

MINUTES

Ordinary Council Meeting

22 September 2015

To: The Mayor and Councillors

Here within are the Minutes of the Meeting of the City of South Perth Council held Tuesday 22 September 2015 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



MARK TAYLOR
ACTING CHIEF EXECUTIVE OFFICER

24 September 2015



Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Ordinary Council Meetings are held at 7.00pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to meetings of Council and its Committees available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two Councillors, presided over by a popularly elected Mayor. Councillor profiles provide contact details for each Elected Member.

www.southperth.wa.gov.au/Our-Council/

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Ordinary Council Meeting - 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 22 September 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 WELCOME TO NEW COMMUNITY NEWSPAPER REPORTER

The Presiding Member welcomed Journalist Ms Kaylee Martin of the Community Newspaper to the meeting.

3.3 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.

3.4 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES

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

3.5 DEVELOPMENT ASSESSMENT PANEL (DAP) DETERMINATIONS

The Presiding Member advised the meeting of two (2) DAP reports that will be considered at the meeting. These application cannot be determined by Council as they will be determined by the DAP on Friday 25 September.

Council's view in relation to these items will be sent to the DAP Secretariat following this meeting for inclusion on the DAP Agenda as a late attachment to the report.

It will be noted in the Responsible Authority Report (RAR), under the heading "Consultation" that Council has considered the matter.

4. ATTENDANCE

Mayor S Doherty Presiding Member (until 8.02pm)

Councillors

C Cala	Manning Ward
S Hawkins-Zeeb	Manning Ward
G Cridland	Como Ward (Presiding Member from 8.02pm)
V Lawrance, JP	Como Ward
M Huston	Mill Point Ward
C Irons	Mill Point Ward
K Trent, OAM, RFD, JP	Moresby Ward
F Reid	Moresby Ward

Officers

M Taylor	Acting Chief Executive Officer
M Kent	Director Financial and Information Services
V Lummer	Director Development and Community Services
L Croxford	Acting Director Infrastructure Services
P McQue	Manager Governance and Administration
S Kent	Governance Officer

Gallery

There were approximately 12 members of the public and 1 member of the press present.

4.1 APOLOGIES

Nil

4.2 APPROVED LEAVE OF ABSENCE

Nil

5. DECLARATIONS OF INTEREST

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

Declarations of Impartiality Interest were received from Cr G Cridland in relation to Items:

- 10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination); and
- 10.5.1 Thelma Street – Request for Cul-de-Sac on Canning Highway.

These Declarations were read out immediately prior to discussion on each Item.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The Presiding Member advised that the responses to previous public questions taken on notice are available in Appendix One of the September 2015 Agenda.

6.2 PUBLIC QUESTION TIME: 22 SEPTEMBER 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 7.05pm.

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

Written Questions were received prior to the meeting from:

- Mr Lindsay Jamieson of [address withheld on request];
- Mr Geoff Defrenne of 24 Kennard Street, Kensington

Written Questions were received at the meeting from:

- Mr Ian Hasleby of 59A Roseberry Avenue, South Perth

The Presiding Member closed Public Question Time at 7.18pm.

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

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

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 25 August 2015

Officer Recommendation AND COUNCIL DECISION

Moved: Cr K Trent

Seconded: Cr M Huston

That the Minutes of the Ordinary Council held 25 August 2015 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

7.2 BRIEFINGS

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

7.2.1 Agenda Briefing: 15 September 2015

Officers of the City presented background information and answered questions on items to be considered at the September 2015 Ordinary Council Meeting at the Agenda Briefing held 15 September 2015.

Attachments

7.2.1 (a): Agenda Briefing Notes - 15 September 2015 .

7.2.2 Concept Briefings

Officers of the City provided Council with an overview of:

- Ernest Johnson Oval Masterplan – Held 1 September 2015.

A workshop was conducted with Officers and Council in relation to:

- Review of Amendment 46 following Submissions – Held 8 September 2015.

Attachments

7.2.2 (a): EJ Oval Masterplan - Notes - 1 September 2015

7.2.2 (b): Amendment 46 - Workshop Notes - 8 September 2015 .

Officer Recommendation AND COUNCIL DECISION

Moved: Cr C Cala

Seconded: Cr M Huston

That the Notes of the:

- Agenda Briefing held 15 September 2015 under Item 7.2.1;
- Concept Briefing held on 1 September 2015 under Item 7.2.2; and
- Workshop held on 8 September 2015 under Item 7.2.2 be noted.

CARRIED (9/0)

8. PRESENTATIONS

8.1 PETITIONS

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

Nil.

8.2 PRESENTATIONS

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

Nil.

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 for standard reports were heard at the Agenda Briefing of 15 September 2015.

8.3.1 Development Assessment Panel (DAP) Determinations

Item 10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lot 8 & 9 No. 1 & 3 Gwentyfred Road, Kensington (Metro Central Development Assessment Panel Determination)

A Deputation was heard from:

- Mr Ashley Buckle of 17 First Avenue, Kensington FOR the Officer Recommendation

Item 10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).

A Deputation was heard from:

- Mr Harry Goff of 1/62 Thelma Street, Como AGAINST the Officer Recommendation.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 Delegates' Reports

The Delegates' Reports summarising the:

- Rivers Regional Council (RRC) meeting – held 20 August 2015; and
- South East Metropolitan Zone (SEMZ) meeting - held 26 August 2015.

can be found in the **Attachments**.

Attachments

8.4.1 (a): RRC Delegates Report - 20 August 2015

8.4.1 (b): SEMZ Delegates Report - 26 August 2015 .

Officer Recommendation AND COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr S Hawkins-Zeeb

That the Reports summarising the:

- Rivers Regional Council (RRC) meeting – held 20 August 2015; and
- South East Metropolitan Zone (SEMZ) meeting - held 26 August 2015.

be received.

CARRIED (9/0)

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 that all the report items (with the exception of the Metro Central Development Assessment Panel (DAP) Determinations) were discussed at the Agenda Briefing held on 15 September 2015.

The Acting Chief Executive Officer confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point
- Item 10.3.3 SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
- Item 10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lots 8 & 9 No. 1 & 3 Gwennyfred Road, Kensington (Metro Central Development Assessment Panel Determination).
- Item 10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).
- Item 10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway

9.1 EN BLOC MOTION

Officer Recommendation AND COUNCIL DECISION

Moved: Cr G Cridland

Seconded: Cr C Irons

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

- Item 10.3.2 Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como.
- Item 10.6.1 Monthly Financial Management Accounts - August 2015
- Item 10.6.2 Statement of Funds, Investments and Debtors at 31 August 2015
- Item 10.6.3 Listing of Payments
- Item 10.6.4 Tender 5/2015 - Supply of Turf Renovation Services for Sports Fields and Public Open Spaces
- Item 10.6.5 Tender 16/2015 "Mill Point Foreshore Protection"

CARRIED (9/0)

10. REPORTS

The Presiding Member announced that she intended to leave the meeting due to illness and would preside over Items 10.3.3, 10.5.1 and 10.3.5 before handing over the Chair to the Deputy Mayor. The Reports were considered in the following order:

- Item 10.3.3 SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
- Item 10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway
- Item 10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).
- Item 10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lots 8 & 9 No. 1 & 3 Gwentyfred Road, Kensington (Metro Central Development Assessment Panel Determination).
- Item 10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.3 SAT Reconsideration: 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-15-64314
Lodgement Date:	28 August 2015
Date:	22 September 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 reconsider Council's decision relating to 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. The owner has lodged an application with the State Administrative Tribunal (SAT) for a review of the Council's previous decision (June 2015). In the event that the Council affirms its previous decision, the matter is listed for a final hearing in December 2015. 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:** -**Seconded:** -

That Council reconsiders its decisions dated 24 March 2015 and 23 June 2015 and 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.

LAPSED FOR WANT OF A MOVER)**Alternative Motion AND COUNCIL DECISION****Moved:** Cr C Irons**Seconded:** Cr M Huston

That Council:

- a. does not support the Officer Recommendation; and
- b. affirms its previous decision at the March 2015 and June 2015 Ordinary Council Meetings, that the maximum trading hours of the Café / Restaurant be strictly limited to 7:00am – 5:00pm 7 days a week with no deliveries between 9:00pm and 7:00am.

Reasons for the Change

1. The additional information provided by the applicant to increase the maximum trading hours permitted, and considered by the Council, does not provide a substantive argument for the Council to change its position from the previous Council decisions.
2. The Development was approved on a 12 month trial basis given the predominantly residential nature of the surrounding area and community concerns about parking and loss of amenity. It would be more reasonable for the applicant to request an extension in trading hours once the 12 month trial period has been successful.

CARRIED (9/0)

Background

The development site details are as follows:

Zoning	Local Commercial
Density coding	R15
Lot area	652 sq. metres
Building height limit	7.0 metres
Development potential	1 dwelling and/or permissible non-residential land uses
Plot ratio limit	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 relates to a matter previously considered by Council.

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 Council considered a request in June 2015 for 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. The Council did not support this request.

The landowner has lodged an application with the State Administrative Tribunal (SAT) for a review of the Council's previous decision. Following a directions hearing on 7 August and a mediation session held on 25 August, the SAT has invited Council to reconsider its decision, pursuant to section 31(1) of the *State Administrative Tribunal Act 2004 (WA)*. The applicant's letter in support of the extended trading hours is provided as **Attachment (c)**.

10.3.3 SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.

(b) Officer Comments

The City officers prepared a report for this proposed amendment to the trading hours planning condition in June 2015, provided as **Attachments (a)** and **(b)**. The Council did not adopt the officer recommendation at that meeting.

Should the Council elect to affirm its previous decision not to modify the approved trading hours, the applicant is likely to request SAT to refer this matter to a final hearing, where the SAT member(s) will decide whether to uphold Council's decision or to amend the wording of planning condition 14. The matter is listed for a final hearing in December 2015, should the need arise.

Consultation

(a) Design Advisory Consultants' Comments

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

(b) Neighbour Consultation

This reconsideration did not necessitate additional Neighbour Consultation than undertaken prior to Council considering this matter in June. Neighbour comments on this matter are contained in **Attachments (a)** and **(b)**.

(c) Internal Administration

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

(d) External Agencies

This amendment did not necessitate referral to any external agencies.

Policy and Legislative Implications

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

Financial Implications

This determination has some financial implications if Council affirms its previous decision, including costs involved in preparing documentation and attending the SAT hearing.

In the event SAT decides to approve the amended wording of planning condition 14 at a final hearing, the SAT may potentially require the Council to make a contribution towards the applicant's costs in appealing Council's decision.

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.

10.3.3 SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.

Conclusion

It is considered that the proposal meets all of the relevant Scheme and/or Council Policy objectives and provisions, as it is 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

- 10.3.3 (a):** 23 June 2015 Council Resolution and Officer Report - 333 Mill Point Road, South Perth - 11.2014.633.2
- 10.3.3 (b):** 23 June 2015 Officer Report Attachments - 333 Mill Point Road, South Perth - 11.2014.633.2
- 10.3.3 (c):** Applicant's Supporting Letter - 333 Mill Point Road, South Perth - 11.2014.633.3 .

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

Prior to discussion on the following Item the Presiding Member read aloud the Declaration of Impartiality Interest received from Cr Glenn Cridland:

"I declare that I signed the petition which brought this matter to Council, as a resident. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."

