

MINUTES

Ordinary Council Meeting

23 September 2014

To: The Mayor and Councillors

Minutes of the Ordinary Council Meeting of the City of South Perth Council held on Tuesday 23 September 2014.



CLIFF FREWING
CHIEF EXECUTIVE OFFICER

26 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 Minutes

Minutes of the Ordinary Council Meeting held in the Council Chamber, Sandgate Street, South Perth, Tuesday 23 September 2014 at 7.00 pm.

In accordance with s5.35 of the Local Government Act, as the Mayor and Deputy Mayor were absent, the Council Members present at the meeting were to choose one of themselves to preside at the meeting. Cr F Reid was unanimously nominated and duly elected as Chair of the meeting.

1. DECLARATION OF OPENING

The Presiding member opened the meeting at 7.10 pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar / Bibbulmun people and that we honour them as the traditional custodians of this land.

There were no visitors to announce.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES

The Presiding Member advised that the Mayor and Council Representatives' Activities Report for the month of August 2014 can be found at Appendix Two of the Agenda.

The CEO raised a small correction to be made the report: the activity 'Manning Bowling Club – Half Year General Meeting' dated Sunday 21 September 2014 is to be deleted from the report – Mayor Doherty did not attend this meeting.

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr K Trent

Seconded: Cr C Cala

That the Activities Report Mayor / Council Representatives be received subject to deletion of the activity 'Manning Bowling Club – Half Year General Meeting' dated Sunday 21 September 2014 – Mayor Doherty did not attend this meeting.

CARRIED (7/0)

Note: it has been noted that the Activity report for which the above minor change refers is in fact the September 2014 Activity Report, not the August 2014 Activity Report which is the subject of this Item and the Report at Appendix One. The September 2014 Activity Report will go to Council to receive at the October 2014 Ordinary Council Meeting.

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*.

An Impartiality Interest was declared by Councillor K Trent for:

Item 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).

A Proximity Interest was declared by Councillor M Huston for:

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

In accordance with Local Government (Rules of Conduct) Regulations 2007 these Declarations were read out immediately before these Items were discussed and can be found immediately before each Item in these Minutes.

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 One of the Agenda.

6.2 PUBLIC QUESTION TIME: 23 SEPTEMBER 2014

The Presiding Member stated that public question time is operated in accordance with *Government Act* regulations and Standing Orders Local Law. She stated that questions are to be in writing and questions received prior to this meeting will be answered tonight, if possible or alternatively may be taken on notice. Questions received in advance of the meeting will be dealt with first. Those that have submitted written questions will be invited forward to read out their questions one at a time. The Presiding Member permitted two questions per speaker on a rotational basis.

The Presiding Member then opened Public Question Time at 7.18 pm

Written questions were received prior to the meeting from:

- Ms Marcia Manolas of 193 Mill Point Road, South Perth
- Mr Ken Manolas of 193 Mill Point Road, South Perth
- Ms Carol Roe of 16 Abjornson Street, Manning
- Mr Ian Findlay of Unit 18/23 Mill Point Road, South Perth

Written questions were received at the meeting from:

- Mr David Coldham of 8 Jubilee Street, South Perth
- Mr David Read of TPG Town Planning, Urban Design and Heritage of Cloisters Square, Perth

Cr M Huston left the Chamber at at 7.33 pm.

At 7.35 pm the Presiding Member called for a five minute extension to Public Question Time so that the remaining questions could be dealt with.

MOTION TO EXTEND PUBLIC QUESTION TIME AND COUNCIL DECISION

Moved: Cr C Cala
Seconded: Cr S Hawkins-Zeeb

That Public Question Time be extended for five minutes to allow the remaining questions to be dealt with.

CARRIED (6/0)

Cr M Huston returned to the Chamber at 7.36 pm.

The Presiding Member closed Public Question Time at 7.39 pm.

The questions and responses to the questions can be found at **Appendix One**.

There were no questions taken on notice.

Cr M Huston left the Chamber at 7.40 pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1

7.1 MINUTES

7.1.1 Ordinary Council Meeting (Attachment 7.1.1) Held: 26 August 2014

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr K Trent
Seconded: Cr C Irons

That the Minutes of the Ordinary Council Meeting held 26 August 2014 be taken as read and confirmed as a true and correct record.

CARRIED (6/0)

Cr M Huston returned to the Chamber at 7.40 pm.

7.1.2 Audit & Governance Committee Meeting (Attachment 7.1.2) Held: 9 September 2014

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr K Trent
Seconded: Cr S Hawkins-Zeeb

That the Minutes of the Audit & Governance Committee held 9 September 2014 be taken as read and confirmed as a true and correct record.

CARRIED (7/0)

7.2 BRIEFINGS

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

7.2.1 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 AND COUNCIL DECISION

Moved: Cr C Cala

Seconded: Cr K Trent

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

CARRIED (7/0)

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

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 AND COUNCIL DECISION

Moved: Cr K Trent

Seconded: Cr C Irons

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

CARRIED (7/0)

8.5 CONFERENCE DELEGATES REPORTS

Nil.

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised the meeting that with the exception of the items identified to be withdrawn for debate that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together.

The Presiding Member then sought confirmation from the Chief Executive Officer that all other report items were discussed at the Agenda Briefing held on 16 September 2014. The Chief Executive Officer confirmed that this was correct.

The CEO advised that *Item 10.2.2 Proposed Redevelopment of the Old Mill Site – New Concept Plan for Millers Pool* was inadvertently omitted from the Ordinary Council Agenda . He noted that the Report was circulated at the meeting as a Late Report and that it was included in and discussed at the Agenda Briefing of 16 September 2014.

ITEMS WITHDRAWN FOR DISCUSSION

The following Items were withdrawn for discussion:

- 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*)
- 10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth
- 10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan) Draft (Revision 2) September 2014
- 10.2.2 Proposed Redevelopment of the Old Mill Site – New Concept Plan for Millers Pool
- 10.3.1 Proposed Carport Addition to Single House - Lot 801 (No. 16) Alston Avenue, South Perth

EN BLOC MOTION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

That with the exception of the following withdrawn Items:

10.0.1, 10.0.2, 10.2.1, 10.2.2 and 10.3.1

the Officer Recommendations in relation to Agenda Items 10.1.1, 10.5.1, 10.6.1, 10.6.2, 10.6.3, 10.6.4, 10.6.5 and 10.7.1 be carried en bloc.

CARRIED (7/0)

10. REPORTS

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

At 7.46 pm Cr K Trent declared an Impartiality Interest as follows in Item 10.0.1 and left the Chamber during discussion and voting on the Item:

"I wish to declare an impartiality interest in Agenda Item 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 disclose that I am a member of the Board for Southcare (the owner of the site that is the subject of this report).

