

Ordinary Council Meeting 23 September 2014

Notice of Meeting

To: The Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 23 September 2014 in the Council Chamber, Sandgate Street, South Perth commencing at 7.00 pm.

CLIFF FREWING CHIEF EXECUTIVE OFFICER

19 September 2014



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 7.00 pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. 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/

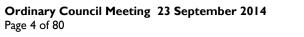
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Ordinary Council Meeting Agenda

I. DECLARATION OF OPENING

The Presiding Member to open the meeting.

2. **DISCLAIMER**

The Presiding Member to read the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES

The Mayor's August 2014 Activities Report can be found at **Appendix One**.

3.2 PUBLIC QUESTION TIME FORMS

The Presiding Member requests that questions be received in advance of the Council Meetings in accordance with Clause 6.7 of the Standing Orders Local Law, 'Procedures for Question Time' and in order for the Administration to have the opportunity to prepare responses.

Public Question Time forms are available in the Civic Centre foyer and on the City's website for members of the public wanting to submit a written question.

3.3 AUDIO RECORDING OF COUNCIL MEETING

The Presiding Member to read from Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.16 of the Standing Orders Local Law 2007:

"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".

4. ATTENDANCE

4.1 APOLOGIES

The Presiding Member to note appologies received.

4.2 APPROVED LEAVE OF ABSENCE

The Presiding Member to note those Members on approved leave of absence.

5. DECLARATIONS OF INTEREST

Members to declare to the Presiding Member any potential conflict of interest they have in a matter on the Council Agenda. 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.



6. PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the August 2014 Ordinary Council Meeting a question was taken on notice. A written answer has been provided and this answer can be found at **Appendix Two**.

6.2 PUBLIC QUESTION TIME: 23 SEPTEMBER 2014

The Presiding Member to open Public Question Time.

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 (Attachment 7.1.1) Held: 26 August 2014
- 7.1.2 Audit & Governance Committee Meeting (Attachment 7.1.2) Held: 9 September 2014

Recommendation

That the Minutes under Items 7.1.1 and 7.1.2 be taken as a true and correct record.

7.2 BRIEFINGS

The following Briefings which have taken place since the last Ordinary Council meeting, are in line with the 'Best Practice' approach to Council Policy P672 "Agenda Briefings, Concept Forums and Workshops", and document to the public the subject of each Briefing. The practice of listing and commenting on briefing sessions, is recommended by the Department of Local Government and Regional Development's "Council Forums Paper" as a way of advising the public and being on public record.

7.2.1 Local Government Reform (Attachment 7.2.1) Held: 9 September 2014

7.2.2 Council Agenda Briefing (Attachment 7.2.2) Held: 16 September 2014

Recommendation

That the Notes under Items 7.2.1 and 7.2.2 be taken as read and confirmed as a true and correct record.

8. **PRESENTATIONS**

8.1 PETITIONS

The Presiding Member to invite community representative(s) to present to Council petition(s) received.

8.2 **PRESENTATIONS**

Presiding Member to accept awards/gifts on behalf of the community.



8.3 **DEPUTATIONS**

Deputations were heard at the Council Agenda Briefing of 16 September 2014.

8.4 COUNCIL DELEGATES REPORTS

- 8.4.1 WALGA Annual General Meeting (Attachment 8.4.1) Held: 6 August 2014
- 8.4.2 WALGA South East Metropolitan Zone Ordinary Meeting (Attachment 8.4.2) Held: 27 August 2014

Recommendation

That the Notes under Items 8.4.1 and 8.4.2 be taken as read and confirmed as a true and correct record.

8.5 CONFERENCE DELEGATES REPORTS

Nil

9. METHOD OF DEALING WITH AGENDA BUSINESS

Reports will be adopted by the En Bloc method - with the exception of items which have been identified to be withdrawn for discussion the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together.



IO. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

 10.0.1 Proposed Amendment No. 45 to Town Planning Scheme No.
 6 to rezone Southcare site, Bickley Crescent between Pether Road and Manning Road, Manning. Report on Submissions. (Item 10.3.4 Council meeting 15 April 2014 refers)

Location:	City of South Perth
Ward:	Manning
Applicant:	Planning consultant TPG on behalf of Southcare
File Ref:	LP/209/45
Date:	I September 2014
Author:	Gina Fraser, Senior Strategic Planning Officer
Reporting Officer:	Vicki Lummer, Director, Development & Community Services

Summary

The Southcare site is located along both the eastern and western sides of Bickley Crescent between Pether Road and Manning Road, Manning. Land on the western side of Bickley Crescent is currently zoned Residential, and land on the eastern side is zoned Public Assembly. All of the land currently has a density coding of R20 and a Building Height Limit of 7 metres. The purpose of Amendment No. 45 is to rezone all of the land comprising the Southcare site to 'Private Institution' with R40 coding. The Amendment will also allow building height to graduate up to 14 metres on certain parts of the site, and an increased plot ratio of up to 1.0, provided that all of the listed mandatory performance criteria are met.

Submitters have outlined a number of concerns with the proposals. In response to these expressed concerns, it is recommended that the Council recommend to the Minister for Planning that Amendment No. 45 be approved with modification to the extent described in the Report on Submissions and Schedule of Submissions (Attachment 10.0.1(a)).

Officer Recommendation

That:

- (a) the Western Australian Planning Commission be advised that Council recommends that:
 - (i) Submissions 1.1 to 1.4 inclusive, supporting the proposed Amendment No. 45 be UPHELD;
 - (ii) Submission 2.1 conditionally supporting the proposed Amendment No. 45 be NOT UPHELD;
 - (iii) Submissions 3.1 to 3.17 inclusive, opposing the proposed Amendment No. 45 be PARTIALLY UPHELD;
 - (iv) Submissions 4.1 to 4.3 inclusive, from Government agencies be NOTED;
 - (v) modifications recommended by the Council be UPHELD; and
 - (vi) Amendment No. 45 to the City of South Perth Town Planning Scheme No. 6, comprising Attachment 10.0.1(b), be adopted with modification;
- (b) the Council of the City of South Perth under the powers conferred upon it by the Planning and Development Act 2005, hereby amends the above Town Planning Scheme by:



- 10.0.1 Proposed Amendment No. 45 to Town Planning Scheme No. 6 to rezone Southcare site, Bickley Crescent between Pether Road and Manning Road, Manning. Report on Submissions. (Item 10.3.4 Council meeting 15 April 2014 refers)
 - (i) inserting in clause 5.4, provisions allowing the Council to approve a development with a maximum building height of 14 metres and a plot ratio of 1.0 if specified requirements are met in relation to: land use, maximum building height on various parts of the site, optimising solar access and energy efficiency, visual articulation, quality of landscaping, and modification of works within the adjoining portion of Bickley Crescent. Site-specific minimum setbacks of buildings from all boundaries are also prescribed. Compliance with those requirements will ensure that neighbours' amenity and streetscape character are protected;
 - (ii) in Schedule 2, adding an 'Additional Use' to allow 'Shop' and 'Office' as incidental uses on the site;
 - (iii) rezoning:
 - (A) Lot 2 on Survey-Strata Plan 2946 (No. 17) Pether Road; and
 - (B) Lot I on Survey-Strata Plan 2946 and Lots 11, 12 and 342 (Nos. 49, 51, 51A and 53) Bickley Crescent, Manning;

from 'Residential' with a density coding of R20, to 'Private Institution' with a density coding of R40;

- (iv) rezoning Lot 10 Pether Road, Manning, from 'Public Assembly' with a density coding of R20, to 'Private Institution' with a density coding of R40; and
- (v) amending the Scheme Map (Zoning) for Precinct 10 'McDougall Park', accordingly.
- (c) the Council hereby authorises the affixing of the Common Seal of Council to three copies of the Amendment No. 45 document (Attachment 10.0.1(b)), as required by those Regulations;
- (d) the Report on Submissions incorporating the Schedule of Submissions containing the Council's recommendations, a copy of the submissions and three executed copies of the amending documents, be forwarded to the Western Australian Planning Commission for final determination of the Submissions and for final determination of Amendment No. 45 by the Minister for Planning;
- (e) the applicants be advised that if the ultimate redevelopment of Site O is to be undertaken in stages, the Impact Assessment Report required by Town Planning Scheme No. 6 clause 5.4(13) is to –
 - (i) incorporate an indicative overall site plan for the whole of Site O as the basis for the preparation of the Impact Assessment Report, indicating:
 - (A) the likely staging of the project;
 - (B) the ultimate total number of dwellings;
 - (C) the ultimate total area of the non-residential components of the development; and
 - (D) the ultimate total number and general configuration of car parking bays and accessways on the site and in Bickley Crescent between Pether Road and Manning Road; and
 - be submitted for Council's Informal Preliminary Support at the time of submitting the application for planning approval for Stage 1 of the redevelopment.
- (f) the submitters be thanked for their participation in the Amendment No. 45 process and be advised of the above resolution.



Background

The Amendment site details are as follows:

Current Zoning	Residential and Public Assembly		
Proposed Zoning	Private Institution		
Current Density coding	R20		
Proposed Density coding	R40		
Amendment site area	6 lots comprising a total area of 6,556 sq. metres		
Current Building height	ght 7 metres		
limit			
Proposed Building height	7 metres with ability to increase to 14 metres on		
limit	portions of the site if all listed mandatory		
	requirements are met		
Development potential	Permissible land uses as listed in Table I of TPS6		
	with the predominant use being Aged or		
	Dependent Persons' Dwellings and related		
	ancillary uses		

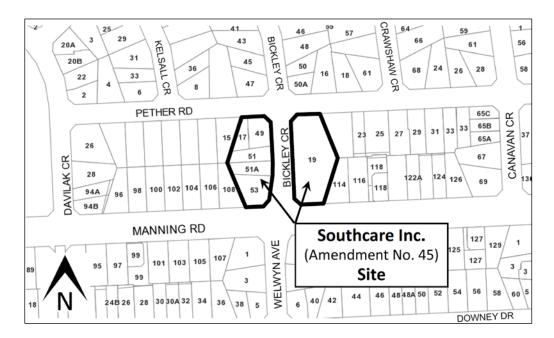
This report includes the following attachments:

Attachment 10.0.1(a):

Report on Submissions incorporating the Schedule of Submissions

Attachment 10.0.1(b): Amendment No. 45 document for final adoption

The location of the Amendment site is shown below:



Amendment No. 45 was initiated at the April 2014 Council meeting for the purpose of rezoning the Southcare site in Bickley Crescent, Manning, to enable the expansion of their core functions. The proposal is more fully described and explained in the Amendment No. 45 Report (Attachment 10.0.1(b)).



Comment

The attached Report on Submissions which incorporates the Schedule of Submissions on Amendment No. 45 (Attachment 10.0.1(a)) describes the consultation process which was recently undertaken. During this period, 25 submissions were received. These are discussed more fully in the 'Consultation' section of this report (below), and in the attached Report on Submissions.

All of the submissions, in the form of a bound volume, have been placed in the Council Members' lounge for examination prior to the Council Briefing and Meeting.

Consultation

As required by the *Town Planning Regulations*, the Amendment No. 45 proposal was forwarded to the Environmental Protection Authority (EPA) for assessment, on 23 April 2014. The EPA responded by letter dated 5 May 2014, advising that no assessment or conditions are required under Part IV Division 3 of the Environmental Protection Act.

Following receipt of the EPA advice, the statutory advertising required by the Regulations, TPS6 and Council Policy P301 'Consultation for Planning Proposals' was undertaken. The 46-day community consultation period commenced on 27 May and concluded on 11 July 2014.

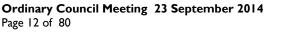
The draft Amendment was advertised in the manner described below:

- Letters inviting comment sent to owners of 136 surrounding properties and affected government service authorities. In this case, the consultation area was slightly expanded beyond the minimum 'Area 2' as defined in Council Policy P301 for Scheme Amendments (being generally 150 metres along streets abutting the Amendment site), to the extent that 'incomplete' street blocks were 'rounded off' to include 18 additional properties.
- Notice published in two issues of the Southern Gazette newspaper: on 27 May and 10 June 2014;
- Five signs containing relevant details placed on all street corners of the Amendment site and in front of No. 17 Pether Road; and
- Notices and Amendment documents displayed in the Civic Centre customer foyer, City Libraries and on the City's web site ('Out for Comment').

The required minimum advertising period is 42 days. It is the City's practice to extend community consultation for a few days to allow for late submissions and delays in postage and delivery. On this occasion, the actual advertising period was 46 days. During the advertising period, 25 submissions were received. The submissions, together with a Council response, are discussed and summarised in the Report on Submissions which incorporates the Schedule of Submissions, provided as **Attachment 10.0.1(a)**.

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

١.	Submissions supporting Amendment No. 45	4
2.	Submissions conditionally supporting Amendment No. 45	I
3.	Submissions opposing Amendment No. 45	17
4.	Submissions from government agencies	3
TO	TOTAL	





In addition, the City is recommending five further modifications to the Amendment proposals which have not arisen from submissions. These are also discussed in Attachment 10.0.1(a).

Matters raised by supporting submitters include the following:

- (a) No objection [3 submissions]
- (b) Southcare approach commendable [I submission]
- (c) Suitability of Amendment site [I submission]

The 'conditionally supporting' submission was lodged by the applicant, who has requested the removal of the proposed plot ratio 'cap'.

Matters raised by opposing submitters include the following:

- (a) Oppose on grounds of traffic problems [14 submissions]
- (b) Oppose on grounds of parking problems [9 submissions]
- (c) Oppose on grounds of reduced amenity [8 submissions]
- (d) Oppose on grounds of unknown type of occupier [8 submissions]
- (e) Oppose on grounds of problems with café, shop and alfresco [4 submissions]
- (f) Oppose on grounds of cumulative traffic impact when combined with development of Telstra site [4 submissions]
- (g) Oppose on grounds of reduced property value [4 submissions]
- (h) Oppose on grounds of building height [4 submissions]
- (i) Oppose on grounds of large number of dwellings [4 submissions]
- (j) Oppose on grounds of lack of demonstrated need [3 submissions]
- (k) Oppose on grounds of poor community consultation [3 submissions]
- (I) Oppose on grounds of incompatible character [3 submissions]
- (m) Oppose on grounds of precedent [2 submissions]
- (n) Oppose on grounds of zoning and specific Scheme provisions [I submission]
- (p) Oppose on grounds of possible conflict of interest [I submission]
- (q) General comments [2 submissions]
- (r) Submitters' suggestions:
 - (i) Bickley Crescent should be a mall [I submission]
 - (ii) Units should be available to local elderly [I submission]
 - (iii) Suggested location of access points [I submission]
 - (iv) Suggested modifications to stated design requirements [I submission]
 - (v) Suggested additional car parking for non-residential uses [I submission]

Of the 25 submissions received, 4 support the Amendment proposals, one conditionally supports the proposals, 17 oppose the Amendment proposals, and 3 are from Public Utility agencies. The 17 opposing landowners represent 13.5% of the 126 consulted landowners. Most of these submitters are from Bickley Crescent and Pether Road.