10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway

Location:	Thelma Street between Canning Highway and Axford Street, Como
Ward:	Como Ward
Applicant:	Council
File Ref:	D-15-64609
Date:	22 September 2015
Author:	Les Croxford, Acting Director Infrastructure Services
Reporting Officer:	Mark Taylor, Acting Chief Executive Officer / Director Infrastructure Services
Strategic Direction:	Infrastructure and Transport -- Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community
Council Strategy:	5.2 Provide and maintain a safe, efficient and reliable transport network based on safe system principles.

Summary

This report is in response to a petition requesting that the City take action to cause the section of Thelma St between Canning Highway and Axford St to become a cul de sac.

This report provides an explanation of the process required under the Local Government Act to enable an order to be made to close a thoroughfare to through traffic.

Officer Recommendation

Moved: Cr F Reid

Seconded: Cr M Huston

That Council commence the process for closing a street to through traffic by advertising the proposal and inviting submissions from affected persons as well as giving written notice to all the relevant persons prescribed by the Regulations.

Note: with the agreement of all Members Cr Reid moved the recommendation with an amendment: adding a part b.:

Amendment AND COUNCIL DECISION

Moved: Cr F Reid

Seconded: Cr M Huston

That Council

- a. commence the process for closing a street to through traffic by advertising the proposal and inviting submissions from affected persons as well as giving written notice to all the relevant persons prescribed by the Regulations; and
- b. allocate a budget of no more than \$75,000 to come from the Municipal Fund

Surplus for the street closure and request that minimal landscaping be applied to the cul-de-sac treatment.

(Absolute Majority Required for part b.)

CARRIED (9/0)

REASON FOR CHANGE

- Council notes the overwhelming local support for the formal creation of the cul-de-sac in a street which already, on City Officers advice, operates effectively as a cul-de-sac;
- Council supports the officer's recommendation, and
- Council recognises the need for sufficient budget allocation. However given the relative small size of the area of road to be closed (10m to 20m²) and the future works in regards to widening Canning Hwy, it would be wasteful and undesirable to do substantial landscaping as part of the cul-de-sac as the landscaped area will be resumed by the Department of Main Roads as part of the Canning highway widening.

Background

A petition was received on 28 July 2015 from Mr Harry B Goff of 1/62 Thelma Street, Como together with 43 signatures requesting the creation of a cul-de-sac. The text of the petition reads:

"We, electors who live nearby, in and around Thelma St between Canning Highway and Axford St, request that the City take action to cause the section of Thelma St between Canning Highway and Axford St to become a cul de sac as is already planned by Main Roads."

The petition was presented to Council at its August meeting (item 8.1.1 refers). At that meeting Council resolved to receive the petition and to forward the petition to the Director Infrastructure Services for consideration.

The section of Thelma Street is a lightly trafficked residential street (approximately 237 vehicles per day) with a left turn only off Canning Highway. The intersection of Thelma Street at Canning Highway has two reported rear end crashes in the five year period 2009-2014 or less than one sixth the reported rear end crashes at the nearby signalised intersection of Canning Highway and Barker Avenue.

The Canning Highway Road Reservation Review Study, as commissioned by the Department of Transport and adopted in principle by Council at its June 2012 meeting, retained the widening of Canning Highway on the south side by at least seventeen metres with the result that the two Canning Highway frontage lots at Thelma Street would be acquired in whole for the road widening when it occurs sometime in the future. Constructing effectively a three lane new carriageway on land that is currently used for commercial purposes alters substantially the road geometry at the Barker Avenue intersection. To provide the required vehicle queue lengths in Canning Highway the entry to Thelma Street is proposed under the Study to be closed to left turning traffic off the Highway.

Comment

Section 3.50 (1a) of the Local Government Act 1995 enables a local government, by local public notice, to order that a thoroughfare that it manages be wholly or partially closed to the passage of vehicles for a period exceeding four (4) weeks.

10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway

Before the local government is in a position to make that order there is a clear and defined process that must be followed to enable the local government to be in a position to formalise the closure to through traffic by public notice.

The process that must be followed is as follows:

- give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
- give written notice to each person who
 - is prescribed for the purposes of this section;
 - or owns land that is prescribed for the purposes of this section, and
- allow a reasonable time for submissions to be made and consider any submissions made.

The Act also requires the proposal to close the street as advertised be forwarded to Main Roads WA.

Notwithstanding that the Canning Highway Road Reservation Review Study identifies that the left turn access off Canning Highway into Thelma street will be removed as part of the improvement works when it occurs, there is no data from a traffic perspective that would indicate the closure should occur at this time.

Should the Council decide to progress the closure request the City would advertise the intention, send out all the relevant notices, seek and receive submissions and resubmit to Council at a later meeting the outcome from the consultation. The process is expected to take about four (4) months.

There is no budget provision for the actual closure works required. Being on Canning Highway the cost of traffic management and complying with the requirements of Main Roads will significantly increase the cost of the works. The typical cost of a closure including landscaping would be about \$75,000.

Consultation

The Local Government (Functions and General) Regulations 1996 prescribe those persons that must be notified of the intended closure. For the purposes of Section 3.50 of the Local Government Act:

- all utility services that have pipes, cables, or anything else under, on, or above the land used for the thoroughfare;
- St. Johns Ambulance Services;
- Fire and Emergency Services; and
- the occupier of land that will lose its access.

It should be noted that in this regulation “**land that will lose its access**” means land that abuts the thoroughfare at any point to which access would be precluded as a result of the closure.

Policy and Legislative Implications

Section 3.50 of the Local Government Act (as amended) enables a local government to close a street to through traffic and sets out the process that must be followed.

Financial Implications

The cost of advertising and typical administrative expenses can be covered as a departmental operational expense. Should the Council proceed to a formal closure a separate budget allocation will be required. No provision has been made for any works on Canning Highway or Thelma Street. The estimated cost of the closure, including landscaping, is \$75,000.

10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). The appropriate management of the local road system is extremely important to ensure that it meets the current and future traffic, transport and road safety needs of the community.

The report complements the City's Strategic Community Plan and Corporate Business Plan 2015 – 2019 - Infrastructure and Transport and in particular: Strategic Objective 5.2 – *“Advocate for, provide and maintain a safe, efficient, and reliable transport network based on safe system principles”*.

Attachments

Nil.

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

Prior to discussion on the following Item the Presiding Member read aloud the Declaration of Impartiality Interest received from Cr Glenn Cridland:

"I declare that I live in Thelma Street, three houses from the proposed development. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."

10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).

Location:	Como
Ward:	Moresby Ward
Applicant:	Rowe Group
File Ref:	D-15-64100
Lodgement Date:	15 September 2015
Date:	22 September 2015
Author:	Siven Naidu, Senior Planning Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Develop and promote contemporary sustainable buildings, land use and best practice environmental design standards.

Summary

At its August 2015 Council meeting, Council adopted the following motion:

"That Council implements the following practice in relation to the Joint Development Assessment Panel (JDAP) meetings:

- 1. All Form 1 Responsible Authority Reports (RAR's) are to be considered by Council either by a scheduled meeting of Council, or via a Special Council Meeting prior to the relevant JDAP meeting;*
- 2. Form 2 and SAT RARs to be considered by Council on a "call in" basis;*
- 3. A Special Council Meeting is to be convened to consider any Responsible Authority Reports currently being assessed that will be considered by the JDAP in September; and*
- 4. Should the Regulations in relation to Development Assessment Panels be amended, that Council revisit this practice."*

OFFICER RECOMMENDATION

Moved: -

Seconded: -

That Council notes the Responsible Authority Report prepared for the Joint Development Assessment Panel regarding the proposed two storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como.

LAPSED FOR WANT OF A MOVER

ALTERNATIVE RECOMMENDATION AND COUNCIL DECISION**Moved:** Cr F Reid**Seconded:** Cr K Trent

That Council:

- a) notes and does not endorse the Responsible Authority Report (RAR) prepared for the Joint Development Assessment Panel regarding the proposed two storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como; and
- b) requests the Officers to resubmit the RAR to reflect the decision made at the September 2015 Ordinary Council Meeting to commence the process for the closing of Thelma Street.

CARRIED (9/0)**Reasons for Alternative**

If we did go forward with commencing with the closure of Thelma St that the Responsible Authority Report (RAR) would need to be changed and refusal submitted.

Comment

In accordance with the above Council resolution the RAR is attached for Council to consider. The JDAP meeting is scheduled for Friday 25 September 2015 at 9.00am in the Council Chamber.

Policy and Legislative Implications

Comments are provided in the RAR in relation to scheme and policy requirements.

Financial Implications

Nil.

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.*

Attachments

- | | |
|--------------------|--|
| 10.3.5 (a): | RAR Form 1 |
| 10.3.5 (b): | Attachment 1 - Development Plans |
| 10.3.5 (c): | Attachment 2 - Applicants Report |
| 10.3.5 (d): | Attachment 3 - Site Photographs |
| 10.3.5 (e): | Attachment 4 - Applicants Supporting Report |
| 10.3.5 (f): | Attachment 5 - City Environment [Parks] Comments |
| 10.3.5 (g): | Attachment 6 - City's Engineering Comments |
| 10.3.5 (h): | Attachment 7 - Environmental Health Comments |
| 10.3.5 (i): | Attachment 8 - Main Roads WA Comments |
| 10.3.5 (j): | Attachment 9 - Neighbour Submissions |
| 10.3.5 (k): | Attachment 10 - Policy P315 Car Attachment 10 - Policy P315 Parking Reductions for Non-Residential Development |

10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).

10.3.5 (l): Attachment 11 - Policy P307 Family Day Care and Child Day Care Centres

10.3.5 (m): Attachment 12 - Insert from Minutes of April 2015 Ordinary Council Meeting

10.3.5 (n): Attachment 13 - TPS6 - Table 4 insert .

At approximately 8.02pm Presiding Member Mayor Doherty handed over the Chair to Deputy Mayor Cr Glenn Cridland and left the meeting.

10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point

Location: Salter Point
 Ward: Manning Ward
 Applicant: Quinten & Daneka Lynch
 File Ref: D-15-64302
 Lodgement Date: 16 September 2015
 Date: 22 September 2015
 Author: Erik Dybdahl, Statutory Planning Officer
 Reporting Officer: Vicki Lummer, Director Development and Community Services
 Strategic Direction: Housing and Land Uses -- Accommodate the needs of a diverse and growing population
 Council Strategy: 3.3 Develop and promote contemporary sustainable buildings, land use and best practice environmental design standards.

Summary

To consider an application for planning approval for a proposed two-storey Single House on Lot 307 (No. 6) Potter Avenue, Salter Point. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Boundary walls	Council Policy P350.2 clause 7
Building setbacks	R-Codes Design Principles 5.1.3 P3.1 CoSP TPS6 Clause 7.5(n)

Officer Recommendation

Moved: Cr F Reid
Seconded: Cr K Trent

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a proposed two-storey Single House on Lot 307 (No. 6) Potter Avenue, Salter Point **be approved** subject to:

(a) Standard Conditions:

210 screening- permanent	470 retaining walls- if required
377 screening- clothes drying	471 retaining walls- timing
390 crossover- standards	455 dividing fences- standards
427 colours & materials- details	456 dividing fences- timing
550 plumbing hidden	340A parapet walls- finish from street
660 expiry of approval	445 stormwater infrastructure

(b) Specific Conditions / Reasons

- (i) **Revised drawings** shall be submitted to the City for approval *prior* to the submission of a building permit; such drawings shall provide the garage boundary wall on the western side of the development with a setback of 6.0 metres from the street.