I will leave the Council Chamber when this Item is discussed at the Agenda Briefing of 16 September 2014 and when the Item is discussed and voted on at the Ordinary Council Meeting of 23 September 2014."

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: 1 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)**).

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Cala
Seconded: Cr S Hawkins-Zeeb

That:

- (a) the Western Australian Planning Commission be advised that Council recommends that:
- (i) Submissions 1.1 to 1.4 inclusive, supporting the proposed

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)

- 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:
- (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 1 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;

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)

- (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
 - (ii) be submitted for Council’s Informal Preliminary Support at the time of submitting the application for planning approval for Stage I of the redevelopment.
 - (f) the submitters be thanked for their participation in the Amendment No. 45 process and be advised of the above resolution.
- CARRIED (6/0)**

Background

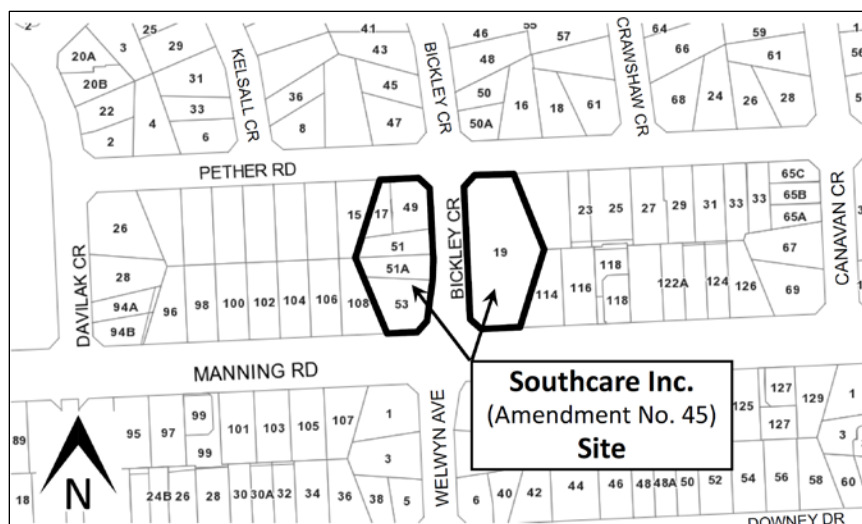
The Amendment site details are as follows:

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 limit	7 metres
Proposed Building height limit	7 metres with ability to increase to 14 metres on 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:



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)

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)**.

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)

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

1.	Submissions supporting Amendment No. 45	4
2.	Submissions conditionally supporting Amendment No. 45	1
3.	Submissions opposing Amendment No. 45	17
4.	Submissions from government agencies	3
<hr/>		
TOTAL		25

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 [1 submission]
- (c) Suitability of Amendment site [1 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]
- (l) 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 [1 submission]
- (p) Oppose on grounds of possible conflict of interest [1 submission]
- (q) General comments [2 submissions]
- (r) Submitters' suggestions:
 - (i) Bickley Crescent should be a mall [1 submission]
 - (ii) Units should be available to local elderly [1 submission]
 - (iii) Suggested location of access points [1 submission]
 - (iv) Suggested modifications to stated design requirements [1 submission]
 - (v) Suggested additional car parking for non-residential uses [1 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

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)

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-to-date 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 and Scheme Text for advertising purposes	15 April 2014
Referral of draft Amendment No. 45 documents to EPA for environmental assessment, and to WAPC for information	23 April 2014
Receipt of EPA comments advising that no environmental assessment or conditions are required	5 May 2014
Public advertising period of 46 days	27 May to 11 July 2014
Council consideration of Report on Submissions on Amendment No. 45	22 September 2014
Referral to WAPC and Minister for consideration of: <ul style="list-style-type: none"> • all of the submissions • Report on Submissions and Schedule of Submissions • Council’s recommendation on proposed Amendment No. 45 • Three signed and sealed copies of Modified Amendment documents for the Minister’s final 	Within two weeks of the September 2014 Council meeting

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)

determination	
Minister's final determination of Amendment No. 45	Not yet known
City's publication of Notice of the Minister's final determination of Amendment No. 45 in <i>Government Gazette</i> and <i>Southern Gazette</i> newspaper	Not yet known - following receipt from WAPC of advice of Minister's final determination

Financial Implications

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

Strategic Implications

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

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.

Cr K Trent returned to the Chamber at 7.48 pm.

10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

Location: Lot 2 (No. 6 Jubilee Street South Perth)
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 P1

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

Moved: Cr C Cala

Seconded: -

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 (four-storey) Single Houses on Lot 2 (No. 6) Jubilee Street, South Perth **be approved** subject to:

(a) Standard Conditions / Reasons

427	colours & materials- details	470	retaining walls- if required
210	screening- permanent	471	retaining walls- timing
377	screening- clothes drying	455	dividing fences- standards
340A	parapet walls- finish from street	456	dividing fences- timing
510	private tree	550	plumbing hidden
507	street tree- protect & retain	445	stormwater infrastructure
390	crossover- standards	660	expiry of approval
410	crossover- affects infrastructure		
393	verge & kerbing works		
625	sightlines for drivers		

(b) Specific Conditions

- (i) 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 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 Precinct 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.

LAPSED FOR WANT OF A SECONDER

ALTERNATIVE RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Irons

Seconded: Cr K Trent

That Council resolves:

- (a) Not to adopt the officer's recommendation; and
- (b) Advise the State Administrative Tribunal that the Council refuses the application for two (four storey) single houses on Lot 2 (no.6) Jubilee Street for the following reasons:
 - (i) The mediated changes are minor;
 - (ii) The reason for refusal and the May 2014 meeting still stands, particularly in relation to the south-eastern setbacks, site boundary walls, floor level and finished deck level.

