project, barbecue and shelter areas, a viewing deck, the separation of pedestrian and cycle pathways, additional lighting, plus minor wall repairs. However, many plans for major upgrade works, for example the Old Mill revitalisation and Swan Habitat creation have to date not been successful in attracting the funding.

In order to maintain and enhance a significant area of public open space and importantly, to attract the necessary funds for it, a plan for its management is required to demonstrate it is being managed in a planned and coherent way.

Global and national trends shaping our world are impacting on Perth. These include:

- An increasing, yet ageing population (estimated to be 4.3 million by 2050),
- Greater urbanisation and density impacting local environmental degradation and creating more emphasis on the provision of effective public open space,
- A warming and drying climate resulting in the need for greater water efficiency and effective strategies to keep people cool in the warmer months,
- A changing local community demographic with aspirations and technology that were not even thought of when the 2001 Plan was adopted.

These factors result in the requirement to place greater focus on designing recreational places which promote healthy and connected communities which can respond to changing conditions. It was as a result of these aspirations and issues that the City commenced the visioning process which led to the 'Our Vision Ahead' document. This fed into the City's Strategic and Corporate planning processes and now the development of a new SPF plan (SPF 2013 and Beyond) to replace the 2001 Plan.

Comment and Consultation

The first round of the consultation process 'Start the Conversation' was completed on 22 February 2013, with a total of 377 comments received. From this initial 'ideas gathering' stage of the project, it was clear that the foreshore is considered an iconic and well-loved place in South Perth, but the community believed it is tired and in need of revitalisation, including some new activities and attractions to bring it back to life.

These ideas were developed into the draft South Perth Foreshore 2013 and Beyond documents Part 01 and Part 02.

At the May 2013 meeting, Council resolved the following in respect to this project:

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

That

- (a) Council endorse the draft South Perth Foreshore 2013 and Beyond document for the purpose of conducting community consultation for a period of 6 weeks; and*
- (b) At the completion of the consultation period, the Council consider a further report containing an analysis of the comments received and the resultant review of the South Perth Foreshore 2013 and Beyond document for formal adoption.*

The second round of consultation for the project was titled 'My Foreshore Our Future' to reflect the desire to gather individual views on the foreshore in order to plan for a collective future. A communications plan for the formal consultation period was developed, as well as a process to receive, consider and collate feedback.

The Survey

The survey was developed and workshopped with Council. It was then created into a paper copy and an online survey and was made available for submissions and feedback from 1 July 2013 to initially 18 August, then extended to 30 August.

The aim of the survey was to gauge community opinions about the Objectives, Nodes and Opportunities listed in the draft Part 01 SPF document and to prioritise which Objectives, Nodes and Opportunities should be considered in what order, for further more detailed planning. The Part 02 document provided Background and Context to the project. The aim was also to finalise and enhance the documents from their current draft (1 July 2013 Revision C) to the final South Perth Foreshore 2013 and Beyond Strategy (Management) document, for consideration by Council later in the process.

In order to communicate this intention, a graphic postcard sized notice was mailed to every resident / ratepayer of the City advising the document was available for comment and how they could access the survey. The feedback process was also available to non-residents of the City, through media advertising and information along the foreshore, including posters and banners.

Both Part 01 and Part 02 of the draft South Perth Foreshore 2013 and Beyond and the Survey were made available from the City's website, and in paper format at the South Perth Civic Centre, George Burnett Leisure Centre, and South Perth and Manning libraries.

Feedback and Respondents

A total of 2632 people visited the South Perth Foreshore page on the City's website during the feedback period and 978 provided feedback. A total of 934 surveys were completed (online & paper), with two thirds of respondents completing the entire survey and one third opting out after Part A (Part B contained more detail on the Foreshore Nodes and was optional).

Over 75% of respondents resided in the City of South Perth, with the remainder from metropolitan Perth, other than 3 people from country Western Australia and 1 from New South Wales. 53% of respondents were female, and 47% male; with almost half in the 35-59 age category, 28.3% over 60 years, 17.7% aged 25-34, and 4% under the age of 25.

Comments Received

A total of 578 comments were provided with a survey response, with many lengthy, insightful and constructive comments received.

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

Of the 978 responses almost 10% may have been influenced by a separate local residents' campaign that ensued during the feedback period, with comments concerned that the City intended to sell and / or enter into very long term leases of public open space on the South Perth Foreshore. Information was provided on a series of flyers that were distributed widely in the local community.

In response, the Mayor made a public statement at the August council meeting, which has been recorded in the Minutes of that meeting. Her statement, in part reads:

"A public debate 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 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."

The Survey Results and SPF project information was the subject of an Elected Members Concept Briefing held on 30 October 2013.

Objectives

All of the SPF 2013 and Beyond project's eight objectives, other than 'Facilitate economic development' rated highly with an average rating of over 3.5. This demonstrates strong support for the objectives. It also highlights the need to consider a balance between economic development and the other objectives for the Foreshore.

The top 3 rated objectives were 'Encourage healthy lifestyles', 'Maintain vistas' and 'Develop and enhance existing parkland, flora and fauna'.

Opportunities for the Foreshore

Opportunities for both 'Whole of Foreshore' considerations and 'Node' specific opportunities were listed in the survey, having been developed from the earlier stages of the project.

All 19 'Whole of Foreshore' opportunities rated over 3.0, indicating support, except for commercial activities, for which 367 people (over 1/3) placed low or very low importance. The following 8 opportunities received ratings over 3.50:

Table 1 – Whole of Foreshore Opportunities Ranking

2.1.2. Improve the paths for cyclists and pedestrians	4.07
2.2.2. Improve safety and lighting	4.02
2.4.5. Environmental improvements	3.80
2.2.1. Improve park facilities - signage, toilets, bins etc	3.79
2.2.3. Increase shade and shelter	3.74
2.1.6. Improve access for all	3.61
2.1.1. Develop an integrated public transport network	3.60
2.3.5. Outdoor activities and facilities	3.57

Nodes

Respondents were next asked to rank each of the Nodes from 1 to 10 in order of how important they felt it was to revitalise each these areas of the foreshore. A total of 879 respondents provided rankings for the 10 nodes. These were ranked in order of 'how important it is to revitalise', with 1 being the most important, and 10 being the least important. The Node with the lowest Response Average score is therefore rated as the most important to revitalise.

Table 2 – Node Ranking

Node	Response Average	Response Total	Response Count
1. Mends St	4.02	3,524	877
2. Coode St	4.83	4,231	876
3. Mends St Beach	4.90	4,293	876
4. Coode St Beach	5.08	4,446	876
5. Mill Point	5.10	4,476	877
6. Deck/ Melaleuca Grove/ Scented Garden	5.39	4,713	875
7. The Lakes	5.60	4,898	875
8. Esplanade West	5.82	5,097	876
9. Flag Pole	6.33	5,538	875
10. Ellam Street	6.67	5,836	875

'Mends Street', is the foreshore node ranked the most important to revitalise and also had all of its 'Opportunities' rated highly. The highest importance was placed on creating a pedestrian friendly piazza and promenade; followed by lighting, jetty improvements, integrated transport, creating an entry and gateway for South Perth at Mends Street and increased activation along the Mends Street retail strip. Improving shade and shelter at Mends Street Beach also had high to very high importance placed on it.

The 'Coode Street' area, which was ranked of second importance, had all of the opportunities listed rated positively; with upgrading family recreation facilities, including playground facilities and improving transport options and connectivity considered to be the three most important of the opportunities presented. The highest rated opportunity for the Coode Street nodes was for improved shade and shelter at the Coode Street Beaches, which ranked as the fourth node in order of importance to revitalise.

Specific opportunities for each of the ten nodes, ratings and comments were provided in the Feedback Survey Results report, already provided to Councillors, including the comments in full. This is available on the City's website as two separate documents, the Feedback Survey Results and the Feedback Survey Comments.

Key node-specific opportunities for the 10 nodes include environmental enhancements, lighting, pathways, cycle and pedestrian links to the city and Heirisson Island, improvements to family picnic and recreation areas including playgrounds, and a greater relationship to the water's edge.

Survey Conclusion

The survey results provide valuable information on the Objectives, Nodes and Opportunities listed in the draft Part 01 South Perth Foreshore document to assist with prioritising future planning and revitalisation.

It is clear from the survey results the community values and wants to preserve many of the existing attributes of the SPF but would also like some enhancements made.

This information, along with other recommendations provided during the feedback period, will be incorporated into the final South Perth Foreshore 2013 and Beyond Strategy Document and Management Plan, for consideration in decision making by Council later in the process.

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

Correspondence, Including Written Submissions Received

The City also received 44 other items of correspondence relating to this project including three detailed submissions. All survey results and correspondence will be carefully considered together in the development of the Strategy Document and Management Plan.

Direction from Here

The next stage in the SPF 2013 and Beyond process is to develop the Strategy document and Management Plan. This will be achieved by utilising the feedback received from the survey plus submissions and will also include other information such as the administrative and legislative framework, physical, environmental and historical information. In summary, the Strategy Document will contain all of the necessary information required to manage the foreshore, as per the 2001 Foreshore Management Plan, plus a refinement of the opportunities for rejuvenating the foreshore as per the feedback received.

In order to assist the development of the Strategy Document and Management Plan and to ensure it retains a good balance of all the community's aspirations, the City proposes to enhance the Sir James Mitchell Park Community Advisory Group. A report will be presented to Council at the December 2013 meeting discussing this proposal in more detail.

It is proposed to have the Strategy Document and Management Plan completed in time for Council to consider later in the 2013/2014 financial year.

If Council resolves to adopt the Strategy Document and Management Plan, an Implementation Plan will be prepared based on the priorities identified in the Strategy Document and Management Plan. This will include other important documents required to guide the future management of the foreshore, for example Public Realm Guidelines, plus opportunities for low cost interim activation strategies and projects which could be used to test ideas without expending large amounts of money.

The Implementation Plan will be developed with due consideration of the City's ability to fund projects through the Strategic Financial Plan and annual budgets and will also identify which projects could potentially receive external funding.

The Implementation Plan will be the basis for the City to commence more detailed planning based on specific identified nodes, opportunities and established priorities. This stage will involve consultation with the community and will lead to plans and projects being considered by Council for adoption and implementation.

Conclusion

SPF 2013 and Beyond is a long term project to guide the future management of the South Perth foreshore. As custodians of the foreshore, it is incumbent on the City to ensure the foreshore continues to be sustainably managed into the future.

The City is aware this project has created uncertainty in sections of the community, particularly among some residents living close and adjacent to the foreshore. Rumours have circulated claiming the City intends to sell parts of the SPF, or is going to make changes without community involvement, which is not correct.

This project is being developed to ensure that Council and the community remain involved throughout the development and implementation processes. This will mean the project will be implemented over a long period of time with many opportunities

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

for further community involvement. However, it will also ensure it is actioned in a way that ensures the aspirations of all of the community are considered in balance.

As a result of the steps taken to date, the City has an excellent base with which to move forward to the next important stage of this project and develop the SPF Strategy Document and Management Plan.

Policy and Legislative Implications

The South Perth Foreshore 2013 and Beyond project will provide the City with a Strategy Document and Management Plan from which to develop more detailed plans for whole of foreshore and precinct/node-specific projects.

The South Perth Foreshore 2013 and Beyond Strategy Document and Management Plan will require formal consideration by the Swan River Trust because the foreshore is within the Trust's Development Control Area. The Trust exercises planning control in the Development Control Area in accordance with the Swan and Canning Rivers Management Act (2006).

Financial Implications

A total of \$141,406 has been spent on this project as of 8 November 2013, commencing in the 2012/2013 financial year and continuing into 2013/2014. Additional funding of \$50,000 is provided in the 2013/2014 budget to complete the project to Strategy Document and Management Plan stage.

Strategic Implications

In October 2009, the Council adopted *Our Vision Ahead*. This was a plan of the community to identify their future aspirations and priorities for the City. *Our Vision Ahead* involved significant consultation with residents, community groups, business, schools and visitors.

The following Vision was established:

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

Key themes of *Our Vision Ahead* that relate to the South Perth Foreshore are:

Community

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

Create opportunities for social activity – develop strategies that create opportunities for interaction between people and encourage vibrant community activity.

Design shared spaces e.g. parks and footpaths with more lighting and shade to encourage informal connections and walking.

Increase the visibility and promotion of Aboriginal heritage (physical, cultural, spiritual and social) throughout the community and City e.g. involvement of local Aboriginal artists at events, along with use of the Aboriginal flag.

Environment

Manage the River Foreshore Enhance the river foreshore through sensitive management of the rivers and surrounding areas, ensuring the right balance is achieved between green open

10.2.1 South Perth Foreshore 2013 and Beyond Project Status

spaces for leisure and events, natural river and vegetation, and opportunities for social/cultural activity and development.

Develop and facilitate collaborative planning forums to determine the right balance for the river foreshores.

Place

Our City is a vibrant place for visitors, tourists, businesses and residents. We have shared spaces for interaction and recreation within our suburbs that showcase and celebrate our unique heritage, culture, creativity and diversity, and give us a shared sense of enjoyment, belonging and connecting to the place in which we live.

Maintain and Celebrate Heritage - Incorporate heritage stories, places and values into business and tourism development strategies.

Open Spaces that Build Community

Develop strategies to ensure that all open spaces are attractive and encourage a wide range of uses.

Develop a strategy to increase active and passive recreational use of the City's parks, foreshores and rivers; including more barbecues, seating, shade and water based recreation activities.

A key discussion point about the SPF from *Our Vision Ahead* is:

How do we balance the desire for a Southbank-style development of segments of the South Perth foreshore with immediately adjoining resident's needs, open space landscapes and passive and active recreational uses?

This must be considered when determining what is the appropriate planning mechanism for the SPF. It can only be achieved by considering the perspective of all users and stakeholders, and consideration of the regional contribution of the SPF to the greater Perth metropolitan area.

In response to *Our Vision Ahead*, the City developed the Strategic Community Plan 2013–2023. The following directions are relevant to the SPF:

Direction 2 *Environment* - "Enhance and develop public open spaces and manage impacts on the City's built and natural environment" and specifically 2.5 "Identify, develop and promote a range of sustainable uses for the Swan and Canning River foreshore reserves"

Direction 4 *Places* – "Develop, plan and facilitate vibrant and sustainable community and commercial places" and specifically 4.4 "Engage the community to develop a plan for vibrant activities and uses on and near foreshore areas and reserves around the City".

The South Perth Foreshore 2013 and Beyond Strategy Document and Management Plan will be used to provide a clear direction for foreshore improvements for the next decade. To support it, an Implementation Strategy and Business Case process will be developed to guide the feasibility, funding and development of projects.

Sustainability Implications

The process being used to develop the South Perth Foreshore 2013 and Beyond Strategy Document and Management Plan is sustainable because it is attempting to consider the quadruple bottom line elements:

- Social - the level of community and stakeholder engagement,
- Economic - ensuring that sound business principles are incorporated into future plans, and
- Environmental - considering the current and future environmental issues concerning the foreshore.
- Governance - the framework by which the City administers the process of considering the other three factors.

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

Location: Lot 220 (No. 464) Canning Highway, Como
Ward: Como Ward
Applicant: Mr John Gruen - "Xoticar"
Lodgement Date: 24 July 2013
Date: 1 November 2013
Author: Erik Dybdahl, Statutory Planning Officer
Reporting Officer: Vicki Lummer, Director, Development and Community Services

Summary

On the 24 July 2013, the City received a planning application proposing a change of use from "office / showroom" to "motor vehicle sales premises" at Lot 220 (No. 464) Canning Highway, Como.

While City officers conditionally approved the change of use application under delegated authority, during the assessment process the assessing officer discovered that, following a check of City records, the existing roof-mounted signage on the subject site had no prior planning approval or sign licence. Furthermore, roof-mounted signage is prohibited under Clause 6.12 (3) of the City's Town Planning Scheme No. 6 (TPS6). Condition (2) of the determination dated 21 August 2013, referred to as Attachment 10.3.1(b), was placed on the application for planning approval requiring the sign be removed within 28 days of the determination. The applicant has since requested a review of this condition, referred to in Attachment 10.3.1(a), asking the City to consider the history of the sign's existence and use on the site, permitting it to remain.

The prohibition of roof-mounted signage under Clause 6.12(3) does not provide officers with discretion to approve it under Clause 7.8 of TPS6.

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

Element on which discretion is sought	Applicable provisions of TPS6
Council is informed that TPS6 does not offer discretion with respect to roof-mounted signage	Clause 6.12 of TPS6 "Signs" Clause 1.6 of TPS6 "Scheme Objectives" Clause 7.5 of TPS6 "Matters to be Considered by Council"

It is recommended that the review of the condition of planning approval **be refused**, and the condition requiring the removal of the roof signage upheld.

Officer Recommendation and COUNCIL DECISION

That, with respect to the applicant's request for the reconsideration and removal of Condition (2) of the Notice of Determination of Application for Planning Approval dated 21 August 2013 requiring the sign be removed within 28 days of the determination at Lot 220 (No. 464) Canning Highway, Como, the applicant be advised that Council is not prepared to delete the condition as its removal will result in conflict with Clause 6.12 "Signs" and Clause 1.6 "Scheme Objectives" of the City of South Perth Town Planning Scheme No. 6.

CARRIED EN BLOC RESOLUTION

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

Background

On 24th July 2013, the City received an application for planning approval relating to a proposed change of use from “showroom” to “motor vehicle sales premises”, Xoticar at No. 464 Canning Highway.