- (ii) At least one tree, not less than 3.0 metres in height, shall be planted on the site within the street setback area or elsewhere on site, prior to occupation of the dwelling. The tree shall be maintained in good condition thereafter.
- (iii) The height of any letterbox, electricity installation, bin enclosure, or other structure, fence, wall or hedge within 1.5 metres of any vehicle driveway where it meets a street alignment shall not exceed 0.75 metres, in accordance with Council Policy P350.7.5.

(c) Standard Advice Notes

700A	building permit required	790	minor variations- seek approval
705	revised drawings required	725	fences note- comply with that Act
706	applicant to resolve issues	795B	appeal rights- council decision

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

Amended Motion

Moved: Cr C Cala

Seconded: Cr M Huston

That the Officer's Recommendation be amended to delete sub-clause (i) in clause (b) *Specific Conditions / Reasons* and subsequently sub-clauses (ii) and (iii) be renumbered to (i) and (ii) (as follows in red):

(b) Specific Conditions / Reasons

- ~~(i) Revised drawings shall be submitted to the City for approval prior to the submission of a building permit; such drawings shall provide the garage boundary wall on the western side of the development with a setback of 6.0 metres from the street.~~
- (i) At least one tree, not less than 3.0 metres in height, shall be planted on the site within the street setback area or elsewhere on site, prior to occupation of the dwelling. The tree shall be maintained in good condition thereafter.
- (ii) The height of any letterbox, electricity installation, bin enclosure, or other structure, fence, wall or hedge within 1.5 metres of any vehicle driveway where it meets a street alignment shall not exceed 0.75 metres, in accordance with Council Policy P350.7.5.

CARRIED (8/0)

Reason for Amendment

1. While the Application does not comply with Policy P350.2 'Residential Boundary Walls' Clauses 7(a) & (b) with respect to the proposed boundary wall setback of the Garage from the street alignment; when the development is considered as a whole and in the context of the street, the request for a concession to relax the requirements of the Policy is justified.
2. The portion of the residence that is along the 4.5 metre alignment is only for the garage and upper level bedroom. While the balcony edge is aligned also with the 4.5 metres, the lower Master Bedroom and Upper Activities Room walls are set back another 1.6 metres. The form of the front elevation is therefore articulated and off sets the effect of the bulk of the boundary wall. The future side driveway to provide access to the future rear block, while not technically forming part of the lot under these proposals, offers further visual separation from the residence to the east.

3. Though it is apparent that the Applicants are wishing to maximise the use of their lot, given the future proposed subdivision and battle-axing to the rear, the concession being sought is not unreasonable given that whether the boundary wall setback to the west side is compliant or not, it would be very subjective to conclude that the new development will have a detrimental impact on the established streetscape.
4. To add weight to the lack of concern from nearby residents with respect to any impact on the streetscape, during the advertising period, a total of 7 consultation notices were sent. None of those consulted came into view plans nor place any submissions on the proposed development.

COUNCIL DECISION

Moved: Cr F Reid

Seconded: Cr K Trent

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a proposed two-storey Single House on Lot 307 (No. 6) Potter Avenue, Salter Point **be approved** subject to:

(a) Standard Conditions:

210	screening- permanent	470	retaining walls- if required
377	screening- clothes drying	471	retaining walls- timing
390	crossover- standards	455	dividing fences- standards
427	colours & materials- details	456	dividing fences- timing
550	plumbing hidden	340A	parapet walls- finish from street
660	expiry of approval	445	stormwater infrastructure

(b) Specific Conditions / Reasons

- (i) At least one tree, not less than 3.0 metres in height, shall be planted on the site within the street setback area or elsewhere on site, prior to occupation of the dwelling. The tree shall be maintained in good condition thereafter.
- (ii) The height of any letterbox, electricity installation, bin enclosure, or other structure, fence, wall or hedge within 1.5 metres of any vehicle driveway where it meets a street alignment shall not exceed 0.75 metres, in accordance with Council Policy P350.7.5.

(c) Standard Advice Notes

700A	building permit required	790	minor variations- seek approval
705	revised drawings required	725	fences note- comply with that Act
706	applicant to resolve issues	795B	appeal rights- council decision

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

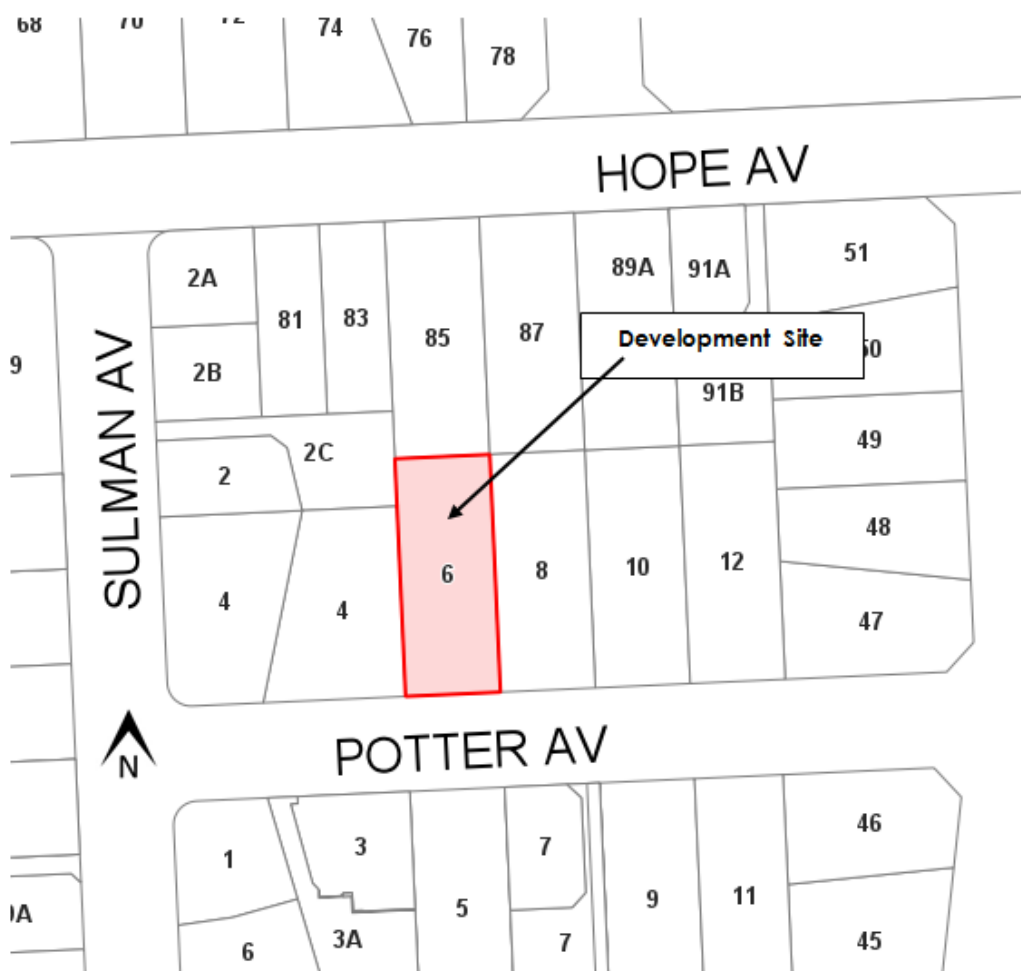
CARRIED (8/0)

Background

The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	1012sq. metres
Building height limit	7.0 metres
Development potential	2.0 dwellings
Plot ratio limit	N/A

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.

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.

Comment

(a) Background

In June of 2015, the City received an application for a Single House in a 2-storey development on Lot 307 (No. 6) Potter Avenue, Salter Point (the **Site**).

Upon assessment of the proposed dwelling an issue of non-compliance with City Policy was identified in relation to the setback of the proposed garage boundary wall on the western side of the development being less than the required 6.0m as per City Policy. It is also considered that the reduced setback of the garage has streetscape implications as the dwelling is front loaded with the garage, porch and upper floor bedroom and balcony running the stretch of the frontage at a 4.5m setback.

The applicant was advised via a *further information letter* of the non-compliance in relation to the boundary wall setback and several other minor issues on the 13th July 2015. On the 12th of August the applicant responded (see **Attachment (b)** and revised plans **Attachment (a)**) addressing and satisfactorily justifying other issues yet maintained the proposed boundary wall setback of 4.5m and subsequently requested the application be determined by Council rather than under delegation.

While the applicant advised there is no intent to subdivide in the near future, the proposed lot layout and dwelling design clearly provides for future subdivision and the development of a second dwelling at the rear of the lot in a battle-axe configuration, see the plans of the proposed, **Attachment (a)**.

(b) Existing Development on the Subject Site

The subject site is currently cleared and vacant in preparation for development. An older, single-storey, single house previously existed on the site which has since been demolished.

(c) Description of the Surrounding Locality

The Site has a frontage to Potter Avenue to the south, located approximately 120 metres west of the Potter Avenue / Salter Point Parade intersection and is approximately 950m south of the Manning Road Regional Road. The focus area and surrounding locality primarily consist of Single House development at a density of R20 with scattered grouped dwelling developments as seen in **Figure I** below:



(d) Description of the Proposal

The proposal involves the construction of a two-storey single house on the subject Site, as depicted in the submitted plans at **Attachment (a)** (latest revision 12th August 2015). The proposed design also provides for the future subdivision of the lot and the development of a second dwelling at the rear of the proposed in a battle-axe formation although this has not yet been proposed.

The following components of the proposed development do not satisfy the *City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6)* the *Residential Design Codes of WA 2008 (R-Codes)* and/or Council Policy requirements:

- (i) City Policy P350.2 'Residential Boundary Walls' Clauses 7(a) & (b)-proposed boundary wall setback from the street alignment less than 6.0m.
- (ii) CoSP TPS6 Clause 7.5(n) 'The extent to which a proposed building is visually in harmony with neighbouring existing building in the focus area'.

The proposal is considered to satisfy other requirements and objectives of the R-Codes, TPS6 and City Policy with the exception of those listed above, which are to be discussed further in the next section of this report. Additionally, City Policy P350.9 'Significant Views' is also discussed, considering the slope of the ground and proximity of the development site to significant views.

(e) Boundary Wall - Ground Floor, West, Garage

Under City Policy P350.2 'Residential Boundary Walls', the permitted setback for boundary walls is to be no less than 6.0 metres, unless otherwise specified in a precinct-based policy or if it is to abut an existing adjoining boundary wall at a lesser setback, which is not the case for this application. The proposed Garage boundary wall setback is 4.5 metres from the front lot boundary and therefore, the proposed development does not comply with this element of the Council Policy.

The intention of the minimum 6.0m setback requirement for boundary walls is to ensure streetscapes are not occupied by bulky boundary walls at reduced setbacks which can have a detrimental impact on established streetscapes in terms of visual balance and bulky structures abutting side setbacks forward of adjoining developments. The requirement also seeks to reduce the dominance of garages at the front of dwellings.

