

ATTACHMENTS.

Ordinary Council Meeting

13 December 2016

ATTACHMENTS TO AGENDA ITEMS

Ordinary Council Meeting - 13 December 2016

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NOTES.

Council Agenda Briefing

Meeting Date & Time: 5.30pm, Tuesday 6 December 2016

Meeting Location: Council Chamber, Civic Administration Building

1. Declaration of Opening

The Presiding Member opened the Agenda Briefing at 5.30pm and welcomed everyone in attendance.

2. Attendance

Mayor Sue Doherty Mayor

Elected Members

Cr Colin Cala	Manning Ward
Cr Sharron Hawkins-Zeeb	Manning Ward (from 5.37pm)
Cr Travis Burrows	Moresby Ward
Cr Fiona Reid	Moresby Ward

Officers

Mr Geoff Glass	Chief Executive Officer
Mr Michael Kent	Director Financial and Information Services
Ms Vicki Lummer	Director Development and Community Services
Mr Mark Taylor	Director Infrastructure Services
Mr Phil McQue	Manager Governance and Administration
Mr Siven Naidu	Coordinator Statutory Planning Services
Ms Sharron Kent	Governance Officer

Consultant

Mr Tom Hockley Allerding & Associates (until 6.34pm)

Gallery

There were approximately 8 members of the public present. There were no members of the press present.

2.1 Apologies

Nil

2.2 Approved Leave of Absence

Cr Glenn Cridland	Como Ward
Cr Jessica Black	Como Ward
Cr Ken Manolas	Mill Point Ward
Cr Cheryle Irons	Mill Point Ward

3. Audio Recording of Council Meeting

The Presiding Member advised that the Agenda Briefing was being audio recorded in accordance with Council Policy P673 and Clause 6.15 of the Standing Orders Local Law.

4. Declarations of Interest

Declarations of Interest were received from:

- Mayor Sue Doherty in relation to Items 10.3.2, 10.7.1 and 15.1.3
- Cr Fiona Reid in relation to Item 10.4.1 and 15.1.1
- Cr Travis Burrows in relation to Item 10.4.1
- Mr Geoff Glass in relation to Item 15.1.3

These declarations will be read aloud prior to discussion and voting on the Items at the Ordinary Council meeting scheduled for Tuesday 13 December 2016.

5. Deputations

Deputations were heard from the following:

1. **David Juers** of 2 Banksia Terrace, South Perth speaking **AGAINST** the Officer Recommendation at **Item 10.3.1** SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
2. **Adele Mae Johnson** 331A Mill Point Road, South Perth speaking **AGAINST** the Officer Recommendation at **Item 10.3.1** SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
3. **Martin Flint of Flint Legal** speaking **FOR** the Officer Recommendation at **Item 10.3.1** SAT Reconsideration: Proposed Amendment to Approved Mixed Development. Lot 3 No. 333 Mill Point Road, South Perth.
4. **Ian Harris of South Perth Uniting Church** (4 Hampden Street) speaking **FOR** the Officer Recommendation at **Item 10.3.2** Proposed Additions (Toilets and Storage) to Religious Activities (Church and Church Hall) Lot 16 (No. 4) Hampden Street, South Perth.



6. December 2016 Draft Reports

The Chief Executive Officer, Mr Geoff Glass gave a brief summary of the December 2016 Agenda Items to be considered by Council.

10.1.1 Review of Emerging Artists Award

This report is in response to a Motion passed at the 28 June 2016 Ordinary Council meeting requesting a review of the Emerging Artist Award.

10.2.1 Water Efficiency Action Plan

The City of South Perth has produced a Water Efficiency Action Plan as a requirement of its Waterwise Council Program. This report seeks Council's endorsement of the Water Efficiency Action Plan to meet the requirements of the Waterwise Council Program.

10.2.2 Tender 23/2016 'Tree Watering and Planting Services'

This report considers submissions received from the advertising of Tender 23/2016 for 'Tree Watering and Planting Services'. This report outlines the assessment process used during evaluation of the tenders received and recommends approval of the tender that provides the best value for money and level of service to the City.

10.2.3 Tender 24/2016 'Mowing of Verges and Median Strips'

This report considers submissions received from the advertising of Tender 24/2016 for the 'Mowing of Verges and Median Strips'. This report outlines the assessment process used during evaluation of the tenders received and recommends approval of the tender that provides the best value for money and level of service to the City.

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

This report seeks Council's reconsideration of a previous decision relating to an amendment to the permitted trading hours planning condition for this development.

The State Administrative Tribunal (SAT) has invited Council to reconsider its previous decisions (March 2015, June 2015 and September 2015), based upon a revised proposal submitted by the applicant, in response to matters discussed during the SAT final hearing and mediation.

Council is being asked to exercise discretion in relation to the trading hours, street setbacks, lot boundary setbacks and building design.

This was the subject of Deputations this evening.



10.3.2 Proposed Additions (Toilets and Storage) to Religious Activities (Church and Church Hall). Lot 16 (No. 4) Hampden Street, South Perth.

This report seeks Council's consideration of an application for planning approval for toilet and storage additions to the Church and Church Hall. Council is being asked to exercise discretion in relation to car parking and street setbacks.

This was the subject of a Deputation this evening.

10.3.3 Proposed Single House (Two-Storeys). Lot 800 (No. 34A) Sulman Avenue, Salter Point

This report seeks Council's consideration of an application for planning approval at this site. Council is being asked to exercise discretion in relation to lot boundary setbacks, vehicular access, visual privacy and maximum ground and floor levels.

10.4.1 Tender 25/2016 "Construction of Ernest Johnson Community Facility"

This report considers submissions received from the advertising of Tender 25/2016 for the "Construction of the Ernest Johnson Community Facility". This report outlines the assessment process used during evaluation of the tenders received and recommends approval of the tender that provides the best value for money and level of service to the City.

10.5.1 Establishment of a Temporary "Construction Worker" Paid Parking on Melville Parade

This report outlines a need for the provision of additional on and off street parking within the South Perth Station Precinct to cater for the influx of construction worker vehicles.

An investigation was undertaken to locate City owned or managed land within the Precinct for the establishment of a paid parking area. In accordance with the Parking Local Law and Delegation, Council must first consider the establishment of metered zones and paid parking areas prior to establishment.

10.6.1 Financial Management Accounts – Council Recess Period

This report presents the proposed financial reporting arrangements during the December to January (inclusive) period when Council meeting dates are moved forward to accommodate the Christmas period (December) and when Council is in recess (January). These alternative reporting arrangements are necessary to ensure that Council achieves full statutory compliance with the Local Government Act Section 6.4 and Local Government (Financial Reporting) Regulation 34.



10.7.1 Recommendations of the Audit, Risk and Governance Committee Meeting - 29 November 2016

The purpose of this report is to provide the recommendations from the Audit, Risk and Governance Committee meeting held on 29 November 2016 for Council's consideration.

Confidential Items

At this point the Presiding Member closed the meeting to the public in order to discuss the confidential Items listed below.

15.1.1 Australia Day WA Citizen of the Year

This report seeks Council's consideration of nominations for the 2017 Australia Day WA Citizen of the Year Awards.

15.1.2 Property Committee – External Membership

This report seeks Council's consideration of the Expressions of Interest received for the external membership of the City's Property Committee.

15.1.3 Recommendations of the CEO Evaluation Committee Meeting – 21 November 2016

The purpose of this report is to provide the recommendations from the CEO Evaluation Committee meeting held on 21 November 2016.

7. Closing

The Presiding Member closed the Council Agenda Briefing at 7.00pm and thanked everyone for their attendance.



CONCEPT BRIEFING.

Ernest Johnson Community Facility Tender Assessment

Meeting Date & Time: 6.30pm, Tuesday 29 November 2016

Meeting Location: Council Chamber

Meeting Attendees:

City Officers

Mark Taylor – Director Infrastructure Services
Geoff Colgan – Coordinator City Environment

Consultants

Tim Laird – NS Projects
Graham Smyth – Project Manager – NS Projects
Edwin Bollig – Architect – Bollig Design Group

Notes

NS Projects presented to a Powerpoint presentation on the following:

1. Topics Covered

- Purpose of Briefing
- Introductions
- Council Resolution
- Progress To Date
- Tender Submissions / Evaluation
- Qualitative Criteria vs Price
- Financial Implications
- Pre Contract Variations
- Officer Recommendation
- Milestones Going Forward

2. Purpose of the Briefing

The purpose of the briefing is to update Council on the progress made by the City regarding the tendering process for the Ernest Johnson Community Facility project.

3. City Officers / Consultants - Introductions

City Officers

- Mark Taylor – Director Infrastructure Services
- Sandra Watson – Manager Community Culture and Recreation
- Jennifer Hess – Recreations Development Coordinator
- Geoff Colgan – Coordinator City Environment

Consultants

- Graham Smyth – Project Manager – NS Projects
- Edwin Bollig – Architect – Bollig Design Group

4. Council Resolution

In May 2014 Council considered the resultant concept plan, implementation stages and costings for the Ernest Johnson Master Plan and resolved that:

- a) the Ernest Johnson Master Plan concept plan is endorsed by Council for community comment;
- b) the Ernest Johnson Master Plan is made available for community comment for a period of 60 days;
- c) the results of the community comment are presented to Council at the end of the advertised period;
- d) include an extensive advertising campaign to expose the master plan as widely as possible

In October 2014 Council considered the results of community and stakeholder consultation and resolved as follows:

- a) That the amended Ernest Johnson Master Plan concept plan be endorsed by Council to enable detailed design and further consultation with existing user groups to occur.
- b) Following detailed design of the pavilion being completed, the Administration be authorised to proceed to tender on the basis that the Rotary Club and other user groups to be based in this facility are satisfied with the design

4. Progress to Date

Date	Milestone	Status (Actual/ Forecast)
Oct 2014	Council resolved to endorse going to tender providing that user groups to be based in this facility are satisfied with the design.	(A)
28 Sept 2016	Tender advertised for a Main Contractor to construct the works.	(A)
02 Nov 2016	Tender closed.	(A)



15 Nov 2016	Tender Panel Evaluation Meeting.	(A)
23 Nov 2016	Meetings with preferred Contractors	(A)
29 Nov 2016	Elected Members Briefing	(A)
6 Dec 2016	Agenda Review	(F)
13 Dec 2016	December Council Meeting	(F)

5. Tender Submissions / Evaluation / Financial Implications

Number of submissions: 16

Non-Compliant: 4

Preferred Tenders / Shortlist on qualitative criteria vs price: 4 for interview / reference checks / company financial checks

Budget Summary (1 September 2015)

Design Progress

Anticipated Budget Summary

Officer Recommendation

6. Milestones Going Forward

Date	Milestone	Status (Actual/ Forecast)
Jan 2017	Contract Negotiations with preferred Contractors	(F)
Feb 2017	Preferred Contractor appointed; Construction commences.	(F)
Dec 2017	Ernest Johnson Community Facility Completed.	(F)

DELEGATES' REPORT

Rivers Regional Council - Special Council Meeting

Venue: City of South Perth
Date: Thursday 17 November 2016 – 6.00pm
Delegates: Councillor Fiona Reid
Councillor Travis Burrows (Apology)

The Rivers Regional Council (RRC) Special Council meeting was held at the City of South Perth on Thursday 17 November 2016, commencing at 6.00pm. The meeting concluded at 6.27pm.

The Agenda (refer to attached Table of Contents) contained a number of routine items. For ease, the only item discussed by the Council is outlined in the table below:

Item 7.1	Appointment of Chief Executive Officer
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The Council adopted the recommendation for Item 7.1.

The Minutes of the meeting are available to be read in full on the Hub.

**RIVERS REGIONAL COUNCIL – SPECIAL COUNCIL MEETING
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DELEGATES' REPORT.

South East Metropolitan Regional Road Sub-Group

Meeting Date & Time: 10am, Wednesday 16 November 2016

Meeting Location: Town of Victoria Park

Delegate(s): Councillor Travis Burrows

The meeting commenced at 10.04am.

The Agenda (refer to attached Index) contained a number of routine items. The meeting is intended as a forum for the exchange of information as it relates road funding. Following discussion on each of the following items a meeting outcome has been reported.

Item 4.1	Road Rehabilitation and Road Improvement Funding
Item 4.2	2017-18 Improvement Program Listing - First Draft
Item 4.3	2017-18 Road Rehabilitation Projects – Draft Submissions Listing
Item 14.3	2017-18 BSPOT List of Submissions

The meeting concluded at 10.56am.

The Minutes of the meeting are available to be read in full on the Hub.

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Water Efficiency Action Plan



Name:	City of South Perth
Address:	Cnr Sandgate St and South Tce, South Perth WA 6151
Date:	28 September 2016



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1. Introduction

Water Corporation and the Department of Water launched the Waterwise Council Program in 2009 to build a cooperative working relationship with local governments to improve water use efficiency in local government and their communities.

Criteria to become a Waterwise Council

The Waterwise Council Program is free to join and is open to all councils within Western Australia. To be endorsed as a Waterwise Council, a council must fulfil the following steps:

- Criteria 1:** Sign a MOU to participate in the Waterwise Council Program.
- Criteria 2:** Review council water consumption and create a water efficiency action plan (WEAP) for potable and non-potable water sources for all council operations and the community.
- Criteria 3:** Ensure appropriate staff complete Waterwise training.
- Criteria 4:** No breaches of groundwater licence terms or conditions set by the Department of Water, and no breaches of scheme water usage issued by Water Corporation in the past 12 months (This includes permanent water efficiency measures).
- Criteria 5:** Report annually to retain endorsement.

Objectives

The objectives of the Water Efficiency Action Plan (WEAP) are to:

- Assess current water use across council operations and the community
- Identify inefficiencies and potential water savings
- Set goals and benchmarks to improve water use
- Prepare an action plan and implement water efficiency actions to progress towards set targets
- Provide a process for annual reporting on implementation of water efficiency actions

This plan will be valid for a period of 5 years and will form the basis of annual reporting requirements.

Methodology

The Water Efficiency Action Plan is broken into the following steps:

- Background
- Collection of background information and water use data
- Development of water management goals and benchmarks
- Setting water efficiency targets
- Table of actions
- Management endorsement

2. Contact details

COUNCIL NAME	City of South Perth
Administration office address	Cnr Sandgate St and South Tce, South Perth WA 6151
Chief Executive Officer	
Name	Geoff Glass
Telephone	94740792
Email	geoffg@southperth.wa.gov.au
Primary Program Contact	
Name	Yulia Volobueva
Position	City Environment Coordinator
Telephone	94740907
Email	yuliav@southperth.wa.gov.au
Secondary Program Contact	
Name	Adele Scarfone
Position	Natural Resource Management Officer
Telephone	94740938
Email	adeles@southperth.wa.gov.au

WATER MANAGEMENT TEAM To ensure successful implementation of WEAP the City established a Water Management Team that consists of key staff members who influence or have an understanding of how water is used within the City's managed facilities. Relevant staff members on the Water Management Team have already completed free online Waterwise training provided by Water Corporation.	Name	Position
	Yulia Volobueva	City Environment Coordinator
	Adele Scarfone	Natural Resources Management Officer
	Shirley King Ching	Building and Asset Coordinator
	Richard Bryant	Reticulation Supervisor
	John Murray	Streetscapes Maintenance Supervisor
	Chris Simondson	Parks Maintenance Supervisor
	Geoff Colgan	Parks Operations Coordinator
	Peter Beach	Collier Park Golf Course Superintendent
	Len Dalton	Works & Services Coordinator
	Lewis Wise	Infrastructure Projects Coordinator
	Mark Carolane	Senior Strategic Project Planner
	Massimo Cau	Senior Building Surveyor
	Jason Jenke	Coordinator Environmental Health Services
	Craig Barker	Waste and Fleet Coordinator

3. Background

The City of South Perth is an inner-city metropolitan local government authority located about four kilometres south of the Perth CBD. It covers 1,983 hectares and encompasses the suburbs of Como, Karawara, Kensington, Manning, Salter Point, South Perth and Waterford.

Major features include the Swan and Canning Rivers, Sir James Mitchell Park, Perth Zoo, Royal Perth Golf Club, Collier Park Golf Course, as well as the Mends Street, Angelo Street and Preston Street precincts, and the Waterford Plaza Shopping Complex.

The population of City of South Perth was an estimated 46,244 residents in 2015¹. The majority of residents work in professional, scientific and technical services. On a daily basis, the City accommodates around 10,000 employees from small to medium sized businesses, specialised service providers and educational institutions. The City is preparing for significant and sustained growth during the next 20 years. The Western Australian Department of Planning estimates the City will accommodate an additional 6,000 dwellings by 2031, representing a 30 per cent increase.

The City has an average annual rainfall of 728.1 mm, mainly in the winter months. Trending declines in rainfall in the South-West due to climate change and subsequent water shortages are a concern for the City.

The City extracts groundwater for irrigation purposes from various local bores under licence from the Department of Water. These bores extract water from both deep (Leederville) and shallow (Superficial) aquifers. The City is licensed to extract a total of 1,459,587 kL of groundwater per annum. Drinking water is supplied by the Water Corporation.

¹ Source: <http://profile.id.com.au/south-perth/population-estimate> (accessed 30/08/2016).

3.1 Existing Water Efficiency Programs

The City recognises the effects of the drying climate and for nine years was committed to improving the City's and the community's water management through participating in the International Council for Local Environmental Initiatives (ICLEI) Water Campaign™. The City joined Water Campaign™ in August 2004 and completed Milestone 5 of the five milestone framework in 2013. Under ICLEI Water Campaign™, the City reduced its corporate scheme water use by 50% below 2002/2003 levels by 2012, a year earlier than expected. Community scheme water use increased by 5.1% from 2002/2003 levels, due to an increase in population size of 12.5%. Residential per capita scheme water use decreased by 4.2%, while non-residential community water use decreased by 12.2%.

The City's Water Action Plan (WAP) was produced in June 2009 as part of Milestone 3 of the ICLEI Water Campaign™ framework to outline strategic water management within the City's corporate and community sectors. The WAP set out the approach that the City could take to reduce scheme and ground water consumption, improve water quality and contribute to significant cost savings.

Since 2013, the City has progressed its water conservation and water quality objectives through the implementation of a variety of policies, plans and strategies (see 3.3 below).

The ICLEI Water Campaign™ was linked to criteria for Waterwise Council endorsement under the Water Corporation's Waterwise Council Program. In 2012, the City was endorsed as a Waterwise Council and plans to continue participating in this program and maintain and build on its Waterwise Council Status to gain Gold Waterwise Council recognition. This level of recognition requires councils to demonstrate significant progress towards best practice water efficiency that is above and beyond the minimum endorsement requirements.

3.2 Relationship to Strategic Documents

This Water Efficiency Action Plan (WEAP) is a component of the City of South Perth's Water Management Plan 2016-2021 that is going to be finalized by December 2016.

The WEAP and the Water Management Plan align with the City of South Perth's *Corporate Business Plan 2015-2019* and *Strategic Community Plan 2015 – 2025* through the strategic direction "Enhance and develop public open spaces and manage impacts on the City's built and natural environment" and the strategic objectives and initiatives:

- 2.2 Foster and promote sustainable water, waste management and energy management practices.
 - 2.2.1 Implement, review and monitor the Water Action Plan
 - 2.2.3 Upgrade the City's parks, reserves and streetscapes irrigation network to enable more sustainable water use
 - 2.2.4 Implement Water Sensitive Urban Design principles in conjunction with new parks, streetscapes and drainage designs where feasible
- 2.4 Improve the amenity of our streetscapes (residential and commercial) and public open spaces while maximising their environmental benefits.
- 3.3 Review and establish contemporary sustainable buildings, land use and best practice environmental design standards.

Other strategic documents and policies that align with the Water Efficiency Action Plan include:

- Policy P203 Ground Water Management
- Policy P302 General Design Guidelines for Residential Development
- Policy P354 Stormwater Drainage Requirements for Proposed Buildings
- Policy P350.1 Sustainable Design
- Policy P208 Ecologically Sustainable Building Design
- Policy P351.14 Cygnia Cove Residential Design Guidelines
- Policy P211 Water Sensitive Urban Design (WSUD)
- Water Sensitive Urban Design Guidelines 2012
- Public Open Space Strategy 2012
- Green Plan 2002
- South Perth Foreshore Strategy and Management Plan 2015
- Kwinana-Freeway Foreshore Management Plan 2014
- Mount Henry Peninsula Foreshore Management Plan 2004
- Salter Point and Waterford Foreshore Management Plan 2000

4. Water Use Inventories

4.1 Corporate Potable Water Use Inventory

4.1.1 Historical Corporate Potable Water Use

The City of South Perth's corporate potable water use has been on a slightly decreasing trend since 2007/2008, with peaks in 2012/2013 and 2014/2015. The decrease in water use from 2007/2008 may be attributed to the efforts made by the City to reduce water use since developing its Water Action Plan (WAP) in 2009. Water audits have been conducted at the Civic Centre (2011), Manning Library (2012), Garden Street Park (2013) and Operations Centre (2014), resulting in some water savings at these facilities.

The water use spike in 2014/2015 can be mainly attributed to a 9,000kL increase in water use at Collier Park Retirement Village, into which the City is commencing investigations, and the construction of the new Manning Community Hub facility.

The cost of water has increased dramatically relative to water use, from \$0.81 per kL in 2007/2008 to almost triple at \$2.08 in 2014/2015.

Table 1: City of South Perth Historical Corporate Potable Water Use and Cost from 2005/2006 to 2014/2015

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
Annual water use (kL)	82,729	74,773	64,161	57,591	54,989	63,165	49,073	67,596
Daily Water use (kL/day)	227	205	176	158	151	173	134	185
Cost	\$67,134	\$68,549	\$69,877	\$76,827	\$89,832	\$118,093	\$99,694	\$140,486
Cost of water per kL	\$0.81	\$0.92	\$1.09	\$1.33	\$1.63	\$1.87	\$2.03	\$2.08

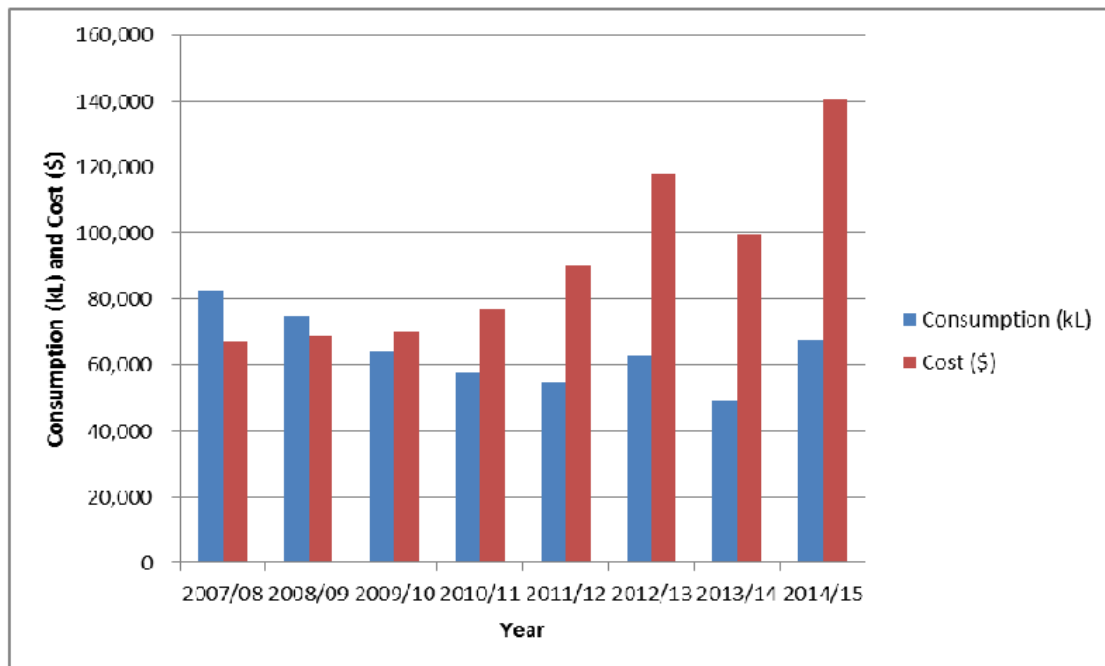


Figure 1: City of South Perth Historical Corporate Potable Water Use and Cost from 2005/2006 to 2014/2015

4.1.2 Corporate Potable Water Use by Facility Type in 2014/2015

Figure 2 below shows the City's Water Consumption by Facility Type in 2014/2015. "Gardens and Planter Boxes" including Traffic Management Measures (TMMs), road verges and roundabouts, was the highest using facility type, consuming 27% of the City's total potable water consumption.

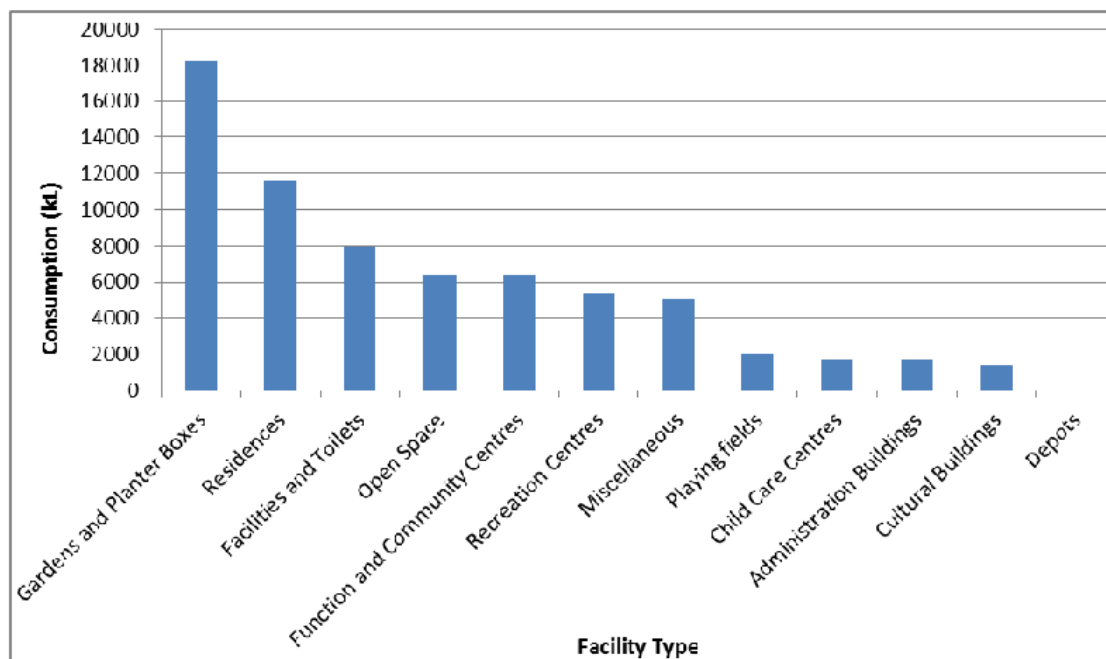


Figure 2: City of South Perth's Water Consumption by Facility Type in 2014/2015

4.1.3 Top Potable Water Using Sites in 2014/2015

City of South Perth's single highest water using facility in 2014/2015 was Collier Park Retirement Village, using 11,599 kL or 17% of the City's total water consumption.

Other top water using facilities were the Boatshed Café/Toilets/Sir James Mitchell Park, Judd Road Verge, Collier Park Golf Course, Civic Administration Offices, Operations Centre, Lady Gowrie child care, South Perth Bridge Club and Manning Library. Combined, the top 20 sites used 56% of the City's total water consumption in 2014/2015.

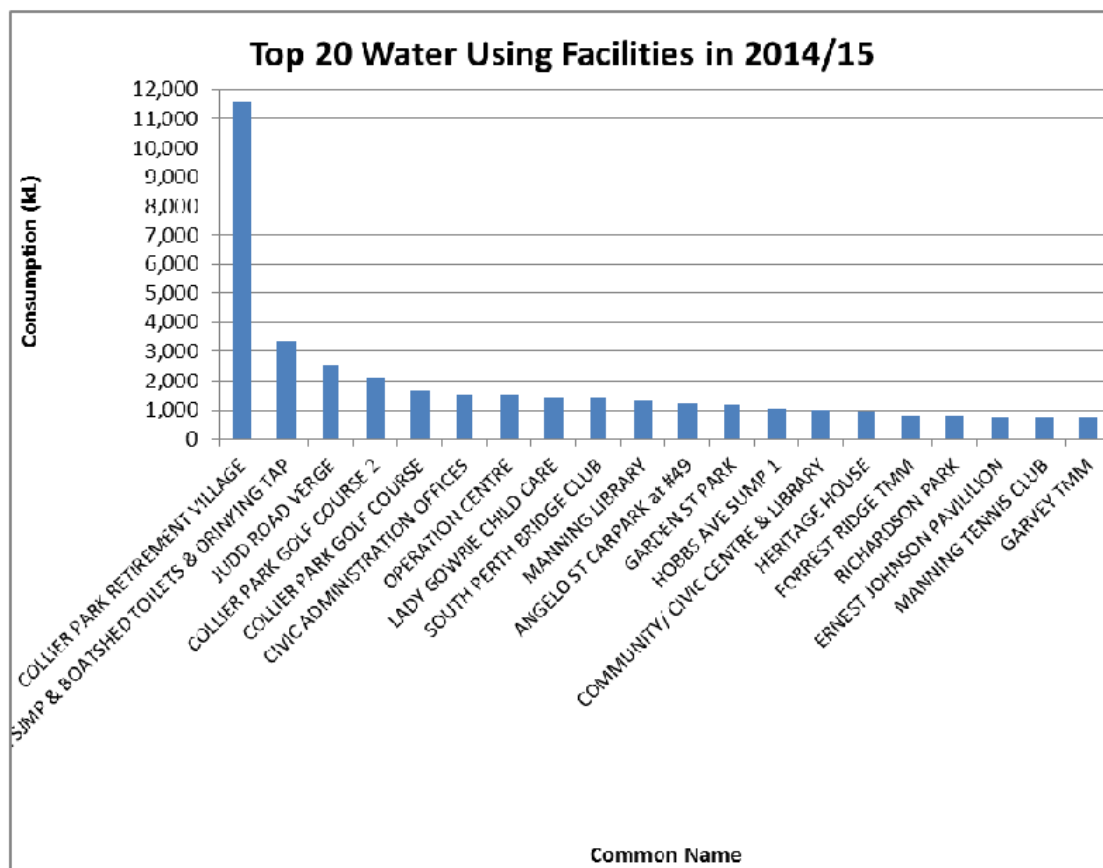


Figure 3: City of South Perth's Top 20 Potable Water Using Sites in 2014/2015

4.1.4 Historical Potable Water Use for Top 5 Water Using Sites

Table 2: City of South Perth Historical Potable Water Use for Top 5 Water Using Sites

Site Name	2010/2011 (kL)	2011/2012 (kL)	2012/2013 (kL)	2013/2014 (kL)	2014/2015 (kL)
Collier Park Retirement Village	3,599	3,453	4,385	2,413	11,559
Boat Shed Café, SJMP, Boatshed Toilets and Drinking Tap	3,234	3,106	1,980	1,686	3,353
Judd Road Verge	0	0	990	1,615	2,535
Collier Park Golf Course 2 (maintenance shed, wash down bay, 2 x toilet blocks)	528	1,869	3,029	1,516	2,108
Collier Park Golf Course – (clubhouse, kiosk, clubroom toilets)	2,708	2,079	3,455	4 *suspected data error	1,645
Civic Administration Offices	1,803	1,879	1,140	1,107	1,521

Changes in Water use

Collier Park Retirement Village

Water use in 2014/2015 is much higher than typical, and the City is commencing investigations into water use at this facility immediately. A large water leak is suspected.