The proposal included signage, but only to replace the existing signage onsite with the new business information to the same extent as was already approved and present onsite. Previous occupiers of the site had sought and been granted approval for all of the fascia and pylon signage present onsite, yet no signage application or approval on record had included the roof-mounted sign. A review of historical photos found that the roof-mounted signage has been present and in use for a period of over 10 years, prior to the gazettal of TPS6.

In accordance with Clause 6.12(3) of TPS6, “Roof-mounted signs are prohibited”, a condition was placed on the planning approval requiring the roof-mounted sign to be removed within 28 days of the determination. Clause 6.12(5) of TPS6 does permit signs legally erected prior to the gazettal of TPS6 to remain, however as no prior approval is on record, this clause cannot be employed in this circumstance.

Condition (2) of the determination dated 21 August 2013 states:

The proposed roof-mounted sign (erected without prior approval) does not form a part of this planning approval. In accordance with Clause 6.12(3) “Signs” of the City of South Perth Town Planning Scheme No. 6, roof mounted signs are prohibited. Refer also to Important Note.

Important Note:

With regard to Condition (2) of this approval, the proposed roof sign which has been erected without prior approval should be removed within 28 days of this determination.

The applicant has requested a review of the condition of approval, requesting the City reconsider the directive as the roof-mounted sign has been in place and in use by both of the previous occupiers of the site for a period of over 10 years, as confirmed with historical photo evidence. Clause 6.12(3) of TPS6 does not provide discretion with regard to roof-mounted signage. Officers are recommending to the Council that the condition be upheld.

The development site details are as follows:

Zoning	Highway Commercial / Regional Road
Density coding	R80
Lot area	1,526 sq. metres
Building height limit	7.0 metres
Development potential	Discretionary land uses, as listed in Table I of TPS6 Road reserve considerations / limitations

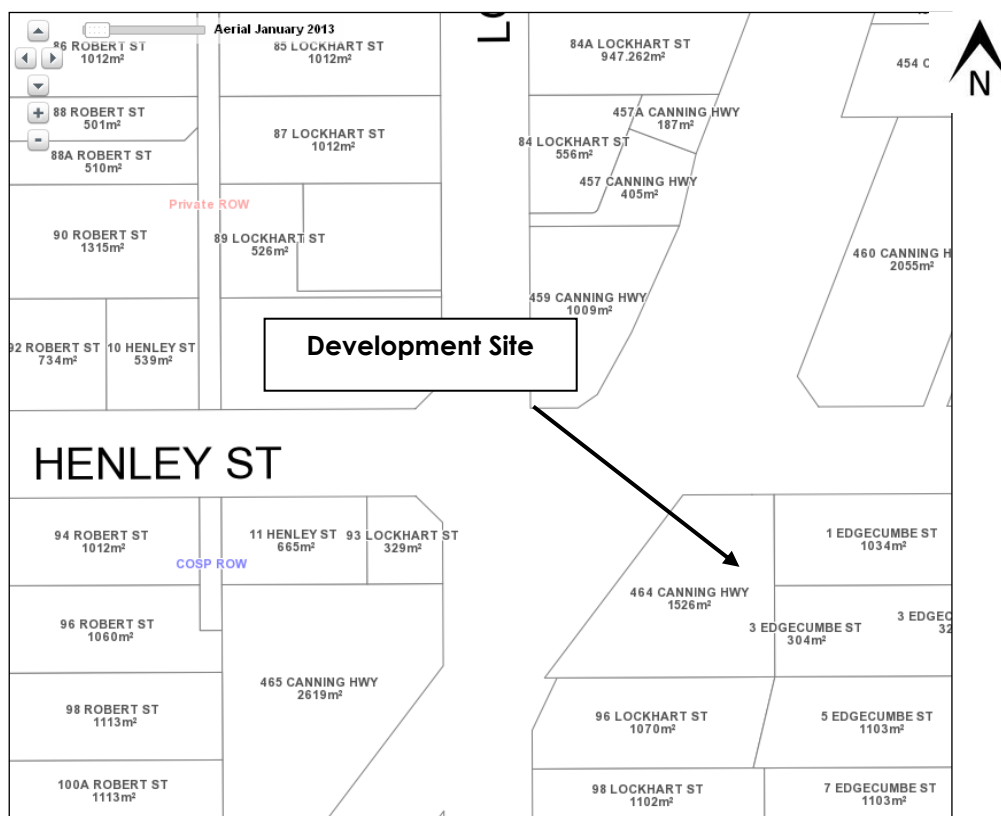
This report includes the following attachments:

Attachment 10.3.1(a) Applicant’s request to reconsider condition of planning approval.

Attachment 10.3.1(b) Notice of Determination of Application for Planning Approval (11.2013.364).

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

The location of the development site is shown below:



In accordance with Council Delegation DC690, the proposal is referred to a Council meeting because it falls within the following categories described in the delegation:

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

FOOTNOTE

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

- (a) *Request the matter be reviewed at a Council meeting following the submission of another Schedule 6 Form of Application for Planning Approval; or*
- (b) *Lodge an appeal with the State Administrative Tribunal within 28 days of the determination date recorded on this notice.*

Comment

(a) Existing development on the subject site

The subject site is located at Lot 220 (No. 464) Canning Highway, Como (the site). The original site was developed as a motor vehicle showroom and saleyard for a previous occupier in 1992. Since 1992, the place has generally remained for the purpose of motor vehicle sales, however the use was changed in 2010 to “office / showroom” before most recently returning to the “motor vehicle sales premises” use as per this latest planning application for change of use lodged by *Xoticar*.

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

City records indicate that the previous site occupiers have sought, and gained planning approval, for a total of four (4) fascia signs on the face of the building and one (1) pylon sign in the north-east corner of the site. An unapproved roof-mounted sign has existed and has been utilised by current and previous occupiers of the site for a period of over 10 years.

As there is no record of the roof-mounted sign's initial construction, it is difficult to know exactly when the structure was erected. Historical aerial photography (see Section (c) below) dating back to 2000 does show the sign present prior to the gazettal of TPS6 which introduced Clause 6.12(3) relating to the prohibition of roof-mounted signage.

(b) Description of the surrounding locality

The site is situated at the intersection of Canning Highway and Henley Street in Como with frontage to Canning Highway to the west, and frontage to Henley Street to the north. This portion of Canning Highway is characterised by commercial development, whilst those properties not fronting Canning Highway are a mix of residential developments, primarily single houses.

Figure 1 Depicts the subject site and surrounds.



(c) Description of the proposal

The proposal involved a change of use from “showroom” to “motor vehicles sales premises” at the site described above; a return to the original use of the site. While the City was able to support the change of use, it was discovered during the planning assessment process that an existing roof-mounted sign had no record of planning approval or sign licence issued by the City. TPS6 Clause 6.12(3) prohibits all roof-mounted signage. Despite this prohibition, the roof-mounted sign is expected to have been erected more than 10 years ago by the

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

original occupier of the site. The aerial photograph below demonstrates the history of the roof-mounted signage dating back as early as 2000, while the street elevation photographs show the original roof-mounted sign believed to be erected by the original occupier, and the current replacement signage erected by *Xoticar* as per the change of use application approved conditionally on 21 August 2013.

Figure 2 Historical *Intramap* aerial imagery demonstrates the presence of the roof-mounted signage as early as 2000.



Figure 3 Historical signage photograph – Previous occupier, 2007.



10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

Figure 4 Current signage photograph – Current occupier, Xoticar 2013.



The proposal for this roof sign does not comply with the Scheme and relevant Council policies as discussed below.

(d) Roof-mounted signage

It is clear, as demonstrated by the historical photography in Section (c) above, that the roof-mounted signage in question has been present on the subject site as early as 2000, prior to the gazettal of TPS6 in 2003 which introduced Clause 6.12(3): “Roof-mounted signs are prohibited.”

In accordance with Clause 6.12(5) of TPS6:

“Signs which:

- (a) were lawfully erected, placed or displayed prior to the gazettal of this Scheme; or
- (b) are permitted to be erected, placed or displayed pursuant to a licence or other approval granted by Council prior to the gazettal of this Scheme;

may, except as otherwise provided, continue to be displayed or to be erected in accordance with the licence or approval.”

The City’s records indicate that the existing four (4) fascia signs and the one (1) pylon sign onsite have prior approval, and record of being included in previous planning approvals or sign licences. As there is no such evidence or record of approval for the roof-mounted signage with the City, Clause 6.12(5) of TPS6 cannot be applied in this circumstance. Furthermore, no discretion is provided for signage variations in Clause 7.8 “Discretion to Permit Variations from Scheme Provisions” of TPS6. Given this, officers have little choice but to recommend refusal of a review of Condition (2).

(e) 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.

10.3.1 Reconsideration of a Condition of Planning Approval - Roof-Mounted Signage (Motor Vehicle Sales Premises) - Lot 220 (No. 464) Canning Highway, Como

Of the 12 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (e) *Ensure community aspirations and concerns are addressed through Scheme controls.*

The roof-mounted signage is considered to conflict with the above clause as explained elsewhere in the report.

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

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

- (a) *The objectives and provisions of this Scheme, including the objectives and provisions of a precinct plan and the Metropolitan Region Scheme.*

The roof-mounted signage is considered to conflict with the above clause as explained elsewhere in the report.

Neighbour Consultation

While the City did conduct appropriate consultation for the applicant's change of use application, no negative objections or comments were submitted to the City in relation to any signage on the site or the proposed land use. Several residents called asking for further details or explanation of the proposal, but registered no submissions relevant to the change of use or onsite signage.

Policy and Legislative Implications

Comments have been provided elsewhere in this report in relation to the various provisions of the Scheme, R-Codes and Council policies, where relevant.

Financial Implications

This determination has no financial implications. There may be costs involved if the City is required to enforce this condition.

Strategic Implications

This report is consistent with the City's [Strategic Plan 2013–2023](#), Direction 4 - Places "Develop, plan and facilitate vibrant and sustainable community and commercial places".

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). The existence and use of the roof-mounted sign is not expected to have any sustainability related implications.

Conclusion

Officers observe that Clause 6.12(3) and 6.12(5) of TPS6 prohibit the approval and erection of all roof-mounted signage unless approval can be demonstrated prior to the gazettal of TPS6. In this case, no record of approval for the roof-mounted signage is evident, therefore it is recommended that the applicant's request for a review of Condition (2) of the notice of determination dated 21 August 2013 be dismissed and the condition of approval be upheld.

10.3.2 Proposed Three Storey Office Building - Lot 61 (No. 7) Lyall Street, South Perth

Location: Lot 61 (No. 7) Lyall Street, South Perth
 Ward: Mill Point Ward
 Applicant: Bruce McLean Architects
 Lodgement Date: 22 August 2013
 Date: 1 November 2013
 Author: Trinh Nguyen, Development Services
 Reporting Officer: Vicki Lummer, Director, Development and Community Services

Summary

To consider an application for planning approval for a three storey office building on Lot 61 (No. 7) Lyall Street, South Perth.

Element on which discretion is sought	Source of discretionary power
Side and rear setbacks	TPS6 Schedule 6, Element 7

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Hawkins-Zeeb

Seconded: Councillor Irons

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 three storey office building on Lot 61 (No. 7) Lyall Street, South Perth, **be approved** subject to:

(a) Standard Conditions

416	Street tree - Not to be removed	470	Retaining walls - If required
507	Street tree - Protect and retain	471	Retaining walls - Timing
390	Crossover - Standards	455	Dividing fences - Standards
393	Verge and kerbing works	456	Dividing fences - Timing
625	Sightlines for drivers	445	Stormwater infrastructure
352	Car bays - Marked and visible	550	Plumbing
353	Visitor bays - Marked and visible	660	Expiry of approval
354	Car bays - Maintained		

(b) Specific Conditions

- (i) Revised drawings shall be submitted prior to submitting a building permit application, and such drawings shall incorporate two designated visitor parking bays clearly marked on the plans.
- (ii) In accordance with the requirements of Clause 6.4 (5) of Town Planning Scheme No. 6, end of trip facilities for cyclists shall be provided for the use of staff. The design and location of those facilities shall be provided at the following ratios:
 - (A) Number of secure clothes lockers – One (1) per bay (total of four); and
 - (B) Number of showers – One (1) male and One (1) female shower in separate change rooms per 10 bays (total one (1) male shower and one (1) female shower).

Recommendation and COUNCIL DECISION continued

- (iii) This planning approval does not pertain to the display of any signage. An application for planning approval will be required if signage is to be displayed.
- (iv) In accordance with Schedule 9 “Element 14 – Designing Out Crime” of *Town Planning Scheme No. 6*, comprehensive new developments shall, when relevant, incorporate illumination in accordance with the Australian Standards:

(c) Standard Advice Notes

700A	Building permit required	716	Fences note - Comply with that Act
005	Revised drawings required	790	Minor variations - Seek approval
706	Applicant to resolve issues	795B	Appeal rights - Council decision

(d) Specific Advice Notes

- (i) The applicant / owner are advised of the need to comply with the City’s Engineering Infrastructure Department requirements. Please find enclosed the memorandum dated 2 September 2013 to this effect.
- (ii) The applicant / owner are advised to liaise with the City’s Environmental Health Department to ensure satisfaction of all of the relevant requirements.
- (iii) In accordance with Council Policy PI01 “Public Art”, the City encourages the owner / private developer of the subject site to contribute towards a public art commission, or a nominal amount to the City’s Public Art Fund. The applicant is advised to discuss this matter further, if needed, with the Manager - Community, Culture and Recreation.

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

CARRIED (5/3)

Please note: During debate, an alternative motion was foreshadowed by Councillor Huston. This motion was, in the event the officers recommendation was not adopted, to defer consideration of this item to the December 2013 Ordinary Council Meeting, to allow Councillors more time to review the proposal.

Background

The development site details are as follows:

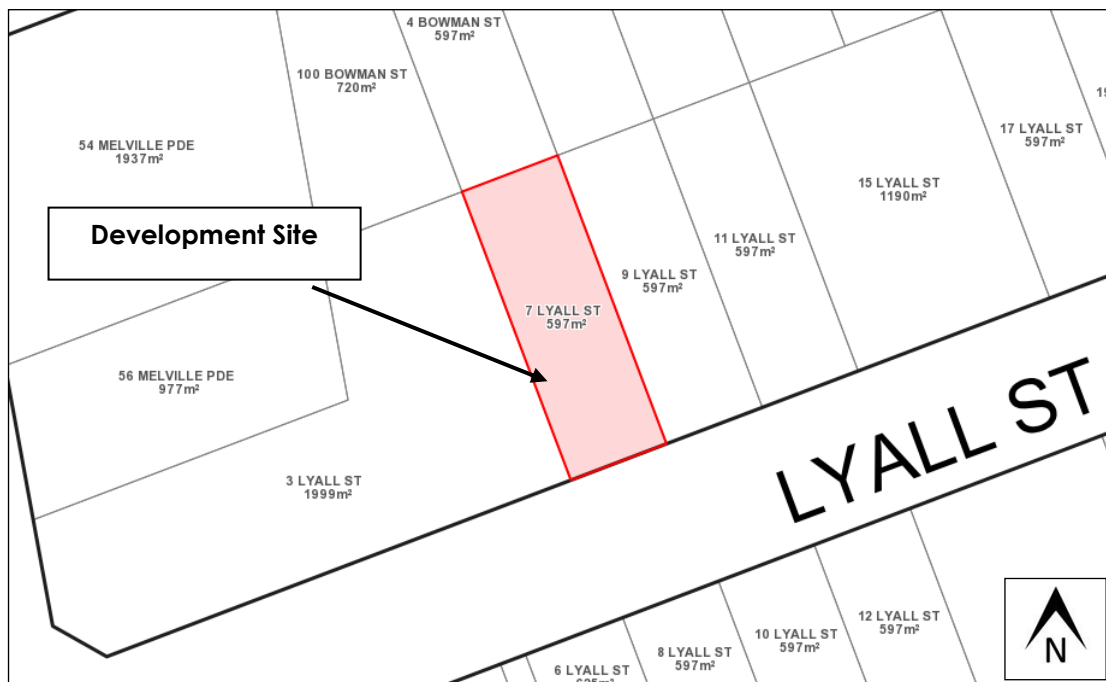
Zoning	Special Control Area I - South Perth Station Precinct (Scott / Richardson Sub-Precinct)
Density coding	R60/80
Lot area	597 sq. metres
Building height limit	25.0 metres (To finished level of the uppermost storey)
Plot ratio limit	Minimum plot ratio of 1.0

This report includes the following attachments:

- Attachment 10.3.2(a)** Plans of the proposal.
- Attachment 10.3.2(b)** Engineering Infrastructure memorandum.
- Attachment 10.3.2(c)** 3-D perspective view and street montage.

10.3.2 Proposed Three Storey Office Building - Lot 61 (No. 7) Lyall Street, South Perth

The location of the development site is shown below:



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

2. Major developments

- (a) *Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;*

7. Neighbour comments

In considering any application, the assigned delegate shall fully consider any comments made by any affected landowner or occupier before determining the application.

Additionally, the application represents variations from the Scheme, which are not considered significant, however these matters involve the exercise of a discretionary power by the Council. These matters, relating to setbacks, car parking bay numbers and dimensions, and accessway widths, are described in the sections to follow.

Comment

(a) Description of the surrounding locality

The site has a frontage to Lyall Street to the south as seen below:



The surrounding locality has a mix land uses including single residential, multiple residential, and various non-residential land uses.

(b) Description of the proposal

The City received an application on 22 August 2013 which involves the demolition of the existing single house and the construction of a three storey office building on Lot 61 (No. 7) Lyall Street, South Perth (the site), as depicted in the submitted plans referred to as **Attachment 10.3.2(a)**.