By increasing the setback of the proposed garage boundary wall, the dominance of the garage is reduced as the porch and upper floor will project forward of the garage and will bring the setback of buildings in greater balance with the immediately adjoining development (4 Potter Avenue) as will be discussed in the following section. It should be noted there are no expected amenity impacts upon the adjoining property as the proposed wall is to be opposite an existing blank wall on the adjoining property, yet streetscape implications are evident given the difference in setback.

While there are examples of garage boundary walls at reduced setbacks (5.0 metres) on the opposite side of the street (3, 5 & 7 Potter) these dwellings were approved and constructed well before the existence of Council Policy P350.2 and therefore such a setback was not required. Looking at the pictures of these dwellings below, they are examples of what the policy objective is trying to avoid; prominent garage structures built up to the boundary at reduced street setbacks dominating the streetscape:



10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point

In this instance, it is considered that the proposal does not comply with the Council Policy, and is therefore is not supported by the City, however a condition is recommended to rectify this matter.

(f) **Street Setback**

The prescribed average street setback requirement is 6.0 metres as per Table 1 of the R-Codes. The dwelling achieves the 6.0 metre average (6.45m) yet this is due primarily to the open space on the eastern side of the lot which is provided for the future subdivision rear access leg (although not proposed as yet); without this and if assessed on the future proposed subdivision lot the dwelling would not achieve the 6.0m average instead providing a 5.37m average setback. As such, requesting the minimum 6.0m setback to the garage boundary wall will not only satisfy P350.2 policy requirements but also bring the setback of buildings in greater balance with adjoining development and the streetscape itself.

The adjoining dwelling, 4 Potter Avenue, is setback 6.8 metres to the building line on the eastern side of the development. As such the proposed boundary wall, at a setback of only 4.5m, will be positioned 2.3 metres forward of this building line and as such create visual imbalance along the streetscape due to the difference of setbacks. By revising the setback of the boundary wall to achieve the required 6.0m setback it will bring the building line on this side of the development to be within 1.0m (800mm) of the adjoining building line and therefore creating greater consistency of setback with the adjoining development and deliver a greater visual balance to the streetscape of Potter Avenue.

In this instance, it is considered that the proposal does not comply with the Council Policy, and is therefore is not supported by the City; however a condition is recommended to demonstrate compliance and thereby rectify this matter.

(g) **Significant Views**

P350.9 requires the City to consider how proposed residential development may affect significant views available from adjoining properties. The street slopes to the east, with views to Canning River to the east and south east.



The properties on No. 8 Potter Avenue & No. 87 Hope Avenue are situated lower on the natural slope of the land and are single storey hence there are no adverse impacts to views in this regard. No. 85 Hope Avenue, directly to the rear of the site, is also a single storey residence without existing views to the river. No. 4 Potter Avenue is a single storey residence and sits at a higher level to the development site on the west hence it is observed that there are no adverse impacts to views in this regard. A review of the approved plans for No. 2C Sulman Avenue shows that there are no existing major openings on the upper floor that has views to the river (south east), hence there are no impacts to views in this regard.

Officers consider that the proposed development complies with P350.9.

(h) 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:

- (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;*

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

(i) 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:

- (c) *the provisions of the Residential Design Codes and any other approved Statement of Planning Council Policy of the Commission prepared under Section 5AA of the Act;*
- (d) *any other Council Policy of the Commission or any planning Council Policy adopted by the Government of the State of Western Australia;*
- (e) *any approved environmental protection Council Policy under the Environmental Protection Act, 1986 (as amended);*
- (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;*

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

Consultation

(j) **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, affected individual property owners, occupiers and/or strata bodies were invited to inspect the plans and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised)..

During the advertising period, a total of 7 consultation notices were sent. None of those consulted came into view plans nor place any submissions on the proposed development.

(k) **Other City Departments**

Given the characteristics of the development site and proposed dwelling no comments were required from the City's Environmental Health, City Environment and Building Services section(s) and the Strategic Urban Planning Adviser, the Heritage Officer 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

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 does not meet all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions, as it has the potential to have a detrimental impact on adjoining residential neighbours and streetscape. However, provided that conditions are applied as recommended, it is considered that the application should be conditionally approved.

Attachments

10.3.1 (a): Plans of the Proposal - Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point

10.3.1 (b): Applicant Response Letter - Proposed Two-Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point .

10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lots 8 & 9 No. 1 & 3 Gwentyfred Road, Kensington (Metro Central Development Assessment Panel Determination).

Location:	Gwentyfred Holdings Pty Ltd
Ward:	Moresby Ward
Applicant:	TPG Town Planning, Urban Design & Heritage
File Ref:	D-15-64088
Lodgement Date:	24 June 2015
Date:	22 September 2015
Author:	Trinh Nguyen, 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

At its August 2015 Council meeting, Council adopted the following motion:

“That Council implements the following practice in relation to the Joint Development Assessment Panel (JDAP) meetings:

- 1. All Form 1 Responsible Authority Reports (RAR’s) are to be considered by Council either by a scheduled meeting of Council, or via a Special Council Meeting prior to the relevant JDAP meeting;*
- 2. Form 2 and SAT RARs to be considered by Council on a “call in” basis.*
- 3. A Special Council Meeting is to be convened to consider any Responsible Authority Reports currently being assessed that will be considered by the JDAP in September; and*
- 4. Should the Regulations in relation to Development Assessment Panels be amended, that Council revisit this practice.”*

Officer Recommendation

Moved: Cr K Trent

Seconded: Cr F Reid

That Council notes the Responsible Authority Report prepared for the Joint Development Assessment Panel regarding the proposed 17 Multiple Dwellings within a four storey building at Lots 8 and 9 (No. 1 and 3) Gwentyfred Road, Kensington.

Note: with the agreement of all Members Cr Trent moved the recommendation with an amendment: adding the words “and endorses” and “without any further amendments”.

Amended Motion AND COUNCIL DECISION

Moved: Cr K Trent

Seconded: Cr F Reid

That Council notes and endorses the Responsible Authority Report prepared for the Joint Development Assessment Panel, without any further amendments, regarding the proposed 17 Multiple Dwellings within a four storey building at Lots 8 and 9 (No. 1 and 3) Gwentyfred Road, Kensington.

CARRIED(8/0)

10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lots 8 & 9 No. 1 & 3 Gwentyfred Road, Kensington (Metro Central Development Assessment Panel Determination).

Reasons for Amendment

- What is going forward is the continuation of previous mediation and subsequent refusal on these two particular lots.
- Council needs to *endorse* the RAR, not just *note* it as it stands in tonight's Agenda and Attachments on the basis that potentially there may be requests for further adjustment and other discretions or conditions that might change that position - we are making an endorsement on this particular report with this particular position.

Comment

In accordance with the above Council resolution the RAR is attached for Council to consider. The JDAP meeting is scheduled for Friday 25 September at 9.00am in the Council Chamber.

Policy and Legislative Implications

Comments are provided in the Responsible Authority Report in relation to scheme and policy requirements

Financial Implications

Nil.

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.*

Attachments

- 10.3.4 (a):** Officer's responsible authority report (RAR) for Metro Central JDAP determination
- 10.3.4 (b):** Development plans
- 10.3.4 (c):** Applicant supporting report
- 10.3.4 (d):** Applicant further information report
- 10.3.4 (e):** Engineering Infrastructure comments
- 10.3.4 (f):** Environmental Health comments .

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.2 Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como

Location:	102 Comer Street (Previously 297 Canning Highway)
Ward:	Como Ward
Applicant:	Motus Architecture
File Ref:	D-15-64333
Lodgement Date:	16 September 2015
Date:	22 September 2015
Author:	Siven Naidu, Senior Planning Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Develop and promote contemporary sustainable buildings, land use and best practice environmental design standards.

Summary

To consider an application for planning approval for the proposed amendment to approved street car parking associated with an approved mixed development on Lot 51 (No. 102) Comer Street (previously 297 Canning Highway), Como. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Car parking provision	TPS6 clause 6.3 & P316

Officer Recommendation AND COUNCIL DECISION

Moved: Cr G Cridland

Seconded: Cr C Irons

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for the Proposed Amendment to Approved Street Car Parking associated with an Approved Mixed Development on Lot 51 No. 102 Comer Street **be approved** subject to for the following conditions:

(a) Standard Conditions / Reasons

393	verge & kerbing works	353	visitor bays- marked and visible
625	sightlines for drivers	354	car bays- maintained
352	car bays- marked and visible	660	expiry of approval

(c) Standard Advice Notes

700A	building licence required	790	minor variations
720	strata note- comply with Act	795B	appeal rights- council decision

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

CARRIED EN BLOC (9/0)

Background

The development site details are as follows:

Zoning	Residential
Density coding	R40
Lot area	410m ²
Building height limit	N/A
Development potential	N/A
Plot ratio limit	N/A

This report includes the following Attachments:

Attachment (a)	Plans of the proposal.
Attachment (b)	Site photographs
Attachment (c)	Applicant's supporting Letter.
Attachment (d)	Engineering Infrastructure Comments.
Attachment (e)	Main Roads WA Comments
Attachment (f)	Australian Standards Parallel Parking insert
Attachment (g)	City Policy P315

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.

Comment**(a) Background**

In September 2010, the Council approved an application for a 2-storey mixed development on Lot 1 (No. 297) Canning Highway (now Lot 51, No. 102 Comer Street), Como (the **Site**). Subsequently the applicant received a Building Permit approval, and construction of the building is near completion.

During the proposed construction of the street parking, Main Roads identified that the location of the corner traffic signal would result in the loss of street parking, hence in July 2015 the City received an application to amend the approved street parking layout.

(b) Description of the Surrounding Locality

The site has a frontage to Canning Highway and Comer Street and is located adjacent to residential development. Opposite the site on Canning Highway is a commercial building to the south-east and residential development to the south-west, as seen in **Figure I** below:

**(b) Description of the Proposal**

The proposal involves the amendment to the previously approved street car parking layout by way of reconfiguring the existing bays resulting in a loss of 3 car bays (from 7 bays to 4 bays), as depicted in the submitted plans at **Attachment (a)**. Furthermore, the Site photographs referred to as **Attachment (b)**, show the relationship of the Site with the surrounding built environment.

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

- Car parking (TPS6 Clause 6.3)

(d) Car parking

In September 2010 Council approved a proposal for a Mixed Development (Café/Restaurant, shop & two Single Bedroom Dwellings) on the Site. As part of the initial approval 16 car bays were required, however 15 car bays were approved with council discretion (2 bays for the Single Bedroom Dwellings, 1

10.3.2

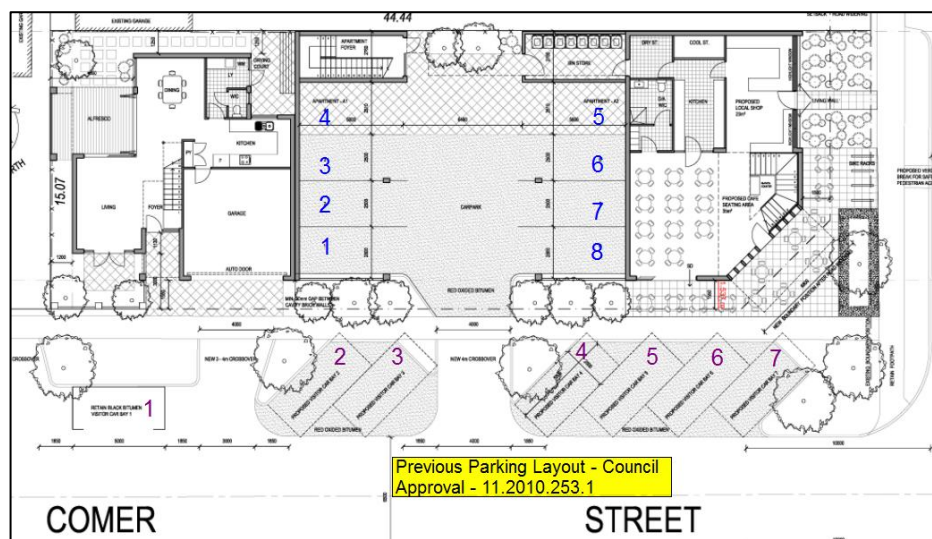
Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como

bay for the shop and 13 bays for the Café/Restaurant, of which 8 bays were located on-site and 7 bays as street parking).