Boat Shed Café

In 2012/2013 and 2013/2014, the toilet block was controlled by the Café, and only open during Café Hours, which may explain reduced usage in that time period. The toilet block is now controlled by the City and is open for increased hours.

Judd Road Verge

An entry statement was established at this site in 2012/2013 and maintenance of these gardens is managed by a contractor. The City is to investigate irrigation at the site.

Collier Park Golf Course maintenance shed

A leak was detected and repaired in 2014/2015.

Civic Administration Building

Water use was low in 2012/2013 and 2013/2014 as renovations were being undertaken and the Community Hall was not operational.

4.2 Historical Corporate Non-Potable Water Use

The City uses groundwater for irrigation of active reserves, and topping up of lakes (including at Sir James Mitchell Park and Collier Park Golf Course). The City is licensed to extract a total of 1,459,587 kL of groundwater per annum on 3 separate licenses. The City was over allocation in 2012/2013, 2013/2014, and 2015/2016, mainly due to the irrigation requirements of Collier Park Golf Course and the establishment of Carnaby's Cockatoo Sanctuary areas.

The City is undertaking measures to reduce groundwater irrigation requirements in particular at Collier Park Golf Course, including upgrades of the irrigation system to improve uniformity and give greater control of individual sprinklers, and turf maintenance practices incorporating the use of more soil wetting agents. When parks are upgraded, turf areas are being replaced with water efficient gardens to reduce irrigation requirements.

The City is also working closely with the Department of Water to review its license allocation.

Table 3: City of South Perth's Historical Corporate Non-Potable Water Use

License	Allocation (kL)	2012/2013 (kL)	2014/2014 (kL)	2014/2015 (kL)	2015/2016 (kL)
License #50708 All sites except CPGC, Bill Greydon Reserve and SJMP	802,587	761,205	752,066	761,878	774,046
License #86636 Bill Greydon Reserve	N/A	39,964	42,462	37,523	44,852
License #86636 Collier Park Golf Course	432,000	512,821 *additional allocation for new turf	474,961	434,996	475,171
License #50709 Sir James Mitchell Park	225,000	184,035	210,378	145,843	202,686
Total annual groundwater use (kL)	1,459,587	1,498,025	1,479,867	1,380,240	1,496,755
Total daily groundwater use (kL/day)	3,999	4,104	4,054	3,781	4,101

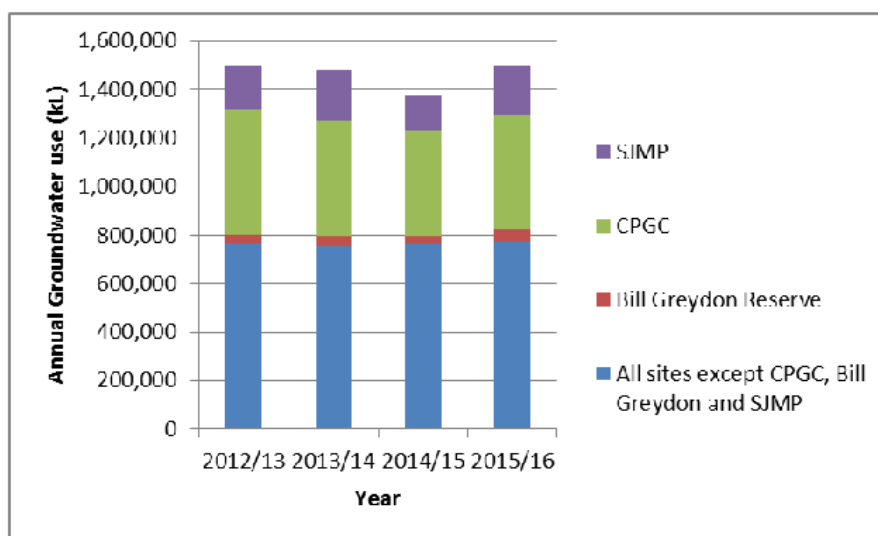


Figure 4: City of South Perth's Historical Corporate Non-Potable Water Use

Table 4: Historical Corporate Non-Potable Water Use for the Top 5 Water Using Sites

Site Name	2012/2013	2013/2014	2014/2015	2015/2016
Collier Park Golf Course	512,821	474,961	434,996	475,171
Sir James Mitchell Park	184,035	210,378	145,843	202,686
George Burnett & Lake Gillon	151,673	131,024	138,176	141,756
Richardson Park	40,022	40,644	56,465	87,975
Ernest Johnson Oval & Civic Centre	71,658	60,416	54,435	74,177

Changes in Water use

Collier Park Golf Course

Groundwater use in 2012/2013 at Collier Park Golf Course was high as the Course underwent a large construction phase. The City was granted an extra allocation for the new turf. Groundwater use in 2014/2015 was low due to summer rainfall allowing the irrigation to be turned off for nearly 4 weeks. 2015/2016 was again higher due to no rainfall and high temperatures over summer resulting in turf areas requiring additional irrigation to keep them playable despite additional wetting agents being applied, and new Carnaby's Cockatoo Sanctuary areas also needing to be watered. Issues with meters recording excess flow were also detected in 2015/2016.

The City is continuing using more wetting agents to improve the water holding capacity in the root zone and there for reducing irrigation run times. The City is also investigating issues with water meters.

Richardson Park

Increase in water use in 2015/2016 will be investigated.

Ernst Johnson Oval & Civic Centre

Water use in 2011/2012 was high due to turf renovations. Water use was again higher in 2015/2016 due to faulty valves (which have since been repaired) leading to over-irrigation.

4.3 Community Potable Water Use Inventory

Community Potable Water use has remained relatively steady since 2007/2008 (see Figure 5 below), despite a population increase of 11.9%. Expressed per capita, total community water use has decreased 11.4% from 123 kL per capita in 2007/2008 to 109 kL per capita in 2014/2015 and residential water use has decreased 11.1% from 108 kL per capita in 2007/2008 to 96 kL per capita in 2014/2015 (see Figure 6 below).

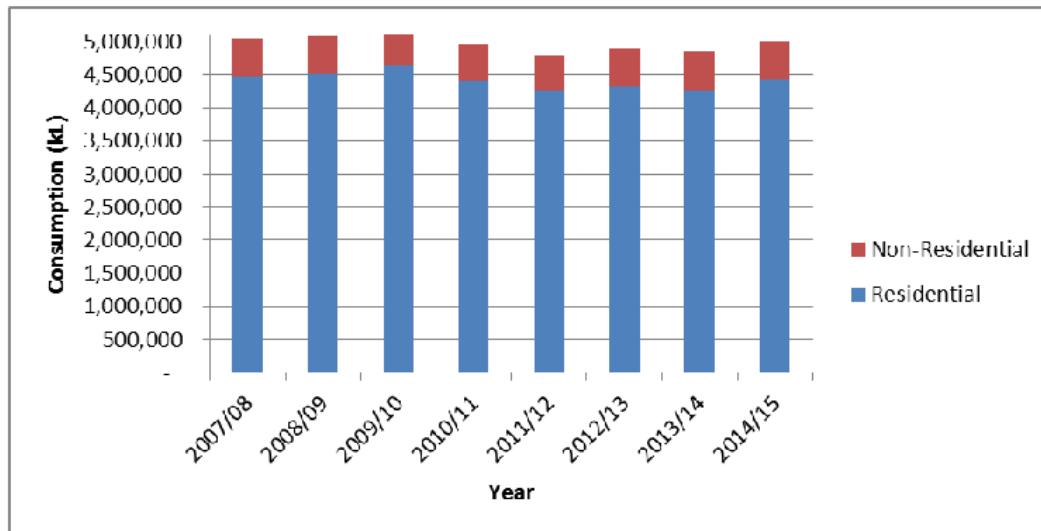


Figure 5: City of South Perth's Historical Community Potable Water Use

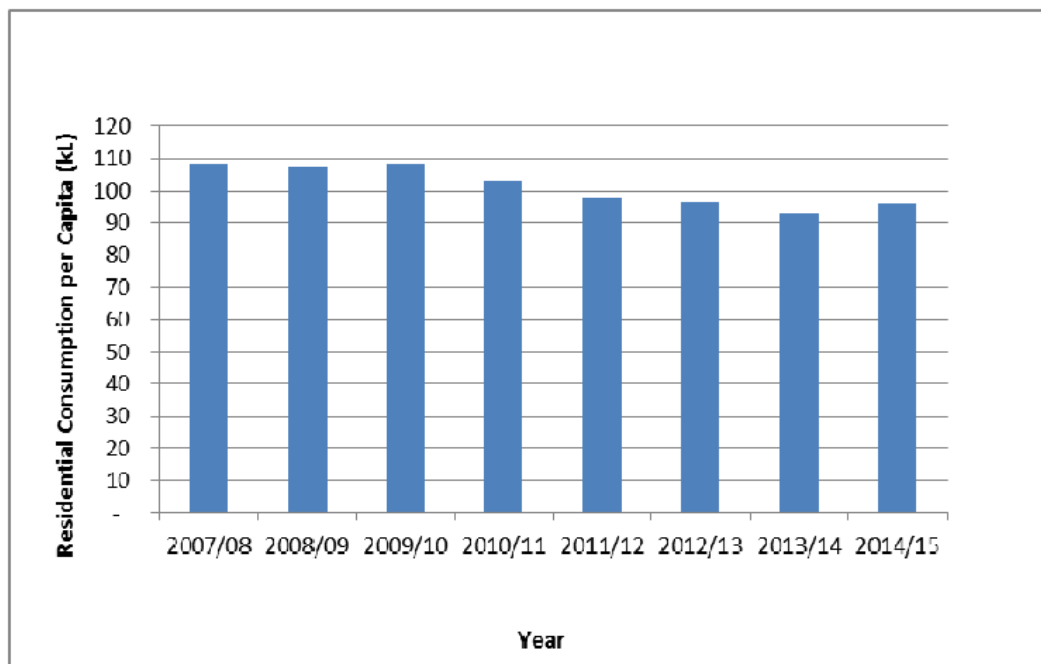


Figure 6: City of South Perth's Historical Residential Community Potable Water Use Expressed per Capita

City of South Perth's community potable water use comprises 68% low density residential, 20% high density residential and 12% non-residential (see Figure 7 below). As community water use is predominately residential, a household campaign may have the most influence on community water use.

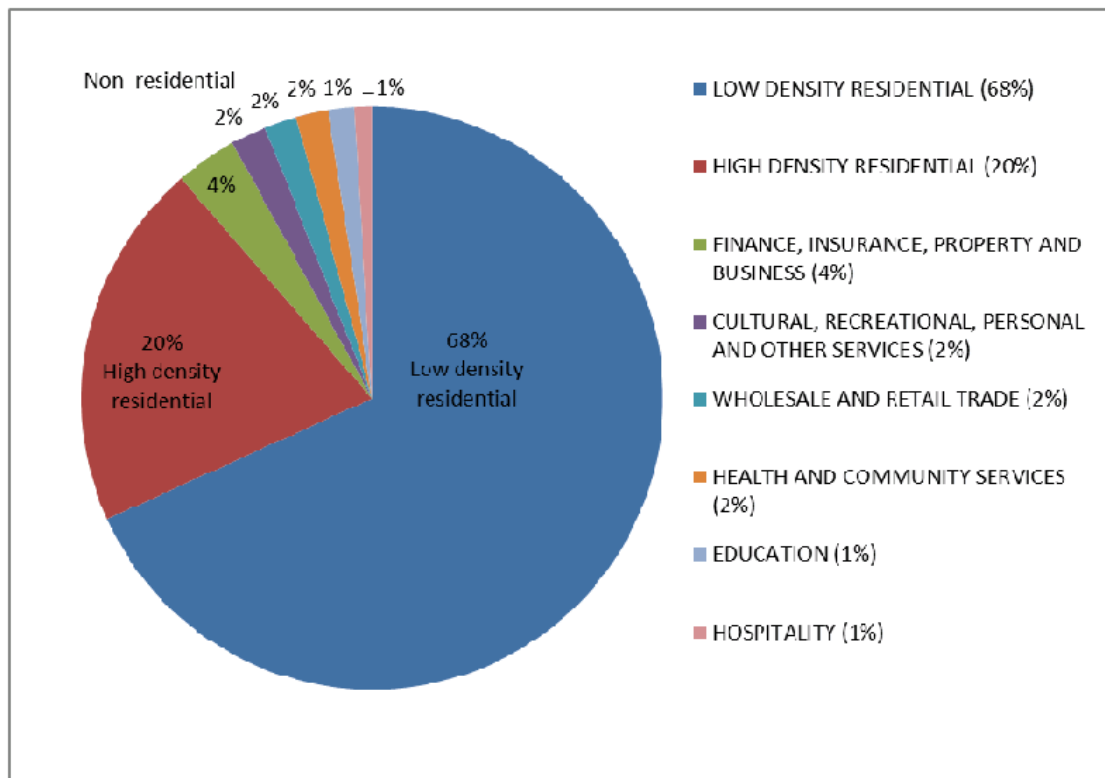


Figure 7: City of South Perth's Community Potable Water Use by Sector in 2014/2015

5. Water Efficiency Goals

5.1 Corporate Water Efficiency Goal

To maintain corporate potable water consumption at or below 2014/2015 levels (67,596kL) by 2020/2021.

This goal takes into consideration the expected population growth in the City, increase facility usage, and the opening of new facilities including the Manning Community Hub.

5.2 Community Water Efficiency Goal

To maintain total community water consumption at or below 2014/2015 levels (109 kL per capita) by 2020/2021.

This goal aligns with Department of Water's goal to reduce community water consumption by 15% from 2007/2008 to 125 kL per capita by 2030.

6. Table of Actions

Please note Waterwise Council Program compulsory actions are indicated by a “✓”. An additional 5 actions per annum are required to be completed to be considered for Gold Waterwise Council Status.

Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Facilities	1.1	✓	Conduct a water audit on each of the council's top water using sites.		Building and Asset Coordinator	City Environment Coordinator	High	Ongoing	Annually	Water audits have been conducted at the Civic Centre (2011), Olive/Garden Street Park (2014), Manning Library (2013) and Operations Centre (2014). Collier Park Retirement Village has been identified as a priority site for an audit in 2016. Sites are prioritised based on water inventories and Planet Footprint data.	Water Audit reports.
Facilities	1.2	✓	Commit to implementing the most viable recommendations for water audits undertaken.	Consideration of installation of rainwater tanks, greywater systems, composting toilets, Waterwise appliances and fixtures, recycling water from vehicle wash down bay at operations Centre, undertake sustainable water management campaign to educate community and staff.	Building and Asset Coordinator; Reticulation Supervisor; Parks Maintenance Supervisor; Collier Park Golf Course Superintendent	Collier Park Retirement Village Coordinator	High	Ongoing	One year after water audit	Majority of recommendations from the Manning Library audit have not been implemented as this facility will be moving to the Manning Hub, however a major outdoor tap leak has been rectified. Upgrades at this site may be implemented when there is a new tenant in the building. Installation of a new meter (compatible with data logger) at the Operations Centre workshop has been recommended. Reticulation schedules were reprogrammed at Olive/Garden Street reserve to establish water efficiencies. Operations 50% of operations centre audit recommendations were implemented (eg. installation of waterless urinals, water efficient shower heads and tap aerators).	Photographs, invoices or specifications on installed devices.
Facilities	1.3		Continue to install water efficient fixtures during Renovation works/building upgrades.	Minimum 3 star WELS rated appliances and fixtures waterless urinals.	Building and Asset Coordinator		High	Ongoing	Annually	4 star WELS rated appliances are selected as standard practice. Waterless urinals have been installed at various locations: 2010/11 Installation of 3 waterless urinals at the Collier Golf Course; 3 waterless urinals were installed in the Operations Centre in 2016; Up to 6 waterless urinals will be installed at WCG Thomas Pavilion in Nov 2016.	Photographs, invoices or specifications on installed devices.
Facilities	1.4	✓	Procurement processes incorporate consideration 3 star or greater WELS rated fixtures.		Building and Asset Coordinator	Tenders and Contracts Officer	High	Standard Practice	Ongoing	The City has a Sustainable Procurement Policy. 4 star WELS rated appliances are selected as standard practice.	Sustainable Procurement Policy.

Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Monitoring	1.5		Investigate corporate facilities and sites where water use is unusually high.	Monitoring water use with a data logger or smart metering device to determine water use patterns. Purchase of a data logger. Installing sub meters. Conducting an annual water inventory. Monitoring data through Planet Footprint and investigating changes.	Building and Asset Coordinator Reticulation Supervisor; Parks Maintenance Supervisor; Collier Park Golf Course Superintendent	Natural Resources Management Officer	High	Ongoing	Annually or as required	The City has 3 or 4 smart metering devices that are used on sites where water use requires investigation. An annual water inventory is conducted based on data from Planet Footprint and Water Corporation and anomalies are investigated.	Water inventory, data logging reports.
Facilities	1.6		Undertake an inventory of the water using fixtures at all facilities including the number of fixtures, type and flow rate.		Building and Asset Coordinator		Med-High	Ongoing	Update annually		Copy of inventory report.
Landscape and Irrigation Design	2.1	✓	Upgrade median strips and garden areas to reduce or eliminate the requirement for irrigation. Landscaping plans to include low water use plants (local natives), hydrozoning and soil amendments/wetting agents.		Streetscapes Maintenance Supervisor; Collier Park Golf Course Superintendent; Parks Maintenance Supervisor		High	Ongoing	Annually	In 2012/13 19,572 m2 of turf from median islands along Manning Rd was removed and replaced with mulch. 6-7 other sites are upgraded every year based on identified priority. Landscaping using Waterwise/native species is designed by the City's Landscape Design Officer. Carparks etc, are moving to non-irrigated gardens. Sir James Mitchell Park complete. Carnaby's Sanctuary areas are being established at CPGC, irrigation will be switched off in future. Additionally the CPGC entry statement has been identified as site where turf area could be reduced.	
Public Open Space (POS)	2.2		Continue the use of turf maintenance practices that lead to water conservation outcomes such as the application of wetting agents including Terracottem gel, use of soil amendments, turf renovations (vertimowing and aeration), rye seeding to stabilise turf.		Collier Park Golf Course Superintendent; Parks Maintenance Supervisor		High	Ongoing	Annually	Rye seeding is done annually to stabilise turf and reduce need for new turf. Terracottem has been found to dramatically reduce water consumption in establishment of new turf. Active reserves vertimowed as required, aeration twice per year. Soil wetting agents applied by boom spray. CPGC conducts coring twice per year and vertimowing as required. Terracottem and granular wetting agents are used in establishment of new plants.	
Alternative Water Sources	2.11		Consider the feasibility of utilising alternative water sources such as stormwater, greywater, rainwater and recycled wastewater.	Stormwater harvesting for irrigation	Reticulation Supervisor	Works and Services Coordinator; Infrastructure Projects Coordinator; Building and Asset Coordinator	Low	Not started	Jun-21		


Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Irrigation	3.1	✓	Meter all bores - install a water meter to the standards detailed in the Department of Water Guidelines for water meter installation 2009, on all non-scheme water sources to measure both water flow rate and cumulative volume.		Reticulation Supervisor		High	Complete	N/A	Done.	Groundwater licence report spreadsheet.
Irrigation	3.2	✓	Meters (and any sub-meters) are read on a regular basis and recorded.		Reticulation Supervisor; Collier Park Golf Course Superintendent		High	Ongoing	Ongoing	The City uses a Rainman System for irrigation of Parks and most Open Space. Meter readings are recorded every 3 weeks. Meters at CPGC are read weekly.	Groundwater licence report spreadsheet.
Irrigation	3.3	✓	Continue to implement system maintenance and audit schedule. Keep replacement and repair parts consistent and available to maintain irrigation system performance.		Reticulation Supervisor		High	Ongoing	Ongoing	Irrigation systems for Active Reserves are tested weekly. Passive reserves are tested fortnight. Irrigation systems for small garden areas are tested every 3 weeks.	Maintenance schedule.
Irrigation	3.4	✓	Leak detection is included in inspections and reported on or repaired if a leak is observed.		Reticulation Supervisor	Collier Park Golf Course Superintendent; Parks Maintenance Supervisor; Streetscapes Maintenance Supervisor	High	Ongoing	Ongoing	Leaks are repaired if detected during irrigation testing.	
Irrigation	3.5	✓	Create/maintain a water budget for council open spaces. Each irrigated area of irrigated parkland to have base annual water budget. Scheduling should be adjusted on a monthly basis and tracked against the water budget.		Reticulation Supervisor	Collier Park Golf Course Superintendent; Parks Maintenance Supervisor; Streetscapes Maintenance Supervisor	High	Ongoing	Ongoing	Scheme water irrigated sites (some gardens and streetscapes) are operated on a Uni Controlled (not central Rainman system). They run Tues and Thurs nights Oct-April. Maintenance crews record and adjust scheduling manually. John keeps these records. Richard keeps spreadsheet for meter readings and use of water for groundwater irrigated sites, adjusted accordingly. 3 days per week in summer, 1 day per week in winter. Central System shuts off irrigation when 6mm of rainfall has been detected by weather station. CPGC: Fairways/greens are prioritised, catch cups and hand-held soil moisture probe used to help determine irrigation requirements.	
Irrigation	3.6	✓	Audit of irrigation system to identify poorly performing irrigation hardware, and progressively upgrade any substandard systems.		Reticulation Supervisor; Collier Park Golf Course Superintendent	Parks Maintenance Supervisor; Streetscapes Maintenance Supervisor	High	Ongoing	Annually	The City has a replacement program for Irrigation Systems. Landscaping is upgraded at the same time. Irrigation at CPGC is currently being upgraded to allow more uniformity and more control of individual sprinklers	

Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Irrigation	3.7		Develop and implement a groundwater monitoring program as part of the City's Sustainable Groundwater Abstraction Strategy.		Reticulation Supervisor	Collier Park Golf Course Superintendent; Parks Maintenance Supervisor; Streetscapes Maintenance Supervisor	Medium	Implementation: Ongoing	Annually		
Irrigation	3.8		Monitor soil moisture to help determine irrigation requirements of turf areas.		Reticulation Supervisor; Collier Park Golf Course Superintendent;	Parks Maintenance Supervisor; Streetscapes Maintenance Supervisor	High	Ongoing	Ongoing	7 probes in use at Active Reserves. Handheld probe also used at CPGC to inform hand-watering requirements	
Staff engagement	4.1	✓	Adequate processes in place to achieve Waterwise behavioural change within council.	Leak reporting process established Water conservation signage in staff facilities to engage and inform staff, visitors and contractors, combined with information provided on Intranet and eNEWS Participate in Switch Your Thinking Program including Switched on Staff sessions. Water management team meetings held on a regular basis.	City Environment Coordinator		High	Ongoing	Annually	Staff can report leaks/maintenance issues through the LAGAN system. Signage (stickers) to be reinstalled in staff facilities at Civic Centre and Operations Centre. Participation in Switch Your Thinking to be investigated.	Photographs
Staff training	4.2	✓	Appropriate staff have completed Water Corporation Waterwise training and are provided with opportunities to maintain professional development in sustainable water management.	Water Corporation's Water Auditing for Non-Residential Buildings and Water Efficient Landscape and Irrigation online training courses. Basic WSUD training.	Building and Asset Coordinator; Parks Operations Coordinator; Collier Park Golf Course Superintendent		High	Ongoing	As required	All relevant staff are provided with opportunity to undertake online Water Corporation training. Water Corp water auditing training has been undertaken by Morris Simmons, Gil Masters, and Yulia Volobueva. To do training: Deanne (Building Maintenance), Adele Scarfone and new Building and Asset Coordinator. Peter Beach, Paul Cook and John Hackett (CPGC) have undertaken Water Efficient Landscaping and Irrigation Course. Additional training requirements/professional development opportunities determined during Performance Review process.	List of staff who have completed online training.

Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Community Engagement	5.1	✓	Engage with household and business ratepayers and promote water efficiency.	Encourage the use of mulch, water wise plants and other water efficient landscaping techniques and waterwise appliances through demonstration gardens, educational workshops, etc. Provide info on available rebates.	City Environment Coordinator	Streetscapes Maintenance Supervisor;	High	Ongoing	Annually	The City has an ongoing 'Mulch to Residents' program. 2-3 Living Smart and Great Gardens Workshops are hosted per year. In 2010/2011 the City established demonstration Waterwise native gardens in various locations throughout the City. Could also promote water efficiency practices in Peninsula Newsletter.	
Community Engagement	5.2		Support Waterwise verges and provide information to ratepayers on how to design and maintain a Waterwise verge.		Parks Operations Coordinator; Streetscapes Maintenance Supervisor		Low	Ongoing	Annually	The City updated its verge policy in 2011 with an increased Waterwise and sustainability focus. The City has a Greening Our Streets: Street Verge Landscape Guidelines booklet, including a plant species list for local native verge gardens. The City offered verge makeover program in 2011-2012 to the local residents to retrofit their verges with Waterwise landscaping, but this was not considered viable in that format.	Verge Landscaping Guidelines.
Community Engagement	5.3	✓	Engage with local schools on water efficiency and sustainability programs.	Consider encouraging schools to participate in the Waterwise Schools program. Engage directly with schools the City is already involved with including Manning PS, Curtin PS and Kensington PS.	City Environment Coordinator	Natural Resources Management Officer	High	Ongoing	Annually	The City participates in the Millennium Kids "Schools Nurturing Nature" annual education program.	
Community Engagement	5.4	✓	Provide information on the installation and local regulation of greywater systems and rainwater tanks where appropriate.	Develop or adopt an information sheet on greywater systems and rainwater tanks.	Coordinator Environmental Health Services	City Environment Coordinator	High	Ongoing	Annually	Approvals information provided on website.	Website link.
Planning	6.2		Develop and implement planning controls that support the use of water efficient landscaping techniques, garden designs and fixtures by developers.		Senior Strategic Project Planner		High	Complete. Implementation: Ongoing	Implementation: Ongoing	Policy P350.01 requires a Green Star Rating for large buildings.	Copy of Policy.
Water Sensitive Urban Design (WSUD)	7.1	✓	Develop a Local Planning Policy to implement water sensitive urban design in new land developments.		Senior Strategic Project Planner		High	Complete	Complete	Non-enforceable guidelines (See action 7.2 below).	Copy of Guidelines.
Water Sensitive Urban Design (WSUD)	7.2		Run an information session for relevant staff to inform them about the City's WSUD guidelines and their role in implementing these guidelines.		City Environment Coordinator	Infrastructure Projects Coordinator	High	Not started	Jun-21		

Water Category	Ref #	Compulsory WWC action	Action	What may this action include (not limited to)	Officer(s) Responsible	Secondary Officer(s) Responsible	Priority	Status of Action (Complete; In progress; Not started; Ongoing; Standard Practice)	Proposed Completion Date	What has been done? (Detailed update on where this action is up to).	Evidence (What evidence is required and where is it held/who manages it).
Water Sensitive Urban Design (WSUD)	7.3		Conduct a feasibility study to determine whether the City's land and drainage features are able to incorporate WSUD features.	Further changes to McDougall Lake inlets to reduce nutrient input or improve water quality through increased aquatic vegetation.	Infrastructure Projects Coordinator; Works and Services Coordinator		High	Not started	Jun-21	This action is reflected in the City's Integrated Catchment Management Plan (ICMP), and assists with determining the appropriate WSUD features that can be utilised to achieve best catchment management outcomes.	
Water Sensitive Urban Design (WSUD)	7.4		Incorporate water sensitive urban design techniques into management practices when upgrading the catchment (e.g. permeable paving, bio-retention swales, pipe-less streets and rain gardens).	Onsite detention; Stormwater Infiltration systems; Bio-retention swales; Grass or reed swale drains; Broken or flush kerbing; Permeable paving materials; Nutrient intervention installation.	Infrastructure Projects Coordinator; Works and Services Coordinator		High	Ongoing	Annually		
Water Sensitive Urban Design (WSUD)	7.5		Restore a drainage channel and the City's waterways to a living stream where practical.	Increasing vegetation around lakes – SJMP Lake Douglas or Bodkin Park lakes	City Environment Coordinator; Natural Resources Management Officer		Medium	Ongoing	Annually		Photos and Articles.

7. Management endorsement and Water Corporation and Department of Water acceptance

Endorsement of Water Efficiency Action Plan			
City of South Perth:			
a)	Will implement the water saving measures stated in Section 6 of the Water Efficiency Action Plan and ensure employees and contractors assist in implementing actions.		
b)	Acknowledges that the Water Corporation and / or Department of Water may comment on the WEAP and/or request additional information relating to the WEAP.		
c)	Acknowledges that the Water Corporation and Department of Water will monitor the WEAP and failure to meet requirements of the program may result in the withdrawal of Waterwise endorsement.		
d)	Will submit an annual report, in accordance with Section 5 (Action Plan), detailing progress made on the WEAP in order to maintain endorsement as a Waterwise Council.		
Name	Geoff Glass		
Position	Chief Executive Officer		
Signature		Date	5/10/16
Water Corporation and Department of Water Acceptance of WEAP			
Water Corporation and Department of Water has reviewed and accepted the WEAP. With acceptance of this WEAP City of South Perth will be eligible for endorsement as a Waterwise Council.			
Water Corporation:			
Name			
Position			
Signature		Date	
Department of Water:			
Name			
Position			
Signature		Date	
Document Number			



Government of Western Australia
Department of Water



Please post or email your submission to:

Waterwise Councils Program

Strategic Relations Management

Water Corporation

PO Box 100

Leederville 6902

water.efficiency@watercorporation.com.au

8. Appendix

Gold Waterwise Council Status

To apply for Gold Waterwise Council recognition requires councils to demonstrate significant progress towards best practice water efficiency that is above and beyond the minimum endorsement requirements. A minimum of 5 further actions per annum is required to be considered for Gold Council Status. Actions are to be listed in the Water Efficiency Table of Actions (Section 5).

The following is a list of actions that demonstrate innovation and best practice techniques to improve water efficiency in facilities and in public open space. Please note that consideration is not limited to the actions outlined below.

Facilities:

- Use of technology to actively monitor water, e.g. use of data loggers or smart metering applications.
- 5-Star WELS rated Water efficient devices, fixtures and fittings are installed in any new council facilities or retrofitted in existing facilities.
- Council owned facilities are participating in Waterwise programs e.g. Waterwise Golf Course or Waterwise Aquatic Centre program.
- Training – staff have completed training above and beyond the minimum required.
- Alternate water sources are used to supply facilities.
- Switch to a non-potable water source (rainwater, greywater or a bore) for irrigation of garden and landscape areas.