CARRIED (5/2)

10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

Background

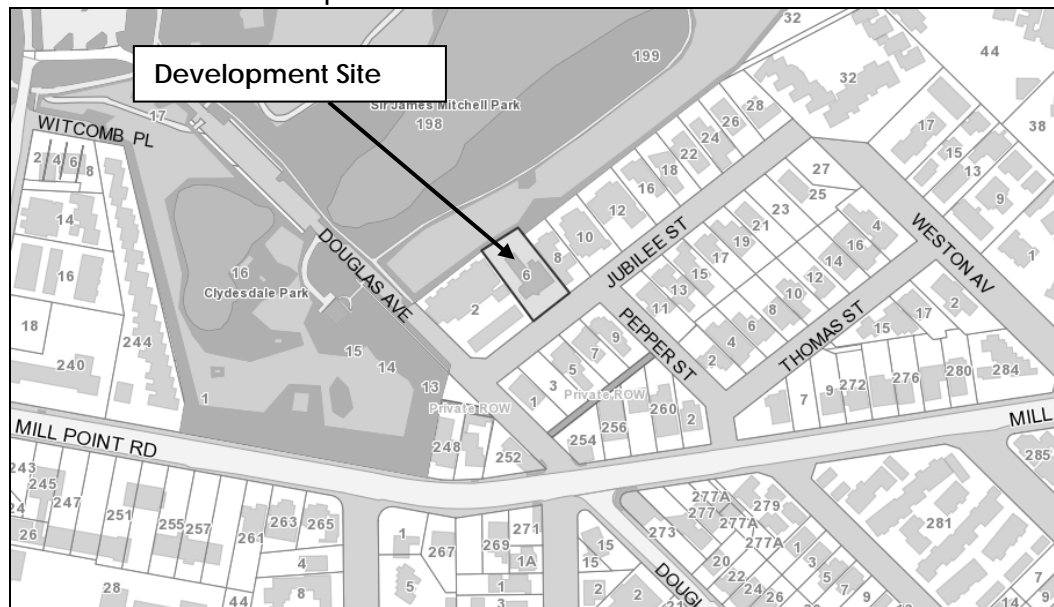
The development site details are as follows:

Zoning	Residential
Density coding	R40
Lot area	1,237 sq. metres
Building height limit	10.5 metres
Development potential	Five single houses or grouped dwellings
Plot ratio limit	Not applicable for single houses and grouped dwellings

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)**.

10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

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 1 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.

10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

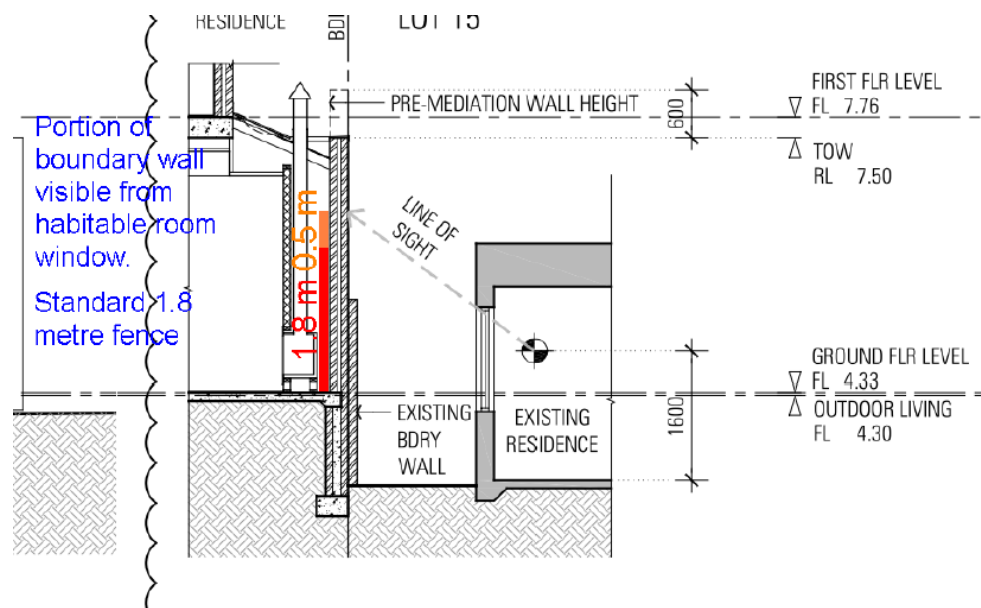
In the initial council report, the boundary wall was not supported due to the impact on the outdoor living area of the adjoining property. The aerial photograph provided by the applicant as part of their supporting letter, indicates the main outdoor living area is located away from the proposed boundary 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.



10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

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 an 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 3.5 metres 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 Mitchell 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

10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth

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 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 screening. 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 screening 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.*
- (l) *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.

(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 conditions 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 AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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 (EJ Master Plan)	I	A

CARRIED EN BLOC (7/0)

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).

Table I CSRFF Grant Categories

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

The maximum grant awarded by DSR will be no greater than one-third of the total cost of the project up to a maximum of \$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 1

- 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 Athletics; 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 P110 - 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.

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

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 contribute to the project.

Strategic Implications

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

- Direction 1 – 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

At 7.55 pm Cr M Huston declared an Proximity Interest in the following Item 10.2.1. At 7.56 pm Cr M Huston left the Chambers and the Presiding Member read out the Declaration of Interest whereby Cr M Huston sought Council's decision to allow him to be present, participate and vote on the Item:

"I wish to declare a Proximity Interest in accordance with s5.60(B) of the Local Government Act in relation to Item 10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan) Draft (Revision 2) September 2014 on the Council Agenda for the meeting to be held 23 September 2014.

I disclose that I have a right of occupancy at 193 Mill Point Road, South Perth.

This property is adjacent to one of the parcels of land contained in the South Perth Foreshore Plan. As the Officers recommendation is to adopt the Plan, I therefore have an interest as the Item proposes development of the Foreshore land (for the purposes of this declaration the term "development" includes maintenance or management of the land).

However, I believe I have an interest in common with a significant number of electors/ratepayers. In accordance with s5.68(1)(b)(ii) of the Local Government Act I seek Council's decision to allow me to be present, participate and vote on this matter."

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Cala
Seconded: Cr S Hawkins-Zeeb

That Council allows Cr M Huston to be present, participate and vote on Item 10.2.1 in accordance with s5.68(1)(b)(ii) of the Local Government Act.

CARRIED (6/0)

Cr M Huston returned to the Chamber at 7.58 pm.

An amended officer report for the below-mentioned Item was circulated to Councillors and the Chief Executive Officer provided comment on the reasons for the amendment prior to the meeting. The amended report was made available at the meeting.

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

Moved: Cr V Lawrance

Seconded: Cr C Irons

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:
- i. 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; and
 - iii. The first paragraph in section 3.0 “The South Perth Foreshore” under the Heading of ‘Land Zoning and Ownership’ be amended to read: “The SPF is comprised of a number of Crown reserves and freehold land owned by the City of South Perth. The history of the land resumed for the purpose of “Swan River Improvements and Foreshore Recreation Grounds” is shown in Appendix 03. The details relating to all foreshore land are shown on the Map & Tables of “Land details and ownership” at Appendix 08. The location of the various parcels of land are indicated on the map contained within this Appendix”; and
 - iv. The second paragraph under section 5.0 ‘Project Delivery Strategy’ subsection ‘Future Stakeholder Engagement’ be amended to read: “It is proposed to create a South Perth Foreshore Advisory Group which will play a role in advising on specific points related to future planning for the foreshore; and
 - v. Under Foreshore Node NI ‘Mends Street (Piazza and Promenade)’ delete the dot point “residential/non-residential use” under the sub-heading “Things to Consider”.
- b) The adopted SPF Plan be referred to the Swan River Trust for formal consideration.

