

# MINUTES

## Ordinary Council Meeting

23 June 2015

To: The Mayor and Councillors

Here within are the Minutes of the Meeting of the City of South Perth Council held Tuesday 23 June 2015 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

24 June 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 19.9km<sup>2</sup> 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/](http://www.southperth.wa.gov.au/Our-Council/)

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# 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 23 June 2015.

## **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Presiding Member opened the meeting at 7.00pm 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 May 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
M Huston	Mill Point Ward (arrived at 7.02pm)
C Irons	Mill Point Ward
K Trent, OAM, RFD, JP	Moresby Ward
F Reid	Moresby Ward

### Officers

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

### Gallery

There were 7 members of the public and 1 member of the press present.

#### 4.1 APOLOGIES

V Lawrance, JP      Como Ward

#### 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.

There were no Interests to declare.

## 6. PUBLIC QUESTION TIME

#### 6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the May 2015 Ordinary Council Meeting no public questions were taken on notice.

#### 6.2 PUBLIC QUESTION TIME: 23 JUNE 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 7.03pm.

Written Questions were received prior to the meeting from:

- Mr Geoff Defrenne of 24 Kennard Street, Kensington in relation to the *Item 10.3.3 Proposed 24 Metre Safety Screen Fence to the Royal Perth Golf Course* considered at the Ordinary Council Meeting of February 2015.

These questions and the answers provided can be found in the **Appendix** of these Minutes.

There being no further questions, the Presiding Member closed Public Question Time at 7.06pm.

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

### **7.1 MINUTES**

#### **7.1.1 Ordinary Council Meeting Held: 26 May 2015**

##### **COUNCIL DECISION**

**Moved:** Councillor Hawkins-Zeeb

**Seconded:** Councillor Cala

That the Minutes of the Ordinary Council held 26 May 2015 be taken as read and confirmed as a true and correct record.

**CARRIED (8/0)**

#### **7.1.2 CEO Recruitment Committee Meeting Held: 22 June 2015**

The Presiding Member advised that the notes in relation to this meeting will be provided in the July 2015 Ordinary Council Meeting Agenda.

### **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.

#### **7.2.1 Concept Briefings**

Officers of the City presented background information and answered questions on the following:

- **Scheme Amendment 46** at the Concept Briefing held 3 June 2015
- **South Perth Pool Study** at the Concept Briefing held 3 June 2015.

##### **Attachments**

**7.2.1 (a):** Scheme Amendment 46 Notes - 3 June 2015

**7.2.1 (b):** South Perth Pool Study Notes - 3 June 2015

### **Officer Recommendation AND COUNCIL DECISION**

**Moved:** Councillor Reid  
**Seconded:** Councillor Hawkins-Zeeb

That the notes of the Briefings at Attachments (a) and (b) be noted.

**CARRIED (8/0)**

### **7.2.2 Agenda Briefing: Held 16 June 2015**

Officers of the City presented background information and answered questions on items to be considered at the June 2015 Ordinary Council Meeting at the Agenda Briefing held 16 June 2015.

#### **Attachments**

**7.2.2 (a):** Agenda Briefing Notes - 16 June 2015

### **Officer Recommendation AND COUNCIL DECISION**

**Moved:** Councillor Cala  
**Seconded:** Councillor Huston

That the notes of the Agenda Briefing held on 16 June 2015 be received.

**CARRIED (8/0)**

## **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 Perth Zoo**

The Presiding Member presented to the CEO a certificate the City received from the Perth Zoo acknowledging its *sponsorship and continued support for the period 1 July 2014 to 30 June 2017.*

#### **8.2.2 Australasian Reporting Awards 2015**

The Presiding Member presented to the CEO an award the City received from the Australasian Reporting Awards for *Distinguished Achievement (Silver) in Reporting* in relation to the 2014 Annual Report.

#### **8.2.3 10 Year Service Certificate – Mr Cliff Frewing, CEO**

The Presiding Member presented to the CEO a 10-year Service Certificate acknowledging his *valued service to the City of South Perth over the past 10 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*

Deputations were heard at the Agenda Briefing of 16 June 2015.



## 8.4 COUNCIL DELEGATES REPORTS

### 8.4.1 SERCUL Quarterly Meeting: Held 14 May 2015

A report summarising the SERCUL Quarterly Meeting - 14 May 2015.

#### Attachments

8.4.1 (a): SERCUL Quarterly Meeting - Delegates' Report

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Trent

**Seconded:** Councillor Hawkins-Zeeb

That the Delegates' Report summarising the SERCUL Quarterly Meeting held 14 May 2015 be received.

**CARRIED (8/0)**

## 8.5 CONFERENCE DELEGATES REPORTS

Nil.

## 9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. She then sought confirmation from the Acting Chief Executive Officer (in the absence of the Chief Executive Officer) that all the report items were discussed at the Agenda Briefing held on 16 June 2015.

The Acting Chief Executive Officer, Vicki Lummer confirmed that this was correct.

#### ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.3.1 Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
- Item 10.3.2 Proposed Carport Addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth.
- Item 10.6.4 Review of Council Delegation DC690 Town Planning Scheme 6.

## 9.1 EN BLOC MOTION

#### COUNCIL DECISION

**Moved:** Councillor Reid

**Seconded:** Councillor Trent

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

- Item 10.6.1 Monthly Financial Management Accounts - May 2015
- Item 10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 May 2015
- Item 10.6.3 Listing of Payments

**CARRIED (8/0)**

## 10. REPORTS

### 10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

#### 10.3.1 Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.

Location:	Lot 3 (No. 333) Mill Point Road, South Perth
Ward:	Mill Point Ward
Applicant:	Ms Ailin Gay
File Ref:	D-15-40557
Lodgement Date:	18 June 2015
Date:	23 June 2015
Author:	Cameron Howell, 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 amendment to the permitted trading hours planning condition for an approved two-storey plus loft Mixed Development, consisting of a Shop, Café/Restaurant and a dwelling on Lot 3 (No. 333) Mill Point Road, South Perth. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Trading hours	TPS6 clause 7.5

#### Officer Recommendation

**Moved:** Councillor Reid  
**Seconded:** Councillor Hawkins-Zeeb

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 an amendment to an approved Mixed Development on Lot 3 (No. 333) Mill Point Road, South Perth **be approved** subject to:

#### (a) Conditions (Specific Conditions)

- (14) The maximum trading hours of the Café / Restaurant and Shop and the delivery hours shall be strictly limited to 7:00am to 9:00pm, 7 days a week. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.

