

MINUTES

Ordinary Council Meeting

28 July 2015

To: The Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 28 July 2015 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



CLIFF FREWING
CHIEF EXECUTIVE OFFICER

31 July 2015



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 7.00pm 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 meetings of Council and its Committees 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/

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	6
2.	DISCLAIMER	6
3.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	6
3.1	AUDIO RECORDING OF THE COUNCIL MEETING	6
3.2	PUBLIC QUESTION TIME FORMS	6
3.3	ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES	6
4.	ATTENDANCE	7
4.1	APOLOGIES	7
4.2	APPROVED LEAVE OF ABSENCE	7
5.	DECLARATIONS OF INTEREST	7
6A.	DEPUTATIONS	7
6B.	PUBLIC QUESTION TIME	8
6.1	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	8
6.2	PUBLIC QUESTION TIME: 28 JULY 2015	8
7.	CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIFFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1	9
7.1	MINUTES	9
7.1.1	Ordinary Council Meeting Held: 23 June 2015	9
7.1.2	CEO Recruitment Committee Meeting Held: 7 July 2015	9
7.1.3	CEO Recruitment Committee Meeting Held: 13 July 2015	9
7.1.4	Special Council Meeting Held: 13 July 2015	9
7.1.5	Special Council Meeting Held: 21 July 2015	9
7.2	BRIEFINGS	10
7.2.2	Council Briefings	10
8.	PRESENTATIONS	11
8.1	PETITIONS	11
8.2	PRESENTATIONS	11
8.2.1	Certificate of Appreciation - Local Chambers	11
8.3	DEPUTATIONS	11
8.4	COUNCIL DELEGATES REPORTS	11
8.4.1	Delegates Reports	11
8.5	CONFERENCE DELEGATES REPORTS	12

8.5.1	2015 The Future of Local Government National Summit - Held 28 and 29 May 2015	12
9.	METHOD OF DEALING WITH AGENDA BUSINESS	12
9.1	EN BLOC MOTION	13
10.	REPORTS	14
10.1	STRATEGIC DIRECTION 1: COMMUNITY	14
10.1.1	South Perth Aquatic Centre - Feasibility Study	14
10.3	STRATEGIC DIRECTION 3: HOUSING AND LAND USES	21
10.3.1	Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road	21
10.3.2	Proposed Third Storey Additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point	35
10.6	STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT	51
10.6.1	Perth and Peel @3.5Million - Submission to the Western Australian Planning Commission	51
10.6.2	Monthly Financial Management Accounts - June 2015	54
10.6.3	Monthly Statement of Funds, Investments and Debtors at 30 June 2015	57
10.6.4	Listing of Payments	62
10.6.5	Acting Chief Executive Officer	65
10.6.6	Proposed Incorporation of Forum of Regional Councils (FORC) with WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) Structure	67
10.6.7	Rivers Regional Council Membership Withdrawal - Shire of Waroona	69
10.6.8	Development Assessment Panels - Submission to the Parliamentary Committee	71
10.6.9	City of Perth Bill	73
11.	APPLICATIONS FOR LEAVE OF ABSENCE	78
11.1	REQUESTS FOR LEAVE OF ABSENCE	78
12.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	78
13.	QUESTIONS FROM MEMBERS	78
13.1	RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE	78
13.2	QUESTIONS FROM MEMBERS	78

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	78
15. MEETING CLOSED TO PUBLIC	79
16. CLOSURE	79
7. RECORD OF VOTING	80
APPENDIX	82
DISCLAIMER	100

Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Tuesday 28 July 2015.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 7.01pm 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.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 AUDIO RECORDING OF THE COUNCIL MEETING

The Presiding Member requested that all electronic devices be turned off or on to silent. She then reported that the meeting is being audio recorded in accordance with Council Policy P673 'Audio Recording of Council Meetings' and Clause 6.15 of the Standing Orders Local Law 2007 which states:

"A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member"

The Presiding Member then gave her permission for the Administration to record proceedings of the Council meeting.

3.2 PUBLIC QUESTION TIME FORMS

The Presiding Member advised the public gallery that Public Question Time forms are available in the foyer and on the City's website for anyone wanting to submit a written question. The Presiding Member referred to Clause 6.7 of the Standing Orders Local Law 'Procedures for Question Time' and stated that it is preferable that questions are received in advance of the council meetings in order for the Administration to have time to prepare responses.

3.3 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES

The Presiding Member advised that the Mayor / Council Representatives Activities Report for the month of June 2015 are attached to the back of the Agenda.

4. ATTENDANCE

Mayor S Doherty (Presiding Member)

Councillors

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

Officers

C Frewing	Chief Executive Officer
M Kent	Director Financial and Information Services
M Taylor	Director Infrastructure Services
R Kapur	Acting Director Development and Community Services
P McQue	Manager Governance and Administration
D Gray	Manager Financial Services
S Kent	Governance Officer
A Albrecht	Executive Officer

Gallery

There were approximately 17 members of the public and one member of the press present.

4.1 APOLOGIES

Nil

4.2 APPROVED LEAVE OF ABSENCE

Nil

5. DECLARATIONS OF INTEREST

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

The Presiding Member noted that no Declarations of Interest had been received.

6A. DEPUTATIONS

At the Agenda Briefing Council received a Request for a Deputation to Address Council from the following:

- Ms Cecilia Brooke, Mr Trevor Hill and Mr Ian Ker in relation to *Item 10.6.0 City of Perth Bill*.
- Mr Carl Erbrich in relation to *Item 10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point..*

The applicants were unable to attend the Agenda Briefing and had since requested that they be allowed to address Council at the Ordinary Council Meeting.

MOTION TO ACCEPT THE DEPUTATIONS TO ADDRESS COUNCIL

COUNCIL DECISION

Moved: Councillor F Reid

Seconded: Councillor C Cala

That the Requests for a Deputation to Address Council at this Ordinary Council Meeting (received from Ms Cecilia Brooke, Mr Trevor Hill and Mr Ian Ker in relation to *Item 10.6.0 City of Perth Bill* and Mr Carl Erbrich in relation to *Item 10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point*) be accepted.

CARRIED (9/0)

6B. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the June Ordinary Council Meeting no questions were taken on notice.

6.2 PUBLIC QUESTION TIME: 28 JULY 2015

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

The Presiding Member then opened Public Question Time at 7.30pm.

Note: Written Questions submitted prior to the meeting were provided in a PowerPoint presentation for the benefit of the public gallery.

The Presiding Member read aloud a statement:

Mr Geoff Defrenne asked questions during Public Question Time in February and June 2015 in regard to the Royal Perth Golf Club (RPGC) fence – Item 10.3.3 Proposed 24 Metre High Safety Screen Fence to the Royal Perth Golf Course.

The question related to a perceived discrepancy between the Officer Report and Item 4) in the Attachments (page 182) being the application from the RPGC. Mr Defrenne asked “which was correct – the Officer Report or the Attachment”. In effect the question was whether the proposed fence was within the boundary of the leased land or outside the boundary.

The question was taken on notice and the response implied it was within the leased land.

This was followed up by subsequent questions in June 2015 on the same matter.

In April 2015, I emailed the Director of Development and Community Services specifically asking: “Can you confirm if the fence line for the Royal Perth Golf Club where the Club is seeking extend the height is on the City’s land”. I received the response – “Yes, it is on the City’s land – well land that is vested in the City of South Perth.”

The purpose of this statement is to clarify the situation:

The existing fence line encroaches slightly into the road reserve. The proposed fence line will be on the correct alignment with the road reserve for part of its length and well inside the land leased to RPGC for the balance of its length.

I trust this response clarifies concerns that have been on-going and I apologise for any confusion that may have arisen.

Written questions were received prior to the meeting from:

- Mr Craig Dermer of 14/63 Mill Point Road, South Perth
- Ms Vicki Redden of 14/63 Mill Point Road, South Perth
- Mr Dean Carter of (street address not provided), Kensington
- Mr Lindsay Jamieson of (address withheld on request)

Note: Mr Dean Carter was not in attendance, therefore his questions and the responses provided were taken on notice – his questions and the responses provided can be found in the Appendix of these Minutes.

At 7.45pm the Presiding Member called for Public Question Time to be extended for 5 minutes to attend to questions yet to be heard.

MOTION TO EXTEND PUBLIC QUESTION TIME

COUNCIL DECISION

Moved: Councillor M Huston

Seconded: Councillor F Reid

That Public Question Time be extended to attend to questions yet to be heard.

CARRIED (9/0)

Written questions were received at the meeting from:

- Mr Lindsay Jamieson of (address withheld on request)
- Ms Sharon Gilgallon on behalf of Mr Jamie Cook (address not provided)

A table of all questions received and answers provided can be found in the Appendix of these Minutes.

The Presiding Member closed Public Question Time at 7.56pm.

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

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 23 June 2015

7.1.2 CEO Recruitment Committee Meeting Held: 7 July 2015

7.1.3 CEO Recruitment Committee Meeting Held: 13 July 2015

7.1.4 Special Council Meeting Held: 13 July 2015

7.1.5 Special Council Meeting Held: 21 July 2015

COUNCIL DECISION

Moved: Councillor S Hawkins-Zeeb

Seconded: Councillor M Huston

That the Minutes of the meetings as listed at Items 7.1.1-7.1.5 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

7.2 BRIEFINGS

The following Briefings 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.

7.2.2 Council Briefings

Officers of the City provided Council with an overview of the following topics:

- July 2015 Agenda Briefing – Briefing Held 21 July 2015
- Millers Pool, Parking Strategy and Mends Street – Briefing held 20 July 2015
- CEO Recruitment – Briefing held 22 June 2015
- Draft Budget – Briefing held 16 June 2015
- Long Term Financial Plan and Capital Works – Briefing held 27 May 2015

Attachments

7.2.2 (a): July Agenda Briefing - Held 21 July 2015 - Notes

7.2.2 (b): Millers Pool, Parking Strategy, Mends Street - 20 July 2015 - Notes

7.2.2 (c): CEO Recruitment - 22 June 2015 - Notes

7.2.2 (d): Draft Budget - 16 June 2015 - Notes

7.2.2 (e): Long Term Financial Plan and Capital Works - 27 May 2015 - Notes

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor M Huston

Seconded: Councillor K Trent

That the notes of the following Briefings be noted:

- July 2015 Agenda Briefing – Briefing Held 21 July 2015
- Millers Pool, Parking Strategy and Mends Street – Briefing held 20 July 2015
- CEO Recruitment – Briefing held 22 June 2015
- Draft Budget – Briefing held 16 June 2015
- Long Term Financial Plan and Capital Works – Briefing held 27 May 2015

CARRIED (9/0)

8. PRESENTATIONS

8.1 PETITIONS

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

8.2 PRESENTATIONS

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

8.2.1 Certificate of Appreciation - Local Chambers

The Presiding Member presented the Chief Executive Officer with a Certificate of Appreciation awarded to the City at the Chamber of Commerce and Industry Dinner held on 26 June 2015 for Major Sponsorship of the 2015 City of South Perth Award of Business Excellence and Support of Local Chambers City of Lights Business Dinner of the Year.

The Chief Executive Officer advised that the City had been a Member of the Local Chambers for the past 15 years.

8.3 DEPUTATIONS

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

Along with the two Deputations heard at this meeting, Deputations were heard at the Agenda Briefing of 21 July 2015.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 Delegates Reports

The Delegates' Reports summarising the following meetings are attached:

- WALGA South East Metropolitan Zone Meeting – Held 24 June 2015
- Rivers Regional Council Meeting – Held 18 June 2015
- Perth Airport Municipalities Group Inc. (PAMG) Ordinary General Meeting – Held 4 June 2015

Attachments

8.4.1 (a): WALGA South East Metropolitan Zone Meeting - Held 24 June 2015 - Delegates' Report

8.4.1 (b): Rivers Regional Council Meeting - Held 18 June 2015 - Delegates' Report

8.4.1 (c): Perth Airport Municipalities Group In. (PAMG) Ordinary General Meeting - Held 4 June 2015 - Delegates' Report

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor M Huston

Seconded: Councillor C Cala

That the Delegates Reports summarising the following meetings be received:

- WALGA South East Metropolitan Zone Meeting – Held 24 June 2015
- Rivers Regional Council Meeting – Held 18 June 2015
- Perth Airport Municipalities Group Inc. (PAMG) Ordinary General Meeting – Held 4 June 2015

CARRIED (9/0)

8.5 CONFERENCE DELEGATES REPORTS

8.5.1 2015 The Future of Local Government National Summit - Held 28 and 29 May 2015

The Report summarising the following conference is attached:

- 2015 The Future of Local Government National Summit – Held 28 and 29 May 2015

Attachments

8.5.1 (a): 2015 The Future of Local Government National Summit - Held 28 and 29 May 2015

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor M Huston

Seconded: Councillor S Hawkins-Zeeb

That the report on 2015 The Future of Local Government National Summit - Held 28 and 29 May 2015 be received.

CARRIED (9/0)

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 discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. She then sought confirmation from the Chief Executive Officer that all the report items were discussed at the Agenda Briefing held on 21 July 2015.

The Chief Executive Officer confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.1.1 South Perth Aquatic Centre - Feasibility Study
- Item 10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point
- Item 10.6.9 City of Perth Bill

9.1 EN BLOC MOTION

COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That the Officer Recommendations in relation to the following agenda items be carried en bloc:

- Item 10.3.1 Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road
- Item 10.6.1 Perth and Peel @3.5Million - Submission to the Western Australian Planning Commission
- Item 10.6.2 Monthly Financial Management Accounts - June 2015
- Item 10.6.3 Monthly Statement of Funds, Investments and Debtors at 30 June 2015
- Item 10.6.4 Listing of Payments
- Item 10.6.5 Acting Chief Executive Officer
- Item 10.6.6 Proposed Incorporation of Forum of Regional Councils (FORC) with WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) Structure
- Item 10.6.7 Rivers Regional Council Membership Withdrawal - Shire of Waroona
- Item 10.6.8 Development Assessment Panels - Submission to the Parliamentary Committee

CARRIED (9/0)

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 South Perth Aquatic Centre - Feasibility Study

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-48940
Date:	28 July 2015
Author:	Jennifer Hess, Recreation Development Coordinator
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	1.3 Create opportunities for social, cultural and physical activity in the City.

Summary

The City has completed the South Perth Aquatic Centre Feasibility Study. The purpose of this report is to discuss the key findings of the Study and recommend a course of action for Council to take moving forward.

Officer Recommendation

Moved: Councillor M Huston
Seconded: Councillor G Cridland

That:

1. The South Perth Aquatic Centre Feasibility Study be received; and
2. Council discusses the project as an 'emerging opportunity' during the next Strategic Plan review, due to commence in 2016/2017.

Amendment to Officer Recommendation

Moved: Councillor C Irons
Seconded: Councillor F Reid

That:

1. That receipt of the South Perth Aquatic Centre Feasibility Study be deferred to the August 2015 Ordinary Council meeting pending further clarifications on questions being raised in relation to the accuracy of the Report with respect to calculation errors, usage estimates and financial queries;
2. Council considers the project during the next Strategic Plan review, due to commence early 2016;
3. Council continues to explore opportunities to seek Federal, State Government and private funding contributions towards an aquatic centre at GBLC in line with the intent of Strategic Plan initiative 6.5.1; and
4. That the City of South Perth continues to develop a business plan that supports the business case for the aquatic facility as a financially sustainable continuation of the GBLC expansion.

Reasons for Amendment

1. To demonstrate the Council reflects the community's overwhelming interest and support for an aquatic centre and by doing so opening the door to potential funding commitments from public and private sources.
2. The reporting officers own conclusion states "The information received from surveys, reports and various written submissions from the community indicate there is "a wanted" demand by the general community.
3. Since 2005, in just ten years there have been 58 Aquatic Centre projects partially funded by the Federal Government to a total of \$168m and since 2012 there have been 21 projects at least partially funded by the Western Australian State Government.
4. These statistics clearly indicate Federal and State governments look upon funding aquatic centres favourably.
5. To not put forward a request for such funding may be surrendering an opportunity to deliver a valuable new facility to our community at minimal direct cost to our residents.
6. COSP should seek such funding.

CARRIED (9/0)**COUNCIL DECISION**

Moved: Councillor M Huston
Seconded: Councillor G Cridland

That:

1. That receipt of the South Perth Aquatic Centre Feasibility Study be deferred to the August 2015 Ordinary Council meeting pending further clarifications on questions being raised in relation to the accuracy of the Report with respect to calculation errors, usage estimates and financial queries;
2. Council considers the project during the next Strategic Plan review, due to commence early 2016;
3. Council continues to explore opportunities to seek Federal, State Government and private funding contributions towards an aquatic centre at GBLC in line with the intent of Strategic Plan initiative 6.5.1; and
4. That the City of South Perth continues to develop a business plan that supports the business case for the aquatic facility as a financially sustainable continuation of the GBLC expansion.

CARRIED (9/0)**Background**

At the July 2011 meeting following consideration of a notice of motion, Council resolved the following:

"That

- (a) a community survey be carried out to establish whether ratepayers want an Aquatic Centre to be established within the City of South Perth. The cost of the community survey be capped at \$10,000; and*
- (b) the outcome of the survey be the subject of a report to the earliest available Council meeting."*

The resultant Family and Children's Services Study (2011) indicated there was some data to support the provision of aquatic facilities in the City.

In November 2012, the City engaged Jill Powell & Associates to develop a feasibility study for the redevelopment of the "dry" facilities (sports courts, gym and fitness centre) of George Burnett Leisure Centre (GBLC), in preparation for a funding application to the Department of Sport and Recreation (DSR). The report stated

10.1.1 South Perth Aquatic Centre - Feasibility Study

there were members of the community in the City who wished to see the development of a swimming pool at GBLC.

The consultant advised at the time that it would be essential that a detailed feasibility study was undertaken to assess the potential capital and operational costs and that this would assist in determining the priority of such a facility over the development of other community facilities and services.

In 2013 the City was advised by Steve Irons MP that the federal government had made available a grant of \$45,000 to complete the aquatic centre feasibility study.