MINOR AMENDMENT AND COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr C Cala

That the words “and remains current” be added to section a) iii as follows:

- iii. The first paragraph in section 3.0 “The South Perth Foreshore” under the Heading of ‘Land Zoning and Ownership’ be amended to read: “The SPF is comprised of a number of Crown reserves and freehold land owned by the City of South Perth. The history of the land resumed for the purpose of “Swan River Improvements and Foreshore Recreation Grounds” is shown in Appendix 03 *and remains current*. The details relating to all foreshore land are shown on the Map & Tables of “Land details and ownership” at Appendix 08. The location of the various parcels of land are indicated on the map contained within this Appendix”; and

CARRIED 6/1

COUNCIL DECISION

Moved: Cr V Lawrance
Seconded: Cr C Irons

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:
 - i. 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; and
 - iii. The first paragraph in section 3.0 “The South Perth Foreshore” under the Heading of ‘Land Zoning and Ownership’ be amended to read: “The SPF is comprised of a number of Crown reserves and freehold land owned by the City of South Perth. The history of the land resumed for the purpose of “Swan River Improvements and Foreshore Recreation Grounds” is shown in Appendix 03 and remains current. The details relating to all foreshore land are shown on the Map & Tables of “Land details and ownership” at Appendix 08. The location of the various parcels of land are indicated on the map contained within this Appendix”; and
 - iv. The second paragraph under section 5.0 ‘Project Delivery Strategy’ subsection ‘Future Stakeholder Engagement’ be amended to read: “It is proposed to create a South Perth Foreshore Advisory Group which will play a role in advising on specific points related to future planning for the foreshore; and
 - v. Under Foreshore Node NI ‘Mends Street (Piazza and Promenade)’ delete the dot point “residential/non-residential use” under the sub-heading “Things to Consider”.
- b) The adopted SPF Plan be referred to the Swan River Trust for formal consideration.

CARRIED 7/0

Note: Table 2 entitled ‘South Perth Foreshore – Freehold Land’ was circulated at the meeting and can be found at **Appendix Two**.

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

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

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.

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

- Strategies for the whole of the foreshore: Strategies WOF 1-4, and
- Node-specific strategies for the 10 nodes of the foreshore: Node Strategies N1 to 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.

The SPF Plan – Contents

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.*

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- 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 1 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 1-4) and Node Strategies (N1 to N10), 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 and 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;

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

- 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:

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

Governance - the framework by which the City administers the process of considering the other three factors.

The following Item was circulated at the meeting as a Late Report as it was inadvertently omitted from the Ordinary Council Agenda. Note: the Report was included in the Agenda Briefing of 16 September 2014.

10.2.2 Proposed Redevelopment of the Old Mill Site –New Concept Plan for Millers Pool

Location: City of South Perth
Applicant: Council
Date: 28 August 2014
Author: Mark Taylor, Acting Director Infrastructure Services
Reporting Officer: Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to present a new Concept Plan for Millers Pool, request a design development budget, seek community and stakeholder feedback and then propose the next steps for constructing this project.

RECOMMENDATION AND COUNCIL DECISION

Moved: Cr K Trent
Seconded: Cr S Hawkins-Zeeb

That....

- (a) the new Concept Plan for Millers Pool (attachment 10.2.2) be approved for design development and community and stakeholder engagement;
- (b) a budget of \$150,000 be allocated for this work; and
- (c) following consideration of the results of the community and stakeholder feedback, Council to receive a report to consider a timeframe and budget to construct the project.

CARRIED EN BLOC (7/0)

Background

The Old Mill Precinct project has been in the planning development stage over the past 8 years or so and during this time has been the subject of a number of Council workshops, reports and decisions. The project has also been the subject of extensive community consultation. Further, detailed research has been conducted on the principle historical elements of the concept and more recently, environmental, heritage and Aboriginal consultation studies have been completed.

In regard to Millers Pool, the original design prepared by Lawrence Associates was the subject of a Concept Briefing held on 30 October 2013. The Councillors present were generally favourable towards the idea of developing Millers Pool but were not keen to do so for the estimated \$5.8 million required to construct the design.

Other concerns discussed by Councillors and staff present was the potential loss of several significant trees on site and the lack of soft edges for access, growth of fringing vegetation and therefore habitat. This concern was also raised during the Aboriginal consultation. It is suggested that further design work occurs that:

- Reduces the size of the current design of Millers Pool;
- Reviews the design of surrounding features;
- Reduces the cost of Millers Pool;
- Minimises (or ideally eliminates) the need to remove existing mature trees; and
- Retains the important historical features of the original design (i.e. pool boardwalk).

10.2.2 Proposed Redevelopment of the Old Mill Site –New Concept Plan for Millers Pool

At the February 2014 meeting, Council resolved as follows in respect to the Old Mill Redevelopment project.

That Council

- (a) notes the completion and results of the studies conducted in relation to the Old Mill precinct concept as previously authorised; and*
- (b) receive a report at a future Council meeting on suggestions to further progress elements of the Old Mill Precinct concept, particularly in regard to the Millers Pool component of the project, in accordance with the comments made in this report.*
- (c) notes it is premature to locate the tram at the Old Mill Site and that alternative arrangements will be considered.*

A revised concept plan for Millers Pool was presented to Councillors at a briefing on 12 August 2014 when the concept was favourably received. It was agreed to present the concept formally to Council in order to progress the project.

Comment

A new Concept Plan for Millers Pool has been prepared (Attachment 10.2.2). The new Concept Plan is significantly smaller than the original design but still considerably larger than the existing water body on site. The Plan significantly enhances the existing Millers Pool area which is in a high profile area and directly opposite Elizabeth Quay. It is generally agreed that work of a quality needs to occur in the area and the scope of the project is consistent with previously considered plans and those currently promoted on the site. The new Concept Plan also incorporates the following design considerations raised at the most recent elected members briefing:

- Ecological improvements,
- Retention of significant trees,
- Storm water management,
- Flood mitigation of the adjacent car park,
- Pedestrian access around the whole site,
- Cycle paths.