Not all of the above objections are supported. The attached Report on Submissions and Schedule of Submissions explain the extent of recommended support and the various modifications to the Amendment provisions recommended in response to the submissions.

If the Council supports the officer recommendation on the submissions, when the Council has adopted the Amendment document at **Attachment 10.0.1(b)**, it will be forwarded to the Western Australian Planning Commission (WAPC) with a recommendation that the Minister for Planning grant final approval **with modification**.



Policy and Legislative Implications

Amendment No. 45 fulfils the requirement of clause 9.8 'Amendments to the Scheme', which includes the following provision:

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

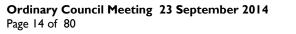
The Scheme Amendment will have the effect of rezoning the Southcare site in Manning from 'Residential' and 'Public Assembly' with a density coding of R20, to 'Private Institution' with a density coding of R40.

The Council has undertaken public advertising as required by the Regulations, TPS6 and Council Policy P301, and must now consider whether to recommend to the Minister for Planning to finally approve Amendment No. 45, with or without modifications, or not approve it. The recommendation is to approve the Amendment proposal with modification. If the Minister approves the proposal, the City will arrange for Notice of the Minister's approval to be published in the *Government Gazette* and in the *Southern Gazette*. The Amendment provisions will then become operative.

The statutory Scheme Amendment process is set out below, together with a date for each stage. The stages which have been completed, including the consideration at the 23 September Council meeting, are shaded:

Stage of Amendment Process	Date		
Council decision to initiate Amendment No. 45	15 April 2014		
Council adoption of draft Amendment No. 45 Report	15 April 2014		
and Scheme Text for advertising purposes			
Referral of draft Amendment No. 45 documents to	23 April 2014		
EPA for environmental assessment, and to WAPC for			
information			
Receipt of EPA comments advising that no	5 May 2014		
environmental assessment or conditions are required			
Public advertising period of 46 days	27 May to 11 July 2014		
Council consideration of Report on Submissions on	22 September 2014		
Amendment No. 45			
Referral to WAPC and Minister for consideration of:	Within two weeks of the		
 all of the submissions 	September 2014 Council		
Report on Submissions and Schedule of	meeting		
Submissions			
Council's recommendation on proposed			
Amendment No. 45			
• Three signed and sealed copies of Modified			
Amendment documents for the Minister's final			
determination			
Minister's final determination of Amendment No. 45	Not yet known		
City's publication of Notice of the Minister's final	Not yet known -		
determination of Amendment No. 45 in Government	following receipt from		
Gazette and Southern Gazette newspaper	WAPC of advice of		
	Minister's final		
	determination		

City of SouthPerth



Financial Implications

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

Strategic Implications

This report is consistent with the City's <u>Strategic Plan 2013–2023</u>, Direction 3 - Housing and Land Uses "Accommodate the needs of a diverse and growing population".

Sustainability Implications

The proposed Amendment No. 45 will provide for a greater housing capacity for local elderly residents together with a range of supporting services and facilities. It will make better use of the Southcare site and enable the organisation to better fulfil its charter. The Amendment meets the State Government strategy of allowing higher densities in appropriate areas, and will assist in accommodating the growing size of the elderly population within the City.

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

The Amendment No. 45 proposal has been examined by the City and advertised for community comment. After considering the submissions, the proposal has been found to warrant continued support, subject to the recommended modifications.

Conclusion

Having regard to the discussion contained in this report and the attached Report on Submissions which incorporates the Schedule of Submissions and Council recommendations, City officers are satisfied that Amendment No. 45 should now be adopted by the Council with modifications, as a recommendation to be forwarded to the Minister for Planning for his final determination. The Scheme Amendment process is designed by statute to be open and accountable, and inclusive of community input. Although 17 of the submissions oppose the Amendment, several of the key concerns can be addressed by modifying certain Amendment provisions. Following the Council's consideration of submissions on Amendment No. 45, the Council's recommendations will be forwarded to the WAPC and the Minister for Planning for final processing and determination.



Location:	Location: Lot 2 (No. 6 Jubilee Street South Perth		
Applicant:	Applicant: Zuideveld Marchant Hur Pty Ltd		
Lodgement Date:	25 June 2014		
Date:	28 August 2014		
Author:	Mark Scarfone, Senior Statutory Planning Officer, Development		
	Services		

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

Summary

At the meeting held in May 2014, Council resolved to refuse an application for planning approval for two single houses (four-storey) on Lot 2 (No. 6) Jubilee Street, South Perth. In June the applicant lodged an application with the State Administrative Tribunal (SAT) for a review of the Council's decision and a mediation session was held in July. Following mediation SAT issued an order for revised drawings to be lodged with the City and for the revised drawings to be considered at the September Council meeting. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Maximum ground / floor levels	TPS6 Clause 6.10
Boundary walls	Council Policy P350.2 Clause 5
Building setbacks	R-Codes Design Principles 5.1.3 P3.1
Visual privacy	R-Codes Element 5.4.1 PI

The applicant has made minor modifications to the proposed drawings as well as providing further information in support of the proposal. As detailed in the report below, the revised drawings are considered capable of support and as such City officers recommend conditional approval.

Officer Recommendation

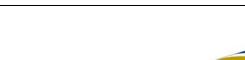
That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for two (fourstorey) Single Houses on Lot 2 (No. 6) Jubilee Street, South Perth **be approved** subject to:

(a) Standard Conditions / Reasons

- 427 colours & materials- details
- 210 screening- permanent
- 377 screening- clothes drying
- 340A parapet walls- finish from street
- 510 private tree
- 507 street tree- protect & retain
- 390 crossover- standards
- 410 crossover- affects infrastructure
- 393 verge & kerbing works
- 625 sightlines for drivers

(b) Specific Conditions

- The exterior of the existing house is to be photographically recorded to the satisfaction of the City, prior to demolition. The applicant is to provide the City with an electronic copy of the photographic record.
- (ii) A plaque is to be erected on the Jubilee Street boundary of the site, recording the history of this land in relation to the City's early development, including reference to the early landowners, the Douglas



- 470 retaining walls- if required
- 471 retaining walls- timing
- 455 dividing fences- standards
- 456 dividing fences- timing
- 550 plumbing hidden
- 445 stormwater infrastructure

Cityof

SouthPerth

660 expiry of approval

family, who operated a dairy farm on the site, and to the fact that Douglas Avenue was named in honour of a member of that family. The text of the plaque will be provided by the City prior to the issuing of a building licence. The plaque is to be installed to the City's satisfaction, prior to completion of the development.

(c) Standard Advice Notes

700A building licence required

- 709 masonry fences require BA
- 725 fences note- comply with that Act
- 790 minor variations- seek
 - approval
- 795B appeal rights- council decision

(d) Specific Advice Notes

The applicant is advised that:

- (i) It is the applicant's responsibility to liaise with the City's Engineering Infrastructure Services to ensure all its requirements relating to crossings and stormwater disposal have been met. In particular the subject site is located in the Hurlingham Drainage Precint where soak well discharge is not an option. A copy of the Memorandum from Engineering Infrastructure is attached for your information.
- (ii) With regard to specific condition b(i) the applicant should liaise with the City's Heritage Officer to ensure the photographs taken for the photographic record are appropriate.

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

Background

 Zoning
 Residential

 Density coding
 R40

 Lot area
 1,237 sq. metres

 Building height limit
 10.5 metres

 Development
 Five single houses or grouped dwellings

 potential
 Plot ratio limit
 Not applicable for single houses and grouped dwellings

The development site details are as follows:

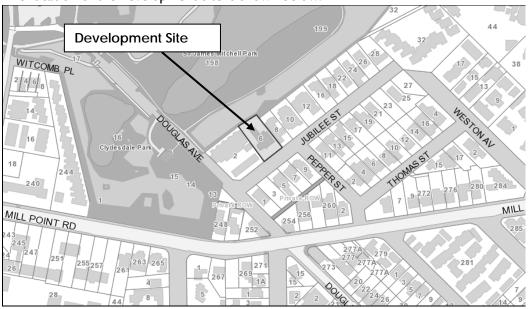
This report includes the following attachments:

Confidential Attachment 10.0.3(a) Plans of the proposal.

Attachment 10.0.3(b) Applicant's supporting letter.

Attachment 10.0.3(c) Streetscape montage.





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:

2. Major developments

(b) Residential development which is 9.0 metres high or higher, or comprises 10 or more dwellings.

6. Amenity impact

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

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.

Comment

(a) Background

In December 2013, the City received an application for two single houses in a four-storey building on Lot 2 (No. 6) Jubilee Street, South Perth (the subject site). At the meeting held in May 2014, Council resolved to refuse the application, for a number of reasons including visual privacy concerns, the impact of the proposed boundary walls and the impact of the proposed floor levels. In June the applicant lodged an application with the State Administrative Tribunal (SAT) for a review of the Council's decision and a mediation session between City officers, the landowners and the applicants was held in July. Following mediation SAT issued an order for revised drawings to be lodged with the City and for the revised drawings to be considered at the September Council meeting.

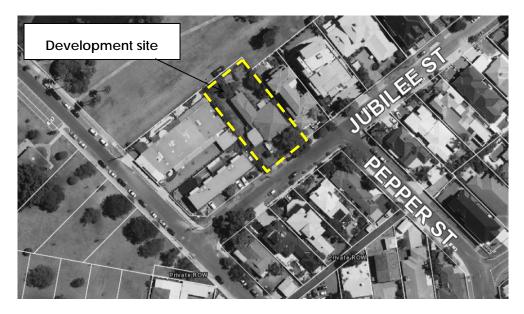


The revised drawings incorporate the following modifications:

- Finished Floor Level for the ground floor of the two dwellings reduced from 4.5 AHD to 4.33 AHD.
- Finished Deck Level for the two dwellings reduced from 4.41 AHD to 4.3 AHD.
- Overall height of south west boundary wall (Carter Residence Living Room) reduced by 500mm.
- Drawings updated to show visual privacy issues have been dealt with.

(b) Description of the Surrounding Locality

The site has a frontage to Jubilee Street to the south and to Sir James Mitchell Park to the north. To the east and west of the development site are single houses and grouped dwellings some of which rise to three storeys, as seen below, and the streetscape montage provided by the applicant, contained in **Attachment 10.0.3(c)**:



(c) Description of the proposal

The proposal involves the demolition of the existing development and the construction of two single houses (four-storey) on the subject site, as depicted in the submitted plans at **Confidential Attachment 10.0.3(a)**.

The following planning aspects have been assessed and found to be compliant with the provisions of TPS6, the R-Codes and relevant Council policies, and therefore have not been discussed further in the body of this report:

- Land use 'Single House' is a 'P' (Permitted) land use on the subject site zoned 'Residential' (Table I of TPS6);
- Building height limit (TPS6 Clause 6.1A);
- Street setback and setback of garage (R-Codes Clause 5.1.2 and 5.2.1, Clause 7.5(n) of TPS6);
- Open space (R-Codes Clause 5.1.4);
- Garage width (R-Codes Clause 5.2.2);
- Street surveillance and fences (TPS6 Clause 6.7, R-Codes Clauses 5.2.3, 5.2.4 and 5.2.5, and Council Policy P350.7 'Fencing and Retaining Walls');
- Outdoor living area (R-Codes Clause 5.3.1);



- Parking and vehicle access (R-Codes Clause 5.3.3, 5.3.4 and 5.3.4, TPS6 Clause 6.3(8) and Schedule 5, and Council Policy P350.3 'Car Parking Access, Siting and Design');
- Solar access for adjoining sites (R-Codes Clause 5.4.2); and
- Significant views (Council Policy P350.9 'Significant Views').
- Side setbacks (R-Codes Clause 5.1.3).

The following aspects of the development were discussed in detail in the original report (May 2014) and are discussed further below:

- Boundary walls;
- Visual privacy (R-Codes Clause 5.4.1 and Council Policy P350.8 'Visual Privacy'); and
- Maximum ground and floor levels (TPS6 Clause 6.10).

(e) Boundary walls

Several boundary walls are proposed as a part of the development depicted in the plans of the proposal, referred to as **Confidential Attachment 10.0.1(a)**. For reasons detailed in the original report to Council the central and north eastern boundary walls were generally considered acceptable, while the south western boundary walls were considered to have a negative amenity impact on the adjoining landowners and were not supported. The following paragraphs will discuss the south western walls individually having regard to Council Policy P350.2 'Residential Boundary Walls'. Under the provisions of P350.2 a boundary wall should not be approved unless City officers have considered the relevant amenity factors contained in Clause 5. Following receipt of further information from the applicant the boundary walls are considered acceptable and capable of support.

Garage to drying court boundary wall (South-western boundary)

This wall is approximately 14 metres long with an average height of 3.0 metres. As depicted on the overall site plan contained in Confidential Attachment 10.0.3(a) and in the aerial photograph provided by the applicant as part of their supporting letter (Refer Attachment 10.0.3(b)), a five metre portion of the boundary wall fronts a blank wall on the adjoining site, while a three metre section is next to the carport on the adjoining site. These sections of wall are not located next to sensitive areas and capable of support.

In the initial council report, the boundary wall was not supported due to the impact on the outdoor living area of the adjoining property. The aerial photograph provided by the applicant as part of their supporting letter, indicates the main outdoor living area is located away from the proposed boundary wall, and a large shrub located next to the proposed boundary wall will obscure this from view. The site inspection conducted as part of the mediation session, confirms the additional information provided by the applicant is correct and this shrub has dense foliage from the ground to a height of approximately 3.0 metres. Given that the boundary wall will be obscured from view of the outdoor living area on the adjoining property it is considered the boundary wall meets the amenity factors contained in Clause 5 of P350.2 and can be supported.

With regard to the proposed wall height, Clause 6 of P350.2 indicates boundary walls next to outdoor living areas should have a maximum height of 2.7 metres. In this instance given the proposed wall will be obscured by the existing vegetation and is between 8 and 12 metres from the outdoor living area, the additional 300mm will not make a significant impact on the amenity of the

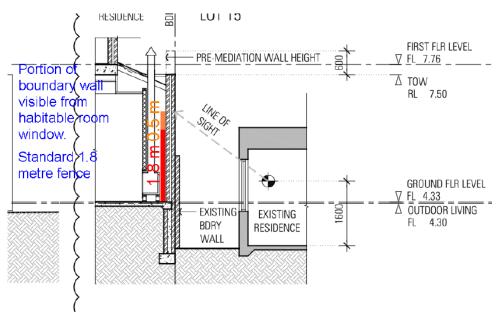


adjoining neighbour. The proposed wall is considered consistent with the objectives of P350.2 and may be supported.