The proposal generally complies with the *City of South Perth Town Planning Scheme No. 6* (Scheme; TPS6) and relevant Council policies. The following significant matters are discussed further in the body of this report:

- Land Use and Ground Floor Uses (Schedule 9 – Elements 1 and 2);
- Plot Ratio and Land Use Proportions (Schedule 9 – Element 3);
- Podium Height and Building Height (Schedule 9 – Elements 4 and 5);
- Side and Rear Setbacks (Schedule 9 – Element 7);
- Parking (Schedule 9 – Element 8) and Access (Clause 6.3; TPS6); and
- Finished Ground and Floor Levels – Minimum (Clause 6.9; TPS6).

(c) Land use and ground floor uses

The site is situated in the Scott / Richardson sub-precinct where traditional office and small scale commercial / retail uses are encouraged, on the ground and lower floors with residential on the upper floors, by TPS6. The proposed office land use on the ground floor and upper floor are considered as preferred uses under Elements 1 and 2 of Schedule 9, hence the proposal complies in this regard.

(d) Plot ratio and land use proportions

Clause 3.2 of Schedule 9 (Element 3) of TPS6 requires a minimum plot ratio of 1.0. The plans, referred to as **Attachment 10.3.2(a)** indicates a plot ratio of 1.11, hence the proposal complies with the plot ratio requirement.

The provisions of Element 3 relating to land use proportions is not applicable in this instance, as there is no land use other than office being proposed.

(e) Podium height and building height

Clause 4.1 of Schedule 9 (Element 3) restricts the podium height to a minimum of 9.0 metres and a maximum of 13.5 metres. The proposed podium height of 11.8 metres complies in this regard.

Element 3 of Schedule 9 prescribes a building height limit of 25.0 metres for the site. The proposed building height of 13.5 metres complies in this regard.

(f) Side and rear setbacks

Clause 7.2 of Schedule 9 (Element 7) states that the setbacks to side and rear boundaries for podium walls shall be zero. Where podium walls exist, they are provided with a nil setback. However, noting that the podium does not run along the entire length of the site, there are portions of side boundaries where a podium wall does not exist but fences have been provided. Additionally, a 5.0 metre high car stacker setback at zero to the rear has been provided. The applicant is seeking a variation to this requirement. Clause 7.2 provides the Council with discretion to permit variations to the setback where the development is consistent with the guidance statement.

The guidance statement to Element 7 is as follows:

- “(a) To ensure a high degree of continuity of the street edge, zero side and rear setbacks will be permitted for the podium / lower levels;*
- (b) Setbacks for upper levels or levels above the podium are required to enable a reasonable degree of light and solar penetration between buildings; and*
- (c) Side and rear setbacks to properties containing or adjacent to a heritage building shall preserve the character of the heritage building.”*

The applicant advises a zero setback cannot be achieved, given the three-level podium structure and the parking constrains of the site. In relation to Point (a) of the guidance statement, City officers consider the podium maintains a high degree of continuity of the street edge. The proposed car stacker to the rear, as seen in **Attachment 10.3.2(a)** visually meets the zero setback requirements. Points (b) and (c) of the guidance statement are not applicable for this development. The proposal is observed to be consistent with the guidance statement, hence the proposed rear setback is supported by officers.

(g) Parking and access

Clause 8.1(c) requires the provision of one (1) onsite car parking bay per 50.0 sq. metres of gross floor area (GFA) for non-residential land uses. The originally submitted plans indicated a proposed gross floor area of 762.2 sq. metres which required a minimum of 16 car parking bays, however only 15 bays were provided.

Revised plans subsequently submitted on the 31 October 2013, referred to as **Attachment 10.3.2(a)**, propose 17 car bays, seven of which are in a stacker arrangement. The plans indicate a GFA of 865 sq. metres in accordance with the definition provided in TPS6 as follows:

“gross floor area - means the area of all floors of a building measured from the outer faces of the external walls, but the term does not include any balcony.”

A GFA of 865 sq. metres would require 18 car bays to demonstrate compliance with Clause 8.1(c). The assessment shows a shortfall of one (1)

parking bay. Officers have taken the entrance area as covered area in accordance with the relevant provisions and definition of open space, as this space is enclosed by walls on three sides. Due to there being a wall directly adjacent to this area to the boundary to the west, this area has been taken as GFA in accordance with the TPS6 definition.

However, the applicant contends the GFA should not include the alcove entrance area as this is open to the street. This alcove entrance area would not be taken as GFA if this wall was removed. The applicant advises that the wall cannot be removed due to the Building Code of Australia (BCA) requirements, and that once the adjacent site is developed to its full potential (zero side setbacks), the removal of this wall (to be excluded GFA definition) will prove unwarranted. The City's Senior Building Surveyor advises fire separation under the Building Code of Australia 2013 Volume 1 must be complied with, hence this wall is required.

Council discretion is sought in this regard. Taking into account the above justification provided by the applicant, officers recommend to Council that this area may be excluded from total GFA, which leaves a total of 850 sq. metres. The proposed 17 car bays will then comply with Element 8 "Parking" of Schedule 9.

Originally submitted plans complied with the minimum 2500mm by 5500mm car bay module required by TPS6; however revised plans referred to as **Attachment 10.3.2(a)**, indicate altered car bay dimensions of three bays at 2400mm by 5500mm and one (1) bay at 2300mm by 5500mm. Accordingly, the car parking bays do not comply with the TPS6 requirements.

However comments from Engineering Infrastructure in this regard, as detailed in the "Internal Administration" section of this report, indicate that these smaller bays as well as the proposed parking layout comply with the relevant standards.

Council discretion is sought with respect to the variation in the car parking bay dimensions. Noting Engineering Infrastructure's supporting comments, the report recommends approval of the proposed car bay dimensions.

(h) Finished ground and floor levels - Minimum

Clause 6.9.2 of TPS6 requires a minimum floor level of 1.75 metres above Australian Height Datum (AHD) for non-habitable rooms and car parking. The original submitted plans indicated a floor level of 1.70 metres for the ground floor tenancy and car parking. Revised plans indicate a floor level of 1.80 metres (AHD) for the ground floor tenancy, and car parking at a level of 1.80 metres. Therefore, the proposed development complies with Clause 6.9.2 of TPS6.

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

With regards to the abovementioned objectives, the proposed development is considered to comply, subject to the recommended conditions.

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

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

- (a) *The objectives and provisions of this Scheme, including the objectives and provisions of a precinct plan and the Metropolitan Region Scheme.*
- (b) *The requirements of orderly and proper planning, including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought.*
 - (i) *The preservation of the amenity of the locality.*
 - (j) *All aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance.*
 - (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.*
 - (s) *Whether the proposed access and egress to and from the site are adequate, and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the site.*
 - (w) *Any relevant submissions received on the application, including those received from any authority or committee consulted under Clause 7.4.*
 - (x) *Any other planning considerations which Council considers relevant.*

With regards to the abovementioned matters, the proposed development is considered to comply, 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 3 September 2013. Their comments and responses from the applicant and the city are summarised below:

DAC Comments	Applicant's Response	Officer Comment
The architects raised some concern in relation to the onsite parking layout, in particular the manoeuvring compatibility and access to the disabled bay.	The car parking layout has been approved by the Engineering Department.	A referral was sent to Engineering Infrastructure for comment in relation to the proposed parking layout. This matter is discussed in further detail in Section (c) of this report. The DAC comment is NOTED.
The architects recommended that the applicant consider the use of various material and finishes to enhance the building. The architects felt that more could be done with the design to enhance the architectural merit of the building.	Reference by the advisory architects concerning materials and finishes detail, we consider a subjective item and bring to your attention the detail work involved in this Scheme. (a) The multiple use of alucabond colours (blue and white). (b) Alucabond fitted in horizontal, vertical and diagonal pattern. (c) The use of spandrel glass and vision glass on the right hand side of the elevation (spandrels in grey). (d) The use of alucabond to spandrels on the left-hand side of the elevation. (e) The use of the blue "Z" shape at a different plane (300mm projection) to the rest of the façade. (f) Return sides in Alucabond for 3.5 metres in differing colours. We believe that for a small façade, this building has a great deal of colour, detail and movement, and will enhance the streetscape.	Further information by the applicant, notes the various materials and finishes incorporated into the design of the building. The DAC comment is NOT UPHELD.

City officers consider the DAC comments to be adequately addressed by the applicant, as observed in the 3-D perspective and street montage provided in **Attachment 10.3.2(c)**, hence the design as proposed is supported.

(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 at Nos. 3, 6, 8, 9, 10, 11 and 12 Lyall Street, No. 1 Hardy Street, and Nos. 100, 4 and 6 Bowman Street were invited to inspect the plans and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised). Additional consultation letters, as approved by the Development and Community Services Director, were sent to individual property owners, occupiers and / or strata bodies at No. 2 Lyall Street, No. 8 Bowman Street, and Nos. 54 and 56 Melville Parade.

During the advertising period, one submission was received against the proposal. The comments from the submitter, together with the officer response are summarised below:

Submitters' Comments	Officer Response
<p>The proposed zero setback to the adjoining boundary (east) will restrict the amount of sunlight into our existing western facing walls.</p> <p>A zero front setback raises safety issues with pedestrian traffic on the footpath.</p> <p>A zero front setback will create a wind tunnel at the rear of the property, also causing overlooking problems at the rear.</p>	<p>The proposed setbacks are discussed in Section (f) of this report and are considered to comply with Element 7 of Schedule 9.</p> <p>Any setbacks from the side and rear boundary for the podium are thus considered as variations from the requirements.</p> <p>The comment is NOT UPHELD.</p>
<p>Visual bulk in the streetscape.</p>	<p>The street setback of zero and the proposed height of the podium comply with TPS6.</p> <p>The comment is NOT UPHELD.</p>

(c) Internal administration

Comments were invited from the Engineering Infrastructure and Environmental Health departments of the City's administration.

- The Manager, Engineering Infrastructure, was invited to comment on a range of issues relating to vehicle movement and onsite parking generated from the proposal. These comments are detailed in **Attachment 10.3.2(b)**. 1000mm "blind aisles" were accommodated in revised plans further to comments from Engineering Infrastructure.

The originally submitted plans indicated a new crossover on the western side of the development site, however subsequent revised plans retain the crossover on the eastern side of the development site. Subsequent revised plans also proposed alterations to the minimum 2500mm by 5500mm bay module required by TPS6. In relation to this requirement, Engineering Infrastructure advises as follows:

“The parking bay width of 2.5 metres has been set under TPS6 to cover all situations whereas AS 2890 sets a number of bay widths to cover various user classes. Under AS 2890 User Class 1 and 1A, 2.4 metres is the minimum width to cover partial door opening, single manoeuvre entry and exit, and typically would be applied to all day commuter and employee parking.

The minimum bay width of 2.5 metres picks up the user Class 2 with full door opening, single manoeuvre entry and exit, and typically applied to long term city / town centre parking, sports facilities, hotels / motels and medium term parking at airports. AS 2890 has the additional user classes of 3 and 3A with bay widths of 2.6 and 2.7 metres respectively for short stay, high turnover bays at shopping centres where ease of entry / exit is paramount.

Parking at #7 Lyall Street would be a Class 1 or 1A low turnover all day employee parking. The layout, as proposed, satisfies the relevant standard. Clearly a yield situation exists with the two-way one lane width crossing / driveway. As access to a low turnover employee parking area, the perceived conflict is managed by organisational protocols.

In its submitted form, Engineering Infrastructure has no issues with the parking and access provisions that would prevent the application being approved.”

- The Environmental Health Department raises no objections in relation to this proposal.

Accordingly, planning conditions and important notes are recommended to respond to the comments from the above officers.

Policy and Legislative Implications

Comments have been provided elsewhere in this report in relation to the various provisions of the Scheme, R-Codes and Council policies, 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 Users “Accommodate the needs of a diverse and growing population”.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). Being a non-residential land use of a non-sensitive nature, it is considered that the development enhances sustainability by providing opportunities for local businesses and employment opportunities.

Conclusion

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

10.4 STRATEGIC DIRECTION 4: PLACES

Nil

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 Car Park 11, South Perth

Location:	City of South Perth
Ward:	Mill Point Ward
Applicant:	Council
Date:	7 November 2013
Author:	Phil McQue, Manager Governance & Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report recommends that the Council approve entering into an agreement with Healthscope, owners of The Mount Private Hospital, for fee paid parking for seventeen bays within Car Park 11 in South Perth, for a period not exceeding twelve months.

Officer Recommendation and COUNCIL DECISION

That the Council

- a) give local public notice of the temporary closure of a portion of Car Park 11 in South Perth, effective from 1 January 2014.
- b) establish a Parking Agreement with Healthscope for paid parking at Car Park 11 for seventeen bays car park at the rate of \$5.00 per bay per day, Monday to Friday (excluding school holidays), effective 1 January 2014, for a period not exceeding twelve months.

CARRIED EN BLOC RESOLUTION (By Required Absolute Majority)

Background

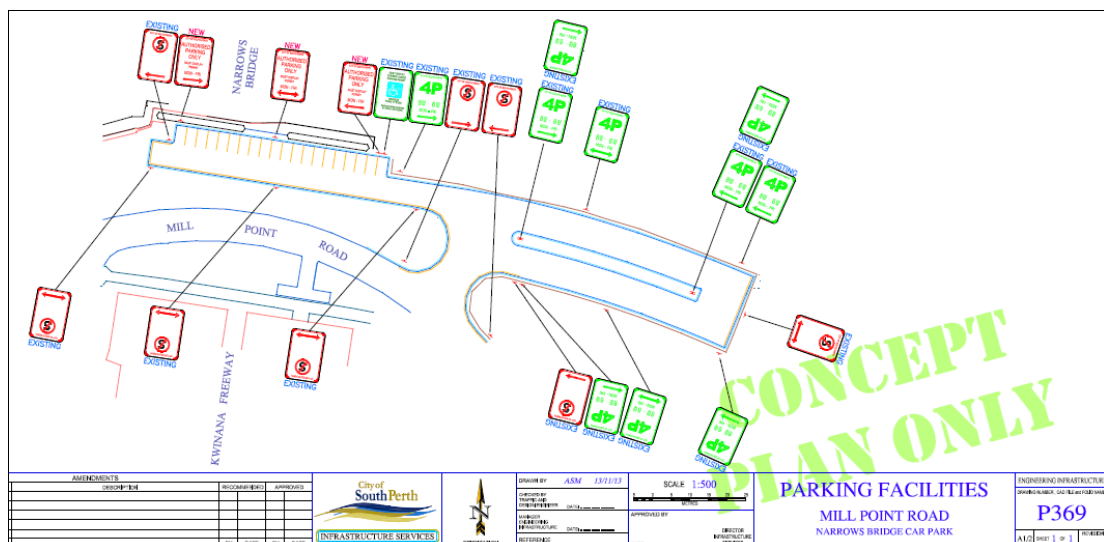
Healthscope, owners of The Mount Private Hospital situated on Mounts Bay Road Perth, are currently undertaking construction works to expand the hospital and rectify a number of current compliance issues at the site. To facilitate these works, the existing two storey car park is being demolished, resulting in the temporary loss of 90 bays during this period. Healthscope have entered into a contractual arrangement with a nearby commercial car park leasing 40 bays however still require 50 additional bays for their staff.

The City has received a request from Healthscope to lease seventeen bays for their staff members on weekdays in Car Park 11 in South Perth, situated directly under the Narrows Bridge, for a period not exceeding 12 months.

Comment

Car Park 11 is presently a non-fee paying car park divided into two parking areas. On the west side directly under the Narrows Bridge, there are seventeen bays which are 4 hour timed parking and one ACROD bay. On the east side, the bays are unmarked but can accommodate approximately thirty vehicles.

10.5.1 Car Park II, South Perth



Car Park II is an underutilised car park with minimal patronage, Monday to Friday. The principal users of Car Park II on weekdays are patrons from outside the City of South Perth district who fish recreationally and it is used also for courier deliveries.

Healthscope are proposing to pay for exclusive access to these seventeen bays, Monday to Friday. The fee would be daily per bay (excluding weekends and school holidays) with a permit to be displayed for parking in designated bays. Healthscope have indicated that this would be for a period not exceeding 12 months.

It is recommended that a Parking Agreement be established between the City and Healthscope for the provision of seventeen designated bays at the rate of \$5.00 per bay per day, Monday to Friday, effective 1 January 2014.

The introduction of this agreement would generate approximately \$17,000 over a twelve month period for the City. This revenue would fund other municipal projects for the benefit of the broader South Perth community

Measures have been taken in considering this proposal to ensure it would not adversely affect the current users of the car park. There will still be approximately thirty bays available on the east side of the car park free for public use.

Many metropolitan local governments in recent times have introduced paid parking to ensure users pay the appropriate cost not the ratepayers, including the Town of Victoria Park, City of Vincent, City of Nedlands, City of Stirling, City of Subiaco, and Town of Cambridge.

This proposal will also have the added benefit of promoting the nearby Mends Street precinct to Mount Private Hospital staff.

Consultation

If approved, the City would give local public notice of the temporary closure of Car Park II in November 2013, with the arrangement to come into effect on 1 January 2014.

Policy and Legislative Implications

Local Government Act 1995 - 6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

Local Government Act 1995 - 6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

Financial Implications

Car Park 11 is presently fee-free and underutilised. The introduction of this agreement would generate approximately \$17,000 over a 12 month period which would assist in funding other critical municipal projects for the broader South Perth community.

Strategic Implications

This report is consistent with the [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](#).