In response, at the February 2014 meeting, Council resolved:

*That the Council determines that under the circumstances, the City should **accept** the grant offered by the Assistant Minister:*

(a) the Hon Jamie Briggs, Assistant Minister for Infrastructure and Regional Development and the Member for Swan, Steve Irons be thanked for their advice that the City has been successful in obtaining funding for an aquatic centre feasibility study; and

(b) Council members hold an informal briefing session to determine:

(i) the form and content of the feasibility study; and

(ii) how the study should be conducted.

The \$45,000 grant to complete the Aquatic Centre feasibility study was awarded in May 2014. The City subsequently appointed Jill Powell and Associates to complete the study.

Comment

The South Perth Aquatic Centre Feasibility Study (**Attachment (a)**) involved a comprehensive review of literature, consultation with neighbouring local governments and other stakeholders, an analysis of demographics and social and participation trends as well as a survey of 650 randomly-selected residents across all suburbs in the City:

The Study covers the following:

- Aim and methodology of the study
- Review of existing reports impacting the study
- Information regarding existing facilities within a 5km catchment of the City of South Perth
- Market assessment
- Consultation
- Survey results
- Concept plans and costings
- Key findings

The key findings of the Study were presented to Council at a briefing on 3 June 2015 – the notes of which are contained in this July 2015 Agenda (**Attachment (b)**).

The survey of 650 households, returned 201 surveys (31.5% return rate) and identified the potential frequency of use of a pool, some willingness to pay extra rates to cover the estimated operating deficit and the type of facility expected to be developed if the project went ahead.

In addition to the survey, interviews and meetings were held with representatives from Swimming WA, Water Polo WA, Curtin University, Town of Victoria Park, City of Canning, Department of Sport and Recreation; and Mr Steve Irons MP.

10.1.1 South Perth Aquatic Centre - Feasibility Study

The Study indicates a number of possible options incorporating an indoor 50m lap pool with alternative options to include informal “leisure water”. It is generally acknowledged that the vast majority of aquatic centre visitors do not attend to swim laps, instead to ‘cool down’, have fun, be seen, etc. It is doubtful therefore whether a single ‘lap’ pool would be attractive and if the City was to proceed in this direction, more research should be conducted as to the most appropriate configuration of the pool facility.

In summary, the Study identified the following:

- Six (6) aquatic facilities exist within a 5km catchment area of the City of South Perth including four (4) facilities within the catchment of the preferred proposed site at GBLC;
- The proposed site for a swimming pool at the GBLC falls within the direct catchment of four other local government aquatic facilities; these being Leisurefit Booragoon (City of Melville), Aqualife (Town of Victoria Park), Cannington Leisureplex and Riverton Leisureplex (City of Canning);
- Wesley College pool is an alternative facility but it has limited public access;
- Consultation via the survey, individual meetings, a public meeting and public submissions has resulted in contradictory feedback. While there are a number of people who would like a pool, there are also a number of people who do not see the need for a pool for a variety of reasons. Namely, they are not interested in swimming at all, are happy using other pools or are not prepared to pay for a further facility;
- Costs:
 - Capital cost of \$16.42 million (upgrade of GBLC plus a 50m lap pool);
 - Additional \$6 million capital cost to include leisure water facilities;
 - Projected annual operating deficit of between \$461,000 and \$735,000;
- The DSR has advised it is not likely to offer funding or support for the facility given the number of aquatic facilities located in the region;
- The development and management of the aquatic centre would not be as financially viable as the development of the “dry” facilities and therefore it would be more appropriate to develop the “dry” facilities prior to the aquatic facilities as they will aid the financial viability of the development.

Consultation

As part of the study a random survey of 650 households, returning 201 surveys (31.5% return rate) identified the potential frequency of use of a pool, willingness to pay additional rates and the type of facility expected to be developed if the project went ahead. The survey was equally distributed across the seven suburbs of the City of South Perth.

In addition to the survey, interviews and meetings were conducted with Swimming WA, Water Polo WA, Curtin University, Town of Victoria Park, City of Canning, Department of Sport and Recreation and Mr Steve Irons MP.

Eighty seven residents attended a public meeting that was held on Wednesday 11 March 2015 to present the results of the survey. In addition to the residents, there were three industry representatives; these being Royal Life Saving Association, Water Polo WA and Synchronised Swimming Australia; and a commercial entity (Wavepark Australia). An overview of the project findings was presented to the meeting and advice given about the next stage of the project. All of the residents in attendance at the meeting wanted their desire for a swimming pool conveyed to the Council.

10.1.1 South Perth Aquatic Centre - Feasibility Study

Information regarding the study has been made available on the City's website and social media sites.

As at 18 June 2015, a total of 90 submissions have been received by the City in support of aquatic facilities within the City of South Perth.

Policy and Legislative Implications

The redevelopment of "dry" facilities at the George Burnett Leisure Centre is identified in the City's Strategic Plan, Corporate Plan, and Long Term Financial Plan for 2018/2019 and 2019/2020. There is currently no specifically identified allocation in these plans for an aquatic facility.

Financial Implications

If the City was to proceed with the development of aquatic facilities at GBLC, it is considered prudent the 'dry' facilities are redeveloped first to improve the financial viability of the facility.

Operating Costs

GBLC currently has an annual operating deficit of approximately \$274,000. On completion of the redevelopment of "dry" facilities, it is anticipated to operate a surplus of approximately \$43,000 by the third year.

The addition of aquatic facilities is estimated to result in an annual operating deficit of between \$461,000 and \$735,000.

Capital costs:

The Feasibility Study recommends the project is staged in four stages as follows:

1. Stage one - \$2.15 million
 - Development of a gymnasium/fitness centre;
 - Development of a new entry statement and external courtyard;
 - Development of a new office.
2. Stage two - \$5.15 million
 - Development of a new sports hall, and
 - An extension to the existing hall to provide for 2 x netball courts, 8 x badminton courts, 2 x basketball courts multi marked, a crèche area, meeting room and new change rooms.

Total cost (dry side) = \$7.30 million

3. Stage three - \$220,000
Additional 24 car parking bays
4. Stage four - \$8.90 million
New indoor pool 9 lanes x 50m

Project total = \$16.42 million

These figures allow for a basic one dimensional pool only. Should additional areas be required such as leisure water space and a program pool (swimming lessons, fitness classes), an additional \$6.00 million would be required.

All-inclusive cost = 22.42 million.

10.1.1 South Perth Aquatic Centre - Feasibility Study

The City's Long Term Financial Plan has allocated \$3.75M in 2018-2019 and \$3.75M in 2019/2020 for the redevelopment of the "dry" facilities of GBLC (stages 1-3). There are currently no funds provided in the Long Term Financial Plan for the provision of an aquatic facility.

Similar facilities within the surrounding area have estimated operating deficits of approximately \$1.5M - \$2.5M and this is despite some already being redeveloped (Town of Victoria Park).

Conclusion

The information received from surveys, reports and various written submissions from the community indicate there is a "wanted" demand by the general community.

Based on the information provided in the feasibility study, the "needed" demand and priority for aquatic facilities is not supported given:

- Aquatic facilities have not been identified in the City's strategic plan, corporate plan and forward financial plan;
- There are no identified gaps for provision of aquatic facilities in the regional area;
- The state government Aquatic Strategic Facilities Plan 2012 does not identify a need or priority for aquatic facilities within the City of South Perth or immediate areas;
- The DSR has written to the City indicating its unlikely support for funding for any aquatic facility in the City of South Perth;
- There are six (6) existing aquatic facilities currently in nearby areas offering a variety of usage options.

Should Council determine the need to proceed further with planning for an aquatic facility, it is recommended that:

- The City explore opportunities for Federal funding to subsidise the capital cost to construct a potential aquatic facility;
- The City would need to investigate in more detail whether the ratepayers of the City of South Perth want a swimming pool; and
- Council discusses the project as an 'emerging opportunity' during the next Strategic Plan review, due to commence in 2016/2017.

Sustainability Implications

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

Attachments

10.1.1 (a): South Perth Aquatic Centre Feasibility Study - Jill Powell and Associates

10.1.1 (b): Aquatic Sports Centre - Briefing Notes

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Anderson Toh Architect
File Ref:	D-15-48925
Lodgement Date:	22 July 2015
Date:	28 July 2015
Author:	Valerie Gillum, Planning Officer Development Services
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Develop and promote contemporary sustainable buildings, land use and best practice environmental design standards.

Summary

To consider an application for planning approval for four (4), two-storey Grouped Dwellings on Lot 326 (No. 346) Mill Point Road, South Perth. It is proposed to replace the four (4) existing single storey grouped dwellings on the lot with four (4) two-storey grouped dwellings under the provisions of Clause 6.2A 'Special Provisions for Pre-Scheme Developments' of Town Planning Scheme No. 6. Whereby the pre-scheme development exceeds the number of dwellings permitted by the Scheme associated provisions allow them to be replaced with the same number of dwellings.

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

Element on which discretion is sought	Source of discretionary power
Density – replacement of four (4) existing Single Storey Grouped Dwellings with four (4) Two-Storey Grouped Dwellings	TPS clause 6.2A(1)
Building setbacks	R-Codes Design Principles 5.1.3 P3.1

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for Four (4) Two-Storey Grouped Dwellings on Lot 326 (No. 346) Mill Point Road, South Perth **be approved** subject to the following reasons:

(a) Standard Conditions

340B	Boundary wall - neighbour	393	verge & kerbing works
210	screening- permanent	625	sightlines for drivers
455	dividing fences- standards	510	Tree planted on site
456	dividing fences- timing	355	Landscaping, - 1.5 metres wide
352	car bays- marked and visible	445	stormwater infrastructure
353	visitor bays- marked and visible	377	screening- clothes drying

354	car bays- maintained	550	plumbing hidden
515	Lighting – Communal Areas	471	retaining walls- timing
390	crossover- standards	660	expiry of approval
410	crossover- affects infrastructure		

(b) Specific Conditions

- (1) In accordance with Clause 6.4.6 of the R-Codes, external fixtures such as air-conditioning infrastructure shall be installed and not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties.

(c) Standard Advice Notes

700A	building permit required	766	landscaping- general standards
706	applicant to resolve issues	790	minor variations- seek approval
720	strata note- comply with that Act	795B	appeal rights- council decision
716	fences note- comply with that Act		

(d) Specific Advice Notes

- (1) The applicant / owner are advised to consider compiling a dilapidation survey report with regards to the adjoining existing buildings. Additionally, noise, vibrations and dust generated from demolition and construction activities should comply with the relevant building and environmental health legislations. Associated information could be obtained from the City's Building Services and Environmental Health Services.
- (2) The development is located within the Hurlingham Drainage Precinct; an approved 'Stormwater Drainage for Proposed Buildings' application is required prior to construction in accordance with Management Practice M354. The applicant / owner are advised of the need to comply with the City's Engineering Infrastructure Department requirements. Please find enclosed the memorandum dated **23 March 2015** to this effect. In addition to details contained in this memo, the applicant is advised of the need to comply with the following:
- (i) The building permit must contain a condition stating that no building activity or works associated with the development can be undertaken from the street without an approved Traffic Management Plan. The requirements for traffic management are detailed in the MRWA Code of Practice "Traffic Management for Works in the Street".
 - (ii) The building permit must include reference that "A licence to Store Materials on the Verge" will not be issued for this development due to the narrow verge and the likelihood of obstructing the road or footpath.

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

CARRIED EN BLOC (9/0)

Background

The development site details are as follows:

Zoning	Residential
Density coding	R15/R40
Lot area	763 sq. metres
Building height limit	7.0 metres
Development potential	<ul style="list-style-type: none"> • Single House at R15 Density • Three (3) Grouped Dwellings at R40 Density • Four (4) Grouped Dwellings (in accordance with cl. 6.2A of TPS6)
Plot ratio limit	Not Applicable

This report includes the following attachments:

- Attachment (a)** Plans of the proposal
- Attachment (b)** Site photographs
- Attachment (c)** Engineering Infrastructure Memo
- Confidential Attachment (d)** Submission

The location of the development site is shown below:



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

3. The exercise of a discretionary power

This power of delegation does not extend to approving applications for planning approval involving the exercise of a discretionary power in the following category:

- (b) Applications involving the exercise of discretion under Clauses 6.2A of the Scheme.

10.3.1 Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road

The applicant is seeking approval to replace four existing single-storey grouped dwellings with four (4) two-storey grouped dwellings under Clause 6.2A of the Scheme.

Comment

(a) Existing Development on the Subject Site

The existing development on the subject site currently features four (4) single storey Grouped Dwellings, as depicted in the site photographs at **Attachment (b)**.

(b) Description of the Surrounding Locality

The site has a frontage to Mill Point Road to the south, located adjacent to a 8 x Multiple Dwellings in a Two-Storey Building, a two storey Mixed Development is located to the north-east, three (3) Two-Storey Grouped Dwellings are located to the south-west, a Single House is located at the rear which is north-west, and is opposite a Single House to the south-east, as seen in **Figure I** below:



(c) Description of the Proposal

The proposal involves demolition of the existing four (4) x single storey grouped dwellings (with the exception of the floor slab) and replacement with four (4) x two-storey grouped dwellings (with additional site cover) on Lot 326 (No. 346) Mill Point Road, South Perth (the site), as depicted in the submitted plans at **Attachment (a)**. Furthermore, the site photographs show the relationship of the site with the surrounding built environment as illustrated in **Attachment (b)**.

(d) Scheme and R-Codes Provisions

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:

10.3.1 Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road

- Land use – “Grouped Dwelling” is a “P” (Permitted) land use on the subject site zoned “Residential” with a density coding of R15/R40 (Table I of TPS6);
- Building height limit (TPS6 Clause 6.1A);
- Street setback (R-Codes Clause 5.1.2);
- Wall setback ground storey (R-Codes Clause 5.1.3)
- Boundary walls (Council Policy P350.2 “Residential Boundary Walls”)
- Open Space (R-Codes Clause 5.1.4);
- Street surveillance (R-Codes Clause 5.2.3);
- Outdoor living area (R-Codes Clause 5.3.1);
- Landscaping (R-Codes Clause 5.3.2);
- Parking and vehicle access (R-Codes Clause 5.3.3, 5.3.4 and 5.3.5, TPS6 Clause 6.3(8) and Schedule 5, and Council Policy P350.3 “Car Parking Access, Siting and Design”);
- Pedestrian Access (R-Codes Clause 5.3.6);
- Minimum and maximum floor levels, site works and retaining walls (TPS6 Clause 6.9 and 6.10, R-Codes Clause 6.3.6 and 6.3.7, and Council Policy P350.7 “Fencing and Retaining Walls”);
- Stormwater management (R-Codes Clause 5.3.9);
- Solar access for adjoining sites (R-Codes Clause 5.4.2);
- Utilities and facilities (R-Codes Clause 5.4.5);
- Street Walls and Fences (Council Policy P350.7 “Fencing and Retaining Walls”); and
- Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6 (Council Policy P350.13).

The following planning matters, which require further discussion, are listed below:

- Amenity Considerations (as identified in Clause 6.2A(4) of TPS6);
- Wall setbacks – First floor (side boundaries) (R-Codes Clause 5.1.3); and
- Visual privacy (R-Codes Clause 5.4.1).

(e) **Land Use**

The proposed land use of Grouped Dwellings is classified as a ‘P’ (Permitted) land use in Table I (Zoning - Land Use) of TPS6. In considering this permitted use, it is observed that the Site adjoins residential land uses, in a location with a residential streetscape. Accordingly, the use is regarded as complying with the Table I of the Scheme.

(f) **Residential Dual-Density Coding**

Residential dual-density coding of the subject site is R15/R40 however the development is assessed under Clause 6.2A “Special Provisions for Pre-Scheme Developments”. It is considered that as the pre-scheme development is developed to a R40 density, Council Officers consider that the R40 provisions for setbacks, open space and outdoor living areas are appropriate for the proposed development.

(g) **Amenity Considerations (pre-Scheme Development)**

The proposal involves demolition of the existing four (4) x single storey grouped dwellings (with the exception of the floor slab) and replacement with four (4) x two-storey grouped dwellings (with additional site cover) in accordance with the provisions of Clause 6.2A ‘Total replacement of pre-Scheme developments’. Sub-clause (1) states that (emphasis added with bold and underline where provisions apply to the development):

- (a) on a site containing a pre-scheme development, the Council may approve redevelopment of that site as follows:
- (i) where the pre-Scheme development exceeds the Building Height Limit prescribed by the Scheme;
 - (ii) **where the pre-Scheme development exceeds the number of dwellings permitted by the Scheme** or by Table 3 of the Codes: **with the same number of dwellings as the pre-Scheme development**; or
 - (iii) where the pre-Scheme development exceeds:
 - (A) the prescribed Building Height Limit; or
 - (B) the maximum permissible number of dwellings; or
 - (C) the maximum plot ratio prescribed in Table 3 or 4 or Schedule 2 of the Scheme or in Table 4 of the Codes; or
 - (D) any combination of (A), (B) and (C):

to the same plot ratio as the pre-Scheme development, or a greater plot ratio;
- (b) On a site containing a pre-Scheme development, the Council may permit a replacement development to be used for:
- (i) the same use as the pre-Scheme development; or
 - (ii) any use which is permissible under the Scheme.
- (c) An application for planning approval submitted under clause 6.2A(1) shall meet all of the following requirements:
- (i) **The pre-Scheme development is to remain on the site at the time of determination of an application for planning approval made under this sub-clause.**
 - (ii) **The pre-Scheme development is to be demolished as part of the proposed redevelopment.**
 - (iii) In comparison with the design of the pre-Scheme development, the plot ratio area of the portion of the replacement building located above the Building Height Limit is to be:
 - (A) no more than 10 square metres greater; and
 - (B) located in the same position unless otherwise approved by the Council.
 - (iv) **No external wall of the replacement building is to extend higher than the highest point of the corresponding external wall of the pre-Scheme development.**

In relation to Clause 1(c)(iv), the intent of this clause was to apply to pre-scheme developments where they were already over height relative to Town Planning Scheme No. 6. The proposed development has been assessed by Council Officers as being compliant with the current Scheme provisions in relation to height, therefore this provision is deemed compliant or not applicable particularly as the criteria that makes this development a pre-scheme development under the definition of TPS6 is that the existing building exceeds the maximum number of dwellings permitted by the Scheme and Table 1 of the Codes. The definition of pre-scheme development states that:

'pre-Scheme development' : means an existing development comprising one or more buildings which was approved and lawfully constructed before the date of gazettal of this Scheme, and which exceeds:

- (a) the building height limit prescribed by this Scheme; or

- (b) **the maximum number of dwellings permitted by the Scheme and Table 1 of the Codes;** or
- (c) the maximum plot ratio prescribed in Tables 3 and 4 and Schedule 2 of the Scheme or Table 4 of the Codes; or
- (d) any combination of (a), (b) and (c).