Living room boundary wall (South-western boundary)

The height of the proposed living room boundary wall has been reduced by 500mm from the original design, giving it a maximum height of 4.0 metres when measured from the existing lot levels, and a total height of 4.4 metres when measured from the adjoining property. This wall has a length of 7 metres. In the original report this wall was considered to have a negative impact on the amenity of the adjoining dwelling and as such formed a reason for refusal.

The applicant has reduced the height of the boundary wall by 500mm as stated above and provided further information in order to demonstrate the wall will not further impact on the amenity of the adjoining dwelling. In order to demonstrate this, a section drawing has been provided (see Section E contained in Confidential Attachment 10.0.3 and a marked up copy is below). The section shows a standard 1.8 metre high fence in red and shows the portion of boundary wall in orange which will be visible from the adjoining windows above the boundary fence. This section is approximately 0.4 metre of the boundary wall.



The additional 0.4 metre of wall visible from the habitable room is not considered likely to have a negative impact on the adjoining property and as such may be supported. The owners of the subject site also own the adjoining dwelling, and have indicated they are likely to redevelop it as soon as relevant council and strata approvals can be gained. Any redevelopment would take into account the boundary wall. Finally, the applicant has included a translucent glass boundary fence between the two properties to allow additional light to filter into the adjoining property, this represents and improvement on the existing situation where light is blocked by the existing asbestos fence.

The proposed boundary walls are considered acceptable having regard to P350.2 and as such approval is recommended.



(f) Finished ground and floor levels - Maximum

Clause 6.10(1) of TPS6 generally aims to achieve equal cut and fill on a site to ensure that the subsequent building does not have a negative impact on the adjoining neighbours or the streetscape. In this instance, equal cut and fill would result in a finished floor level of 4.0 metres AHD for the ground level of each dwelling. The applicant previously proposed a finished level of 4.5 metres AHD for the ground level of each dwelling. This level has now been reduced to 4.33 metres AHD. The garages of both dwellings have a finished level of 4.26 and due to the proposed design these form prominent aspects of the elevation.

The proposed levels were previously considered to have a negative impact on the adjoining dwellings, to the south west, however as a result of the changes, this is no longer considered to be the case. The main bulk impact of the dwelling will be from its height, which complies with the 10.5 metre building height limit assigned to the site. The secondary bulk impact is from the setback of the building from the boundary and these generally meet with the 'Deemed to Comply' provisions of the R-Codes. Finally the boundary walls, have an impact on bulk however as discussed above this is considered acceptable.

Officers previously considered the proposed levels would have a negative impact on the Jubilee Street streetscape however the revised ground floor level is approximately midway between the ground floor levels of the buildings at 2 Jubilee Street and the single house at 8 Jubilee Street. This results in a more balanced streetscape. Additionally, as shown on the photomontage taken from the park, the proposed floor level is similar to that of 8 and 10 Jubilee Street, resulting in a balanced elevation from this side. The proposed finished floor levels are considered to be consistent with Clause 6.10(1) of TPS6, and are supported by City officers.

Clause 6.10(3) of TPS6 generally aims to achieve equal cut and fill for areas beyond the external walls of the dwelling. In this instance, equal cut and fill would result in a finished floor level of 3.5metres AHD for the rear deck area of each dwelling. The applicant has reduced the proposed finished level from 4.4 to 4.3 metres AHD. In addition the applicant has provided a montage of dwellings from the Sir James Mitchell Park side to show how the proposed development will be viewed from the closest footpath.

The majority of dwellings in the focus area, which are fronting Sir James Mitchel Park, have been developed so that their rear garden areas are at the same level as the park or slightly above. Despite this the montage demonstrates that when viewed from the pedestrian perspective, the main feature is the boundary fencing, which is at a fairly consistent height with a consistent form. The proposed dwelling and its associated fencing continues this theme. The finished level of the deck is not visible in this context and as such does not contribute to bulk. As will be discussed below, visual privacy issues have been addressed and this issue no longer forms a reason for refusal.

The proposed levels are assessed as being consistent with the performance criteria contained in Clause 7.5(n) of TPS6 and as such are recommended for approval.



(g) Visual privacy setbacks

One of the reasons for refusal outlined in the May report was related to visual privacy concerns. The applicant had not provided sufficient detail to demonstrate there would not be direct overlooking of the existing dwellings to the south east. In addition, it was clear there would be overlooking between the two dwellings proposed on the same lot.

The revised drawings (see elevation 2 of confidential attachment 10.0.3) clearly demonstrate that there will not be any direct overlooking of the adjoining dwellings to the south east.

While overlooking between the two proposed dwellings remains this is considered acceptable for the following reasons:

- The proposed dwellings are separated from Sir James Mitchel Park by a visually permeable from fence, meaning the sensitive areas including pool and alfresco area are visible from the public realm.
- As shown in the photomontage provided by the applicant, the majority of dwellings on Jubilee Street are oriented to take advantage of park and City views and as such have large balconies which do not incorporate screeing. This allows views of the rear yards, including swimming pools, of the adjoining properties.
- The explanatory guidelines which accompany the R-Codes indicate that there is a reduced need to protect privacy where locations are visible from the street or from public places, as screeing is largely ineffective and could be counter productive.

As outlined above, the proposal meets with the deemed-to-comply standards or design principles of Clause 5.4.1 'Visual Privacy' of the R-Codes and as such is recommended for approval.

(h) 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:

- (a) Maintain the City's predominantly residential character and amenity.
- (c) Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character.
- (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.

The proposed development is considered satisfactory in relation to these clause and is supported by City officers.



(i) 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.
- (c) The provisions of the Residential Design Codes and any other approved Statement of Planning Council Policy of the Commission prepared under Section 5AA of the Act.
- (d) Any other Council policy of the Commission or any planning Council policy adopted by the Government of the State of Western Australia.
- (f) Any planning Council policy, strategy or plan adopted by Council under the provisions of Clause 9.6 of this Scheme.
- (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.
- (I) The height and construction materials of retaining walls on or near lot boundaries, having regard to visual impact and overshadowing of lots adjoining the development site.
- (m) The need for new or replacement boundary fencing, having regard to its appearance and the maintenance of visual privacy upon the occupiers of the development site and adjoining lots.
- (n) The extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details.
- (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.

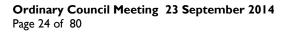
The proposed development is considered satisfactory in relation to these matters, and as such City officers recommend conditional approval.

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 in February 2014. The proposal was favourably received by the Consultants. Given that only minor modifications have been made to the drawings it was not considered necessary to present these to the DAC for comment.

> City of SouthPerth



(b) Neighbour Consultation

As indicated in the May Report, neighbour consultation was undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. A total of 9 objections were received at that time and a detailed analysis of these objections was undertaken by City officers.

Under the provisions of P301, further consultation is not required when a revised application is lodged within 12 months of the previous determination and the application does not depart further from the R-Codes, TPS No.6 or Council policies. As detailed above, the drawings have been modified slightly to bring them closer to compliance with the relevant development controls and as such further consultation is not required.

Each of the original submitters has been sent a letter, detailing the modifications and confirming the application will be presented to this months Council meeting.

(c) Internal Administration

Comments were invited from Engineering Infrastructure, Landscapes Officer and the Heritage Officer sections of the City's administration prior to the preparation of the May report. These departments are generally supportive of the proposed development subject to relevant considions being applied.

Policy and Legislative Implications

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

Financial Implications

This determination has some financial implications. If the Council resolves to refuse the proposed application, the applicant is likely to continue the current application for review with the State Administrative Tribunal. This will result in the City engaging relevant planning and legal professional which will incur costs.

Strategic Implications

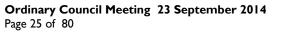
This matter relates to Strategic Direction 3 "Housing and Land Uses" identified within Council's Strategic Plan 2013-2023 which is expressed in the following terms: **Accommodate the needs of a diverse and growing population.**

Sustainability Implications

Noting the favourable orientation of the lot, the officers observe that the proposed development has generally been designed to have regard to solar passive design principles.

Conclusion

Following the minor modifications to the proposed drawings and the additional justification provided by the applicant, it is considered that the proposal meets all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions. Accordingly, it is considered that the application should be conditionally approved.





10.1 STRATEGIC DIRECTION I: COMMUNITY

10.1.1 Community Sport and Recreation Facility Fund (CSRFF) -Annual/Forward Planning Grants

Location:	City of South Perth
Applicant:	Council
Date:	5 September 2014
Author:	Jenni Hess, Recreation Development Coordinator
Reporting Officer:	Sandra Watson, Manager Community, Culture and Recreation

Summary

To consider an application for the 2015/2016 Community Sporting Recreation Facilities Fund (CSRFF) Annual Forward Planning Grants.

Officer Recommendation

That the application for funding for the Community Sporting Recreation Facilities Funding (CSRFF) – Annual and Forward Planning Grants 2015/16, be submitted to the Department of Sport and Recreation together with the comments from the officer report and the following ranking and ratings:

Applicant	Ranking	Rating
City of South Perth	I	A
(EJ Master Plan)		

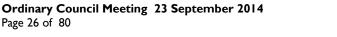
Background

The Department of Sport and Recreation (DSR) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation. The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. Priority is given to projects that lead to facility sharing and rationalisation. The State Government has allocated \$20M for the 2015/2016 funding round. This is made up of approximately \$1.5 million for small grants, \$3 million for annual grants in the next financial year and \$15.5 million for forward planning grants (over 3 years).

Grant category	Total Project Cost	Standard DSR	Frequency
	Range	Contribution	
Small grants	\$7,500 - \$150,000	\$2,500 - \$50,000	Bi-annual
Annual Grants	\$150,001 - \$500,000	\$50,000- \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,667 - \$3 million	Annual

Table I CSRFF Grant Categories

The maximum grant awarded by DSR will be no greater than one-third of the total cost of the project up to a maximum of \$3 million. The CSRFF grant must be at least matched by the applicants own cash contribution equivalent to one third of the total project cost, with any remaining funds being sourced by the applicant. In some cases, funds provided by the Department do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any such shortfall.





10.1.1 Community Sport and Recreation Facility Fund (CSRFF) -Annual/Forward Planning Grants

As stated in the CSRFF guidelines, annual and forward planning grants for this round of applications may require an implementation period of between one and three years. Grants given in this category may be allocated in one or a combination of the years in the triennium. It is proposed, for this application, that the project will be conducted over the two financial years of 2015/2016 and 2016/2017 and therefore must be claimed by 15 June, 2017.

Comment

One project is proposed by the City for the 2015/2016 CSRFF annual and forward planning grants:

(i) City of South Perth (implementation of EJ Master Plan)

CSRFF Grant sought	\$ 2,477,000	(ex GST)
City's contribution	\$ 7,423,000	(ex GST)
Estimated Total Project Cost	\$ 9,900,000	(ex GST)

In November 2011, the City engaged Jill Powell & Associates to develop the Ernest Johnson Master Plan. The project was staged in 2 parts: Stage One consisted of research and data collection; stakeholder consultation; and the development of a basic concept plan with recommendations for the future of the reserve and its facilities. Stage Two comprised more detailed assessment of the buildings, ovals and outdoor spaces; and full conceptual drawings, costings and stages of implementation.

The aim of the project was to develop a master plan for the redevelopment of Ernest Johnson Reserve, incorporating all active reserves (Ernest Johnson Oval, Hensman Park and Sandgate Reserve) and existing buildings and stakeholders (Ernest Johnson Scout Hall, Ernest Johnson Pavilion, Como Bowling and Recreation Club, Rotary Community Hall, storage facility and a public toilet building). It also aims to incorporate relocating the Como Croquet Club and Returned Services League (RSL) to the site, if possible.

Through meetings with the users of the facilities and a community workshop, Jill Powell & Associates key findings as part of Stage One were summarised as follows:

- Ageing buildings
- Conflicts in use
- Increase in demand for passive use
- Need to understand the community needs in addition to the organised users
- Potential to reduce duplication
- Potential to reduce ongoing maintenance costs for the council
- Better designed facilities to cater for the next 20-30 years

It is recognised that each group has very specific needs for their sport/activity e.g. turf cricket wicket for cricket. However, not every group can be fully accommodated and the main generic priorities were identified as:

- Club storage
- Sporting ovals
- Upgrade existing toilets
- Clubrooms
- Function room

Stage Two consisted of developing a concept plan, architectural drawings, staging and costs to accommodate as many of the needs as possible.



10.1.1 Community Sport and Recreation Facility Fund (CSRFF) -Annual/Forward Planning Grants

The concept master plan proposes the following 4 stages, over 2 years:

Stage I

- Detailed design and documentation of the proposed building
- Clearance of new carpark site
- Commencement of construction of proposed new building, including public toilets
- Commencement of design and documentation of civil works

Stage 2

- Car park and roadworks construction
- Demolition of existing buildings

Stage 3

- Reserve irrigation
- Relocation of cricket practice wickets
- Little athletics throwing circles and long jump pit
- Synthetic cricket pitches
- Relocation of existing senior turf cricket wicket
- Large playground and social area

Stage 4

- Construction of croquet fields
- Refurbishment of the bowling club
- Multi use path and fitness equipment

The total cost of the project is estimated at \$9,900,000, incorporating contingencies, consulting fees and escalation costs. The master plan will be subject to annual review upon each stage of implementing the Plan. Therefore minor adjustments are likely to occur throughout the process to satisfy certain requirements or constraints.

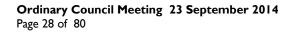
Since Council last considered this project in May 2014, the master plan has been out for community comment for sixty days. This period closed on 7 August 2014 and the results are still being collated. Preliminary analysis shows that the master plan has overall community support, however these results will be presented in full to Council for consideration at the October 2014 meeting. As the deadline for the Department of Sport and Recreation's CSRFF funding application is 30 September 2014 and it is an annual round only available at this time each year, Council is required to consider the funding application prior to considering the final community comments and implementation of the master plan.

Consultation

The City advertised the funding round by direct mail out to clubs, and email notification. No applications for this round were received by community sporting clubs.

Stakeholder engagement specific to this project has occurred as previously outlined in the May 2014 Council report as follows:

As part of Stage One, a survey was sent to all relevant clubs, and user groups who currently use the facilities at Ernest Johnson Reserve. In total 20 surveys were sent, with 13 replies. The following groups were surveyed: South Perth Little Atheltics; South Perth Junior Football Club; South Perth Junior Cricket Club; Como Bowling & Recreation Club; WAFC Umpires Association; RSPCA WA; Step Into Life (Personal Trainers); South Perth Playgroup; Girl Guides WA; Rotary Club of South Perth-Burswood, South Perth Hospital and various hall users.