10.5.2 Capital Works Program

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
Date:	30 October 2013
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Mark Taylor, Acting Director Infrastructure Services

Summary

This report provides detail on a number of projects that have been through the consultation process as required by Policy PI03 'Communication and Consultation', but the issues addressed as feedback cannot be resolved within the project and therefore very likely to be readdressed by the aggrieved residents during the construction phase. Referring the projects to Council with the recommendation that the works be progressed as detailed on the concept plans should, if adopted, avoid unacceptable delays in work scheduling.

Officer Recommendation and COUNCIL DECISION

That: Council endorses:

- a) The Concept Plan for the set down / pick up facility for the northern end of Robert Street at Canning Highway as outlined on Attachment 10.5.2 (a);
- b) The planned widening of Griffin Crescent from Marsh Avenue to Elderfield Road as a bus route; and
- c) The implementation of the works as soon as is practicable.

CARRIED EN BLOC RESOLUTION

Background

With very few exceptions Engineering Infrastructure projects would be assessed as a Level 1 Consultation (Inform) as prescribed in Policy PI03 'Consultation and Communication'. The other levels of consultation are:

- Level 2 – Consult;
- Level 3 – Involve; and
- Level 4 – Collaborate.

In accordance with Level 1 consultation the City commits to seek feedback from affected property owners, to assess the feedback received and advise formally whether the feedback has influenced the decision process and the extent if any how the feedback has affected the project.

Two projects have progressed through the consultation phase and based on adverse feedback to the projects have been referred to Council for determination.

Comment

- I. Roberts Street Passenger Set Down and Pick up Facility at Canning Highway
A proposal to enlarge the existing cul-de-sac at the northern end of Roberts Street to incorporate a set down and pick up facility for patrons using the Canning Bridge Train Station was included in the final report prepared by Opus International Consultants titled Local Area Traffic Management Study – Area 12. The Local Area Traffic Study was received by the Council at its December 2012 meeting. The Consultant's recommendation resulted from the review of the existing traffic and crash data on each of the roads contained within the study area, and following consultation with the community and working party, was included into a suite of suggested LATM measures. These LATM measures

10.5.2 Capital Works Program

incorporate best practice traffic engineering and safe systems principles which represent a balanced approach between meeting community expectations and maintaining a balanced and efficient traffic and transport network. The initial concept was included in the LATM Study.

The set down and pickup facility at the northern end of Robert Street was listed in the 2013/2014 Capital Works Budget. The concept from the Consultant's Report was modified to ensure the operational needs of all road users were embraced **Attachment 10.5.2(a)** and then posted to all affected property owners of Robert Street (Canning Highway to Davilak Street). A summary of all submitter's comments with an officer response is included as **Attachment 10.5.2(b)**.

There can be no denying that the provision of the set down / pick up facility at the end of Roberts Street will introduce additional traffic into what is now a relatively low traffic area. However it has to be acknowledged that the current arrangement at the closed western end of Davilak Street is totally unsuitable for use as a set down/pick up facility and places at risk the pedestrians using the street. Without a functional turn around facility vehicles are reversing from private crossings into the path of other vehicles and pedestrians. It also has to be acknowledged that the traffic will not be decreasing in the future and any new infrastructure in the immediate area can only improve for the good of all an otherwise poor situation.

2. Griffin Crescent Elderfield Road to Marsh Avenue

This section of Griffin Crescent forms part of Bus Route 30 that services Curtin University from the Perth CBD via Ley Street and Labouchere Road. The service was introduced about three years ago and complements the retained service to Salter Point only.

At the time of introducing the service the narrow road pavement of Griffin Crescent was seen as an issue that needed to be addressed in time. The State Planning Commission Guidelines for the Design and Geometric Layout of Residential Roads states that "*Carriageway widths should be selected to achieve high standards of safety, amenity, level of service and access for land use*".

The Planning Commission and the Institute of Public Works Engineering WA Division both acknowledge that while the 6 metre wide carriageway may be acceptable on local access roads consideration would need to be given to parking bays if street parking was extensive. But as a bus route the 3 metre lane in each direction would need to be increased to at least 3.5 metres. The Planning Commission also states that the 7.4m carriageway "*is the standard width for a two-lane road, where higher vehicle speeds are acceptable and to accommodate bus routes*". The 7 metre carriageway then remains the preferred width for a local access street with bus route and limited demand for street parking.

Austrroads (an association of Commonwealth, State, Local Government and Territory Roads Authorities with the New Zealand road authority) states that "*Current Australian and New Zealand practice is to provide standard traffic lane widths of 3.5 metres..... The provision of standard lane widths of 3.5 metres allows for large vehicles to pass or overtake...*" In addition Austrroads acknowledges that "*Narrower lanes (down to 3.3 metres) may be considered where any of the following apply:*

- Road reserve or existing development form prevents wider lanes;
- Low speed environment;

10.5.2 Capital Works Program

- *Little or no truck traffic; or*
- *.....”*

The State Planning Commission Liveable Neighbourhoods document (Element 2 Movement Network) indicates that:

- for an Access Street C (Yield or Give way Street) the pavement width would typically be 7 to 7.5 metres undivided;
- an access street D (also Yield or Give way) would have pavement widths of about 6 metres;
- in reality the pavement widths within a subdivision would be a mix of 6 metre and 7.2 metre pavements; and
- a 7.2 metre pavement is wide enough for most circumstances but should be increased to 7.4 metres to accommodate buses.

The City is proposing to construct this bus route to 7 metres which is within the guidelines. A summary of submitter's comments and the officer response has been included as **Attachment 10.5.2(c)**.

The three submissions have been received from residents in the section Challenger Avenue to Marsh Avenue where the pavement is nominally 5.5 metres wide. The real issue is that the residents having raised the concern in 2010 that, in their opinion, the pavement width was unsafe for buses, a concern intended it is suspected to down play their opposition to having buses in the street, now feel aggrieved that they were misled by the Public Transport Authority having stated that the width was adequate.

Consultation

The proposed Capital Works have been assessed as a Level 1 Consultation under Policy PI03 Communication and Consultation in which the City commits to Inform affected property owners on intended works and to receive and consider any feedback in respect to the works. This process was undertaken with the affected property owners of both Robert Street and Griffin Crescent.

A number of submissions were received as feedback. However on assessment it was evident the feedback could not be incorporated into the project and any other response than referral to Council could likely result in unnecessary delays and difficulties with program scheduling.

The City would normally expect to have completed this process without having to resort to referring an already approved budget item to Council for a determination (as the Road Authority there are no avenues of appeal to a decision of Council carrying out their statutory responsibilities).

Policy and Legislative Implications

Council at its November 2012 meeting declared its support for road safety by becoming a signatory to the Declaration for Road Safety (a WALGA initiative).

The following is an extract from the Officer Report 10.5.1. *“The Declaration for Road Safety stands as a voluntary opportunity for Local Government, and other agencies, to demonstrate a political commitment to work towards zero road fatalities and serious injuries, and to participate in a sector wide leadership approach. It does not commit Local Governments to actions beyond current resources, standards or means, but provides a statement of intent and acknowledges the moral and ethical role Local Governments have in their communities. Essentially, the Declaration provides an opportunity for local leaders to pledge to future generations that every road death is one too many”.*

10.5.2 Capital Works Program

Financial Implications

The full cost of the works is reflected in the 2013/2014 Infrastructure Capital Works budget. Should the works not proceed the funds allocated to the projects would be available for redistribution through a Budget Review.

Strategic Implications

This report is consistent with the [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](#). The appropriate management of the local road system is extremely important to ensure that it meets the current and future traffic transport and road safety needs of the community.

10.5.3 Tender 19/2013 – Mowing of Verges, Medium Strips and Rights of Way

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
File Ref:	Tender 19/2013
Date:	23 October 2013
Author:	Fraser James, Tenders and Contracts Officer
Reporting Officer:	Mark Taylor, Acting Director Infrastructure Services

Summary

Schedule of rates tenders have been called for the 'Mowing of Verges, Medium Strips and Rights of Way' (Tender 19/2013).

This report outlines the assessment process used during evaluation of the tenders received and recommends acceptance of the tender that provides the best value for money and level of service required by the City.

Officer Recommendation and COUNCIL DECISION

That

- (i) Council approves the schedule of rates tender (estimated cost of \$131,237 ex GST for year one) submitted by A Better Class Lawns and Gardens for the 'Mowing of Verges, Medium Strips and Rights of Way' (Tender Number 19/2013) for the period of supply up to 31 December 2014, and.
- (ii) Subject to satisfactory performance over the initial period of supply, there are options to renew the Contract on a year to year basis at the City's discretion for a further 24 months (estimated cost of \$138,585 ex GST for year 2 and \$139,289 for year 3).

CARRIED EN BLOC RESOLUTION

Background

The mowing of verges, medium strips and right of ways is essential to facilitate the completion of the City's 2013/2014 maintenance program. The City's objective is to produce an attractive, manicured streetscape by the thorough mowing of its verges, median strips and rights of way and the removal of any rubbish and accumulated debris from these areas.

Comment

A Request for Tender (RFT) has been called for the 'Mowing of Verges, Medium Strips and Right of Ways'. (Tender 19/2013) and was advertised in the West Australian on Saturday 14 September 2013 and closed on Wednesday 2 October.

This tender forms part of the City's annual supply tenders and is for a period of supply of one (1) year, expiring on 31 December 2014 with the option of a further two (2) years. The granting of the option will be on a year to year basis at the City's discretion. In addition, the City reserves the right to provide three months' notice to the Contractor should the City amalgamate with another Local Authority.

Tenders were invited as a Schedule of Rates Contract. The Contractor is required to do all things necessary for the mowing of verges, median strips and rights of way in accordance, with the specification and the times stipulated in program of works to ensure that key milestone dates are met. The quantities reflected in the RFT are an estimate and are not guaranteed.

10.5.3 Tender 19/2013 – Mowing of Verges, Medium Strips and Rights of Way

At the close of the tender advertising period two (2) submissions from registered companies had been received and are tabled below:

Tender Submissions
A Better Class Lawns and Gardens
LD Total

An initial compliance check was completed by the Tender Evaluation Panel (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. All tenders complied so were then brought forward for further consideration.

The tenders were then assessed according to the qualitative criteria detailed in the RFT. The qualitative criteria are listed in Table A below.

TABLE A - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrate knowledge of Traffic Management & Safety Program	20%
2. Demonstration of resources to complete works on time	30%
3. Price	50%
Total	100%

The weighted score and estimated contract value of each tender received is noted in Table B below.

TABLE B - Estimated Tender Prices for first year and Weighted Score

Tender Submission	Estimated Tender Price (GST Exclusive)	Weighted Score
A Better Class Lawns and Garden	\$131,237	8.5
LD Total	\$302,250	1.7

The tender submitted by 'A Better Class Lawns and Gardens' contains all of the completed schedules and satisfies the Panel in all respects the qualitative and quantitative criteria listed in the RFT. It also recorded the highest score in the evaluation matrix and the lowest price.

A Better Class of Lawns and Gardens is the City's current contractor and implements the contract to a level that is satisfactory to the City. The company also provide services and labour to Curtin University and has been a Contractor to the Department of Housing for over 20 years.

Based on the assessment of all tenders received for Tender 19/2013, it is recommended to Council that the schedule of rates tender submitted by 'A Better Class of Lawns and Gardens' be accepted for the period of supply up to 31 December 2014 at an estimated annual contract value of \$131,237 ex. GST for the first year. Subject to satisfactory performance over the initial period of supply, there are options to renew the Contract on a year to year basis for a further 24 months at the City's discretion. Based on the same work requirement, the estimated cost for Year 2 would be \$138,585 and Year 3 \$139,289.

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* (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 following Council Policies also apply:

- Policy P605 - *Purchasing and Invoice Approval*
- Policy P607 - *Tenders and Expressions of Interest*

The Chief Executive Officer has delegated authority to accept annual tenders where the value is less than \$200,000 (GST Inclusive). However, as this tender has the potential to be renewed for a period up to 24 months, it has a value of over \$200,000, and Council approval is sought.

Financial Implications

The full cost of the works is reflected in the 2013/2014 City Environment maintenance budget 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 the further 12 month periods.

Strategic Implications

This report is consistent with the [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 produce a manicured streetscapes network.

The service will strengthen the City’s Infrastructure Services directorate by ensuring that it has access to a quality mowing maintenance program at highly competitive rates.

10.5.4 Car Park I, Ray Street South Perth

Location: City of South Perth
Applicant: Council
Date: 19 November 2013
Author: Phil McQue, Manager Governance & Administration
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

This report considers a request from Mends Street Today for the City to introduce free parking from 9am to 11am in Car Park I, Ray Street South Perth.

Officer Recommendation

That the Council gives consideration to the Mends Street Today request to introduce free parking from 9am to 11am in Car Park I, Ray Street South Perth.

Absolute Majority Required

Amended Motion

Moved: Councillor Irons

Seconded: Councillor Reid

That the recommendation be amended to read:

That the Council ~~gives consideration to the Mends Street Today request to~~ introduces free parking from 9am to 11am in Car Park I, Ray Street South Perth ~~for~~ a 12 month trial period.

COUNCIL DECISION

That the Council introduces free parking from 9am to 11am in Car Park I, Ray Street South Perth for a 12 month trial period.

CARRIED (By Required Absolute Majority) (6/2)

Background

Car Park I is situated in Ray Street South Perth, adjacent to the Windsor Hotel. It comprises 31 parking bays and generates in excess of \$150,000 per annum in revenue (\$3 per hour parking fee). Car Park I is bordered on two sides by the Windsor Hotel car park, which is operated by Wilsons and provides 117 parking bays.

The City has received a request via Councillor Irons from Mends Street Today for the City to introduce free parking from 9am to 11am in Car Park I, Ray Street South Perth. Mends Street Today believe that this initiative would assist in generating economic activity within the precinct.

Comment

The Mends Street precinct adequately caters for parking needs with over 650 parking bays available and parking surveys showing an average 45% vacancy rate. This is inclusive of a number of free parking bays.

The City estimates that the waiving of parking fees from 9am to 11am will result in a loss of annual revenue of approximately \$15,000, equating to approximately 10% of annual revenue generated from this car park.

10.5.4 Car Park I, Ray Street South Perth

Mends Street Today has indicated that should the City agree to introduce free parking from 9am to 11am, the adjoining car park owned by the Windsor Hotel would consider a similar arrangement. If the Council supports the request from Mends Street Today to amend the fee payable time, this arrangement should be conditional upon the Windsor Hotel agreeing to the same conditions in writing.



Consultation

Should the Council resolve to introduce free parking from 9am to 11am at Car Park I, local public notice will be given advising of this amendment.

Policy and Legislative Implications

Local Government Act 1995 - 6.16. Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

Financial Implications

The City estimates that the waiving of parking fees from 9am to 11am in Car Park I will result in a loss of annual revenue of approximately \$15,000.

Strategic Implications

This report is consistent with the [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](#). Mends Street currently has a traffic count in excess of 5000 vehicles per day. It is the City’s longer term objective to reduce the traffic generated on Mends Street, however the waiving of parking fees may have an adverse effect and attract more traffic to Mends Street.

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - October 2013

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
File Ref:	FM/301
Date:	12 Nov 2013
Author / Reporting Officer:	Michael J Kent Director Financial & 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) be received;
- (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.

10.6.1 Monthly Financial Management Accounts - October 2013

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 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 October 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 October 2013 is \$38.65M which represents some 101% of the \$38.50M 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 and some unbudgeted grant revenue that will be addressed in the Q1 Budget Review.

Parking infringement and meter parking revenues were both significantly better than budget expectations. Cat registration revenue has exceeded full year expectations due to a higher number of people taking out lifetime registrations. Interest revenues are slightly lower than budget expectations to date due to low prevailing interest rates.

Planning revenues are still well ahead of budget target - largely due to the receipt in July of revenues relating to a development at 6 Bowman St and in August for 3 Richardson St. Building Services revenues are now 3% 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 now 8% unfavourable to budget due to lesser than anticipated receipts from commonwealth subsidies.

Golf Course revenue is very close to budget after another solid monthly performance on green fees. Infrastructure Services revenue overall is close to budget for the year to date with a small unfavourable variance on waste management levies after the reversal of some commercial services levied in error.

Comment on the specific items contributing to the variances may be found in the Schedule of Significant Variances **Attachment 10.6.1(5)**. Relevant items are adjusted if necessary in the Q1 Budget Review.

Operating Expenditure to 31 October 2013 is \$17.53M which represents 100% of the year to date budget of \$17.54M. Operating Expenditure is 3% under budget in the Administration area, 2% under budget for the golf course and 2% over in the Infrastructure Services area.

Variances in operating expenditures largely relate to timing differences on billing by suppliers and are not considered significant - with the exception of two items relating to the Collier Park Retirement Complex. A reversal of an earlier timing difference in relation to temporary agency staff at the Hostel has now brought expenditures back into line with budget expectations in that area - but the Village complex has been impacted by an issue relating to the cost of gas to operate the water boilers that service the 169 independent living units. Alinta Gas have advised that they have discovered that they have been significantly under-billing the village for gas usage for some time (their error) and whilst having agreed not to retrospectively adjust for prior years, the (correct) current charges are substantially higher than has been budgeted for and this has not been factored in setting monthly maintenance fees. A strategy is currently being developed to address this matter.

In the Infrastructure Services operations area, a number of earlier timing differences are now reversing as programs are rolled out. A retrospective plant charge-out adjustment for the July to Oct period has been effected in October to more accurately reflect this component of operating costs to specific maintenance activities.

Non cash depreciation expenses for roads, path and drainage network assets are currently higher than budget following the recent valuation of these assets to fair value. Whilst this does not have a cash flow impact, it does affect the calculation of certain asset sustainability ratios. Key elements of the depreciation calculation,

including the in-use useful lives of these depreciable assets are currently being reviewed as part of the ongoing asset management strategy.