Public Open Space:

- Develop contingency plans to reduce irrigated areas (by priority) during times of extreme weather conditions.
- Use of technology to actively monitor water use, e.g. central controlled irrigation systems with weather control, soil moisture sensors.

- Evidence of best practice irrigation techniques such as:
 - Maintaining sprinkler lower quarter distribution uniformity (DU) of greater than 75% for the top water using site, and on any new designs.
 - Upgrade irrigation infrastructure - move towards best practice for irrigation systems.
 - Employ cultivation techniques such as aeration, soil wetting agents, soil amendment, vertical mowing, and spiking to reduce compaction and allow penetration. Estimate the water holding capacity of the soil from sample cores.
 - Develop fertiliser application plan that is based on water, soil and / or tissue samples that doesn't promote excess growth.
- Alternative water supply developed.

Community actions

- Support waterwise verges and provide information to ratepayers on how to design and maintain a waterwise verge.
- Encourage local community and business to utilise Waterwise Specialists.
- Support and promote innovative projects that create awareness of water efficiency principles and practices, e.g. demonstration homes. Waterwise garden open days etc.
- Programs to encourage water efficiency e.g. native plant subsidy or giveaways, waterwise garden competitions, offer a rebate program on water efficient products, offer free mulch to residents etc.
- Provide grants / support for sporting clubs and / or schools to support water efficiency initiatives.

Waterwise Council of the Year (Platinum Waterwise Council)

A Waterwise Council of the Year will be announced annually at the Waterwise Council Forum. Platinum recognition is awarded to a council demonstrating innovation and best practice techniques to improve water efficiency in facilities and in public open space.

In order to be eligible for this award a council must be an endorsed (or eligible for) Gold Waterwise Council and address the following as part of the annual re-endorsement process:

- How your council has contributed towards the efficient and sustainable use of water, focussing on the past year?
- Provide an estimate of the total volume of water your council was responsible for saving each year (from baseline year).
- Evidence of work undertaken in the community or in council operations to reduce water use over the last year.
- Evidence of work undertaken that could be employed by other councils to reduce water use.

2016

Collier Park Village Water Efficiency Audit



FlowLess

Prepared by Rod van Gass
WA Water Audits

October 2016

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OVERVIEW

It has been said that *'if you can measure something, you can manage it'* and that is the premise behind conducting a water efficiency audit. Water efficiency audits are all about determining efficiency, using past results as a benchmark and identifying an expected new benchmark that can be predicted by behavioural (e.g. take shorter showers) or mechanical (e.g. flow restrictors in showers and taps) changes. Behavioural change can be difficult to achieve, so it makes more sense to identify and implement mechanical changes first.

A water efficiency audit will assess hardware flow rates, equipment age wear and tear; identify obvious leaks or signs of water damage and attempt to detect unseen leaks in plumbing ducts or drains which are usually more difficult to find.

It can also be used to assess how well an organisation is performing compared to its peers, a metric that is important in the aged care environment. Water efficiency audits also identify the elements of continuous improvement rather than just dealing with immediate problems or issues, as efficiency is not a static condition.

An initial *Water Efficiency Audit* was conducted at Collier Park Village (CPV) in September 2016 by Rod van Gass from FlowLess.

The following report highlights the current state at the facility, outlines key efficiency concerns identified and recommends a course of action for addressing these issues in a timely and cost-effective manner. The report also identifies anticipated costs for resolution and indicates the expected return on investment (ROI) that can be gained from implementing these measures.

It should also be noted that an initial study of the water consumption, resident numbers, staffing levels and size of the site indicated that although the historical annual usage was at a reasonable level on the spectrum for a residential property of this size, the water usage in the last couple of years has increased exponentially.

Those figures from the Water Corporation suggested that there may be a major leak somewhere at the property but the Audit showed that the increase is actually caused by many small continuous leaks at the site. The fact that there are approximately 1,500 water outlets at CPV, many of which appear to be original (therefore under mains pressure for 30 years) means that an increase in leaks is hardly surprising.

Implementation of the recommendations in this report should bring it to a much improved level of efficiency by Water Corporation standards and an overall reduction of over 50% of the current high consumption figures should be possible.

AUDIT SITE

The CPV is a fairly large aged care site with around 220 residents and approximately 12 staff. The 169 residential units all have similar configurations. This institution is about 30 years old and has fixtures that reflect that vintage as well as many more modern ones that have been installed with refurbishments.

Water consumption has increased markedly over the last 2 years without any infrastructure changes, so a Water Audit of the site is very appropriate.

Viewed as a 'business', the CPV has the responsibility of managing its own resources and expenses. The purpose of an Audit is to identify what can be done to reduce consumption of water and thereby the related water and energy costs.



PROTOCOLS

In conducting a comprehensive water efficiency audit at CPV (the site) the following criteria should be examined and assessed:

- Historical water use from the Water Corporation and CoSP figures
- Current water use from recent water bills
- Measurement of flow rates of all water outlets
- Hardware age, type and compatibility
- Investigation into leaks and wastage
- Frequency of use of facilities and occupancy levels

An evaluation of annual consumption figures from the Water Corporation indicated that water usage at CPV increased sharply from round 2014, which suggested there may be an un-resolved significant leak that was getting worse. The process of the Audit requires that every visible water point be assessed first (inevitably finding small leaks across the site) but with the expectation that any major leaks will reveal themselves in this fairly detailed and forensic process.

AUDIT RESULTS

CPV is a well established site with common area gardens and lawn areas in good condition. Apparently all of the outside common areas are irrigated with bore water which reduces the demand for expensive 'scheme' water for this purpose. Bore water use is monitored and is sufficient to maintain the gardens and lawn areas in good condition.

All the small 'private' gardens of each unit are irrigated by scheme water from one tap at the front and one tap at the rear of each unit. It appears that most units have at least one reticulation/timer unit in place which is apparently turned off in winter per Water Corp guidelines. Once summer watering resumes I would recommend that all these units are checked and programmed correctly to make sure they are compliant.

III

At the commencement of the Audit, an extended observation of the meter suggested there was a base-flow leak of around 10.0 Lpm which translates into a loss of around 5,200,000 litres a year. Many small leaks have been identified during the audit of the residential units and will be attended to. Unfortunately, resolving these won't stop new leaks from occurring, so maintenance staff (and tenants) will have to remain vigilant.

Many leaks were also identified in the Hostel building, which has been isolated as an expedient solution to the leaks there.

More can be done though to reduce overall consumption quite significantly.

With the increasing costs of water in mind, all and any efficiencies that will consistently *reduce* usage should be considered. Putting 'Save Water' signage around the property and at shared water usage points is a good idea but over time the effect becomes less as users become blasé about the message.

Something more effective is to reduce or restrict the actual flow rate of water from as many of the outlets as possible to a flow rate that is 'fit for purpose'. Heavy water use devices like washing machines may be able to be programmed to use less or have a more water efficient wash program selected. Water use can thus be reduced without the user ever having to think about it.

Flow reduction devices can be retro-fitted to all the indoor taps (and showers) at the site choosing an appropriate flow-rate for the intended use of the water while maintaining user 'comfort'. This is one of the easiest and most cost-effective methods of containing water use without being draconian. Once again, water use can be reduced without the user ever having to think about it.

Making small changes to existing water outlets is not difficult and thousands of small savings every day without having to ask the residents to make any behavioural changes will certainly be of benefit to all.

Once this has been done, active monitoring of ongoing water usage should indicate if any further steps should be taken.

HARDWARE

Hardware that was assessed included outdoor taps, showers, vanity sinks, toilets, hand-wash basins, laundry and commercial kitchen outlets. The audit of the site examined all the types of hardware as well as measuring the actual flow rates of each.

It transpired that it was not possible to access every residential unit at the site, so the type and flow-rates of equipment in these was inferred from those of a similar vintage nearby.

The majority of fixtures were found to be current and in good working order however there was significant evidence of leaks found, mostly into the toilet pans from the cisterns. Minor leaks, but many and constant.



III

Vanity Hand-Basin Taps

These are not all similar in vintage or design but the flow rates of these are consistently high, ranging from 8 Lpm to 20 Lpm. (11.31 Lpm Average) The regulators in these can all be changed to a standard 3.5 Lpm spray for vanity basin taps, sufficient for all the usual purposes.

Hand-wash Station Taps

There are several specific 'hand-wash' basins, in the public and staff wash-rooms, kitchen areas and nurse-stations. These have flow rates ranging from 7 Lpm to 15 Lpm so a change to a standard 2.0 Lpm soft spray regulator is recommended as this is quite adequate for proper hand washing.

Laundry Trough Taps

Currently over 14 Lpm average flow rate – these are typically used to fill containers or rinse items. Their daily average usage would not be significant but their high flow-rate is. Changing these to a 6 Lpm aerated flow will make a difference to overall water usage over time.

Kitchen Sink Taps

Currently the average flow rate for these is a high 11.7 Lpm, These could be reduced to 6 Lpm to reduce water consumption especially when rinsing items or utensils. This would still be sufficient to fill sinks on occasion but will reduce consumption and costs (because rinsing uses hot water in most circumstances too.)

Dishwashing Rinse Guns

The flow rate for these in the commercial kitchen dishwashing area is currently 4 Lpm, That is a very efficient flow rate and the 'water knife' spray makes them very effective at cleaning residue off crockery before it's put into the dishwasher.

In order to reduce water usage in this area, the 'locking rings' or clip should be removed from the guns so that they have to be physically grasped to operate and cannot be left running while unattended.

Toilets

All the toilets at the CPV ILUs are current units using 3L/6L or 3L/4.5L dual flush systems. Many of the toilets (approximately 30%) have leaks into the pan due to imperfect cistern seals or blockage. Even though the individual leaks are small, the combined ongoing leak volume is estimated at 5.6 Lpm (Or around 3 ML per year!) An extended observation of the water meter confirms this is the case.

A comprehensive ongoing leak management and leak repair and reporting program should be put in place at CPV to address this problem and over time reduce this loss significantly. Cleaners and care-givers will be encouraged to report this and any other kind of water leak whenever they encounter them.

Showers

There are over 170 showers found on the site with current flow rates of 12 to 18 Lpm. These are all used daily so changing the flow to a more modest 9 Lpm while retaining the same shower roses to keep the 'feel' familiar would make a useful difference to the daily water consumption at the site if showering times are maintained at the same average duration.

Dishwashers

There are a couple of Commercial dishwashers and several domestic-size dish-washers at CPV.

The biggest use of water in the dish-washing process is often in the pre-rinsing of all items before putting them into the dishwasher. Reducing the flow rate of the kitchen sink taps will definitely reduce overall water consumption (and lower hot water heating costs too!)

Out of Scope

The following items were not assessed as part of the audit due to the fact the amount of water they use is fixed and can't be varied:

- Drinks Fountains – These all have a nominal flow rate of 3 Lpm but are not intensively used.
- Hot water dispensing units in staff/commercial kitchens (fixed flow). These are primarily used for hot beverages so the volume of water used is not variable.

LEAKAGE

An inspection of all the accessible water use locations of the site revealed no evidence of major leaks as was anticipated, mostly just a substantial number of small, continuous leaks into toilet pans. This suggests that these (as they are often not easy to hear or detect) may have increased in number or severity recently, maybe due to a local event (for example changing the water meter) which has increased the amount of loose sand or scale in the pipes, lodging under seals and causing leaks reflected in a sharply increasing water consumption at the site. Generally these are not difficult to fix but should be resolved as part of a planned leak elimination program.

If that is not the case and there is still a consistent base-flow (say over 30L per hour), further investigation might be warranted.



WASTE

There was very little actual waste identified except that a few hand-basin taps were seen to be dripping in resident bathrooms and kitchens. This was only where there were still older spindle style tap-sets in place. This may be because the resident may not have had the hand strength to fully turn the tap off after use. As these are replaced with mixer taps over time, this kind of wastage may be eliminated.

OUTSIDE ENVIRONMENT

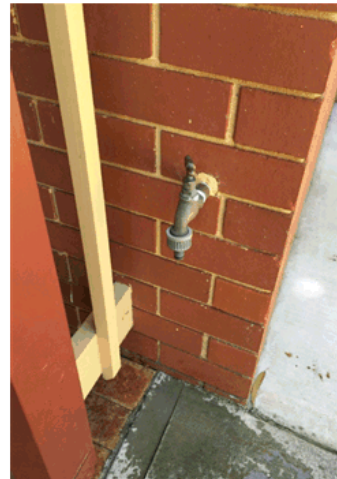
Apart from the residents' private gardens, there's only one area on the outside of the buildings where scheme water is consistently used:

- Taps for garden or wash-down hoses or filling water features.

Standard external taps, such as the one in the picture on the right can be deliberately or accidentally left on for hours or even days and the waste not noticed, particularly if the end of the hose is on the grass or in a garden bed.

The usual recommendation would be to all such outlets to 'key' spindle taps which have a removable spindle that is retained by maintenance or gardening staff.

Trigger spray guns on the hoses and regular checks that they are sealing even if the taps are not fully turned off should suffice for the resident taps. There is an inherent vandal and security risk with these unfortunately, but this is something that perhaps should be raised internally.



RECOMMENDATIONS

1. Leaks – Resolving these has already been mentioned, but once that has been done, a data logger could be fitted to the meter for an extended period to measure actual water use at all times and to determine whether a base-line leak still exists, how extensive it is and whether further investigation is warranted.
2. Isolation valves for each area or even each Unit may need to be plumbed in and used to isolate areas where more extensive plumbing changes may need to be undertaken in the future. The current system which means whole sections of the site or even the whole site needs to be isolated when repairs are required is clumsy and can be disruptive to many residents when it occurs. .
3. Taps and Showers - Adjust the flow rates of all taps and showers throughout the site through the retrofitting of suitable flow regulators:
 - Vanity taps - 6 Star WELS rated (3.5 Lpm) regulators
 - Hand-Wash taps - 6 Star WELS rated (2.0 Lpm) regulators
 - Kitchen basin taps - 4 Star WELS rated (6.0 Lpm) aerated regulators
 - Showers - 3 star WELS rated (9.0 Lpm) regulators
 - Laundry taps 4 star WELS rated (6.0 Lpm) regulators (Optional)

Most of changes can be completed without having to isolate or change the actual outlet – resulting in a far swifter and much less costly overall improvement. The only issue will be getting the consent of all the residents, or each resident in turn, but I do have some ideas on how to motivate and unite them in this endeavor, which I will discuss with you soon.

4. Toilets – Very little needs to be done here once the leaks are repaired except that a process be put in place for cleaning or maintenance staff to regularly check the cistern seals are closing properly once a flush is complete. If residents notice a leak or possible leak they should advise maintenance to assess it as soon as possible too.

COSTS AND ROI

The table below gives an overall view of what the results and recommendations of this audit will deliver to CRV. What is most important is that although there is an initial cost to the institution to implement these, the cost of doing nothing will continue to impact both on the running costs of the Village and the utility fees that have to be recovered from the residents.

Collier Retirement Village	Water Efficiency & Savings Summary		
Items	Savings Annual	Cost Once	Volume p/a Saved k/L
Fix Leaks in ILUs	\$ 6,823.00	\$ 2,800.00	3,260
FlowLess Regulators	\$ 27,029.00	\$ 5,086.00	5,625
FlowLess Installation		\$ 4,250.00	
Water Efficiency Audit		\$ 5,040.00	
Hostel Isolation	\$ 6,270.00	\$ -	3,000
	\$ 40,122.00	\$ 17,176.00	11,885
	ROI 5.14 Months		

The return on investment (ROI) has been determined by assessing the cost of completing the recommendations against the associated savings in water and energy usage as it stands. The cost of acquiring and installing the regulator items and attending to leaks as recommended will be approximately \$12,100, exclusive of GST. The estimated cost saving in the first year is over \$40,000, allowing for the replacement outlay, installation, leak repairs **and** the original Audit cost to be covered in less than six months.

These are primarily mechanical changes to deliver predictable reductions, as behavioural changes related to water usage have not been addressed within this report. These may actually be instigated once residents and staff see the new regulators in action and understand the reasoning behind them and how they are actually able to save water without having to think about it.

Although the return on investment is fairly swift, the real savings are definitely worthwhile and will continue over time as these efficiency measures will have lasting benefits as water tariffs inevitably increase.

An annual reduction of 11.8 million litres to CPVs' scheme water consumption as a result of this exercise is also an excellent addition to your environmental credentials and will definitely bring the site below the WEMP threshold of 20 ML per year. The sooner these are implemented, the sooner CRV will be off the Water Corporations' radar, and the requirement for an Annual WEMP should be eliminated

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INDOOR WATER OUTLET EFFICIENCIES & ROI

Collier Retirement Village

INDOOR TAPS ONLY

FlowLess

	Vanity Taps Aerated	Kitchen Sink Taps	Showers	Laundry Taps	Outdoor Unit Taps
Expected Water Flow Economies					
Current Average Flow Rate (lpm)	11.33	11.71	13.91	14.66	14.19
Reduced Flow Rate (lpm)	3.50	6.00	9.00	6.00	9.00
Litres saved per minute	7.83	5.71	4.91	8.66	5.19
Average Mins per day (Per outlet)	2.2	2.8	8.5	1.6	1.5
Litres saved per day	17	16	42	14	8
Litres saved per year (Working Days)	6,287	5,836	15,162	5,057	2,842
Expected Costs					
Supply New FlowLess Inserts (ex GST)	\$1,350.00	\$1,225.00	\$1,376.00	\$1,197.00	\$2,800.00
Installation (estimated)	\$4,200.00				
Total Cost	\$9,348.00				
Expected Cost Benefits					
Cost per kL of Water (July16)	\$2.09	\$2.09	\$2.09	\$2.09	\$2.09
Annual Water Cost Saving (In)	\$13.16	\$12.21	\$31.73	\$10.59	\$5.95
Annual Water Cost Saving (Out) 0% Discharge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Energy Saving (Hot water component)	\$12.29	\$18.25	\$47.43	\$9.89	\$0.00
Annual cost savings per unit	\$25.45	\$30.47	\$79.16	\$20.47	\$5.95
Number of Units	180	175	172	171	350
Annual cost saving	\$4,581.32	\$5,331.86	\$13,615.29	\$3,500.80	\$2,081.56
Total Annual Savings	\$27,029.27				
Annual Water Saving (litres)	1,131,748	1,021,234	2,607,793	864,822	994,534
Total Annual Water Savings (litres)	5,625,597				
ROI	4.15	MONTHS			

The spreadsheet above relates to all the indoor taps and showers and has been calculated using a 3.5Lpm flow rate for all the aerated basin taps in the bathrooms. CPV will be supplied with 2.0 Lpm regulators for all the dedicated hand-wash taps at the site which should actually even improve this short ROI. These changes not only generate worthwhile water and energy savings but will also compensate for any low-pressure occurrences while still providing a satisfactory hand-wash or showering experience for users across the site.

The column in grey reflects the cost and estimated benefit of providing inline regulators for all the outside taps, however the installation cost would be prohibitive without individual isolation of the residential units -

III

ESTIMATED TIMELINE

The installation of the recommended FlowLess flow reduction items by maintenance staff or suitable contractors could probably be completed within 2 weeks. Completing the FlowLess installations would also provide an opportunity for a plumber to identify the real cause and solution to repairing the leaks into toilet pans at the same time – creating less of an imposition on the tenants.

If a plumber or maintenance person dedicated to this task were brought in, that 2 week period should suffice. Any new leaks found could be swiftly dealt with as well.

Water efficiency and savings is an ongoing process and requires motivation and attention to detail but once commenced, the results will help maintain enthusiasm for the objective; not least of all from the tenants who will benefit from the savings.

Please don't hesitate to contact me if you have any questions or require further clarification of any items.



Rod van Gass

0439 699 439

rod@flowless.com.au

FlowLess

III

File Ref: M13/333

ID No. 11.2014.633.1

Processing Officer: Mr Cameron Howell

City of
SouthPerthTOWN PLANNING SCHEME NO. 6
Schedule 8

Refer to Clause 7.9

Notice of Determination of
Application for Planning Approval**Owner:** Ms A Gay**Applicant:** Quattro Homes Pty Ltd**Address for correspondence:** 14/50 Howe Street
OSBORNE PARK WA 6017**Planning application for proposed:** TWO-STOREY PLUS LOFT MIXED DEVELOPMENT
(COMPRISING SHOP, CAFÉ/RESTAURANT & DWELLING)**Property address:** LOT 3 (NO. 333) MILL POINT ROAD, SOUTH PERTH**Date of application for planning approval:** 02 December 2014**Date of determination of application:** 24 March 2015 (**Council Determination**)

Pursuant to the provisions of the *Metropolitan Region Scheme* and the *City of South Perth Town Planning Scheme No. 6*, the application for planning approval and attached plans are hereby **GRANTED** planning approval, subject to the following conditions:

- (1) All fencing, visual privacy screens and / or obscure glass panels to major openings and / or active habitable spaces shown on the approved drawings, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes of WA*. The structure(s) shall be installed prior to occupation of the building and remain in place permanently, unless otherwise approved by the City.
- (2) The car parking bays shall be marked onsite as indicated on the approved site plan in order to comply with the requirements of Clause 6.3(10)(c) of *Town Planning Scheme No. 6*, and such marking shall be subsequently maintained so that the delineation of parking bays remains clearly visible at all times.
- (3) Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust, and shall be adequately drained in accordance with the requirements of Clause 6.3(10) of *Town Planning Scheme No. 6*.
- (4) External clothes drying facilities shall be screened from view from the street or any other public place.
- (5) The applicant shall construct a crossover between the road and the property boundary. The crossover shall be constructed in accordance with the approved drawings, associated conditions and the requirements contained within Management Practice M353, which is available at the City's website. The existing verge levels at the front property boundary shall not be altered.

Civic Centre, Cnr Sandgate St & South Tce
South Perth Western Australia 6151

Telephone (08) 9474 0777 Facsimile (08) 9474 2425

Email: enquiries@southperth.wa.gov.auWeb: www.southperth.wa.gov.au

ABN 65 533 218 403

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CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)

Application date: 02/12/2014

ID No.: 11.2014.633.1

- (6) The existing crossover shall be removed, and the verge and kerbing shall be reinstated to the satisfaction of the Director, Infrastructure Services.
- (7) In accordance with the provisions of Clause 6.8(2) of *Town Planning Scheme No. 6*, all subsoil water and stormwater from the property shall be discharged into soak wells or sumps located on the site unless special arrangements can be made to the satisfaction of the Director, Infrastructure Services for discharge into the street drainage system.
- (8) The existing boundary fencing shall not be removed, unless it is to be replaced immediately with the required new fencing.
- (9) Any required filling or excavation of the site shall be retained by embankments or walls, details of which are to be incorporated in the working drawings submitted in support of a building permit application.
- (10) Any required retaining walls along lot boundaries shall be constructed immediately after excavation or filling has been carried out.
- (11) In accordance with the requirements of Clauses 6.14(2) and (5) of *Town Planning Scheme No. 6*, a landscaping plan shall be submitted for approval by the City. No person shall occupy or use the land or any building the subject of this approval for the purpose for which this approval is given unless and until:
 - (i) The City has approved a landscaping plan; and
 - (ii) The landscaping has been completed in accordance with the plan approved by the City.
- (12) 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.
- (13) The height of any fence, hedge, tree, or other obstruction within the area formed by an 8.5 metre truncation at the street corner shall not exceed 0.75 metres, in accordance with Council Policy P350.7.5.
- (14) The maximum trading hours of the Café / Restaurant and Shop shall be strictly limited to 7:00am to 5:00pm, 7 days a week, with no deliveries permitted between 9:00pm and 7:00am the following day. Should any noise complaints from neighbours be received within the first 12 months of operation, Council will determine whether the complaints are valid, and if so, will impose an earlier closing time or other requirements to address the complaints.
- (15) The car park shall be closed to public access outside of the permitted opening hours.
- (16) The dividing fence on the common boundary to the adjoining residential property at No. 331A Mill Point Road is to be constructed of either rendered and painted brickwork or alternative masonry materials as sourced by the neighbour. The cost of the fence and its installation is to be borne by the owner of the proposed development.
- (17) The dividing fence on the common boundary to the adjoining residential property at No. 2 Banksia Terrace is to match the existing wall on the common boundary, and the cost of the work is to be borne by the owner of the proposed development.

CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)

Application date: 02/12/2014

ID No.: 11.2014.633.1

- (18) As shown on the approved plans, the dividing fences to the adjoining residential properties at No. 331A Mill Point Road and No. 2 Banksia Terrace shall be at least 2.2 metres high to reduce noise impacts from the car park upon the adjoining residential properties.
- (19) The development shall provide lighting to the City's satisfaction to pathways, communal areas and car parking areas.
- (20) This planning approval does not permit the display of any signage on the building or on the site. A new application for planning approval will be required if signage is proposed to be displayed.
- (21) The car parking bays shall be allocated to occupancies in the following manner on the approved strata plan and onsite:
 - (i) Residential dwelling - 2 bays; and
 - (ii) Non-residential tenancies - 7 bays.
- (22) Prior to the submission of a building permit, the applicant is to submit to the City a Waste Management Plan to the satisfaction of the City. The approved Waste Management Plan shall thereafter be implemented, unless otherwise approved by the City.
- (23) As shown on the approved plans, the Café / Restaurant dining area shall not exceed 40.0 square metres.
- (24) The applicant is to pay the City \$9,400 as a cash payment in lieu of the onsite car parking shortfall of one (1) bay, in accordance with Clauses 6.3 and 6.3A of *Town Planning Scheme No. 6* prior to the submission of a building permit, as detailed in a tax invoice that will be issued by the City.
- (25) Prior to the submission of a building permit, if any air conditioning units or exhaust flues are proposed between the common boundary to the adjoining residential property at No. 331A Mill Point Road and the south-western elevation of the building, the applicant is to submit to the City an Acoustic Report, demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997* to the satisfaction of the City. The approved Acoustic Report shall thereafter be implemented, unless otherwise approved by the City.
- (26) The validity of this approval shall cease if construction is not substantially commenced within 24 months of the date of planning approval.

IMPORTANT NOTES

- (1) This planning approval is **not** an authorisation to commence construction. **A building permit must be obtained** from Council's Building Services department prior to commencing any work of a structural nature.
- (2) Prior to lodging a building permit, the applicant is required to satisfactorily address the outstanding planning matters identified in Condition (22), (24) and (25). Therefore, **to avoid delays** in obtaining a building permit, it is important for the applicant to commence the related processes at the earliest.
- (3) Where any fencing is proposed to be constructed from brick or masonry, it will be necessary for the applicant to include full construction details in conjunction with the application for a building permit.

CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)

Application date: 02/12/2014

ID No.: 11.2014.633.1

- (4) Please note that issues relating to dividing fences are civil matters between the respective parties / landowners (i.e. not the City of South Perth). These matters are controlled by the *Dividing Fences Act 1961* (the **Act**), which includes certain rights and responsibilities. For an information booklet, please visit this site: <http://www.buildingcommission.wa.gov.au/consumers/dividing-fences>. Alternatively, the Act is a comprehensive source of information, and is available from this website: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>.
- (5) The landscaping plan referred to in Condition (11) is required to be submitted prior to, or in conjunction with, the building permit application. The building permit will not be issued until the landscaping plan has been approved by the City.
- (6) Where minor variations are sought at the building permit stage from an approved set of plans, a formal request for a variation to the planning approval is to be sought by the applicant, in accordance with Council Policy P689.
- If supported, the variations may be granted subject to all the previous terms and conditions, or possibly with new terms and conditions. If not supported, either the building plans must be amended for a building permit to be issued, or a new application for planning approval must be lodged for consideration by Council.
- (7) The applicant is advised that:
- (i) It is the applicant's responsibility to liaise with the City's Engineering Infrastructure and Environmental Health departments to ensure compliance of all of these departments' relevant requirements; and
 - (ii) It is the owner's responsibility to manage patron behaviour to minimise disturbance to the neighbours.
- (8) If you are aggrieved by aspects of the decision **where discretion has been exercised**, you may investigate the ability to lodge an appeal with the State Administrative Tribunal within 28 days of the determination date recorded on this notice.

There are no rights of appeal in relation to aspects of the decision where the City / Council cannot exercise discretion.

SIGNED: _____

RAJIV KAPUR

MANAGER, DEVELOPMENT SERVICES

for and on behalf of the City of South Perth

DETERMINATION DATED: 24 March 2015

NB - For enquiries relating to this determination, please contact the applicant or the processing officer.