10.1.1 Community Sport and Recreation Facility Fund (CSRFF) -Annual/Forward Planning Grants

As part of Stage One of the project:

- The Peninsula Newsletter (Winter 2012) featured an article about the general project to advise the wider community.
- An article featured in the Southern Gazette Community Newspaper Snapshot page.
- A series of individual meetings were conducted with South Perth Hospital, WAFC Umpires Association, Como Bowling & Recreation Club, Rotary Club of South Perth-Burswood, South Perth Junior Cricket Club, Girl Guides South Perth, South Perth Playgroup, South Perth Little Athletics, South Perth Junior Football Club, and Como Croquet Club.
- A public meeting was conducted on 8 March 2012 at the Ernest Johnson Hall at 6.30pm. A total of 35 community members attended. Names and contact details were recorded of those who wished to be kept informed.
- A briefing on the initial findings and key concepts was presented to Council on 10 April 2013.

Stage Two of the project did not require consultation as it was focussed on actual delivery of designs based on findings as a result of consultation in Stage One. Email updates have been sent to user groups and stakeholders to provide updates on how the project is progressing.

A second briefing was presented to Council in April 2014.

In May 2014, meetings have been held with the Como Croquet Club, South Perth Junior Football Club, WA Umpires Association, South Perth Cricket Club, Step Into Life Personal Trainers, Como Bowling and Recreation Club to discuss the findings and the concept master plan. Meetings have been requested with representatives from RSL, Rotary Club of South Perth Burswood, Girl Guides WA, South Perth Playgroup, South Perth Junior Cricket Club, and South Perth Little Athletics but have yet to occur.

Feedback has been received from some of these groups, who are in the majority in favour of the master plan. Ongoing discussion with clubs and user groups is continuing to occur, throughout the detailed design stages of the project.

Since Council considered this project in May 2014, the master plan has been out for community comment for a 60 period, which closed on 7 August 2014. In total 54 comments were received. Although complete analysis has not occurred, preliminary indications show overall community support for the project. Specific requirements from immediate stakeholders such as South Perth Junior Football Club and other facility users require further consultation which is currently being done by City Officers and will continue throughout the detailed design phase.

This information will be further considered by Council at its October meeting.

Policy and Legislative Implications

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

Financial Implications

The total project cost is estimated at \$9,900,000 incorporating contingencies, consulting fees and escalation costs.

The City's Strategic Financial Plan 2013-2023 has allocated \$8 million to this project.



The Strategic Financial Plan proposes staging the project as follows: 2014/2015 - \$3 million. 2015/2016 - \$5 million

If this funding application is successful, a further \$2,477,000 will be secured to cointribute to the project.

Strategic Implications

This report is consistent with the Strategic Community Plan 2013–2023,

• Direction I – Community "Create opportunities for an inclusive, connected, active and safe community".

• Direction 2 – Environment "Enhance and develop public open spaces and manage impacts on the City's built and natural environment".

• 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. The City encourages shared use of its facilities to maximise rational use for minimal cost. This proposed project demonstrates this principle. This project also aims to enhance the quality of life and provide opportunities for capacity building through appropriate provision of community facilities. Additionally the facilities constructed as part of this project will use the Ecological Sustainable Development (ESD) building design principles, as per the City's Policy P208.



10.2 STRATEGIC DIRECTION 2: ENVIRONMENT

10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan) Draft (Revision 2) September 2014

Location:	City of South Perth
Applicant:	Council
Date:	5 September 2014
Author:	Karen Lancaster, Landscape Architect
Reporting Officer:	Mark Taylor, A/Director Infrastructure Services

Summary

The City has prepared the South Perth Foreshore Strategy and Management Plan (The SPF Plan) [*Draft (Revision 2) September 2014*] for Council consideration and review. The SPF Plan contains amendments made to the 1 July 2013 draft document following Council's consideration of the extensive stakeholder feedback received in 2013 and the Council resolution at the 26 November 2013 meeting.

It is recommended that Council adopt the draft document, which will become the South Perth Foreshore Strategy and Management Plan (The SPF Plan).

Officer Recommendation

That...

- a) The South Perth Foreshore Strategy and Management Plan (The SPF Plan) [Draft (Revision 2) September 2014] be adopted by Council subject to the following changes being made:
 - The words "it highlights the need to consider a balance between economic development and the other objectives for the foreshore" contained in Appendix 4 – Stakeholder Engagement, under the heading 'Objectives' be deleted; and
 - ii. Table 2 entitled 'South Perth Foreshore Freehold Land' containing reference to the zoning at page 93 under Attachment 10.2.1 be included in the plan in place of the table currently shown in the draft.
- b) The adopted SPF Plan be referred to the Swan River Trust for formal consideration.

Background

The City has identified the South Perth Foreshore as being in need of revitalisation to bring the area up to the standard expected of city waterways and riverparks in the developed world today. Revitalisation of the foreshore forms part of the City's Strategic Plan 2013-2023.

The extent of the South Perth Foreshore (SPF) for the purposes of the SPF Plan covers an extensive area of regional public open space that occupies over 62 hectares of Swan River foreshore land. It stretches from the Narrows Bridge in the west to Ellam Street in the east, where it joins the Town of Victoria Park's foreshore reserves, including McCallum Park. With over 4 kilometres of north facing foreshore to the City of Perth, it is a significant central Perth Waters portion of the Swan Canning Riverpark. A large part of it is known as Sir James Mitchell Park, with the western end along the South Perth Esplanade known as The Esplanade Reserve, along with Mill Point Reserve, and Clydesdale Reserve bounding Mill Point Road near Douglas Avenue. The physical and visual connections to the foreshore, particularly the Mends Street



Precinct and the Perth Zoo; and public transport including ferry connections, and the future train station near Richardson Park / Kwinana Freeway, are also key factors.

The foreshore is currently the responsibility of and managed by the local government authority the City of South Perth. The SPF is a regional reserve / Regional Open Space (ROS) classified a 'Class C' Reserve and is zoned 'Parks and Recreation'. It has a considerable catchment area attracting users and tourists from throughout Perth, Western Australia, the nation and the globe. It is one of the major attractions of the area, for its beauty, ambience and amenity.

Why is the SPF Plan required?

The existing management framework for the SPF is the Sir James Mitchell Park Foreshore Management Plan (2001 Plan), adopted by the City and the Swan River Trust in April 2001. Thirteen years on, with a number of the earlier plan's priority actions implemented, it is in need of review to meet current aspirations and management practices, and to address global trends shaping our world and impacting Perth such as population increase and changing demographics, greater urbanisation and densification.

The new 2014 SPF Plan sustainably plans for the future by balancing the competing demands for use and development with the need to conserve and enhance a functional healthy river and foreshore environment and public open space.

Much of the SPF's infrastructure 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 foreshore, with \$1,000,000 allocated in the 2014/2015 annual budget. However, funding is also needed for key planning and capital works projects as outlined in the Strategies and related list of Actions in the SPF Plan.

The SPF Plan will play a pivotal role when seeking Federal and State Government funding; as it demonstrates to higher levels of government any funding being sought will be appropriately spent in accordance with a well-researched, stakeholder tested plan.

The SPF Process to date

The SPF process to date is outlined in the Executive Summary of the document, including a Process diagram on page 9. The process commenced in late 2012 and has been ongoing throughout 2013 through to this current draft Revision 2 in September 2014.

The SPF Plan – Strategies for the foreshore

The SPF Plan will guide the management of the foreshore into the future. The plan includes the improvement of public infrastructure, recreation and tourism experiences, and environmental values. It also considers physical and visual connections to the foreshore particularly strategic zones associated with the Mends Street Precinct and the Perth Zoo; and public transport including ferry connections and the potential future train station location at Kwinana Freeway near Richardson Park.

The SPF Plan identifies the most appropriate combination of uses for the foreshore area, while maintaining and preserving the environmental and heritage values of the area and its surrounds. It complements the regional planning approach of the Swan River Trust as well as providing for local residents, regional users, and commercial, event, and tourism enterprises.



The size of the foreshore necessitates two concurrent approaches to the strategies:

- Strategies for the whole of the foreshore: Strategies WOF I-4, and
- Node-specific strategies for the 10 nodes of the foreshore: Node Strategies N1to N10.

These are listed as the overall strategies in the Executive Summary (Part 02); and in more detail for each strategy in Part 04, from page 36 onwards.

These concurrent approaches to the foreshore will enable the development of foreshore spaces that are comfortable, convenient and accessible; activated, inclusive and well-connected; while being diverse and identifiable. This will ensure a sustainable future in which the foreshore provides a range of recreational and social opportunities, and enhances the natural and cultural environment.

<u>The SPF Plan – Contents</u>

Following the Introduction at Part 1.0 and the Executive Summary at 2.0; Part 03 describes the SPF in detail, including the existing site conditions and management issues and existing management of the site. Much of this management approach will continue, with strategies for changes to existing management practices, improvements and developments further outlined in Part 04. Background information, such as further site specific details (including vegetation, fauna, history, planning maps and land details and an aerial image of the site) are included in the Appendices; with Appendix 04 covering the Stakeholder Engagement process and Appendix 05 regarding the Council Resolution, outlined further below.

Comment

At the 26 November 2013 meeting, Council considered the results of community consultation / stakeholder engagement received in response to the draft SPF Plan and resolved as follows:

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.

In response to the Council resolution, the City has revised the SPF Plan to produce this Draft (Revision 2) September 2014 for Council consideration and adoption (Attachment 10.2.1).

A number of amendments have been made to the earlier draft document to reflect the resolution and the input from stakeholder engagement. Appendix 05 of the document outlines the actions taken for changes to the earlier I July 2013 document and subsequent drafts in producing this SPF Plan.

Where to from here?

The time and cost that could be attributed to the entire list of strategies outlined in this SPF Plan is above the capacity of the City's current funding and staffing, which will necessitate a Feasibility Framework and Implementation Plan (SPF Implementation Plan) being devised to feasibly manage this project. Due consideration will be made of the City's ability to fund projects through the Long Term Financial Plan and annual budgets; and assessment of project feasibility and the funding arrangements available and anticipated.

Following adoption by Council of the draft SPF Plan, the SPF Implementation Plan will be prepared based on the priorities identified in the SPF Plan and the above considerations.

The Implementation Plan will be the basis for the City to progress more detailed planning based on specific Whole of Foreshore (WOF I-4) and Node Strategies (NI to NI0), and their component strategies and required actions. This stage will involve stakeholder engagement in line with our current policies, and will lead to plans and projects being considered by Council for adoption and implementation.

Conclusion

The SPF Plan is a document to strategically and holistically guide the South Perth foreshore into the future. As custodians of the foreshore, it is incumbent on the City to ensure the foreshore continues to be sustainably managed.

The SPF Plan has been developed as a well-researched stakeholder tested plan. The City will ensure that Council, the community and other stakeholders remain involved throughout the planning <u>and</u> implementation processes. As the project will be implemented over a long period of time there will be many opportunities for further involvement.

The City commends the *draft* of the SPF Plan to Council for adoption.



Consultation

A summary of the stakeholder engagement for the SPF Plan is included in Appendix 04.

The draft of the SPF Plan has been presented to:

- Officers of the Swan River Trust for preliminary comment prior to formal consideration by The Trust;
- The State Heritage Office;
- The Internal Reference Group
 - (being City of South Perth staff from various departments);
- The Sir James Mitchell Park Community Advisory Group on 6 August 2014;
- Elected Members at the Elected Members Concept Briefing held on 12 August 2014.

The draft SPF Plan is publicly available as an electronic document (PDF format) on the City's website under *Our City* – *Major Projects* – *South Perth Foreshore*; and information has been provided by email to all residents on the City's mailing list, including those who requested further information on the SPF Plan at the time of completing the July – August 2013 survey.

Policy and Legislative Implications

Revitalisation of the foreshore forms part of the City's Strategic Plan 2013-2023. Strategic reports and policies, and previous and existing management strategies/ plans relevant to the preparation of the SPF Plan have all been reviewed in depth and incorporated into this plan.

Page 19 of the document lists relevant strategic reports and policies; and previous and existing management strategies/ plans under the heading Management Strategies/ Plans and Policies.

The SPF Plan will provide the City with a strategy and planning document from which to develop more detailed plans for whole of foreshore and node-specific projects.

The SPF Plan will require formal consideration by the Swan River Trust following adoption by Council as 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

The financial implications of the SPF Plan will be reviewed in more detail when the SPF Implementation Plan is developed.

Strategic Implications

The SPF Plan aligns with City strategies and policies.

The SPF Plan will be used to provide a clear direction for foreshore improvements for the future. To support it, the SPF Implementation Plan will be developed.



Sustainability Implications

The process being used to develop the SPF Plan is sustainable as it is attempting to consider the quadruple bottom line elements:

- I) Social the level of community and stakeholder engagement;
- 2) <u>Economic</u> ensuring that sound business principles are incorporated into future plans;
- 3) <u>Environmental</u> considering the current and future environmental issues concerning the foreshore; and

<u>Governance</u> - 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 Proposed Carport Addition to Single House - Lot 801 (No. 16) Alston Avenue, South Perth

Location:	Lot 801 (No. 16) Alston Avenue, South Perth
Applicant:	Dennis Sheppard
Lodgement Date:	24 June 2014
Date:	20 August 2014
Author:	Val Gillum, Planning Officer (Temporary), Development Services
Reporting Officer:	Vicki Lummer, Director, Development and Community Services

Summary

To consider an application for planning approval for a proposed carport addition to a two-storey single house at Lot 801 (No. 16) Alston Avenue, South Perth.

The proposal relates only to the addition of a carport to the two-storey single house, but due to an existing double garage already onsite, the proposal conflicts mainly with provisions of Council Policy P350.3 'Car Parking, Access, Siting and Design', namely Sub-clause 8(b)(iii) and (v) as well as Clause 13(b)(i).

The addition also creates non-compliance of the Carport Structure in relation to obstruction to sight lines of the existing fencing along the right-of-way as well as the inclusion of the carport posts within the driveway and right-of-way truncation areas in accordance with the provisions of Council Policy P350.7 'Fencing and Retaining Walls', namely Clause 5(a) and 5(b). There is also non-compliance the the Residential Design Codes in relation to reduced open space.

The proposal is in conflict with the above sub-clauses and therefore, Council is being asked to exercise discretion in relation to the following:

Elements on which discretion is sought	Source of discretionary power
Carport addition / Setback of carport	P350.3 Sub-clause 8(b)(iii) and (v)
Carport addition / Design of carport	P350.3 Sub-clause I3(b)(i)
Carport addition / Obstruction adjacent to	P350.7 Sub-clause 5(a) and (b)
Formed Driveway and Obstruction at right-of-	
way	
Carport addition / Reduced Open Space	R-Code Design Principle 5.1.4 P4

It is recommended that the proposal be **refused**.

Officer Recommendation

That pursuant to the provisions of *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a carport addition to a two-storey single house on Lot 801 (No. 16) Alston Avenue, South Perth, be **refused** for the following reasons:

(a) Specific Reasons

- (i) The proposal is in conflict with Sub-clause 8(b)(iii) of Council Policy P350.3 'Car Parking, Access, Siting and Design'. A double garage exists onsite, and the Alston Avenue focus area is not characterised by at least one-third of the lots already having carports within the front setback.
- (ii) The proposal is in conflict with Sub-clause 8(b)(v) of Council Policy P350.3 'Car Parking, Access, Siting and Design'. The carport posts



provided at a width of 470mm x 470mm, setback 1.0 metre from the street alignment creates obstructions to the driveway and right-of-way truncations.