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 3.7% under the budget allocation for the 229.5 FTE positions approved by Council in the budget process. Factors impacting this include vacant positions in the process of being filled, staff on leave and timing differences on receipt of agency staff invoices.

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)**. Relevant items are adjusted if necessary in the Q1 Budget Review.

Capital Revenue is disclosed as \$0.56M at 31 October - 10% over the year to date budget of \$0.51M. These revenues related to the lease premiums and refurbishment levies on units at the Collier Park Village and receipt of an unbudgeted grant. Both the grant and associated expenses will be addressed in the Q1 Budget Review. Details of any capital revenue variances may be found in the Schedule of Significant Variances - **Attachment 10.6.1(5)**.

Capital Expenditure at 31 October is \$2.48M representing 105% of the year to date budget - but as most capital expenditure projects do not commence before August, this reflects only 14% of the total capital works budget.

The table reflecting capital expenditure progress versus the year to date budget by directorate is presented below. These figures now include the Carry Forward Works approved by Council in October. Comments on specific elements of the capital expenditure program and variances disclosed therein are provided bi-monthly from the completion of the October management accounts onwards. This report will be presented to Council in December.

TABLE I - CAPITAL EXPENDITURE BY DIRECTORATE

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	5,000	6,969	139%	555,000
Major Community Projects	55,000	11,537	21%	4,589,750
Financial & Information	100,000	93,257	93%	835,000
Develop & Community	152,500	136,884	110%	678,400
Infrastructure Services	1,824,500	1,959,405	72%	10,546,641
Waste Management	25,000	71,204	44%	415,000
Golf Course	208,375	206,001	101%	389,060
UGP	0	0	-%	0
Total	2,370,375	2,485,257	105%	18,008,851

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 [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](#). 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 October 2013

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
File Ref:	FM/301
Date:	11 Nov 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 October 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 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 \$57.2M (\$54.8M last month) compare favourably to \$53.8M at the equivalent stage of last year. Reserve funds are \$1.3M higher overall than the level they were at the same time last year - reflecting \$1.7M higher holdings of cash backed reserves to support refundable monies at the CPV & CPH. The Asset Enhancement Reserve is \$0.6M higher. The Sustainable Infrastructure Reserve is \$0.4M higher whilst the Waste Management Reserve is \$1.7M lower after a budgeted transfer back to the Municipal Fund. The River Wall Reserve and Future Building Reserves are \$0.2M and \$0.5M higher respectively. Various other reserves are modestly lower. The CPH Hostel Capital Reserve is \$0.4M lower after funding last year's significant and unsustainable operating loss.

Municipal funds are some \$2.1M higher due to excellent rates collections - despite rates notices being issued one week later this year.

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 \$21.6M (compared to \$19.5M last month). It was \$20.5M 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 \$55.9M compared to \$51.8M at the same time last year. This is due to higher cash investments relating to municipal funds (\$2.7M increase) and accumulated cash backed reserves (\$1.4M increase) - with most of the increased reserves cash holding relates to discretionary reserves rather than 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. 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 no investments 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 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 \$0.59M. This compares to \$0.79M at the same time last year. Prevailing interest rates are significantly lower and appear likely to keep continue at current low levels.

Investment performance will be closely monitored given recent interest rate cuts 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 3.94% with the anticipated weighted average yield on investments yet to mature now sitting at 3.71%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of only 2.25% since the August Reserve Bank decision on interest rates.

(c) Major Debtor Classifications

Effective management of accounts receivable to convert debts to cash is also an important part of business management. Details of each major debtor's category classification (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 October 2013 (after the due date for the first instalment) represent 59.5% of rates levied compared to 58.6% at the same stage of the previous year.

Despite the one week later issue of rates notices this year, rates collections have been extremely positive with 56% of ratepayers electing to pay in full by the first instalment date and 35% opting for the instalment payment option. At due date 9% had not made a payment - but most have subsequently made payments. The positive collection profile to date suggests that we should enjoy similar collections to the 2012/2013 year. This again indicates 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) stand at \$1.9M at month end (\$1.5M last year). Pension Rebate Receivable represents around \$0.6M of this in both years - and this can only be claimed when eligible ratepayers make their qualifying 50% contribution, which can be any time up to 30 June. GST Receivable is \$0.2M higher than the balance at the same time last year and most other Debtor categories are at similar levels to the previous year.

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 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), \$7.37M was collected by 31 October with approximately 99.0% of those in the affected area having now paid in full. Of the remaining 24 properties all but one 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 \$4.06M (or 89.0% of the amount levied) has already been collected with 76.6% of property owners opting to settle in full and a further 22.8% paying by instalments so far. The remainder (0.6%) 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 [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](#). 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
Ward:	Not applicable
Applicant:	Council
File Ref:	FM/301
Date:	11 November 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 October 2013 and 31 October 2013 is presented to Council for information.

Officer Recommendation and COUNCIL DECISION

That the Listing of Payments for the month of October 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:

10.6.3 Listing of Payments

- **Creditor Payments**

(regular suppliers with whom the City transacts business)

These include payments by both Cheque and EFT. Cheque payments show both the unique Cheque Number assigned to each one and the assigned Creditor Number that applies to all payments made to that party throughout the duration of our trading relationship with them. EFT payments show both the EFT Batch Number in which the payment was made and also the assigned Creditor Number that applies to all payments made to that party.

For instance, an EFT payment reference of 738.76357 reflects that EFT Batch 738 included a payment to Creditor number 76357 (Australian Taxation Office).

- **Non Creditor Payments**

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

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

Details of payments made by direct credit to employee bank accounts in accordance with contracts of employment are not provided in this report for privacy reasons nor are payments of bank fees such as merchant service fees which are direct debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services. 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 [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](#). This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

10.6.4 Budget Review for the Period ended 31 October 2013

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
File Ref:	FM/301
Date:	12 November 2013 2013
Author/Reporting Officer:	Michael J Kent, Director Financial and Information Services

Summary

A comprehensive review of the 2013/2014 Adopted Budget for the period to 31 October 2013 has been undertaken within the context of the approved budget programs. Comment on the identified variances and suggested funding options for those identified variances are provided. Where new opportunities have presented themselves, or where these may have been identified since the budget was adopted, they have also been included - providing that funding has been able to be sourced or re-deployed.

The Budget Review recognises two primary groups of adjustments:

- those that increase the estimated Budget Closing Position (new funding opportunities or savings on operational costs)
- those that decrease the estimated Budget Closing Position (reduction in anticipated funding or new / additional costs)

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

Officer Recommendation and COUNCIL DECISION

That, following the detailed review of financial performance for the period ending 31 October 2013, the budget estimates for Revenue and Expenditure for the 2013/2014 Financial Year, (adopted by Council on 16 July 2013 and as subsequently amended by resolutions of Council to date), be amended as per the following attachments to this Council Agenda:

- Amendments identified from normal operations in the Quarterly Budget Review; **Attachment 10.6.4 (1)**;
- Items funded by transfers to or from Reserves; **Attachment 10.6.4 (2)**; and
- Cost neutral re-allocations of the existing Budget **Attachment 10.6.4 (3)**.

CARRIED EN BLOC RESOLUTION (By Required Absolute Majority)

Background

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

This requirement recognises the dynamic nature of local government activities and the need to continually reassess projects competing for limited funds - to ensure that community benefit from available funding is maximised. It should also recognise emerging beneficial opportunities and react to changing circumstances throughout

10.6.4 Budget Review for the Period ended 31 October 2013

the financial year so that the City makes responsible and sustainable use of the financial resources at its disposal.

Although not required to perform budget reviews at greater frequency, the City chooses to conduct a Budget Review after the end of the September, December and March quarters each year - believing that this approach provides more dynamic and effective treasury management than simply conducting the one statutory half yearly review.

The results of the Half Yearly (Q2) Budget Review after the December Management accounts have been finalised are required to be forwarded to the Department of Local Government for their review after they are endorsed by Council.

This requirement allows the Department to provide a value-adding service in reviewing the ongoing financial sustainability of each of the local governments in the state - based on the information contained in the Budget Review. However, local governments are encouraged to undertake more frequent budget reviews if they desire - as this is good financial management practice. As noted above, the City takes this opportunity each quarter. This particular review incorporates all known variances up to 31 October 2013.

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

Comment

The Budget Review is typically presented in three parts:

- Amendments resulting from normal operations in the quarter under review

Attachment 10.6.4 (1)

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

- Items funded by transfers to / from existing Cash Reserves shown as

Attachment 10.6.4 (2)

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

- Cost Neutral Budget Re-allocation - **Attachment 10.6.4 (3)**

These items represent the re-distribution of funds already provided in the Budget adopted by Council on 16 July 2013. Primarily these items relate to changes to more accurately attribute costs to those cost centres causing the costs to be incurred.

10.6.4 Budget Review for the Period ended 31 October 2013

There is no impost on the Municipal Surplus for these items as funds have already been provided within the existing budget.

Where quantifiable savings have arisen from completed projects, funds may be redirected towards other proposals which did not receive funding during the budget development process due to the limited cash resources available. This section also includes amendments to "Non-Cash" items such as Depreciation or the Carrying Costs (book value) of Assets Disposed of. These items have no direct impact on either the projected Closing Position or the City's cash resources.

Consultation

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

Policy and Legislative Implications

Whilst compliance with statutory requirements requires only a half yearly budget review (with the review results being forwarded to the Department of Local Government), more frequent and dynamic reviews of budget versus actual financial performance is good management practice.

Financial Implications

The amendments contained in the attachment to this report that directly relate to directorate activities will result in a net change of (\$30,500) to the projected 2013/2014 Budget Closing Position as a consequence of the review of operations.

Furthermore, at the Q1 Budget Review, a (\$252,066) adjustment to the estimated 2013/2014 Budget Opening Position was made. This adjustment resulted from calculating the Budget Opening Position in accordance with the Department of Local Government's guideline using final audited numbers rather than the estimated numbers used in determining the Budget Position at budget adoption date. The revised Budget Position (including monies associated with Carry Forward items) moved from the estimated previously estimated position to \$1,871,850 (inclusive of the \$1,400,000 net amount relating to carry forward items). This reflects a net estimated Closing Position of \$471,850 versus the initially estimated Budget Closing Position of \$754,416.

The Budget Opening / Closing Position (calculated as per DOLG guidelines) is a modified accrual figure adjusted for restricted cash. It does not represent a cash surplus - nor available funds. It is essential that this is clearly understood - as less than anticipated collections of Rates or UGP debts during the year can move the budget from a balanced budget position to a deficit.

The adopted budget at 16 July showed a projected Closing Position at the conclusion of the 2013/2014 year of \$754,416. After adopting the changes recommended in this Budget review, the projected 2013/2014 Closing Budget Position will be \$471,850.

The impact of the proposed amendments in the Q1 Budget Review on the financial arrangements of each of the City's directorates is disclosed in Table I below. Figures shown apply only to those amendments contained in the attachments to this report (not to any previous amendments). Table I includes only items directly impacting on the Closing Position and excludes transfers to and from cash backed reserves - which are neutral in effect. Wherever possible, directorates are encouraged to

10.6.4 Budget Review for the Period ended 31 October 2013

contribute to their requested budget adjustments by sourcing new revenues or adjusting proposed expenditures.

The adjustment to the Opening Balance shown in the tables below refers to the difference between the Estimated Opening Position used at the budget adoption date (July) and the (lesser) final Actual Opening Position as determined after the close off and audit of the 2012/2013 year end accounts.

TABLE 1: (Q3 BUDGET REVIEW ITEMS ONLY)

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	19,500	(179,000)	(159,500)
Financial & Information Services	278,000	(125,000)	153,000
Development & Community Services	55,000	(45,000)	10,000
Infrastructure Services	892,000	(926,000)	(34,000)
Opening Position	0	(252,066)	(252,066)
Accruals Movements	0	(0)	0
Special Review Items	3,500,000	(3,500,000)	0
Total	\$4,744,500	(\$5,027,066)	(\$282,566)

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

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

TABLE 2: (CUMULATIVE IMPACT OF ALL 2013/2014 BUDGET ADJUSTMENTS)

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	19,500	(179,000)	(159,500)
Financial & Information Services	278,000	(125,000)	153,000
Development & Community Services	55,000	(45,000)	10,000
Infrastructure Services	892,000	(926,000)	(34,000)
Opening Position	0	(252,066)	(252,066)
Accruals Movements	0	(0)	0
Special Review Items	3,500,000	(3,500,000)	0
Total change in Adopted Budget	\$4,744,500	(\$5,027,066)	(\$282,566)

The cumulative impact table (Table 2 above) provides a very effective practical illustration of how a local government can (and should) dynamically manage its budget to achieve the best outcomes from its available resources.

Whilst there have been a number of budget movements within individual areas of the City's budget, the overall estimated budget closing position has only moved from the

10.6.4 Budget Review for the Period ended 31 October 2013

\$754,416 estimated closing position to \$471,850 after including all budget movements to date. This projected closing position is still very modest and will need to be closely monitored during the remainder of the year.

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](#). This report addresses the City’s ongoing financial sustainability through critical analysis of historical performance, emphasising pro-active identification of financial variances and encouraging responsible management responses to those variances. Combined with dynamic treasury management practices, this maximises community benefit from the use of the City’s financial resources - allowing the City to re-deploy savings or access unplanned revenues to capitalise on emerging opportunities. It also allows proactive intervention to identify and respond to cash flow challenges that may arise as a consequence of timing differences in major transactions such as land sales.

10.6.5 Applications for Planning Approval Determined Under Delegated Authority

Location: City of South Perth
Ward: Not applicable
Applicant: Council
Date: 1 November 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 October 2013.

Officer Recommendation and COUNCIL DECISION

That the report and **Attachments 10.6.5** relating to delegated determination of applications for planning approval during the month of October 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 October 2013, seventy-one (71) development applications were determined under delegated authority at **Attachment 10.6.5**.

Policy and Legislative Implications

The issue has no impact on this particular area.

Financial Implications

The issue has no impact on this particular area.

10.6.5 Applications for Planning Approval Determined Under Delegated Authority

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 of applications for planning approval determined under delegated authority contributes to the City’s sustainability by promoting effective communication.

10.6.6 Annual Report 2012/2013

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
Date:	4 November 2013
Author:	Phil McQue, Manager Governance & Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report presents for Council's consideration the 2012/2013 Annual Report and 2012/2013 Annual Financial Statements and Auditors Report, and sets the date for the Electors' General Meeting, Monday 9 December 2013.

Officer Recommendation and COUNCIL DECISION

That the Council

- (a) adopt the City of South Perth Annual Report 2012/2013 incorporating the Annual Financial Statements and Auditors Report at **Attachment 10.6.6**; and
- (b) notes the date for the Electors' General Meeting of 7.00pm Monday 9 December 2013 in the Council Chamber, City of South Perth, corner Sandgate Street and South Terrace South Perth.

CARRIED EN BLOC RESOLUTION (By Required Absolute Majority)

Background

The City is required to prepare an annual report each financial year containing a report on the City's activity and performance, inclusive of the annual financial statements and auditor's report for the financial year. This annual report is required to be accepted by the local government no later than 31 December of that financial year.

Comment

A draft of the City's 2012/2013 Annual Report and 2012/2013 Annual Financial Statements is at **Attachment 10.6.6**. The Annual Report provides the community with a comprehensive overview and assessment of the City's activities throughout the 2012/2013 financial year.

The framework of the Annual Report is aligned with the City's Strategic Plan 2013/2023 and reviews the progress of the City's actions against the key directions and priorities outlined in the Strategic Plan.

This Annual Report also contains the 2012/2013 Annual Financial Statements and the Auditors Report, certified on 14 November 2013.

The City has been the recipient of a Bronze Award in the prestigious Australasian Reporting Awards for the previous three annual reports and will be submitting this Annual Report for the 2012/2013 Awards.

The City is required to hold an Electors' General Meeting not more than 56 days after the local government accepts the annual report for the previous financial year, and it is proposed to hold this meeting, 7.00pm Monday 9 December 2013.

Consultation

The *Local Government Act 1995* provides that the Chief Executive Officer is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government. Public notices will be placed in the *Southern Gazette* advising of the availability of the Annual Report together with details of the proposed Electors' General Meeting, with notices to be displayed on the City's website and City libraries.

This Annual Report, incorporating the Annual Financial Statements and Audit Report will be made available to the public on the City's website on 28 November 2012 with hard copies also available to collect at City Centres and copies also to be made available at the 9 December 2013 Electors' General Meeting.

Policy and Legislative Implications

Section 5.53(1) of the *Local Government Act 1995* requires a local government to prepare an annual report for each financial year. Sections 5.53(2) of the *Local Government Act 1995* specifies that the annual report is to contain the financial report and auditor's statement for that financial year.

Section 5.54 of the *Local Government Act 1995* prescribes that an annual report for the financial year is to be accepted by the local government no later than 31 December after that financial year.

Section 5.27 of the *Local Government Act 1995* requires a local government to hold an Electors' General Meeting no later than 56 days after the adoption of the Annual Report for that financial year.

Financial Implications

There will be publication expenses in the production of the 2012/2013 Annual Report and 2012/2013 Annual Financial Statements.

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](#).

10.6.7 Council Meeting /Agenda Briefing Schedule for 2014

Location:	City of South Perth
Ward:	Not applicable
Applicant:	Council
Date:	8 November 2013
Author:	Amanda Albrecht, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration

Summary

The purpose of this report is to adopt the Council Meeting / Agenda Briefing Schedule for 2014.