All other conditions and requirements detailed on the previous approval dated 24 March 2015 shall remain unless altered by this application.

**Amended Motion**

**Moved:** Mayor S Doherty  
**Seconded:** Councillor C Irons

That the Officer Recommendation be amended to revert back to the March 2015 Council Resolution, as follows (in red):

March 2015 Council Resolution

*The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited 7:00am to 5:00pm, 7 days a week, with no deliveries permitted between 9:00pm and 7:00am the following day. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.*

**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 an amendment to an approved Mixed Development on Lot 3 (No. 333) Mill Point Road, South Perth **be approved** subject to:

**(a) Conditions (Specific Conditions)**

(14) The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited to 7:00am to 5.00pm, ~~9.00pm~~ 7 days a week **with no deliveries permitted between 9.00pm and 7.00am the following day.** Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.

All other conditions and requirements detailed on the previous approval dated 24 March 2015 shall remain unless altered by this application.

**CARRIED (8/0)**

**Reason for Amendment**

In March 2015, Council endorsed Specific Conditions regarding the opening and closure time for the Café/Restaurant and Shop that being from 7.00am to 5.00pm as this was viewed by Council to align with the purpose of the business being a Patisserie. After operating for a period of 12 months the applicant seeks to extend the hours of operation until 9.00pm then I would encourage them to come to Council with a view to changing the current operating hours.

With Councillor Reid's agreement the Amended Motion then became the substantive.

**COUNCIL DECISION**

**Moved:** Councillor Reid  
**Seconded:** Councillor Hawkins-Zeeb

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 an amendment to an approved Mixed Development on Lot 3 (No. 333) Mill Point Road, South Perth **be approved** subject to:

**(a) Conditions (Specific Conditions)**

- (14) The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited to 7:00am to 5.00pm, 7 days a week with no deliveries permitted between 9.00pm and 7.00am the following day. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.

All other conditions and requirements detailed on the previous approval dated 24 March 2015 shall remain unless altered by this application.

**CARRIED (8/0)**

**I. Background**

The development site details are as follows:

<b>Zoning</b>	Local Commercial
<b>Density coding</b>	R15
<b>Lot area</b>	652 sq. metres
<b>Building height limit</b>	7.0 metres
<b>Development potential</b>	1 dwelling and/or permissible non-residential land uses
<b>Plot ratio limit</b>	0.50

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:

**4. Applications previously considered by Council**

*Matters previously considered by Council, where drawings supporting a current application have been significantly modified from those previously considered by the Council at an earlier stage of the development process, including at an earlier rezoning stage, or as a previous application for planning approval.*

10.3.1 **Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

**6. Amenity impact**

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

**7. Neighbour comments**

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

**Comment**

**(a) Background**

In March 2015, the Council granted conditional planning approval for a two-storey plus loft Mixed Development, consisting of a Shop, Café/Restaurant and a dwelling on Lot 3 (No. 333) Mill Point Road, South Perth (the **Site**).

The City received a letter in April 2015, requesting an amendment to the wording of planning condition 14, to extend the permitted trading hours of the shop and café/restaurant from 7:00am - 5:00pm to 7:00am - 9:00pm.

**(b) Existing Development on the Subject Site**

The existing development on the site is a single storey building that currently features land uses of “Shop” and “Single House”. The approved Mixed Development has not yet commenced construction.

**(c) Description of the Surrounding Locality**

The site has a frontage to Mill Point Road to the north and Banksia Terrace to the east, located adjacent to single houses to the south and west. The surrounding locality predominately consists of single houses, with some grouped dwelling and multiple dwelling developments, as seen in **Figure 1** below and **Attachment (e)**:



**(d) Description of the Proposal**

The proposal involves an amendment to the wording of planning condition 14, dated 24 March 2015 (11.2014.633.1), to extend the permitted trading hours of the shop and café/restaurant from 7:00am - 5:00pm, with deliveries until 9:00pm, to 7:00am - 9:00pm.



**10.3.1 Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

The planning approval for this development is contained within **Attachments (a) and (b)**. The applicant's letter, **Attachment (c)**, describes the proposal in more detail.

Condition 14 of Council's planning approval dated 24 March 2015 is as follows:

- (14) *The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited to 7:00am to 5:00pm, 7 days a week, with no deliveries permitted between 9:00pm and 7:00am the following day. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.*

The applicant has requested the trading hours condition to be amended, to be in line with the draft officer recommendation and previous planning approvals on this site. The draft officer recommendation, contained within the draft agenda presented to Council at the Agenda Briefing on 17 March 2015, was as follows:

*The maximum opening hours of the Café / Restaurant, Shop and the delivery hours shall be strictly limited 7:00am to 9:00pm, 7 days a week. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.*

As a result of questions asked by Elected Members and associated responses provided by the landowner in their deputation to Council, it was evident that the landowner was willing to accept the reduced hours of operation. Accordingly, the officer recommendation in the final report was amended to reflect this agreed position.

**(e) Trading Hours**

TPS6 does not specify permitted trading hours for non-residential uses. However, as the site is surrounded by residential development, a planning condition to regulate the permitted trading hours was considered necessary to address potential amenity impacts, such as noise, from early morning and late evening commercial operations.