Sub-clause (2) applies to Additions and Alterations to pre-Scheme developments, and therefore is not applicable to the current proposal. Sub-clause (3) applies when the pre-Scheme development building height exceeds the current Scheme heights, and therefore is not applicable to the current proposal.

Amenity Considerations

Sub-clause (4) states (emphasis added with bold and underline where provisions apply to the development):

- (a) *The power conferred by sub-clauses (1) and (2) may only be exercised if:*
 - (i) *the proposed development has been advertised in accordance with the provisions of clause 7.3; and*
- (b) *In the Council's opinion, the proposed development:*
 - (i) *will enhance the streetscape and improve the amenity of the locality; and*
 - (ii) *in the case of additions and alterations to pre-Scheme developments, will contribute positively to the visual enhancement of the building; and*
 - (iii) **will not significantly:**
 - (A) overshadow an adjoining property;**
 - (B) adversely affect visual privacy; or**
 - (C) impede significant views;**

To a greater extent than was caused by the pre-Scheme development.

In accordance with sub-clause (4), the proposed replacement of the four (4) single-storey grouped dwellings with four (4) two-storey grouped dwellings is observed to contribute more positively to the scale and character of the streetscape, the preservation or improvement of the amenity of the area in the following terms:

- (i) Replacement of the existing 1950s grouped dwelling building with the proposed building is observed to contribute positively to the visual amenity of the streetscape character as there are similarly designed buildings with similar setbacks within the focus area.
- (ii) The proposed building orientation (including the open carport structure at the front of the site) is seen to be compatible to a number of grouped dwellings and multiple dwellings in the street, in particular the adjacent building at No. 348 Mill Point Road of which the main building is setback a further 3 metres from the setback of the building on the subject site and includes carports forward of the building.

A grouped dwelling replacement at No. 338 Mill Point Road was designed by the same Architect as the subject development which gained approval in 2013. The original development at No. 338 Mill Point Road included a single-storey with the approved development adding a second storey and carports towards the front of the site.

- (iii) Even though the proposed development is situated further away from the street when compared to the existing development and with parking bays at the front, the proposed setback is observed to be compliant with the provisions of Clause 5.1.2 of the R-Codes and is observed to have regard to the setbacks of the existing buildings on the same side of the subject site.
- (iv) The grouped dwellings also provide better amenity for the future residents of these dwellings who will have access to sufficient floor area for family living and associated activities. These dwellings also have direct access to their private outdoor living areas.
- (v) Where the current development has a total of five (5) informal car parking spaces on site for the residents as well as for the visitors, the proposed development will have a total of six (6) car parking bays (five (5) for the residents of the dwellings and one (1) for visitors). The proposal will result in increasing the on-site parking capacity above what is required by the R-Codes.
- (vi) In considering Clause 4(b)(ii), the proposed development will not significantly affect overshadowing, visual privacy or impede significant views to a greater extent which is explained as follows:
 - the shadow will fall over the subject site and the driveway of the site to the left (south-west) and will overshadow only 12.25% of that site of which the R-Codes allows 35% overshadowing;
 - visual privacy has been assessed and considered by Council Officers to meet the requirements of the R-Codes as the upper level bedrooms have been provided with appropriate screening devices to prevent overlooking to neighbouring buildings; and
 - As the subject site and properties to either side are relatively flat and those neighbouring properties include buildings that are two-storey, Council Officers consider that views will not be affected as a result of this development.

(h) Wall Setback - 1st floor to Side Boundaries

Deemed-to-Comply requirement C2.1 of Section 5.1.2 of the R-Codes requires that for an R40 site, the development complies with minimum lot boundary setback requirements as set out in Table 2a and 2b of the R-Codes. The non-compliance is explained via a Design Principles assessment and is explained below:

North-eastern Boundary

The proposed wall setbacks generally comply, however the north-eastern wall to Units 2 and 3 are set back 3.2 metres from the boundary in lieu of 3.3 metres based on the bulk calculation of that side of the building. Therefore, the proposed development does not comply with Tables 2a/2b of the R-Codes. On design principles assessment City Officers consider that the minor variation of 100mm is acceptable as the courtyards to units at No. 348 Mill Point Road will access the northern sun during winter and will not be overshadowed. Furthermore screening to the upper level windows will prevent overlooking to that property. It is considered that the walls, being

offset at 2.0 and 3.2 metres, breaks up the building bulk therefore reducing the impact on the adjoining property.

South-western Boundary

The proposed wall setbacks generally comply, however the south-western wall to Units 4 is set back 3.2 metres from the boundary in lieu of 3.3 metres based on the bulk calculation of that side of the building. Therefore, the proposed development does not comply with Tables 2a/2b of the R-Codes. On design principles assessment, as with the north-eastern boundary, City Officers consider that the minor variation of 100mm is acceptable as the rear dwelling at No. 344 Mill Point Road that is opposite has no major openings to their closest walls which are 1.2 and 1.9 metres from the boundary on the upper level.

Unit 1 on the subject site is also setback 3.2 metres from the side boundary but is compliant with the Deemed-to-Comply requirements due to the 'communal street' of the adjoining property units being located adjacent the boundary. Screening to the upper level windows will prevent overlooking to that property. It is considered that the walls, being offset at 2.0 and 3.2 metres, breaks up the building bulk therefore reducing the impact on the adjoining property.

(i) **Visual Privacy Setback - ground floor, north**

The required minimum visual privacy setbacks for the Living Room and Study of Unit 4 at ground level to the north is 6.0 metres and 4.5 metres respectively as these habitable rooms have a finished floor level greater than 0.5 metres above ground level, and the proposed setbacks are 3.2 metres and 3.8 metres respectively. The applicant has proposed screening to the dividing fence by adding an additional 350mm of horizontal slat screening to the top of the fence for the full length of the boundary. The neighbours of the affected property have provided their consent to the additional screening; therefore the development is able to achieve compliance of the Visual Privacy requirements of the R-Codes. A condition of approval will ensure the screening devices are installed in accordance with the approved drawings.

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

In considering the application, the 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 the Council, relevant to the proposed development. Of the 12 listed matters, the following are particularly relevant to the current application and require careful consideration (considered not to comply in bold):

- (a) *Maintain the City's predominantly residential character and amenity;*
- (c) *Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;*
- (d) *Establish a community identity and 'sense of community' both at a City and precinct level and to encourage more community consultation in the decision-making process;*
- (e) *Ensure community aspirations and concerns are addressed through Scheme controls; and*

- (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 all of these matters, subject to the recommended conditions.

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

In considering the application, the 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 the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration (considered not to comply in bold):

- (a) *the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;*
- (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;*
- (f) *any planning Council Policy, strategy or plan adopted by the 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;*
- (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;*
- (s) *whether the proposed access and egress to and from the Site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the Site;*
- (t) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) *whether adequate provision has been made for access by disabled persons;*
- (v) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (w) *any relevant submissions received on the application, including those received from any authority or committee consulted under clause 7.4; and*
- (x) *any other planning considerations which the Council considers relevant.*

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

Consultation

(a) Design Advisory Consultants' Comments

The design of the proposal was considered by the City's Design Advisory Consultants (DAC) at their meeting held in May 2015. The proposal was favourably received by the Consultants. Their comments and responses from the Applicant and the City are summarised below.

DAC Comments	Applicant's Responses	Officer's Comments
The Design Advisory Consultants observed that the solid 1.8 metre high solid courtyard walls on the western side of the building causes a poor entry design to the dwellings. The Advisory Consultants recommended that these courtyard walls should be made visually permeable, to improve passive surveillance and pedestrian amenity on the common footpath, noting that private courtyards are provided on the eastern side of the building for each dwelling.	Plans amended to include aluminium slats to left hand side courtyard fencing.	Provision of the slats now allows surveillance from the units for the pedestrian approach. NOTED
The Advisory Consultants were favourable towards the curved roof design.	No Comment	NOTED
The applicant should reconsider the necessity and design of the window screening devices, particularly on the street elevation.	No comments.	The drawings have been modified to address this matter. NOTED
The air conditioning units should not be located on the roof and should be provided at ground level concealed from public space.	A/C units shown on amended plans being located in the courtyards of the units.	NOTED
The Advisory Consultants recommended that the applicant should consider total replacement of the existing building, rather than the proposed substantial alterations and additions, as a new building would enable better building design opportunities.	Client decided to retain the existing building.	While some of the floor slab has been retained, everything else is of new construction. NOTED

(b) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the standard consultation method, individual property owners, occupiers and/or strata bodies at Nos 344 and 348 Mill Point Road and Nos 11, 13 and 15 Delamere Avenue 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 46 consultation notices and five (5) information notices were sent and one (1) submission was received, against the proposal. The comment(s) of the submitter, together with officer responses are summarised below.

Submitters' Comments	Officer's Responses
Loss of privacy to particularly, ground floor unit holders unless adequate screening is enforced to new upstairs rooms overlooking No. 348 Mill Point Road.	Details of screening have been provided and are considered appropriate to prevent overlooking as required by Clause 5.4.1 of the R-Codes. A condition of approval will ensure that they are installed as presented on the approved plans. NOTED
The loss of some sunlight from new structure to Unit 4, affects Unit 3 and 4 of No. 348 Mill Point Road and to some degree Units 7 and 8.	The proposed development will not overshadow No. 348 Mill Point Road as this property is located on the north-east side of the subject site. NOT UPHELD.
The reflective properties of aluminium slats facing our property.	The applicant has nominated that the aluminium slats will be dark grey and non-reflective although this is not a planning consideration. NOTED
Colour and texture of building walls in particular, the Store walls immediately on the boundary of No. 346/348 which will be above fence height. The colour and textures should be in keeping with the affected buildings, i.e. No. 348 Mill Point Road.	Condition of approval can include the requirement to match the colours of the building on the neighbouring property. NOTED
Noise and dust from construction activities.	Construction Noise will be administered under a Condition of the Building Permit limiting the hours of construction. NOTED

Damage to structures of No. 348 Mill Point Road and its boundary fences.	An Important Note will be included advising the applicant to undertake a dilapidation survey report of adjoining buildings. This will ensure that any damage will be at the cost of the developer.
	NOTED

A copy of the neighbours' submissions has been provided in **Confidential Attachment (d)**.

(c) Manager, Engineering Infrastructure

The Manager, Engineering Infrastructure was invited to comment on a range of issues relating to car parking and traffic, arising from the proposal. His comments are as follows:

- (i) Layout and design of on-site parking and access OK;
- (ii) *Conditions required for detention and disposal of stormwater;*
- (iii) *No change to verge or footpath level; and*
- (iv) *The plans detail a bitumen surfaced crossing that is not in accordance with the Crossing Policy and Management Practice and therefore unacceptable to Engineering Infrastructure. New crossover to City requirements (M353).*
- (v) *The City will require as part of the restoration works to remove the existing crossing, that a nominal 1000mm radius turnout be constructed to the east side of the crossing at No. 344 Mill Point Road which must be referenced in a condition of approval.*
- (vi) *No building activity or works associated with the development can be undertaken from the street without an approved Traffic Management Plan.*
- (vii) *The City will not be able to issue a 'Licence to Store Materials' on the verge due to the narrow verge and the likelihood of obstructing road or footpath which must be reference in a condition of approval.*

Accordingly, planning conditions and important notes are recommended to deal with matters raised by the Manager, Engineering Infrastructure and are shown in **Attachment (c)**.

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 no financial implications.

Strategic Implications

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

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

Sustainability Implications

Noting the favourable orientation of the lot, the officers observe that the proposed outdoor living areas have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

10.3.1 Proposed Four (4) x Two-Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road

Conclusion

It is considered that the proposal does not meet all of the relevant Scheme, R-Codes and / or Council policy objectives and provisions. However, provided that all conditions are applied as recommended, it is considered that the application should be conditionally approved.

Attachments

- 10.3.1 (a):** Final Development Plans - Proposed Four Two Storey Grouped Dwellings - Lot 326 (No. 346) Mill Point Road - 11.2015.120.1
- 10.3.1 (b):** Site Photos - No. 346 Mill Point Road
- 10.3.1 (c):** Combined Engineering Comments for Council Report - Lot 326 (No. 346) Mill Point Road
- 10.3.1 (d):** Submission (*Confidential*)

10.3.2 Proposed Third Storey Additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point

Location: Salter Point
 Ward: Como Ward
 Applicant: Nexus Home Improvements
 File Ref: D-15-48962
 Lodgement Date: 22/07/2015
 Date: 28 July 2015
 Author: Siven Naidu, Senior Planning Officer
 Reporting Officer: Vicki Lummer, Director Development and Community Services
 Strategic Direction: Housing and Land Uses -- Accommodate the needs of a diverse and growing population
 Council Strategy: 3.3 Develop and promote contemporary sustainable buildings, land use and best practice environmental design standards.

Summary

To consider an application for planning approval for a third storey addition to a two storey Single House on Lot 216 (No. 78) River Way, Salter Point. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Development of Properties Abutting River Way	Council Policy P306 clause 1(b) & (c)

Officer Recommendation

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a third storey addition to a two storey single house on Lot 216 (No. 78) River Way, Salter Point **be approved** subject to the following conditions and advice notes:

(a) Standard Conditions / Reasons

210 screening- permanent 660 expiry of approval
 425 external materials

(b) Standard Advice Notes

700A building licence required 790 minor variations- seek approval
 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.

MOTION TO DEFER ITEM AND COUNCIL DECISION

Moved: Councillor C Cala
Seconded: Councillor M Huston

That council defers the Item to the August 2015 Ordinary Council meeting due to new issues raised and the City's ability to address those issues appropriately.

CARRIED (9/0)

Background

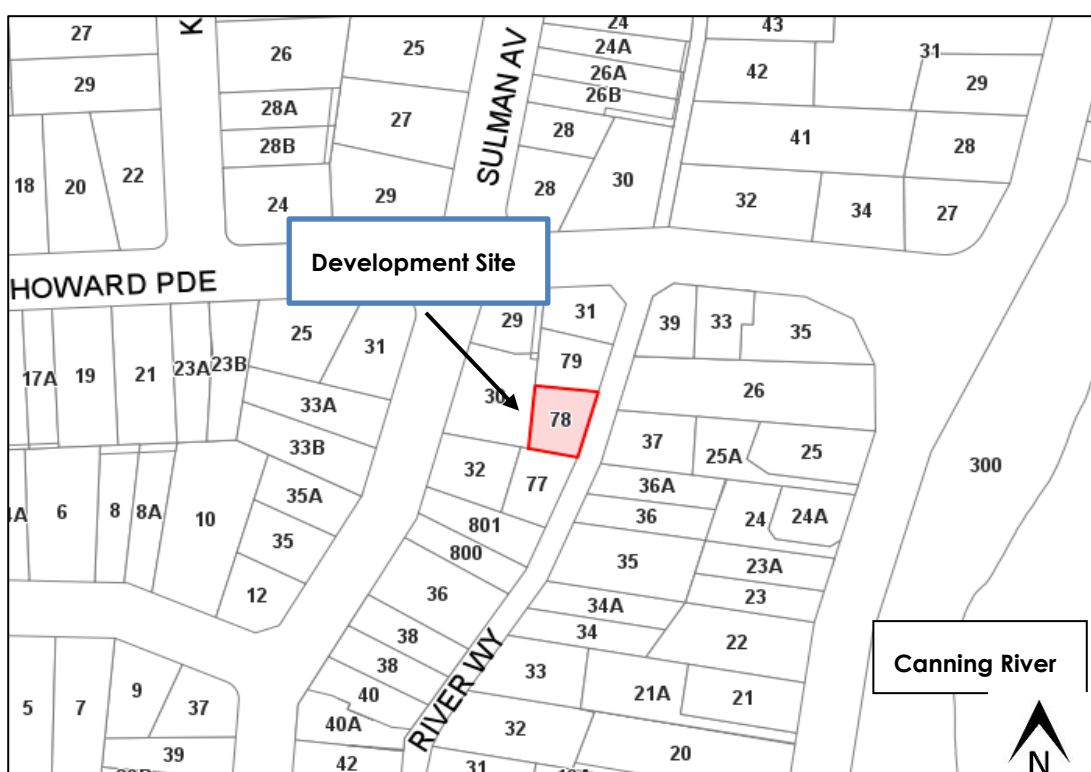
The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	455m ²
Building height limit	7.0 metres

This report includes the following attachments:

- Confidential Attachment 10.3.3(a)** Plans of the proposal.
Attachment 10.3.3(b) Site photographs, including street montage.
Attachment 10.3.3(c) Applicant's supporting report.

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:

- 3. The exercise of a discretionary power**
 (b) Applications on lots with a building height limit of 7.0 metres, having a boundary to River Way, and where the proposed building height exceeds 3.0 metres.

Comment

(a) Background

In June of 2014, the City received a similar application for a third storey addition; however the development application was refused by officers under delegated authority as the proposal exceeded the building height limit.

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point

In accordance with the Town Planning Scheme No. 6 (TPS6) clause 7.8(2)(a) “Discretion to Permit Variations from Scheme Provisions”, Council has no discretionary power to vary the building height limit.

The applicant has since considered their design and in March 2015 re-submitted an application for a third storey addition to a two storey single house on Lot 216 (No. 78) River Way, Salter Point (the Site).