- (iii) The proposal is in conflict with Sub-clause 13(b)(i) of Council Policy P350.3 'Car Parking, Access, Siting and Design'. The carport design does not match the design of the dwelling to which the garage is appurtenant.
- (iv) The proposal is in conflict with Sub-clause 5(a) and (b) of Council Policy P350.7 'Fencing and Retaining Walls'. The carport structure as well as the existing non-compliant side boundary fence creates obstructions to the driveway truncation and right-of-way truncation.
- (v) The proposal is in conflict with Design Principle 5.1.4, in particular P4 of the Residential Design Codes. The carport structure reduces the available open space on site from 50% down to 46.4%.

(b) Standard Advice Notes

795B Appeal rights - Council decision

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

Background

The development site details are as follows:

Zoning	Residential
Density coding	R20/R30
Lot area	459 square metres
Building height limit	7.0 metres
Development	One (1) dwelling
potential	
Plot ratio limit	Not applicable

This report includes the following attachments:

Confidential Attachment 10.3.1(a) Plans of the proposal.

Attachment 10.3.1(b) Applicant's supporting letters.

Confidential Attachment 10.3.1(c) Focus area landowners' signed consent letters.

The location of the development site is shown below:



	ñ.	COSP	ROW		COS	P ROW 213		
	14		13		14 Development Site	215		
12	12A	12B	15		16 16	217		
A	LST	ΓON	AV					
	18		11		13A 13B 13C	15 17		222
	20		19		20			222A
	22		21		22	223A 223		
	24		23		24	225B	-	224
	24A		23	H	24	225A	RD	
	26		25	HART ST	26	227	HERE	228
	28		5	HAF	28	229	Ш Т	230

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:

3. The exercise of a discretionary power

- (b) Applications, which in the opinion of the delegated officer, represents a significant departure from the Scheme, Residential Design Codes or relevant planning policies.
- (c) Applications involving the exercise of discretion under Clauses 6.1 or 6.11 of the Scheme.

Comment

(a) Background

In June 2014, the City received an application for a carport addition to an existing two-storey single house at Lot 801 (No. 16) Alston Avenue, South Perth (the site).

The property owner is applying for the carport addition so as to provide further roof-covered protection to the additional vehicles currently being parked on the open, unprotected section of his driveway in front of an existing double garage. The applicant's supporting letter, referred to as **Attachment 10.3.1(b)**, describes the need for the proposed structure and further justification for the proposal which notes that the existing garage has become unusable for day to day car parking because of the owners involvement with classic motorcycle and car restoration and repair.

While the proposal is generally compliant with other elements of Council Policy P350.3, Sub-clause 8(b)(iii) prescribes that where two existing covered car bays exist behind a 4.5 metre setback, a setback of less than 4.5 metres for any proposed carport shall not be accepted unless the focus area is characterised by at least one-third of lots already having carports in the front setback area.



Despite achieving the prescribed setback (6.0 metres), the Alston Avenue streetscape is comprised primarily of lots with carport / garage parking structures setback at the minimum requirement of 4.5 metres. Additionally, it is evident that less than one-third of dwellings within the streetscape (focus area) have carports within the front setback area. It is therefore deemed the proposal does not satisfy provisions of the above clause, and the proposed setback of the parking structure would represent a deviation from existing development within the Alston Avenue focus area.

As there is no other practical location for a carport with a street setback of at least 4.5 metres on the site, or that would otherwise satisfy Council policy, it is recommended the proposal be **refused**.

(b) Existing development on the subject site

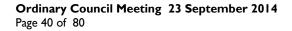
Existing development on the site currently features a two-storey single house. The existing development includes an enclosed double garage setback at 6.7 metres from the street alignment, as illustrated in Photo I below and the plans of the proposal, referred to as **Confidential Attachment 10.3.1(a)**. The shade sail that is located over the existing driveway does not have Planning Approval and would not have been exempt from requiring planning approval as it is in excess of 20m² and not located in a manner that is for active or passive use readily accessible from the dwelling. Given the existing development on the site and the position of other buildings, there is no practical location for an additional double carport (complying with the minimum dimensions prescribed in TPS6) to be located beyond a 4.5 metre setback from the street alignment.

Photo I – The image shows the existing two-storey single house on the subject site, including the double garage setback at 6.7 metres:



(c) Description of the surrounding locality

The site has a frontage to Alston Avenue to the south, and is located approximately 63.0 metres west from the intersection of Alston Avenue and Labouchere Road. The surrounding area is characterised by predominantly single houses, with the exception of the child care centre on the corner of Labouchere Road and Alston Avenue as seen below:







(d) Description of the proposal

The proposal involves the construction and addition of a double carport (setback at 1.0 metres from the street alignment) to the existing two-storey single house on the subject site, as depicted in the submitted plans referred to as **Confidential Attachment 10.3.1(a).** The proposed carport is to include a gable roof design with an attached face (architectural feature to match the existing building) measuring approximately 6.2 metres in height at the peak, 1.0 metre from the front boundary with the carport posts at 2.9 metres in height to be located 100mm from the side boundary abutting the right-of-way.

The applicant's letters, referred to as **Attachment 10.3.1(b)**, describes the proposal in more detail.

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

(e) Car parking - Street setback of carports

As can be seen in the plans of the proposal contained within **Confidential Attachment 10.3.1(a)**, an existing double garage is a development feature already present on the subject site, setback at a distance of 6.7 metres from the street alignment.

In accordance with Council Policy P350.3, Sub-clause 8(b)(iii):

"Where a carport is proposed to be sited within the front setback area of an existing dwelling, and two existing roof-covered bays complying with the minimum dimensions prescribed in TPS6 are already located behind a 4.5 metre street setback:

(B) A setback of less than 4.5 metres will not be permitted for the proposed carport, unless the focus area is characterised by at least one-third of the lots already having carports in the front setback area."

[<u>Note</u> - Front setback area is defined via Council policy as "The portion of a lot situated between the primary street boundary and the front of the closest dwelling."]

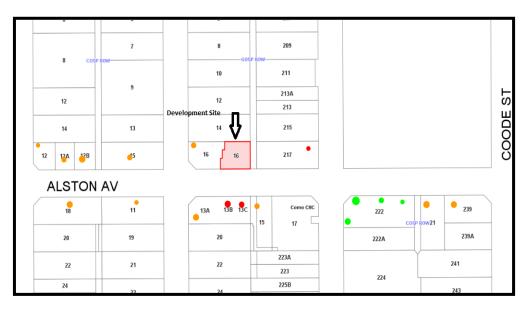


Given this, the proposal is seen to be in conflict with the relevant sub-clause, as the existing double garage is setback beyond a 4.5 metre street setback (6.7 metres) and the proposed carport is to be setback at 1.0 metre in lieu of the required minimum 4.5 metre setback, as prescribed by the above clause.

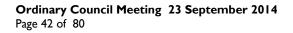
Following a site visit and further investigation by the assessing officer, it was revealed that Alston Avenue is not one characterised by developments with carport structures within the front setback area, (the portion of a lot situated between the primary street boundary and front of the closest dwelling), and while there are developments with carports forward of a 4.5 metre setback, a large majority of the streetscape is characterised by dwellings with garage style parking structures and other building(s) setback a minimum of 4.5 metres from the primary street boundary. In addition to this, if the focus area were to be extended to the east and west to Coode Street and Robert Street respectively, only one other property includes carports within the front street setback area of which were designed as open structures with compensating open space in the front yard.

Photo 2 - The image below shows a portion of Alston Avenue indicating respective parking structure arrangements for properties within the focus area of the subject site:

- **Red dots** denote dwellings with carports appurtenant to the dwelling yet not within the 'front setback area' (3 out of 7 dwellings with one facing Labouchere Road);
- Orange dots denote dwellings with garage parking structures yet not within the 'front setback area' (3 out of 7 sites in focus area) See also sites outside the focus area up to Coode and Robert Streets; and
- **Green dots** denote a unit development at No. 222 Labouchere Road with carports within the front setback area which are separated from the development site by Labouchere Road, and outside of the focus area.



The ratio of dwellings within the Alston Avenue streetscape that contain carports in the front setback area is less than one-third. There are seven other properties within the focus area of which none of these sites demonstrate development of carport structures within the front setback areas, and therefore, it can be deemed that such development is not characteristic of the streetscape.





While it should be noted that there were other properties within the immediate area that demonstrate development of carports within the front setback area (less than one-third) or attached to the side of the dwelling, these dwellings do not have existing or additional roof-covered parking bays behind a 4.5 metre setback, as is the case for the subject site. The policy also dictates that when considering the focus area it is only, "the section of a street extending from one cross intersection to the next cross intersection, together with the residential properties fronting onto both sides of that section of the street", that is to be taken into account when assessing streetscape compatibility and the appropriateness of development.

In this instance, it is considered that the proposal does not comply with the discretionary clause, and is therefore not supported by City officers. As there is no other practical location for an additional parking structure beyond a 4.5 metre setback or that would otherwise satisfy Council policy, it is recommended the proposal be **refused**.

Council discretion - R-Codes cl. 5.2.1 Pl

The applicant has not satisfied Design Principle 5.2.1 PI of the R- Codes, as outlined below:

"The setting back of **carports** and **garages** to maintain clear sight lines along the **street** and not to detract from the streetscape or appearance of **dwellings**; or obstruct views of dwellings from the street and vice versa."

In this instance, it is considered that the proposal does not comply with the discretionary clause as the 6.2 metre ridge of the carport roof would obstruct views of dwellings from the street, and is therefore not supported by the City. However should Council allow discretion, a condition is recommended to demonstrate compliance via changed design, and thereby rectifying this matter.

(f) Car parking - Design of carport

The proposed carport contained within **Confidential Attachment 10.3.1(a)**, includes a roof design that is not in keeping with the design of the existing dwelling as it is a gable, while the pitch of the roof is the opposite direction to the majority of the face of the existing dwelling where it is seen from the street. Therefore, the proposed development does not comply with Clause 13(b)(i) of Policy P350.3 which states "Where a garage or carport is proposed to be located wholly or partly within the front setback area, the design, materials and colour are to match those of the dwelling to which the structure is appurtenant". However should Council use discretion to approve the structure, a condition can be recommended to amend the roof design/pitch in order to demonstrate compliance, and thereby rectify this matter.

(g) Car parking - Size of columns

As can be seen in the plans of the proposal contained within **Confidential Attachment 10.3.1(a)**, the proposed structure includes two columns at the front that are 470mm wide \times 470mm wide, located 1.0 metre from the front boundary.

In accordance with Council Policy P350.3, Sub-clause 8(b)(v): "Where a carport column is setback less than 1.5 metres from the street alignment, its dimensions shall not exceed 360mm × 360mm."

The dimensions stipulated in the policy are for purposes of providing clear visibility of the street due to the close proximity to the street alignment. In



addition to these wider columns, two 470mm piers at approximately 1.7 metres in height already exist either side of the proposed carport, further exacerbating the ability to clearly observe pedestrians and traffic whilst reversing from the property. The existing and proposed obstructions are explained further in Section (h) of this report.

(h) Fencing - Obstruction at driveway and corner truncation area of right-of-way

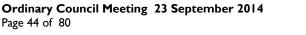
The existing fencing has not been constructed in accordance with plans approved in 1998, whereby it has been noted on the approved plans on Council's file that a 3.0 metre setback from the street frontage with an open grille fence above 0.75 metres was to be provided along the boundary adjoining the right-of-way with nil obstructions above 0.75 metres, and the submitted plans indicate the open grille section of the fence is setback 1.0 metre from the street frontage. When a carport is proposed to be located adjacent to this fence, the development is required to be compliant with sightlines, and as a result, the existing fence does not comply with Clause 5 of Council Policy P350.7. The applicant was requested to rectify the non-compliance via a request for further information, at which time a response was received advising that it was constructed in accordance with a previous Council approval and no changes were identified.

"Fencing in the front setback area of a residential development, in particular when it is located adjacent to a right-of-way, is required to be provided with no obstructions above 0.75 metres within the corner truncation area, in accordance with Clause 5 of Council Policy P350.7 due to reasons of pedestrian and vehicular safety."

Should Council use discretion to approve the structure, a condition can be recommended to modify the fence in accordance with the original approval.

(i) Open space

The required minimum open space is 50% (229.5m²) of the site, and the proposed open space is 46.4% (212.98m²). Therefore, the proposed development does not comply with the open space element of the R-Codes. The applicant's justification in relation to the design principle of Section 5.1.4 of the R-Codes, included examples of open carport structures located on the front boundary outside of the focus area. These carports have been provided on a unit development site at No. 222 Labouchere Road where sufficient compensating open space was provided in the setback, and are open on all four sides providing a means of surveillance to the street frontage. The carport structure proposed to be built on this development site sits adjacent to an existing solid brick fence along the boundary shared with the right-of-way, therefore cannot be compared to the said carport structures as it is mostly closed in on two sides. The proposal is therefore considered to increase building bulk on-site in a manner that is inconsistent with the expectations for the density coding of R20 of the subject site and surrounding area and is therefore not supported. Although the site has a dual density coding of R20/R30 the subject site and surrounding area are more consistent with a coding of R20.





Should Council allow discretion in this respect, a condition is recommended to remove obstructions by way of amended plans so that the brick fencing is upgraded to comply with the fencing policy along the right-of-way and carport columns reduced to 360mm in width to ensure safety to pedestrians and vehicles.

(j) 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:

(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.

The proposed development is considered unsatisfactory in relation to the above item.

(k) 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.
- (f) Any planning Council policy, strategy or plan adopted by Council under the provisions of Clause 9.6 of this Scheme.
- (i) The preservation of the amenity of the locality.
- (j) All aspects of design of any proposed development, including but not limited to height, bulk, orientation, construction materials and general appearance.
- (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.
- (x) Any other planning considerations which Council considers relevant.

The proposed development is considered unsatisfactory in relation to the above identified items.



Consultation

(a) 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 standard consultation method, individual property owners, occupiers and / or strata bodies at Nos. 14 and 16 Lockhart Street, and No. 217 Labouchere Road 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).