WORKING DRAWINGS

GAY

LOT 3 (Hse #333) MILL POINT ROAD
SOUTH PERTH

CITY OF SOUTH PERTH
Metropolitan Region Scheme
CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

File Ref : M13/333
ID No. : 11.2014.633.1

Planning Approval Granted by Council
at its meeting held on 24 March 2015

Sheet 1 of 8



danielcassettaidesign

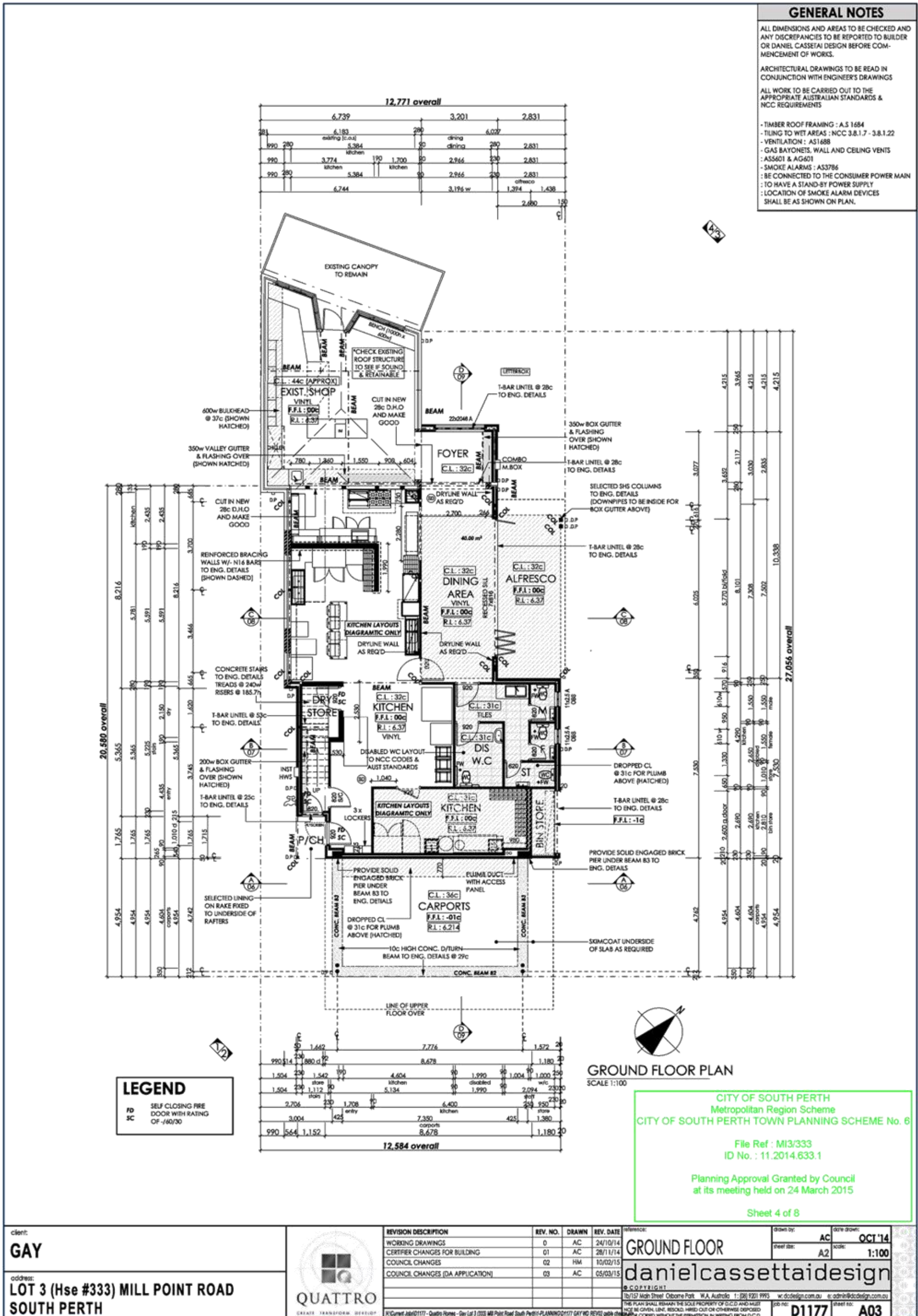
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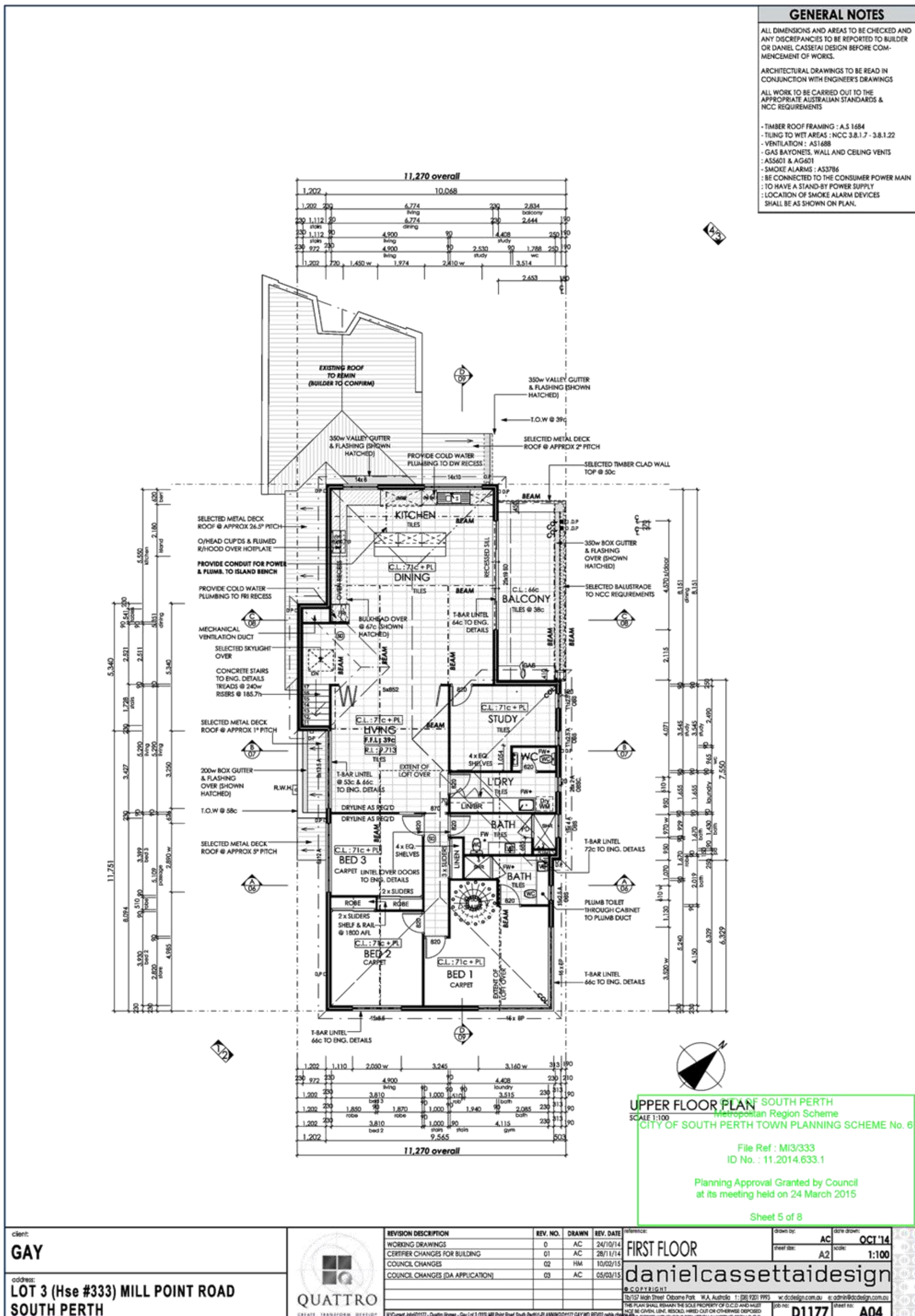
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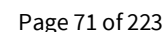
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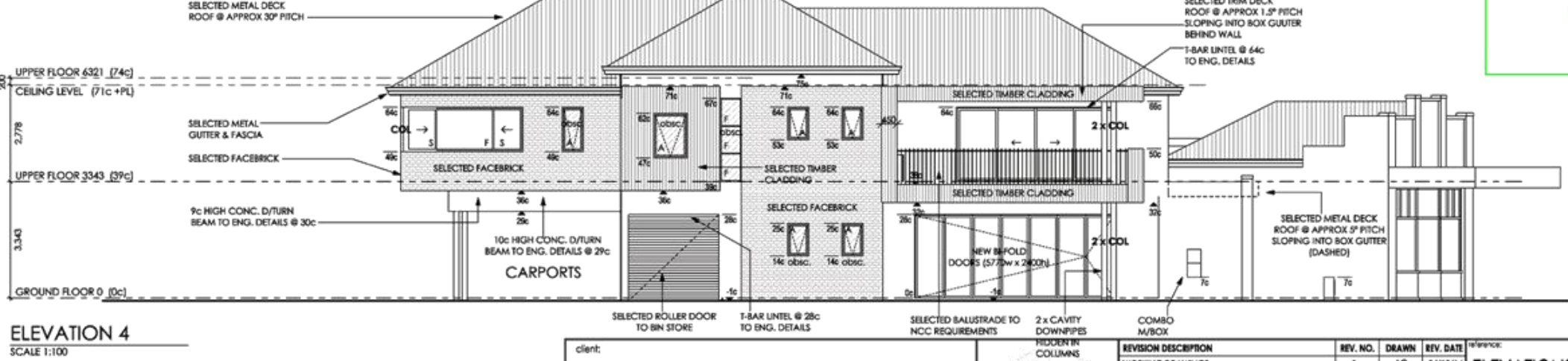
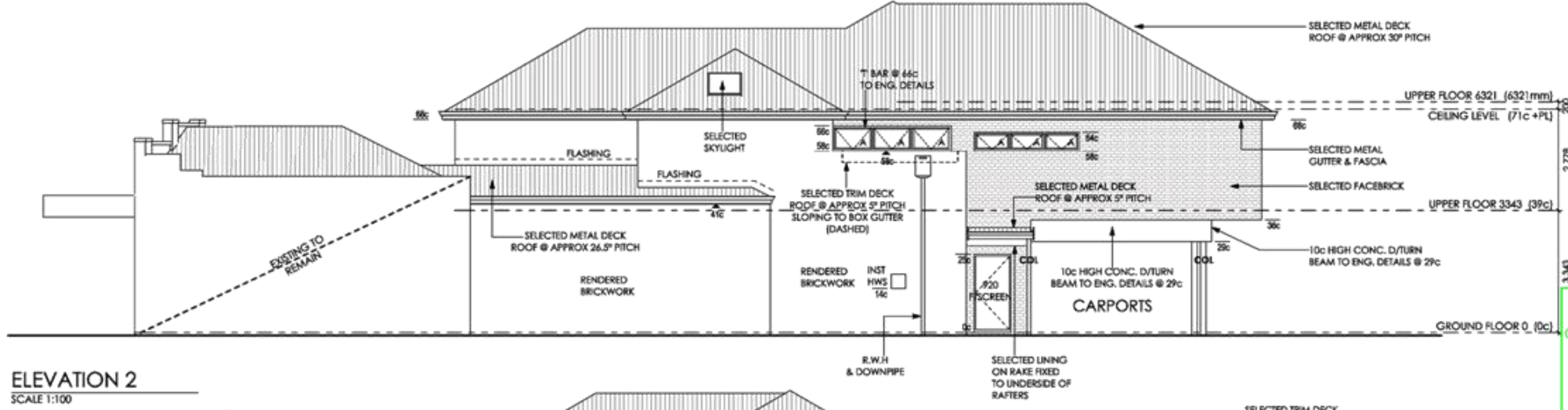
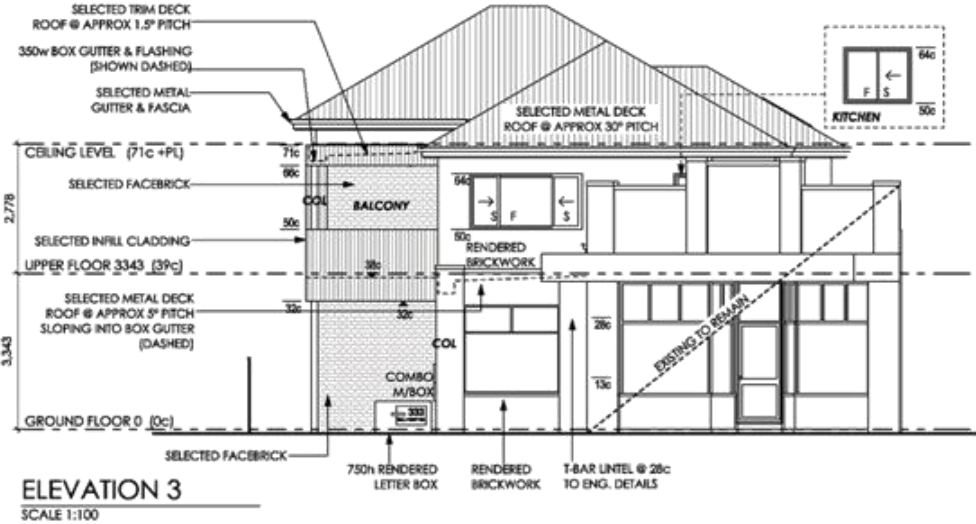
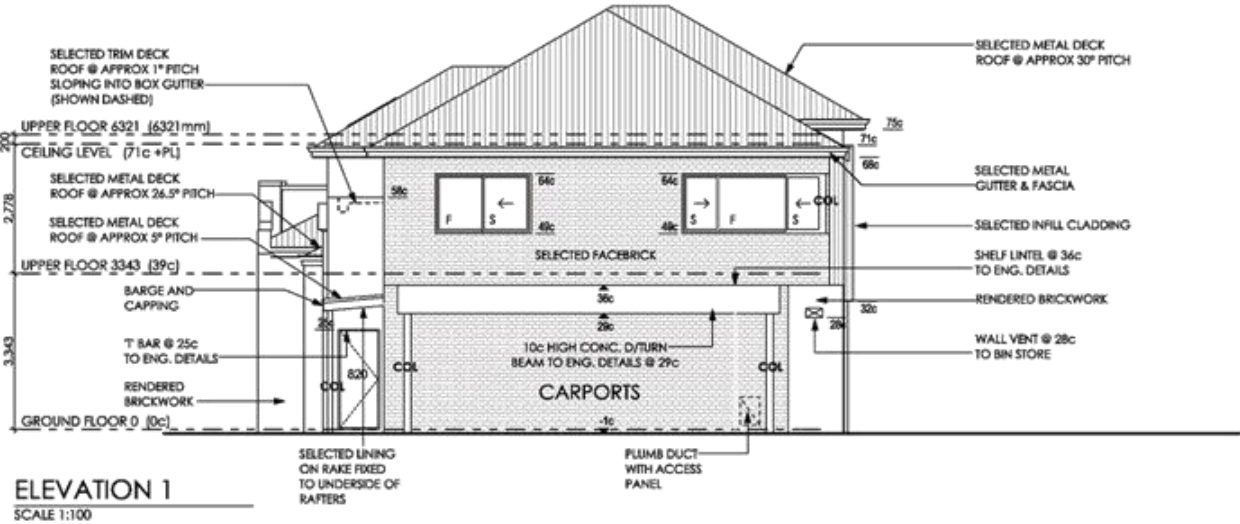












CITY OF SOUTH PERTH
Metropolitan Region Scheme
CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

File Ref : M13/333
ID No. : 11.2014.633.1

Planning Approval Granted by Council
at its meeting held on 24 March 2015

Sheet 7 of 8

client:
GAY

address:
**LOT 3 (Hse #333) MILL POINT ROAD
SOUTH PERTH**



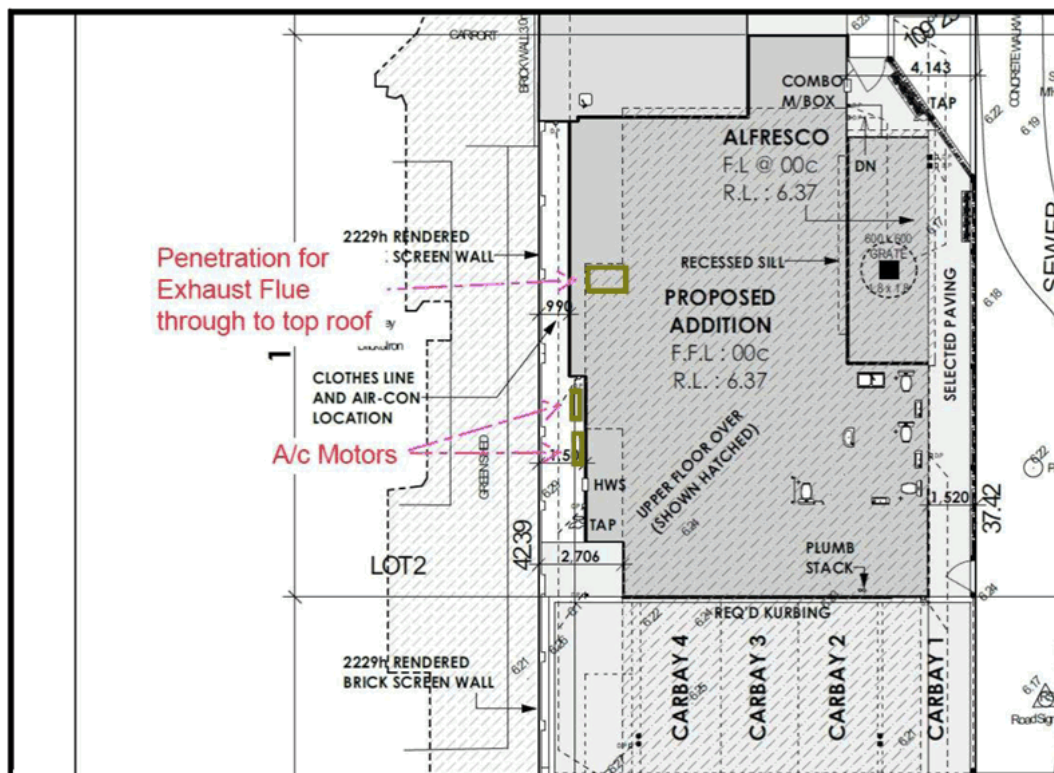
REVISION DESCRIPTION	REV. NO.	DRAWN	REV. DATE
WORKING DRAWINGS	0	AC	24/10/14
CERTIFIER CHANGES FOR BUILDING	01	AC	28/11/14
COUNCIL CHANGES	02	HM	10/02/15
COUNCIL CHANGES (DA APPLICATION)	03	AC	05/03/15

ELEVATIONS		drawn by: AC	date drawn: OCT '14
danielcassettaidesign		sheet size: A2	scale: 1:100
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job no: D1177		sheet no: A06	

From: Michael Lamattina

Sent: Wednesday, 18 March 2015 6:31 PM

Subject: RE: Request for Additional Information (Council Agenda Briefing) - 333 Mill Point Road, South Perth



CITY OF SOUTH PERTH
Metropolitan Region Scheme
CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

File Ref : M13/333
ID No. : 11.2014.633.1

Planning Approval Granted by Council
at its meeting held on 24 March 2015

Sheet 8 of 8



Town Planning | Land Valuation | Land Compensation

WITHOUT PREJUDICE

Our ref: 16-006

24 October 2016

Mr Steve Allering
Allering & Associates
125 Hamersley Road
SUBIACO WA 6008
By e-mail: steve@alleringassoc.com

cc:
Mr Mark Street
Executive Officer
State Administrative Tribunal
GPO Box U1991
PERTH WA 6845
By e-mail: sat@justice.wa.gov.au

Dear Mr Allering

Ailin Gay v. City of South Perth – DR 243 of 2015

Further to the orders made by Member Connor on 19 October 2016, please find *enclosed* the Applicant's Revised Without Prejudice Proposal dated 24 October 2016.

Please contact me if you have any queries.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Flint'.

Martin Flint
Director

Enc.

State Administrative Tribunal

PLANNING AND DEVELOPMENT ACT 2005

IN THE STATE ADMINISTRATIVE
TRIBUNAL OF WESTERN AUSTRALIA

Application No. DR 243 of 2015

BETWEEN:

AILIN GAY

Applicant

and

CITY OF SOUTH PERTH

Respondent

APPLICANT'S REVISED WITHOUT PREJUDICE PROPOSAL

Date of Document: 24 October 2016

Filed on behalf of: The Applicant

Date of Filing: 24 October 2016

Prepared by:

Flint Legal
40 Henning Crescent
MANNING WA 6152

Telephone: 08 9313 1612
Email: martin@flintlegal.com.au
Reference: 16-006

On a without prejudice basis the Applicant proposes the resolution of this application for review on the following terms:

- 1 Condition 14 of the approval dated 24 March 2015 be replaced with the following worded condition:

'The maximum trading hours of the Café / Restaurant and Shop are 7:00am to 9:00pm, 7 days a week, with deliveries limited to 7:00am to 5:00pm Monday to Saturday and 9:00am to 5:00pm Sunday.'
- 2 Conditions to give effect to the matters set out in 3-6 below are to be added to the approval dated 24 March 2015.
- 3 Air conditioning and mechanical services
 - 3.1 The attached plan entitled 'Bakery 333 Mill Point Road Air Conditioning & Mechanical Services Ground & First Floor Plans' and dated June 2016 is to be complied with.
 - 3.2 The air conditioning and ventilation equipment is to be as specified in sections 2 and 3 of the attached document entitled 'Mill Point Road Bakery Performance Brief Air Conditioning & Ventilation' and dated 29 April 2016.
 - 3.3 All exhaust and supply air fans are to be fitted with variable speed drives (**VSDs**). The VSDs are to limit the speed of the fans to 60% of maximum during the night, i.e. 10pm to 7am Monday to Saturday and 10pm to 9am Sunday.

4 Revised plans

- 4.1 The attached revised plans (revision 16 dated 24 October 2016) are to be complied with.
- 4.2 In particular, and arising from the joint statement of the acoustic experts dated 25 May 2017, attention is drawn to the three matters set out in 4.3 to 4.5 below that are included on the attached revised plans.
- 4.3 The roof structure extending from the building façade to the boundary wall adjoining 331A Mill Point Road

This is to meet the condition proposed in paragraph 4.4.2 of the joint statement of the acoustic experts dated 25 May 2017 which provides as follows:

'Roof structure above EAF02, extending from the building façade to the boundary wall adjoining 331A Mill Point Road and approximately 1.5m either side of EAF02. Roof to be sheet metal with 50mm thick, 11kg/m³ insulation to the underside.'

- 4.4 The acoustically absorbent screening to two sides (southwest and southeast) of the extraction fan on the roof of the shop

This is to meet the condition, so far as it relates to the extraction fan on the roof of the shop (EAF01), proposed in paragraph 4.4.4 of the joint statement of the acoustic experts dated 25 May 2017 which provides as follows:

'Acoustically absorbent screens to be installed to two sides of (southwest and southeast) of EAF01 and air-conditioning condensers. Screens are to consist of 1.2mm thick steel sheet with 50mm thick, 11kg/m³ insulation to the equipment side of the

screen. Height of the screens is to be 1.5 times the height of the fan above the roof.'

Separate commentary to be provided shortly will explain the relocation of the air conditioning condensing units that were previously proposed to be located on the roof of the shop.

4.5 The carport structure above the car bays adjoining the residence at 2 Banksia Terrace

This is to meet the condition proposed in paragraph 4.5 of the joint statement of the acoustic experts dated 25 May 2017 which provides as follows:

'Carport structure to be constructed above the car bays adjoining the residence of 2 Banksia Terrace. The carport is to be a metal deck roof with 50mm thick, 11kg/m³ insulation to the underside. The roof is to be sealed against the boundary wall to minimise any gaps.'

5 Noise monitoring

5.1 To ensure compliance with the *Environmental Protection (Noise) Regulations 1997*, the Applicant is to conduct noise monitoring as set out below in 5.2 and in accordance with the *Environmental Protection (Noise) Regulations 1997*.

5.2 After each occasion of monitoring, the Applicant is to report the results to the City of South Perth within fourteen (14) days.

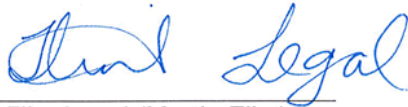
5.3 The monitoring is to be carried out on two separate occasions. The first occasion is to be within a month of the commencement of trading

from 5.00pm to 9.00pm, and the second occasion is to be six months after the first occasion.

- 5.4 On each occasion of monitoring, the monitoring is to be carried out between 5.00pm to 9.00pm and between 11.00pm to 5.00am the next day.
- 5.5 The monitoring is to be of noise emitted from the approved uses of 333 Mill Point Road.
- 5.6 If the noise monitoring discloses any exceedance of the *Environmental Protection (Noise) Regulations 1997* then the source of the exceedance is to cease operation and not recommence until amelioration measures have been taken and subsequent monitoring discloses no exceedance of the *Environmental Protection (Noise) Regulations 1997*. For the avoidance of doubt, the subsequent occasion of monitoring can be, but need not be, the next occasion, if any, of monitoring referred to in 5.3 above.

6 Other matters

- 6.1 Signage is to be installed advising patrons of the surrounding residential area and to be respectful, courteous, and leave in a quiet manner.
- 6.2 Delivery drivers are to be instructed to turn off their engines.
- 6.3 No music is permitted in the alfresco area.
- 6.4 Prior to 9am on a Sunday the maximum number of patrons permitted in the alfresco area is 18.



Flint Legal (Martin Flint)
Solicitors for the Applicant

Mill Point Road Bakery

Performance Brief

Air Conditioning & Ventilation

(File 1649)

Healey Engineering Pty Ltd – ABN - 58 084 394 374

www.understandingenergy.com.au

PO Box 500, Armadale, Western Australia, 6992

Unit 6 @ 64 Sixth Road, Armadale, WA 6112

Voice: (08) 9399 2654, Fax: (none)

Email – info@understandingenergy.com.au

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1. CONTROL SYSTEMS

1.1 Type of Controls)

The controls may be “non-digital” (Relay Logic) or may be digital controlled.

Non-digital controls will use the internal programming logic in the VSD drives to allow the high and low speeds to be commissioned and initiated. If additional relays or a low-voltage power supply is required for the controls these may be housed in a weatherproof adaptable box adjacent to the VSDs

A commissioning sheet shall be provided for each VSD stating the commissioned frequency (Hz) of the drive that matches the selected 100% and 60% Design Airflow, along with the air measurements and the current and power draw at each speed.

Provide a simple manual containing:

- The Commissioning Sheets (above)
- The Data Sheet and Brochures of the VSDs
- A description of the internal programming settings of the VSDs and any access codes or other access information required to re-configure the VSD

If a Digital Controller is provided then provide full data sheets equipment lists, wiring diagrams and programming description along with passwords to allow re-configuration.

1.2 VSD Drives (3 off)

Provide VSD drives for:

- EAF 01 – Kitchen Hood Exhaust
- SAF 01 – Kitchen Hood Supply
- EAF 02 - Bakery Hood Exhaust Fan

Fan motors shall be VSD compatible

Drives to be wall mounted on West wall under the roof over the exhaust ducts

1.3 Kitchen Hood – Supply & Exhaust Fans

Supply and exhaust fan controls shall be linked to operate together on high speed and low speed.

Provide wall-mounted switch plate for:

- On / Off – rocker switch
- High / Low - rocker switch
- Red Run Indicator

Engrave switch plate with the speed settings and “Kitchen Hood Fans”

The VSD drives shall be used independently during commissioning to set up the design air flow of each fan – high and low. During operation the fans to operate at:

- High Speed: Design air flow (100%)
- Low Speed: Reduced energy-saving airflow (60% of design airflow)

1.4 Bakery Hood Exhaust Fan

Provide wall-mounted switch plate for:

- On / Off – rocker switch
- High / Low - rocker switch
- Red Run Indicator

Engrave switch plate with the speed settings and “Bakery Hood Fan”

The VSD drive shall be used during commissioning to set up the high and low design air flow.

During operation the fans to operate at:

- High Speed: Design air flow (100%)
- Low Speed: Reduced energy-saving airflow (60% of design airflow)

1.5 Toilet Exhaust Fan

The fan is dual motor / dual fan for duty standby operation. Automatic changeover is not automatic and is selected on the wall switch in the Bin Room.

The building Electrician will switch the lavatory lights from occupancy sensor(s). Triggering of any light shall start the fan and run on the fan for at least 10 minutes

In the Bin Room directly under the Toilet Exhaust Fan provide a wall switch plate with:

- 3-position rocker switch for “Fan 1 – Off – Fan2”
- Indicator red run light

Engrave the switch with the fan settings and “Toilet Exhaust Fans”.

2. AIR CONDITIONING EQUIPMENT

2.1 First Floor - Air Conditioning

(a) Type

- Ducted split inverter reverse cycle 2-pipe VRF air conditioner
- Selection based on Panasonic mini-VRF systems

The capacities stated are the rated performance at 35oC DB ambient external, 27.0 degC DB, 19 degC WB return air to fan coil unit, as rating conditions.

(b) Condensing Unit:

- Panasonic U-6LE1 R8 – Preliminary Selection
- 3-phase
- GTH: 15.5 kW_r cooling
- EER: 3.30 or better (cooling)

(c) Ducted Indoor Units:

Item	Total Cooling GTH (kW _r)	Sensible Cooling TSH (kW _r)	Supply Air Litres per sec.	Outside Air Litres per sec
Living & Kitchen AC 1-01 Panasonic S 106 MF	10.6	9.6	500 @ 100 Pa	50
Bedrooms AC 1-02 Panasonic S 73 MF	5.3	4.6	320 @ 100 Pa	50

2.2 Ground Floor – Kitchen Air Conditioning

(a) Type

- Cassette split inverter reverse cycle 2-pipe VRF air conditioner
- Selection based on Panasonic mini-VRF systems

The capacities stated are the rated performance at 35oC DB ambient external, 27.0 degC DB, 19 degC WB return air to fan coil unit, as rating conditions.

(b) Condensing Unit:

Panasonic U-6LE1 R8 – Preliminary Selection
 3-phase
 GTH: 15.5 kW_r cooling
 EER: 3.30 or better (cooling)

Healey Engineering Pty Ltd

(c) Cassette Indoor Units:

Item	Location	Total Cooling GTH kW _r	Style Preliminary Selection
AC G - 01	Shop	5.5 kW_r	Mini- Cassette Reverse Cycle Panasonic S-56 MY1 E5
AC G - 02	Hot Kitchen	4.0 kW_r	Mini- Cassette Reverse Cycle Panasonic S-45 MY1 E5
AC G - 03	Pastry Kitchen	4.0 kW_r	Mini- Cassette Reverse Cycle Panasonic S-45 MY1 E5
AC G - 04	Bakery Kitchen	5.5 kW_r	Mini- Cassette Reverse Cycle Panasonic S-56 MY1 E5

3. VENTILATION EQUIPMENT**3.1 Kitchen Hood - Exhaust Fan**

Fan no. Make & Model Selected	EAF 01 Fantech CD 566 V	Kitchen Hood Exhaust Fan
Type Diameter No. Off Capacity Resistance Minimum Motor Maximum Fan Speed	Roof Mounted Vertical Discharge 560 mm nominal 1 (one) 1,100 Litres / sec 150 Pa 1.1 kW rated 16 Rev / sec (6 pole)	Centrifugal - Direct Drive 3-phase VSD drive compatible

3.2 Kitchen Hood – Supply Fan

Fan no. Make & Model Selected	SAF 01 Fantech CD 506 S	Kitchen Hood Supply Fan
Type Diameter No. Off Capacity Resistance Minimum Motor Maximum Fan Speed	Roof Mounted Down Discharge 500 mm nominal 1 (one) 900 Litres / sec 80 Pa 0.75 kW rated 16 Rev / sec (6 pole)	Centrifugal - Direct Drive 3-phase VSD drive compatible

3.3 Bakery Hood Exhaust Fan (EAF 02)

Quantity: 1 off
Duty: 440 L/s at 70 Pa
Fan: Fantech MMD 314/4 – 3 Phase
Nominal 310 dia 4-pole – In-Line Mixed Flow or Centrifugal
Suitable for VSD speed control

Provide fan with double deflection neoprene mounts.

3.4 Toilet Exhaust Fan (TEF 01)

Quantity: 1 off – Dual Motor / Dual Fan
Duty: 120 L/s at 60 Pa
Fan: Fantech TILE 316
Nominal 310 dia 6-pole – In-Line Mixed Flow or Centrifugal
Internal Non-Return dampers between fans

Provide fan with double deflection neoprene mounts.

3.5 Residence – Header Fans (WCs & Laundry)

Make/Model: HPM R621 D2
Duty: 40 L/s at 30 Pa

4. VIBRATION ISOLATION

Equipment	Isolators
Ducted Fan Coil Units	"Double Deflection" Neoprene Isolators
Condensing Units	Neoprene Pads (double layer)
Ducted Fans	"Double Deflection" Neoprene Isolators



Town Planning | Land Valuation | Land Compensation

WITHOUT PREJUDICE

Our ref: 16-006

25 October 2016

Mr Steve Allering
Allering & Associates
125 Hamersley Road
SUBIACO WA 6008
By e-mail: steve@alleringassoc.com

cc:
Mr Mark Street
Executive Officer
State Administrative Tribunal
GPO Box U1991
PERTH WA 6845
By e-mail: sat@justice.wa.gov.au

Dear Mr Allering

Ailin Gay v. City of South Perth – DR 243 of 2015

I refer to the Applicant's Revised Without Prejudice Proposal dated 24 October 2016, including three attachments.