(b) Description of the surrounding locality

The site has a frontage to River Way to the east and is located adjacent to residential development, as seen in **Figure I** below:



(c) Description of the Proposal

The proposal involves the addition of a third storey to the two storey single house on the site, as depicted in the submitted plans at **Confidential Attachment 10.3.3(a)**. Furthermore the site photographs, referred to as **Attachment 10.3.3(b)**, show the relationship of the site with the surrounding built environment.

The following aspects of the proposal are compliant with the *City of South Perth Town Planning Scheme No. 6* (Scheme; TPS6), *Residential Design Codes of WA 2010* (R-Codes) and Council policy requirements:

- Building setbacks to the sides and rear boundaries (R-Codes Tables 2a and 2b);
- Visual privacy (R-Codes 5.4.1).
- Solar access to adjoining sites - South (R-Codes 5.4.2).

The following aspects of the proposal considered to comply with the applicable discretionary clauses, however require further discussion in this report:

- Development of Properties Abutting River Way (Council Policy P306 – Clause 1 “Street Setbacks – Buildings other than carports and garages”);
- Significant views (Council Policy P350.09)

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point

The following aspects of the proposal considered to comply, however have been discussed further:

- Building height (TPS6 Clause 6.1A); and

(d) Street Setback (Policy 306 Clause 1(b) and (C) - 3rd storey, west

Third Storey street setback

Clause 1(b) and 1(c) of City Policy P306 state the following:

1(b) - “Where a development site is adjoined on both sides by lots containing dwellings setback less than 6.0 metres from the River Way boundary, the minimum setback of each storey of a dwelling on the development site shall be not less than the average of the setbacks of the corresponding storeys of the dwellings on the adjoining lots.”; and

1(c) – “In the case of dwellings having three storeys above the adjacent River Way street level, the uppermost storey shall be set back a minimum of 9.0 metres from the River Way boundary.”

Clause 1(c) prescribes a 9m setback of the uppermost storey to the River Way boundary. The proposed setback to the balcony is 5.1m and to the enclosed areas is 7.4m. These do not comply with the prescribed setback.

Accordingly, this street setback variation was assessed against the provisions of Clause 1(b) that takes into account the other existing setbacks of adjoining properties and the existing streetscape. As described below in detail, the proposed street setbacks of the balcony and enclosed parts of the building are greater than those of the existing buildings.

As a response to the above policy provisions, the applicant has submitted comments in support of their application, referred to as **Attachment 10.3.3(c)**.

In considering Clause 1(b), the following table presents the existing setbacks of the adjoining dwellings (Nos. 77 & 79 River Way) on either sides of the site, as well as the proposed setbacks of the subject development in order to demonstrate how these were observed to meet the requirements of this clause. An aerial photo has also been included to provide additional clarity.

Storeys	77 River Way	79 River Way	Average setback	The Site-78 River Way
Ground F	4.7m - Existing	4.5m - Existing	4.6m	6.1m - Existing
Second F - Balcony	3.6m - Existing	3.2m - Existing	3.4m	5.1m - Existing
Second F - Enclosed areas	4.9m - Existing	3.8m - Existing	4.4m	6.2m - Existing
Third F - Balcony	N/A	3.2m - Existing	3.2m	5.1m - Proposed
Third F - Enclosed areas	N/A	4.3m - Existing	4.3m	7.4m - Proposed
Another 3 storey house in close proximity along the River Way streetscape				
Storeys	34 Sulman Ave			
Third - Balcony	1.5m - Existing			
Third - Enclosed areas	5.1m - Existing			



As observed from the information provided above, setbacks of the proposed third storey demonstrate compatibility with the existing setbacks on the street, and are in fact greater than the setbacks of existing developments. The proposal is seen to be in keeping with the existing streetscape in relation to the bulk and scale of existing buildings along River Way and is therefore recommended for approval by City officers.

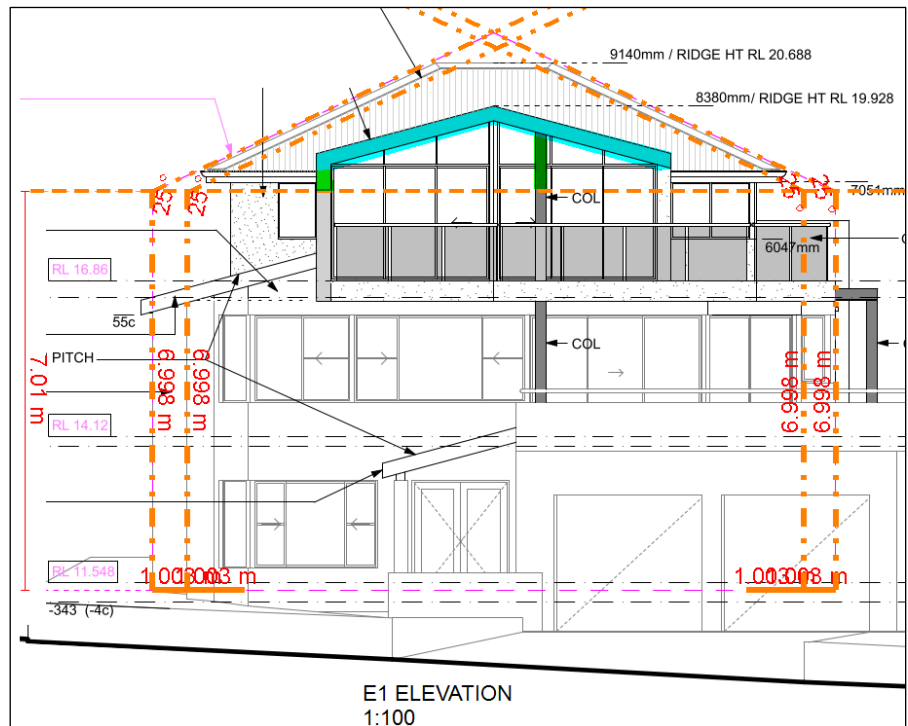
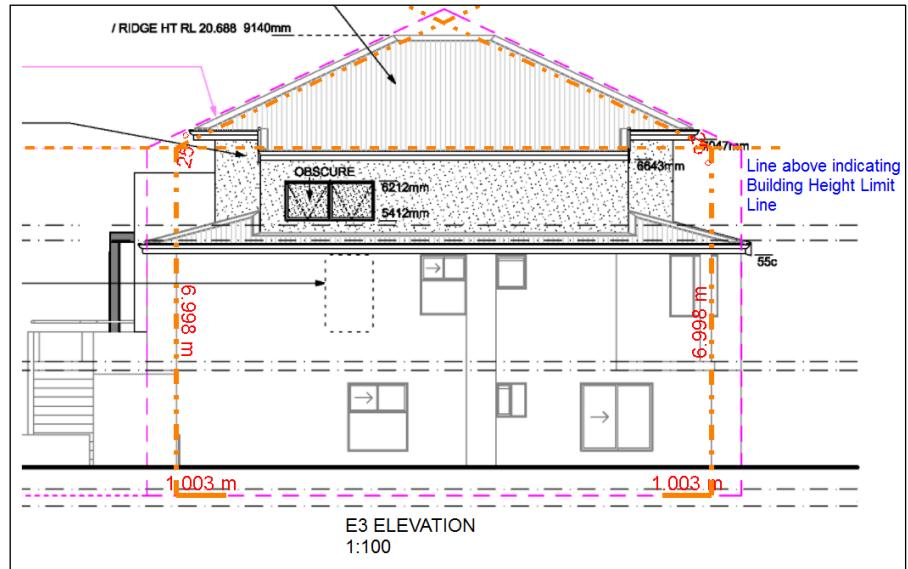
(e) Building Height

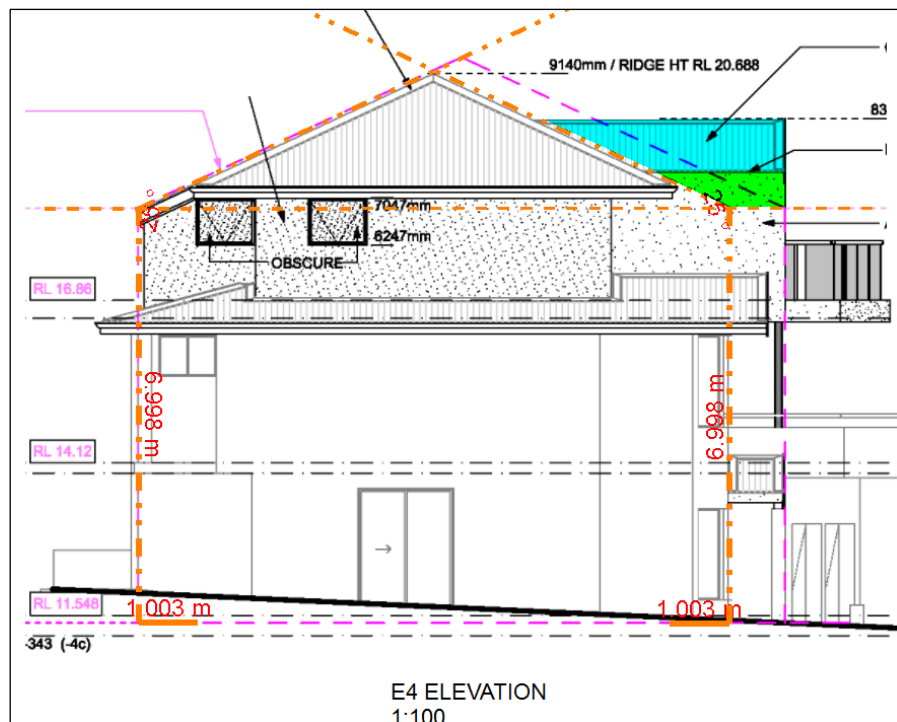
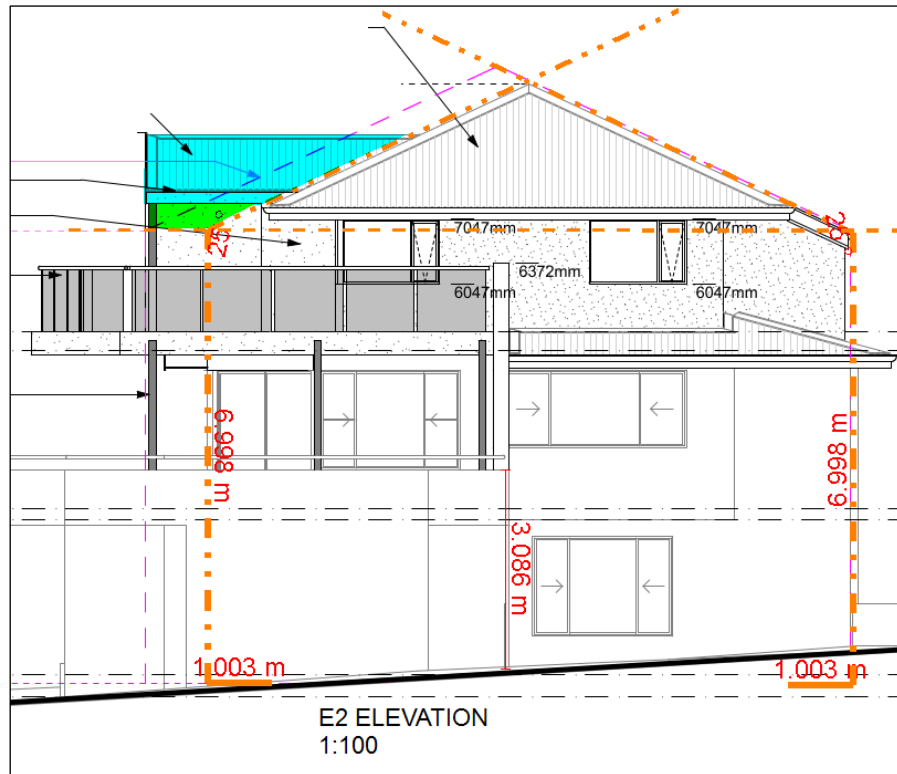
The provisions of the TPS6 Clause 6.1A “*Building Height Limit and Method of Measuring Height*” clause (4)(a) exclude roof from the measurement of the building height. The portion of roof shown in blue in the drawings is accordingly seen to comply.

Clause (5)(b) indicates that portions of the building may extend beyond the prescribed building height limit provided these portions are contained within the nominal 25 degree roof pitch. The notional roof pitch has been drawing in orange in the drawings below.

Clause (5)(e) permits minor projections outside the building height envelope. The portions shown in green in the drawings are such minor projections, hence observed to comply.

Following an assessment of this upper floor it was found that the building is contained within the 25 degree nominal roof pitch, and complies with the above scheme requirements, as indicated in the drawings below.





The blue high-light portion in the elevation drawings shows the roof that projects outside of the 25 degree notational pitch. In accordance with building height limit provisions of the TPS6, roof height is excluded from the building height measurement, hence is observed to be compliant.

Additionally, the portion of visual privacy screen wall & column, indicated in green in the drawing, are located outside of the 25 degree nominal roof pitch. These are observed as minor projections outside the building height limit. The initially proposed 1.6 metre high privacy screening was replaced with a screen wall, based on a

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point

recommendation by the City’s Design Advisory Consultants (DAC), who considered that this modification will create an improved built outcome.

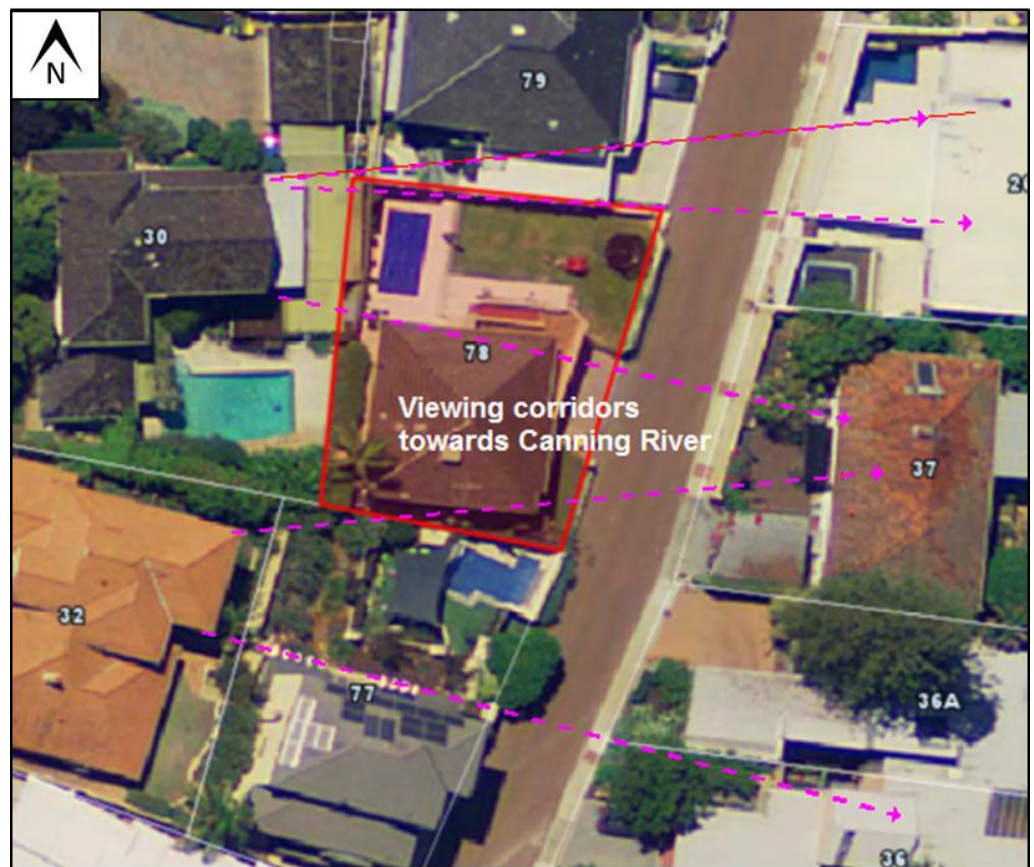
Accordingly, it is observed that the building complies with the height limit.

(e) Significant Views

Council Planning Council Policy P350.9 (Significant Views) at times requires the consideration for the loss of significant view from neighbouring properties.

The neighbouring properties to the rear of the site currently enjoy views of the Canning River (significant view); however upon consultation regarding their views, no written objections on the loss of their views were submitted to the City.

Officers have provided photos and illustrations on the images below, which show views from rear lots along Sulman Avenue:



Intramaps Image showing the viewing corridors from the adjoining rear lots (30 & 32 Sulman Aveune) towards the Canning River

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point



Sightlines from the rear upper level at 32 Sulman Avenue



The view from the rear verandah at 32 Sulman Avenue

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point



The view from the rear ground floor terrace at 32 Sulman Avenue



The view from the rear ground floor sun porch at 32 Sulman Avenue

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point



The view from inside the home on the 1st Floor at 32 Sulman Avenue



10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point



The panoramic view from the rear 1st Floor balcony at 32 Sulman Avenue



Sightlines from the rear ground and upper levels at 30 Sulman Avenue

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point



The view from the rear verandah at 30 Sulman Avenue



Views from the upper lever balcony at 30 Sulman Avenue. The yellow outline indicates the offices representation of the projected building additions (should the building permits be granted to develop). The proposed additions are shown on the right hand side building.

The rear lots are located at a higher natural ground level compared to the site, hence are able to maintain views of the Canning River. Significant views also take into account any setback variations which could restrict significant views along these corridors, however the proposal meets the rear and side setbacks requirements.

As demonstrated in the photos above, the views to Canning River (significant views) from the both the adjoining rear lots will not be significantly impacted by the proposed development and are therefore supported by officers.

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

In considering the application, the 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 the 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; and*
- (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 all of these matters, subject to the recommended conditions.

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

In considering the application, the 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 the 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 the 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; and*
- (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.*

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

Consultation**(a) Design Advisory Consultants' comments**

The design of the proposal was considered by the City's Design Advisory Consultants (DAC) at their meeting held in May 2015. The proposal was favourably received by the Consultants. Their comments and responses from the applicant and the City are summarised below:

DAC Comments	Applicant's Response	Officer Comment
Applicant to consider matching the roof pitches: over the balcony and that of the dwelling.	The balcony roof pitch is designed to match the ground and first floor, given the skillion / barge ends to the front elevation of all three levels it is favourable for these pitches to	Varying roof pitches are observed on the building. Applicant's comments are supported.