The new Concept Plan proposes extensive areas of native ‘Samphire’ species surround the water. Samphire is a name given to a number of distinct and in this case colourful plants that grow in areas surrounding the Swan Estuary. Milyu (Milyu Nature Reserve) is the Noongar name for Samphire. Samphire is already evident on site, particularly on the island of the lake and is also growing in areas of turf on the surrounds because it is outside of the lake boundary it is regularly mown.

The new Concept Plan will require further work to ensure continuity with future plans for pedestrian and cycle paths, plus car parking. In addition, the location of a proposed future foreshore restaurant / café as per the overall design for the Old Mill redevelopment (Lawrence and Associates) needs to be considered in context.

As mentioned above, the studies referred to at the Council meeting held in February 2014 have been completed and resulted in relevant data being obtained which has resulted in the project progressing to this point.

Consultation

The new Concept Plan for Millers Pool was presented to Councillors at a Concept Briefing held on 12 August 2014.

It is proposed to present the new Concept Plan for Millers Pool (including improvements to surrounding car parking, cycle and pedestrian paths) for community and stakeholder engagement following Council approval.

Policy and Legislative Implications

Council is currently considering the South Perth Foreshore Strategy and Management Plan (SPFSMP) for adoption.

Strategy Node N5 – Mill Point of the SPFSMP states as follows:

Develop the Mill Point node with significant focus as a cultural and heritage hub with ecological improvements to Millers Pool and improved pedestrian and cycle links to Perth City.

The refined design of Millers Pool – following community and stakeholder engagement will require approval from the Swan River Trust, prior to construction.

Financial Implications

The design development estimate for the new Millers Pool Concept Plan (detailed design, documentation, tendering and contract administration) is approximately \$150,000.

There are opportunities to seek grant funding for cycle paths in this area of the South Perth foreshore.

The current construction cost estimate for the new Millers Pool Concept Plan is \$3.23 million (ex GST). This estimate does not include other works required to be completed in the vicinity of Millers Pool, which will be assessed in more detail following approval of the new Concept Plan.

The current allocations for the development of Millers Pool in the City's Long Term Financial Plan are \$1.5 million in 2015/2016 and \$1.0 million in 2016/2017. Other sources of funding are available if Council desires to progress with the project.

Conclusion

It is recommended that Council approve the new Concept Plan for Millers Pool, plus a design development budget of \$150,000 to allow for a more detailed proposal to be put forward for community and stakeholder engagement. The outcome of the engagement can then be used to refine the design and construction budget.

It is considered important that agreement in principle is obtained to proceed with the project prior to 30 June 2014 to ensure the project proceeds.

Strategic Implications

This recommendation contained in this report is consistent with the Strategic Plan 2013–2023, Direction 4 Places – “Develop, plan and facilitate vibrant and sustainable community and commercial places” and more specifically:

Item 4.4 – “Engage the community to develop a plan for vibrant activities and uses on and near foreshore areas and reserves around the City”

In addition, the development of the Old Mill precinct concept is directly related to the City's Corporate Plan 2013-2017, Item 4.1 – *Develop and facilitate activity centres and community hubs that offer a safe, diverse and vibrant mix of uses*” and specifically:

Item 4.1.1 – “Progress the Old Mill Redevelopment”

Sustainability Implications

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

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 13(b)(i)
Carport addition / Obstruction adjacent to Formed Driveway and Obstruction at right-of-way	P350.7 Sub-clause 5(a) and (b)
Carport addition / Reduced Open Space	R-Code Design Principle 5.1.4 P4

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

OFFICER RECOMMENDATION

Moved: Cr M Huston

Seconded: -

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.

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- (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.

LAPSED FOR WANT OF A SECONDER

ALTERNATIVE RECOMMENDATION AND COUNCIL DECISION

Moved: Cr V Lawrance

Seconded: Cr C Cala

That:

- (a) the officer recommendation not be adopted; and
- (b) that pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a Carport on Lot 801 (No. 16) Alston Avenue, South Perth **be approved** subject to:

(b) Standard Conditions

425	Colours & materials match existing – details to be submitted prior to lodging an application for a building permit.	416	Street tree - not to be removed
445	Storm-water infrastructure	660	Expiry of approval

(c) Standard Advice Notes

700	Building licence required	790	Minor variations- seek approval
795B	Appeal rights- council decision		

Reasons for the change

- The Council can implement due discretion in its consideration of this proposal.
- The proposal does not detract from the character of the focus area and adjoining neighbours have expressed no objection.

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- The proposed application does not deter from the site line due to the wide verge.
- The pitch of the roof is consistent with the roof of the house.
- I do not consider that the boundary fence creates obstructions to the driveway truncation and right of way.
- The reduction of open space on the site is minimal 50% to 46.4%.
- Whilst I applaud the officers due diligence in bringing the policy to our attention, I consider that in this case that the Council would be over-zealous in applying the policy to the letter.

CARRIED (7/0)

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 potential	One (1) dwelling
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:



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:

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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 1 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.

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Photo 1 – 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.

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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.”

[Note - 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.

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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 PI

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 × 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.*

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

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

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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 [Strategic Plan 2013–2023](#), Direction 3 – Housing and Land Users “Accommodate the needs of a diverse and growing population”.

Sustainability Implications

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

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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

CARRIED EN BLOC (7/0)

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.

10.5.1 Request for Advertising of Canning Bridge Structure Plan

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

G1 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 11 Staging of development is considerate of the community impacts of development over time, including transition from lower to higher density development and 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 Guidelines

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:

- Element which provides a title for each element e.g. Land use , Form and Mass etc
- Desired Outcomes 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
- Requirements 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 [Strategic Community Plan 2013–2023](#), Direction 5 – Infrastructure and Transport “Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community”.

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 Perth
Applicant: Council
File Ref: FM/301
Date: 07 September 2014
Author / Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

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

OFFICER RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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.

CARRIED EN BOC (7/0)

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 information provided to Council and published in the Annual Management Budget.

Combining the Summary of Operating Revenues and Expenditures with the Summary of Capital Items gives a consolidated view of all operations under Council's control - reflecting the City's actual financial performance against budget targets.

10.6.1 Monthly Financial Management Accounts - August 2014

Local Government (Financial Management) Regulation 35 requires significant variances between budgeted and actual results to be identified and comment provided on those variances. The City adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater). Notwithstanding the statutory requirement, the City may elect to provide comment on other lesser variances where it believes this assists in discharging accountability.

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

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

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

A summary of budgeted capital revenues and expenditures (grouped by department and directorate) is also provided each month from 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

10.6.1 Monthly Financial Management Accounts - August 2014

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.

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 Q1 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

10.6.1 Monthly Financial Management Accounts - August 2014

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.