The Council has previously considered planning applications on this site for additions to the existing Shop in May 2010 (Change of Use – Shop and Single House to Shop and Café/Restaurant) and December 2011 (Two-Storey Mixed Development), both of which contained a trading hours condition of approval, limiting trading and deliveries between 7:00am and 9:00pm, with the ability to review the permitted trading hours after 12 months of operation. However neither of these developments were constructed and these approvals have expired. The relevant conditions are as follows:

- (5) *The maximum opening hours of the Café / Restaurant shall be 7:00am to 9:00pm, seven days a week. Should any noise complaints from neighbours be received within the first 12 months of operation, the Council will determine whether the complaints are valid and if so, will impose an earlier closing time or other requirements to address the complaints. [25 May 2010]*

**10.3.1 Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

- (3) *The maximum opening hours of the Café / Restaurant, Shop and the delivery hours shall be strictly limited 7:00am to 9:00pm, 7 days a week. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints. [13 December 2011]*

The current application proposes to alter the wording of the trading hours condition as follows:

Existing Planning Condition 14 (refer to the Description of the Proposal section for the whole of this condition):

*The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited to 7:00am to 5:00pm, 7 days a week, with no deliveries permitted between 9:00pm and 7:00am the following day. ... [24 March 2015]*

Proposed Amendment to Planning Condition 14 (refer to the Officer Recommendation section for the whole of this condition):

*The maximum trading hours of the Café / Restaurant and Shop and the delivery hours shall be strictly limited to 7:00am to 9:00pm, 7 days a week. ...*

As discussed in the Neighbour Consultation section, the City has received five opposing submissions. A copy of the Neighbour Submissions document was subsequently provided to the applicant, for their consideration. The City has enquired with the applicant as to whether would they be willing to amend the proposal to restrict trading until 9:00pm for just 1-2 days per week with a review after 12 months. In response to the neighbour comments and the City enquiry, the applicant has advised that wish to proceed with their proposal as originally submitted and has provided additional justification supporting the proposed amendment.

The proposed amendment is consistent with Council's previous approvals on this site. The proposed amended condition provides the Council the opportunity to review the permitted trading hours, with the option to impose an earlier closing time or other requirements within the first 12 months of operation should any valid noise complaints be received, to address such a complaint.

The potential noise impacts are anticipated to be from patrons within the café/restaurant dining area or from vehicles arriving and leaving the site. The approved development incorporates features to mitigate noise impacts, including positioning the dining area away from the adjoining residences and providing high masonry dividing fences for the adjoining residential properties.

Noting that the site has a commercial zoning, the City considers that proposed trading hours are considered to be a reasonable balance between business operations and residential amenity. The approved development incorporates measures to minimise adverse impacts and as such, the proposal is not anticipated to pose an adverse amenity impact to the adjoining residential properties. Accordingly the proposed amended planning condition is recommended to be approved.

**(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;*
- (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;*
- (f) *Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*
- (g) *Protect residential areas from the encroachment of inappropriate uses;*
- (i) *Create a hierarchy of commercial centres according to their respective designated functions, so as to meet the various shopping and other commercial needs of the community;*
- (j) *In all commercial centres, promote an appropriate range of land uses consistent with:*
  - (i) *the designated function of each centre as set out in the Local Commercial Strategy; and*
  - (ii) *the preservation of the amenity of the locality;*

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

**(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;*
- (b) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;*
- (i) *the preservation of the amenity of the locality;*
- (p) *any social issues that have an effect on the amenity of the locality;*
- (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;*
- (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 amended condition.



**Consultation**

**(a) Design Advisory Consultants' Comments**

This amendment did not necessitate referral to the City's Design Advisory Consultants (DAC).

**(b) Neighbour Consultation**

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the 'Area 1' consultation method, individual property owners, occupiers and/or strata bodies at Nos 1, 2, 3 and 4 Banksia Terrace and Nos 328, 330, 331, 331A, 332, 334, 336 and 337 Mill Point Road were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of 15 consultation notices were sent and 5 submissions were received, all against the proposal. The comments of the submitters, together with officer responses are summarised below.

Submitters' Comments	Officer's Responses
<u>Car Parking</u> - Concerned about the impacts of more cars parking on Banksia Terrace - limited street parking available.	An amendment to the trading hours condition does not necessitate more car parking to be provided, as parking is calculated by the Shop gross floor area and Café/Restaurant dining area. It is noted that limited street car parking is available on Banksia Terrace. The comment is <b>NOTED</b> .
<u>Noise</u> - Concerned about the extent of noise generated from the business, patrons and vehicles, including delivery vehicles.	The development is required to comply with the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997. The comment is <b>NOTED</b> .
<u>Privacy Impacts</u> - Concerned about having more people in the area during the evening, reducing the privacy of nearby residents.	The Shop and Café/Restaurant are positioned away from the adjacent residential buildings. Patrons utilising the car park and public footpaths to access the site are anticipated to pose minimal privacy impacts. The comment is <b>NOTED</b> .
<u>Scope of Trading Restrictions</u> - Suggestion to restrict operations on site to prevent disruptive works by staff outside of the nominated trading hours.	The planning condition restricts the time that the Shop and Café/Restaurant are permitted to trade with customers and when deliveries are permitted. It is noted that some staff will be on site outside of these hours. The development is required to comply with the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997 and accordingly, further planning restrictions are not seen to be necessary. The comment is <b>NOT UPHELD</b> .

10.3.1 **Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

<p><u>Trial of Trading Hours</u> - Requests for the business to commence trading in line with council's March 2015 approval to ascertain the actual impacts, with the current proposal being reconsidered later.</p>	<p>The actual impacts relating to evening trade will not be known until evening trade commences. Should the proposed amended condition be approved, the City and Council will be able to consider evidence based amenity impacts if a valid noise complaint is received. The comment is <b>NOTED</b>.</p>
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The neighbours' submissions are provided as **Attachment (d)**.

**(c) Internal Administration**

This amendment did not necessitate referral to other departments of the City's administration.

**Policy and Legislative Implications**

Comments have been provided elsewhere in this report, in relation to the various provisions of the Scheme, 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 2013-2023 which is expressed in the following terms: ***Accommodate the needs of a diverse and growing population.***

**Sustainability Implications**

The proposed amendment has minimal sustainability implications compared to the approved development.