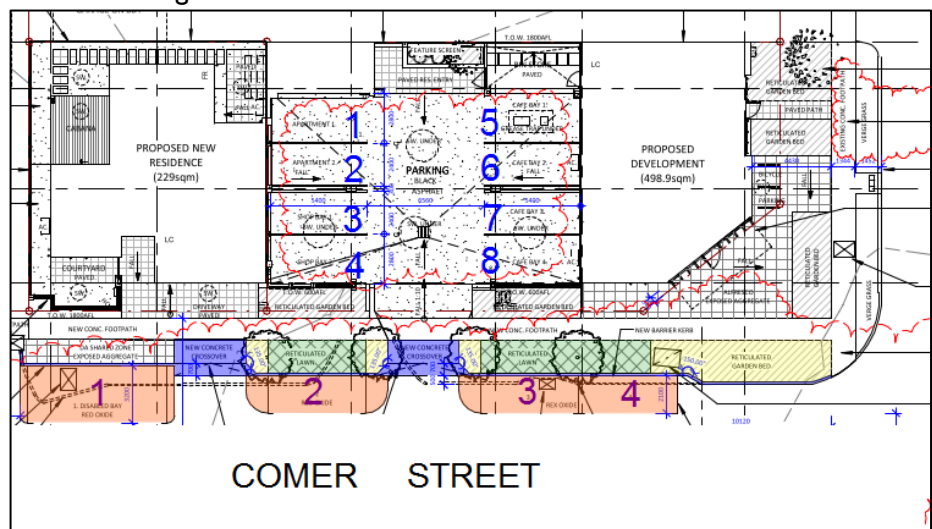
During the building construction stage it was identified that the required number of street bays could not be built as proposed, due to the relocation of the existing road signal closer to the street corner and the existing location of a Telstra pit. It was then realised that this would result in the loss of three street car bays, hence requiring the applicant to revisit the parking layout and provide the City with an alternate proposal.

With the reconfiguring of the street parking, the total number of car bays was reduced from 15 bays to 12 bays (8 bays on-site and 4 bays street parking), hence a shortfall of 3 bays.

The diagram below was the initial proposal for 15 car bays (8 bays located on-site and 7 bays street parking), which was approved by Council in 2010:



The diagram below is the current amended proposal indicating the proposed 4 street car bays, allowing for the necessary clearances to accommodate the corner street signal:



Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como

The development has been constructed and is ready for occupation, hence City officers propose applying the car parking reductions policy retrospectively.

If the proposal was a current submission it would qualify for a reduction in car parking based on the requirements of Policy P315 "Car Parking Reductions for Non-Residential Development" (**Attachment (g)**). The applicant has considered this policy as part of their submission at **Attachment (c)**.

If the policy were to be applied to the proposal it would qualify for an adjustment factor of 0.68 (percentage reduction of 32%) as the proposal meets two numbered points in Table 1 'Permitted Car Parking Reductions' of policy P315, namely "Number 2 – The proposed development is within 400 metres of a bus stop/station & No. 4 – The proposed development contains a mix of uses, where at least 45 percent of the gross floor area is residential, provided that the required provision of visitor bay's for each use are made available to visitors at all times".

With the timing of the modified requirements from Main Roads and Telstra; if this reduction were applied to the original proposal in 2010 for 16 car bays, only 11 (10.88) car bays will be required for the development.

Engineering Infrastructure section in consultation with the applicant and Main Roads provide the following comments (**Attachment (d)**) which summarises the process and their preferred outcome of the proposal.

"Street Parking

This development was initially assessed with six angled parking bays and one parallel disability access bay. The off-site parking layout plan as initially developed in 2010/11 had the front end of the angled parking bay at less than the minimum setback for the No Standing requirements under the Road Traffic Code, although the rear end was at the minimum distance of 10 metres from the kerb line extension of Canning Highway. The proposed arrangement required Main Roads to relocate the Give Way sign to another position as defined by the new kerb line. This requirement was overlooked by Main Roads in their response to the City's request for comment on the development. A review more recently by the Network Operations Directorate highlighted that the Give Way sign, a regulatory sign, could not be located to the required position to accommodate the angled parking arrangement. The only solution that would be allowable under the strict interpretation of the regulatory signage guidelines was the retention of the status quo i.e. parallel parking on substantially the original kerb alignment.

A further complication was overlooked at the time of original submission and only was raised by Telstra in a recent conversation with the Architect for the development. Essentially Telstra has an Occupational Health and Safety Policy that no access chamber to their below ground services is to be located in any part of a roadway. The intent here is that safe and easy access to the chamber is maintained at all times. However locating the access chamber in the street verge does not guarantee that the chamber will be accessible at all times as there is nothing to prevent a vehicle parking on the verge and thereby obstructing the access. It does mean that when access is required and available it can be achieved without the need for extensive traffic management and safety barriers that would be required if the chamber was in any part of the trafficable lane.

Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como

The proposal as developed had the access chamber that was previously on the verge now within a parking bay. Although it is not within a trafficable lane Telstra has determined that is within the roadway and therefore relocation is the only option. While the cost alone would have been prohibitive the fact that the angled parking could not be installed due to the refusal to relocate the Give Way sign leaves the Architect with no option but to revert to the parallel parking arrangement that existed prior to the development commencing. However the default arrangement provides for only four parking bays, three less than the original proposal.

This project has encountered numerous problems along the way and a speedy resolution of the street parking would be advantageous to all. Considering the way Canning Highway is now being viewed by Main Roads and the strong emphasis being placed on decongesting the Highway for the two to three hours a weekday by imposing 24 hour controls on side intersections, retaining the four parallel parking bays in Comer Street is the best outcome that can be expected for the street. The adopted Canning Highway Road Reservation Review Study identified:

- *Canning Highway Causeway to Canning Bridge – retain right turn from Canning Highway to Comer Street (controlled right turning lane) to travel west in Como;*
- *Canning Highway Canning Bridge to Causeway – provide at Comer Street left turn only from Canning Highway and left turn only onto the Highway.*

Conclusion

The amended plan for street parking in Comer Street needs to be supported and implemented without a penalty.”

Additionally Main Roads support the revised layout as referred to **Attachment (e)**.

The width and depth of street bays 2, 3 and 4 do not comply with TPS6 requirements (6.0m depth and 3.0 metres width) however these bays have been provided in accordance to the specifications in the Australian Standards, as referred to in **Attachment (f)**.

In light of the above and considering the proposal has support from Main Roads WA and City’s Engineering Infrastructure, officers recommend that Council support the variation.

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

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in clause 1.6 of TPS6, which are, in the opinion of the Council, relevant to the proposed development. Of the 12 listed matters, the following are particularly relevant to the current application and require careful consideration (considered not to comply in bold):

- (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 this matter.

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

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in clause 7.5 of TPS6 which are, in the opinion of the Council, relevant to the proposed development. Of the 24 listed matters, the following are particularly relevant to the current application and require careful consideration (considered not to comply in bold):

- (f) *any planning Council Policy, strategy or plan adopted by the Council under the provisions of clause 9.6 of this Scheme;*
- (s) *whether the proposed access and egress to and from the Site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvre and parking of vehicles on the Site;*
- (t) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety; and*
- (x) *any other planning considerations which the Council considers relevant.*

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

Consultation**(a) 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 were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of 20 consultation notices were sent and no submissions were received in relation to the proposal.

(c) Internal Administration

Comments were invited from Engineering Infrastructure Services of the City's administration, relating to the car parking and traffic generated from the proposal. This section supported the proposal at **Attachment (d)**.

(d) External Agencies

Comments were also invited from the department Main Roads WA, who have also supported the proposal. (refer to **Attachment (e)**).

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.

10.3.2 Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como

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.

Conclusion

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

Attachments

- 10.3.2 (a):** Plans of proposal
- 10.3.2 (b):** Site Photos
- 10.3.2 (c):** Applicants supporting Letter
- 10.3.2 (d):** Engineering Infrastructure Comments
- 10.3.2 (e):** Main Roads WA Comments
- 10.3.2 (f):** Australian Standards (Car Bay Dimensions) Insert
- 10.3.2 (g):** City Policy P315 .

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - August 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-64298
Date:	22 September 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: Cr G Cridland

Seconded: Cr C Irons

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)** not be presented for Aug 2015;
- (e) the Rate Setting Statement provided as **Attachment (i)** be received.

CARRIED EN BLOC (9/0)

Background

Local Government (Financial Management) Regulation 34 requires the City to present monthly financial reports to Council in a format reflecting relevant accounting principles. A management account format, reflecting the organisational structure, reporting lines and accountability mechanisms inherent within that structure is considered the most suitable format to monitor progress against the budget.

10.6.1 Monthly Financial Management Accounts - August 2015

The information provided to Council is a summary of the more than 100 pages of detailed line-by-line information supplied to the City's departmental managers to enable them to monitor the financial performance of the areas of the City's operations under their control. This report reflects the structure of the budget information provided to Council and published in the Annual Management Budget.

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

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

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

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

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

A summary of budgeted capital revenues and expenditures (grouped by department and directorate) will be provided each month from September onwards. From that date on, the schedule will reflect a reconciliation of movements between the 2015/2016 Adopted Budget and the 2015/2016 Amended Budget including the introduction of the unexpended capital items carried forward from 2014/2015.

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 - August 2015

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

It is important to recognise that, as at reporting date, the June 2015 financial statements have not yet been finalised. There will continue to be appropriate professional year-end balance sheet adjustments and asset valuation adjustments etc up until the audit of the City's accounts. Whilst this does not affect the Operating Accounts for the 2015/2016 year; the Balance Sheet will necessarily be affected because the 'opening balances' carried forward into this year are added to the current year movements in these accounts. The relevant Balance Sheet accounts will be adjusted where appropriate - meaning that the August Balance Sheet will necessarily contain some accounting estimates or unadjusted balances at this time.

Operating Revenue to 31 August 2015 is \$41.41M which represents some 101% of the \$41.19M year to date budget. Revenue performance is close to budget in most areas other than those items identified below. Interest revenues are 16% above budget expectations for the month overall - 23% over for Reserves and 8% over budget for Municipal funds. Rate revenue reflects as being slightly ahead of budget as a result of the receipt of a late interim rate schedule after the final rates modelling was done. Parking revenue is currently 7% below budget expectation although the appointment of a dedicated parking officer in the near future is expected to remedy that situation.