During the advertising period, a total of three (3) consultation notices were sent which included two (2) properties for information only and one (1) to a potentially affected landowner, and one (1) submission was received in favour of the proposal by the 'Information Only' property owner. The comments of the submitter(s), together with officer response are summarised below:

Submitters' Comments	Officer Response
No objection provided the carport	City officers consider the structure
blends with the existing residential	does not blend in with the existing
landscape. The existing residential	residential landscape as the focus area
landscape has been somewhat	is not characterised by at least one-
detracted from already by the	third of the lots already having
contradictory environmental	carports in the front setback area.
appearance of the Jelly Beans Day	,
Care Centre on the corner of Alston	the corner of Alston Avenue and
Avenue and Labouchere Road. This	Labouchere Road, the building is
structure could arguably be	setback in line with the average
considered an enhancement to the	setback and has the appearance of a
street, and have much less impact on	dwelling when viewed from the street
visual amenity than what has already	within Alston Avenue. The inclusion
occurred at the child care centre.	of sail shades to the Alston Avenue
	frontage includes a colour that
	matches the existing building and
	therefore is not considered to
	diminish the streetscape.
	The comment is NOT SUPPORTED
	by City officers.

Separate to the City's efforts, the property owner and applicant have provided officers with a series of signed consent letters from the adjoining and nearby landowners / tenants of eight (8) properties; Nos. 11, 13, 13A, 13B and 17 Alston Avenue, Nos. 14, 14A, 15 and 16 Lockhart Street. Scanned copies of the consent letters can be viewed as part of **Confidential Attachment 10.3.1(c)**. Comments in favour of the proposal generally refer to the structure being an enhancement of the surrounding visual residential environment, and that the structure is a significant improvement on the existing shade sails.

(b) Internal administration

No comments were seen to be required or were invited from the City's administration.



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 <u>Strategic Plan 2013–2023</u>, 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 <u>Sustainability Strategy 2012–2015</u>. While the proposed carport does not comply with planning regulations discussed above, the officers observe that this proposal has minor sustainability implications in terms of preserving the existing streetscape character.

Conclusion

It is considered that the proposal does not meet all of the relevant Council policy objectives and provisions, as it has the potential to have a detrimental impact upon the existing character of the Alston Avenue streetscape. Due to the proposal's conflict with Council Policy P350.3 and P350.7 and the R-Codes, it is considered that the application should be refused as there is no other practical location for a carport behind a setback of at least 4.5 metres, given the existing development onsite.



10.4 STRATEGIC DIRECTION 4: PLACES

Nil

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 Request for Advertising of Canning Bridge Structure Plan

Location:	City of South Perth
Applicant:	Council
Date:	27 August 2014
Author:	Vicki Lummer, Director Development and Community Services
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

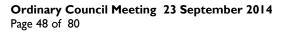
- The Canning Bridge Structure Plan has been prepared following extensive engagement with the community.
- The Structure Plan provides for the implementation of the Canning Bridge Precinct Vision which was endorsed by City of South Perth, City of Melville and the Western Australian Planning Commission in 2011.
- The Structure Plan distinguishes 6 quarters within the precinct and provides Design Guidelines for each of the quarters as well as for the whole precinct.
- The City of South Perth is mostly impacted by Quarters 3, 4 and 5.
- The Structure Plan is focussed on transit oriented development recognising the important role of public transport, walking and cycling to, from and within this location.
- The unique location of the Activity Centre is recognised in the Structure Plan and Design Guidelines.
- The working group requests permission to advertise the structure plan for a period of 42 days to seek public comment.
- At the completion of advertising a report on submissions will be prepared and presented to Council.
- A final structure plan will be prepared after consideration of submissions and presented to Council to consider for endorsement.
- The final structure plan will be required to be presented to the Western Australian Planning Commission for endorsement.

Officer Recommendation

That....

- (a) the Canning Bridge Activity Centre Structure Plan and Design Guidelines be endorsed for advertising for a period of 42 days
- (b) at completion of the advertising period a summary of submissions received be presented to Council
- (c) submissions be considered in finalising the Canning Bridge Structure Plan which will be presented to Council for final endorsement prior to forwarding to the Western Australian Planning Commission

City of SouthPerth



Background

In 2006 Estill and Associates was engaged to undertake the first stage of investigations into the redevelopment of this precinct. They conducted community engagement into the broad attitudes within the study area and their report was finalised in April 2007.

The second stage of work consisted of the development of the Canning Bridge Precinct Vision which was endorsed by the Councils of the City of South Perth and City of Melville in October 2010, endorsed by the WAPC and released in July 2011. The location, with proximity to the Canning Bridge train station, excellent bus services, an established commercial precinct, and proximity to the river, the CBD, Murdoch and Curtin University provides for a unique development opportunity.

The partnership that was formed to prepare the vision for the precinct between the City of Melville, the City of South Perth and the Western Australian Planning Commission (through the Department of Planning) was extended to include the transport portfolios of State Government including Main Roads WA, Department of Transport and the Public Transport Authority. Members of the partnership have met monthly or as required to ensure the progress towards the Structure Plan for this Activity Centre.

Canning Bridge is listed in the State Planning Policy 4.2 Activity Centres for Perth and Peel and reflected in the Local Planning Strategy and Local Planning Scheme hierarchy as a District Centre. The uniqueness of the centre is also recognised in Directions 2031 and the Central Metropolitan Perth sub-regional strategy as a planned urban growth area. State Planning Policy 4.2 requires an activity centre structure plan to be prepared for this location.

This structure plan builds on the Canning Bridge Precinct Vision and provides the framework for the vision to be implemented. The Vision for Canning Bridge is:

'The Canning Bridge precinct will evolve to become a unique, vibrant, creative community centred on the integrated transport node of the Canning Bridge rail station. The precinct will be recognised by its unique location, its integrated mix of office, retail, residential, recreational and cultural uses that create areas of excitement, the promotion of its local heritage and as a pedestrian friendly enclave that integrates with the regional transport networks while enhancing the natural attractions of the Swan and Canning Rivers'

See Attachments 10.5.1(a) Part one – Statutory Section and 10.5.1(b) Part Two – Explanatory Section

Comment

The Canning Bridge Structure plan (CBSP) is presented in two parts. Part One is the statutory section which includes the structure plan map, statutory provisions and requirements. Part Two is used as a reference guide providing background, design basis and intent to support the implementation of Part One.

It should be emphasised that the structure plan does overlap two Local Government Authorities and does emphasise a continuing cooperation between the Councils for development in this activity centre. The individual Local Planning Schemes still relate to the areas within each local Government boundary, however they are guided by the structure plan over the whole area.



The Canning Bridge Structure Plan Objectives are to:

- 1. Meet district levels of community need and enable employment, goods and services to be accessed efficiently and equitably by the community.
- 2. Support the activity centre hierarchy as part of a long-term and integrated approach to the development of economic and social infrastructure.
- 3. Support a wide range of retail and commercial premises and promote a competitive retail and commercial market.
- 4. Increase the range of employment within the CBSP area and contribute to the achievement of sub-regional employment self-sufficiency targets
- 5. Increase the density and diversity of housing in and around the CBSP to improve land efficiency, housing variety and support the facilities in the area.
- 6. Ensure the CBSP area provides sufficient development intensity and land use mix to support and increase high frequency public transport.
- 7. Maximise access to and through the CBSP area by walking, cycling and public transport while reducing private car trips.
- 8. Plan development in the CBSP area around a legible street network and quality public spaces.
- 9. Concentrate activities, particularly those that generate steady pedestrian activation, within the CBSP area.

These outcomes are supported through the Goals of the Structure plan.

Consultation

GI The community continues to be involved in implementation for the CBSP area, through online information and local news. Specific planning applications will be communicated to affected landowners, and the City of Melville and the City of South Perth will have a combined Design Advisory Committee which will include representatives from each Council that consider the quality and contribution of all new development.

Place activation

- G 2 The local character, function and strength of each unique 'Quarter' (see section xxxx) will be built upon in the implementation of the CBSP. Local events, such as markets and concerts, will be encouraged and enabled and the CBSP area will be known as a place to work, live and visit.
- G 3 Q6 will be a vibrant hub for passengers moving freely and safely between transport types and enjoying the adjacent parklands and river front. The journey to and from the Quarter will be comfortable and memorable.

Built Form

- G 4 CBSP area will be a demonstration of quality architecture with a strong focus on built form and public space interaction, providing multiple accommodation, commercial and employment opportunities.
- G 5 CBSP area will be welcoming to all members of the community and will provide a range of accommodation and recreation options for the variety of cultures, socio-economic groups and age groups which live, work and play in the area.



Innovation

G6 Developers will be encouraged to provide innovative spaces and places that will benefit the whole community, including areas to access views, Civic uses, open space, recreation and entertainment.

Accessibility

G 7 CBSP area will be developed with consideration of safe, efficient, and universal access to, through and within the diverse activities and facilities of the area.

Sustainability

G 8 CBSP area will be a model for the development of greener buildings, more efficient transport usage, and more sustainable lifestyle options. The local residential community will be encouraged to work in the area or travel via public transport to work and public open spaces will be encouraged horizontally and vertically throughout.

Crime Prevention

G 9 CBSP area will be active and vibrant and the community who frequent it will feel safe and secure. Design of buildings, spaces and services will contribute to its safe enjoyment at all times of the day and night.

Environment

G 10 Development of CBSP area responds to its excellent natural attributes, making best use of the river and its adjacent areas for community enjoyment and ongoing education about the local environment.

Staging and implementation

- G II Staging of development is considerate of the community impacts of development over time, including transition from lower to higher density developmentand provision of necessary community infrastructure.
- G 12 The CBSP area develops sensitively and carefully over time to ensure that the benefits of development are realised by all members of community.

Design guidelines have been developed to assist in achieving the desired outcomes for the area.

See Attachment 10.5.1(c) Design Guidleines

The design guidelines seek to achieve the following outcomes:

- a) The local character, function and strength of each unique 'Quarter' (see Section xxx) will be celebrated in the implementation of the CBSP.
- b) The centre will be a demonstration of quality architecture with a strong focus on built form and public space interaction, providing multiple accommodation, commercial and employment opportunities.
- c) The centre will be welcoming to all members of the community and will provide a range of accommodation and recreation options for the variety of cultures, socio-economic groups and age groups which live work and play in the area.
- d) Developers will be encouraged to provide innovative spaces and places that will benefit the whole community, including areas to access views, Civic uses open space, recreation and entertainment.
- e) The centre will provide for safe, efficient, and universal access to, through and within the diverse activities and facilities of the CBSP area.
- f) Design will be encouraged to be responsive to the size and geometry of the various development sites and to the strategic expectations of the adjacent street and pedestrian networks.



The design guidelines for the Structure plan are set out in a similar form to what is encountered in the R-Codes; a table format with three columns:

- <u>Element</u> which provides a title for each element e.g. Land use , Form and Mass etc
- <u>Desired Outcomes</u> which represents the qualitative principles against which the decision maker can exercise their judgement to determine a proposal. These are based on the Guiding principles, Objectives and Goals of the Canning Bridge Structure Plan; and
- <u>Requirements</u> which are the quantitative criteria against which a development will be assessed.

The Canning Bridge Structure Plan area has been split into six quarters. Within these quarters there are 5 zones. Not all zones are present in each quarter. The 5 zones are:

- Mixed Use up to 15 storeys M15
- Mixed Use up to 10 storeys M10
- Residential 6-8 Storeys-H8
- Residential up to 4 stories H4
- Civic– Civic

The Desired Outcomes and Requirements are provided for the whole structure plan area unless there are specific guidelines for each zone which are then addressed separately in the design guidelines. The guidelines are established as an alternative to the requirements of the R-Codes within the Canning Bridge Structure Plan Area only. Where they are silent on a matter the R-codes will prevail.

The design guidelines centre around the elements of Land Use ,Form and Mass, Setbacks, Pedestrian Spines, Canning Highway, Heights, Landmark buildings, Facades, Adaptability, Site Cover, Sustainability, Street edges, Retaining walls, Fences, Public Art, Parking, Servicing, and Safety.

In recognition of the unique location and the desire to see exceptional design and the transformation of the area to provide for community needs, there are also two elements that relate to development bonus provisions based on design considerations and community considerations. These detail requirements that must be met to achieve development over the 15 and 10 story limits and include minimum lot sizes, community benefits and provision of affordable housing options.

Consultation

There has been considerable engagement with the community as part of the development of the Activity Centre Structure Plan. Three workshops were held with residents, owners and stakeholders from both City of Melville and City of South Perth. Surveys were conducted at key locations and with key groups in order to engage with those groups who were under represented at workshops specifically younger couples, young people, visitors and workers.

The planning and development of this structure plan has been undertaken in partnership with the Department of Planning, Western Australian Planning Commission and the Department of Transport, including the Public Transport Authority and Main Roads WA. Other State departments including the Swan River Trust, and the Heritage Council of WA were also consulted during the process. Utilities providers, including Atco Gas, Western Power, Synergy and Water Authority have also been consulted during the structure planning process.



10.5.1 Request for Advertising of Canning Bridge Structure Plan

All these authorities and departments will be advised of the advertising process and be requested to make further comment.

A joint briefing on the structure plan, of both Councils was conducted on 11 August 2014

Advertising of this Activity Centre Structure Plan is required in accordance with the provisions of the State Planning Policy 4.2: Activity Centres for Perth and Peel for a minimum period of 21 days, however it is proposed to advertise this structure plan for 42 days.

The Canning Bridge Activity Centre Structure Plan is to be advertised through an advertorial in local paper, press releases, email to those who have been involved previously, letters to those in study area, Facebook, Have Your Say – We Are Listening webpage and notices in libraries and Civic Centre.

An information day will also be held to explain the structure plan and design requirements.

Policy and Legislative Implications

An Activity Centre Structure plan is required to be prepared for the Canning Bridge Activity Centre under State Planning Policy 4.2 Activity Centres for Perth and Peel.

The Structure plan, when finally endorsed by the Council will inform development in the centre.

The provisions, standards and requirements specified under Part One of the structure plan if and when adopted would have the same force and effect as if they were a provision, standard or requirement of the Scheme.

In the event of inconsistencies between the Scheme or the Residential Design Codes and the structure plan, the Scheme or the Residential Design Codes prevail unless the structure plan specifically varies the relevant requirements.

Financial Implications

There are no financial implications at this stage of the project. However, it is recommended that the City consider upgrading streetscapes, footpaths and cycling network in and around the centre in future years. Investment in activity centres by the City is likely to stimulate new private development.

Developer Contributions are being considered to assist in providing funding for local infrastructure in the project area.

Strategic Implications

This report is consistent with the <u>Strategic Community Plan 2013–2023</u>, 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".

The Canning Bridge Structure Plan is Item 5.1.1 of the City of South Perth Corporate Plan 2013-2017

Sustainability Implications

This report is aligned to the City's Sustainability Strategy 2012-2015.



10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - August 2014

Location:City of South PerthApplicant:CouncilFile Ref:FM/301Date:07 September 2014Author / Reporting Officer:Michael J Kent, Director Financial and Information
Services

Summary

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

Officer Recommendation

That

- (a) Council adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater);
- (b) the monthly Statement of Financial Position and Financial Summaries provided as **Attachment 10.6.1(1-4)** be received;
- (c) 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.
- (d) the Schedule of Movements between the Adopted & Amended Budget
 Attachment 10.6.1(6)(A) & (B) not be presented for August as there have been no amendments to the adopted 2014/2015 Budget;
- (e) the Rate Setting Statement provided as **Attachment 10.6.1(7)** be received.