Resolving the small sections of roofs at the second floor level, visible in the elevations, to make them visually appealing.	be consistent. Please note our design has been considered, the roof design is consistent with the remaining of the dwelling.	
The consultants recommended that the small skillion roof over the entry porch at the ground level be replaced with a horizontal projection, to match with the theme of other horizontal projections in the dwelling.	Please note our design has been considered, the skillion roof to the porch is in theme with the skillion roof end to the first floor and second floor balcony, and all pitches are consistent as mentioned in item.	
Aligning the gutter and fascia of the roof above balcony with those of the dwelling.	The balcony does not have a gutter and fascia so the suggestion for aligning the balcony and dwelling gutter and fascia is not achievable.	Applicant's comments are supported.
Extending the roof cover over the balcony along its side to form a visual privacy screen of the same material.	Revised drawings submitted with the obscure privacy screen removed and façade simplified.	Drawings have been amended to reflect this.

(b) Neighbour consultation

Neighbour consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 "Consultation for Planning Proposals". Under the standard consultation method, individual property owners at Nos. 30 and 32 Sulman Avenue were invited to inspect the plans and to submit comments during a minimum 14-day period. The consultation was in relation to the significant view of Canning River.

During the advertising period, a total of 2 consultation notices and 3 information notices were sent. One submission was received during this time; however the questions asked of the officers were in related to the permitted building height limit (discussed earlier in the report) and the impact on property values.

City officer have provided relevant responses in April 2015 with no further response by the affected owner.

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 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.

10.3.2 Proposed Third Storey additions to Existing Single House on Lot 216 (No. 78) River Way, Salter Point

Sustainability Implications

Noting the orientation of the lot, officers observe that the proposed outdoor living areas have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

Conclusion

It is considered that the proposal meets all of the relevant Scheme, R-Codes and / or Council policy objectives and provisions as it will not have a detrimental impact on adjoining residential neighbours and streetscape, provided the proposed conditions of approval are applied as recommended. Accordingly, it is considered that the application should be conditionally approved.

Attachments

- 10.3.2 (a):** Plans (*Confidential*)
- 10.3.2 (b):** Site Photos
- 10.3.2 (c):** Applicants supporting documents
- 10.3.2 (d):** Confidential email correspondence - Mr Carl Erbrich - 77 River Way (*Confidential*)
- 10.3.2 (e):** Confidential email correspondence - Mrs Helen Evers - 32 Sulman Ave (*Confidential*)

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Perth and Peel @3.5Million - Submission to the Western Australian Planning Commission

Location:	City wide
Ward:	All
Applicant:	City of South Perth
File Ref:	D-15-48890
Date:	28 July 2015
Author:	Mark Scarfone, Senior Strategic Projects Planner
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	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
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

The purpose of this report is for Council to consider and endorse a submission in response to the Draft Perth and Peel@3.5million suite of documents. Of these documents the draft Perth and Peel@3.5million report (the Report) and the draft Central Sub-Regional Planning Framework – Towards Perth and Peel@3.5million (the Framework) are most relevant to the City of South Perth. The Report provides detailed information with regard to the challenges facing Perth in the next 35 years as the population continues to grow towards 3.5 million people. The document indicates that a 'business as usual' approach, will fail the Perth and Peel regions as it will have negative impacts on society, the environment and the economy.

The Framework provides detail as to how the population targets outlined in the Report can be met. It promotes an increase in residential population and employment opportunities in activity centres, public transport corridors and station precincts in order to minimise the impact of growth on existing suburbs. This approach is consistent with the City's efforts in promoting growth in the activity centres of South Perth and Canning Bridge Station precincts and along Canning Highway as a part of the Canning Highway#Shapeourplace project.

City officers are generally supportive of the proposed Central Sub-Regional Planning Framework and draft Perth and Peel@3.5million report, however consider improvements could be made as outlined in the summary below and the attached submission (**Attachment (a)**).

City officers have collaborated with colleagues at the City of Canning and the Town of Victoria Park in order to compile a joint submission relating to the provision of public transport links within the three local governments. This submission is contained in **Attachment (b)**. The joint submission recommends the regional structure plans be updated to show all locations for future public transport services, in accordance with the Draft Public Transport for Perth 2031, July 2011.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That Council endorse the attached submissions to the Western Australian Planning Commission via the Department of Planning.

CARRIED EN BLOC (9/0)

Background

The Report provides detailed background into the formulation of the Perth and Peel@3.5million suite of documents, including the historical planning context, the need for change, potential growth patterns, economy, urban environment and natural environment.

Once formalised the individual frameworks for the Central, South Metropolitan, North East and North West sub regions will become regional structure plans, to be taken into consideration by local governments when preparing a local planning strategy and local planning scheme.

The Western Australian Planning Commission through the Department of Planning is now seeking comments on Draft Perth and Peel@3.5million suite of documents. The WAPC is seeking public comment on the documents by Friday 31 July 2015 with all comments being considered before the draft sub-regional planning frameworks are finalised as sub-regional structure plans. It is requested that submissions:

- identify which sub-region your comments relate to;
- include the section and/or page number;
- clearly state your opinion and the reasons for your opinion;
- if possible, outline alternative solutions to your areas of interest; and
- provide any additional information to support your comments.

In preparing the attached submission, City officers have taken the above request into consideration.

Comment

The full submission is contained in **Attachment (a)**. The main points are summarised below:

- The City is generally supportive of the vision of a more consolidated urban form with increased residential density and employment opportunities situated around activity centres and activity corridors. This approach has many potential benefits including increased dwelling diversity, reduced car dependency and protection of environmental assets with minimal impact on the established suburban form
- The suite of documents has the potential to be improved through the following measures;
 - A wider community engagement program;
 - Commitment through all levels of government to the provision of improved infrastructure – particularly public transport and the depiction of this infrastructure on the Framework maps;
 - Deletion of the Labouchere Road, and Mill Point Road/Angelo Street/Sandgate Street corridor as the City can accommodate the projected population growth in the South Perth and Canning Bridge Activity Centres and the Canning Highway Corridor.
 - Generally improvements to the mapping;
 - Clear implementation program; and

10.6.1 Perth and Peel @3.5Million - Submission to the Western Australian Planning Commission

- Clear method of monitoring and reporting progress at the state and local government level.

Consultation

Elected members were consulted through the Bulletin in May 2015 seeking comments. No comments were received.

Policy and Legislative Implications

As stated on page 13 of the Report, the sub-regional planning frameworks, will be taken into account when preparing and reviewing strategies, policies and plans. They will provide guidance to government agencies, and local government on land use, land development, environmental protection and infrastructure investment and therefore should be taken into account by the City in the preparation of its Planning Strategy and future Town Planning Scheme.

Financial Implications

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

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). Perth and Peel@3.5million aims to achieve a more consolidated urban form, with 47% of new dwellings being in infill locations, increase housing diversity, reduce water use, protect environmental assets and reduce car dependency. Each of these goals aligns with the City's sustainability strategy.

Attachments

10.6.1 (a): Perth and Peel@3.5million - City of South Perth Submission to the WAPC

10.6.1 (b): Joint Submission for Perth and Peel @3.5 Million

10.6.2 Monthly Financial Management Accounts - June 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-48941
Date:	28 July 2015
Author / Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	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
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework comprising a 10-year financial plan, four-year corporate plan, workforce plan and asset management plan.

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: Councillor K Trent

Seconded: Councillor C Irons

That the monthly Statement of Financial Position, Financial Summaries, Schedule of Budget Movements and Schedule of Significant Variances for the month of June 2015 be presented to the first meeting of Council after their completion in order to allow the final year end position to be accurately and completely disclosed.

CARRIED EN BLOC (9/0)

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.

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

Whilst acknowledging the very important need for Council and the community to be provided with a 'final' year-end accounting of the City's operating performance and financial position; the 2014/2015 year end financial accounts for the City are yet to be completed - in either a statutory or management account format. This is because the City is still awaiting supplier's invoices and other year-end accounting adjustments before finalising its annual accounts ready for statutory audit. It is considered imprudent to provide a set of 30 June Management Accounts at this time when it is known that the financial position disclosed therein would not be final - and would be subject to significant change before the accounts are closed off for the year.

It is proposed that a complete set of Statutory Accounts and a set of Management Accounts as at year end would be presented to Council at the first available meeting of Council after their completion - ideally the September or October 2015 meetings if possible. Such action is entirely consistent with Local Government Financial Management Regulation 34(2)(b), responsible financial management practice - and the practice of this City in previous years.

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.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). Financial reports address the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising proactive 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.

Attachments

Nil

10.6.3 Monthly Statement of Funds, Investments and Debtors at 30 June 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-48942
Date:	28 July 2015
Author:	Michael Kent, Director Financial and Information Services Deborah Gray, Manager Financial Services
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	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
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework comprising a 10-year financial plan, four-year corporate plan, workforce plan and asset management plan.

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 & Debtors.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That Council receives the 30 June 2015 Statement of Funds, Investment & Debtors comprising:

- Summary of All Council Funds as per **Attachment 10.6.2(a)**
- Summary of Cash Investments as per **Attachment 10.6.2(b)**
- Statement of Major Debtor Categories as per **Attachment 10.6.2(c)**

CARRIED EN BLOC (9/0)

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.

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 \$73.42M (\$75.72M last month) compare favourably to \$47.29M at the equivalent stage of last year. Reserve funds are \$23.1M higher overall than the level they were at the same time last year - largely as a result of receiving the sale proceeds from the Civic Triangle site when settlement was effected in September 2014. The Reserve fund balances show that the Asset Enhancement Reserve is \$21.2M higher as a result of the receipt of major land sale proceeds.

It is important to recognise that the land sale proceeds currently quarantined in the Asset Enhancement Reserve do not represent 'surplus cash' but rather they are part of carefully constructed funding models for future major discretionary capital projects. These funding models are detailed in the City's Long Term Financial Plan.

There are also \$1.3M higher holdings of cash backed reserves to support CPV refundable monies but \$0.2M less for the CPV Reserve after allowing for the year's operating result and capital reimbursements. The Sustainable Infrastructure Reserve is \$0.4M higher whilst the River Wall Reserve is \$1.3M lower as funds have been deployed to fund major capital works. The Waste Management Reserve is \$0.5M higher. The IT Reserve is \$0.5M higher as funds are quarantined for major technology infrastructure projects in the next year. The Future Building Projects Reserve is \$0.8M higher. Various other reserves are modestly changed.

Municipal funds are some \$5.9M higher due to very good rates collections, a strong opening position, cash receipt for the second instalment of the Ray St land sale proceeds and less than anticipated cash draw down for capital works to date. Some \$4.0M of these funds relate to carry forward works.

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 \$16.1M (compared to \$19.0M last month). It was \$10.4M at the equivalent time in the 2013/2014 year. Details are presented as **Attachment 10.6.2(a)**.

(b) Investments

Total investment in money market instruments at month end was \$69.6M compared to \$43.8M at the same time last year. There is a \$3.0M higher level of cash in Municipal investments. Cash backed reserves are \$23.0M higher as discussed above.

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.

The portfolio currently comprises at-call cash and term deposits only. Although bank accepted bills are permitted, they are not currently used given the volatility of the corporate environment. Analysis of the composition of the investment portfolio shows that all of the funds are invested in securities having a S&P rating of A1 (short term) or better. There are currently no investments in BBB+ rated securities.

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

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

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are required to be within the 25% maximum limit prescribed in Policy P603. At month end 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(b)**.

Holdings in Westpac Bank have recently been significantly reduced in response to several failures by the institution to accurately and correctly action the City's investment instructions in a timely manner. Whilst it is understood that this was due to 'system errors' in Westpac's banking environment, the City has opted to move its investment funds to more reliable financial institutions until the Westpac system issues are demonstrated to have been satisfactorily resolved.

Total interest revenues (received and accrued) for the year total \$2.32M. This compares to \$1.67M at the same time last year despite the historically low interest rates. The prevailing interest rates appear likely to continue at current low levels in the short to medium term.

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 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 3.20% with the anticipated weighted average yield on investments yet to mature now sitting at 2.97%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of only 1.75% since the May RBA decision.

(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(c)**. Rates collections to the end of June 2015 represent 99.4% of rates collectible (excluding pension deferrals) compared to 99.6% at the same time last year.

The City has maintained a strong rates collection profile following the issue of the 2014/2015 rates notices. 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 once again on par with last year.

(ii) General Debtors

General debtors (excluding UGP debtors) stand at \$2.40M at month end (\$1.49M last year). GST Receivable is \$1.4M higher than the balance at the same time last year whilst Sundry Debtors is \$0.3M lower. Most other Debtor categories are at fairly similar levels to the previous year. The GST refundable was received in full on 3 July 2015.

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), \$7.40M was collected by month end with approximately 99.8% of those in the affected area having now paid in full. The remaining 12 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

10.6.3 Monthly Statement of Funds, Investments and Debtors at 30 June 2015

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 \$4.57M (or 99.2% of the amount levied) has already been collected with 98.4% of property owners opting to settle in full. A further 17 or 1.6% who were expected to pay the final instalments on 19 December missed the instalment date. Since December a number of these residual debt amounts have been cleared. 16 property owners are on extended payment arrangements and legal proceedings are progressing for 1 property owner who has not made any payments to date.

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.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). This report addresses the 'financial' dimension of sustainability by ensuring that the City exercises prudent but dynamic treasury management to effectively manage and grow our cash resources and convert debt into cash in a timely manner.

Attachments

- 10.6.3 (a):** Summary of All Council Funds
- 10.6.3 (b):** Summary of Cash Investments
- 10.6.3 (c):** Statement of Major Debtor Categories

10.6.4 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-48944
Date:	28 July 2015
Author:	Michael Kent, Director Financial and Information Services Deborah Gray, Manager Financial Services
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	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
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework comprising a 10-year financial plan, four-year corporate plan, workforce plan and asset management plan.

Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 June 2015 and 30 June 2015 is presented to Council for information. During the reporting period, the City made total payments by EFT of \$9,018,041.05 and by cheque payment of \$813,073.37 giving total monthly payments of \$9,831,114.42.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That the Listing of Payments for the month of June 2015 as detailed in **Attachment 10.6.3(a)**, be received.

CARRIED EN BLOC (9/0)

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

10.6.4 Listing of Payments

checked and validated. Council Members have access to the Listing and are given opportunity to ask questions in relation to payments prior to the Council meeting.

Comment

A list of payments made during the reporting period is prepared and presented to the next ordinary meeting of Council and recorded in the minutes of that meeting. It is important to acknowledge that the presentation of this list of payments is for information purposes only as part of the responsible discharge of accountability. Payments made under this delegation cannot be individually debated or withdrawn.

Reflecting contemporary practice, the report records payments classified as:

- **Creditor Payments**

(regular suppliers with whom the City transacts business)

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

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.

In accordance with recent feedback from Council Members, the attachment to this report has been modified to recognise a re-categorisation such that for both creditors and non-creditor payments, EFT and cheque payments are separately identified. This provides the opportunity to recognise the extent of payments being made electronically versus by cheque. The payments made are also now listed according to the quantum of the payment from largest to smallest - allowing Council Members to focus their attention on the larger cash outflows. This initiative is expected to facilitate more effective governance from lesser Council Member effort.

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.

10.6.4 Listing of Payments

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.

Sustainability Implications

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

Attachments

10.6.4 (a): Listing of Payments

10.6.5 Acting Chief Executive Officer

Location:	N/A
Ward:	Not Applicable
Applicant:	N/A
File Ref:	D-15-48945
Date:	28 July 2015
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	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
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report considers the appointment of an Acting Chief Executive Officer until the commencement of a new Chief Executive Officer at the City of South Perth.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That the Council appoint Michael Kent as Acting Chief Executive Officer for the period 1 August 2015 to 30 August 2015, Mark Taylor as Acting Chief Executive Officer for the period 31 August 2015 to 30 September 2015 and Vicki Lummer as Acting Chief Executive Officer for the period 1 October 2015 to 31 October 2015.

CARRIED EN BLOC (9/0)

Background

With the Chief Executive Officer's contract of employment concluding 31 July 2015, the Council resolved in March 2015 to adopt a formal process for the recruitment of a new Chief Executive Officer.

In May 2015 the Council resolved that City Directors be placed on a monthly rotational basis in the position of Acting Chief Executive officer, commencing 1 August 2015.

Comment

The Council is presently in the process of recruiting a new Chief Executive Officer. At this stage, it is anticipated that the recruitment process will be concluded early August 2015.

The selected candidate would then be required to give notice to their employer, ranging from four weeks to twelve weeks. Dependant on individual circumstances, a new Chief Executive Officer could commence with the City from September 2015 through to November 2015.

10.6.5 Acting Chief Executive Officer

In line with the May 2015 Council resolution, it is recommended that Michael Kent as Acting Chief Executive Officer for the period 1 August 2015 to 30 August 2015, Mark Taylor as Acting Chief Executive Officer for the period 31 August 2015 to 30 September 2015 and Vicki Lummer as Acting Chief Executive Officer for the period 1 October 2015 to 31 October 2015.

In the event that the new Chief Executive Officer commences during this period, than the Acting role would be concluded.

Consultation

This matter has been the subject of consultation at a previous CEO Recruitment Committee meeting in May 2015, with Lester Blades also providing advice to the Committee.

Policy and Legislative Implications

The *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* prescribes requirements relating to the appointment and employment of an Acting Chief Executive Officer. An Acting Chief Executive Officer can be appointed for a maximum period of one year without the Council being required to advertise the position state-wide.

5.36. Local government employees

- (1) A local government is to employ —
- (a) a person to be the CEO of the local government; and

18A. Vacancy in position of CEO or senior employee to be advertised (Act s. 5.36(4) and 5.37(3))

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government is to advertise the position in a newspaper circulating generally throughout the State unless it is proposed that the position be filled by —
- (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
- (b) a person who will be acting in the position for a term not exceeding one year.

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Financial Implications

There will be minimal financial implications as the Acting Chief Executive Officer salary is provided for within the CEO Office salary and wages budget.