**Conclusion**

It is considered that the proposal meets all of the relevant Scheme and/or Council Policy objectives and provisions, as it not anticipated to have a detrimental impact on adjoining residential neighbours. Provided that the relevant condition is applied as recommended, it is considered that the amended planning condition should be approved.

**Attachments**

- 10.3.1 (a): Planning Approval 24 March 2015 - Notice of Determination - 333 Mill Point Road, South Perth - 11.2014.633.1
- 10.3.1 (b): Planning Approval 24 March 2015 - Approved Plans - 333 Mill Point Road, South Perth - 11.2014.633.1
- 10.3.1 (c): Applicant's Supporting Letters - 333 Mill Point Road, South Perth - 11.2014.633.2
- 10.3.1 (d): Neighbour Submissions - 333 Mill Point Road, South Perth - 11.2014.633.2
- 10.3.1 (e): Site Photographs - 333 Mill Point Road, South Perth - 11.2014.633.2

### 10.3.2 Proposed Carport Addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth.

Location: South Perth  
 Ward: Moresby Ward  
 Applicant: Mrs N J Tuckey  
 File Ref: D-15-40768  
 Lodgement Date: 19 June 2015  
 Date: 23 June 2015  
 Author: Peter Ng, 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 a planning application for a proposed carport addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth. The proposed carport is set back 100mm from secondary street boundary which conflicts with provisions of Council Policy P350.3 'Car Parking, Access, Siting and Design', namely Sub-clause 8(b)(vi).

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

Element on which discretion is sought	Source of discretionary power
Carport addition / Setback of carport	P350.3 Sub-clause 8(b)(vi)

It is recommended that the proposal be approved **subject to** a condition requiring the proposed carport supporting columns to set back at least 1.0 metre from the secondary street boundary.

#### Officer Recommendation

**Moved:** Councillor Hawkins-Zeeb

**Seconded:** Councillor Cridland

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 proposed carport addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth **be approved** subject to:

**(a) Standard Conditions**

390 crossover- standards 625 sightlines for drivers  
 660 expiry of approval

**(b) Specific Conditions**

- (i) Revised drawings shall be submitted, and such drawings shall incorporate the proposed carport supporting columns shall set back at least 1.0 metre from the secondary street boundary as required under Clause 8 of Policy P350.3.

**(c) Standard Advice Notes**

700A	building permit required	705	revised drawings required
790	minor variations- seek approval	795B	appeal rights- council decision

**(b) Specific Advice Notes**

- (i) As advised by Main Roads WA, the property is currently affected by land reserved for Primary Regional Road in the existing Metropolitan Region Scheme (MRS) as shown on the Plan No. 9721.109.
- (ii) Canning Highway is currently under review by Main Roads. The preliminary plan from this review indicated a proposed increased land requirement on your property in addition to that already in the MRS (refer attached Plan No. 2011DOT042).
- (iii) The project for the upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.

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

**Amended Motion**

**Moved:** Councillor Trent

**Seconded:** Councillor Huston

That the Officer Recommendation be amended to remove the Specific Condition (b)(i) and Standard Advice Note 705 'revised drawings required' – as follows (in red):

**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 proposed carport addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth **be approved** subject to:

**(a) Standard Conditions**

390	crossover- standards	625	sightlines for drivers
660	expiry of approval		

~~**(b) Specific Conditions**~~

- ~~(i) Revised drawings shall be submitted, and such drawings shall incorporate the proposed carport supporting columns shall set back at least 1.0 metre from the secondary street boundary as required under Clause 8 of Policy P350.3.~~

~~**(be) Standard Advice Notes**~~

700A	building permit required	<del>705</del>	<del>revised drawings required</del>
790	minor variations- seek approval	<del>795B</del>	<del>appeal rights- council decision</del>

~~**(cb) Specific Advice Notes**~~

- ~~(i) As advised by Main Roads WA, the property is currently affected by land reserved for Primary Regional Road in the existing Metropolitan Region Scheme (MRS) as shown on the Plan No. 9721.109.~~
- ~~(ii) Canning Highway is currently under review by Main Roads. The preliminary plan from this review indicated a proposed increased land~~

requirement on your property in addition to that already in the MRS (refer attached Plan No. 2011DOT042).

- (iii) The project for the upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.

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

**CARRIED (8/0)**

With Councillor Hawkins-Zeeb's agreement the Amended Motion then became the substantive.

### **COUNCIL DECISION**

**Moved:** Councillor Trent

**Seconded:** Councillor Huston

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 proposed carport addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth **be approved** subject to:

**(a) Standard Conditions**

390 crossover- standards 625 sightlines for drivers  
660 expiry of approval

**(b) Standard Advice Notes**

700A building permit required 795B appeal rights- council decision  
790 minor variations- seek approval

**(c) Specific Advice Notes**

- (i) As advised by Main Roads WA, the property is currently affected by land reserved for Primary Regional Road in the existing Metropolitan Region Scheme (MRS) as shown on the Plan No. 9721.109.
- (ii) Canning Highway is currently under review by Main Roads. The preliminary plan from this review indicated a proposed increased land requirement on your property in addition to that already in the MRS (refer attached Plan No. 2011DOT042).
- (iii) The project for the upgrading/widening of Canning Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.

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

**CARRIED (8/0)**

### Background

The development site details are as follows:

Zoning	Residential
Density coding	R15
Lot area	501 sq. metres
Building height limit	7.0 metres
Development potential	One (1) dwelling
Plot ratio limit	Not Applicable

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

- (b) Applications which in the opinion of the delegated officer, represents a significant departure from the Scheme, the Residential Design Codes or relevant Planning Policies.

### Comment

#### (a) Background

In March 2015, the City received an application for a proposed carport addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth (the **Site**).

The property owner is replacing existing flat roofed carport with hip roofed carport. The applicant describes the proposed carport structure will similar to the one on the adjoining dwelling at House No. 29 Campbell Avenue with a nil street setback to Campbell Avenue.