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 Staff	Consultancy Services	Total
<i>As at 31 July 2014</i>	\$12 557	\$2 749	\$15 306
<i>For the month of August 2014</i>	\$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
<i>Hours¹</i>	980	1220	792	854	3846
<i>Cost</i>	\$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 J Kent and Deborah M Gray
Reporting Officer: Michael J Kent, Director Financial and Information Services

Summary

This report presents to Council a statement summarising the effectiveness of treasury management for the month including:

- The level of controlled Municipal, Trust and Reserve funds at month end.
- An analysis of the City's investments in suitable money market instruments to demonstrate the diversification strategy across financial institutions.
- Statistical information regarding the level of outstanding Rates and General Debtors.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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)**

CARRIED EN BLOC (7/0)

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.

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

Data comparing actual investment performance with benchmarks in Council's approved investment policy (which reflects best practice principles for managing public monies) provides evidence of compliance with approved investment principles.

Finally, a comparative analysis of the levels of outstanding rates and general debtors relative to the same stage of the previous year is provided to monitor the effectiveness of cash collections and to highlight any emerging trends that may impact on future cash flows.

Comment

(a) Cash Holdings

Total funds at month end of \$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 A1 (short term) or better. There are currently no investments in BBB+ rated securities.

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

The City's investment policy requires that at least 80% of investments are held in securities having an S&P rating of A1. This ensures that credit quality is maintained. Investments are made in accordance with Policy P603 and the Department of Local Government Operational Guidelines for investments.

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

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are 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 **not** an interest charge on the UGP service charge - but rather is an interest charge on the funding accommodation provided by the City's instalment payment plan (like what would occur on a bank loan). The City encourages ratepayers in the affected area to make other arrangements to pay the UGP charges - but it is, if required, providing an instalment payment arrangement to assist the ratepayer (including the specified interest component on the outstanding balance).

Since the initial \$4.59M 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 1 August 2014 and 31 August 2014 is presented to Council for information.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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

CARRIED EN BLOC (7/0)

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.

10.6.3 Listing of Payments

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.

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 AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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)
CARRIED EN BLOC (7/0)

MOTION TO REVOKE COUNCIL DECISION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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)
CARRIED EN BLOC (7/0)

OFFICER RECOMMENDATION AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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

CARRIED EN BLOC (7/0)

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.

10.6.4 Mayoral Portrait

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 1 August 2014 and in a follow-up email from the Chief Executive Officer dated 19 August 2014.

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

Sustainability Implications

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

10.6.5 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 AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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

CARRIED EN BLOC (7/0)

Background

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

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

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

Comment

Annual Returns for the period 1 July 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 [Strategic Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Sustainability Implications

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

10.7 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: 11 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 AND COUNCIL DECISION

Moved: Cr C Irons
Seconded: Cr S Hawkins-Zeeb

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

1. 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.

CARRIED EN BLOC (7/0)

Background

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

1. 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:

1. 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.

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

Sustainability Implications

This report is aligned to the City’s [Sustainability Strategy 2012–2015](#), in particular, Strategy G2 *Ensure that the City’s governance enables it to respond to the community’s vision*.

11. APPLICATIONS FOR LEAVE OF ABSENCE

A Leave of Absence application has been received from Mayor S Doherty for the period 22 September – 19 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 AND COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr C Irons

That the applications for Leave of Absence submitted by Mayor S Doherty for the period 22 September – 19 October 2014 inclusive and Councillor F Reid for the period 22 October – 29 October 2014 inclusive be approved.

CARRIED (7/0)

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 of the Agenda.

Note, the Chief Executive Officer gave notice that the second part of the question asked by Cr F Reid at the August 2014 Ordinary Council Meeting: "Is the Councillors for Democracy Group open to Councillors to attend?" was inadvertently omitted from the answer given at Appendix Three of the September 2014 Agenda. The response to this question has been placed in the Minutes and can be found at **Appendix Three**.

13.2 QUESTIONS FROM MEMBERS

One question was taken on notice and this will be responded to in writing and the response provided within the October 2014 Agenda.

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

Nil.

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

Nil

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil

16. CLOSURE

The Presiding Member closed the meeting at 8.19 pm and thanked everyone for their attendance.

DISCLAIMER

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

These Minutes were confirmed at the Ordinary Council Meeting of
28 October 2014 by the Presiding Member

Signed: _____

VOTING

23/09/2014 7:14:59 PM

Item 3.1 Activities Report Mayor/Council Representatives: minor amendment

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:35:20 PM

Item 16.2 Extension of Public Question Time: 23 September 2014

Motion Passed 6/0

Yes: Cr Fiona Reid,, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Cheryle Irons, Cr Kevin Trent

Absent: Cr Glenn Cridland, Cr Michael Huston, Mayor Sue Doherty

23/09/2014 7:40:17 PM

Item 7.1.1 Ordinary Council Meeting: 26 August 2014

Motion Passed 6/0

Yes: Cr Fiona Reid,, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Cheryle Irons, Cr Kevin Trent

Absent: Cr Glenn Cridland, Cr Michael Huston, Mayor Sue Doherty

23/09/2014 7:40:53 PM

Item 7.1.2 Audit & Governance Committee Meeting: 9 September 2014

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:41:40 PM

Item 16.2 Notes from Briefings

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:42:53 PM

Item 8.4 Council Delegates Reports

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:46:04 PM

Item 9 En Bloc Motion

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:48:05 PM

Item 10.0.1 Proposed Amendment No. 45 to Town Planning Scheme No. 6 to rezone Southcare site

Motion Passed 6/0

Yes: Cr Fiona Reid, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons

Absent: Cr Glenn Cridland, Cr Kevin Trent, Mayor Sue Doherty

23/09/2014 7:54:53 PM

Item 10.0.2 SAT Reconsideration – Two Single Houses (Four-Storey) – Lot 2 (No. 6) Jubilee Street, South Perth – Cr V Lawrance Alternative Recommendation

Motion Passed 5/2

Yes: Cr Fiona Reid,, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Cheryle Irons, Cr Kevin Trent

No: Cr Colin Cala, Cr Michael Huston

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 7:57:20 PM

Item 10.2.1 Cr M Huston Proximity Interest – decision to allow to stay in Chamber

Motion Passed 6/0

Yes: Cr Fiona Reid,, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Cheryle Irons, Cr Kevin Trent

Absent: Cr Glenn Cridland, Mayor Sue Doherty

Abstained: Cr Michael Huston

23/09/2014 8:05:47 PM

**Item 10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan)
Draft (Revision 2) September 2014 – Amendment Cr M Huston**