Planning revenues are shown as 15% ahead of budget. Planning fees were above budget expectations for the month due to the receipt of a fee for 77 - 79 Mill Pt Road. Miscellaneous revenue is also favourable after WALGA refunded a prior year \$25,000 contribution to a heritage fund that was never accessed. Building Services revenue is 32% ahead of budget after the license fee for 30 - 34 Charles St was received. The favourable variance was further increased by a higher than expected material on verge fee received for the Harper Terrace development.

Recreation facility revenues are above budget expectations due to a higher level of activity. Collier Park Golf Course revenues are currently 4% ahead of budget at 31 August.

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

Operating Expenditure to 31 August 2015 is \$8.45M which represents 96% of the year to date budget of \$8.77M. Operating Expenditure shows as 4% under budget in the Administration area. Operating costs are 4% 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, variances at the end of August relate to phased commencement of maintenance activities as programs are progressively implemented. These are expected to reverse out in future months as the programs are more comprehensively implemented.

10.6.1 Monthly Financial Management Accounts - August 2015

Fleet operations show a favourable variance in terms of actual cash costs - but an under recovery against jobs. This situation will be monitored and retrospectively adjusted as required in future until a longer term solution to the challenges of setting plant charge rates can be developed.

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 2.7% over the budget allocation for the 219.9 FTE positions approved by Council in the budget process. There are number of factors impacting this with the most significant being the unusual occurrence of three pay fortnights falling in August rather than the usual two.

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 \$0.35M at 31 August which is very slightly ahead of the year to date budget of \$0.34M.

Capital Expenditure at 31 August is \$1.85M representing 149% of the year to date budget of \$1.25M (before the inclusion of carry forward projects). The total budget for capital projects for the year is \$33.52M.

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

Consultation

This financial report is prepared to provide financial information to Council and to evidence the soundness of the administration's financial management. It also provides information about corrective strategies being employed to address any significant variances and it discharges accountability to the City's ratepayers.

Policy and Legislative Implications

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act* and Local Government Financial Management Regulation 34.

Financial Implications

The attachments to the financial reports compare actual financial performance to budgeted financial performance for the period. This provides for timely identification of variances which in turn promotes dynamic and prudent financial management.

Sustainability Implications

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

10.6.1 Monthly Financial Management Accounts - August 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 Services
- 10.6.1 (e):** Summary of Capital Items
- 10.6.1 (f):** Schedule of Significant Variances
- 10.6.1 (g):** Reconciliation of Budget Movements (not presented for August 2015)
- 10.6.1 (h):** Reconciliation of Budget Movements (not presented for August 2015)
- 10.6.1 (i):** Rate Setting Statement .

10.6.2 Statement of Funds, Investments and Debtors at 31 August 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-64300
Date:	22 September 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

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: Cr G Cridland

Seconded: Cr C Irons

That Council receives the 31 August 2015 Statement of Funds, Investment & Debtors comprising:

- 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 (9/0)

Background

Effective cash management is an integral part of proper business management. Current money market and economic volatility make this an even more significant management responsibility. The responsibility for management and investment of the City's cash resources has been delegated to the City's Director Financial & Information Services and Manager Financial Services - who also have responsibility for the management of the City's Debtor function and oversight of collection of outstanding debts.

In order to discharge accountability for the exercise of these delegations, a monthly report is presented detailing the levels of cash holdings on behalf of the Municipal and Trust Funds as well as funds held in 'cash backed' Reserves.

10.6.2 Statement of Funds, Investments and Debtors at 31 August 2015

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 are \$92.78M which compares favourably to \$64.37M at the equivalent stage of last year. Last month, total funds were \$72.06M.

Municipal funds represent \$32.69M of this total, with a further \$59.42M being Reserve Funds and the balance of \$0.67M relate to monies held in Trust. The Municipal Fund balance is some \$6.0M higher than last year - of which approximately \$3.7M relates to works carried forward from the previous year.

Reserve funds are \$22.6M 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 2015/2016 Budget foreshadowed the consolidation of the City's cash reserves down into 15 Reserves rather than the previous 24. In July 2015, this consolidation was effected with the transfer of funds from the Future Municipal Works Reserve and Future Building Works Reserve into the Major Community Facilities Reserve; from the Parks and Streetscapes Reserve into the Reticulation & Pump Reserve; and from the Paths and Transport Reserve into the Sustainable Infrastructure Reserve.

The Reserve fund balances show that the Major Community Facilities Reserve is \$24.7M higher than at the same time last year. This is due to the receipt of land sale proceeds and is also due to the \$3.3M consolidation of other smaller reserves into this reserve (as foreshadowed in the 2015/2016 Budget). It is important to recognise that the land sale proceeds currently quarantined in the Major Community Facilities Reserve do not represent 'surplus cash' but rather they are part of carefully constructed funding models for future major discretionary capital projects. These funding models are detailed in the City's Long Term Financial Plan.

The Sustainable Infrastructure Reserve is \$0.9M higher than at July last year due to the consolidation of reserves as noted above, whilst the Technology Reserve is also \$0.5M higher when compared to last year as funds are quarantined for major technology infrastructure projects in the next year. The Plant Replacement Reserve is \$0.5M lower. The River Wall Reserve is \$1.3M lower as funds have been deployed to fund major capital works. Various other reserves are modestly changed.

10.6.2 Statement of Funds, Investments and Debtors at 31 August 2015

In relation to the Quarantined Reserves, there are \$0.7M higher holdings of cash backed reserves to support CPV refundable monies due to the timing of outgoing versus ingoing resident transactions but \$0.2M less for the CPV Reserve after allowing for the year's operating result and capital reimbursements.

The Waste Management Reserve is \$0.5M higher than last year and the Golf Course Reserve is \$0.3M higher after allowing for last year's operating results.

Details are presented as **Attachment (a)**.

(b) Investments

Total investment in money market instruments at month end was \$92.2M compared to \$58.2M at the same time last year. There is a \$11.7M higher level of cash in Municipal investments. Cash backed reserves are \$22.6M higher as discussed above.

Funds brought into the year (and subsequent cash collections) are invested in secure financial instruments to generate interest until those monies are required to fund operations and projects during the year.

Astute selection of appropriate investments means that the City does not have any exposure to known high risk investment instruments. Nonetheless, the investment portfolio is dynamically monitored and re-balanced as trends emerge.

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

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

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

Invested funds are responsibly spread across various approved financial institutions to diversify counterparty risk. Holdings with each financial institution are required to be within the 25% maximum limit prescribed in Policy P603. At month end the portfolio was within the prescribed limits. Counterparty mix is regularly monitored and the portfolio re-balanced as required depending on market conditions. The counter-party mix across the portfolio is shown in **Attachment (b)**.

Interest revenues (received and accrued) for the year total \$0.36M. This compares to \$0.26M 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 2.98% with the anticipated weighted average yield on investments yet to mature now sitting at 2.95%. 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 and general debtors).

(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 August 2015 represent 58.9% of rates collectible (excluding pension deferrals) compared to 59.3% at the same time last year.

The City expects to maintain a strong rates collection profile following the issue of the 2015/2016 rates notices as indicated by the good level of collections at the due date for the first instalment (26 August). This suggests that there has been a good acceptance of our rating strategy, communications strategy and our convenient, user friendly payment methods. The instalment payment options and, where appropriate, ongoing collection actions provide encouragement for ratepayers to meet their rates obligations in a timely manner.

(ii) General Debtors

General debtors stand at \$0.98M at month end (\$1.01M last year). Last month debtors were \$1.22M. GST Receivable and 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.

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.

10.6.2 Statement of Funds, Investments and Debtors at 31 August 2015

Financial Implications

The financial implications of this report are as noted in part (a) to (c) of the Comment section of the report. Overall, the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the collectability of debts.

Sustainability Implications

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

Attachments

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

10.6.3 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-64301
Date:	22 September 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 August 2015 and 31 August 2015 is presented to Council for information. During the reporting period, the City made total payments by EFT of \$19,757,812.04 and by cheque payment of \$797,061.05 giving total monthly payments of \$20,554,873.09.

Officer Recommendation AND COUNCIL DECISION

Moved: Cr G Cridland

Seconded: Cr C Irons

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

CARRIED EN BLOC (9/0)

Background

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

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

Payments in the attached listing are supported by vouchers and invoices. All invoices have been duly certified by the authorised officers as to the receipt of goods or provision of services. Prices, computations, GST treatments and costing have been 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 is aligned to the City's [Sustainability Strategy 2012-2015](#). This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

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 - August 2015 .

10.6.4 Tender 5/2015 - Supply of Turf Renovation Services for Sports Fields and Public Open Spaces

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-15-64833
Date:	22 September 2015
Author:	Bruce Moorman, Manager City Environment
Reporting Officer:	Mark Taylor, Acting Chief Executive Officer / Director Infrastructure 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:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report considers submissions received from the advertising of Tender 5/2015 for the 'Supply of turf renovation services for sports fields and public open spaces' for the period of three (3) years with the option of a one (1) year extension at the City's discretion.

This report will outline the assessment process used during evaluation of the tenders received and recommend acceptance of the tender that provides the best value for money and level of service to the City.

Officer Recommendation AND COUNCIL DECISION

Moved: Cr G Cridland

Seconded: Cr C Irons

That the tender from Statewide Turf Services Pty Ltd for the 'Supply of turf renovation services for sports fields and public open spaces' (Tender 5/2015) for the period of three (3) years, with the option of a one (1) year extension at the City's discretion, be accepted for the resolved tender price of \$1,024,290.

CARRIED EN BLOC (9/0)

Background

A Request for Tender (RFT) 5/2015 for the 'Supply of turf renovation services for sports fields and public open spaces' was advertised in the West Australian on Wednesday 6 May 2015 and closed at 2pm Friday 22 May 2015.

The RFT is for the turf renovation services of the City's sports fields and public open spaces. Renovation services shall include verti-mowing, scarifying, solid & hollow tyne coring, topdressing, low mowing, sweeping and removal of debris, turf supply and lay for the period of three (3) years. The term of the contract can be extended by 1 year at the City's discretion.

Comment

At the close of the tender advertising period on 22 May 2015, five (5) tender submissions had been received from suitably skilled and experienced contractors.

Table A - Tender Submissions

Tender Submissions
1. Turfcare WA
2. DE Parker Lawn Service & Doctor Lawn
3. Turfmaster
4. Lovegrove Turf Services
5. Statewide Turf Services

The tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria outlined in the RFT and listed below in Table B:

Table B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Works records and Experience	30%
2. Demonstrated ability to perform the tasks as set out in specifications	30%
3. Sustainability	10%
4. Price	30%
	100%

It is recommended that the tender of *Statewide Turf Services* for Tender 5/2015, for the 'Supply of turf renovation services for sports fields and public open spaces' be accepted for a period of three (3) years with option to extend by one (1) year at the City's discretion.

More detailed information about the tender assessment process can be found in the Evaluation Panel Member's Report - **Confidential Attachment (a)**.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$100,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

The following Council Policies also apply:

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

The Chief Executive Officer has delegated authority to accept annual tenders where the value is less than \$200,000 (GST Exclusive).