This letter provides explanatory and supporting commentary and materials in respect of the Applicant's Revised Without Prejudice Proposal dated 24 October 2016.

Changes to air conditioning and mechanical services

The 'Air Conditioning & Mechanical Services Ground & First Floor Plans' dated April 2016 (copy attached) was used by Ms Rebecca Ireland in the preparation of her further supplementary witness statement dated 11 May 2016, the acoustic experts in the preparation of their joint witness statement dated 25 May 2016 and the Applicant in her Without Prejudice Proposal dated 29 July 2016.

The version of the 'Air Conditioning & Mechanical Services Ground & First Floor Plans' used in the Applicant's Revised Without Prejudice Proposed dated 24 October 2016 is dated June 2016 (copy attached) and differs from the April 2016 version in the following respects and for the following reasons:

40 Henning Crescent Manning WA 6152 | P 08 9313 1612 | PO Box 7187 Karawara WA 6152 | www.flintlegal.com.au

-
- 1 The relocation of the air conditioning condensing units from the shop roof to the ground. The reason for this change was for amenity reasons – the units with the required acoustic barrier sat quite high on the roof.
 - 2 The minor relocation of the exhaust fan (EAF01) on the shop roof allowed by the relocation of the air conditioning condensing units. The reason for this change was again for amenity reasons – the fan is now slightly more concealed than previously.
 - 3 The minor relocation of ducting around the dry store as a result of the design and development process.

The Applicant has obtained acoustic advice (copy attached) confirming the acceptability of the above changes and, therefore, the continuing applicability of the joint witness statement of the acoustic experts dated 25 May 2016.

Dividing fence with 2 Banksia Terrace

As you are aware, conditions 17 and 18 of the approval dated 24 March 2015 provide as follows:

- '(17) The dividing fence on the common boundary to the adjoining residential property at No. 2 Banksia Terrace is to match the existing wall on the common boundary, and the cost of the work is to be borne by the owner of the proposed development.*
- (18) As shown on the approved plans, the dividing fences to the adjoining residential properties at No. 331A Mill Point Road and No. 2 Banksia Terrace shall be at least 2.2 metres high to reduce noise impacts from the car park upon the adjoining residential properties.'*

The existing wall on the common boundary with 2 Banksia Terrace is wholly on 2 Banksia Terrace. The Applicant has been advised that brickwork should not be added to the existing wall to increase its height due to its 'poor nature' (see the attached letter from M.A. Lalli & Assoc. dated 25 January 2016).

As a consequence of the difficulties with the existing wall, the Applicant has proposed the installation of a timber framed wall on 333 Mill Point Road, matching the existing wall, to achieve the necessary height. In our view this meets the requirements of conditions 17 and 18 of the approval dated 24 March 2015.

Advice has been received verbally from Rebecca Ireland of EcoAcoustics that the proposed timber framed wall as described on the revised drawings (revision 16 dated 24 October 2016) is sufficient to meet the requirements of her witness statement dated 11 May 2016 and the joint witness statement of the acoustic experts dated 25 May 2016.

Setback variation arising from proposed carport

As you will recall, one of the matters that was requested at the mediation on 23 August 2016 was the provision of justification with respect to the nil setback of the proposed carport to 2 Banksia

Terrace and 331A Mill Point Road. In that regard please find attached advice from PTS Town Planning dated 24 October 2016.

We look forward to your client's favourable consideration of the Applicant's Revised Without Prejudice Proposal dated 24 October 2016 and if any further assistance can be provided, please contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Flint', with a stylized flourish at the end.

Martin Flint
Director

Enc.



A: 4/47 Monash Avenue Como

T: (08) 9367 1555

E: rebecca@ecoacoustics.com.auW: www.ecoacoustics.com.au**To:** Flint Legal**From:** Rebecca Ireland**Attention:** Martin Flint**Date:** 25 October 2016**Email:** martin@flintlegal.com.au**Pages:** 2**CC:** Ailin Gay**Reference:** 15110257 - 04**Re:** Gay Vs City of South Perth
Supplementary Noise Advice

Dear Martin,

Further to the revised architectural plans dated 24th October 2016, and the revised mechanical services plans I herewith provide the following advice.

As can be seen on Attachment 1, the revised mechanical services plan shows three changes associated with the mechanical plant for the building. The first of these is the relocation of the air conditioning condenser units from the rooftop to the ground floor adjacent to the existing shop. The building will provide significant shielding from the units to the nearest noise sensitive receivers. The second change is the slight relocation of EAF01 closer to the front of the existing shop building. The third change is a slight change in the duct configuration above the dry store. We have conducted an assessment based on these changes. Attachment 2 shows the revised Architectural plan, both of which were used in the revised modelling.

The noise levels associated with all mechanical plant components have been recalculated based on the plans shown in Attachments 1 and 2. The assessment includes predictions from the proposed mechanical plant namely the exhaust fans and vents along with the air conditioning condenser units operating during the night period to represent a worst case scenario. The predictions are based on the sound power levels presented in *Table 3.2* of our earlier Supplementary Witness Statement Report (dated 11th May 2016). The assessment has been based on

- Air conditioning condensers on heating;
- All exhaust fans operating and fitted with VSDs;
- Exhaust vents operating (modelled as EAF02 noise levels).

Based on the earlier assessment, and Attachments 1 and 2, all acoustical treatments, including roof structures and barriers have been included in the modelling. Exhaust fans have also been modelled including the attenuation from VSDs that will be fitted to each unit. The revised acoustic assessment results are presented in *Table 1*.



Table 1: Revised Mechanical Plant Noise Assessment

Location (including Building location) (ref Figure 1.1)	Floor Level	Predicted Noise Level L_{A10} , dB(A) ¹	Assigned Noise Level Night L_{A10} , dB(A)	Complies with Assigned Noise Level	Night Background Noise Level, L_{A90} dB(A)
Rec 1, Loc a Side to front	Ground Floor	32 (37)	41	Complies	46 ²
	First Floor	35 (40)	41	Complies	46
Rec 1, Loc b Side to Rear	Ground Floor	28 (33)	41	Complies	46
	First Floor	29 (34)	41	Complies	46
Rec 1, Loc c Rear	Ground Floor	22 (27)	41	Complies	39 ³
	First Floor	24 (29)	41	Complies	39
Rec 2 Loc d	Ground Floor	17 (22)	41	Complies	39
	First Floor	22 (27)	41	Complies	39
Rec 3 Loc e	Ground Floor	22 (27)	41	Complies	46
Rec 4 Loc f	Ground Floor	30 (35)	41	Complies	46

1. +5dB adjustment for tonality has been included in brackets.
2. Based on monitoring period 10th to 15th December 2015 for the properties fronting Mill Point Road
3. Based on the monitoring period 31st March to 5th April for those fronting Banksia Terrace.

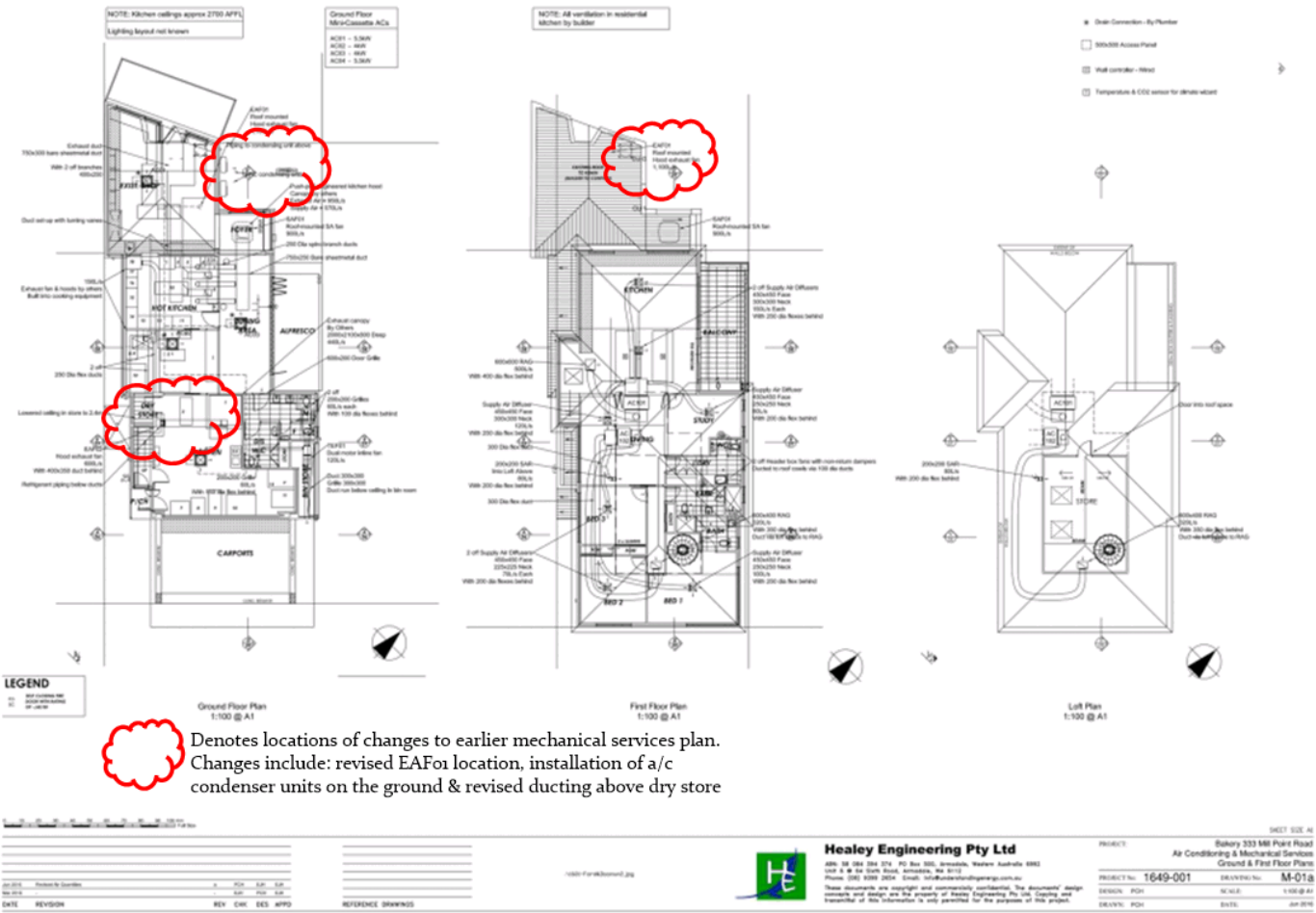
The results presented in Table 1 show that the predicted noise levels from the revised location of the air conditioning condenser units will comply with the regulatory levels at all nearby residential premises during the night period. In addition, the predicted noise levels are significantly lower than the measured L_{A90} noise level; therefore the noise will not adversely impact the amenity of nearby residences.

As the predicted noise levels are below the background noise level, it is unlikely that a tonality adjustment is required; however this has been included in the predictions.

I trust this is sufficient for your immediate requirements. Should you require further information please do not hesitate to contact me.

Regards,

Rebecca Ireland
Director



Ref: 15110257 - 04

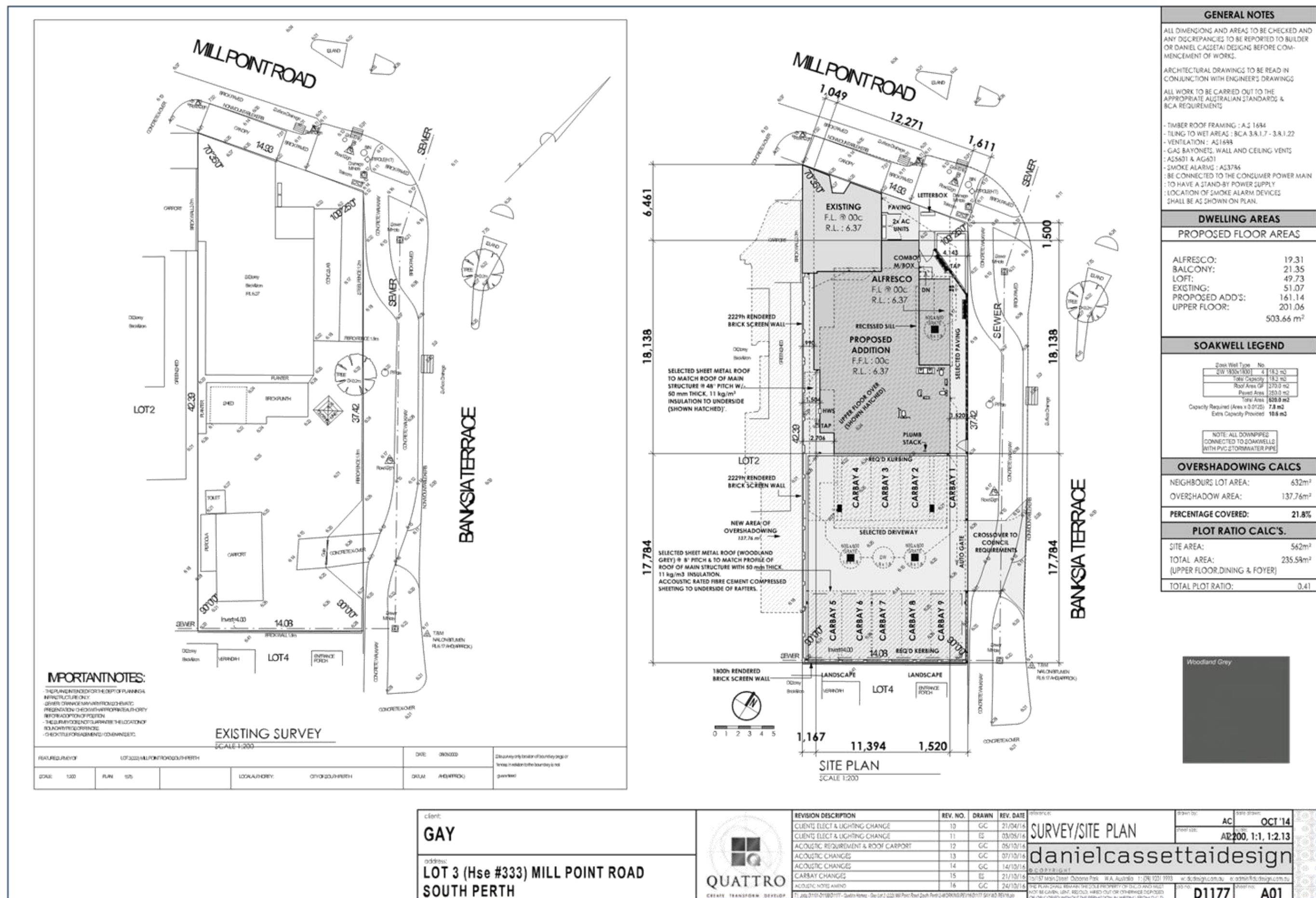
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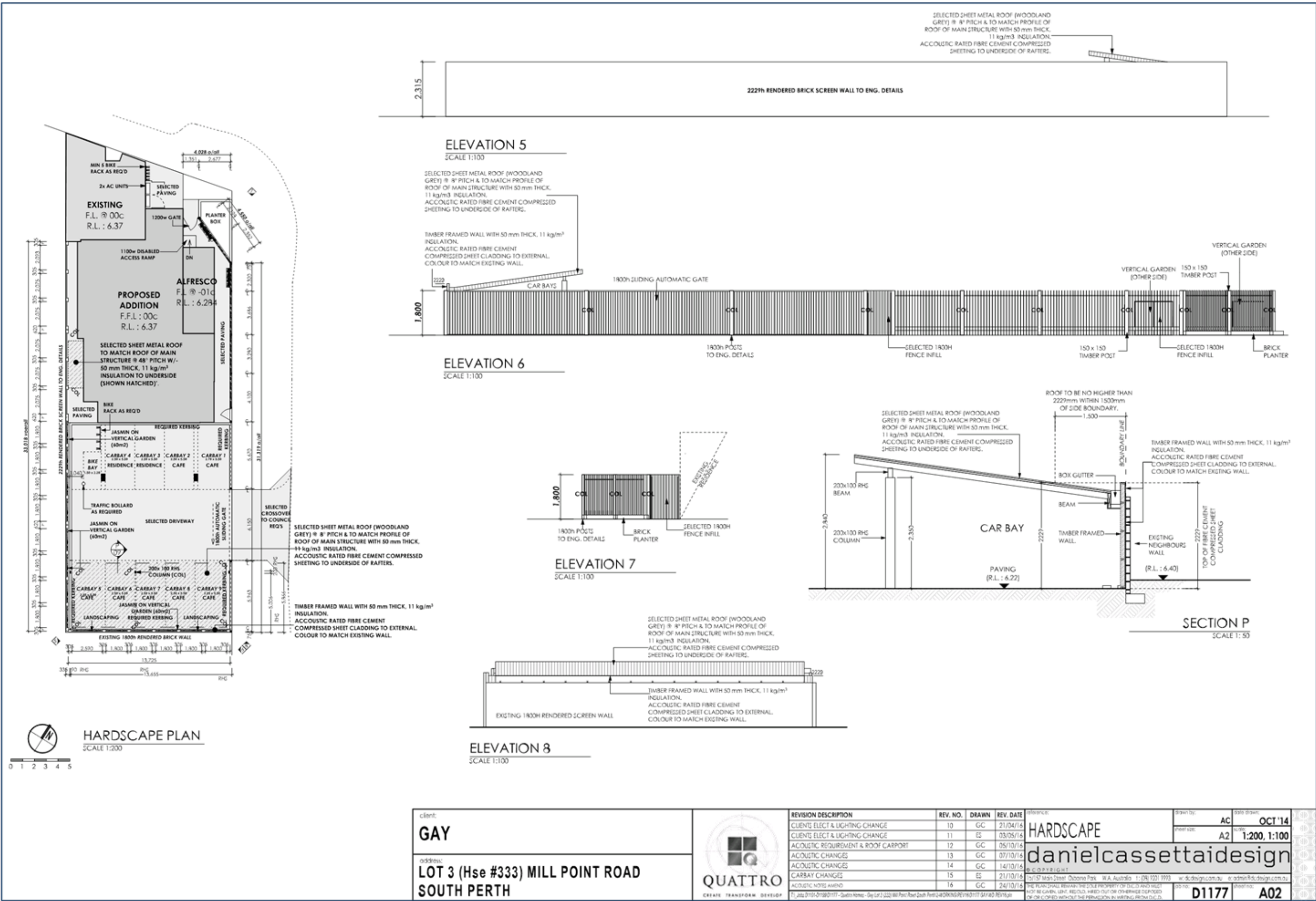
GAY

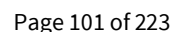
LOT 3 (Hse #333) MILL POINT ROAD
SOUTH PERTH



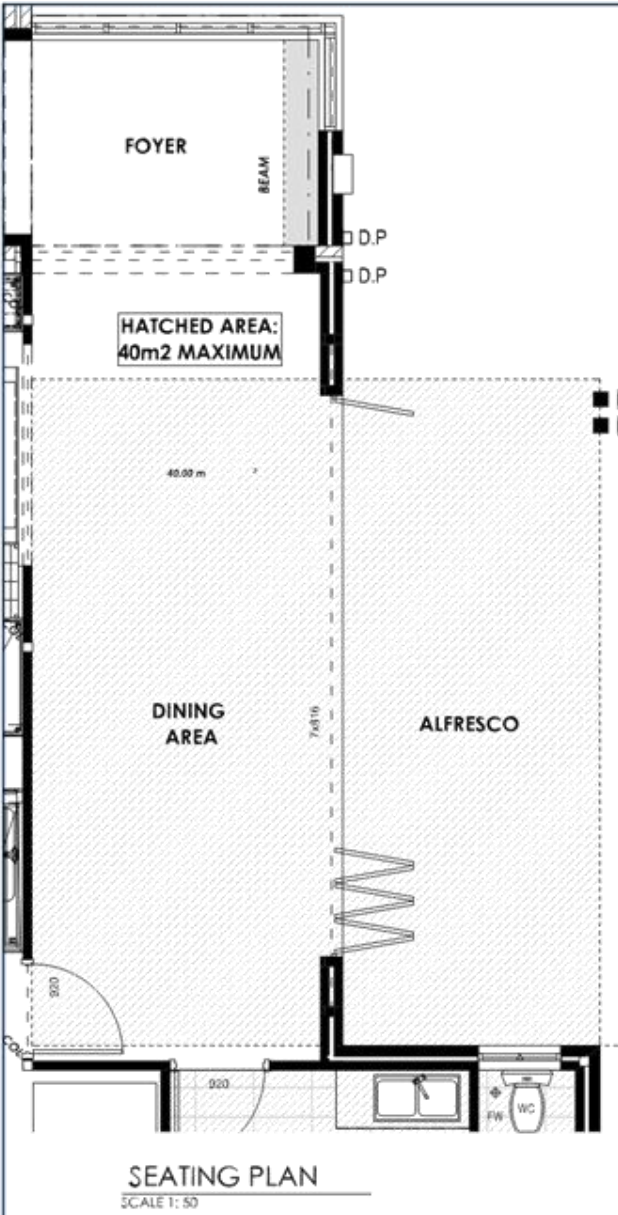
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13/157 Main Street, Osborne Park, W.A. Australia 1156 9201 9993 www.dcdesign.com.au admin@dcdesign.com.au	
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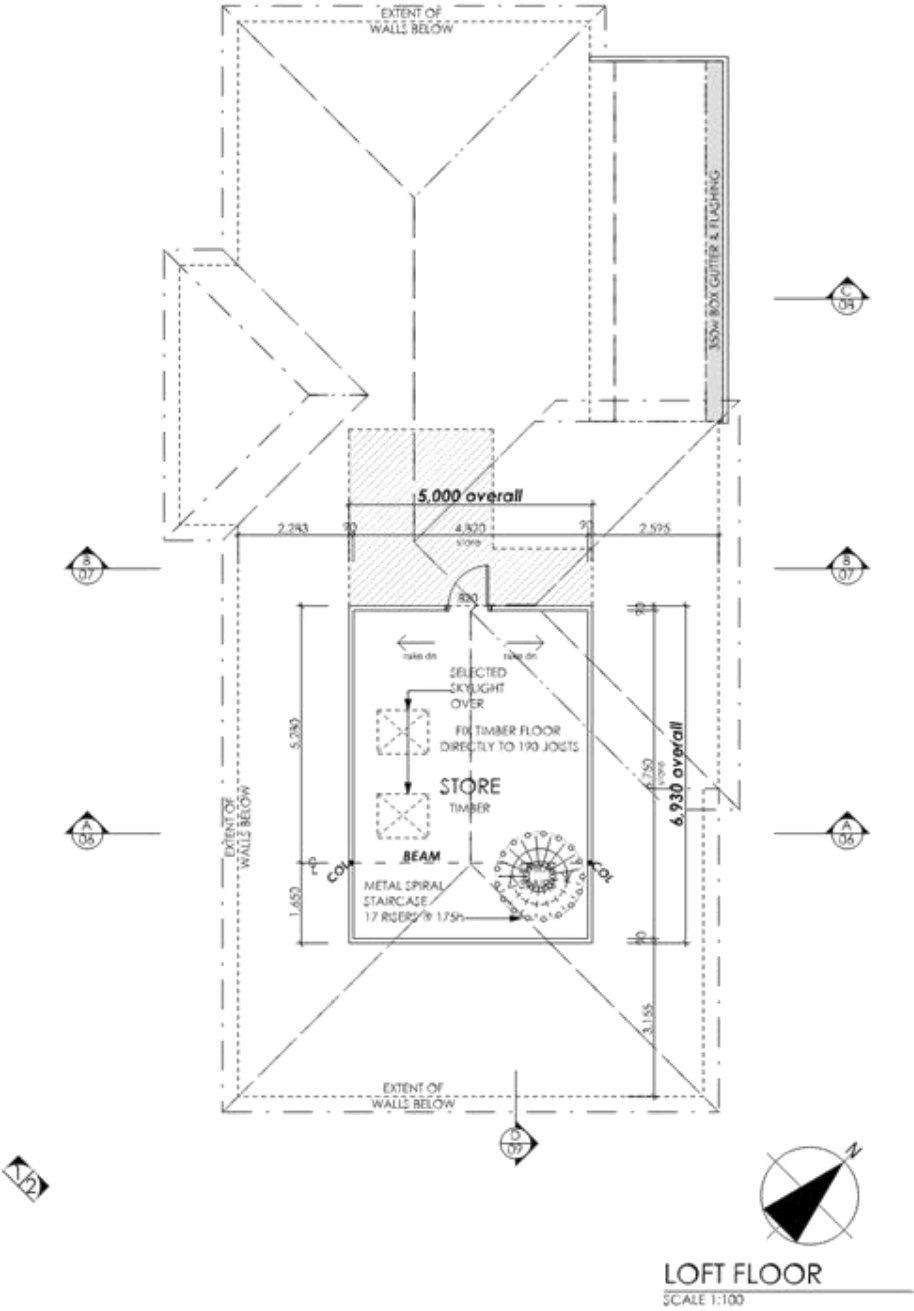





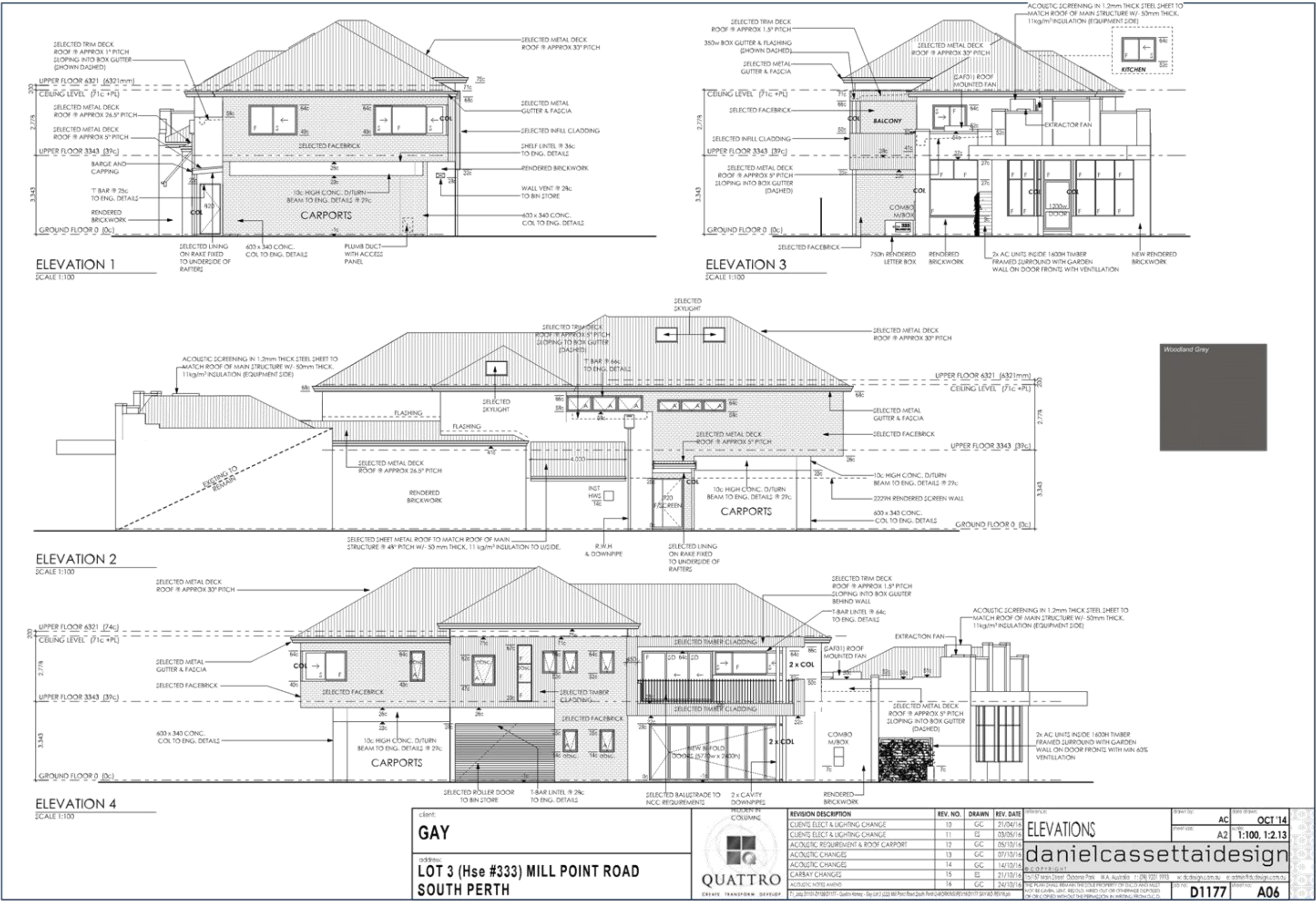
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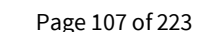


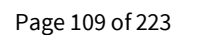
GENERAL NOTES
ALL DIMENSIONS AND AREAS TO BE CHECKED AND ANY DISCREPANCIES TO BE REPORTED TO BUILDER OR DANIEL CASSETTA DESIGN BEFORE COMMENCEMENT OF WORKS.
ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEER'S DRAWINGS
ALL WORK TO BE CARRIED OUT TO THE APPROPRIATE AUSTRALIAN STANDARDS & NCC REQUIREMENTS
- TIMBER ROOF FRAMING : A.S 1684
- TILING TO WET AREAS : NCC 3.8.1.7 - 3.8.1.22
- VENTILATION : A21688
- GAS BAYONETS, WALL AND CEILING VENTS : A25601 & AG-601
- SMOKE ALARMS : A23786
- BE CONNECTED TO THE CONSUMER POWER MAIN
- TO HAVE A STAND-BY POWER SUPPLY
- LOCATION OF SMOKE ALARM DEVICES SHALL BE AS SHOWN ON PLAN.



client: GAY	 QUATTRO CREATE. TRANSFORM. DESIGN.	REVISION DESCRIPTION	REV. NO.	DRAWN	REV. DATE	reference: LOFT/SEATING PLAN	drawn by: AC	date drawn: OCT '14
address: LOT 3 (Hse #333) MILL POINT ROAD SOUTH PERTH		Clients Elect & Lighting Change	10	GC	21/04/16	danielcassetaideesign	sheet size: A2	scale: 1:100, 1:50
		Acoustic Requirement & Roof Carport	12	GC	05/10/16	15/157 Main Street, Osborne Park, W.A. Australia 1: (08) 9201 9933	www.dcsdesign.com.au	admin@dcdesign.com.au
		Acoustic Changes	13	GC	07/10/16	15/157 Main Street, Osborne Park, W.A. Australia 1: (08) 9201 9933	www.dcsdesign.com.au	admin@dcdesign.com.au
		Acoustic Changes	14	GC	14/10/16	15/157 Main Street, Osborne Park, W.A. Australia 1: (08) 9201 9933	www.dcsdesign.com.au	admin@dcdesign.com.au
		Carbay Changes	15	ES	21/10/16	15/157 Main Street, Osborne Park, W.A. Australia 1: (08) 9201 9933	www.dcsdesign.com.au	admin@dcdesign.com.au
		Acoustic Notes Amend	16	GC	24/10/16	15/157 Main Street, Osborne Park, W.A. Australia 1: (08) 9201 9933	www.dcsdesign.com.au	admin@dcdesign.com.au
		71_100_01101-011001107 - Quattro Home - Gay Lot 2 (200) Mill Point Road South Perth 4018ANGREV01117 (4780) REV16.pdf				THIS PLAN SHALL REMAIN THE PROPERTY OF DCS DESIGN AND MUST NOT BE LOANED, LENT, REPRODUCED, COPIED, OR OTHERWISE DISCLOSED OR BE COMED WITHOUT THE EXPRESS WRITTEN PERMISSION OF DCS.	D1177	A05