Motion Passed 6/1

Yes: Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Cheryle Irons, Cr Kevin Trent

No: Cr Fiona Reid,

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 8:06:14 PM

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

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 8:08:37 PM

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

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

23/09/2014 8:12:58 PM

**Item 10.3.1 Proposed Carport Addition to Single House - Lot 801 (No. 16) Alston
Avenue, South Perth – Alternative Recommendation: Cr V Lawrance**

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Cr Fiona Reid

23/09/2014 8:14:00 PM

Item 11.0 Applications for Leave of Absence

Motion Passed 7/0

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

Absent: Cr Glenn Cridland, Mayor Sue Doherty

APPENDICES



**APPENDIX ONE (ITEM 6.2 REFERS)
PUBLIC QUESTION TIME - SEPTEMBER 2014 ORDINARY COUNCIL MEETING**

<p>Ms Marcia Manolas of 193 Mill Point Road, South Perth Received: 18 September 2014</p>	<p>Response provided by: Cliff Frewing, Chief Executive Officer</p>
<p>[Preamble] Questions relate to Item 10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan) Draft (Revision 2) September 2014</p>	
<p>1. Does Council and administration agree it does not have the authority to revoke , change or cancel the resumption purpose of use in relation to the resumed land comprising Sir James Mitchell Park resumed on the 26.4.1940 and 29.6.1934 by his Excellency the Lieutenant Governor acting by and with the advice of the Executive Council?</p>	<p>Yes – there is no proposal to change any Resumption notice.</p>
<p>2. Does Council and Administration believe it has a duty of care to ensure all the relevant and current information in relation to the resumption order purpose of use comprising Sir James Mitchell Park resumed on the 26.4.1940 and 29.6.1934 is clearly defined on all documentation, tables and maps?</p>	<p>Yes, but only when relevant.</p>
<p>Mr Ken Manolas of 193 Mill Point Road, South Perth Received: 18 September 2014</p>	<p>Response provided by: Cliff Frewing, Chief Executive Officer</p>
<p>[Preamble] Questions relate to Item 10.2.1 South Perth Foreshore Strategy and Management Plan (SPF Plan) Draft (Revision 2) September 2014</p>	
<p>1. Does Council and Administration uphold the legal Opinion of Daryl Williams QC? If no, does Council have a legal Opinion to the contrary and can it make it public?</p>	<p>The City has no view on the legal opinion and sees no reason to seek a further opinion on the subject. The future use of land as described in the Resumption Orders is consistent with the current zoning of the land. There are no proposals to either sell or lease any foreshore land.</p>

Mr Ken Manolas of 193 Mill Point Road, South Perth Received: 19 September 2014	Response provided by: Cliff Frewing, Chief Executive Officer
<p>1. (a) Does Administration agree the resumption orders of the 26th April 1940 and 29th June 1934 relating to the resumed land comprising Sir James Mitchell Park, registered on the Certificate of Titles by the Authority of his Excellency, the Lieutenant Governor, is current and binding as stated in the Commissioner of Titles - Landgate Letters dated 28.2.2014 and 14.7.2014.</p>	<p>The City has not sought legal advice in relation to this issue. Given that the resumption order was in April 1940, the Metropolitan Regional Scheme came into effect in 1963 and the City has had six Town Planning Schemes since 1960 the relationship between the current zoning of land within the foreshore and the purpose for which the land was resumed is unclear. In any event the purpose of the land vested, the zoning of the freehold land and the purpose for which the land was resumed are for similar purposes.</p>
<p>1. (b) Does Administration agreed the creation of new Digital Titles does not alter the legal status of the resumption of the land as stated in the Commissioner of Titles Landgate Letters dated 28.2.2014 and 14.7.201.</p>	<p>This would need to be confirmed. It is noted in the letter referred to above from the Commissioner of Titles, the Commissioner notes "land use of the Park may be governed by Laws and Planning Schemes other than the purpose stated under the PWA (Public Works Act)". The letter goes on to say "the development or use of the land comprised in the Park is a matter for the landowner" – which is the City of South Perth.</p>
<p>2. Does council agree the resumed land was vested in the South Perth Road Board as noted in the Government Gazettes dated 29.6.1934 and 26.4.1940 being "The land shall vest in South Perth Road Board for an Estate in fee simple in possession for the public work herein expressed"Government Gazette 29.6.2014 - the public work being "South Perth Road Board - Recreation Grounds, Swan River Foreshore at South Perth Government Gazette 26.4.1940 - the public work being "Swan River Improvements and Foreshore Recreation Grounds at South Perth?</p>	<p>Refer to above responses.</p>

Ms Carol Roe of 16 Abjornson Street, Manning Received: 23 September 2014	Response provided by: Mike Kent, Director Finance and Information Services and Mark Taylor, Acting Director Infrastructure Services
<p>[Preamble]</p> <p>I refer to parts of the report at Agenda Item 10.6.1 [Monthly Financial Management Accounts - August 2014] page 56, namely: 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 will be addressed in the Q1 Budget Review).</p> <p>In Infrastructure Services operations.....there is an unfavourable variance in relation to timing issues in relation to grounds maintenance, although this is related to timing issues associated with works for which the City has received a contribution from Hensman Tennis Club.</p>	
1. My first 2 questions are about the contribution figures a) In sentence 1, how much? b) In sentence 2, how much?	a) The Hensman Park Tennis Club contributed \$28,656.82. b) The City has contributed \$42,601.50 plus GST.
2. How did City Environment contribute revenue as mentioned in sentence 1?	City Environment did not 'contribute revenue' – that is simply the sub program classification that we are required to record the clubs contribution under (the recipient of the contribution).
3. What are the timing issues as mentioned in sentence 2?	The timing issues are simply that the revenue is received ahead of the work being done. This is a standard and responsible business approach.
4. Are the words "resurfacing of hard courts" an error?	The wording is an error. It should have read "construction of a replacement perimeter fence".
5. Was the contribution for "replacement of perimeter fencing"?	Yes.