The general Conditions of Contract forming part of the Tender Documents states amongst other things that:

- *The City is not bound to accept the lowest or any tender and may reject any or all Tenders submitted;*
- *Tenders may be accepted, for all or part of the Requirements and may be accepted by the City either wholly or in part. The requirements stated in this document are not guaranteed; and*

10.6.4 Tender 5/2015 - Supply of Turf Renovation Services for Sports Fields and Public Open Spaces

- *The Tender will be accepted to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality services at a competitive price which will be deemed to be most advantageous to the City.*

Financial Implications

The cost of the annual works is reflected in the annual operating budget and will be taken into account during formulation of the 2016/2017, 2017/2018 and 2018/2019 operating budgets.

Strategic Implications

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

Sustainability Implications

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

This tender will ensure that the City is provided with the best available service to complete the works identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable asset maintenance of the City's sports fields and public open spaces.

By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable services.

Attachments

- 10.6.4 (a):** Tender 5/2015 - Supply of Turf Renovation Services for Sports Fields and Public Open Spaces (*Confidential*) .

10.6.5 Tender 16/2015 "Mill Point Foreshore Protection"

Location: City of South Perth
Ward: All
Applicant: Council
File Ref: D-15-64841
Date: 22 September 2015
Author: Bruce Moorman, Manager City Environment
Reporting Officer: Mark Taylor, Acting Chief Executive Officer / Director Infrastructure 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: 6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report considers submissions received from the advertising of Tender 16/2015 for the 'Mill Point Foreshore Protection Works'.

The report outlines the assessment process used during the evaluation of the tenders received and recommends that the Tender submitted by MMM (WA) Pty Ltd be approved by Council.

Officer Recommendation AND COUNCIL DECISION

Moved: Cr G Cridland

Seconded: Cr C Irons

That the tender from MMM (WA) Pty Ltd for the 'Mill Point Foreshore Protection Works' (Tender 16/2015), be accepted as identified in *Confidential* Attachment (b) for the resolved tender price of \$1,235,149.

CARRIED EN BLOC (9/0)

Background

The City of South Perth (City) advertised a tender for the Mill Point Foreshore Protection Works in The West Australian on 18 July 2015. Tenders closed at 2.00pm on 18 August 2015 at the City. The works are being funded by the City and the Department of Parks & Wildlife (DPAW).

The works included two Separable Portions (A and B), including the following works:
Separable Portion A – Rock Revetment between the Narrows and the Jet Ski Ramp.
Separable Portion B – Beaches and Rock Headlands East of the Narrows.

The City investigated Principally Supplying surplus granite rock from the Elizabeth Quay project for use in Separable Portion A. Prices were therefore sought from Tenderer's for two alternatives in Separable Portion A; with and without the Principal Supply rock.

M P Rogers & Associates Pty Ltd (MRA) completed the design of the Foreshore Protection works and prepared the Technical Specification and Drawings. MRA was requested by the City to sit on the Tender Assessment Panel with representatives from the City and Department of Parks and Wildlife (DPAW).

10.6.5 Tender 16/2015 "Mill Point Foreshore Protection"

Comment

At the close of the Tender advertising period on 22 May 2015, ten tender submissions had been received from skilled and experienced contractors as per Table A below.

Table A - Tender Submissions

Tender Submissions	
1.	BCL Group Pty Ltd
2.	Castle Civil
3.	Curnow Group (Hire) Pty Ltd
4.	Delta Civil WA Pty Ltd
5.	MMM (WA) Pty Ltd
6.	Natural Holdings Pty Ltd
7.	Tracc Civil Pty Ltd
8.	Viento Contraction Services Pty Ltd
9.	Westforce Construction
10.	Yarnell Civil & Mining Pty Ltd

The tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria outlined in the RFT and listed below in Table B:

Table B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Skills and Experience	20%
2. Key Personal	10%
3. Resources	10%
4. Methodolgy	30%
5. Demonstarated Understanding	30%
6. Total	100%

It is recommended that the tender of *MMM (WA) Pty Ltd* for *Tender 16/2015, Mill Point Foreshore Protection* be accepted.

More detailed information about the tender assessment process can be found in the Panel/Evaluation Report and the Assessment Report by MP Rogers - **Confidential Attachment (a)**.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$100,000. Part 4 of the *Local Government (Functions and General) Regulations 1996* sets regulations on how tenders must be called and accepted.

10.6.5 Tender I6/2015 “Mill Point Foreshore Protection”

The following Council Policies also apply:

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

The Chief Executive Officer has delegated authority to accept annual tenders where the value is less than \$200,000 (GST Exclusive).

The general Conditions of Contract forming part of the Tender Documents states amongst other things that:

- *The City is not bound to accept the lowest or any tender and may reject any or all Tenders submitted;*
- *Tenders may be accepted, for all or part of the Requirements and may be accepted by the City either wholly or in part. The requirements stated in this document are not guaranteed; and*
- *The Tender will be accepted to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality services at a competitive price which will be deemed to be most advantageous to the City.*

Financial Implications

The cost of the annual works is reflected in the annual operating budget and will be taken into account during formulation of the 2015/2016 operating budget.

Strategic Implications

The report is consistent with the Cities Strategic Community Plan 2013–2023 Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy, and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Sustainability Implications

This tender will ensure that the City is provided with the best available service to complete the works identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable asset maintenance of the City’s foreshore areas.

By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable services.

Attachments

- 10.6.5 (a):** MP Rogers Tender Assessment Report - Mill Point Foreshore Protection (*Confidential*)
- 10.6.5 (b):** Panel Report I6/2015 - Mill Point Foreshore Protection (*Confidential*) .

11. APPLICATIONS FOR LEAVE OF ABSENCE

CR F REID: 11 – 18 DECEMBER 2015

COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr K Trent

That the Leave of Absence application received from Cr F Reid for the period 11 – 18 December 2015 inclusive, be approved.

CARRIED (8/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.2 REVIEW OF GOVERNANCE FRAMEWORK DOCUMENTATION

At the 15 September 2015 Agenda Briefing Cr Fiona Reid gave notice that at the 22 September 2015 Ordinary Council she would move the following motion.

Motion and COUNCIL DECISION

Moved: Cr F Reid

Seconded: Cr C Irons

That Council requests the City Administration to:

1. a) Conduct a review of the City's Governance Framework documentation to ensure that all documents and related registers reflect contemporary best practice in good governance;
 - b) Investigate opportunities to create an integrated online corporate governance presence that makes all relevant documents and registers readily accessible to our community to encourage greater transparency in our governance processes;
 - c) create an integrated Guide to City Governance that communicates our governance model in a customer-centric and easily understandable manner; and
 - d) Identify opportunities to disclose additional governance-related information in the governance framework model beyond the City's statutory obligations in the interests of increasing transparency.
2. Submit a report to Council by March 2016 responding to each of these governance improvement opportunities to ensure open, transparent and accessible good governance.

CARRIED (8/0)

REASONS FOR MOTION

- i) The City of South Perth not only meets the statutory governance requirements of Local Government but often exceeds these standards, however many of these documents are difficult for the community to access. This has generally developed due to historical reasons such as limited communication options. However, with the advancement of technology, the community expects greater levels of

transparency through improved access to the City's Governance documents, decisions and procedures.

- ii) An example of this was highlighted at the August Ordinary Council meeting's question time in regards to the City's rates and detailed budgeting. The City was able to comprehensively answer these questions and demonstrate their availability. However the documents to which these answers relate are not easily accessible to the general City of South Perth community, whether that be due to how these documents are published and/or communicated.
- iii) The City of South Perth invests significant energy and resources to ensure we meet the statutory Governance requirements, it has even won National awards, we should be ensuring that this significant piece of work is easily accessible to our community: That we are fostering our communities trust, that we are open and embracing of enquiry, and that we are champions of transparent good governance.
- iv) There may be significant budgetary considerations and resources required to implement some of the review recommendations, such as changes to the City's website's infrastructure or republishing documents in clear non-technical language. Any suite of recommended improvements needs to be properly assessed, planned, resourced and implemented to the high standards our community expects. The timing of the review and subsequent report to Council allows for the new Council and CEO to settle into their roles and be able to give due consideration to the review and subsequent report.

Councillor F Reid.

CEO COMMENT

The City acknowledges the positive feedback regarding the quality and comprehensiveness of its current governance frameworks and statutory disclosures.

It also recognises that no matter how high a standard of governance is being achieved, we should always be open to exploration of initiatives that will build upon those foundations and deliver more accessible or enhanced disclosure and increased transparency.

The City also recognises that there are opportunities to create a more integrated, customer centric Governance portal that explains the statutory framework in an easily comprehended manner and allows access to a range of registers and disclosures that evidence our willingness to participate in a culture of open, transparent and accountable governance.

The timeline that has been proposed for delivery of the City's response to this Notice of Motion is considered to be both realistic and inclusive of the new CEO and the new Council Members.

As part of the City's response to the Notice of Motion, details of resource implications and implementation timelines will be detailed in the report to Council on this topic to ensure that a fully informed decision can be made following the review.

This City would welcome the opportunity to work collaboratively with our elected Council in pursuing this initiative.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Nil.

13.2 QUESTIONS FROM MEMBERS

A question was received from Cr K Trent relating to an administrative matter concerning the Strata Title at Saunders Street: whether a letter has been prepared regarding the issue of the strata title at the corner of Saunders and Axford street.

Response provided by Vicki Lummer, Director Development and Community Services: A discussion with the acting CEO and planning staff has confirmed that no letter is necessary in this instance.

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

Nil.

15. MEETING CLOSED TO PUBLIC

The Acting Chief Executive Officer advises that there are matters for discussion on the agenda for which the meeting may be closed to the public, in accordance with section 5.23(2) of the Local Government Act 1995.

Reports regarding these matters were circulated separately to Councillors.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr F Reid

That the meeting be closed to members of the public in order that *Confidential Item 15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery* may be considered.

CARRIED (8/0)

At approximately 8.32pm members of the public remaining vacated the Chamber and doors were closed.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (c) as it contains information relating to "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting"*

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-15-64467
Date:	22 September 2015
Author:	Les Croxford, Acting Director Infrastructure Services
Reporting Officer:	Mark Taylor, Acting Chief Executive Officer / Director Infrastructure Services
Strategic Direction:	Environment -- Enhance and develop public open spaces and manage impacts on the City's built and natural environment
Council Strategy:	2.4 Improve the amenity of our streetscapes and public open spaces while maximising their environmental benefits.

Officer Recommendation AND COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr C Cala

That Council:

1. Note the final amendments that have been completed without any material changes to the previous Draft Waste Services Agreement and Draft Participants Agreement, may when presented for signing by the Rivers Regional Council, contain other non-material changes;
2. Authorises the Mayor and CEO to sign on behalf of Council the final documents as presented by the RRC; and
3. Approve the Draft Direct Deed and authorise the Mayor and CEO to sign on behalf of Council the final deed as presented by RRC.

CARRIED (8/0)

MOTION TO RE-OPEN THE MEETING TO THE PUBLIC

COUNCIL DECISION

Moved: Cr M Huston

Seconded: Cr Hawkins-Zeeb

That the meeting be re-opened to the public to allow public reading of **Confidential** Item 15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery resolution, which may be made public.

CARRIED (8/0)

At approximately 8.41pm the Chamber doors were opened and members of the public invited back into the Chamber.

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery

The Governance Officer read aloud the resolution at *Confidential Item 15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery* .