**(b) Description of the Surrounding Locality**

The Site has primary frontage to Canning Highway to the northwest and secondary street frontage to Campbell Avenue to the southwest, as seen in **Figure I** below. The proposed carport is accessed via Campbell Avenue.



The surrounding area along Campbell Avenue is characterised by four (4) dwellings with garage structures within 1.5 metres from secondary street boundary with exception of garage for House No. 29 Campbell Avenue.

**(c) Existing Development on the Subject Site**

Existing development on the site currently features a single storey single house. The existing development has an open carport set back approximately 2.0m from the secondary street alignment with an existing pool located at the south east corner of the Site as illustrated in **Photo I** below and plans of the proposal referred to as **Attachment (b)**.



**Photo I** - The image shows the existing carport structure on the subject site.

(d) **Description of the Proposal**

The proposal involves the replacement of the existing carport with new hip roof on the paved parking area, as depicted in **Attachment (b)**. Furthermore, the site photographs show the relationship of the Site with the surrounding built environment (refer **Attachment (c)**).

Based on the drawings submitted, the proposed carport is measured as 6.23metres in width and 7.69metres in length with 100mm setback from the street boundary. The Applicant's letter, **Attachment (a)**, describes the proposal in more detail.

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

(e) **Carport Street Setback**

In accordance with Clause 5.2.1 C1.4 of the R-Codes, the proposed carport require to be set back 1.5metres from a secondary street.

However, the Council Policy P350.3, Sub-clause 8(b)(iii) allow a lesser set back of minimum 1.0 metre from the street alignment measured to the face of any support column. Given this, the proposal is seen to be in conflict with the relevant sub-clause, as the proposed carport is setback at 100mm in lieu of the required minimum 1.0metre setback, as prescribed by the above clause.

Following a site visit and further examination by the City's officer, it was observed that there is at least 7.0metres in length of paved parking area between the existing front fence and the rear courtyard.

The City's recommendation to set back the carport 1.0metre from the street boundary with 0.5metre roof overhang will provide 6.5metres roof cover over the paved parking bays.

It is also observed that the City's request will have no structural impact to the existing dwelling nor restrict access to the existing pool and the rear courtyard.

From the streetscape aspect, two (2) other properties within the focus area (along Campbell Avenue) have the garage structure set back at least 1.5metre from the street with the exception of the adjoining dwelling garage at House No. 29 Campbell Avenue, which has nil street setback.

A search on City's record revealed that the existing garage at House No. 210 Canning Highway which has 1.8metres street setback was approved in December 1964. The garage at House No. 27 Campbell Street has 2.1metres from Campbell Avenue was approved in April 1954 (Refer **Attachment (c)**).

The adjoining House No. 29 Campbell Street carport structure which has nil street setback was approved by the City in 1998. The Policy P350.3 requiring at least 1.0metre setback from street alignment was adopted by the City in November 2008.

Accordingly, the proposed carport in the current form does not comply with the current City's policy.



Therefore, the City is recommending that the proposal be **approved subject to** a condition requiring the proposed carport supporting columns to set back at least 1.0 metre from the secondary street boundary.

- (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;*
- (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;*
- (n) *the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details;*
- (s) *whether the proposed access and egress to and from the Site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the Site;*
- (x) *any other planning considerations which the Council considers relevant.*

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

## Consultation

- (a) Neighbour Consultation**  
Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the standard consultation method, individual property owners at Nos 29 & 31 Campbell Street and 206 Canning Highway were invited to inspect the plans and to submit comments during a

**10.3.2 Proposed Carport Addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth.**

minimum 14-day period (however the consultation continued until this report was finalised).

During the advertising period, a total of 3 consultation notices were sent and no submission was received.

**(b) Manager, Engineering Infrastructure**

The City's Engineering Infrastructure was invited to comment and have raised no comment.

**(c) External Agencies**

Comments were also invited from the Main Roads Western Australia.

The Main Roads WA provided comments with respect to the Site being on or abutting a regional road reservation. This agency raises no objections and recommends advice notes be placed on the approval.

**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 2013-2023 which is expressed in the following terms:

***Accommodate the needs of a diverse and growing population.***

**Sustainability Implications**

Noting the favourable orientation of the lot, the officers observe that the proposed 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 Council Policy objectives and provisions provided that conditions are applied as recommended. It is considered that the application should be conditionally approved.

**Attachments**

**10.3.2 (a):** Applicant's Letter

**10.3.2 (b):** Plan and Elevations

**10.3.2 (c):** Site Photographs

## 10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

### 10.6.1 Monthly Financial Management Accounts - May 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-40761
Date:	23 June 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 Reid  
**Seconded:** Councillor Trent

That ....

- (a) Council adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater);
- (b) the monthly Statement of Financial Position and Financial Summaries provided as **Attachment (a) - (e)** be received;
- (c) the Schedule of Significant Variances provided as **Attachment (f)** be accepted as having discharged Council's statutory obligations under Local Government (Financial Management) Regulation 34.
- (d) the Schedule of Movements between the Adopted & Amended Budget **Attachment (g) & (h)** be received;
- (e) the Rate Setting Statement provided as **Attachment (i)** be received.

**CARRIED EN BLOC (8/0)**

#### 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

## 10.6.1 Monthly Financial Management Accounts - May 2015

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

The components of the monthly management account summaries presented are:

- Statement of Financial Position - **Attachments (a) & (b)**
- Summary of Non Infrastructure Operating Revenue and Expenditure **Attachment (c)**
- Summary of Operating Revenue & Expenditure - Infrastructure Service **Attachment (d)**
- Summary of Capital Items - **Attachment (e)**

## 10.6.1 Monthly Financial Management Accounts - May 2015

- Schedule of Significant Variances - **Attachment (f)**
- Reconciliation of Budget Movements - **Attachment (g) & (h)**
- Rate Setting Statement - **Attachment (i)**

Operating Revenue to 31 May 2015 is \$50.34M which represents some 101% of the \$50.17M year to date budget. Revenue performance is close to budget in most areas other than those items identified below. Parking infringement revenue is 14% under budget whilst meter parking revenues are 7% under budget to date. Remedial action has been developed to address this situation.