Officer Recommendation and COUNCIL DECISION

That the Council Meeting Schedule for 2014, as detailed in Item 10.6.7 of the November 2013 Council Agenda, be adopted and advertised.

CARRIED EN BLOC RESOLUTION

Background

A resolution is required to adopt the Council Meeting / Agenda Briefing Schedule for 2014. It is customary to set the Council meeting calendar as early as possible so that meeting dates are known and dates can be advertised to the public early in the New Year.

Comment

Typically, the City of South Perth Council meets on the fourth Tuesday of each month, with the Agenda Briefing on the preceding Tuesday.

Exceptions to the above for 2014 are:

- in January, when the Council is in recess, any urgent matters that may arise that the Chief Executive Officer does not have authority to deal with will be the subject of a Special Meeting of Council. Part 3 of the Standing Orders Local Law 2007 'Calling and Convening Meetings' refers. During this period, the Chief Executive Officer will continue to manage the day-to-day operations of the local government, as he is empowered to do, in accordance with the *Local Government Act*; and
- in December when the ordinary scheduled Council meeting date is usually brought forward by one or two weeks to accommodate the Christmas period. It is proposed that for 2014 the December Council Meeting be brought forward by two weeks to 9 December to allow time for the preparation of the Council Minutes and the implementation and 'action' of Council resolutions. (This recommendation is consistent with the December 2011, 2012 and 2013 meetings); and
- in April, the fourth Tuesday of the month falls between Easter Monday and ANZAC Day. It is proposed that the April Council Meeting be brought forward by one week to 15 April so as not to overlap with this busy holiday period. This move will also assist with the preparation and distribution of the Agenda.

10.6.7 Council Meeting /Agenda Briefing Schedule for 2014

If the Council agrees with the above proposed 'exceptions', the meeting schedule for 2014 would be as follows:

Council Agenda Briefing 2014		Ordinary Council Meetings 2014	
January	Recess	January	Recess
February	18.02.14	February	25.02.14
March	18.03.14	March	25.03.14
April	08.04.14	April	15.04.14
May	20.05.14	May	27.05.14
June	17.06.14	June	24.06.14
July	15.07.14	July	22.07.14
August	19.08.14	August	26.08.14
September	16.09.14	September	23.09.14
October	21.10.14	October	28.10.14
November	18.11.14	November	25.11.14
December	02.12.14	December	09.12.14

The changes proposed for January and December have been customary practice at the City of South Perth for many years. The change proposed for April means that the Council Meeting will be held prior to the Easter holiday period when many people are often away. There is minimal public impact expected by the proposed changes.

Special Council Meetings

Special Council meetings are generally called on an as needed basis and as a result, it is not possible to predict in advance when such meetings will be held.

Consultation

It is proposed to advertise the Council Meeting / Agenda Briefing Schedule for 2014 in the Southern Gazette newspaper and to update the internet 'Schedule of Meetings' accordingly. In accordance with normal practice the contents of Agendas for all meetings are included on the internet under 'Minutes / Agendas' and displayed on the Noticeboards in the Libraries and outside the Civic Centre Administration Offices.

Policy Implications

Adopting the Council Meeting schedule for the forthcoming year is in common with past practice and in line with the *Local Government Act Regulations* which state that: "at least once each year a local government is to give local public notice of the dates, time and place at which Ordinary Council Meetings/Briefings open to the public are to be held".

Financial Implications

There are no financial implications associated with the setting of meeting times, over and above the normal costs associated with the advertising and holding of Council meetings.

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".

10.6.7 Council Meeting /Agenda Briefing Schedule for 2014

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#). Reporting on the Council / Briefing meeting schedule for 2014 contributes to the City's sustainability by promoting effective communication.

10.6.8 City Submission on the Planning Reform Discussion Paper – Planning makes it happen: phase two

Location: City of South Perth
Ward: Not applicable
Applicant: Council
Date: 30 October 2013
Author: Vicki Lummer, Director Development and Community Services
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is for Council to consider and endorse a submission in response to the discussion paper Planning makes it happen: phase two, the next set of planning reform initiatives, to the Department of Planning.

Officer Recommendation and COUNCIL DECISION

That Council endorse the submission to the Department of Planning.

CARRIED EN BLOC RESOLUTION

Background

In September 2009 “Planning Makes Its Happen” was launched setting out a first round of planning reforms. This included Development Assessment Panels, Multi Unit Housing Codes and Directions 2031 and Beyond strategy, amongst other reforms.

The Department of Planning is now seeking comments on their discussion paper Planning makes it happen: phase two, the next set of planning reform initiatives. Comments are due by Friday 13 December 2013.

Comment

The full submission is contained in **Attachment 10.6.8**. The main points are summarised below:

- The City supports initiatives to streamline legislation and reduce bureaucracy and timeframes.
- Whilst the City supports consistency across schemes, definitions and other mechanisms, removing the need for “compliant” single houses to obtain planning approval is not supported. This would be inconsistent with the City’s community notification procedures and it would also place the onus on the developer to assess their own application against the City’s scheme, policies and the R Codes, which is not seen as appropriate or achievable.
- The City has long advocated for the improvement of the scheme amendment process of referral to the EPA which is an unnecessary step in many urban proposals.
- The shorter minor scheme amendment process is also supported by the City. However, whilst shortening local government process times will assist, the main delay with scheme amendments is the time taken by the Department of Planning. Without adequate resources devoted to this in the Department, scheme amendment times will remain too long.
- Private certification of development applications is generally not supported by the City. There is seen to be too great a risk in allowing private certifiers to attempt to certify larger, more complex applications in the City of South Perth.

10.6.8 City Submission on the Planning Reform Discussion Paper – Planning makes it happen: phase two

Consultation

Elected members were consulted through the Bulletin on 25 October seeking comments. No comments were received.

Policy and Legislative Implications

There are no legislative or policy implications to the City in making this submission.

Financial Implications

There are no financial implications to the City in making this submission.

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](#).

10.6.9 Year End Financial Statements 2013

Location: City of South Perth
Applicant: Council
File Ref: FM/301
Date: 16 November 2013
Author/Reporting Officer: Michael J Kent, Director Financial & Information Services

Summary

Management account summaries comparing actual performance against budget expectations for the 2012/2013 year are presented for Council information. Comments are provided on the significant financial variances disclosed therein.

Officer Recommendation and COUNCIL DECISION

That

- (a) the year-end Statement of Financial Position and Financial Summaries provided as **Attachment 10.6.9(1-4)** be received;
- (b) the Schedule of Significant Variances provided as **Attachment 10.6.9(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 10.6.9(6)(A) & (B)** be received;
- (d) the Rate Setting Statement **Attachment 10.6.9(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 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 also reflects the structure of the budget information provided to Council and published in the Annual Budget.

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

Regulation 35 of the Local Government (Financial Management) Regulations requires significant variances between budgeted and actual results to be identified and comment provided on those identified variances. The City has adopted a definition of 'significant variances' of \$5,000 or 5% of the project or line item value - whichever is the greater. Whilst this is the statutory requirement, the City may also provide comment on lesser variances where it believes this helps discharge accountability.

The local government budget is a dynamic document and is necessarily progressively amended throughout the year to take advantage of changed circumstances and new opportunities. 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.

For comparative purposes, a summary of budgeted revenues and expenditures (grouped by department and directorate) is provided to reflect a reconciliation of movements between the 2012/2013 Adopted Budget and the 2012/2013 Amended Budget including the introduction of the capital expenditure items carried forward from the previous year.

A Statement of Financial Position detailing the City's assets and liabilities and giving comparative values for those assets and liabilities at the equivalent time in the previous year provides financial accountability to the community for resource use.

Comment

The components of the monthly management account summaries presented are:

- Balance Sheet - **Attachments 10.6.9(1)(A) and 10.6.9(1)(B)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment 10.6.9(2)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment 10.6.9(3)**
- Summary of Capital Items - **Attachment 10.6.9(4)**
- Schedule of Significant Variances - **Attachment 10.6.9(5)**
- Reconciliation of Budget Movements - **Attachment 10.6.9(6)(A) & (B)**
- Rate Setting Statement - **Attachment 10.6.9(7)**

The City's audited statutory financial statements and all accompanying notes and schedules (presented in Agenda **Attachment 10.6.6**) are simply another view of the management accounts as at 30 June 2013 presented in a particular statutory format - as is demonstrated by the table below.

Management Accounts	Budget	Actual
Revenue – Operating	46,146,062	49,705,058
Revenue – Capital	3,224,613	3,115,376
	\$49,370,675	\$52,820,434
Expenditure- Operating	49,385,585	49,159,144
Expenditure – Capital	12,617,526	11,102,511
	\$62,003,111	\$60,261,655
Statutory Program Based Accounts	Budget	Actual
Revenue – Operating	46,401,000	50,488,019
Revenue - Asset Disposals	927,062	820,369
Revenue - Capital Grants	2,042,613	1,511,686
Movement in Joint Venture Equity	0	360
	\$49,370,675	\$52,820,434
Expenditure – Operating	52,268,035	51,464,313
Expenditure - Carrying Amount	693,387	294,551
Expenditure – Interest	751,852	722,000
Expenditure - Capitalised Assets	2,194,837	1,358,781
Expenditure - Capitalised Infrastructure	6,095,000	5,370,950
Expenditure - WIP (Buildings)	0	604,954
Expenditure - Software Capitalised	0	446,106
	\$62,003,111	\$60,261,655

The detailed management accounts referred to above represent more than 110 pages of detailed operational financial information that is then aggregated into a series of summarised schedules to enable Council Members to take an oversight view of the City's finances.

Operating Items

Organisational Operating Revenue to 30 June 2013 is \$49.70M which represents 108% of the total revenue budget. The CEO Office achieved 98% of budget for the year for operating revenue. Revenue in this area relates to income generated by the Ranger Services team.

Financial & Information Services exceeded their revenue budget by some 11% (\$3,419,473) although \$3.0M of this was a non cash item related to recognition of controlled (Crown) land for the first time. The remainder was largely attributable to the Grants Commission paying 40% of our 2013/2014 grant funding in June 2013. Whilst the aggregate grant allocation is higher than the previous year figure, the early payment is not really an extra payment - but rather it is an advance one. This now means that the City will have a lesser grant related cash flow in 2013/2014 than it would otherwise have done. Rates and investment revenues were both very close to budget expectations at year end.

The Planning & Community Services Directorate finished the year 1% (\$52,964) under budget largely due to the non-receipt of grant funds associated with the Club Development Officer position. Planning revenue finished 3% (\$14,446) ahead of budget and Building Services revenue was almost on budget which was a much improved result compared to the adverse impact of the introduction of the new Building Act in 2011/2012.

Revenue performance at the Collier Park Village was just \$4,477 under budget and the Collier Park Hostel finished ahead of the (downwards revised) budget after the late receipt of a retrospective commonwealth subsidy adjustment.

Infrastructure Services concluded the year 3% (\$175,713) ahead of revenue budget expectations - a result largely attributable to the Grants Commission paying \$213,761 of our 2013/2014 grant funding in June 2013. This early payment is not an extra payment - and now means that the City will have a lesser cash inflow in 2013/2014 than it would normally have done - although this has already been factored into the budget. Contributions for third party park-related works were modestly ahead of budget expectations as were waste management revenues.

Golf course revenue finished the year some 2% (\$45,980) ahead of revenue budget expectations. Green fees were ahead of budget but lease revenue was less than had been budgeted for due to the new lease not having been successfully introduced in line with the original timeline.

Comment on specific variances contributing to these differences may be found in the Schedule of Significant Variances - **Attachment 10.6.9(5)**.

Operating Expenditure to 30 June 2013 is \$49.16M which represents 100% of the total budget. Costs within the Chief Executive's Office were 3% (\$128,127) under budget at year end. Savings on salaries in the Governance area and a lesser requirement for a doubtful debts allocation in the Rangers area were the major contributors to the favourable variance.

Operating Expenditure for the Financial and Information Services area (after allocations outwards) is reported as being 7% (\$361,593) under budget. However, the largest component of this variance was a budgeted \$300,000 asset carrying amount for the planned disposal of the Manning Commercial Land which is now likely to take place in 2013/2014. Most cash costs in the Financial Services, Information Technology and Customer Focus areas were very close to budget expectations. Library Services also delivered a 1% (\$30,980) favourable result with the variance representing a number of small operational savings.

Operating Expenses in the Planning & Community Services Directorate were 1% (\$59,285) under budget overall at year end. Extended vacancies in the Building Services area earlier in the year resulted in that area delivering a \$79,361 saving.

Modest savings in community events and Fiesta costs helped offset additional costs for recreation and facility bookings that represented some \$32,423 overspend.

The Collier Park Village was 4% (\$57,638) over budget at year end - with the major factors being utility costs, minor maintenance and cleaning, all of which were above expectations. The Hostel was again some 4% (\$77,338) over the previously budgeted \$215,000 operating deficit at year end (largely attributable to additional carer costs).

Infrastructure Services Directorate finished the year 1% (\$251,870) over budget - the composite result of a number of small variances, non-cash items or minor under-recoveries of overheads. The Engineering Infrastructure arm of the Infrastructure Services Directorate ended the year 1% (\$181,664) over budget with more than 40% of this being attributable to higher than budgeted (non-cash) depreciation expense and the remainder reflecting small variances on recovery of fleet costs and overheads.

The City Environment area finished the year 1% (\$88,029) unfavourable. The cost of maintaining parks and reserves was 1% under budget at year end. Streetscape maintenance was 2% over budget because of the service level necessarily provided to manage risk and maintain the desired standard of streetscapes. Building maintenance was 1% under budget whilst Environmental Management was some 1% under the approved budget allocation. Overheads were under-recovered in the City Environment area to the tune of \$153,435 - unfortunately offsetting a portion of the savings in other areas within this department for the year.

Waste management costs were on budget at year end. Golf course expenditure was 3% (\$70,694) over budget at year end - mainly attributable to higher salary costs, additional tree and shrub planting / maintenance costs and higher than budgeted power costs - although this issue has now been successfully resolved.

Comment on specific variances contributing to these differences may be found in the Schedule of Significant Variances - **Attachment 10.6.9(5)**.

Employee Costs

Salary and associated costs for the year include superannuation and amounts transferred to provisions for statutory employee entitlements such as annual and long service leave. These costs totalled \$17.00M against a budget of \$17.23M - resulting in a favourable variance of 1.6%. Employee entitlements mentioned above (annual & long service leave) are fully cash-backed as part of our responsible financial management practice.

Staff costs within the Chief Executive's Office which includes Human Resources, Communications, Governance and Rangers areas were 3% under budget overall at year end mainly due to a part year vacancy within the Governance area. The Financial & Information Services area was 0.6% under budget overall for staff costs with Finance, Information Services and the Customer Focus Team all under budget whilst Libraries was on budget at year end.

Staff costs in the Planning & Community Services Directorate were 1.7% under budget at year end. Directorate Administration was 3.58% under budget. Planning Services ended the year 0.7% under budget whilst Building Services was 33.81% under and Health Services was 0.2% under budget. Community Culture & Recreation was on budget at year end. Total staff costs at the Collier Park Retirement Complex were 2% over budget at year end - but this largely reflects the impact of additional hostel carer costs under the transitional staff structure.

Infrastructure Services staff costs were within 1.54% of budget overall. Directorate Support was 2.2% under budget. City Environment salaries finished 0.7% over budget at year end whilst Engineering Infrastructure finished with its salaries expenditure 6.9% under budget due to some field staff vacancies. Collier Park Golf Course finished the year with a 6.3% unfavourable variance on staff costs.

Staff costs recorded in the accounts include all temporary staff costs for the year as well as costs relating to permanent staff.

Capital Items

Capital Revenue of \$3.11M represents 97% of the total budget of \$3.22M. Revenue from the disposal of the Vista St land exceeded budget expectations. The planned disposal of the Ray St land initially included in the adopted Budget (but subsequently removed in a Budget Review) was not able to be concluded by 30 June. Whilst the City effectively managed the cash flow implications of this delayed transaction by also deferring transfers to cash backed reserves associated with land sales, the revenue not being achieved in the 2012/2013 year did have a significant impact on the reported revenue performance and financial ratios for the year. For instance, the reported operating surplus ratio reflected a negative value rather than the positive result that would have occurred had the transaction been concluded within the year.

Capital road grant revenue was less (\$430,705) than budget expectations due to delays associated with the Centenary Ave Project - but this is a timing difference with the funds able to be claimed in 2013/2014 when the work is concluded. Revenues from leasing units at the Collier Park Village ended the year some \$114,837 ahead of expectations as a higher than anticipated number of units was turned over.

Capital Expenditure of \$11.02M represents 88% of the Total Budget of \$12.62M. When Council adopted the 2013/2014 Annual Budget, potential carried forward expenditure of \$1.76M was flagged. Following adjustment to reflect actual (rather than projected) expenditure after the year end close-off of accounts, an amount of \$1.62M has now been identified and approved for carry forward into the 2013/2014 budget. Combined with the completed works, this represents 100% of the full year budget.

Further comment on variances relating to Capital Revenue and Expenditure items may be found in **Attachment 10.6.9(5)**.

Borrowings

There were no City borrowings planned or undertaken during 2012/2013 but the City did act as a guarantor for a self-supporting loan for \$0.50M for the South Perth Bowling Club during the reporting period. Repayments of principal and interest associated with the South Perth Bowling Club loan are expected to be fully serviced from the club's own funds without impost on City ratepayers.