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 reflects the structure of the 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 - reflecting the City's actual financial performance against budget targets.

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.

10.6.1 Monthly Financial Management Accounts - August 2014

To be an effective management tool, the 'budget' against which actual performance is compared is phased throughout the year to reflect the cyclical pattern of cash collections and expenditures during the year rather than simply being a proportional (number of expired months) share of the annual budget. The annual budget has been phased throughout the year based on anticipated project commencement dates and expected cash usage patterns.

This provides more meaningful comparison between actual and budgeted figures at various stages of the year. It also permits more effective management and control over the resources that Council has at its disposal.

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

A summary of budgeted capital revenues and expenditures (grouped by department and directorate) is also provided each month from September onwards. From that date on, this schedule reflects a reconciliation of movements between the 2014/2015 Adopted Budget and the 2014/2015 Amended Budget including the introduction of the unexpended capital items carried forward from 2013/2014.

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 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) (not presented for August)
- Rate Setting Statement Attachment 10.6.1(7)

Operating Revenue to 31 August 2014 is \$39.46M which represents some 101% of the \$39.27M year to date budget. Revenue performance is close to budget in most areas other than those items identified below. Parking infringement and meter parking revenues are under budget but court costs recovered are slightly over budget. Interest revenues are 5% below budget expectations although this largely relates to less than budgeted Reserve Fund interest. This will situation will reverse in the next month as the proceeds from the sale of the Civic Triangle land are received and invested.



10.6.1 Monthly Financial Management Accounts - August 2014

Rate revenue from the initial rates strike is some \$65,000 higher than was modelled for budget purposes after the very late receipt of revised GRVs for some larger properties. These values were received in the period between adoption of the budget and the issue of rates notices.

Planning revenues are now on budget as are building fees. Collier Park Village revenues are 2% under budget due to slightly less than budgeted maintenance fees.

City Environment contributions revenue for the (unbudgeted) contribution towards resurfacing of hard courts at Hensman Tennis Club resulted in a 131% YTD favourable variance. This revenue and the related expenditure items will be addressed in the QI Budget Review. There are also unbudgeted favourable variances for insurance recoveries and Trust fund retentions in the Infrastructure area. Other than the 1% favourable difference on rubbish service charges and strong performance on CPGC green fees, Infrastructure Services revenue overall is close to budget for the year to date.

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

Operating Expenditure to 31 August 2014 is \$8.42M which represents 96% of the year to date budget of \$8.73M. Operating Expenditure is 2% under budget in the Administration area, 4% under budget for the golf course and 5% under in the Infrastructure Services area.

Variances in operating expenditures in the administration area largely relate to timing differences on billing by suppliers and timing differences in relation to the recovery of allocations outwards of corporate costs. These are not considered significant after only two months of the year. Details of the various variances are contained in the Schedule of Significant Variances.

In the Infrastructure Services operations area, parks maintenance is some 16% below budget although this largely relates to a timing difference as maintenance programs for the year are developed and implemented. There is also a favourable timing variance in plant nursery operations and overheads - both of which are expected to reverse out in future months, whilst there is an unfavourable variance in relation to grounds maintenance – although this is related to timing issues associated with works for which the City has received a contribution from the Hensman Tennis Club.

Streetscape maintenance and plant nursery operations both reflect a favourable variance at this time of the year. Maintenance activities for roads, paths and drains reflect a 15% favourable variance at month end but this is also considered to be a timing difference as maintenance programs are finalised and implemented.

Plant charge recovery is also impacted by the process of having to develop and finalise the maintenance programs after budget adoption but will be monitored regularly as the maintenance works occur in earnest in future months.

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 1.4% under the budget allocation for the 214.8 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.



10.6.1 Monthly Financial Management Accounts - August 2014

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

Capital Revenue is disclosed as \$0.15M at 31 August - 19% over the year to date budget of \$0.13M. This difference relates to the re-leasing of a unit at the CPV and is not significant.

Capital Expenditure at 31 August is \$0.67M representing 108% of the year to date budget but this is not significant as almost all capital projects in the program are scheduled to occur from August onwards. The table reflecting capital expenditure progress versus the year to date budget by directorate will be presented from September onwards once the final Carry Forward Works are confirmed (after completion of the annual financial statements).

Local Government Reform Costs

In accordance with the resolution to the special budget adoption meeting of 14 July 2014, the following costs have been recorded against local government reform. Consistent with the resolution, no new costs have been incurred this financial year, as these costs represent continuing costs only. Similarly, any new expenditure proposals with relation to local government reform will be the subject of specific council approval.

Costs Incurred (Budget \$750,000)

	Reform Office	Consultancy	Total
	Staff	Services	
As at 31 July 2014	\$12 557	\$2 749	\$15 306
For the month of August 2014	\$7 493	\$4 946	\$12 439
Total as at 31 August 2014	\$20 050	\$7 695	\$27 745

In addition to the above, the following represents the estimated hours and costs of staff involved in the Local Government reform project which have not resulted in direct costs being incurred.

Staff Time

	May 2014	June 2014	July 2014	August 2014	Total
Hours ¹	980	1220	792	854	3846
Cost	\$71 468	\$84 271	\$55 666	\$57 472	\$268 877

¹ These are the hours currently recorded by staff, and may be subject to change.

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 the financial reports 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 matter relates to Strategic Direction 6 "Governance, Advocacy and Corporate Management" identified within Council's Strategic Plan 2013-2023, which is expressed in the following terms:

Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan.

Sustainability Implications

Financial reports address 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 Aug 2014

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	07 September 2014
Authors:	Michael 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

That Council receives the 31 August 2014 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)

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.



Ordinary Council Meeting 26 August 2014

Comment

(a) Cash Holdings

Total funds at month end of \$64.3M (\$43.6M last month) compare favourably to \$60.4M at the equivalent stage of last year. Reserve funds are \$0.1M lower overall than the level they were at the same time last year - reflecting \$1.0M higher holdings of cash backed reserves to support refundable monies at the CPV but \$1.9M less for the CPH as all departing residents had their accommodation bonds refunded. The Asset Enhancement Reserve is \$2.6M higher mainly through the receipt of part of the Ray St land disposal proceeds. The Sustainable Infrastructure Reserve is \$0.2M higher whilst the Waste Management Reserve is \$1.3M lower after a budgeted transfer back to the Municipal Fund late in the 2013/2014 year. The Future Building Reserve is \$0.1M higher and the Future Municipal Works Reserve is \$0.5M lower. The River Wall Reserve is \$0.3M higher. Various other reserves are modestly changed. The CPH Hostel Capital Reserve is \$0.4M lower (fully depleted) after funding the 2014 operating deficit.

Municipal funds are some \$3.6M higher due to excellent rates collections, a strong opening position and cash relating to carry forward works.

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 26.7M (compared to 6.0M last month). It was 23.1M at the equivalent time in the 2013/2014 year. This balance has increased significantly in August due to good rates collections. **Attachment 10.6.2(1)**.

(b) Investments

Total investment in money market instruments at month end was \$58.2M compared to \$58.3M at the same time last year. There is a higher level of cash in the Municipal bank account but less municipal investments. Cash backed reserves are \$0.1M lower.

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 AI (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.



10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 Aug 2014

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are required to be within the 25% maximum limit prescribed in Policy P603. At 31 August, the portfolio was within the prescribed limits. 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 \$0.26M. This compares to \$0.27M at the same time last year. Prevailing interest rates are significantly lower and appear likely to 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 3.47% with the anticipated weighted average yield on investments yet to mature now sitting at 3.48%. 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 2013 Reserve Bank decision on interest rates.

(c) Major Debtor Classifications

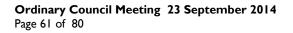
Effective debtor management to convert debts to cash is an important aspect of good cash-flow management. Details are provided below of each major debtor category classification (rates, general debtors & underground power).

(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 August 2014 (after the due date for the first instalment) represent 59.34% of rates levied compared to 59.29% at the same stage of the previous year.

The City has again further improved its rates collection profile following the issue of the 2014/2015. There has again been a good acceptance of our rating strategy, our communications strategy and our convenient, user friendly payment methods. Combined with the Rates Early Payment Incentive Scheme (generously sponsored by local businesses), these strategies continue to provide strong encouragement for ratepayers to meet their rates obligations in a timely manner.

Claims for reimbursement of pension rebates are some \$0.5M ahead of last year due to a concerted staff effort to have them processed and reimbursed early this year.





(ii) General Debtors

General debtors (excluding UGP debtors) stand at \$1.0M at month end (\$1.5M last year). GST Receivable is \$0.4M lower than the balance at the same time last year whilst Sundry Debtors is also lower. Most other Debtor categories are at similar levels to the previous year. It is anticipated that there may be further small year-end adjustments made to Receivables before the financial accounts are completed, but it is still expected that the final closing balance will be very close to that from 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 August with approximately 99.7% of those in the affected area having now paid in full. The remaining property owners have made satisfactory payment arrangements to progressively clear the debt after being pursued by our external debt collection agency.

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 <u>not</u> 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 \$4.59M billing for the Stage 5 UGP Project, some \$4.40M (or 95.9% of the amount levied) has already been collected with 83.4% of property owners opting to settle in full and a further 16.2% paying by instalments so far. The remainder (0.4%) have yet to make satisfactory payment arrangements or have defaulted on the arrangements and collection actions are continuing.

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 matter relates to Strategic Direction 6 "Governance, Advocacy and Corporate Management" identified within Council's Strategic Plan 2013-2023, which is expressed in the following terms:

Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan.

Sustainability Implications

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



10.6.3 Listing of Payments

Location:	City of South Perth
Applicant:	Council
File Ref:	FM/301
Date:	07 September 2014
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 I August 2014 and 31 August 2014 is presented to Council for information.

Officer Recommendation

That the Listing of Payments for the month of August 2014 as detailed in **Attachment 10.6.3**, be received.

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.

Reflecting contemporary practice, the report records payments classified as:

• Creditor Payments

(regular suppliers with whom the City transacts business)

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

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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 matter relates to Strategic Direction 6 "Governance, Advocacy and Corporate Management" identified within Council's Strategic Plan 2013-2023, which is expressed in the following terms:

Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Plan.

Sustainability Implications

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



10.6.4 Mayoral Portrait

Location:	City of South Perth
Applicant:	City of South Perth
Date:	8 September 2014
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report provides an opportunity to Council to review its previously adopted decision concerning former Mayor James Best's portrait.

It is recommended that Council rescind part (a) of the Motion at Item 12.2 adopted at its Ordinary Council Meeting dated 28 August 2012 and adopt a Motion to hang the portrait along with other Mayoral portraits in the Council Members room.

Motion to consider revoking an earlier Council Decision

That consideration be given to revoking the following Council resolution:

"That....

a) the Chief Executive Officer invite former Mayor James Best, to re-sit for a Portrait more in keeping with the intent of the Existing Policy of the City. Should he accept this offer, the commissioning is undertaken at the expense of the City, and follow in the style of previous Mayoral Portraits. Should the former Mayor not wish to re-sit for another portrait, a photograph of a similar size to the Policy requirements be offered and hung amongst the present Collection of Mayoral Portraits. The painting is to be removed and stored appropriately until a decision is made.

(Support by one third of Members required)

Motion to revoke Council Decision

That the following Council Decision from the 28 August 2014 Ordinary Council Meeting be revoked:

"That....

a) the Chief Executive Officer invite former Mayor James Best, to re-sit for a Portrait more in keeping with the intent of the Existing Policy of the City. Should he accept this offer, the commissioning is undertaken at the expense of the City, and follow in the style of previous Mayoral Portraits. Should the former Mayor not wish to re-sit for another portrait, a photograph of a similar size to the Policy requirements be offered and hung amongst the present Collection of Mayoral Portraits. The painting is to be removed and stored appropriately until a decision is made.

(Absolute Majority Required)

Officer Recommendation

That Council agree that the portrait of former Mayor James Best 2007-2011 be displayed with other Mayoral portraits in the Council Members room.



Background

At its meeting of 28 August 2012, Council resolved at Item 12.2 Review of P668 Mayoral Portraits:

That....

- a) the Chief Executive Officer invite former Mayor James Best, to re-sit for a Portrait more in keeping with the intent of the Existing Policy of the City. Should he accept this offer, the commissioning is undertaken at the expense of the City, and follow in the style of previous Mayoral Portraits. Should the former Mayor not wish to re-sit for another portrait, a photograph of a similar size to the Policy requirements be offered and hung amongst the present Collection of Mayoral Portraits. The painting is to be removed and stored appropriately until a decision is made; and
- b) the Chief Executive Officer undertake a review of Policy P668 with a view to ensuring that there is a clearer understanding of the criteria required by the City when a portrait is commissioned for a former Mayor. This review be completed no later than the next annual review of Policies.

The decision followed the earlier unveiling of the portrait on 8 June 2012.

In accordance with resolution 12.2(a) above, the former Mayor was approached concerning the offer to re-sit for another portrait. This offer was declined. We were not able to locate a suitable photograph for display.

As a consequence of the decision, the Portrait was removed from display and is now currently in storage.

A space has been provided in the display area for the painting and where the portrait would normally hang there is a small sign which reads "James Best – Mayor 2007-2011. Councillor 2006-2007".

The policy was reviewed in March 2013 and amended to include the following: "Any commissioned portrait is not to be abstract and is to be in the same visual style, manner and technique as previously commissioned Mayoral Portraits, befitting of the Office of the Mayor".

In August 2014 the Chief Executive Officer sought the views of Elected Members in relation to the future of Former Mayor James Best's portrait suggesting three alternative options available to Council:

- Do nothing leave painting where it is in storage and not available for display;
- Display the painting; or
- Gift the painting to former Mayor Best or the South Perth Historical Society.

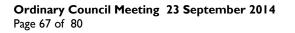
If the first option is chosen, then a future Council (whether the City of South Perth is amalgamated or not) would have the opportunity at some stage to consider the same range of options.

The general view was that Council's decision should be reviewed.

Consultation

Views were sought from all Elected Members in the Cr Bulletin 2014 Vol 31 dated I August 2014 and in a follow-up email from the Chief Executive Officer dated 19 August 2014.

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10.6.4 Mayoral Portrait

Policy and Legislative Implications

The recommendation in this report is made with consideration to the reviewed Policy P668 Mayoral Portraits dated March 2013. This Policy was reviewed as per Council resolution 12.2(b) so as to ensure that there is a clearer understanding of the criteria required by the City when a portrait is commissioned for a former Mayor.

The Local Government regulations prescribe the method to be used should the Council wish to change a decision previously made. A two stage process is involved in revoking decision.

A motion to revoke or change a previous decision must first be made and supported by at least one-third of the Council.

Then formal consideration of the motion and a decision whether or not to revoke or change the earlier resolution must be carried out.