Interest revenues are now 8% above budget expectations for Reserves but 6% under for Municipal funds. Rate revenue now reflects as being slightly ahead of budget as a result of several minor favourable variances including additional interim rates.

Planning revenues are now shown as 4% ahead of budget after some previously quarantined parking in lieu contributions were brought to account. Building Services revenue is 6% ahead of budget on higher levels of activity.

Halls booking revenue are currently below budget expectations with the full year target appearing less likely to be attained. CCR revenues are shown as favourable due to the receipt of an unbudgeted grant for the aquatic facility. This will be offset by a similar unbudgeted expenditure line item. Collier Park Village revenues are on budget with slightly less than budgeted maintenance fees offset by additional rental revenue and interest revenue.

City Environment contributions are in line with budget expectations after an upwards adjustment to reflect the receipt of environmental grant revenue. Nursery revenue from stock revaluations (non-cash item) is 20% below budget. Crossover revenue is ahead of budget - but will be offset by additional costs relating to those works. Collier Park Golf Course revenues are now 1% ahead of budget.

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

Operating Expenditure to 31 May 2015 is \$45.69M which represents 97% of the year to date budget of \$46.96M. Operating Expenditure shows as 2% under budget in the Administration area. Operating costs are 1% under budget for the golf course and show as 3% under in the Infrastructure Services area.

Other than the differences specifically identified in the Schedule of Significant Variances, the variances in operating expenditures in the administration area largely relate to timing differences on billing by suppliers or minor cost savings on various line items.

In the Infrastructure Services operations area, parks maintenance is currently 6% below budget. Streetscape maintenance is currently 1% over budget following a slowing in the previously accelerated program on street verges and street tree pruning. The street tree timing difference is expected to reverse out by year end. There are also timing differences on maintenance activities relating to drainage sumps and traffic management treatments.

Environmental costs are disclosed as being 11% favourable largely as a result of favourable timing differences on the Perth Water Vision and Landcare initiative projects. Overheads currently reflect as being over-recovered for the year to date and will continue to be revised downwards in future months as required. Building

maintenance costs for halls and public buildings currently reflect an 11% favourable variance which may partially reverse over the remaining month.

Maintenance activities for road, drains, sump maintenance and street sweeping reflect a 10% favourable variance at month end but this is considered to be a timing difference and will reverse out by year end as maintenance programs are finalised. The drainage work in particular is expected to accelerate as we get closer to winter conditions. Crossover construction costs exceed the current budget - but this is offset by additional revenue attributed to this work. Fleet operations show an under recovery against jobs but this is intended to be retrospectively adjusted at year end.

As would be expected in any entity operating in today's economic climate, there are some budgeted staff positions across the organisation that are necessarily being covered by agency staff (potentially at a higher hourly rate). Overall, the salaries budget (including temporary staff where they are being used to cover vacancies) is currently around 1.1% over the budget allocation for the 214.8 FTE positions approved by Council in the budget process. There are number of factors impacting this, including some staff deferring anticipated leave to meet regular operational responsibilities post reform. Areas where higher over-expenditures or under expenditures have been identified have been investigated and remedial action is being introduced where appropriate.

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

Capital Revenue is disclosed as \$26.05M at 31 May which is very slightly behind the year to date budget of \$26.11M. This value consists largely of land sales proceeds, lease premiums on CPV units leased and infrastructure related grants.

Capital Expenditure at 31 May is \$11.69M representing 76% of the year to date budget of \$15.33M after the inclusion of carry forward projects. The total budget for capital projects for the year is \$18.06M.

The table reflecting capital expenditure progress versus the year to date budget by directorate is presented from October onwards once the final Carry Forward Works were confirmed (after completion of the annual financial statements).

**TABLE 1 - CAPITAL EXPENDITURE BY DIRECTORATE**

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	700,000	678,701	97%	700,000
Major Community Projects	1,547,300	1,063,191	69%	1,897,300
Financial & Information	695,000	643,894	93%	1,110,000
Develop & Community	645,000	511,400	79%	645,000
Infrastructure Services	10,822,600	8,166,866	75%	12,767,100
Waste Management	515,450	229,551	55%	520,450
Golf Course	399,700	397,083	99%	421,115
UGP	0	0	-%	0
<b>Total</b>	<b>15,325,050</b>	<b>11,690,686</b>	<b>76%</b>	<b>18,060,965</b>

### **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**

Financial reports address the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances. Furthermore, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future. This report is aligned to the City's [Sustainability Strategy 2012-2015](#).

### **Attachments**

- 10.6.1 (a):** Statement of Financial Position
- 10.6.1 (b):** Statement of Financial Position
- 10.6.1 (c):** Summary of Non Infrastructure Operating Revenue and Expenditure
- 10.6.1 (d):** Summary of Operating Revenue & Expenditure - Infrastructure Service
- 10.6.1 (e):** Summary of Capital Items
- 10.6.1 (f):** Schedule of Significant Variances
- 10.6.1 (g):** Reconciliation of Budget Movements
- 10.6.1 (h):** Reconciliation of Budget Movements
- 10.6.1 (i):** Rate Setting Statement



## 10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 May 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-40762
Date:	23 June 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 Reid

**Seconded:** Councillor Trent

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

**CARRIED EN BLOC (8/0)**

### 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 \$75.72M (\$78.67M last month) compare favourably to \$47.29M at the equivalent stage of last year. Reserve funds are \$23.0M 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 a number of future major discretionary capital projects. These funding models are detailed in the City's Long Term Financial Plan.

There are also \$1.0M higher holdings of cash backed reserves to support CPV refundable monies but \$0.6M less for the CPV Reserve after allowing for the year's operating result and capital reimbursements. The Sustainable Infrastructure Reserve is \$0.5M higher whilst the River Wall Reserve is also \$0.8M lower as funds have been deployed to fund major capital works. The Waste Management Reserve is \$0.7M 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 \$5.7M 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.

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 (a)**.