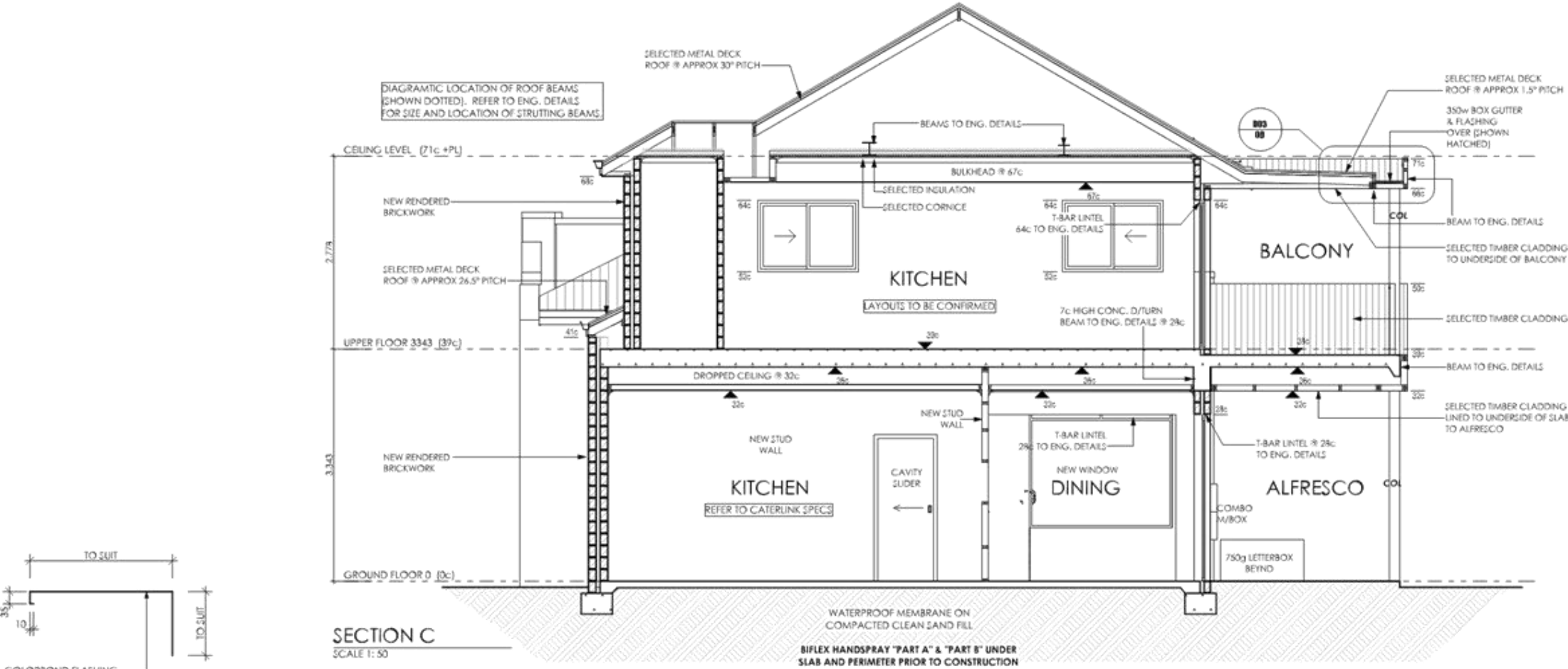
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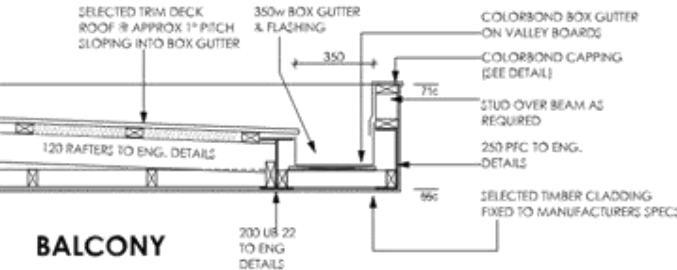
ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEER'S DRAWINGS

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- TIMBER ROOF FRAMING : A.S. 1694
- TILING TO WET AREAS : NCC 3.8.1.7 - 3.8.1.22
- VENTILATION : AS1694
- GAS BAYONETS, WALL AND CEILING VENTS : AS5601 & AG601
- SMOKE ALARMS : AS3786
- BE CONNECTED TO THE CONSUMER POWER MAIN
- TO HAVE A STAND-BY POWER SUPPLY
- LOCATION OF SMOKE ALARM DEVICES SHALL BE AS SHOWN ON PLAN.



3- FOLD CAPPING DETAIL
SCALE 1:10



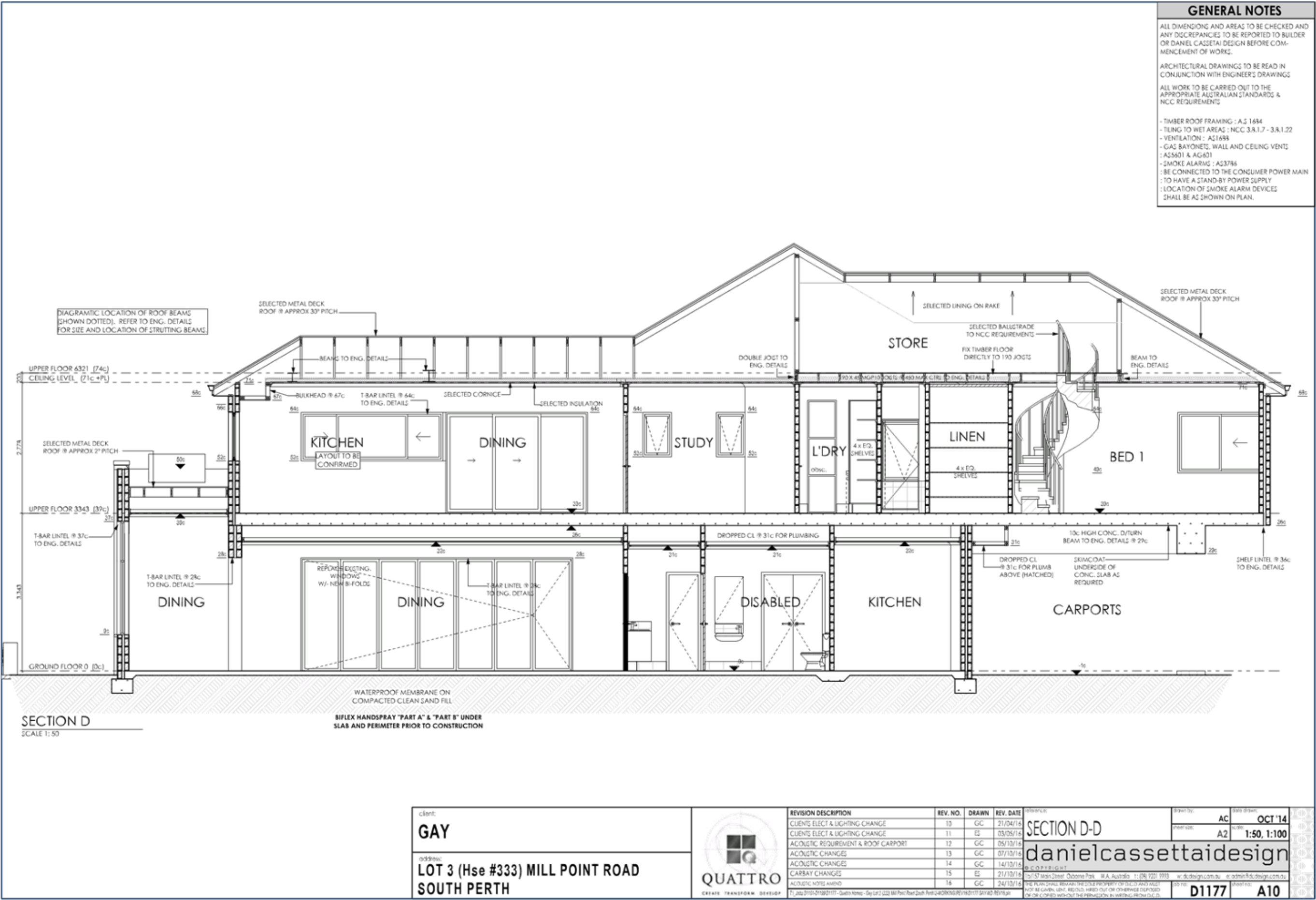
client:
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**LOT 3 (Hse #333) MILL POINT ROAD
SOUTH PERTH**

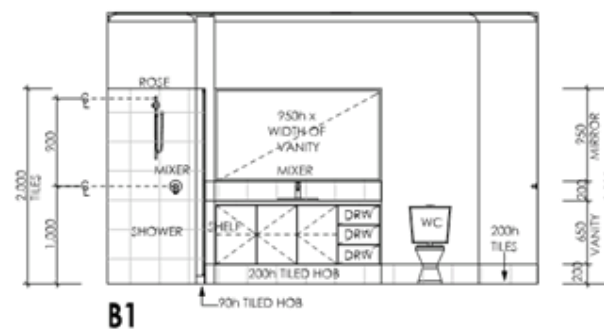
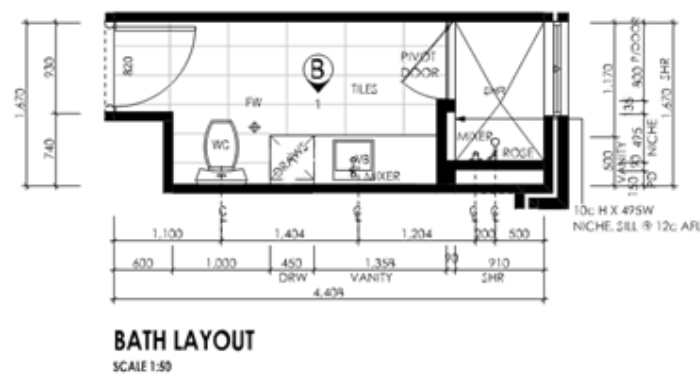
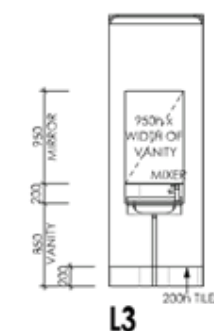
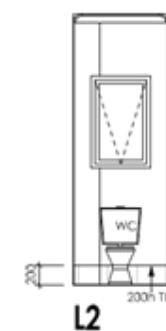
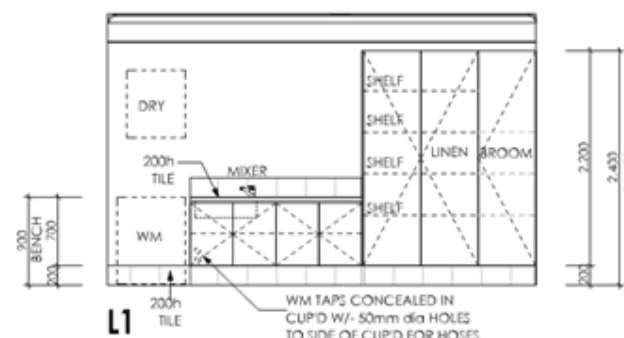
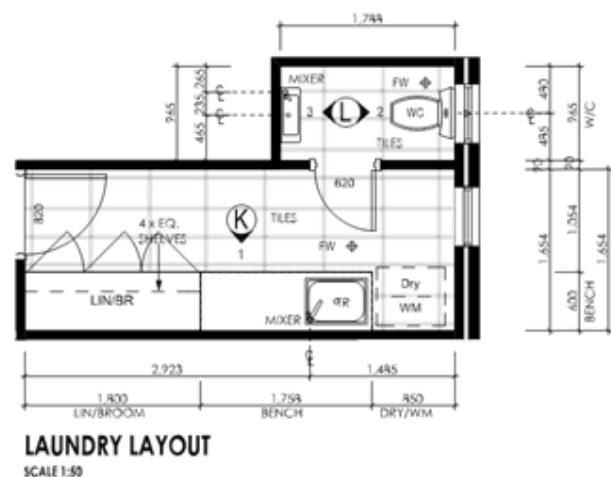
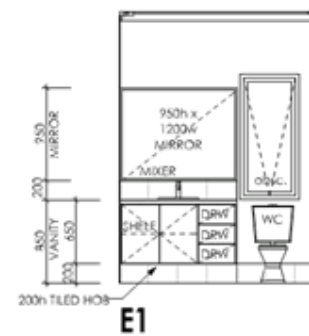
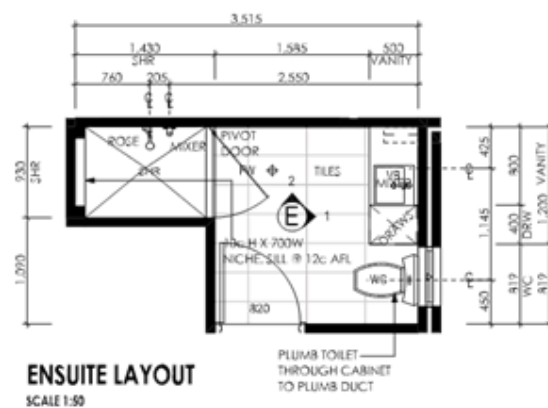



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CLIENTS ELECT & LIGHTING CHANGE	11	ES	03/05/16
ACOUSTIC REQUIREMENT & ROOF CARPORT	12	GC	05/10/16
ACOUSTIC CHANGES	13	GC	07/10/16
ACOUSTIC CHANGES	14	GC	14/10/16
CARBAY CHANGES	15	ES	21/10/16
ACOUSTIC NOTE AMEND	16	GC	24/10/16

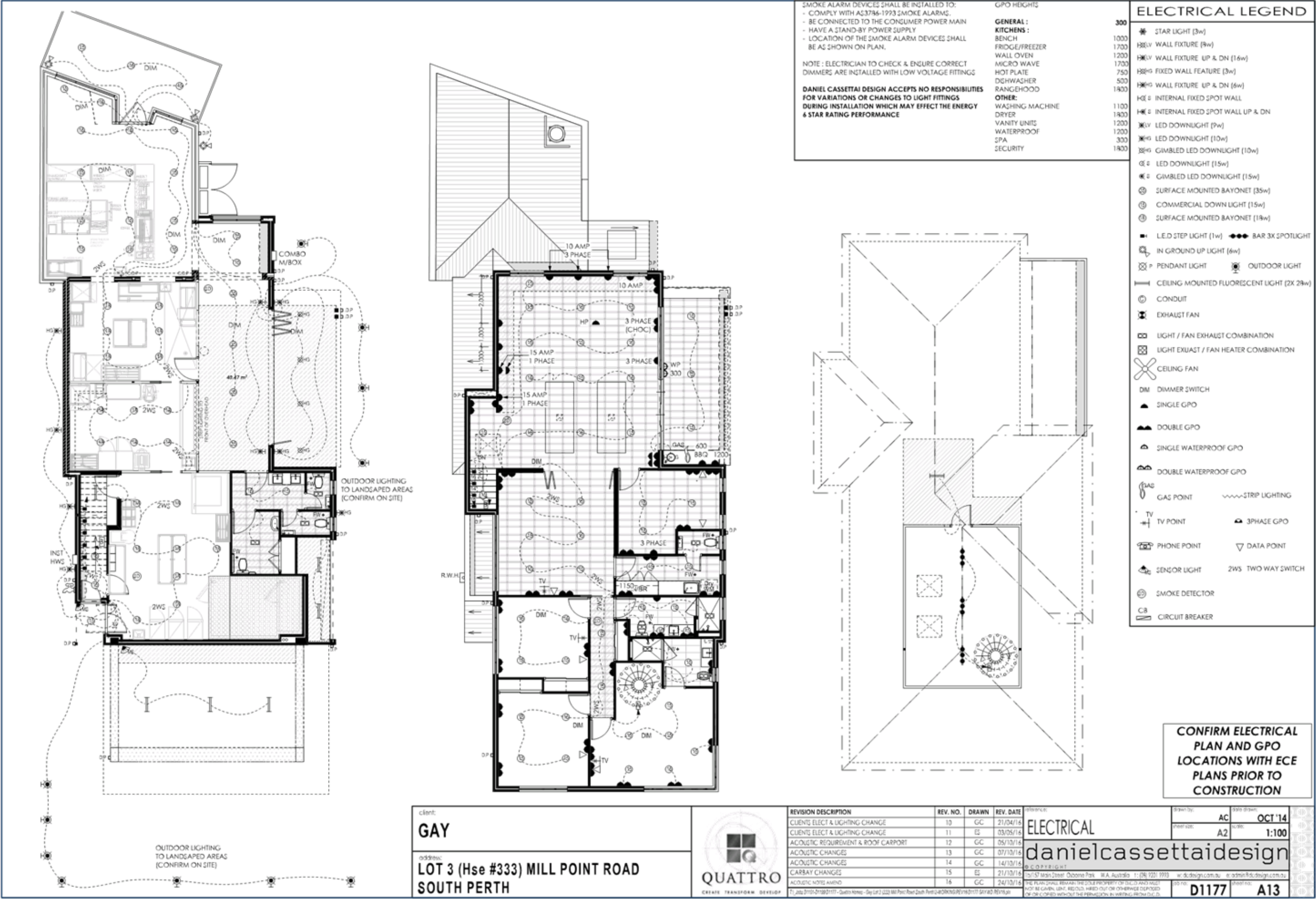
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	drawn no:	D1177	drawn no:	A09



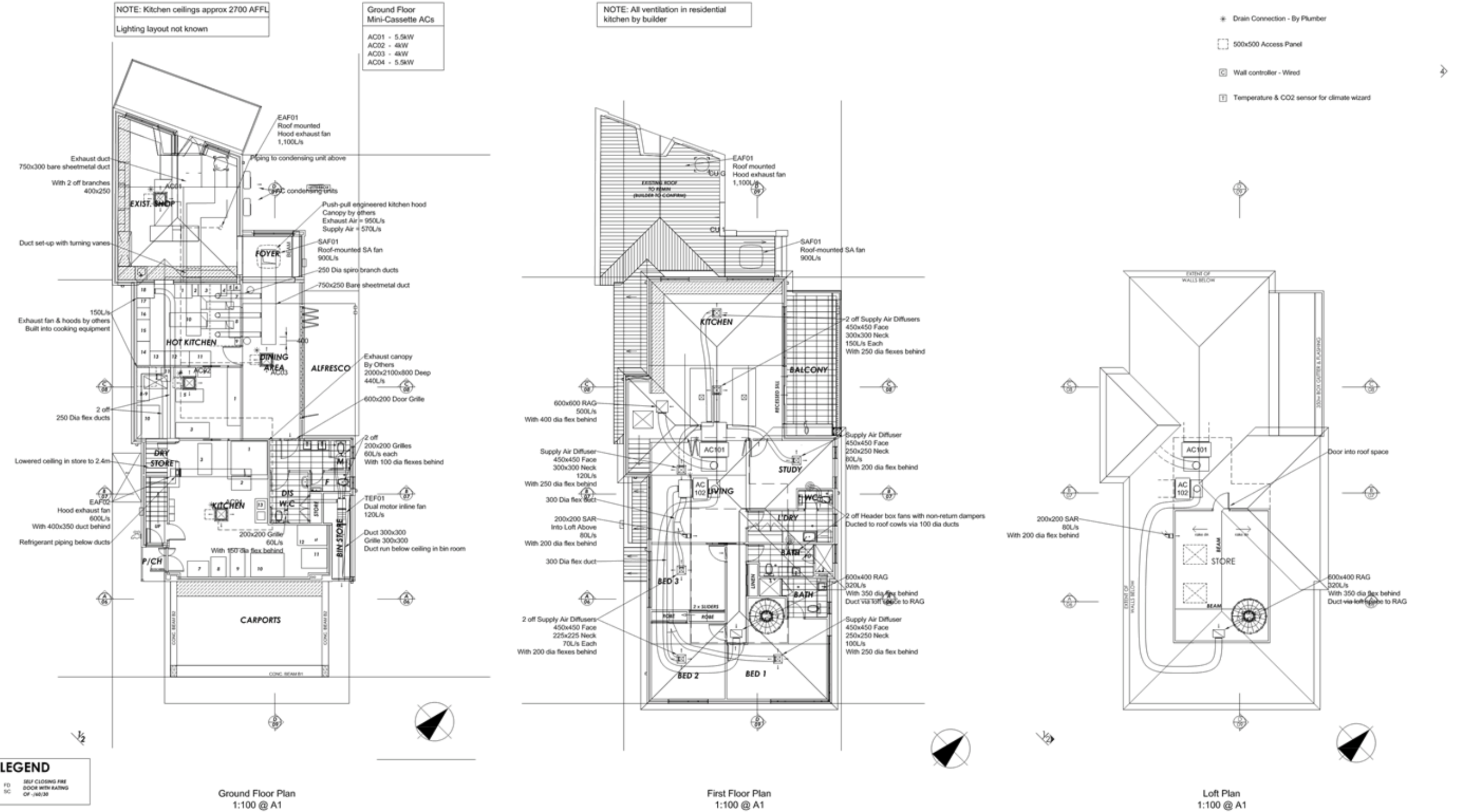
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address: LOT 3 (Hse #333) MILL POINT ROAD SOUTH PERTH			danielcassettaidesign & COPYRIGHT 10/157 Main Street Osborne Park W.A. Australia T: (08) 9221 7793 www.d.design.com.au e: daniel@d.design.com.au	sheet size: A2	scale: 1:50																																
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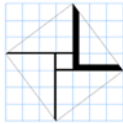


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M.A. LALLI & ASSOC.

CONSULTING CHARTERED ENGINEERS

UNIT 1, 55 HOWE STREET, OSBORNE PARK, W.A. 6017
TELEPHONE: 9444 0171 FACSIMILE: 9242 1194
EMAIL: m.lalli@lalli.com.au

25 January 2016

REF: 16-0144

Quattro Homes
14/50 Howe Street
OSBORNE PARK WA 6017

Attention: Glenn Smith

Dear Sir,

**REF: PROPOSED RESIDENCE
#333 MILL POINT ROAD, SOUTH PERTH
INSPECTION OF EXISTING BRICK SCREEN WALL**

As requested, an inspection was undertaken of the existing brick screen wall to the southern boundary on 15th January 2016. It is understood it is proposed to increase the height of the wall by approximately 5c of brickwork (429 mm) to provide additional privacy screening. Concerns were raised over the stability of the existing wall prior to any extension taking place as a rotation of the wall was evident. The inspection was undertaken at #333, and access was not made to the neighbouring side.

The wall comprises an 1800 high single leaf (90 mm wide) wall with attached piers. No major cracking was visible on the wall but a global rotation was evident and could be confirmed with positive reading from an electronic spirit level. When viewed from the end and in comparison with existing plumb wall, the rotation of the wall is very apparent. The top of the wall has a gap of approximately 50 mm from the plumb wall which falls well outside the maximum tolerances for masonry construction of 10 mm. While it's not confirmed whether the wall is retaining soil on the neighbouring side, this is considered to be likely due to global rotation of the wall; that is the wall is rotating as once section for the full length of the wall. It is not known whether the wall or its footings have been designed for additional loads arising from retaining.

The addition of brickwork to increase the height of the wall should not be undertaken due to the poor nature of the wall. It is recommended that further investigation, which requires access to the neighbouring side of the wall, be undertaken to identify the cause of the rotation and to help arrive at an engineered solution to arrest any further movement. This may require ground stabilisation via the use of micro-fine cement grout injection. In the interim, it is recommended that sand that the builder has banked against the wall remain and that no substantial foundation works be undertaken within one metre of the wall without propping the wall. It is recommended that the privacy screening required be achieved via a separate free-standing wall system which may be brick or steel sheeting.

MAREMA NOMINEES PTY. LTD. AS TRUSTEE FOR THE MAREMA INVESTMENT TRUST
Trading as: M.A. LALLI & ASSOCIATES, CONSULTING CHARTERED ENGINEERS
A.C.N. 069 328 052

PROPOSED RESIDENCE
#333 MILL POINT ROAD, SOUTH PERTH
INSPECTION OF EXISTING BRICK SCREEN WALL

Should you wish to discuss the above, please do not hesitate to contact the undersigned.



Andrew Lalli
Structural Engineer
BEng (Hons), MIE Aust.

PROPOSED RESIDENCE
#333 MILL POINT ROAD, SOUTH PERTH
INSPECTION OF EXISTING BRICK SCREEN WALL



PHOTOGRAPH 1 – OVERVIEW OF ROTATED WALL (RIGHT) RELATIVE TO PLUMB WALL (LEFT)



PHOTOGRAPH 2 – APPROXIMATELY 50MM OFFSET AT TOP OF WALL

Our Ref: J000049

24 October 2016

Ms Ailin Gay
c/o Flint Legal
PO Box 7187
KARAWARA WA 6152

Attention: Mr Martin Flint

Dear Martin

AILIN GAY V CITY OF SOUTH PERTH – PROPOSED CARPORT

PTS Town Planning provides the following comments with respect to the proposed carport to be located along the boundary between the subject site and 2 Banksia Terrace.

Instructions

I refer to your instructions to provide my view of the impacts of the carport on the adjoining properties in terms of setbacks and amenity. In providing my view of the proposed carport, I have had regard to the Planning Approval of 24 March 2015 and drawings dated 24 October 2016.

Commentary

Condition 17 of the Planning Approval dated 24 March 2015 states that the dividing fence on the common boundary to the adjoining residential property at No. 2 Banksia Terrace is to match the existing wall on the common boundary, and the cost of the work is to be borne by the owner of the proposed development.

The existing boundary fence is located entirely on 2 Banksia Terrace. I have been advised by the builder that the existing wall is not structurally sufficient to add additional height to the existing wall to achieve the minimum 2.2 metres. Therefore it is proposed to construct a new wall adjacent to the existing boundary fence at a height of 2.29 metres (height as per approved drawings). The new wall will be matched to the existing wall on the common boundary. It is my view that this is an appropriate outcome.

Condition 18 states that, as shown on the approved plans, the dividing fences to the adjoining residential properties at No. 331A Mill Point Road and No. 2 Banksia Terrace shall be at least 2.2 metres high to reduce noise impacts from the car park upon the adjoining residential properties.

The above condition recognises that a 2.2 metre high wall will be constructed on the boundaries. It is noted that a 2.229 metre high wall is to be constructed to the boundary with 331A Mill Point Road and 2 Banksia Terrace, which is in accordance with the approved plans.

The subject site is zoned Local Centre. Under Table 3, the side setbacks are nil. However, Clause 5.1(4)(a) states that notwithstanding the minimum setbacks prescribed in Table 3 in any non-residential zone where a development site has a common boundary with land in the Residential zone the setback from the common



TOWN
PLANNING

PO Box 538, Inglewood
Western Australia 6932

0411 445 031
peter@ptsplanning.com.au

www.ptsplanning.com.au

ABN - 32 603 168 850

Ms Ailin Gay
c/o Flint Legal

AILIN GAY V CITY OF SOUTH PERTH

boundary shall be the same as that prescribed for Grouped Dwellings on the adjoining residential land (R15), unless otherwise prescribed by the Council.

With respect to 2 Banksia Terrace, the wall length of the carport is less than 14 metres with a height of less than 3.5 metres. The carport is not a major opening. Under Table 2a of the R-Codes, the required Deemed to Comply setback is 1.5 metres.

With respect to 331A Mill Point Road, the wall length of the carport is less than 9 metres with a height of less than 3.5 metres. The carport is not a major opening. Under Table 2a of the R-Codes, the required Deemed to Comply setback is 1 metre.

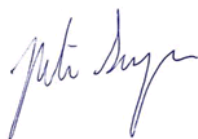
The variation to the Deemed to Comply requirements can be considered under the Design Principles and in this case is considered appropriate given the height of the 2.229 metre boundary fences, as:

- The proposed carport does not further add to building bulk when viewed from the adjoining properties, as it is consistent with the height of the boundary fences;
- As a result of the height of the fence to 2 Banksia Terrace, the carport is below the height of the fence for the 1.5 metre setback;
- The proposed carport does not impact the adjoining site at 2 Banksia Terrace in terms of direct access to sun and ventilation given the carport height relative the height of the boundary wall;
- The proposed carport does not impact the adjoining site at 331A Mill Point road in terms of direct access to sun and ventilation given the carport height relative the required boundary fence;
- The carport does not result in the loss of privacy, however, results in a positive outcome in terms of the reduction of noise to 2 Banksia Terrace;
- The carport does not have any adverse impact on the amenity of the adjoining properties and has been designed with a colour and material to minimise any reflection;
- The carport does not impact any active outdoor living areas or major openings of the adjoining properties.