Financial Implications

There are no financial implications associated with the recommendations in this report.

Strategic Implications

This report is consistent with the <u>Strategic Community Plan 2013–2023</u>, 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.



10.6.5 Financial Interest Returns 2013-2014

Location:	City of South Perth
Applicant:	Council
Date:	10 September 2014
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Amanda Albrecht, Acting Mgr Governance & Administration

Summary

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

Officer Recommendation

That the report on Financial Interest Returns for 2013-2014 be received.

Background

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

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

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

Comment

Annual Returns for the period I July 2013 to 30 June 2014 have now been completed in compliance with statutory requirements by all designated employees and all but one Councillor.

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

Consultation

Nil.

Policy and Legislative Implications

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

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

Financial Implications

Nil.



Strategic Implications

This report is consistent with the <u>Strategic Plan 2013–2023</u>, 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 <u>Sustainability Strategy 2012–2015</u>. Reporting on the lodging of Financial Interest Returns contributes to the City's sustainability by promoting effective communication.



10.7 MATTERS REFERRED FROM THE AUDIT AND GOVERNANCE COMMITTEE

10.7.1 Recommendations from the Audit & Governance Committee Meeting held 9 September 2014

Location:	City of South Perth	
Ward:	Not applicable	
Applicant:	Council	
Date:	II September 2014	
Author:	Sharron Kent, Governance Officer	
Reporting Officer:	Cliff Frewing, Chief Executive Officer	

Summary

The purpose of this report is to provide Council with the recommendations from the Audit & Governance Committee meeting held 9 September 2014.

Audit & Governance Committee Recommendations

The Audit & Governance Committee recommends that the Council adopt the following recommendations from the meeting held 9 September 2014.

I. Confirmation of Minutes – 4 March 2014

That Council note that the Minutes of the Audit & Governance Committee Meeting held 4 March 2014 were adopted at the Ordinary Council Meeting.

2. Auditors Management Report for the Period Ended 30 June 2014 That

- (a) the Audit Management Letter to the Audit & Governance Committee in relation to the Interim 2013/2014 Audit (*Confidential* Attachment 4.1) be received;
- (b) the City's responses to the matters raised in the Interim Audit Management Letter to the Audit & Governance Committee be noted.

3. New Community Gardens Policy

That Council adopt the draft community gardens policy (Attachment 4.2(a), application guidelines (Attachment 4.2(b)) and application form (Attachment 4.2(c)).

4. Review of Public Question Time Procedures

That the Audit & Governance Committee recommends to Council that:

- 1. the trial be continued until 30 June 2015;
- 2. the public question time procedures reflect the requirements of the Standing Orders; and
- 3. it notes that an overall review of the Standing Orders Local Law (including the procedures for public question time) will be undertaken in 2015, if the City of South Perth amalgamates with the Town of Victoria Park.

5. Review of Planning Policy P351.5 Streetscape Compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington'

That Council;

- a) endorse the officers report; and
- b) resolve to continue the policy in its current form.



Background

The Audit & Governance Committee meeting was held on 9 September 2014 with the following items listed for consideration on the agenda:

- I. Auditors Management Report for the Period Ended 30 June 2014
- 2. New Community Gardens Policy
- 3. Review of Public Question Time Procedures
- 4. Review of Planning Policy P351.5 Streetscape Compatibility Precinct 5 'Arlington' and Precinct 6 'Kensington'

The minutes and attachments of the Audit & Governance Committee are at **Attachment 10.7.1**.

Comment

The Audit & Governance Committee considered the following items:

I. Confirmation of Minutes - 4 March 2014

Noting that the Audit & Governance Minutes of 4 March 2014 were confirmed at the Ordinary Council Meeting of 25 March 2014. This Item was adopted at the Audit & Governance Committee meeting.

2. Auditors Management Report for the Period Ended 30 June 2014

This officer report presents the Audit Management Letter resulting from the 2013/2014 interim audit undertaken by Macri Partners to the Audit & Governance Committee. This report was adopted at the Audit & Governance Committee meeting.

3. New Community Gardens Policy

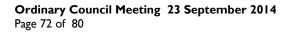
The draft community gardens policy (Attachment 4.2(a)) sets out the City's general position on community gardens and outlines the basic requirements for the establishment of new community gardens on City owned and/or managed land. Also attached are draft application guidelines that set out procedures for assessing and approving the establishment of new community gardens (Attachment 4.2(b)) and a form to assist proponents with the information required for the City to grant 'in-principle' approval for a new community garden (Attachment 4.2(c)). This report was adopted at the Audit & Governance Committee meeting.

4. Review of Public Question Time Procedures

This report provides feedback to Council on the findings of six-month trial period, where individuals were allowed to read out their own questions at public question time. Due to concerns regarding the efficient and equitable management of public question time, officers recommend that the Council reverts back to the previous procedure of the Presiding Member reading out questions. The report was adopted by the Audit & Governance Committee but the Officer Recommendation was lost with an alternative motion put and carried. The alternative motion recommended that Council continue the trial until until 30 June 2015; that the public question time procedures reflect the requirements of the Standing Orders; and that it notes that an overall review of the Standing Orders Local Law (including the procedures for public question time) will be undertaken in 2015, if the City of South Perth amalgamates with the Town of Victoria Park.

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5. Review of Planning Policy P351.5 Streetscape Compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington'

In May 2012 Council adopted Policy P351.5 Streetscape compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington'. The objective of this policy is to preserve and enhance the desired streetscape character of the nominated precincts by ensuring new residential development has a bulk and scale which is compatible with the streetscape. The policy aims to achieve this objective by focusing on key design elements identified by the community as being important to the maintenance of streetscape compatibility.

At the April 2014 Council meeting, Council requested the review of the policy, to determine if the policy provisions are assisting in achieving the stated objectives or increasing the incentive for existing dwellings to be demolished.

City officers have undertaken research into the number and types of applications received for the precinct in the past two years and conclude the policy is generally working as intended. City officers therefore recommend the policy continue without modification.

This report was adopted at the Audit & Governance Committee meeting.

Consultation

The five items were the subject of consideration at the 9 September 2014 Audit & Governance Committee meeting.

Policy and Legislative Implications

The Audit & Governance Committee is held under the prescribed requirements of Part 7 Audit of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996.

Financial Implications

Nil.

Strategic Implications

This report is consistent with the <u>Strategic Plan 2013–2023</u>, 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 <u>Sustainability Strategy 2012–2015</u>, in particular, Strategy G2 Ensure that the City's governance enables it to respond to the community's vision.



II. APPLICATIONS FOR LEAVE OF ABSENCE

A Leave of Absence application has been received from Mayor S Doherty for the period 22 September – 9 October 2014 inclusive.

A Leave of Absence application has been received from Councillor F Reid for the period 22 October – 29 October 2014 inclusive.

Recommendation

That the application for Leave of Absence submitted by Councillor F Reid for the period 22 October -29 October 2014 and Mayor S Doherty for the period 22 September -9 October 2014 inclusive be approved.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

No Motions were received.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

At the August 2014 Ordinary Council Meeting there were questions taken on notice. Written answers were provided and these answers can be found at **Appendix Three**.

13.2 QUESTIONS FROM MEMBERS

The Presiding Member to invite Members to ask questions of Officers.

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

The Presiding Member to invite new business of an urgent nature to be introduced by Members.

15. MEETING CLOSED TO PUBLIC

In accordance with section 5.23(2) of the Local Government Act 1995 the Chief Executive Officer may advise of matters for discussion on the Agenda for which the meeting may be closed to the public.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

16. CLOSURE

The Presiding Member to close the meeting.





APPENDICES

APPENDIX ONE (ITEM 3.1 REFERS)



Mayors Activity Report - August 2014

Date	Activity
Friday, 29 August	Garage Sale Trail discussion with City Sustainability Coordinator
	Councils for Democracy @ Subiaco + CEO
Thursday, 28 August	Graffiti Networking Forum 28 August 2014
Wednesday, 27 August	South East Metropolitan Zone meeting + CEO + Cr Fiona Reid
	Mosquito Management Plan discussion + Director Development and Community Services + Coordinator Environmental Health Services + Community members
Tuesday, 26 August	Council meeting
	South Perth Foreshore discussion + Landscape Architect, Stakeholder Engagement Coordinator + Marketing Officer
	CEDA: Cultural dynamics - The key to gender equity?
	Mayor/CEO weekly meeting
Sunday, 24 August	South Perth Baptist Church opening of new building and 114th anniversary
Friday, 22 August	Inaugural Clontarf to Curtin Rowing Regatta
	Photo shoot for Prostate cancer support
	Governor's Prayer Breakfast
Thursday, 21 August	Collier Park Village and Residents' Committee Annual General Meeting
Wednesday, 20 August	Inclusive Communities Advisory Group (ICAG) Meeting
	Photo shoot - Dan Murphy's site Como
Tuesday, 19 August	August Council Briefing
Tuesday, 19 August	Committee for Perth: Perth in Focus – Filling the Pool
Monday, 18 August	69th Anniversary of the Republic of Indonesia
Sunday 17 August	SSSO -'French and Fantastique'
Friday, 15 August	Development Assessment Panel meeting – Como bottle shop

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Thursday, 14 August	South Perth Police Station (Civic Triangle), Cnr Mends St and Labouchere Rd Photo shoot and video	
Wednesday, 13 August	CEDA: Shaping WA - Becoming a Global Innovation Leader	
Tuesday, 12 August	Council Briefing – South Perth Foreshore Strategy and Management Plan	
	Civic Triangle Joint Press release with Channel & + Acting CEO	
	Mayor/Acting CEO meeting	
	WALGA: Metropolitan Reform Implementation Policy Forum	
Monday, II August	Joint CoSP and City of Melville Briefing - Canning Bridge Project - Bill Hames DAC giving a presentation on TODs + Crs Glenn Cridland, Kevin Trent, Michael Huston, Veronica Lawrance and Fiona Reid	
	Wesley meeting Headmaster and Director Finance to discuss upcoming leasing arrangements + Manager Community Culture and Recreation	
	Civic Triangle contract signing + Director Development and Community Services	
Thursday, 7 August	WA Local Government Convention welcome reception + Cr Kevin Trent	
Wednesday, 6 August	State and LG Forum - Illuminate 2014 + Acting CEO	
Wednesday 6 – Friday 8 August	2014 WA Local Government Convention + Crs Kevin Trent, Fiona Reid & Sharron Hawkins-Zeeb	
Tuesday, 5 August	South Perth Senior Citizens AGM + Cr Michael Huston	
	Mayor/Acting CEO meeting	
Monday, 4 August	Aboriginal group meeting	
	LG Reform meeting with lawyers	
Saturday, 2 August	Speak at book launch - biography of Sir James Mitchell + Crs Kevin Trent & Fiona Reid	
Friday, I August	Perth Montessori School: A Sense of Place	
	Councils for Democracy meeting at Subiaco	
	Mayor Meet the Community	
	WALGA Mayors and Presidents Support group	



Council Representatives' Activity Report - August 2014

August 2014	Activity
Thursday, 21 August	Rivers Regional Council meeting – Crs Colin Cala and Kevin Trent
Tuesday, 19 August	Local Emergency Management Committee – Cr Kevin Trent
Thursday, 14 August	SERCUL – Crs Sharron Hawkins-Zeeb and Cheryle Irons
Sunday, 10 August	Como Bowling Club AGM – Cr Glenn Cridland
Thursday, 7 – Friday 8 August	2014 WA Local Government Convention –Crs Kevin Trent, Fiona Reid and Sharron Hawkins-Zeeb
Monday, 4 August	RAC: Reinventing the automobile - Personal urban mobility for the 21st century – Cr Kevin Trent



APPENDIX TWO (ITEM 6.1 REFERS) RESPONSES TO QUESTIONS TAKEN ON NOTICE AT THE AUGUST 2014 ORDINARY COUNCIL MEETING

Mr Paul Lougheed of 289 Mill Point Road, South Perth Received 26 August 2014	Response provided by: Mr Les Croxford, Manager Engineering Infrastructure
	Point Road (287) - my house is on Roseberry Avenue. A Council Officer came out the a registered letter to Acting CEO Vicki Lummer and this week the problem has
1. Why am I getting charged for a safety issue on Council land?	As an obsolete crossing you were being requested to contribute to the cost of the removal because it is provided for in the Public Places and Local Government Property Local Law. Notwithstanding that it was obsolete and the owner's responsibility to remove the crossing and to reinstate the street kerbing and verge, on reflection the City should have acknowledged, that with the passage of time since the development some three years ago, the appropriate action was to arrange for the removal of the crossing and to seek your involvement in the reinstatement of the verge area to a standard befitting your property.
	It is important to note that Regulations under the Local Government Act provide for the construction of crossings where access to private land is required from a public street. Similarly it is acknowledged that in relation to crossings if the Regulations do not address a particular matter there is nothing to prevent a local government making a local law to cover those matters omitted. The City's Local Law requires a crossing no longer used for the purpose intended to be removed by the property owner and the verge area restored to a similar condition as the remainder of verges in the street.
	The crossing has now been removed and arrangements made to have the kerbing reinstated. There will no further action in respect to the verge area or to recovering any of the costs associated with the removal.

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APPENDIX THREE (ITEM 13.1 REFERS) RESPONSES TO QUESTIONS FROM MEMBERS TAKEN ON NOTICE AT THE AUGUST 2014 ORDINARY COUNCIL MEETING

Questions from Councillor M Huston

<u>Mr Lougheed</u>

Did Mr Lougheed initially write to the City to ask that the tree be replaced or did Officer's notice the damage?

Response provided by Mr Les Croxford, Manager Engineering Infrastructure

The City first became aware of the condition of the tree following a report from a concerned neighbour. City officers inspected the tree and determined that it had been tampered with and was slowly dying. The position of the tree in relation to the crossing and its close proximity to Mill Point Road would mean that today we would neither plant a tree at this location nor had an approach been made to have it removed ignore the request. The tree had been planted as part of the "threshold/entry statement to Roseberry Avenue" in the early 1990's and to clear the crossing in Roseberry Avenue. In its infancy the tree would not have represented an issue. Programs for "traffic calming and traffic management" on streets off Canning Highway and Mill Point Road commenced in the late 1980's and continued over the next decade. (A copy of the letter sent to Mr Lougheed in response to his question Taken on Notice regarding the Mill Point Road obsolete crossing was sent to Cr Huston).

Questions from Councillor F Reid

Councils for Democracy

Who can attend these meetings (in either an official capacity or as an observer)? Is it open to Councillors to attend.

Response provided by Mr Cliff Frewing, CEO

[At the meeting the Presiding Member advised she would like to first confirm with the group as to the rules governing attendance as at present there are no other elected members attending these meetings from other local governments].

The Mayor has confirmed with the Group that it is to be represented by the Mayor and CEO (or their nominees if they are not able to attend).