Mr Ian Findlay of Unit 18/23 Mill Point Road, South Perth Received: 18 September 2014	Response provided by: Cliff Frewing, Chief Executive Officer
<p>[Preamble]</p> <p>I live in an apartment which overlooks Millers Pool at The Peninsula, South Perth, and have a few questions which I would like to hear addressed at this evening's Council meeting.</p> <p>Questions relate to Item 10.2.2 – Proposed Redevelopment of the Old Mill Site – New Concept Plan for Millers Pool.</p>	
<p>1. Does the reduced estimated cost of \$3.23 [Million] for the new Plan for Millers Pool include all 6 bullet items on page 24 of the Council Agenda Briefing Meeting – 16 September 2014?</p>	<p>Yes.</p>
<p>2. Does the new Plan design allow for a future building similar to the circular building which was intended to straddle the land strip between Millers Pool and the Swan River beach? What was / is the purpose of that building?</p>	<p>Yes, possible café/restaurant.</p>
<p>3. What is the anticipated timing or priority between:</p> <p>a) Redevelopment of Millers Pool?</p> <p>b) Redevelopment of the Old Mill area (museum, cafe / restaurant etc)?</p> <p>c) Redevelopment of the car park and the proposed boating area on the west side of the freeway at the Peninsula?</p>	<p>a) If the project proceeds, commencement within a year.</p> <p>b) Yet to be determined – subject to funding.</p> <p>c) As per b).</p>
<p>4. What plans are there for parking / stopping of the existing bus service (or its replacement) to / from the Old Mill?</p>	<p>There are no plans to change the bus service at this stage.</p>

<p>Mr David Coldham of 8 Jubilee Street, South Perth Received: at the meeting</p>	<p>Response provided by: Vicki Lummer, Director Development and Community Services</p>
<p>[Preamble] Questions relate to 10.0.2 SAT Reconsideration - Two Single Houses (Four-Storey) - Lot 2 (No. 6) Jubilee Street, South Perth</p>	
<p>1. Are you aware the photo montage versions handed out by the Applicants of 6 Jubilee Street (Council Meeting) [Agenda Briefing] of 16 September 2014 are not true in the measurement of property frontages of 2, 6 and 8 Jubilee Street (misleading in scale, bulk of building and setbacks by 50%?)</p>	<p>The City is aware that the street montage is labelled “not to scale”. The City is also aware that in order to create a photomontage a number of photos are taken and pieced together. The lines of the individual photos can be seen on the montage and it is known that discrepancies in scale occur this way.</p>
<p>Mr David Read, Director of TPG Town Planning, Urban Design and Heritage, Perth Received: at the meeting</p>	<p>Response provided by: Rod Bercov, Strategic Urban Planning Advisor</p>
<p>[Preamble] Questions relate to Item 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.</p>	
<p>1. As the R-Codes allow any profit making multiple dwelling or mixed use development to have either reciprocal parking using visitor bays, or reduced parking based on the size and type of dwelling, access to public transport and availability of on street parking, why aren't the same considerations being given to a not for profit community service provider like Southcare?</p>	<p>The need for providing car parking on a development site is not based on whether or not a developer is 'profit-making'. Car parking requirements prescribed in Part 6 of the R-Codes have been considered in detail by the City. Having regard to the traffic and parking concerns expressed by several submitters and also shared by the Council, together with the particular narrow and curving design of the roads in the vicinity of Southcare, the Council is not prepared to consider a reduced number of parking bays other than for 15 bays permitted to be located within Bickley Crescent south of Pether Road, as provided for in the modified Amendment No. 45.</p>
<p>2. Why are the words “No concessions or reciprocal parking arrangements shall be granted in relation to the provision of car parking bays” contained in provision 13(b)(viii) and why is provision (ix) proposed that take away Council's discretion to consider an application based on its merits and impose a mandatory minimum parking requirement whilst any private developer of multiple dwellings in the City can apply for reduced parking?</p>	<p>Response to (1) above applies.</p>

**APPENDIX TWO (ITEM 10.2.1 REFERS)
TABLE 2: 'SOUTH PERTH FORESHORE – FREEHOLD LAND'**

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South Perth Foreshore – Freehold Land

Map Identification	Lot Number/ Deposited Plan	Volume / Folio	Zoning	Area (ha)
1	200/5950	1049/802	Parks and Recreation	0.3011
2	201/5950	674/31	Parks and Recreation	0.816
3	202/5950	838/67	Parks and Recreation	0.849
4	203/5950	838/68	Parks and Recreation	0.1940
5	204/5950	838/69	Parks and Recreation	0.2071
6	205/5950	1009/495	Parks and Recreation	0.4235
7	206/5950	967/45	Parks and Recreation	0.1599
8	207/5950	925/70	Parks and Recreation	0.1624
9	208/5950	674/32	Parks and Recreation	0.2317
10	209/5950	295/47	Parks and Recreation	0.2317
11	210/5950	2820/808	Parks and Recreation	4.9255
12	211/5950	2820/805	Parks and Recreation	0.6867
13	212/5950	2820/800	Parks and Recreation	0.6827
14	213/5950	2820/806	Parks and Recreation	1.4422
15	214/5950	2820/807	Parks and Recreation	1.6370
16	215/5950	2819/645	Parks and Recreation	1.6344
17	216/5950	2819/645	Parks and Recreation	1.4523
18	17/3285	618/138	Parks and Recreation	0.0568
19	16/3285	1871/585	Parks and Recreation	1.1487
20	15/3285	1871/585	Parks and Recreation	0.1166
21	14/3285	1871/585	Parks and Recreation	0.0890
22	13/3285	1871/585	Parks and Recreation	0.0878
23	1/3285	1871/585	Parks and Recreation	0.0963
24	2/3285	1871/585	Parks and Recreation	0.0607
25	3/3285	1871/585	Parks and Recreation	0.0606
26	4/3285	1871/585	Parks and Recreation	0.0608
27	5/3285	1871/585	Parks and Recreation	0.0606
28	6/3285	1871/585	Parks and Recreation	0.0606
29	7/3285	1871/585	Parks and Recreation	0.0607
30	8/3285	1871/585	Parks and Recreation	0.0617
31	9/3285	1871/585	Parks and Recreation	0.0606
32	198/1620	1012/281	Parks and Recreation	3.3860
33	199/1620	1012/281	Parks and Recreation	0.8786
34	105/5947	1026/30	Parks and Recreation	0.0915
35	104/5947	668/38	Parks and Recreation	1.3620
36	103/5947	602/82	Parks and Recreation	0.5782
37	102/5947	188/81	Parks and Recreation	0.5039
38	101/5947	1018/299	Parks and Recreation	2.5060
39	100/5947	1031/443	Parks and Recreation	2.9840
40	51/9634	1907/357	Parks and Recreation	5.6844
41	52/9633	1907/357	Parks and Recreation	5.2576
TOTAL				41.3509

APPENDIX THREE (ITEM 13.1 REFERS)

RESPONSE TO QUESTION FROM CR F. REID TAKEN ON NOTICE AT THE AUGUST 2014 ORDINARY COUNCIL MEETING

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, Chief Executive Officer

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). It was also confirmed that observers are not permitted to attend meetings of the "Councils for Democracy" group.