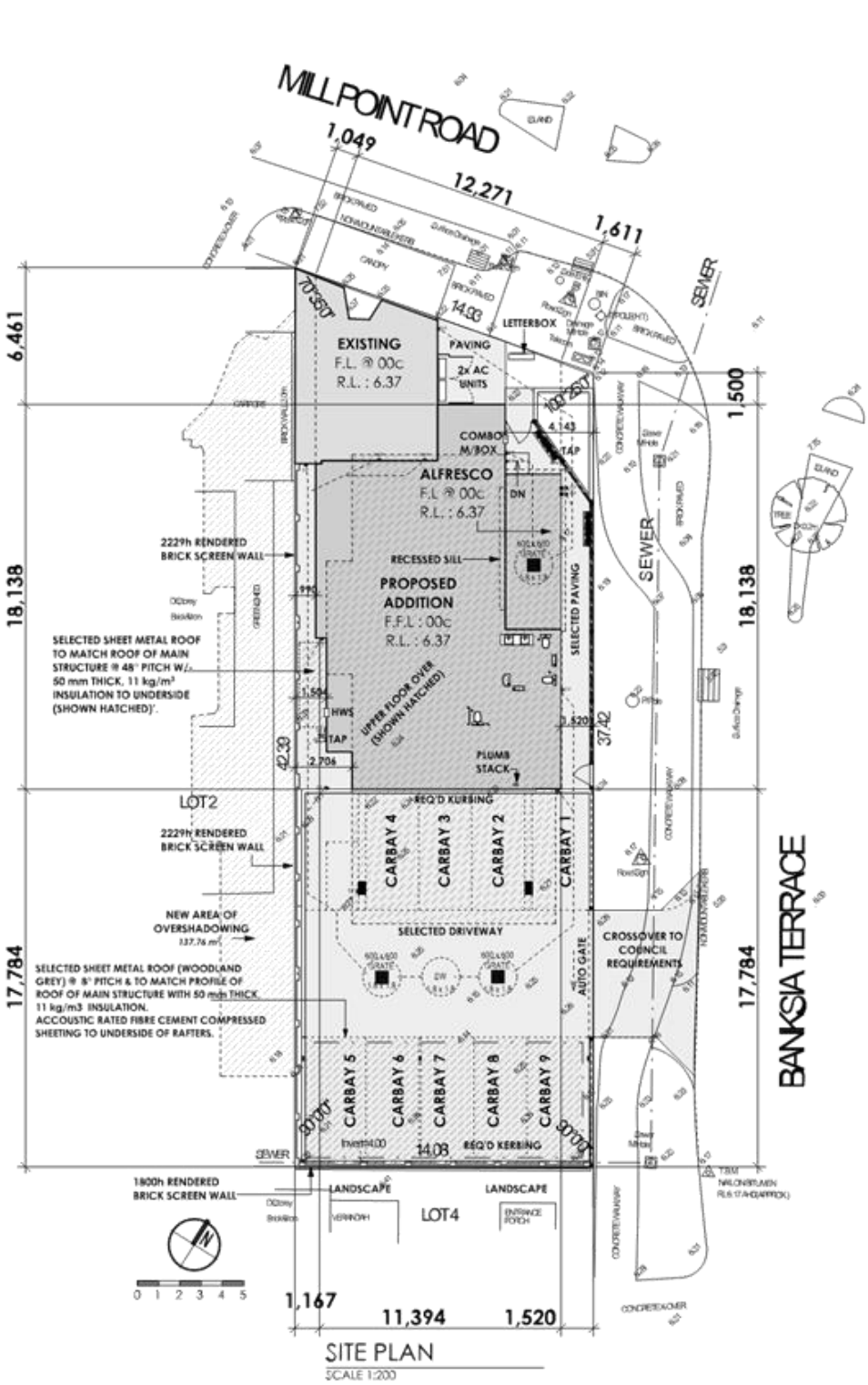
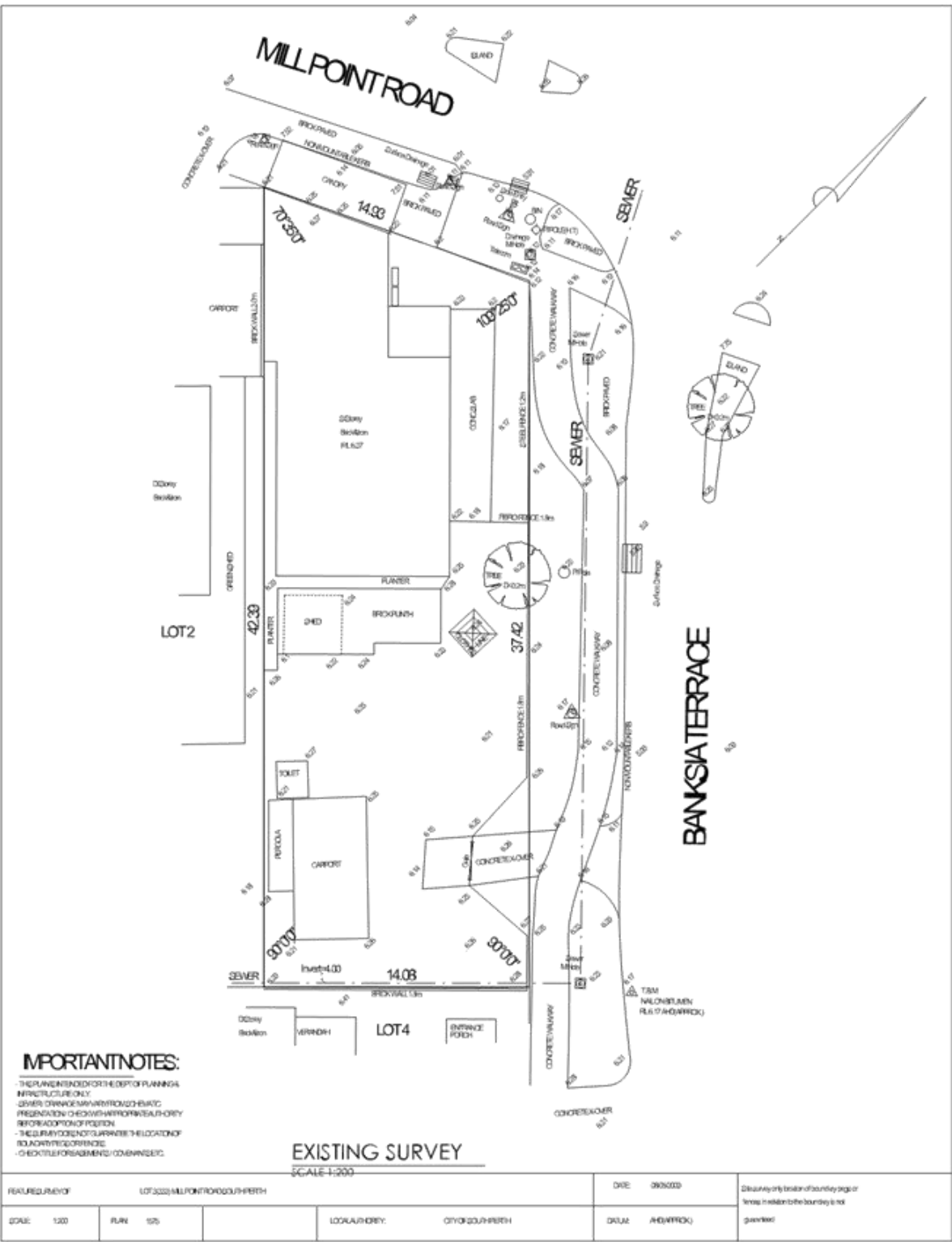
Therefore as a result of the required boundary fence heights and the design of the carport, it is considered that the proposed carport can be considered under the Design Principles.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned on 0411 445 031 or peter@ptsplanning.com.au.

Yours sincerely
PTS Town Planning Pty Ltd



Peter Simpson
Director



GENERAL NOTES																	
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PROPOSED FLOOR AREAS																	
ALFRESCO:	19.31																
BALCONY:	21.35																
LOFT:	49.73																
EXISTING:	51.07																
PROPOSED ADD'S:	161.14																
UPPER FLOOR:	201.06																
	503.66 m ²																
SOAKWELL LEGEND																	
<table><tr><td>Soak Well Type</td><td>No</td></tr><tr><td>200 1800x1800</td><td>4</td></tr><tr><td>Total Capacity</td><td>18.3 m³</td></tr><tr><td>Roof Area GP</td><td>270.0 m²</td></tr><tr><td>Plotted Area</td><td>1250.0 m²</td></tr><tr><td>Total Area</td><td>250.0 m²</td></tr><tr><td>Capacity Required (Area x 0.0125)</td><td>7.8 m³</td></tr><tr><td>Extra Capacity Provided</td><td>10.5 m³</td></tr></table>		Soak Well Type	No	200 1800x1800	4	Total Capacity	18.3 m ³	Roof Area GP	270.0 m ²	Plotted Area	1250.0 m ²	Total Area	250.0 m ²	Capacity Required (Area x 0.0125)	7.8 m ³	Extra Capacity Provided	10.5 m ³
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NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE																	
OVERSHADOWING CALCS																	
NEIGHBOURS LOT AREA:	632m ²																
OVERSHADOW AREA:	137.76m ²																
PERCENTAGE COVERED:	21.8%																
PLOT RATIO CALC'S.																	
SITE AREA:	562m ²																
TOTAL AREA:	235.58m ²																
(UPPER FLOOR, DINING & FOYER)																	
TOTAL PLOT RATIO:	0.41																



client:
GAY
address:
**LOT 3 (Hse #333) MILL POINT ROAD
SOUTH PERTH**



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ACOUSTIC NOTES AMEND	16	GC	24/10/16

SURVEY/SITE PLAN

danielcassettadesign

15/157 Main Street, Osborn Park, W.A. Australia 1:06 1201 9993

www.dcsdesign.com.au

info@dcsdesign.com.au

Drawn by: AC

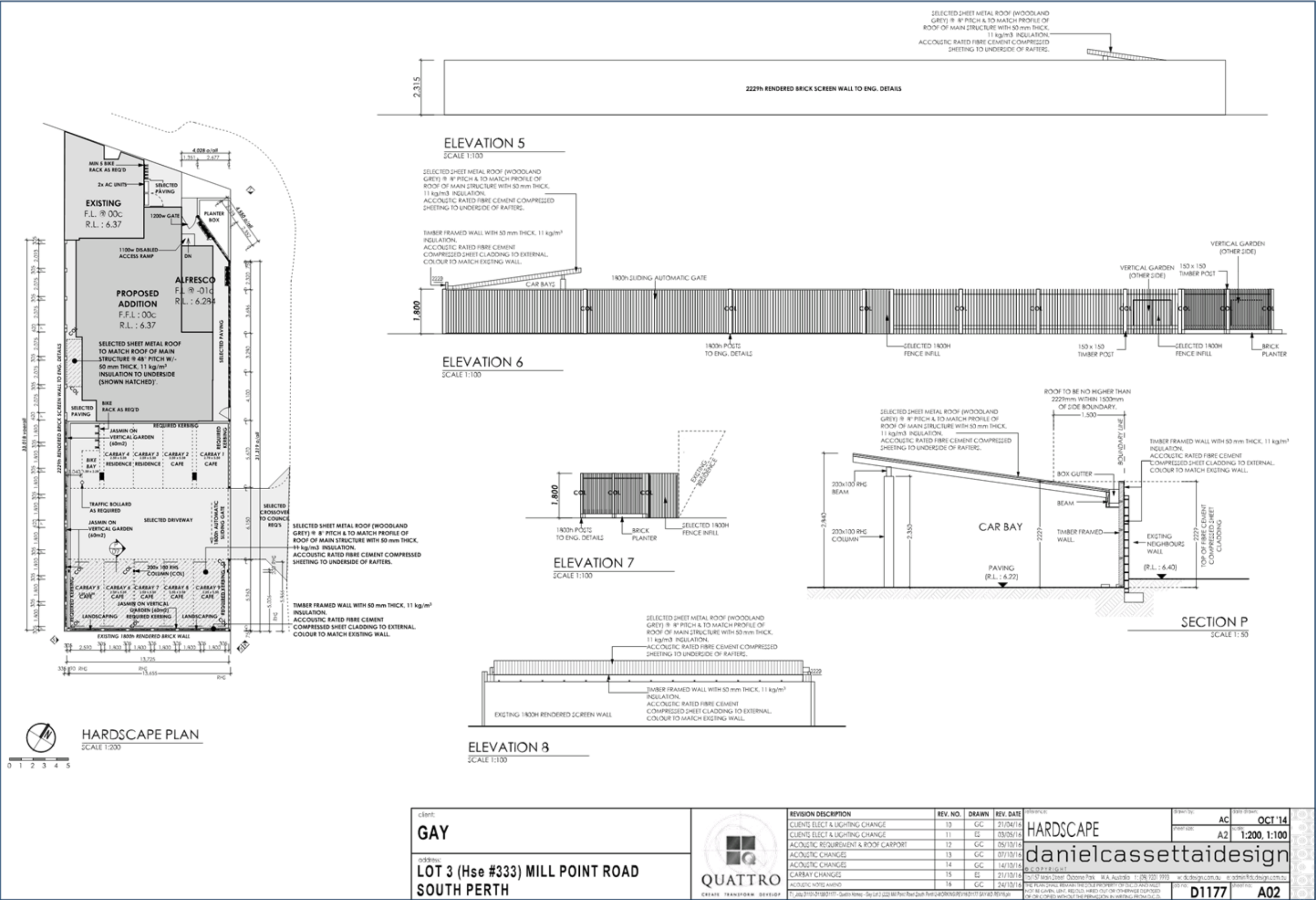
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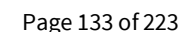
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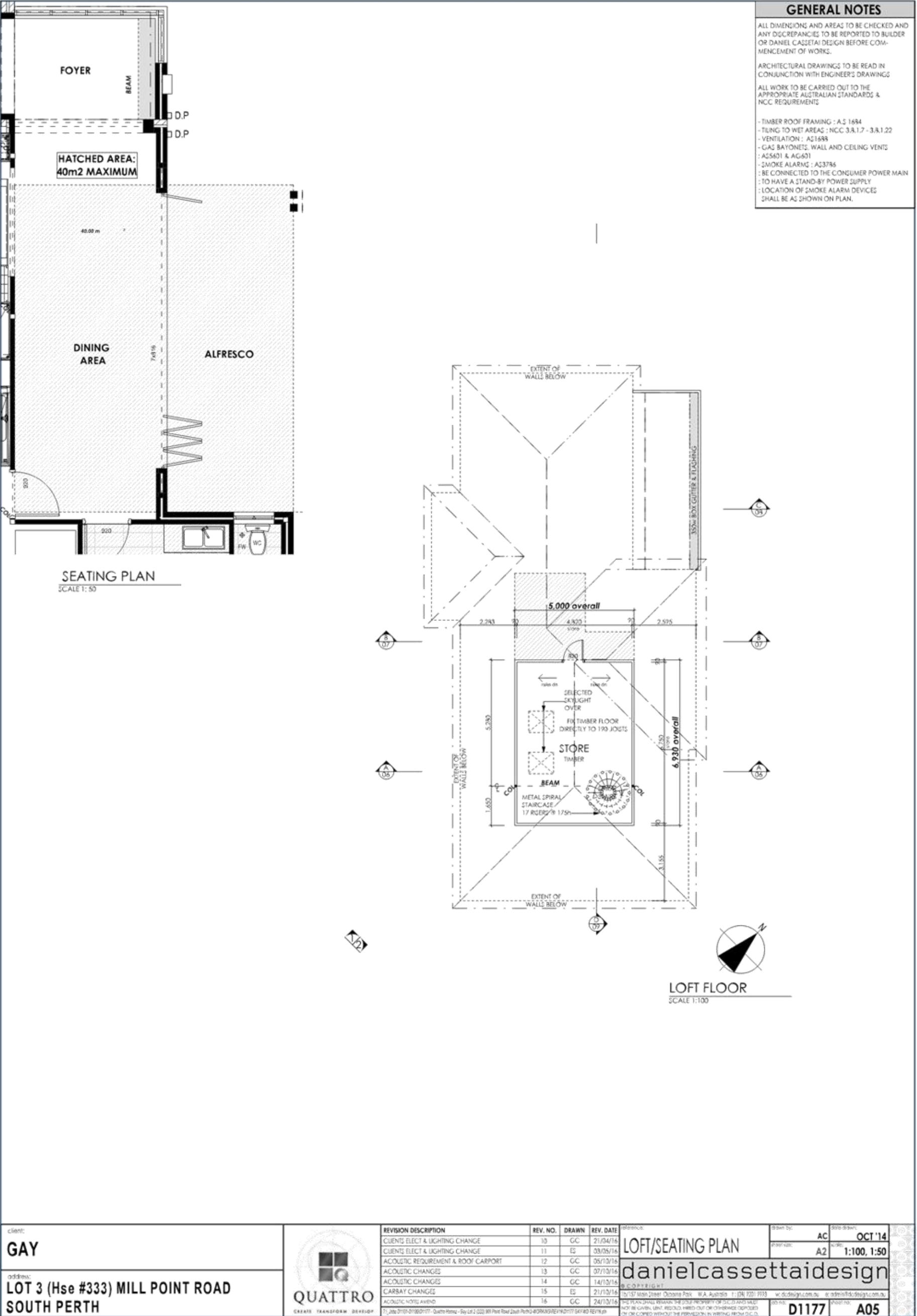
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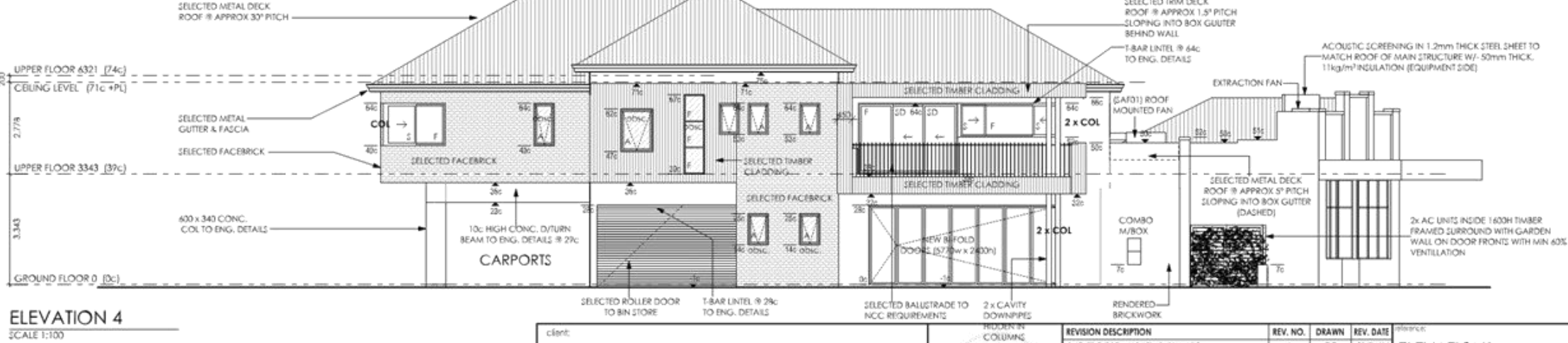
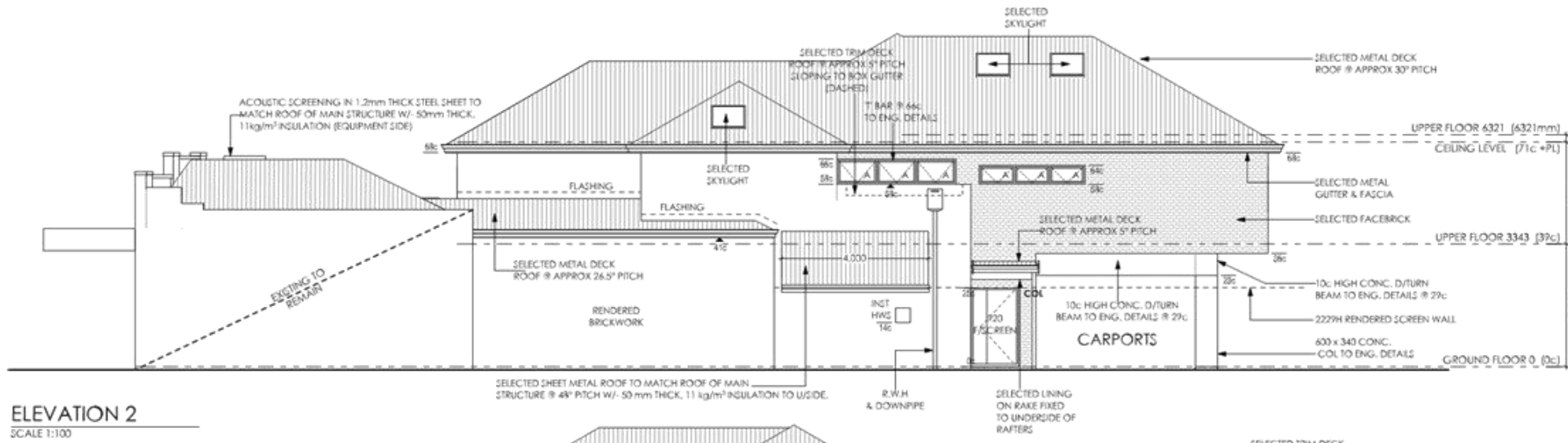
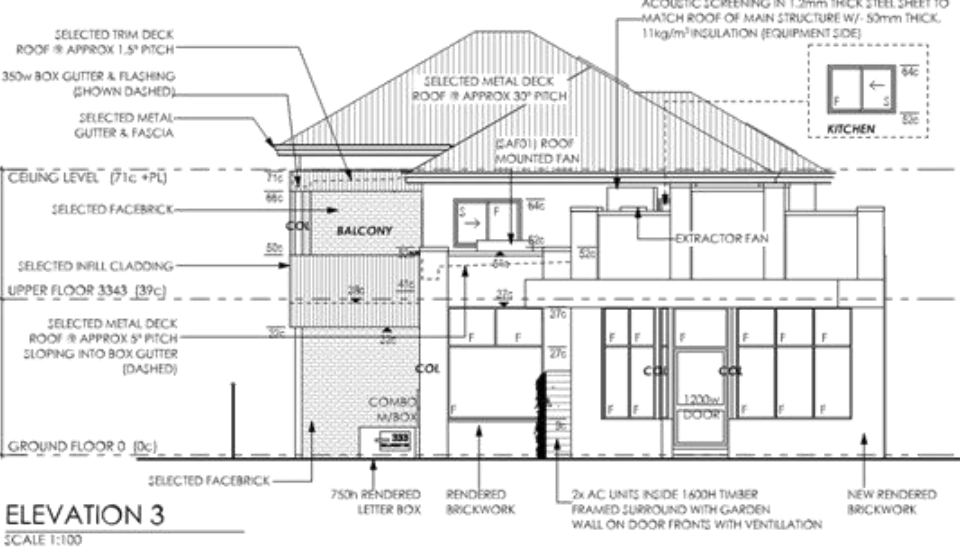
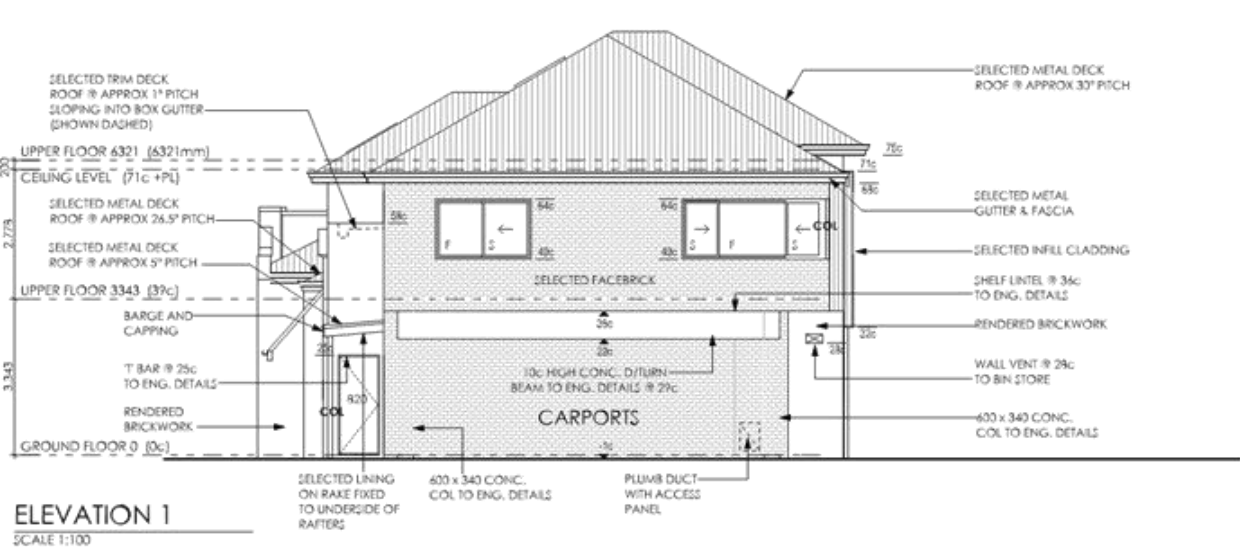
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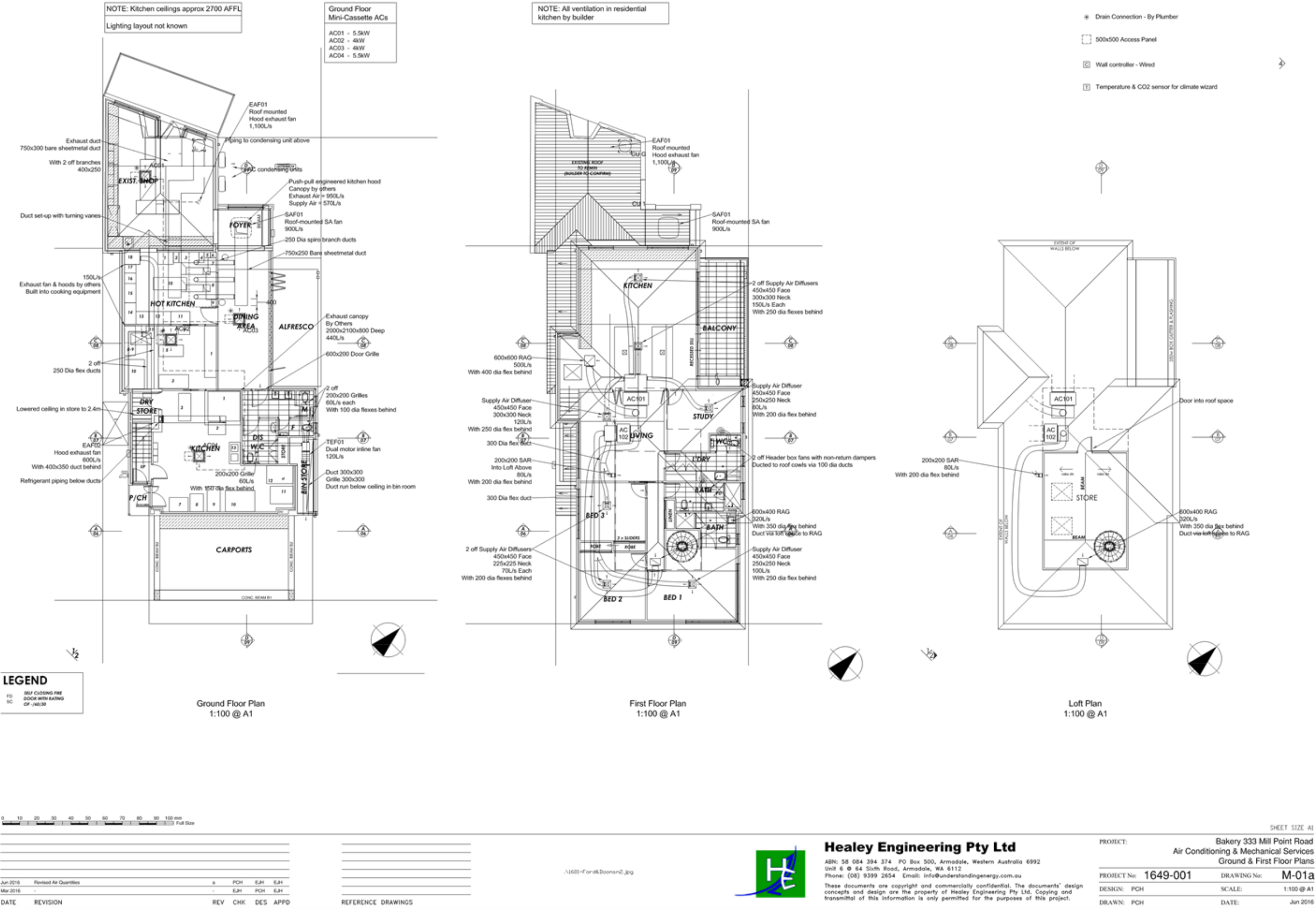








client: GAY		 QUATTRO CREATE. TRANSFORM. DEVELOP.	<table><tr><th>REVISION DESCRIPTION</th><th>REV. NO.</th><th>DRAWN</th><th>REV. DATE</th></tr><tr><td>CLIENTS ELECT & LIGHTING CHANGE</td><td>10</td><td>GC</td><td>21/04/16</td></tr><tr><td>CLIENTS ELECT & LIGHTING CHANGE</td><td>11</td><td>ES</td><td>03/05/16</td></tr><tr><td>ACOUSTIC REQUIREMENT & ROOF CARPORT</td><td>12</td><td>GC</td><td>05/10/16</td></tr><tr><td>ACOUSTIC CHANGES</td><td>13</td><td>GC</td><td>07/10/16</td></tr><tr><td>ACOUSTIC CHANGES</td><td>14</td><td>GC</td><td>14/10/16</td></tr><tr><td>CARPARK CHANGES</td><td>15</td><td>ES</td><td>21/10/16</td></tr><tr><td>ACOUSTIC NOTES AMEND</td><td>16</td><td>GC</td><td>24/10/16</td></tr></table>				REVISION DESCRIPTION	REV. NO.	DRAWN	REV. DATE	CLIENTS ELECT & LIGHTING CHANGE	10	GC	21/04/16	CLIENTS ELECT & LIGHTING CHANGE	11	ES	03/05/16	ACOUSTIC REQUIREMENT & ROOF CARPORT	12	GC	05/10/16	ACOUSTIC CHANGES	13	GC	07/10/16	ACOUSTIC CHANGES	14	GC	14/10/16	CARPARK CHANGES	15	ES	21/10/16	ACOUSTIC NOTES AMEND	16	GC	24/10/16	<table><tr><td>drawn by:</td><td>AC</td><td>date drawn:</td><td>OCT '14</td></tr><tr><td>check by:</td><td>A2</td><td>scale:</td><td>1:100, 1:2.13</td></tr></table>		drawn by:	AC	date drawn:	OCT '14	check by:	A2	scale:	1:100, 1:2.13
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address: LOT 3 (Hse #333) MILL POINT ROAD SOUTH PERTH		<table><tr><td colspan="4">ELEVATIONS</td><td colspan="4">danielcassettaidesign</td></tr><tr><td colspan="4">15/157 Main Street, Osborne Park, W.A. Australia 1:04 1201 9993</td><td colspan="4">www.dcsdesign.com.au email: admin@dc.design.com.au</td></tr><tr><td colspan="4">job no: D1177</td><td colspan="4">sheet no: A06</td></tr></table>								ELEVATIONS				danielcassettaidesign				15/157 Main Street, Osborne Park, W.A. Australia 1:04 1201 9993				www.dcsdesign.com.au email: admin@dc.design.com.au				job no: D1177				sheet no: A06																		
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Submission 1:

RE: Bakery at 333 Mill Point Road South

As you are aware, at a directions hearing dated 19th October 2016, the State Administrative Tribunal (SAT) invited the Applicant for the above development to provide an amended proposal for the City of South Perth's consideration. Council has encouraged the input of those residents who were directly involved in this SAT matter to review the amended proposal and as such have the opportunity to make comment on the proposal. Here are my comments.

To be clear I remain opposed to any changes to the Council's decision of 2015 where they confirmed their intention to limit business activities on this site to the hours of 7:00am to 5:00pm. The current proposed changes add further to the loss of amenity from my property and require the council to use their discretion again to relax further planning requirements.

In summary my concerns are:

- The term bakery is now being used in the language to describe the nature of this business. This is a non-conforming use and is clearly a change from the original Café/Restaurant approval. The EcoAcoustic Report uses this same language. The noise assessment and attenuation being proposed indicates activities of a scale in excess of self-supply and retail activities. This is clearly an unacceptable activity and scale in a residential area.
- The development has multiple kitchens and food preparation areas with at least four large overhead exhaust units, again indicating a scale of bakery operation well in-excess of one to self-supply a small Café/Restaurant with retail front. The exhaust fan management regime in the acoustic report indicates fan operation 24 hours a day further raising concerns of a 24/7 bakery operation.
- The addition of a carport, a significant structure impacts the visual amenity from the entrance of my home and the outlook from the second level and is unacceptable
- The relaxation of setbacks requirements against my boundary only adds further to the bulk built form and detracts further from a development that should be in sympathy with the surrounding residential area.
- The proposed carport would mean building over the common sewer that serves our property and many other in the surrounding area. There is no indication that this is acceptable to the appropriate authorities.