#### **(b) Investments**

Total investment in money market instruments at month end was \$73.4M compared to \$48.6M at the same time last year. There is a \$2.2M higher level of cash in Municipal investments. Cash backed reserves are \$22.6M higher as discussed above.

## 10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 May 2015

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 (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 to date total \$2.16M. This compares to \$1.62M 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 3.34% with the anticipated weighted average yield on investments yet to mature now sitting at 2.99%. 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 (c)**. Rates collections to the end of May 2015 (after the due date for the final instalment - other than for pensioners and seniors) represent 97.8% of rates levied compared to 98.0% 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 \$2.24M at month end (\$1.29M last year). GST Receivable is \$1.2M 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.

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 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

## 10.6.2 Monthly Statement of Funds, Investments and Debtors at 31 May 2015

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

### **Attachments**

Nil.

### 10.6.3 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-40764
Date:	23 June 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 May 2015 and 31 May 2015 is presented to Council for information. During the reporting period, the City made total payments by EFT of \$5,456,167.90 and by cheque payment of \$1,006,955.31 giving total monthly payments of \$6,463,123.21.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Reid  
**Seconded:** Councillor Trent

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

**CARRIED EN BLOC (8/0)**

#### Background

Local Government Financial Management Regulation 11 requires a local government to develop procedures to ensure the proper approval and authorisation of accounts for payment. These controls relate to the organisational purchasing and invoice approval procedures documented in the City's Policy P605 - Purchasing and Invoice Approval. They are supported by Delegation DM605 which sets the authorised purchasing approval limits for individual officers. These processes and their application are subjected to detailed scrutiny by the City's auditors each year during the conduct of the annual audit.

After an invoice is approved for payment by an authorised officer, payment to the relevant party must be made and the transaction recorded in the City's financial records. All payments, however made (EFT or Cheque) are recorded in the City's financial system irrespective of whether the transaction is a Creditor (regular supplier) or Non Creditor (once only supply) payment.

Payments in the attached listing are supported by vouchers and invoices. All invoices have been duly certified by the authorised officers as to the receipt of goods or provision of services. Prices, computations, GST treatments and costing have been

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

### Comment

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

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.

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

#### **Attachments**

**10.6.3 (a):** Listing of Payments - May 2015



## 10.6.4 Review of Council Delegation DC690 Town Planning Scheme 6

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-40766
Date:	23 June 2015
Author:	Christine Lovett, Property & Administration 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:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

### Summary

The purpose of this report is for Council to consider and endorse a modification to Delegation from Council DC690 Town Planning Scheme 6.

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cridland

**Seconded:** Councillor Reid

That Council endorse the modified Delegation from Council DC690 Town Planning Scheme 6 contained at **Attachment (a)**

**CARRIED (6/2)**

### Background

Section 5.42 of the *Local Government Act 1995* (the Act) provides that a council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in section 5.43 of the Act.

Section 5.44 of the *Local Government Act 1995* provides that the Chief Executive Officer may delegate the exercise of those functions and powers to employees of the local government.

### Comment

Delegation from Council DC690 Town Planning Scheme 6 delegates the ability to exercise any of the City's duties under Town Planning Scheme 6 (other than this power of delegation), subject to the conditions outlined in Schedule 1, attached to the delegation.

The intention of this report is to propose to remove the table from the Delegation as it unnecessarily restricts management from allocating tasks within the Planning Department. The removal of the table will enable management to act more freely for allocating tasks within the Planning Department.



The table included in DC690 contains the following information:

OFFICER POSITION	POWER & DUTIES DELEGATED
Director Development & Community Services; Manager Development Services; Strategic Urban Planning Adviser	The exercise of any of the CEO's powers and the discharge of any of the CEO's duties arising under the City's Town Planning Scheme No. 6 (the Scheme)
Senior Planning Officer	Unless otherwise instructed by the DDCS or the MDS, and in addition to the powers delegated to a Planning Officer, the power to: <ol style="list-style-type: none"> <li>(1) determine applications for planning approval relating to residential development proposals of up to six dwellings; and</li> <li>(2) residential developments below a height of 9 metres.</li> <li>(3) prepare submissions and recommend approvals to the WAPC relating to applications for subdivision or amalgamation.</li> </ol>
Planning Officer	Unless instructed otherwise by the DDCS or the MDS, the power to determine: Applications for planning approval relating to: <ol style="list-style-type: none"> <li>(i) Development proposals involving up to three single-storey dwellings;</li> <li>(ii) Single-storey additions and/or outbuildings appurtenant to existing dwellings; and</li> <li>(iii) Home occupation.</li> </ol>

This Delegation currently details the individual power and duties delegated to specific officer positions and is considered unnecessary as this is a function of management, not the Council.

To allow for flexibility in the delegation of development applications, it is recommended that the specific power and duties to individual officers is deleted from DC690 Town Planning Scheme 6 and is to be detailed in the Delegation from Chief Executive Officer DM690 Town Planning Scheme No. 6.

This change does not affect any of the circumstances where delegation is allowed to be exercised or expand on the delegation contained in the present Delegation DC690 Town Planning Scheme 6.

Delegation from Council DC690 Town Planning Scheme 6 **Attachment (a)** has been modified accordingly.

#### Consultation

This Report has been written in consultation with City Officers.

#### Policy and Legislative Implications

Section 5.45 (1)(b) of The Act requires that any decision by Council to make, amend or revoke a delegation is to be by an *absolute majority*.

#### Financial Implications

Nil.

#### Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#) - by updating and reviewing delegations that will improve the City's sustainability in the future.

#### Attachments

**10.6.4 (a):** Delegation DC690

## 11. APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Cridland applied for a Leave of Absence for the period 2 July to 7 July 2015 inclusive;

Councillor Reid applied for a Leave of Absence for the period 8 July – 18 July 2015 inclusive.

### **COUNCIL DECISION**

**Moved:** Councillor Trent

**Seconded:** Councillor Huston

That the Leave of Absence applications received from Councillor Cridland for the period 2 July – 7 July 2015 inclusive and Councillor Reid for the period 8 July – 18 July 2015 inclusive, be approved.