Statement of Financial Position

Current Assets at year end are \$49.79M compared to \$42.38M in 2011/2012. Cash holdings are some \$1.8M higher - representing in part funds held for carried forward works but also reflecting very good cash collections throughout the year. Receivables are recorded as \$0.9M higher but this reflects a much higher GST receivable after the ATO encountered difficulties with its payment gateway resulting in several months' payments being outstanding - until finally received in July. Inventories - Materials are close to last year's levels, reflecting effective management of stock levels, however a new category of Inventory - Land Held for Resale has added some \$5.0M (at cost) to Current Assets this year. Prepaid expenses are significantly lower than the previous year level whilst accrued interest revenue on invested funds is also lower than at 30 June 2012.

Current Liabilities are higher than their position at the end of last year being \$8.69M against \$8.01M. Accounts Payable has increased by \$0.4M. Employee Entitlements (under legislation) for annual leave & long service leave have necessarily increased by \$0.2M. Current Loan Liabilities are \$0.1M higher than at the same time last year due to the new self-supporting borrowings.

Non-Current Assets as at 30 June 2013 are \$516.11M after capitalising infrastructure assets created during the year - and revaluing roads, paths and drains to current replacement value at 30 June 2013. This compares to \$290.70M at this time last year.

\$234.2M of the difference is attributable to the revaluation impact of infrastructure assets as shown below:

- Land Assets value increase by \$223.5M
- Roads Network value increase by \$15.8M
- Paths Network value decrease by \$(5.5M)
- Drainage Network value increase by \$0.20M
- Other Assets value increase by \$0.20M

These valuation adjustments reflect recognition of Property Plant & Equipment & the nominated Infrastructure Asset classes at fair value (current replacement cost).

The remainder of the change in non-current asset reflects the capitalisation of new plant and equipment, technology and fixtures and fittings and the related depreciation expense on all fixed assets. Non-current receivables have decreased by \$0.46M due to accelerated collections from the UGP Stage 5 Project.

Non-Current Liabilities finished the year at \$41.62M - a decrease of \$1.2M on the 30 June 2012 balance. The combined CPV / CPH Leaseholder Liability increased slightly from \$30.4M to \$30.6M this year. The increase was a consequence of higher market values being paid for the residential units - with the attendant obligation to refund the larger values to departing residents. The resulting increase in leaseholder liability is offset by an increase in Investments associated with the Reserve Fund in which the refundable amounts are quarantined.

The balance of Non-Current Borrowings decreased in net terms by \$1.59M after including the new self-supporting borrowings, reclassifying the current / non-current

balance split and removing the loan capital payments made during the year. There was also a \$0.05M increase in Non-Current Provisions for Employee Entitlements.

Financial Ratios

New financial ratios associated with the local government integrated planning and reporting framework were introduced for 2012/2013.

The City’s solid financial position and longer term financial sustainability are reflected in the key financial ratios with the City meeting or being close to the preferred industry benchmark in all but one financial ratio as is shown in the table below:

Commentary on the financial statements last year highlighted the importance of effectively managing cash liquidity in the upcoming year with conversion of debtors to cash in a timely manner and operating within the approved expenditure budgets needing to be high priorities in the 2012/2013 year. The improvement in all financial ratios disclosed for 2012/2013 compared to the previous two years demonstrates how effectively the challenge was met throughout the last year.

Importantly, this demonstrates that the City does have an appropriate longer term financial strategy in place to steadily build and enhance its financial sustainability.

Financial Ratio	2012/2013	2011/2012	2010/2011
Current Ratio (Preferred ratio is greater than 1.1)	1.60:1	1.15:1	0.85:1
Operating Surplus Ratio (Preferred ratio is positive- up to 5%)	(2.5%)	(9.1%)	(3.9%)
Own Source Revenue Ratio (Preferred ratio is greater than 40%)	91.6%	86.2%	87.9%
Debt Service Ratio (Preferred ratio is between 2:1 & 5:1)	4.4:1	4.5:1	6.8:1
Outstanding Rates Ratio (Preferred ratio is less than 5%)	0.9%	1.2%	1.3%
Asset Sustainability Ratio (Preferred ratio is greater than 90%)	85.1%	84.2%	82.5%
Asset Consumption Ratio (Preferred ratio is between 50% & 70%)	55.9%	54.1%	54.5%
Asset Renewal Funding Ratio (Preferred ratio is between 95% & 100%)	98.9%	N/A	N/A

* New Ratio for 2012/2013 year

Consultation

This is a financial report prepared to provide financial information to Council and the City's administration to provide evidence of the soundness of financial management being employed by the administration. It also provides information and discharges financial 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 [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](#). This report addresses the ‘financial’ dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - encouraging dynamic financial management through 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.

10.7 MATTERS REFERRED FROM THE AUDIT AND GOVERNANCE COMMITTEE

Nil

11. APPLICATIONS FOR LEAVE OF ABSENCE

11.1 REQUEST FOR LEAVE OF ABSENCE – COUNCILLOR CRIDLAND

I hereby apply for Leave of Absence from all Council Meetings for the periods (inclusive):

- 22 November – 2 December 2013
- 24 December – 1 January 2014
- 15-17 January 2014
- 19-26 January 2014

11.2 REQUEST FOR LEAVE OF ABSENCE – MAYOR DOHERTY

I hereby apply for Leave of Absence from all Council Meetings for the periods, 6 December 2013 and 9-17 January 2014, inclusive.

11.3 REQUEST FOR LEAVE OF ABSENCE – COUNCILLOR HAWKINS-ZEEB

I hereby apply for Leave of Absence from all Council Meetings for the period 24 December 2013 to 24 January 2014 inclusive.

11.4 REQUEST FOR LEAVE OF ABSENCE – COUNCILLOR REID

I hereby apply for Leave of Absence from all Council Meetings for the period 20 December 2013 to 8 February 2014, inclusive.

Recommendation and COUNCIL DECISION

Moved: Councillor Huston

Seconded: Councillor Trent

That the leave of absence requests as detailed in Items 11.1, 11.2, 11.3 and 11.4, be approved.

CARRIED (8/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13. QUESTIONS FROM MEMBERS

13.1. RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

13.2 QUESTIONS FROM MEMBERS

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

15. MEETING CLOSED TO PUBLIC

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Please note: Prior to closing the meeting to the public the Mayor read out her Declaration of Impartiality Interest in relation to Item 15.1.2.

Declaration of Impartiality Interest from Mayor Doherty

"I wish to declare an impartiality interest in Agenda Item 15.1.2 (Appointment of Design Advisory Group members (Confidential)) on the Council Agenda for the meeting to be held 26 November 2013.

I disclose that I encouraged one of the applicant's to apply for a position on the Design Advisory Group.

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The Mayor then asked Councillors whether or not they wished to discuss or debate the confidential items. Councillors confirmed that they did not. The Council then proceeded to vote on the confidential items. The meeting remained open to the public.

15.1.1 Volunteer of the Year Award – Nominations (Confidential)

Location: City of South Perth
Ward: Not applicable
Applicant: Council
Date: 1 November 2013
Author: Rene Polletta, Youth and Children's Officer
Reporting Officer: Sandra Watson, Manager Community Culture & Recreation

Confidential

This report is confidential in accordance with Section 5.23(2)(b) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following: *the personal affairs of any person.*

Note: *Confidential Report* circulated separately.

15.1.2 Appointment of Design Advisory Group members (Confidential)

Location: City of South Perth
Ward: Not applicable
Applicant: Council
Date: 24 October 2013
Author: Vicki Lummer, Director Development and Community Services
Reporting Officer: Cliff Frewing, Chief Executive Officer

Confidential

This report is confidential in accordance with Section 5.23(2)(b) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following: *the personal affairs of any person.*

Note: *Confidential Report* circulated separately.

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.1.1 Volunteer of the Year Award – Nominations (*Confidential*)

COUNCIL DECISION

Moved: Councillor Hawkins-Zeeb

Seconded: Councillor Cala

That, following consideration of the nominations received for the 2013 City of South Perth Volunteer of the Year Awards, the winners as presented in the recommendations of the confidential report item 15.1.1 of the November 2013 Council Agenda, be approved.

CARRIED (8/0)

15.1.2 Appointment of Design Advisory Group members (*Confidential*)

COUNCIL DECISION

Moved: Councillor Trent

Seconded: Councillor Cala

That Council approves the appointment by the CEO of members to the Design Advisory Group, effective from the December 2013 meeting, as presented in the recommendations of the confidential report item 15.1.2 of the November 2013 Council Agenda.

CARRIED (8/0)

16. CLOSURE

The Mayor thanked everyone for their attendance and closed the meeting at 9:35 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 10 December 2013.

Signed _____

Chairperson at the meeting at which the Minutes were confirmed.

17. RECORD OF VOTING

26/11/2013 7:08:41 PM

Motion to suspend Standing Orders

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:46:18 PM

Motion to resume Standing Orders

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:49:30 PM

Item 7.1.1

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:50:09 PM

Item 7.1.2

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:52:22 PM

Items 7.2.1 to 7.2.5

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:53:17 PM

Items 8.1.1 to 8.1.4

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

Record of voting

26/11/2013 7:55:58 PM

Item 8.1.5

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 7:56:56 PM

Items 8.4.1 and 8.4.2

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 8:01:04 PM

En Bloc Motion

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 8:32:20 PM

Item 10.2.1

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 8:43:00 PM

Item 10.3.2

Motion Passed 5/3

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Veronica Lawrance, Cr Kevin Trent, Cr Fiona Reid

No: Cr Sharron Hawkins Zeeb, Cr Michael Huston, Cr Cheryle Irons

Absent: Cr Glenn Cridland

26/11/2013 9:06:54 PM

Item 10.5.4

Motion Passed 6/2

Yes: Mayor Sue Doherty, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Fiona Reid

No: Cr Colin Cala, Cr Kevin Trent

Absent: Cr Glenn Cridland

26/11/2013 9:08:57 PM

Items 11.1 to 11.4

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

Record of voting

26/11/2013 9:22:49 PM

Item 15.1.1

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

26/11/2013 9:23:13 PM

Item 15.1.2

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance,
Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland

APPENDIX I – PUBLIC QUESTION TIME 26 NOVEMBER 2013

Please note: In some cases, the preamble to questions has been paraphrased.

1. Dr Sarah Schladow, 3/20 Garden St, South Perth Received enquiries 22 October 2013	Response provided by: Director Development and Community Services
Telstra Tower Application	
1. Some Councillors claimed they had no knowledge of this Application prior to public notices, and were thus initially unable to discuss it with ratepayers. Was this application discussed with all previous Councillors? If yes, is there a Minute/record available for ratepayers' information?	Councillors were made aware of the proposal through the City's internal newsletter dated 27 September 2013, prior to public notices being advertised. Letters were mailed out to residents on the 26 September 2013.
2. When did public notices go up?	26 September 2013.
3. The Application implies that Council (along with Swan River Trust) has already indicated some 'support' for the proposal.	
a) Has Administration indicated 'support' to Applicant?	No.
b) Has any 'in principle' approval been indicated?	No.
4. Apparently, the foreshore tower is 'preferred option (2)' (Application, p9). When was this decision made? Was this an Administration or Council decision? If Administration, who made the decision?	This was not a decision, but a recommendation based largely on the Swan River Trust's need for the facility to not be visually obtrusive in the river environment. It was considered preferable by City Officers and by the Swan River Trust.
5. So is there any one person responsible for this in the Council?	No.
6. As Council should be aware of the significance of this foreshore recreation reserve; general contention surrounding placement of such Towers in other areas; and consultation between Administration and Applicant (including 'onsite meetings and discussion') - Why have ratepayers not been provided with details of: <ul style="list-style-type: none"> • potential implications of the proposal (if it is approved), including possible rezoning requirements • reasons for supporting approval of this Application • potential lease (or purchase) terms to apply if the tower is approved? 	The City has made all information available to ratepayers. It is not the City's place to provide reasons for supporting an application during the advertising period, as it is the residents' views we wish to hear. It is premature to discuss leasing arrangements until the Swan River Trust has made a determination on the application.

<p>7. The whole of Lot 215 are mapped in the Application (By the way, I note that it is Lot 215 and 216 now). a) Must any of this be rezoned for the tower to be approved/installed?</p>	<p>No.</p>
<p>b) If Yes, will only the Tower 'footprint' area be excised/rezoned?</p>	<p>Not applicable. It doesn't have to be rezoned.</p>
<p>8. Is the possibility of any general rezoning being considered a) in this location?</p>	<p>No, because in accordance with the MRS TEXT the WAPC has the power to approve the application with or without conditions.</p>
<p>b) anywhere on Sir James Mitchell Park?</p>	<p>No.</p>
<p>c) anywhere on South Perth foreshore area?</p>	<p>No.</p>
<p><i>At the meeting of 15 October, some Councillors and Administrative Officers appeared to have little idea of the detail or implications of the Application proposal. For instance, one Officer suggested that the proposed mast would be situated 'on top of an existing light pole.' However, as I understand it, the mast will comprise a solid monopole structure 12 metres high, adapted to carry the same style of light as currently exists.</i></p> <p>9. What is the responsibility of Administrative officers to provide accurate information at such meetings (notwithstanding introductory disclaimers about information at each meeting)</p>	<p>When a report is prepared for Council to consider this application, all relevant information will be provided.</p>
<p>Amalgamation submission</p>	<p>Response provided by: Chief Executive Officer</p>
<p><i>I received no information or request for comment on amalgamation prior to the Council submission: ditto, several of my neighbours, also ratepayers. Our input on this issue has yet to be canvassed, along with (I presume) many other ratepayers.</i></p> <p><i>For CEO then to state at that meeting (the October 2013 meeting) that all ratepayers were notified about the amalgamation proposal about a year ago simply ignores the fact that some ratepayers clearly were not informed.</i></p> <p><i>The response to my question also seemed to suggest that the Dadour amendment did not apply to Council's submission and that, in any case, there would be time for public responses to the submission later. As the Dadour amendment remained in effect at the time of Council submission, any such lack of consultation is a matter of concern.</i></p> <p>10. I would therefore appreciate a response detailing:</p> <ul style="list-style-type: none"> • Council policy on providing information to ALL ratepayers 	<p>The City has worked hard to keep residents and rate payers informed of this issue and has used various communication channels to provide information to ratepayers, including the City of South Perth website, City of South Perth e-newsletter <i>InFocus</i>, the Peninsula (delivered quarterly to each residence), the City's Facebook page, public notices and delivered a postcard to all residences within the City. In addition the City has been involved in significant media exposure on this topic.</p> <p>Some examples, just in 2013 (bearing in mind that this issue goes back a very long time), there have been:</p> <ul style="list-style-type: none"> • four articles in the Peninsula (which is a quarterly publication that is delivered to each residence); • 18 media releases, which have received considerable promotion in the Southern Gazette, and they are also on the City's website; • six items in the South Perth <i>InFocus</i> e-newsletter

<ul style="list-style-type: none"> • How any objections to (and specific conditions of) amalgamation can/will be dealt with subsequent to the submission? • If state government accepts the submission and authorises amalgamation, what can be done if South Perth ratepayers object to amalgamation in general, or to specific conditions? 	<ul style="list-style-type: none"> • there has been a big campaign called the 'Battle for Burswood' campaign and rally (which was held on the 15th of September); • it has been on the City's website; and • there have been articles in the Southern Gazette and the Examiner. <p>It is the topic for Metropolitan Perth for 2013.</p> <p>The current local government reform process is subject to the provisions of the <i>Local Government Act 1995</i>. The Local Government Advisory Board will now consider all submissions and make recommendations to the Minister for Local Government, who must accept or reject the Board's recommendation.</p> <p>The Dadour provisions in the <i>Local Government Act 1995</i> will also apply whereby a minimum of 10% or 250 electors can request a poll of electors of the district. The poll provisions are subject to review and are likely to be reviewed by the Government next year, in the Autumn session of parliament, when those provisions are likely to be changes.</p> <p>The Dadour provisions can only be acted upon when the Local Government Advisory Board makes a recommendation and that is not likely to be for about 8 months.</p> <p>If at a poll—</p> <ul style="list-style-type: none"> (a) at least 50% of the electors of one of the districts vote; and (b) of those electors of that district who vote, a majority vote against the recommendation, <p>the Minister is to reject the recommendation.</p>
<p>2. Ken Manolas, 193 Mill Point Road, South Perth Received enquiries 21 November 2013</p>	<p>Response provided by: A/Director Infrastructure Services</p>
<p>1. Is the City of South Perth going to manage Sir James Mitchell Park leasehold agreements on similar conditions currently in effect in Kings Park being restricted to an aggregate maximum term (including options) of 21 years?</p>	<p>This will be determined in the Strategy Document and Management Plan.</p>