Sustainability Implications

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

Attachments

Nil

10.6.6 Proposed Incorporation of Forum of Regional Councils (FORC) with WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) Structure

Location:	N/A
Ward:	Not Applicable
Applicant:	N/A
File Ref:	D-15-48946
Date:	28 July 2015
Author / Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	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
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

This report seeks Council's position on the proposed incorporation of Forum of Regional Councils (FORC) from a 'stand-alone' independent group to being incorporated into the WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) structure.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That:

- Council supports the proposed incorporation of Forum of Regional Councils (FORC) with the WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) structure; and
- Council's feedback on the matter be forwarded to the Rivers Regional Council (RRC) to be included in an Item to its Special Council meeting scheduled for Thursday 30 July 2015.

CARRIED EN BLOC (9/0)

Background

At the Rivers Regional Council (RRC) Ordinary Council Meeting held on Thursday 18 June 2015, Council resolved:

"That each Member Council provides feedback to Rivers Regional Council on the proposed incorporation of FORC with MWAC."

Feedback was sought of City of South Perth Members on the proposed incorporation of FORC with MWAC so that comments can be included in an Item to a Special RRC Council Meeting on Thursday 30 July 2015.

Members were provided with background information for consideration (**Attachment (a)**) which included the RRC Agenda Item and Attachments (including the FORC Agenda Item at Attachment 1 and the Discussion Paper at Attachment 2).

10.6.6 Proposed Incorporation of Forum of Regional Councils (FORC) with WA Local Government Association / Municipal Waste Advisory Council (WALGA / MWAC) Structure

The proposed merger was developed and supported by MWAC and FORC CEO's at a meeting on 18 February 2015. Both the Southern Metropolitan Regional Council (SMRC) and Mindarie Regional Council (MRC) have supported the proposal. The RRC supports the proposal.

Comment

The Governance model proposed by the Department of Environmental Regulation was not supported by WALGA and in their submission put forward an alternative model - WALGA in their draft submission proposed an alternative governance model based on a Waste Management Group (WMG) overseeing three management groups that individually are responsible for one of the waste streams. The MSW stream would maintain the Municipal Waste Advisory Committee (MWAC) with three Regional MSW groups. The representation of the regional groups would be as Regional Subsidiaries established on a geographic basis.)

The WALGA submission was heavily referenced in the City's submission and in particular the City's endorsement of the WALGA alternative Governance Model.

The following are the extracts from the RRC February 2015 Council meeting:

- *Does not support the Governance model proposed in the Discussion Paper due in part to the uncertainty of what constitutes the Waste Groups but equally because the model is silent on private sector involvement particularly with Commercial and Industrial Waste and Construction and Demolition Waste which together make up 70% of the waste;*
- *Supports the WALGA model of the Waste Management Group overseeing three management groups that individually are responsible for one of the waste streams. The MSW stream would maintain the Municipal Waste Advisory Committee with three Regional MSW groups.*

There has always been a strong alignment between FORC and the MWAC, as the MWAC membership includes all FORC members and the overall objectives of each organisation are similar. However, in a practical sense, ongoing communication to ensure that this alignment was reflected in positions and advocacy has been key to presenting a united front to Government.

Consultation

The local government sector was approached for this proposal.

Policy and Legislative Implications

The incorporation of FORC into the WALGA / MWAC structure is in line with the WALGA Review Submission on the Waste Avoidance and Resource Recovery Act.

Financial Implications

Nil.

Sustainability Implications

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

Attachments

- 10.6.6 (a):** Proposed Incorporation of FORC with WALGA/MWAC Structure

10.6.7 Rivers Regional Council Membership Withdrawal - Shire of Waroona

Location:	N/A
Ward:	N/A
Applicant:	N/A
File Ref:	D-15-48947
Date:	28 July 2015
Author / Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	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
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

The purpose of this report is to consider an application from the Shire of Waroona to withdraw from membership of the River's Regional Council on the 16th of October 2015.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That Council advise the Shire of Waroona and the Rivers Regional Council that it agrees to the withdrawal of the Shire of Waroona from the Rivers Regional Council as of the 16 of October 2015.

CARRIED EN BLOC (9/0)

Background

The first establishment agreement which formed the then South East Metropolitan Council was approved by the Minister for Local Government in July 2001. At this time neither of the City of Mandurah, Shire of Murray, Shire of Serpentine Jarrahdale or the Shire of Waroona were members of the regional council.

In 2008 the initial member councils (City of Armadale, City of Gosnells and City of South Perth) agreed to allow Mandurah, Murray and Serpentine Jarrahdale as members.

In 2009 the member councils then agreed to admit the Shire of Waroona to become a member of the Regional Council.

A letter dated 1 July 2015 has now been received from the Shire of Waroona seeking withdrawal from the Rivers Regional Council (**Attachment (a)**).

Comment

The establishment agreement as amended allows for the withdrawal of member councils by giving appropriate notice having regard for the financial impact of the decision.

10.6.7 Rivers Regional Council Membership Withdrawal - Shire of Waroona

Although a member of Rivers Regional Council, the Shire was not party to the Waste to Energy Proposal currently being finalised by the regional council. The regional council holds no assets or liabilities of significance, therefore withdrawal from the regional council by the Shire of Waroona is a straight forward matter.

The Shire will pay its full year's levy of \$10,209 to the regional council when the regional council budget is adopted later this month. A pro-rata adjustment will be refunded to the Shire for the unexpired portion of the year i.e. 17 October 2015 – 30 June 2016.

Consultation

All member local governments are required to adopt a resolution and sign an agreement amending the establishment agreement. No disagreement is expected from member councils. The Rivers Regional Council is also aware of the proposal and has no concerns regarding the withdrawal.

Policy and Legislative Implications

Member councils to the regional council are required to agree to the withdrawal request and execute an agreement amending the membership of the regional council.

Financial Implications

There will be little or no financial implications of this arrangement given the very small membership fee that Waroona contributes to the revenue of the regional council. The refund will amount to approximately \$7,224 which will be offset by savings in member attendance fees. This cost will be shared by remaining members of the regional council and is negligible.

Sustainability Implications

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

Attachments

- 10.6.7 (a):** Letter from the Shire of Waroona seeking withdrawal from the RRC

10.6.8 Development Assessment Panels - Submission to the Parliamentary Committee

Location:	City of South Perth
Ward:	N/A
Applicant:	N/A
File Ref:	D-15-48948
Date:	28 July 2015
Author / Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	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
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

A Parliamentary Committee was recently formed to inquire into the Planning and Development (Development Assessment Panels) Regulations 2011. The Committee is chaired by the Hon. Kate Doust MLC, Member for the South Metropolitan area.

The purpose of this report is to seek endorsement of the City's submission which was made on Friday 10 July 2015, prior to it being endorsed by Council.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor C Irons

That Council endorse the submission made to the Parliamentary Committee to inquire into the Planning and Development (Development Assessment Panels) Regulations 2011.

CARRIED EN BLOC (9/0)

Background

A Parliamentary Committee was recently formed to inquire into the Planning and Development (Development Assessment Panels) Regulations 2011. The Committee is chaired by the Hon. Kate Doust MLC, Member for the South Metropolitan area.

The purpose of this report is to seek endorsement of the City's submission which was made on Friday 10 July 2015, prior to it being endorsed by Council.

Comment

The City became aware that a Parliamentary Committee had been formed to examine the Development Assessment Panels Regulations 2011 and as a consequence a submission was formed with input from officers and elected members. A copy of the submission can be found at **Attachment (a)**. The submission was delivered by the nominated date, Friday 10 July 2015 and as a consequence Council's endorsement of the submission is now required.

Consultation

Offices and elected members were invited to make contributions to the submission.

10.6.8 Development Assessment Panels - Submission to the Parliamentary Committee

Policy and Legislative Implications

Comments were required to be made in relation to the Development Assessment Panels Regulations 2011.

Financial Implications

Nil.

Sustainability Implications

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

Attachments

10.6.8 (a): Development Assessment Panels - Submission to the Parliamentary Committee

10.6.9 City of Perth Bill

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-49571
Date:	28 July 2015
Author:	Amanda Albrecht, Executive Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	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
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

This report provides Council with information on the City of Perth Bill (the Bill) and seeks agreement on possible advocacy initiatives that could be progressed in relation to the Bill.

The Bill is currently progressing through parliament, having just had its second reading. The Bill, if passed, will put in place special provisions for the City of Perth, recognising and establishing it as the 'primary' local government within the Perth Metropolitan network of local governments. Whilst the exact timing of the Bill is unknown (it has priority 22/24 on the Government Orders Notice Paper), it is likely it will be debated when the Legislative Assembly sits again in August with an opportunity for amendments and changes to be made.

Officers have reservations regarding the Bill which are discussed in this report. Officers propose possible advocacy steps that could be taken in relation to the Bill and seek Council resolutions regarding these actions.

Officer Recommendation

Moved: Councillor F Reid

Seconded: Councillor G Cridland

That Council:

- a) notes the contents of the City of Perth Bill introduced to the House on 21 May 2015;
- b) authorises the Chief Executive Officer to write to:
 - i. the Department of Local Government and Communities;
 - ii. the Minister for Local Government and Communities;
 - iii. the Shadow Minister for Local Government and Communities;
 - iv. the Members of Parliament for the South Metropolitan Region;
 - v. the Member of Parliament for South Perth.

seeking deletion of clause 37 from the City of Perth Bill, and providing commentary on other aspects of the Bill as outlined in the officer report.

AMENDED MOTION AND COUNCIL DECISION**Moved:** Councillor C Cala**Seconded:** Councillor S Hawkins-Zeeb

That Council:

- a) notes the contents of the City of Perth Bill introduced to the House on 21 May 2015;
- b) authorises the Chief Executive Officer to write to:
- the Department of Local Government and Communities;
 - the Minister for Local Government and Communities;
 - the Shadow Minister for Local Government and Communities;
 - the Members of Parliament for the South Metropolitan Region; and
 - the Member of Parliament for South Perth.

with regard to the following:

- i. deletion of clause 37 from the City of Perth Bill;
 - ii. providing commentary on other aspects of the Bill with reference to clauses 19-21 and clauses 12-15 as outlined in the officer report;
 - iii. expressing Council's concern with the uncertainties, ambiguities and lack of procedural fairness, clear process and accountability that is currently contained in other clauses of the Bill, especially with regard to clauses 17 and 18; clauses 28 and 29; and clause 27;
 - iv. requesting in the strongest terms, that the government consider a re-draft of the Bill in order to provide more clarity in its provisions and inclusiveness in its application; and
 - v. that while seeking to establish a more effective Capital City, the Bill does so without disadvantaging the rights and financial sustainability of adjacent local authorities.
- c) advises all Local Governments in Western Australia of the City of South Perth's actions taken in relation to the City of Perth Bill.

CARRIED (9/0)**Background**

In late 2014, an Advisory Committee comprising the Department of Local Government and Communities (the Department), and the Cities of Perth and Vincent was established and tasked with the development of a City of Perth Act. A City of Perth Bill (the Bill) was drafted by the Committee as part of the overall local government reform program.

During January and February 2015 the Department co-ordinated stakeholder consultation on a 'City of Perth Act' position paper. The City of South Perth was given less than 2 weeks in which to respond to this paper. The City made a submission to the Department within the allotted timeframe – a copy of the submission can be found at **Attachment (a)**. Due to the tight turn around period, Councillor input into the submission was facilitated through the Councillor Bulletin.

The Bill has now been drafted (**Attachment (b)**), and introduced to the Lower House (Legislative Assembly). It had its second reading speech on 21 May 2015, and has now been put on the Government Orders Notice Paper at priority 22/24.

City of Perth Bill

In summary, the Bill:

- recognises Perth as the capital of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow from that;
- redefines the boundaries of the City of Perth to take-in portions of Subiaco and Nedlands from 1 July 2016;
- establishes a City of Perth Committee with functions that include the facilitation of collaboration between the State and the City of Perth; and
- makes consequential and other amendments to the Botanic Gardens and Parks Authority Act 1998, the Local Government Act 1960 Part VIA and the Local Government Act 1995.

A clause by clause explanatory memorandum, obtained from the parliamentary website, is provided at **Attachment (c)**.

In general the provisions of the Bill are relatively conservative, with no considerable shifts from the accepted local government powers or voter franchise model. The Bill is significantly different to the stakeholder consultation paper that was circulated in January 2015. However, there are a number of clauses that are of concern and/or interest to officers – these are discussed below.

Schedule 2.1, clause 5 amended (Section 37)

Section 37 of the City of Perth Bill proposes that in considering any future boundary adjustment proposal, the Local Government Advisory Board (the LGAB) must have regard to the special significance of the role and responsibilities of the City of Perth that flow from Perth being the capital of Western Australia. This provision will form a new clause in Schedule 2.1 of the Local Government Act.

“After Schedule 2.1 clause 5(2) insert:

- (3) In carrying out a formal inquiry into a proposal that directly affects the district of Perth, the Advisory Board is also to have regard to the special significance of the role and responsibilities of the City of Perth that flow from Perth being the capital of Western Australia.”*

Comment

Exactly what “having regard to the special significance” involves is unclear. However, a reasonable interpretation of this would likely refer to the ‘objects’ of the City of Perth Act, which are set out in Section 8 of the Bill. The most relevant being:

- a) *“to recognise, promote and enhance*
- i. *the special social, economic, cultural, environmental and civic role that the City of Perth plays because Perth is the capital of Western Australia; and*
 - ii. *the important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level.”*

It seems clear that the addition of this clause is intended to give the LGAB scope to recommend boundary changes that it would not currently be able to recommend – based on the existing criteria that it is able to consider.

Given the comments of the Premier during the State Government’s Reform Program, it is not difficult to reach the conclusion that such a clause may be used by the City of Perth to lobby the LGAB to take control over areas of interest – such as the Burswood Peninsula, or even possibly the South Perth Peninsula.

The explanatory note for this new clause provides very little justification or reasoning for its necessity, apart from saying that the Board should take into consideration the 'unique status' of the City of Perth.

The Metropolitan Local Government Review Panel (the Robson Committee), appointed by the State Government to provide independent advice on the current structures and arrangements for local government in Perth, and improvements to maximise benefits to the Perth community, did not recommend any changes to Schedule 2.1 of the Local Government Act 1995.

It is of concern to officers that this clause may be used to justify the annexation of just about any area that the City of Perth may decide that it wants. The provisions of Schedule 2.1, clause 5(2) are already wide ranging, and include consideration of:

- Community of interests;
- Physical and topographic features;
- Demographic trends;
- Economic factors;
- The history of the area;
- Transport and communications;
- Matters affecting the viability of local governments; and
- The effective delivery of local government services.

These clauses provide ample capacity for the reasonable justification for boundary changes and amalgamations. Officers do not consider that there is any need for the City of Perth to be given special consideration over and above the existing provisions, and recommend deletion of the section from the City of Perth Bill.

Electoral matters (Sections 19-21)

Section 20 of the City of Perth Bill change the enrolment eligibility claim of an occupier of property who is eligible to be enrolled to vote in City of Perth elections on the basis of occupation of rateable property, and has applied to be on the electoral roll, does not expire.

Section 21 of the City of Perth Bill makes it an offence for an owner/occupier to fail to notify becoming ineligible as an elector. Notification must be provided in writing within three months of the date on which the person ceases to be eligible to vote in City of Perth elections. A maximum penalty of \$500 is established.

Comment

No justification or rationale is provided in the explanatory note as to why the City of Perth should have different provisions in respect to voter eligibility or penalties than any other local government.

City of Perth Committee (Sections 12-15)

Sections 12 to 15 of the City of Perth Bill establish a City of Perth Committee with functions that include facilitation of collaboration between the State and the City of Perth on issues and projects of interest to both, and sets out its membership. The Committee will be advisory only, and will be chaired by either the Premier or another Minister nominated by the Premier. The Committee will meet at least twice per year.

Comment

The Metropolitan Local Government Review Panel (the Robson Committee) made a number of recommendations to the State Government in relation to greater

10.6.9 City of Perth Bill

collaboration, co-ordination and partnership between the State and local governments on strategic issues.

These recommendations were relevant to all local governments, not just the City of Perth. Whilst officers have no objection to the establishment of a City of Perth Committee, the broader recommendations of the Panel should not be overlooked.

Officers note that one of the functions of the Committee is to:

“identify and promote opportunities to improve, simplify and streamline the requirements and processes of the City of Perth with respect to development applications under the Planning and Development Act 2005”

Clearly such an arrangement would be of benefit to all local governments. Officers would like to see a similar forum, or partnership arrangement established allowing all local governments to work with the State.

Proposed Action

The Bill is currently awaiting further debate in the Lower House – the ‘*Consideration in Detail*’ stage. During this stage of the Bill’s progression through the House it may be amended. The City, therefore, still has an opportunity to lobby for changes to the Bill. Officers propose that Council resolves to advocate for changes to the Bill – as outlined above – by writing to:

- the Department of Local Government and Communities;
- the Minister for Local Government and Communities;
- the Shadow Minister for Local Government and Communities;
- the Members of Parliament for the South Metropolitan Region; and
- the Member of Parliament for South Perth.

Consultation

The Town of Victoria Park Council considered a report on the City of Perth Bill at its June Ordinary Council Meeting. The Town’s response to the Bill was taken into account in the preparation of this report.

Policy and Legislative Implications

There are no direct policy or legislative implications from the proposed legislation or the recommendations made in this report (other than those detailed).

Financial Implications

There are no immediate financial implications to the City of South Perth from the proposed legislation or the recommendations made in this report. However, if the proposed legislation is used by the State Government to excise parts of existing local governments this could result in significant financial impacts for those local governments affected.

Sustainability Implications

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

Attachments

- 10.6.9 (a):** City of Perth Act Submission - February 2015
- 10.6.9 (b):** City of Perth Bill 2015
- 10.6.9 (c):** City of Perth Bill Explanatory Notes

11. APPLICATIONS FOR LEAVE OF ABSENCE

11.1 REQUESTS FOR LEAVE OF ABSENCE

The following Members hereby apply for Leave of Absence from all Council Meetings as follows:

- Cr Veronica Lawrance for the period 26 August 2015 – 2 September 2015 inclusive; and
- Mayor Doherty for the period 30 July 2015 – 4 August 2015 inclusive.