16. CLOSURE

The Presiding Member took this opportunity to thank the Director of Infrastructure, Mr Mark Taylor and Director of Financial and Information Management, Mr Mike Kent for their assistance in promptly erecting lights, following a motion of Council, around the South Perth Tennis Club. The Club raised with Council issues of cars being broken into and concerns about the safety of staff and patrons, especially junior coaches getting safely to and from their vehicles at night. This action makes for a safer community.

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.44pm.

17. RECORD OF VOTING

22/09/2015 7:13:46 PM

7.1.1 Ordinary Council Meeting Held: 25 August 2015

Motion Passed 9/0

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

22/09/2015 7:14:31 PM

7.2.1 Agenda Briefing - 15 September 2015

7.2.2 Concept Briefings

Motion Passed 9/0

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

22/09/2015 7:35:16 PM

8.4.1 Delegates' Reports

Motion Passed 9/0

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

22/09/2015 7:37:47 PM

17.1 En Bloc Motion

Motion Passed 9/0

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

22/09/2015 7:49:39 PM

10.3.3 SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.

Motion Passed 9/0

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

22/09/2015 7:53:26 PM

10.5.1 Thelma Street - Request for Cul-de-Sac at Canning Highway

Motion Passed 9/0

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

22/09/2015 7:59:58 PM

10.3.5 Proposed Two Storey Child Day Care Centre (Maximum 72 Children) on Lot 237 (No. 55) Thelma Street, Como (Metro Central Development Assessment Panel Determination).

Motion Passed 9/0

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

22/09/2015 8:12:43 PM

10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point - Amendment

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:13:24 PM

10.3.1 Proposed Two Storey Single House - Lot 307 (No. 6) Potter Avenue, Salter Point

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:22:42 PM

10.3.4 Proposed 17 Multiple Dwellings within a Four Storey Building. Lots 8 & 9 No. 1 & 3 Gwentyfred Road, Kensington (Metro Central Development Assessment Panel Determination).

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:26:19 PM

II. Applications for Leave of Absence

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:29:24 PM

12.2 Review of Governance Framework Documentation

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:32:16 PM

Motion to Close the Meeting to the Public

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:39:54 PM

15.1.1 Rivers Regional Council Tender 2013/1 – Receipt and Processing of Waste for Resource Recovery

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

22/09/2015 8:41:35 PM

Motion to re-open meeting to the Public

Motion Passed 8/0

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

Absent: Mayor Sue Doherty

APPENDIX ONE

6.2 PUBLIC QUESTION TIME: 22 SEPTEMBER 2015

I. Mr Lindsay Jamieson of [address withheld on request] Received 21 September 2015	Response provided by: Mark Taylor, Acting Chief Executive Officer / Director Infrastructure Services
<p><i>[Preamble] I note there is an agenda item 5: Declarations of Interest and refers to LG Act, LG Regulations and the City's Code of Conduct. In previous meetings I have also heard Mayor Doherty state that matters of declarations of interest are taken very seriously by Council. This is all very good and the words are very comforting. Now let us examine whether Mayor Doherty and two other current Council members walk the talk.</i></p> <p><i>But before I get to my questions, some brief background.</i></p> <ol style="list-style-type: none"><i>i. Mayor Doherty was involved in the same matter as me and 10 other Council members from the Council meeting on 27 March 2007 agenda item 13.1.2.</i><i>ii. Mayor Doherty obtained her own legal advice that she did nothing wrong and submitted that response, as evidenced by the minutes from the Council meeting 06 June 2007 agenda item 4 on page 4 of the minutes.</i><i>iii. Mayor Doherty received the same intimidatory and threatening letter I received from the Department of Local Government (the Public Sector Commission in their six month enquiry adjudicated that the letters were inappropriate).</i><i>iv. Mayor Doherty phoned me to advise she cannot handle the pressure from the Department of Local Government and advised me she was going to write to them advising she had changed your mind and admit she was wrong in her actions.</i><i>v. A number of weeks later Mayor Doherty again phoned me excitedly with the news that she was not being taken to court and was instead given a caution by the Department of Local Government.</i><i>vi. In conclusion, Mayor Doherty knows I did nothing wrong, and knows she did nothing wrong, with regard Council meeting on 27 March 2007 agenda item 13.1.2.</i> <p><i>I will also cross-reference to the Bronwyn Bishop public sniff test – where you may recall the speaker in federal parliament used a helicopter to fly from Melbourne to Geelong to attend a Liberal Party event. You may recall her defence was that she did nothing wrong, but members of her own party, the media and the public in general believed it did not pass the sniff test – i.e. it was the wrong thing to do.</i></p>	

<p>1. On multiple occasions you have sat in judgement over my claims presented to Council on the same matter to which you eventually confessed and given a caution for failing to declare a financial interest. Yet you sat in judgement over me and voted against my claims. You did so despite having eight pages of my legal advice that I did nothing wrong, notification from the Department of Local Government they had withdrawn and apologised to me, the Public Sector Commission determined I did nothing wrong, and the former Director of Public Prosecutions working for PSC determined I did nothing wrong. Please justify how you admitting guilt after intimidation from DLG makes you a fit, proper and independent person to sit in judgement over my claims.</p>	<p>As previously advised to you in writing on 30 March 2012, the Council resolved in March 2012 to “consider this matter closed and in the event of any further communications by the former Councillors to the City about this matter, authorise the Chief Executive Officer to inform the former Councillor that the matter has been fully determined by the Council and will not be reconsidered”.</p>
<p>2. Please explain to me and to Council why you did NOT declare an interest?</p>	<p>Refer answer to question 1.</p>
<p>3. Would your failure to declare an interest pass the Bronwyn Bishop public sniff test?</p>	<p>Refer answer to question 1.</p>
<p>4. Please explain how you can talk the talk that you take these matters seriously and explain how your conduct of not declaring an interest shows you do take these matters seriously?</p>	<p>Refer answer to question 1.</p>
<p>5. Current Cr Colin Cala was in a similar situation, though he admitted guilt up front to failing to declare a financial interest (my opinion - due to accepting really poor advice). Please ask Cr Cala to justify how admitting guilt makes him a fit, proper and independent person to sit in judgement over my claims.</p>	<p>Refer answer to question 1.</p>
<p>6. Please ask Cr Cala to explain to me and Council why he did NOT declare an interest?</p>	<p>Refer answer to question 1.</p>
<p>7. Would Cr Cala’s failure to declare an interest pass the Bronwyn Bishop public sniff test?</p>	<p>Refer answer to question 1.</p>
<p>8. Please explain how Cr Cala’s conduct of not declaring an interest shows he takes these matters seriously?</p>	<p>Refer answer to question 1.</p>

<p>9. Current Cr Kevin Trent was in the same situation as Cr Cala, and admitted guilt up front to failing to declare a financial interest (my opinion - due to accepting really poor advice). Please ask Cr Trent to justify how admitting guilt makes him a fit, proper and independent person to sit in judgement over my claims.</p>	<p>Refer answer to question 1.</p>
<p>10. Please ask Cr Trent to explain to me and Council why he did NOT declare an interest?</p>	<p>Refer answer to question 1.</p>
<p>11. Would Cr Trent's failure to declare an interest pass the Bronwyn Bishop public sniff test?</p>	<p>Refer answer to question 1.</p>
<p>12. Please explain how Cr Trent's conduct of not declaring an interest shows he takes these matters seriously?</p>	<p>Refer answer to question 1.</p>
<p>13. Clearly I have done nothing wrong and am on the receiving end of vicious abuse of the privilege of power. Clearly the cost, which I estimate is more than seven hundred thousand dollars to residents, ratepayers and taxpayers, is totally out of all proportion to the virtually trivial matter. Don't you think it is about time to have this matter dealt with appropriately instead of by the white collar abuse of the privilege of power? Don't you think that a benign and reasonable resolution put to me by the Minister for Local Government and his Chief of Staff, and accepted as benign and reasonable by the two local Members of parliament representing ALP and Liberal parties, should be at least worthy of due consideration by Council?</p>	<p>Refer answer to question 1.</p>
<p>14. As a comparison, if a Magistrate admitted guilt to, say, participation in a public demonstration, would it be appropriate for that Magistrate to sit in judgement over other participants in the demonstration? Assuming you agree with my answer of "No", do you agree that the same logic should be applied to you, Cr Cala and Cr Trent regarding participation in my claims to Council?</p>	<p>Refer answer to question 1.</p>

2. Mr Geoff Defrenne of 24 Kennard Street, Kensington Received 21 September 2015	Response provided by: Vicki Lummer, Director Development and Community Services
Relates to: <i>Item 10.3.2 Proposed Amendment to Approved Street Car Parking Associated with Approved Mixed Development on Lot 51 (No. 102) Comer Street (Previously 297 Canning Highway), Como.</i>	
1. When was planning approval given to this building?	This information is in the report – September 2010.
2. For what period was this approval for?	Two years.
3. Was planning approval renewed at any time?	No.
4. If planning approval was renewed, when was it renewed?	N/A.
5. When was the building licence granted?	March 2012.
6. Did the building substantially commence before the expiration of the planning approval?	The development was substantially commenced before the planning approval expired.
7. If parking restrictions are introduced in the area, will the restriction apply to the “approved” parking spaces?	Yes.
8. If the “approved parking” areas are required for public purposes in the future, will any compensation be paid to the applicants? If not, why not?	The applicant has no exclusive right to the parking bays. The applicant was required to widen that part of Comer Street adjacent to their development and resurface the area as parking bays in the clear knowledge that he has no exclusivity to the use of the bays which have been and always will be available to the public.
9. How can approving street parking instead of on the site enhance the amenity of the residential area?	Amenity is described as “those factors which combine to form the character of an area and include the present and likely future amenity”. Having accessible public bays is considered to contribute to this.

3. Mr Ian Hasleby of 59A Roseberry Avenue, South Perth Received 21 September 2015	Response provided by: Vicki Lummer, Director Development and Community Services
Relates to: <i>How has the City acted to prevent a mobile telecommunications tower or towers being erected on the South Perth foreshore – in particular Sir James Mitchell Park; and</i>	
1. Has an application been made to the City to erect a number of towers on the roof of the South Perth Medical Centre?	In February/March 2015 the City received notification of a low impact Vodafone proposal – a development application was not required for this under the Town Planning Scheme No.6.
2. How many are proposed?	Three (3) antenna are proposed now – a reduction from the from six (6) proposed in February.
3. What will be their height above the Centre’s rooftop?	The antennae extend 5.19m above the rooftop level.
4. Residents in Southbank Apartments whose views will be adversely affected have offered their building as an alternative site for the towers – isn’t that a logical contingency.	The applicant has advised that the site does not meet the radio frequency requirements Point Road within the confines of the Low Impact Determination due to coverage interference resulting from the design of the rooftop. Furthermore due to the existing structural capacity of the rooftop, it is not possible to construct the facility without excessive structural re-design and strengthening.
5. When are they likely to be constructed?	Taken on notice at the meeting. Answer: The City has not been advised of a timeframe for construction.
6. Will residents in the area whose amenity will be affected by the towers be further consulted?	Following the initial consultation where objections were submitted, the amended plans were sent to residents in August with a short period to submit comments.
7. Are there any further measures that can be taken by those residents or the City to stop the towners being erected?	Taken on notice at the meeting. Answer: The City is unaware of any further measure that can be taken.

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 13 October 2015.

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