**CARRIED (8/0)**

## 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

At the May 2015 Ordinary Council meeting there were no questions from Members taken on notice.

### 13.2 QUESTIONS FROM MEMBERS

Nil.

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

### **MOTION – SOUTH PERTH TRAIN STATION PRECINCT (CR CALA)**

#### **MOTION TO ALLOW NEW BUSINESS AND COUNCIL DECISION**

**Moved:** Councillor Trent

**Seconded:** Councillor Huston

That Councillor Cala's Motion be accepted under Item 14. New Business of an Urgent Nature Introduced by Decision of Meeting.

**CARRIED (8/0)**

At 7.35pm the Presiding Member put that the Standing Orders be suspended for 5 minutes to allow Members to read confidential legal advice received on the matter.

#### **MOTION TO SUSPEND STANDING ORDERS**

**Moved:** Councillor Huston

**Seconded:** Councillor Trent

**CARRIED (8/0)**

At 7.41pm the Presiding Member put that the Standing Orders be resumed.

## **MOTION TO RESUME STANDING ORDERS**

**Moved:** Councillor Trent

**Seconded:** Councillor Hawkins-Zeeb

**CARRIED (7/0)**

## **MOTION – SOUTH PERTH TRAIN STATION PRECINCT (CR CALA)**

**Moved:** Councillor Cala

**Seconded:** Councillor Irons

That:

Further to the Council resolution at the Special Council Meeting of 20 May 2015, which in part was to appoint a consultant to conduct an independent review of Town Planning Scheme 6 in relation to the South Perth Station Precinct, that:

- a) A consultant be appointed prior to the Council determination on Amendment 46;
- b) The Officer's Report on Amendment 46 be held over until the Ordinary Council Meeting of August 2015 to allow sufficient time for the appointment of an appropriately qualified consultant and time for the consultant to provide comment to assist Council in its assessment of the proposed recommended amendments contained in the Officer's Draft Report; and
- c) Following Council's determination on Amendment 46, that a consultant proceed with the brief outlined in the Council resolution of May 2015 and provide a report to Council at the November 2015 Ordinary Council meeting.

**CARRIED (8/0)**

## **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**

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.21pm.

## 17. RECORD OF VOTING

23/06/2015 7:04:37 PM

### **Item 7.1.1 Confirmation of Minutes - Ordinary Council Meeting Held: 26 May 2015**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:05:43 PM

### **Item 7.2.1 Noting of Concept Briefing Notes**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:06:20 PM

### **Item 7.2.2 Noting of Agenda Briefing Notes**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:09:23 PM

### **Item 8.4.1 Receipt of Delegates Reports – SERCUL Quarterly Meeting held 14 May 2015**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:12:04 PM

### **Item 9.1 En Bloc Motion**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:16:09 PM

**10.3.1 Amended Motion (Mayor Doherty) - Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:16:36 PM

**10.3.1 Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:22:36 PM

**10.3.2 Amended Motion (Cr Trent) Proposed Carport Addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth.**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:23:07 PM

**10.3.2 Proposed Carport Addition to Single House on Lot 19 (No. 208) Canning Highway, South Perth.**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:31:31 PM

**10.6.4 Review of Council Delegation DC690 Town Planning Scheme 6**

Motion Passed 6/2

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Glenn Cridland, Cr Michael Huston, Cr Kevin Trent, Cr Fiona Reid

No: Cr Sharron Hawkins Zeeb, Cr Cheryle Irons

Absent: Cr Veronica Lawrance

23/06/2015 7:33:14 PM

**Item 11 Applications for Leave of Absence**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:34:28 PM

**Item 14 Motion to Allow New Business of an Urgent Nature Introduced by Decision of Meeting: South Perth Train Station Precinct (Cr Cala)**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:35:21 PM

**Item 14 Motion to Suspend Standing Orders**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance

23/06/2015 7:41:07 PM

**Item 14 Motion to Resume Standing Orders**

Motion Passed 7/0

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

Absent: Cr Veronica Lawrance, Cr Michael Huston

23/06/2015 8:17:57 PM

**Item 14 Motion: South Perth Train Station Precinct (Cr Cala)**

Motion Passed 8/0

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

Absent: Cr Veronica Lawrance



## APPENDIX

### 6.2 PUBLIC QUESTION TIME: 23 JUNE 2015

1. Geoff Defrenne, 24 Kennard Street, Kensington Received 23 June 2015	Response provided by: Vicki Lummer, Director Planning and Development Services
<p><i>Relates to Item 10.3.3 Proposed 24 metre high safety screen fence to the Royal Perth Golf Course – perceived discrepancy in relation to the fence line between the Report and the Attachment.</i></p> <p>In February 2015 I asked the following question which was taken on notice: “Which is correct – the Report or the Attachment at Item 4. Page 182?”</p> <p>The following answer was reported in the March Agenda: “The fence line between the RPGC and Richardson Park is not correct compared to the reserve boundary. In the attachment, RPGC is explaining that the proposed screen fence will be inside the reserve boundary and therefore will not be completely aligned with the current fence”.</p>	
1. Is the City in the belief the application in February meeting, the proposed fence was to be completely within or on the boundary the land leased by the RPGC.	Yes
2. Does the city hold any information that the proposed 24 m high fence is to be partially in the road reserve.	No
3. If the City is in the possession of any information that states part of the proposed fence would be in part of the road reserve, when did that information become available.	N/A
4. If any part of the proposed fence is or was to be in the road reserve, did the city believe it was under any obligation to correct the answer provided to me?	N/A
5. If the city provides an answer to a question that it is subsequently aware it is wrong, does the city have a policy or moral or ethical obligation to advise the answer given was incorrect and the correction made?	Whilst not applicable in this situation, in the event the City provides an incorrect answer, it will endeavour to rectify it and advise accordingly.

## 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 28 July 2015.

Signed \_\_\_\_\_  
Presiding Member at the meeting at which the Minutes were confirmed