<p>2. Is the City of South Perth as custodians for Sir James Mitchell Park, prepared to request Landgate to register on the newly issued Digital Certificate of Titles the notation appearing on the original condition of the purpose of use “Swan River Improvements and Foreshore Recreation Grounds at South and Foreshore recreation grounds at South Perth” respectively to ensure the Vision of Sir James Mitchell is retained for all “future generations for the people of the State”?</p>	<p>Yes.</p>
<p>3. Marcia Manolas, 193 Mill Point Road, South Perth Received enquiries 21 November 2013</p>	
<p>1. In relation to the Vision Ahead Policy document, also reaffirmed in the May 2013 Minutes and November 2013 Agenda, Council states in the Vision Statement “How do we balance the desire for a Southbank-style development of segments of the South Perth foreshore with immediately adjoining resident’s needs, open space landscapes and passive and active recreation uses?”</p> <p>a. How will Council achieve the Vision Statement “a Southbank-style development”, without sale or 99 year leaseholds of the Park?</p>	<p>Response provided by: A/Director Infrastructure Services</p> <p>The reference to a “Southbank-Style development” is not a Council Vision Statement. The subject was raised by participants in the Vision Ahead process and included in the document as a “Key question for our future”. The City is now at this point by undertaking the South Perth Foreshore 2013 and Beyond process and the Survey will determine whether that key question has any validity.</p>
<p>b. Does that have any validity now?</p>	<p>The report to Council tonight will determine that.</p>
<p>c. Based on the community response to your most recent consultation, a Southbank development is not supported by the community. When did this idea arise and what support has it been given since?</p>	<p>It was a discussion point raised by members of the community in the Vision Ahead process. It is a question, not City policy and would only have support from the City if it was supported by the community.</p>
<p>4. Hamilton Stott, 130 Ryrie St, Como Received enquiries 21 November 2013</p>	
<p>1. We appreciate and are aware the Mayor and Administration have publicly stated there will be NO sale or leaseholds over 99 years in Sir James Mitchell Park, however, can Administration direct the residents:</p> <p>a. Towards any resolution of Council has passed endorsing the above, or</p> <p>b. To any existing policy documentation wherein Council states the above by way of a Vision Statement or Council Policy?</p>	<p>Response provided by: A/Director Infrastructure Services</p> <p>There is no resolution or policy to that effect. But this is the subject on an amended motion to be considered at this meeting.</p>

<p>5. Dr Jennifer Nevard, 195 Mill Point Road, South Perth Received enquiries 25 November 2013</p>	<p>Response provided by: A/Director Infrastructure Services</p>
<p>1. My question refers to the survey of the community the Council conducted in July – August 2013 as a component of the South Perth Foreshore 2013 and Beyond project. The survey listed 83 items that were claimed to be important for the South Perth Foreshore. Which documents does the Council hold that:</p> <p>a. substantiate that claim?</p>	<p>The 83 items were gained from the first round of stakeholder and community consultation (Ideas Gathering). They were listed in Part 01 'Feedback and Opportunities' of the South Perth Foreshore 2013 and Beyond documents.</p>
<p>b. demonstrate that the community endorsed these 83 items as all being important?</p>	<p>The demonstration that they were important was obtained from the second round of consultation (Feedback Survey) where the community was afforded the opportunity to provide input as to whether they were either of 'Very Low Importance', 'Low Importance', 'Neutral', 'High Importance' or 'Very High Importance'.</p>
<p>6. Mal Dempsey, 78 Mill Point Rd, South Perth Received enquiries 22 November 2013</p>	<p>Response provided by: Chief Executive Officer</p>
<p>Civic Triangle (Item 10.0.3 on the November 2013 Meeting Agenda)</p>	
<p><i>My questions relate to the Civic Triangle Site. We were actually tenderers on it. I just want to ask some questions, because some statements were made in the documentation that has been put out, and one of those was to achieve the "best possible financial return".</i></p> <p><i>Currently the property is being valued as circa \$16.5 million by Garmony (that figure is about \$2000 per sqm). The valuation was done on a hypothetical development method based on highest and best use as determined by 2 architectural firms who independently prepared development proposals for highest and best use based on development guidelines under Amendment No. 25 (Train Station Precinct). However, under TPS Amendment No. 25, the development requirements state that:</i></p> <ul style="list-style-type: none"> • 3.4 where plot ratio exceeds 3.0 residential plot ratio not to exceed 1.5 unless Council approve a higher density • 5.2 height may be relaxed subject to meeting all performance criteria in Table B. <p>1. If South Perth City Council has discretion to vary height and plot ratio then why is 20 storey and mix of 11,000 sqm commercial and 140 apartments considered highest and best use?</p>	<p>The two concept proposals and the subsequent market valuation are for guidance only and are not binding in any way on the Council.</p> <p>The concept proposals prepared by the local architects were requested by the City to be used only as a guide to potential developments that may be possible under Scheme Amendment 25.</p> <p>These proposals were used by the City's valuer to undertake a hypothetical development assessment where a hypothetical subdivision is envisaged on the gross realisations of the proposed development and is determined that the associated costs are deducted to determine what a prudent investor/developer would be prepared to pay for the site.</p> <p>The valuation of \$16.5 million is net of all costs including GST.</p> <p>The City's Town Planning Scheme allows for developments higher than 20 storeys subject to compliance with scheme requirements. The development will be determined by a Development Assessment Panel and not the Council.</p>

<p><i>As I understand it, the Minister for planning can overrule (the Council) so to determine the highest and best use is not the correct way of valuing it, especially if we are trying to get a good reserve prices. You've had the valuation done, you are now going out to the market, and you've gone to tender for consultants to sell it, and if it \$16.5 million as a reserve, it is a dangerous reserve to have, especially when all of the recent sales evidence has been in that \$4 to 4,500 per sqm range (this is a much bigger site).</i></p> <p>2. I would like to request a revaluation be carried out before it is sold (which I think would be prudent)?</p>	<p>The figure of \$16.5 million will not be the reserve price. We are very well aware of the local sales activity in the area and this is one of the reasons why we have sought professional real-estate and sale services - which is the subject of the report this evening. These services are to help guide us through that process.</p> <p>The City will be aiming for the best possible price from the sale of the land.</p>
<p><i>Under financial implications on page 22, it is stated that 'there is a financial risk in further abstaining from disposal as a number of major projects are premised on this sale'.</i></p> <p>3. If the reserve is set at \$16.5 million, and the funds are being allocated for that \$16.5 million, if we do in fact achieve a figure of \$35 million is any of that money going to be put back into South Perth Foreshore, or is it all going to other projects?</p>	<p>To re-iterate, there is no reserve, at \$16.5 million, the Council has not set a reserve price yet. That will happen next year after we have had discussions with the successful tenderer.</p> <p>At this stage a large portion of those funds are allocated to projects outside of the South Perth Foreshore area but if there is any surplus then the Council will need to decide how to allocate those funds.</p>
<p>4. Does Manager Governance and Administration believe hurrying the sale of this "Jewell in the Crown" asset (with a supposed reserve of \$16.5M) will deliver the best result and return to the ratepayers? Or should we rezone to allow 30-40 storey tower and sell for many millions of dollars more?</p>	<p>Again, I will just emphasise that there has been no reserve set on this land. The City has not been hurrying to sell the land. In fact, the City has been progressing the sale of this land since about 2004.</p>
<p>5. I understand that, but a lot of the information put out shows 20 storeys, 11,000 sqm commercial and 140 apartments as the highest and best use, so anybody tendering on it would be thinking that they can only build that much?</p>	<p>From discussions with developers that we have had already and also from some of the people that have responded to the tender advertisement, they are all very well aware that the architects information is conceptual and simply shows what could be achieved but it is there as a guide only.</p> <p>When the City gets to the tendering stage, we will ensure everyone is aware of the relevant provisions of the Town Planning Scheme which allow development of greater than 12 stories.</p>
<p><i>Finally Highest and Best use as purported comprises;</i></p> <ul style="list-style-type: none"> • 11,000m² commercial • 140 apartments • With 250 car bays <p><i>As I understand it, the requirement for car parking in a commercial development in this area is 1 bay/50m² = 220 cars.</i></p> <p><i>To sell apartments need at 2 bays each (inc visitor bays) = 280 cars</i></p> <p><i>A requirement of a total of 500 cars, reflecting a shortfall of 250 bays. Therefore no</i></p>	<p>We do not have any development proposal at this stage. All we have done is prepare a concept. That shows a development that could occur that would satisfy the scheme provisions.</p> <p>Any future development that comes in will likely not bear any resemblance to what the concept is. It is therefore, too premature to be talking about the number of car bays for a development that does not yet exist.</p>

<p><i>public parking and fundamental shortage in the proposed development as advertised.</i></p> <p>6. How is a proposed development with this shortage of parking considered to enhance the liveability, prosperity and sustainability of the South Perth Community, especially when there is a shortage of public parking and considerable congestion in the area already?</p>	<p>Until the City receives a development proposal it is too early to look at what the requirements are but we will want to ensure that there are sufficient bays available for the users of the property</p>
<p>7. I agree, it is obviously too early. The thing that concerns me is that if somebody sees that advertised, and thinks they can get away with that sort of shortage (I know we have just implemented a payment in lieu of parking provision in the scheme), if somebody believes they can pay to go 250 car bays short, where are those car bays going to be built instead?</p>	<p>I cannot imagine Council officers recommending to the DAP any development with a 250 bay deficiency. But there are provisions in the scheme as you know, that can require a developer to provide alternate parking arrangements off-site in exchange for increasing the height of the building.</p> <p>However, until we put out the tender document, where a lot of this information will be clarified, it is too premature to discuss provision of car parking bays.</p> <p>In the next 3-4 months the City will have a tender document out and that is where a lot of those questions will be answered.</p>

<p>7. Geoff Griffiths, 40A Sulman Avenue, Salter Point Received enquiries 25 November 2013</p>	<p>Response provided by: Director Development and Community Services</p>
<p>A workshop was held by the Council at the Manning Bowling Club on 6 November 2013 to discuss the Salter Point precinct. As a member of the Salter Point Action Group, may I ask on behalf of the group:</p> <p>1. What action, since the workshop on 6th November, has transpired?</p>	<p>The closure date for responses to the questionnaire was 15 November. A report has been received from the facilitator and a debrief of the consultation has been undertaken.</p>
<p>2. Why is there no mention of an update to Council of the matter in the agenda for this meeting?</p>	<p>At this stage no update has been given to Council, as the questionnaires have not yet been analysed.</p>
<p>3. When and how will the results of the questionnaire be published, on-line or otherwise?</p>	<p>As advised at the 6 November meeting, nothing is expected before February 2014. The results of the questionnaire, once analysed, will be provided on the City's website.</p>
<p>4. When is the matter proposed to come to council?</p>	<p>This is unknown at this stage, and subject to the analysis of the feedback. The first Ordinary Council Meeting in 2014 is in February, so this is the earliest that the matter could be presented to Council.</p>

5. Is it the intention of the City to schedule another workshop/community consultation, after the correlation of the Questionnaire, before a recommendation is presented to council?	Depending upon the results of the questionnaire, it may be recommended to hold another consultation.
6. If not, why not? Given the initiative to review the anomalies in the River Way Streetscape and Salter Point Parade Building Heights was precipitated by the community, and the large community response to the issues, a better outcome will result if they are integrally involved in the process of formulating the recommendations.	Again, this will depend upon the results of the questionnaire. The City will always support a better outcome for the community.

8. Geoff Defrenne, 24 Kennard St, Kensington Received enquiries 26 November 2013	Response provided by: Chief Executive Officer
Mobile Phones – Policy P667	
1. Given that the provision of a mobile phone is contrary to Policy P667 and is not an authorised payment, will the administration cease paying the costs of the mobile phone?	The City has previously responded to questions about out the provision of Mayoral entitlements at the October 2013 Council meeting.
2. Given that the provision of a mobile phone is contrary to Policy P667 will the mayor cease using the phone provided to her by the City?	
3. Will the auditor be advised of the unlawful payments so they make a decision as to qualify the audit report?	
Leases on Reserves and Parks	
4. Is the Boatshed located on resumed land?	The Boatshed Restaurant is situated on Lot 1203 Coode Street South Perth. It is a 1,574 square metre site with the permitted use of cafe, restaurant and kiosk. The City has a 21 year lease with the Boatshed Restaurant, commencing 1 March 2010. This Lease has been approved and executed by the Council and the Minister for Lands. The current rent for the Boatshed Café is \$78,700 plus GST per year. The Boatshed also pays rates.
5. Is the Boatshed a use “for recreational purposes associated with the river”?	
6. Is the lease of the Boatshed “ultra vires”?	
7. What is the current lease payment for 2013/14?	
8. What is the area of the land leased?	
9. How many years before the current lease term expires?	
10. What is the value of the land leased to the Boatshed?	
11. Does the Boatshed pay rates to the City?	
ANZAC Day – 2014 Centenary Celebrations	
12. Will representatives from all the nations that participated in the convoy that left Albany in November 1914 be invited to join the City’s 2014 ANZAC Day commemorations?	The City of South Perth ANZAC commemorations are organised in conjunction with the Returned and Services League (RSL). The City has not yet determined what representatives will be invited to join our Centenary commemorations – which we are planning for 2015. The City will take into consideration this suggestion when discussing plans with the RSL.

APPENDIX 2 – QUESTIONS FROM MEMBERS 26 NOVEMBER 2013

Questions from Councillor Hawkins-Zeeb Received 19 November 2013	Response provided by: Director Development and Community Services
<p>1. In regards to the 6th November workshop in Salters point - What follow up consultation is proposed with the residents who partook in the workshop?</p>	<p>Any recommendations that involve changing the planning framework as a result of the questionnaire involved at the workshop will require extensive community consultation.</p>
<p>2. How does the planning department intend to respond to the surveys that were completed?</p>	<p>The questionnaires will be analysed and the results will be placed on the City's web site in due course. Following this a report will be prepared for Council.</p>
<p>3. Will the planning department hold another public forum before submitting any amendments to the town planning scheme to the council for ratification?</p>	<p>Depending upon the results of the questionnaire, it may be recommended to hold another consultation.</p>
Questions from Councillor Irons Asked at the 26 November 2013 Ordinary Council Meeting	Response provided by: Chief Executive Officer
<p>1. In regards to Item 10.3.2, the proposed 3 storey office building lot, with reference to the zoning – why has the Council zoned this area as the South Perth Station Precinct, when there is no train station there, and no allocation in the State government forward estimates for funding of a train station? Is the Council using the dream of getting a train station as an excuse to commercialise our City which as our website states, is renowned for a leafy, tree-lined and unique urban village atmosphere?</p>	<p>It has been a long held ambition of the Council to attract a train station to the end of Richardson St. Ten years ago, when the freeway was being widened and the Perth to Mandurah railway line was being constructed, the State government spent about \$2.5 million in widening the freeway to accommodate the station at that location.</p> <p>In addition to that, the Department of Planning contributed to a series of scheme reviews which ultimately ended in Scheme Amendment No. 25 being adopted. This was done in the full knowledge and belief that by increasing the density in the peninsula area this would increase the likelihood of a station being provided in that location.</p> <p>Only a couple of years ago, the PTA had appointed architects to design a station in that location and the City received concept drawings of the station at the end of Richardson St, which seemed to the City to lock the State into the future provision of a station.</p>

	<p>It is true that at this time, there are no funds in the Treasury forward estimates that have been adopted by the State, but that is not to say that there wont be in the future, and the Council will continue to lobby for the provision of a station to relieve the vehicular traffic volumes in the area.</p> <p>The Director of Development and Community Services advised that: The area is well serviced by public transport at the moment, and so its rezoning and the planning framework stands up in its own right whether or not the station is provided.</p>
<p>2. So why do you continue to mention the train station? When it is not going to happen? The people of South Perth do not even want a train station.</p>	<p>Historically the area has been known as the Station precinct. It is not true to say the people of South Perth do not want a station, in fact the most recent surveys in that area (where we surveyed an area within 500 m of the location proposed for the station) the majority of people did want a station. We are currently pursuing that with the Minister of Transport.</p>
<p>3. I do believe that there was another survey done, so can I submit that at the next Council Meeting?</p>	<p>At this stage it is not under active consideration.</p>
<p>Questions from Councillor Huston Asked at the 26 November 2013 Ordinary Council Meeting</p>	<p>Response provided by: Director Development and Community Services and the Chief Executive Officer</p>
<p>1. With regard to the community workshop recently held in Salter Point. In our response to the questions asked by Mr Griffiths, we said that a debrief of the consultation has been held. Can you please clarify who was debriefed, and when Council will be debriefed?</p>	<p>The officers involved in the consultation process were debriefed.</p> <p>The report on the consultation will be provided to Council. At the earliest this will be in February 2014.</p>
<p>2. In response to a question asked earlier tonight by Dr Schladow (Question 6 – the leasing arrangements for the mobile tower), we said it was premature to discuss leasing arrangements until the Swan River Trust has made a determination on the application. Does this mean that the application will go to the Swan River Trust before Officers prepare a report for Council to consider?</p>	<p>The opposite is the case. The Council will receive a report next month (in December) and the City will become the referring agency and make a recommendation to the Swan River Trust and the Swan River Trust will then determine it, possibly in conjunction with the WAPC.</p>
<p>3. With reference to the questions asked by Mr Dempsey regarding the Civic Triangle, and in particular, with regard to the value of the property. Why do we not make any valuation, any projection of the value of the land even, a confidential item, not to be revealed publicly at all?</p>	<p>The figure referred to in the report is not a definite valuation figure, but we clearly have to rely on some financial information for future budgeting purposes because it is a very significant part of our Long Term Financial Plan. It is therefore, fair and reasonable, given that a figure is included in our Long Term Financial Plan, that it is included in a report of this nature to be read by the ratepayers and anyone else.</p>

	<p>However, as I mentioned earlier, we are very well aware of the current sales in the area, and we confidently expect to receive significantly more than that. We will receive advice next Monday from the three short-listed tenderers and over the next two to three months the City will be negotiating with the successful tenderer and adopting a process which will include how we go about determining the valuation and the reserve prices.</p>
<p>4. With regard to the Mobile Tower and Question 7 asked by Dr Schladow - which was about whether or not any footprint area would need to be excised for the mobile tower. No doubt this will be covered in the report that will come up next month, but I was wondering if you could give some information as to exactly how then the placing of any structure, anywhere in the park, that is a commercial structure, a leasable structure, would be handled if not be an excised portion of land, how else would it be done or could it be done, what are the other options?</p>	<p>The comment was made in relation to the question of zoning. The answer gets back to the provisions of the Metropolitan Scheme Text which allows an authorising agency (which in this case is the Swan River Trust), with or without the approval of the WAPC, to enter into any arrangements it wishes.</p>