Officer Recommendation and COUNCIL DECISION

Moved: Councillor K Trent

Seconded: Councillor F Reid

That Leave of Absence be granted to:

- Cr Veronica Lawrance for the period 26 August 2015 – 2 September 2015 inclusive; and
- Mayor Doherty for the period 30 July 2015 – 4 August 2015 inclusive.

CARRIED (9/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Nil

13.2 QUESTIONS FROM MEMBERS

Councillor K Trent in relation to the proposed South Perth Train Station: "I have heard that if a train were to stop at the site of the proposed station in the vicinity of Richardson Street, that would it not be able to gain sufficient speed to cross the bridge (between the two freeway bridges) on the Swan River. Can the CEO provide an answer as to the veracity of what I've heard?"

This question was taken on notice and response will be provided in the Appendix of the August 2015 Agenda.

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

Nil.

15. MEETING CLOSED TO PUBLIC

Under section 5.23 (2) of the Local Government Act 1995 Council may resolve to close the meeting to the public.

Nil.

16. CLOSURE

At this stage the Presiding Member acknowledged the Chief Executive Officer's impending departure from the City after a decade of leadership and thanked him for his contributions to the City over that time.

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.41pm.

7. RECORD OF VOTING

28/07/2015 7:02:57 PM

Motion to Accept the Deputations to Address Council

Motion Passed 9/0

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

28/07/2015 7:49:16 PM

Motion to Extend Public Question Time

Motion Passed 9/0

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

28/07/2015 7:55:41 PM

Confirmation of Minutes

Motion Passed 9/0

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

No: Absent: Casting Vote

28/07/2015 7:56:43 PM

Receive Briefing Notes

Motion Passed 9/0

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

28/07/2015 7:56:35 PM

Receive Council Delegates' Reports

Motion Passed 9/0

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

28/07/2015 7:59:14 PM

Receive Conference Delegate's Report

Motion Passed 9/0

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

28/07/2015 8:01:23 PM

En Bloc Motion

Motion Passed 9/0

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

28/07/2015 8:18:13 PM

South Perth Aquatic Centre - Feasibility Study – Alternative Motion

Motion Passed 9/0

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

28/07/2015 8:18:53 PM

South Perth Aquatic Centre - Feasibility Study

Motion Passed 9/0

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

28/07/2015 8:18:53 PM

Proposed Third Storey Additions to Existing Single House on Lot 26 (No. 78) River Way, Salter Point

Motion Passed 9/0

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

28/07/2015 8:20:23 PM

City of Perth Bill

Motion Passed 9/0

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

28/07/2015 8:35:08 PM

Leave of Absence Applications

Motion Passed 9/0

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

APPENDIX

6.2 PUBLIC QUESTION TIME: 28 JULY 2015

1. Craig Dermer, 14/63 Mill Point Road, South Perth Received 22 July 2015	Response provided by: Mayor S Doherty
<p><i>[Preamble] Mr Frewing. We have determined that you had meetings on SCA1 with 'interested parties' (Developers, architects etc) where you discussed bonuses and discretions.</i></p>	
1. Can you provide details of the other council staff present during those meetings?	<p>Based on information provided by Mr Dermer following clarification of which meeting(s) he was referring to, this question is now deemed a Freedom of Information Request. Access to information regarding third parties visiting the City would require a Freedom of Information application and would be processed in accordance with the <i>Freedom of Information Act 1992</i>. Advice of same was emailed to Mr Dermer on Friday 24 July 2015 with information on how to submit a FOI application.</p>
<p><i>[Preamble] Mr Frewing. When Councillors indicated they were to bring a motion to delay the debate on Amendment 46, you enlisted McLeods to get legal advice on stopping the motion.</i></p>	
2. Why did you choose to spend ratepayers money in this fashion without first approaching the Councillors?	<p>The CEO is required to provide advice to Council when a Notice of Motion is received. The CEO is also required by law to ensure that elected members have all relevant information before them in order to make decisions. The Legal advice was sought to demonstrate that officers had followed due and proper process in undertaking Amendment 46 and was not sought to stop the motion.</p>
<p><i>[Preamble] Ms Lummer, after the first JDAP meeting (16 March 2015 - MCJDAP/92) we approached you about the issue of the station precinct. Mistakenly, we assumed you would be helpful to the people who pay your wage, but you fobbed us off. We persisted and pointed out that you should be talking about actual walking distance from the station, but you denied this, saying that your lineal distance was valid.</i></p> <p><i>As you tried to turn away we persisted in an attempt to clarify, pointing out that in the Hames Sharley report the circle only just reaches Judd Street - your response was that you have never heard of Hames Sharley - and walked off.</i></p>	

<p>3. Can you explain why you chose to both give clearly dishonest responses, and behave with such disdain of residents?</p>	<p>[Response provided by Cliff, Frewing, Chief Executive Officer]</p> <p>Ms Lummer is on leave and not available to respond in person to this question. The CEO does not believe that Ms Lummer would have responded in the manner described as it is well known by City Planners that Hames Sharley is a well known and respected firm of Planners of long standing in this City.</p>
<p>2. Vicki Redden, 14/63 Mill Point Road, South Perth Received 22 July 2015</p>	<p>Response provided by: Cliff Frewing, Chief Executive Officer</p>
<p><i>[Preamble] Ms Lummer, at the first JDAP meeting re 74 Mill Point Road, Presiding Member Charles Johnson requested - "...a report being provided that details the background of the Mill Point Road design and planning requirements and reasons for including the area as a special design precinct". You failed to provide details of the 'background', instead, to justify the incorrect walking distance, you creatively invented a new entry point of the station - something which did not exist when SCAI was delineated.</i></p>	
<p>1. Can you explain why you again demonstrated your inability to be factual and chose to support the developer's position to the disadvantage of ratepayers?</p>	<p>At its 16 March 2015 meeting, the JDAP called for a report on the history of inclusion of properties north of Judd Street / Harper Terrace in the South Perth Station Precinct. The City's Strategic Urban Planning Adviser, Rod Bercov prepared the required report, dated 25 March 2015. Page 3 includes the following comments:</p> <p>"The notional 800 metre radius broadly represents a 10-minute walk to the future train station. This is generally regarded as the maximum distance that large numbers of potential train patrons would be prepared to walk. In this regard, it is important to appreciate that the future train station will have a long platform, extending northwards from Richardson Street to the vicinity of Hardy Street. From the northern end of the station, a pedestrian thoroughfare will extend still further northwards to Lyall Street. Lyall Street will then provide the most direct pedestrian linkage to the Mends Street shopping centre. Therefore, in terms of likely patronage of the train station, it is more correct to measure the 800 metre walking distance from the Melville Parade end of Lyall Street. Measured in this manner, the area as far north as Scott Street and Frasers Lane is comfortably within the 'walkable catchment' area."</p>

	Figure 3 in the January 2011 "South Perth Station Precinct Plan" final report shows the northern boundary of the Precinct extending along Scott Street and Frasers Lane. The same northern Precinct boundary was maintained when the special provisions for the South Perth Station Precinct were included in the City's Town Planning Scheme No. 6 by way of Amendment No. 25.
<i>[Preamble] An open Question to the Council and all Councillors. Architect Peter Jodrell was the subject of public questions concerning potential conflict of interest a number of years ago with the Downey St DAC decision. There is no evidence or any mention of his potential conflict in any DAC notes then or since, nor any mention in Council meeting notes.</i>	
2. Given that 'Conflict of Interest' is stated as a serious issue in the Council's Code of Conduct, isn't it appropriate that at the very least, these discussions should have been, and will in the future, be minuted?	'Conflicts of Interest' declared by attendees are captured in the Minutes of the meetings. Vicki Lummer's response to question 3 below relates to this specific instance.
<i>[Preamble] Ms Lummer, at the Special Council meeting May 20 2015, when asked about the second 74 Mill Point Road DAC meeting where Architect Peter Jodrell clearly had vested interest in the adjoining property, you took the question on notice. You did not get back to the council or the Questioner Cr. Hutson. But when questioned again by the JDAP by Charles Johnson, initiated by a considered opinion by our legal counsel, you delivered a prepared statement along the lines of (and since there are no minutes of this important item I need to use my own notes) - "...we (Jodrell and I) discussed this conflict of Interest issue and decided it was so unimportant it wasn't even worth minuting".</i>	
3. Since we have received several versions of events on this issue, will you provide, for the record, your detailed recollection of this event, and nominate other attendees at that meeting who are prepared to give their recollection of the events?	Peter Jodrell informed the meeting that he is an architect for one of the adjoining developments facing South Perth Esplanade. The meeting considered that this wasn't observed as conflict of interest, hence it was not captured in the minutes.
3. Dean Carter, Street Address Not Stated, Kensington Received 27 July 2015	Response provided by: Cliff Frewing, Chief Executive Officer
1. Who is the City officer (and their contact details) that directed a City tree lopper to dump construction waste dumped in a ROW, on my property in Hovia Tce?	There has been no construction waste from the ROW dumped by the City on private property at 33 Hovia Terrace. The construction and other waste was taken away by City staff.

2. Why did the City direct an employee to illegally dump rubbish on my property?	The City did not direct an employee to dump rubbish on private property at 33 Hovia Terrace.
3. What investigation has taken place over this incident that was reported?	The City has undertaken an internal investigation in response to a complaint made by Mr Dean Carter. There is no evidence of any formal instruction made by the City for staff to dump rubbish on private property at 33 Hovia Terrace.
4. Lindsay Jaimeson, Street Address Withheld on Request Received 28 July 2015	Response provided by: Cliff Frewing, Chief Executive Officer
<i>[Preamble] So the CEO is about to leave us. Perhaps as a final gesture the CEO can answer these questions which have been asked before but never answered.</i>	
Generic Questions:	
1. What are the COSP criteria for determining if a person has an idiosyncratic view?	A confidential report (Item 10.7.1(K)) was considered by Council at the March 2012 Council meeting. The Council at this meeting carried a number of resolutions in relation to former Councillor Jamieson including to “consider this matter closed and, in the event of any further communications by the former Councillor to the City about this matter, authorise the Chief Executive Officer to inform the former Councillor that the matter has been finally determined by the Council and will not be reconsidered”.
2. Who is the decision maker for determining if a person has an idiosyncratic view?	As above.
3. How does a person appeal against a determination that they had an idiosyncratic view?	As above.

Specific questions to my position:	
4. My view is backed by 8 pages of legal advice, supported by a former Director of Public Prosecutions, backed by the Public Sector Commission, and had the Department of Local Government issue a retraction and apology. Therefore, how can my view be considered by the City as idiosyncratic?	As above.
<i>[Preamble] The CEO in pursuit of whatever agenda he had continued that agenda despite all events, with what started as my original \$3000 claim. My estimate is that it has cost residents, ratepayers and taxpayers north of seven hundred thousand dollars to enable the CEO to continue with his agenda.</i>	
5. Does the CEO believe the massive cost to residents, ratepayers and taxpayers has been value for money for something that started at \$3000.	As above.
6. The CEO has previously refused to answer this simple question. How much money has the City paid on fees to legal representatives on the original legal matter, processing my claims and processing subsequent directly related and indirectly related matters (e.g. COSP's failed attempt to stop my FOI).	As above.
<i>[Preamble] The CEO in response to questions at a previous public question time advised me and Council that COSP policies are just guidelines and you do not have to follow them.</i>	
7. In the search for a new CEO will Council be after a CEO that conforms to Council policy unless Council provides prior approval for a variation, or will Council be after a CEO with the same attitude as the current CEO that policies are just guidelines you do not have to follow?	The Council may take that into account when selecting a new CEO.
<i>[Preamble] I note the CEO had a farewell function last Friday and invitations did not follow any regular pattern. In particular I note some previous Council members were invited while others were excluded. This was extremely disrespectful to many people.</i>	
8. What were the criteria for gaining an invite to the CEO farewell function?	[Response provided by Mayor S Doherty] The guest list was decided at the discretion of CEO and Mayor.
9. Who was the decision maker on invites?	[Response provided by Mayor S Doherty] As above.

<p>10. How many people were invited? Please break this down by current staff, former staff, current Council members, previous Council members, other dignitaries (e.g. politicians), other</p>	<p>[Response provided by Mayor S Doherty] City of South Perth Mayor and Councillors, 15 City of South Perth staff, 2 former City of South Perth Mayors, 1 former City of South Perth Councillor, 33 local government industry stakeholders, 5 City stakeholders and 1 Local Member of Parliament.</p>
<p>11. How many people attended?</p>	<p>[Response provided by Mayor S Doherty] Approximately 50 attended.</p>
<p>12. What was the cost?</p>	<p>[Response provided by Mayor S Doherty] \$5,000.</p>
<p>13. What budget item did this cost come from?</p>	<p>[Response provided by Mayor S Doherty] Functions Budget.</p>
<p>14. Who approved the expenditure?</p>	<p>[Response provided by Mayor S Doherty] The Mayor and the CEO.</p>
<p>15. Without having a Council policy (not that it currently matters because the CEO treats them as guidelines) the nearest policy to follow would be the Mayoral Portrait Policy, which has clear descriptions for invites to a similar type of event. Why was the principle of this policy not followed?</p>	<p>The Mayoral Portrait Policy is not relevant to this event.</p>
<p>[Preamble] My understanding is that the CEO had received a gift card as part of a previous farewell event. Receiving a gift card I think you would agree is certainly well thought out and reflects the prevailing emotion. I certainly am happy to treat the CEO with the level of respect he has earned and trust he will get the final send off he deserves.</p>	
<p>16. Does the CEO truly value the considerable thought and attention given to a gift card as a farewell gift?</p>	<p>The gift card was presented at the June 2015 Council Meeting in accordance with Council Policy, recognising the CEO's 10 years of service.</p>

<p>5. Lindsay Jaimeson, Street Address Withheld on Request Received at the meeting 29 July 2015</p>	<p>Response provided by: Cliff Frewing, Chief Executive Officer</p>
<p><i>[Preamble] The City and the CEO are the subject of current investigations by a Government Agency. With the CEO about to depart the City of South Perth:</i></p>	
<p>17. When the CEO has departed COSP will the CEO fully cooperate with investigations by the Government Agency and will the CEO accept and abide by decisions and determinations made by that Government Agency.</p>	<p>A confidential report (Item 10.7.1(K)) was considered by Council at the March 2012 Council meeting. The Council at this meeting carried a number of resolutions in relation to former Councillor Jamieson including to “consider this matter closed and, in the event of any further communications by the former Councillor to the City about this matter, authorise the Chief Executive Officer to inform the former Councillor that the matter has been finally determined by the Council and will not be reconsidered”.</p>

6. Sharon Gilgallon on behalf of Jaime Cook, (Address not Provided) Received at the meeting 29 July 2015	Response provided by: Cliff Frewing, Chief Executive Officer
<p><u>Section 1 – STUDIES:</u></p> <p>The feasibility study presentation PowerPoint noted the review has considered the Active Futures Physical Activity Plan 2009 yet it is entirely missing from the Feasibility report. Given the survey within Active Futures Physical Activity Plan 2009 was to City of South Perth residents only, it is entirely relevant. In particular;</p> <ul style="list-style-type: none"> • Section 3.2.10 with a vast majority responding that Swimming/Water activities were currently unavailable or inaccessible in the City. • Section 3.3.2 showing strong number of suggestions to add an indoor heated pool and additionally supporting the Addition of a gym and classes at George Burnett Leisure Centre (GBLC). 	
<p>1. Why does the feasibility consultant leave out this favourable information, is there a particular bias or is it a genuine mistake which will be rectified prior to submission to Council?</p>	<p>The reference to the Active Futures Physical Activity Plan is that it was reviewed as part of the Literature Review on page 1. The Feasibility study makes comment regarding the upgrade of GBLC but no comment to the need or requirement for a swimming pool. This is referred to in the feasibility report under section 1.2 (page 2). No further comment or reference is contained in the Active Future report – therefore no further reference is required in the feasibility report.</p> <p>Section 3.2.10 indicates 21 people responding “swimming activities were currently unavailable” (out of 201 returns) – this is not a strong or significant number and therefore not worth referencing.</p> <p>Section 3.3.2 indicates 10 people (out of 201 returns) – this is not a strong or significant number and therefore not worth referencing.</p> <p>There is no bias. The information was not included because the numbers were not significant enough to reference.</p>
<p><u>Section 2 – DEMOGRAPHY</u></p>	
<p>2. The City of South Perth acknowledges on all documentation including annual reports that 2015 population is 46,477 (see http://profile.id.com.au/south-perth/population-estimate), so why does the feasibility study use the population from 2011 (40,378) when estimating patronage in 2016 and beyond? This is an error in the usage modelling and should be corrected before going to Council.</p>	<p>The 2014 figure on the website is a total estimated population figure only and does not provide a breakdown into specific age groupings. In order to assess the compilation of this total, community profiles from the last census (2011) has been used which provides for a detailed breakdown of the total population figure.</p>

<p>3. Additionally the report acknowledges the strong growth in the population of the City of South Perth with a prediction of 53,140 by 2021. Given the timeline to get the project approved, designed and constructed may take some 4 years, it would be more appropriate to use 2021 population figures. There is also no mention of population growth within the report in terms of improving the viability of the proposal. The report should take this into consideration given the strong govt push for Infill in areas like the City of South Perth and the recent approval of 6 massive multi-storey towers within the City.</p>	<p>Using 2021 population projection may assist income but for costs and expenditure is very risky as there would be too many unknowns between now and 2021 to know what industry trends and other factors affecting expenditure will occur. The most accurate figures represent the most current situation.</p>
<p>Section 4 – EXISTING FACILITIES</p>	
<p>4. The existing facilities researched are all on the other side of either a river or a major Highway, or in the case of many both. Some areas of the City of South Perth do not fall within any of the “as-the-crow-flies” catchments proposed. The report should make mention of the difficulty of access to these centres due to river crossings and/or major arterial routes.</p>	<p>An aquatic facility of this nature is considered a regional facility – which means by the nature of activities and size of this facility, it is a facility that people are prepared to drive to and captures a catchment in excess of 5 km (15-20 minutes drive, 20-30 minutes on public transport). Highways and rivers act only as barrier if the purpose of the facility is for walking distance only. These types of facilities can be accessed by vehicles (cars, public transport etc) and is not intended to be a facility accessible by walking only.</p>
<p>5. The report should also make mention of the ease of accessibility to GBLC, with a traffic intersection and significant parking. It should also note it is on the route of regular Transperth services aiding accessibility to GBLC, something not available at the other facilities cited.</p>	<p>Other aquatic facilities are on public transport routes, ie. the Cannington LP and Aqualife are located close to the Cannington and Oates Street Train and Bus stations respectively.</p>
<p>6. The report makes no note of the recent construction of the Cannington Leisureplex in the fact that it is on the edge of 2 other catchments yet still attracts 7427 per week 2013/2014 as stated in Section 8.1.3. The reasoning for not building a centre when in another’s catchment is therefore disproved. If an aquatic centre was built at GBLC it may increase the percentage of swimming participants who currently cannot access these other centres easily.</p>	<p>A catchment area is only one of many things to consider, along with other factors (cost, strategic planning etc). Cannington LP attracts 7427 per week and due to it being located close to catchment areas, it makes a loss of approximately \$2.5 M (one of the bigger losses in the area), in addition to its neighbouring facility (Riverton Leisureplex) which makes a loss of approximately \$1.45M.</p> <p>Adding a further facility at GBLC potentially further detracts from other facilities, and in the long term GBLC may lose patronage back to those facilities or others close by. This would suggest the catchment theory is worth consideration.</p>

Section 5 - CONSULTATION

7. The report states it was issued to 201 households representing some 545 persons. This sample size is approx. 1.2% of the City's population and is therefore small. Some of the survey results (eg Section 5.1.9) indicate a response closer to 250 persons, not 545. It also appears the survey results are from only 15 households in Karawara who may benefit the most from the upgrade. Therefore the results of the small survey may be negatively biased towards the upgrade. This should be noted in the report.

The report states that a survey was randomly issued to 650 residents, with 201 returned. In some of the questions, people answer more than one answer which shows higher numbers. The sample number sent to Karawara was equal to the other suburbs. The return rate from Karawara was low and usually is.

8. The "reasons for not swimming" result should be further explored within the report, such as:

- a. Too time consuming – as a result of long travel time to get to current facilities indicating they may swim if a close by facility was provided**
- b. Not interested – correlates strongly with those unable to swim;**
- c. Too cold – indicating they may swim if a nearby heated indoor facility was provided.**

These statements are specific comments people have made not answers given by the City. To presume what it correlates to is inappropriate.

9. One of the survey question/answers is "Potential Frequency of Use". The outcome stated is incorrect. Close to 50% of those surveyed said they would use the facility a minimum of once per fortnight (48.7% of the 245 responses) and over 60% more than once per month. The question should be reduced to Would you use the new facility or not? And the answer would be 80% in favour, saying they would frequent an aquatic facility in South Perth. This should be reflected in the report to show the strong community support.

It needs to be shown how frequent people will use it as that determines the financial implications and needs to be demonstrated to Council when making their decision. Whilst it demonstrates that people will frequent it – once/month or once/fortnight doesn't necessarily mean that's enough to demonstrate a need. We couldn't assume that if the direct question of whether you use the facility or not that 80% would be in favour until it was asked. That question asked like that would be too vague.

<p>10. Another question is “What is the maximum amount you would be prepared to pay in annual rates to fund new aquatic facility?” with the results being: Nil – 36%, Amounts between \$50 and \$300 per year – 64%. Yet again the summary interpretation misrepresents the results by saying the highest response is nil. It would be more accurate to state that a clear majority are willing to contribute financially to the construction and operation costs of a new aquatic facility.</p>	<p>The results from this survey demonstrate people are willing to pay for the facility through their rates. Again the breakdown demonstrates the varying degrees people are prepared to pay. It’s not enough to just say people are prepared to contribute financially – how much are they prepared to contribute and is it enough?</p>
<p>11. Section 5.2 discusses the public meeting yet doesn’t acknowledge the lack of notice for the meeting. It also doesn’t make mention of the high turnout for such a meeting given the poor notice. This should be noted in the report.</p>	<p>The comments here are not relevant to the consultant’s report.</p>
<p>12. Section 5.3.3 Curtin Uni doesn’t discuss anything in terms of the very strong support the Vice Chancellor has provided, including a meeting with the community at the centre again displaying strong community support. Also the opportunity for Curtin to provide funding is not mentioned and should be noted in the report.</p>	<p>The Vice Chancellor has not indicated any support to the City. The meeting the Vice Chancellor had did not include the City – our understanding is that it was organised by Steve Irons MP. The information given to the consultant from Curtin University indicated they are not likely to contribute financially.</p>
<p>13. Furthermore no section talks about the large Curtin Uni student population outside the boundaries of City of South Perth, yet again which would increase the support and usage above simple City of South Perth population figures.</p>	<p>As above.</p>

<p>14. Section 5.3.6 states a 1000 person survey showing strong community support, yet little is made of this in the report. Again this shows the strong community support for the Aquatic Centre. Additionally there is no mention of the opportunity to obtain Federal funding, as has been provided to Cannington Leisureplex. This should be included in the report.</p>	<p>This was a survey conducted by Steve Irons MP not the City. It is stated in the report but nothing further is required because there is no further detail provided. There has been no indication that Federal funding will be provided. The report indicates that capital funding could be supported by the Federal Government but this would need to be explored and applied for if Council moved to pursue the project. The funding assistance provided to Cannington was due to its alignment to strategic plans and the DSR recommendations. For Federal funding support, the City would also need to demonstrate similar alignments, which currently it cannot.</p>
<p>15. Section 5.4 Letters of Support – no mention is made of the size of the Facebook group being over 350 people. This should be added to again demonstrate the strong community support for the Aquatic Centre.</p>	<p>The Facebook page is mentioned.</p>
<p>16. Section 5.5 Summary then states “The findings of the survey revealed a significant portion of the community who do not support the provision of a swimming pool in the City of South Perth.” This is an incredibly false statement to make in the summary and must be rectified in the report before going to Council.</p>	<p>These are comments made by the consultant based on her observations and professional opinion.</p>
<p>17. Section 5.5 Summary also states “A vocal section of the community have made it clear that they believe the need for a pool is of prime importance and their views have been noted and consider within the report.” Can you please show where these views have been considered in this report?</p>	<p>As above.</p>

Section 8 – USAGE ESTIMATES

18. Section 8.1.1 states 40378/30% x 41% = 4966 persons per week. My calculator says this equates to 55183 persons per week. So the study calculations are wrong and should be corrected.

Clarification is being sought from the consultant on the users quoted in the report

19. Alternatively Section 8.1.1 is trying to use 2011 population and multiplying by 0.12. (0.3 x 0.4 = 0.12). This totally misrepresents the results of the survey where 41% of respondents confirmed they would use the pool a MINIMUM of once per week. A more accurate calculation would be as follows:

As above.

Usage Frequency category	Survey Results %	Weekly Factor	2011 Pop.	2015 Pop.	2021 Pop.
			40378	46477	53,140
Twice a week	21%	2.00	16,812	19,351	22,125
Once a week	20%	1.00	8,106	9,330	10,668
Once a fortnight	8%	0.50	1,576	1,814	2,074
Once a month	12%	0.25	1,238	1,425	1,630
Very occasionally	18%	-			
Never	21%	-			
	100%		27,732	31,921	36,497

That is, even using 2011 population (which is very conservative) and using the direct survey results provides 27,732 visits per week. The feasibility study report must be corrected before being presented to Council. This flows onto the other areas of the report, such as the financials so it is critical as otherwise the following sections are calculated using vastly wrong figures and assumptions giving gross distortions.

<p>20. In Sections 8.1.2 and 8.1.3, the industry norms are irrelevant. They do not work for the City of Canning are out by a factor of 4 (in fact, you could argue it is out by a factor of 8 as there are 2 facilities in the City of Canning!). Therefore they are not valid to use for the City of South Perth.</p>	<p>Industry norms are relevant as this is used to assist with estimations. We are unsure of the basis of the arguments presented.</p>
<p><u>Section 9 – FINANCIAL PROJECTIONS</u></p>	
<p>21. Section 9.1 The full costings are stated as being provided in an attachment. No such attachment has been provided. Please make these available to the public and ratepayers for full transparency.</p>	<p>Full QS costings were provided to Council for its deliberation.</p>
<p>22. Section 9.1 appears to split the development into 4 stages for no apparent reason. There is also no clear indication of why the pool is in Stage 4. There is also no indicated timeline for construction. These issues should be addressed in the report.</p>	<p>It is clearly stated (and bolded) in the report that “It can be seen that the development and management of the aquatic centre would not be as financially viable as the development of the “dry side” facilities and it would be appropriate to develop these facilities prior to the aquatic facilities as they will aid the financial viability of the development.” It is therefore required to be constructed in stages.</p> <p>The first 3 stages are already determined as part of the GBLC redevelopment in the City’s Strategic, Corporate and financial plans. The aquatic facilities are included as stage 4 after the “viable” components are completed and running. Each stage will likely take approximately 12 months to complete and has financially staged to integrate into the City’s long term financial plan. It also assists when attracting funding for different stages of the project.</p> <p>The reason why Stage four is not included in any timeline is that there has not been any Council resolution to support the provision of an aquatic centre. There is no reference in the city’s Strategic Plan, Corporate Plan or Long term Financial Plan in relation to an Aquatic Centre.</p>

<p>23. Section 9.1 includes “Development of a new entry statement and external courtyard” and “Development of a new office” and “Additional 24 car parking bays”. I see no justification for these expenses given the high quality of the existing GBLC. The City should cut or defer these items to reduce the level of CAPEX as they provide little to no extra service to the community and focus on delivery of the item the community has strongly backed – the pool.</p>	<p>GBLC currently has no entry statement and should be included for a facility of this size to make it clear for users. Development of a new office will be required to align it to the reception of the facility and to cope with additional staff predicted. An additional 24 bays has been determined to be required as additional patrons are expected to attend once redeveloped. Any of these items could be reviewed if determined unnecessary during the detailed design phase.</p>
<p>24. No allowance has been made for a cafe/kiosk. This is a critical item for provision of services to the community as well as providing a net financial benefit. Other centres clearly demonstrate the café/kiosk provides a net positive income. It must be included in the report.</p>	<p>A cafe/kiosk facility already exists and is not required to be amended for the development plans. It would likely be leased out to an external company but has yet to be determined.</p>
<p>25. Section 9.5 provides salary/wages costs of \$571,000 however it does not correlate with section 9.3.1. The Total of \$776,000 minus Existing Staff of \$225,000 equals \$551,000. Not \$571,000. This appears to be another numerical error and should be corrected or explained.</p>	<p>This is a numerical error and should read \$551,000 not \$571,000.</p>
<p>26. Section 9.5 provides salary/wages costs of \$571,000 including a 25% allowance for costs on staff such as superannuation. Is this standard for City of South Perth staff costs?</p>	<p>The overheads would include workers compensation, superannuation, training and development costs etc. and is considered realistic.</p>
<p>27. Section 9.5 states depreciation of \$200,000 should be included as an Operating Expenditure item. Is this correct?</p>	<p>Yes, Depreciation is a cost.</p>
<p>28. Section 9.5 provides all escalation of all costs, including salary/wages, of 5%. Does City of South Perth expect 5% salary/wage growth p.a.?</p>	<p>The escalation figure is not considered unreasonable.</p>

<p>29. Section 9.5 provides all escalation of all costs, including salary/wages, of 5%. For Ernest Johnson Master Plan escalation is assumed to only be 3% p.a. Why does the Aquatic Feasibility Study use substantially worse escalation than the Ernest Johnson Master Plan, as it gives a perception of a negative bias for the Aquatic Centre? The escalation of 3% p.a. should be used in the report.</p>	<p>There are no staff costs associated with Ernest Johnson Master Plan.</p>															
<p>30. Section 9.5 then escalates the depreciation into Year 2 and Year 3, such that the contribution of depreciation in Year 3 is \$211,102.50. This is incorrect and should be revised in the final report before going to Council.</p>	<p>This needs to be verified but in any event is not a critical figure.</p>															
<p>31. Section 9.5 carries forward the table from Section 7.4 copied below. The pink colour for “Assistant Facilities & Program Officer”, “Referees/Umpires”, “Health Club Staff” and “Casual Staff” is stated as being for “Proposed new staff (dry side)” However the salary/wages cost is calculated by adding “Dry Side” plus “Pool only” staff equal to \$551,000. This figure is included in the total Operating Expenditure for Year 1 of \$1,472,250 which in turn is then used in the “Pool Only” calculations later on page 50 and in Section 10. To summarise: the “Pool only” staff costs are heavily inflated by the “Dry Side” staff costs. The figure for “Pool Only” staff is \$346,000. This is the salary/wages cost for “Pool Only” staff which should be used in the financial projections. This should be corrected in the report prior to going to Council.</p> <table border="1" data-bbox="197 1114 1169 1383"> <thead> <tr> <th colspan="3" style="background-color: #4a4a8a; color: white;">Staff Costs</th> </tr> </thead> <tbody> <tr> <td>Existing Staff</td> <td></td> <td style="text-align: right;">225000</td> </tr> <tr> <td>Assistant Facilities & Program Officer</td> <td></td> <td style="text-align: right;">50,000</td> </tr> <tr> <td>Referees/Umpires</td> <td></td> <td style="text-align: right;">20,000</td> </tr> <tr> <td>Health Club Staff</td> <td></td> <td style="text-align: right;">100,000</td> </tr> </tbody> </table>	Staff Costs			Existing Staff		225000	Assistant Facilities & Program Officer		50,000	Referees/Umpires		20,000	Health Club Staff		100,000	<p>The staff calculation, once a pool is constructed, would include the existing staff costs of \$225,000 plus the new “pool only” costs of \$346,000 (total \$571,000 as included in the report). The sum costs are relevant as these are what the total salary costs will be if a “pool only” was added to existing resources. Therefore the “pool only” staff costs are not inflated.</p>
Staff Costs																
Existing Staff		225000														
Assistant Facilities & Program Officer		50,000														
Referees/Umpires		20,000														
Health Club Staff		100,000														

Casual Staff		35,000	
Assistant Facilities & Program Officer		60,000	
Lifeguards		216,000	
Receptionists/administration		70,000	
	Total Salaries	\$776,000	

<p>32. Assuming the following points shows how easily the report could indicate a net profit for the City of South Perth even in Year 1. This is using the reports own figures and should be provided in the report.</p> <p>a. Central usage estimate provided in the report of 250,000 gives an Operating Income of \$1,278,500</p> <p>b. And using the Pool Only staff costs of \$346,000 only with all other costs as per report, giving an Operating Expenditure of \$1,126,250;</p> <p>c. Provides an Operating SURPLUS of \$152,250.</p>	<p>As above.</p> <p>a. Correct – Year 2 operating income is \$1,278,500.</p> <p>b. Incorrect – with the addition of the pool only, staff costs will be \$571,000 (approx.) as explained above. Even if “pool only” staff costs were \$346,000 the operating expense would still be \$1,320,862 (Year 2 exp).</p> <p>c. Incorrect – projected income for year 2 is \$1,278, 500 and projected exp in Year 2 is \$1,545,862 – deficit of \$267,362.</p>
<p>33. Section 9.6 appears to compare costs for Year 1 only. Full transparency should be provided to assess the financial viability over at least 3 years. This should be corrected.</p>	<p>A 3 year snapshot is provided.</p>
<p>34. Based on the errors in the Usage Estimate, the errors in the Financial calculations and the detailed attachment with Financial costs not provided, it is pointless to try and make further comment on Section 9.6. The above should be rectified then released again for public comment.</p>	<p>Usage figures have been explained above.</p>
<p>35. Currently GBLC is running at a \$278k p.a. loss, according to the report. Is this correct?</p>	<p>Yes.</p>

<p>36. No mention is made in the financials of additional financial streams, with both Fed govt and Curtin Uni having contributed significant sums in past years to other Aquatic Centres. This should be updated in the report as noted previously.</p>	<p>Neither the Federal Government nor Curtin University have indicated funding will be available although Federal Government funding could be explored as indicated in the report.</p>
<p>37. The Ernest Johnson Master Plan notes the funding source of Lotterywest yet this is not mentioned in the Aquatic Centre feasibility study. Again this gives a perception of a negative bias for the Aquatic Centre compared to other reports. This source of funding should be noted in the report.</p>	<p>There is no funding bias. Aquatic Centres are not eligible for funding from Lotterywest because they are considered “physical activity” so Lottery West funding would not be sought for the aquatic facility.</p>
<p><u>Section 10 – KEY FINDINGS</u></p>	
<p>38. Much of Section 10 needs modification in line with the above comments prior to consideration by Council.</p>	<p>This comment is not understood.</p>
<p>39. Section 10 does provide a high level summary of capital costs, without a breakdown. A full cost breakdown should be attached for the purposes of comparison.</p>	<p>A full breakdown has been supplied to Council. The costings have been indicated by an independent QS.</p>
<p>40. The comment “Whilst it may be possible to undertake a PPP without knowledge of the market it is difficult to support this model...”. More consideration of other models should have been part of the feasibility study scope, including models already in place at the Leisureplex centres. Was this conducted and will it be included in the final report provided to Council?</p>	<p>Five management models were discussed in the report, which are the common methods for recreation facility management in Australia. A detailed management option would be further explored if Council chooses to progress the project.</p>
<p>41. Additional question: Has the City of South Perth already paid the consultant the full amount, considering the flaws present in the survey and will these flaws be rectified at no cost to the City?</p>	<p>There are no major flaws in the report and it is considered that the consultant has met the performance requirements in the brief.</p>

DISCLAIMER

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

These Minutes were confirmed at a meeting on Tuesday 25 August 2015.

Signed _____
Presiding Member at the meeting at which the Minutes were confirmed