Submission 1 (continued):

- The intent of landscaping requirements and the benefits that brings has been ignored. The provision of "vertical gardens" to offset the requirement for 10% of land area to be set aside for landscaping is an obvious exploitation to maximise site build out.
- The sound attenuation measures at source rely largely on adjustments to fan speeds during certain hours to meet regulations. This measure provides little assurance as the business operator can manually adjust these fan settings at any time.
- The monitoring of noise levels needs to be undertaken independently, instigated by the City, without notice to the business to ensure noise compliance is undertaken in "business as usual mode." This should be a requirement regardless of trading hours.
- Asking delivery drivers to switch engines off and sign asking patrons to be quiet are irrelevant controls likely to have negligible impact. Builders on the site haven't complied with the requirement not to commence activities until 7:00am, so why would delivery drivers be controlled any differently.
- This development remains in sharp conflict with the Council's adopted strategy for this site. The Local Commercial Strategy Section 7.5.7 specifically deals with these sites proposing they be encouraged back to residential use. It prescribes proposed treatments all of which have been totally ignored in approving this development in pursuit of a higher level of activity than that originally contemplated in this guiding strategy.
- Parking remains an unresolved issue with street parking largely occupied by surrounding residents unable to meet the demand from patrons from both a restaurant, retail premises along with multiple employees who are on their own likely to occupy all nine parks provided on the site.
- Onsite parking claims 9 parking bays on plans however this does not conform with policy P350.03 on manoeuvrability.

I again remind you the subject site is zoned local commercial in an area otherwise zoned residential and council has a responsibility to ensure any development on this site is consistent with its planning policies and strategies and to preserve the amenity and peaceful enjoyment of residents in the area. Council has fallen well short in this regard.

I confirm my objection to this application for an extension of trading hours and request Council reaffirm the Specific Conditions associated with this approval to limit business activities on this site to the hours of 7:00am to 5:00pm.

In addition, the proposal should be reassessed as a bakery as this appears to be the intended nature of this business and that use was not properly considered in the original application.

I look forward to the opportunity to brief Council on my concerns in person.

Submission 2:

Re: 333 Mill Point Road, South Perth

At a Directions hearing dated 19th October 2016, The State Administrative Tribunal (SAT) invited the applicant for the above matter to provide an amended proposal for the City of South Perth and I have been invited as a resident of who was directly involved with the matter to be able to comment

I want the very clear that still remain opposed to the extension of hours over 7am to 5pm ,7 days a week and in fact favour a later starting time on Sunday.

My concerns are as follows;

Environmental Factors

The fact that this is a bakery and in the Guidance for the Assessment of Environmental Factors (in accordance with the environmental protection act 1986) which specifically addresses genetic separation distances between industrial and sensitive lands uses from unacceptable impacts of amenity that may result from industrial activities, emissions and infrastructure.

This guidance clearly states;

Industry	Description of industry	Impacts	Buffer distance
Bakeries	Day-time operations	Noise and Odour	100-200m depending on size
Bakeries	Large night time operations	Noise and Odour	500m

Because the council approved the use of existing wall (which wasn't used, was actually demolished at the same time as the rest of the building and then said to have structural issues) the result being the kitchen for this bakery is **less than 1metre** from the boundary of a residential premises, my home.

I understand that the applicant wants to supply an in-house product to the customers of the café but I strongly disagree and ask the council to **please do not make our local neighbour suffer for production of produce to be delivery to other businesses.**

The use is defined inTPS6 as follows: Café/Restaurant means any land or building primarily used for the preparation of serving meals or refreshments for consumption on the premises.

I ask the council to please make a ruling on this to limit this to a in-house bakery and patisserie and not a supplier to other businesses.

Planning condition 23 – dining space and parking

The condition clearly states that the Café/Restaurant dining area shall not exceed 40.0 sq metres ...yet in the plans it is 48sq metres. I understand that these sq metres were stated due the ratio on the number of parking (although the applicant was granted 2 street carparks (in which according the City of South Perth planning regulations scheme no. 6 requires parallel car parking bays to be at least 6.0 metres – the area in front of the shop measures 8.2m i.e 1 car space) and furthermore paid in lieu another 1 street park. It is very clear that the parking does not support 40sq metres and most definitely not 48sq metres.

Parking is definitely an issue for neighbours and especially those who rely on street parking after 5pm for themselves or guests.

The dining plan of working plans in the ordinary council meeting 22-09-15 shows a seating plan of 3 x tables in the dining area and 3 x tables in the alfresco area with each table having 4 chairs.

The new applicant new revised application suggests that the alfresco area diners be restricted to 18 patrons within the Sunday morning period of 7am to 9am. With no reference to the number of patrons in the dining area. The number 18 patrons clearly are not in line with seating plans indicted in working drawings. How many patrons is this establishment in a residential area intend to accommodate??

Submission 2 (continued):

I would like the to request that the council make a ruling on total number of patrons at any given time.

I would question the regulations of number of patrons in regards to number of toilets required as per health regulations.

With 9 staff not including administration this is a really big operation.

Trading hours/ Operating Hours - Mental Health

At mediation between applicant, myself, other neighbours and Cr Lawrence (in email dated 27/10/11 "that Aileen is a pastry chef and stated that she has no intention of doing restaurant style meals at night, in facts she hoped to be closed by 6pm ").

At council meeting 17/03/15 Aileen stated that there would be no impact on neighbour amenity in regards to noise and parking and odours because she would only operate in office hours. This statement was also clarified later when questioned that the café would not be open after 5pm to members of the public

When submissions concern where addressed to council 17/03/15 regarding hours of the operation to be extended due to preparation and clean up ect... the response from the applicant was "We anticipate that the hours of operation will be limited between 7am and 9pm as detailed in previous Development Approval".

I believe that the extension of hours will affect the neighbours wellbeing (security concerns, noise, parking, odours) A business trading from 7am to 9pm and possible operating hours prior and after these hours is a real health concern in a residential area. With these hours 7am to 9pm there is a gap of 10hours if these hours do not extend into operating hours, if they include operating hours of say 5am to 10pm that is less than 7hour gap for neighbours to sleep, which I seriously hope not as they a serious concern for amenity of the neighbourhood and general Mental Health of neighbours. I work for my income and I have 1 daughter who is a nurse working in the community and another who is a support worker studying to be a nurse and we all need rest and relaxation in our home of 16years.

I totally oppose any extension of hours and would ask that the condition in regards to hours be reworded that those hours already approved that these times 7am to 5pm, 7day s a week **include operating hours**. Should there be an extension to 9pm that that also be the limit to include operating hours.

Trading hours/ Waste collection

In front of my premise is a car bay should be occupied late I cannot put my bins. I pay my rates and should be able to put my bins out at 5pm not wait until after 9pm.

Odours/ Extended hours

I do not feel that odours have been addressed at all. Smelling food 7days a week 24hours (as the proposal to run exhaust fans 24hours a day 7 days a week. Seriously no thankyou this not a commercial area and these are commercial kitchens.

Applicants Revised application in regards to air conditioning and mechanical services

"3.3 all exhaust fans and supply air fans are to be fitted with variable speed drives(VSDs). The VSDs are to be limited the sped of the fans to 60%of the maximum during the night i.e 10pm to 7am Monday to Saturday 10am to 9am Sunday." So this obviously means that these fan are to be running **24hours, 7days a week with noise and odour**. This is unacceptable in a residential area regardless what acoustic screening has been suggested 3metres long so obviously a large amount of noise and odour, there is still the odour issue 24hrs a day 7 days a week.

It also seems that these VSDs are manually operated so if someone forgets to change them to 60% they could possibly run at 100% all night.

There really need to be a limit on operating hours. I would prefer that the exhaust (EAF02) be relocated to face Banksia Tce as previously suggested by council as it located right under my bedroom window in which I need to keep open as a enjoy fresh air and my air-condition is one which requires the window to be open.

A102 and A102 air conditioner units

These are 2 very large air-conditioner units located on the roof adjacent to my bedroom window. My concern being their size and noise generated from them.

Applicants Revised application in regards to carport

I believe the building bulk adjoining my boundary wall to be distasteful and would like to council to please comply with the R-codes and keep the setback of 1m.

I am also on the understanding this area has the sewer lines which service my property and do know the regulations that govern this and as to if this acceptable being that there will need to poles in the ground to hold this carport up.

The carport will also limit the applicant's ability to comply with council in regards to plants as plants require sunlight.

Submission 2 (continued):

Eco Acoustics report

The assessment is based on air conditioning condensers on heating (why heating? why not cooling which I presume it would more used)

I also believe that air conditioners used on cooling make more noise and believe that this report should provide further information.

Although this report estimates mechanical noise it does not take into effect patron and car noise.

Deliveries

When neighbours have submitted concerns in regard to delivery trucks (that beep beep beep) reversing noise and the question was asked of the applicant, the applicant responded that there would be no delivery trucks only delivery vans.

Is it possible that this could be made as ruling could be made on this please?

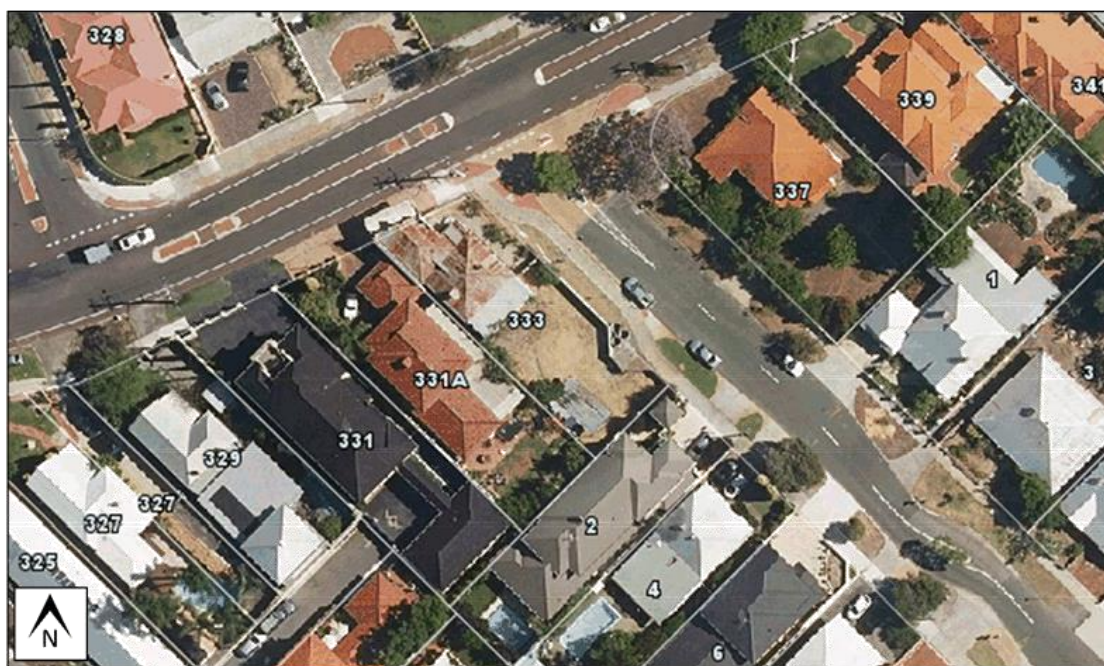
Noise Monitoring

I feel the noise monitoring needs to be conducted a lot more than suggested perhaps every couple of weeks for the first 6 months and then monthly thereafter on different days on a random day chosen by the council not the applicant and should any levels be over – business to cease immediately so that the neighbours can sleep and maintain their mental health

Extension of hours regardless of the changes in the proposal should not be extended at present to allow neighbours to see how the present conditions will affect them and reduce the amenity impacts upon the neighbouring residential properties and I applaud the council for maintaining their stand on in the last 2 council meetings that addressed this issue of extended hours.

The last application a couple of years ago did not state it was a bakery only a patisserie and the fact that it somehow changed to a bakery gives the amenity of the neighbour real concern for its residents.

I want to reaffirm that remain opposed to the extension of hours over 7am to 5pm, 7 days a week and in fact favour a later starting time on Sunday and to have it clearly stated that these hours include operating hours so we are not woken at 3am or 5am.



Aerial photograph (November 2014)



Aerial photograph (February 2016)



View from Mill Point Road facing south east (March 2015)



View from Mill Point Road facing south (March 2015)



View from Mill Point Road facing east (March 2015)



View from Banksia Terrace facing west (March 2015)



View from Banksia Terrace facing south west (March 2015)



View from Banksia Terrace facing north west (March 2015)



View from Banksia Terrace facing north west (November 2016)



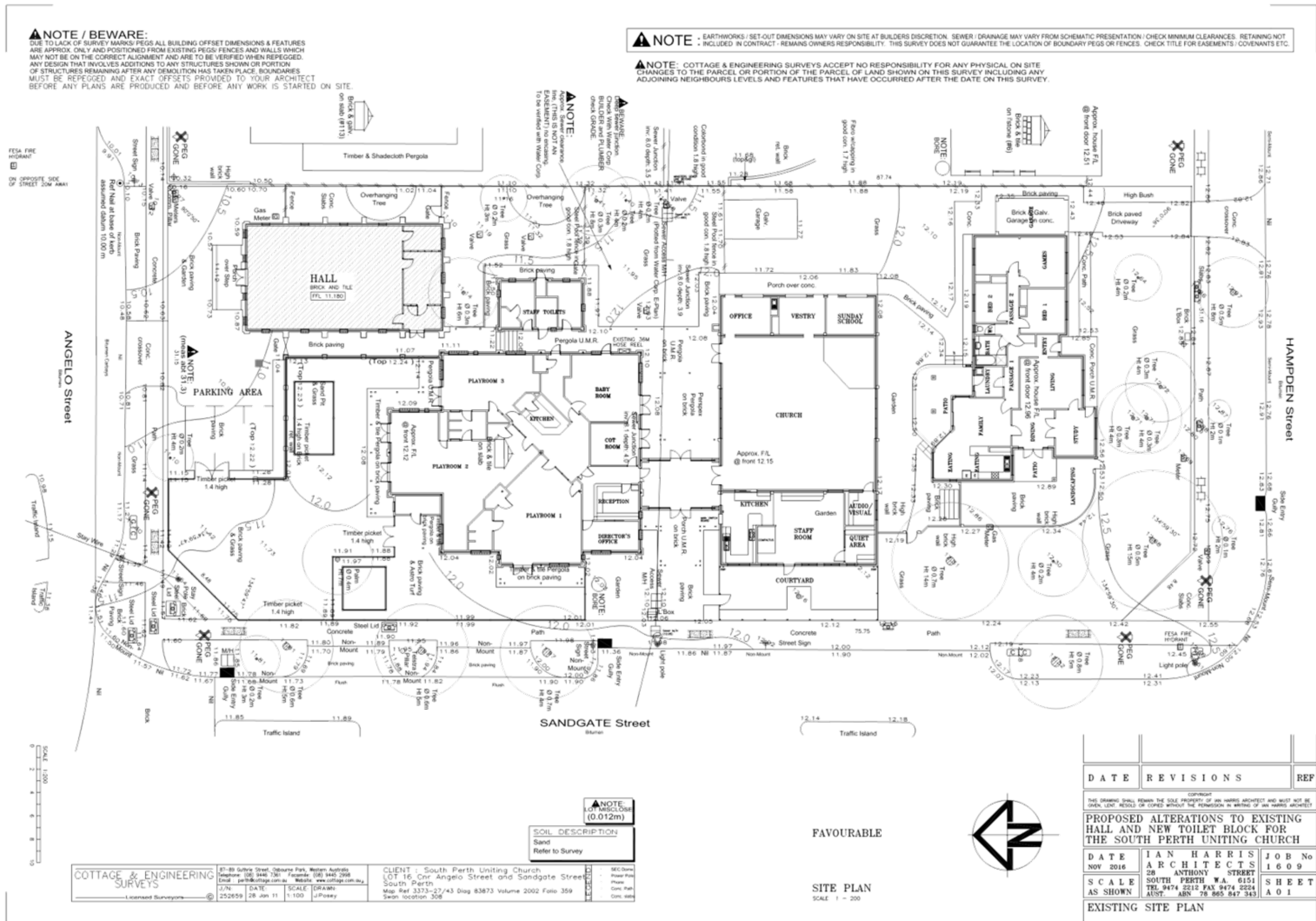
View from Banksia Terrace facing north west (November 2016)

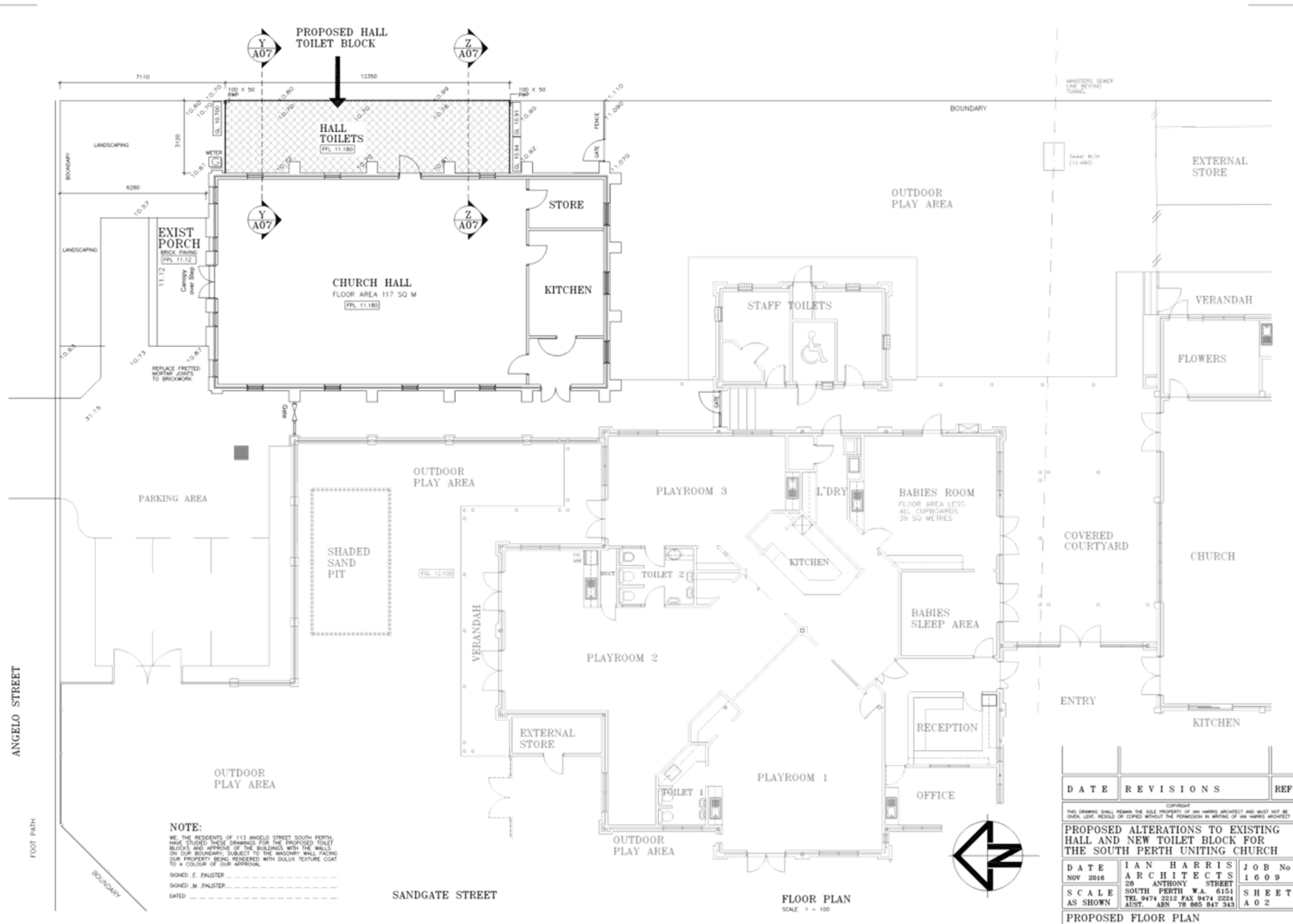


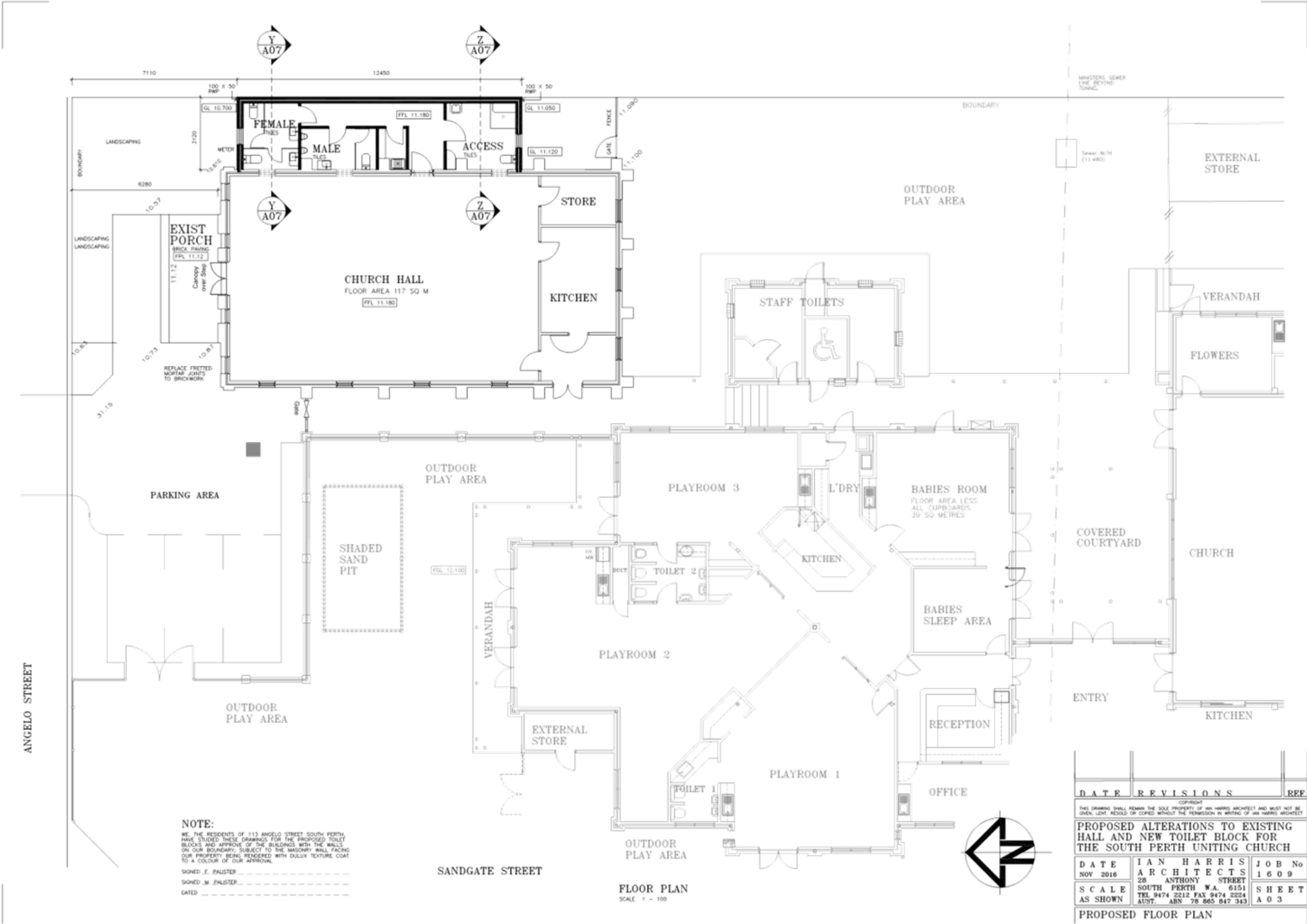
View from Banksia Terrace facing south west (November 2016)

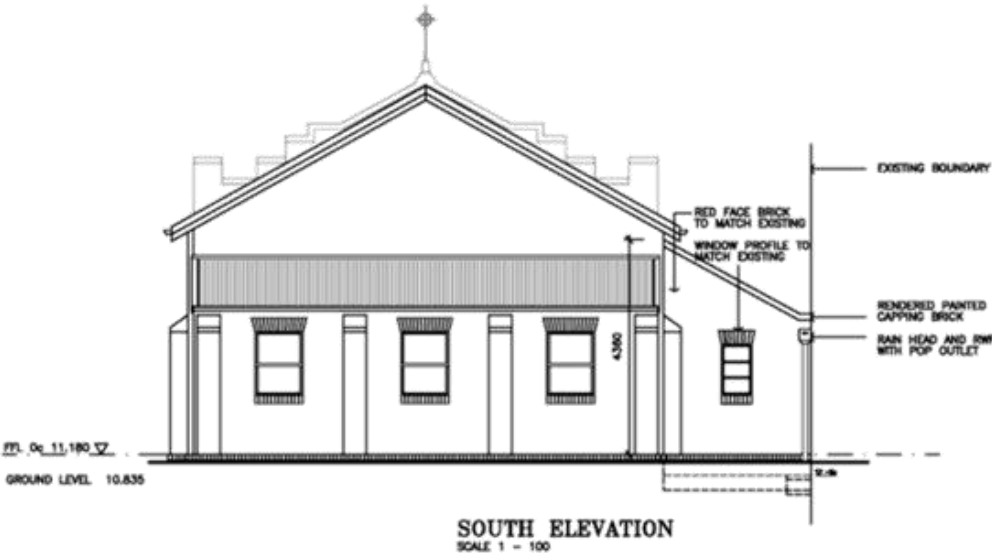
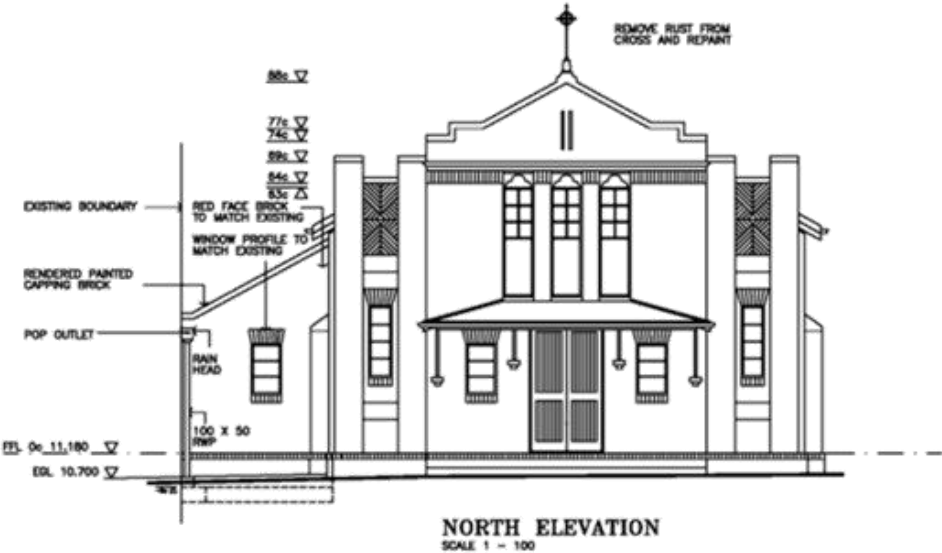
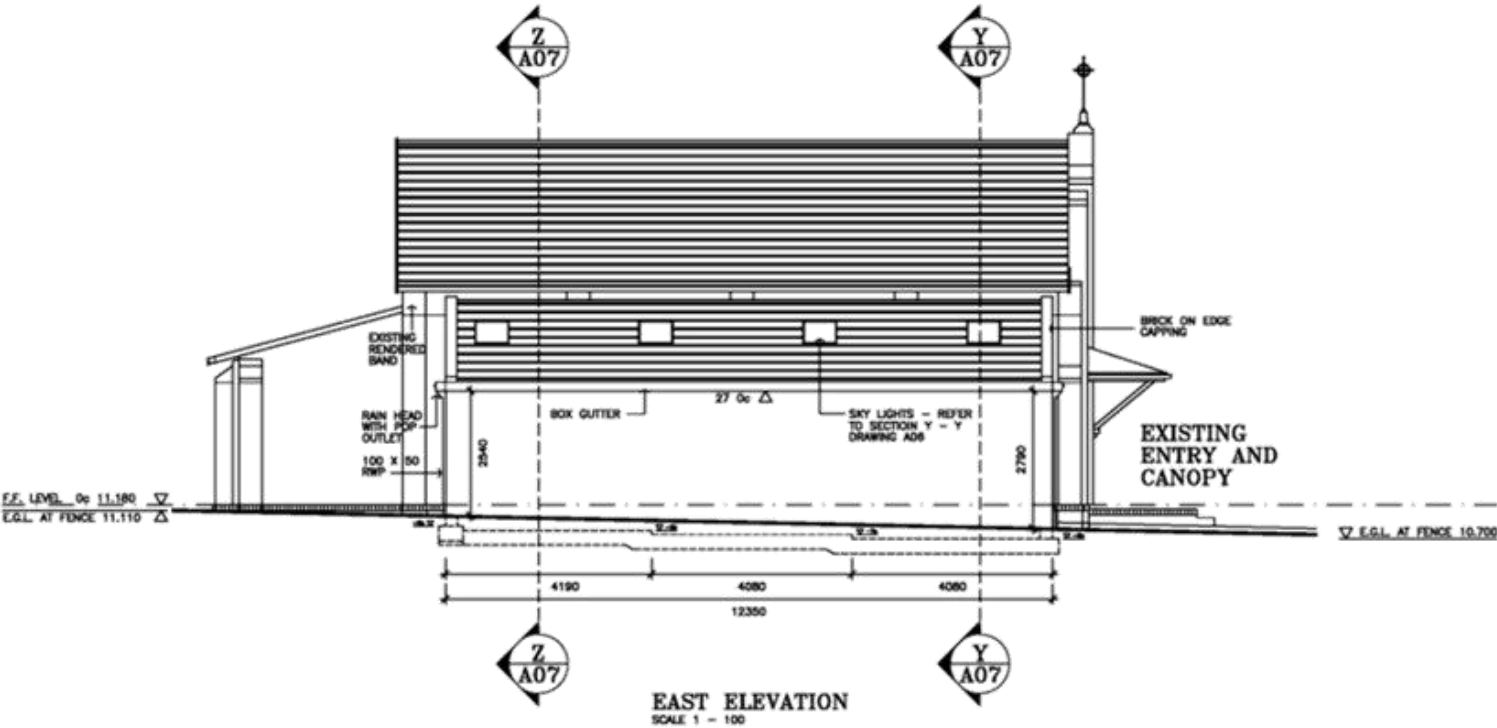


View from Banksia Terrace facing west (November 2016)

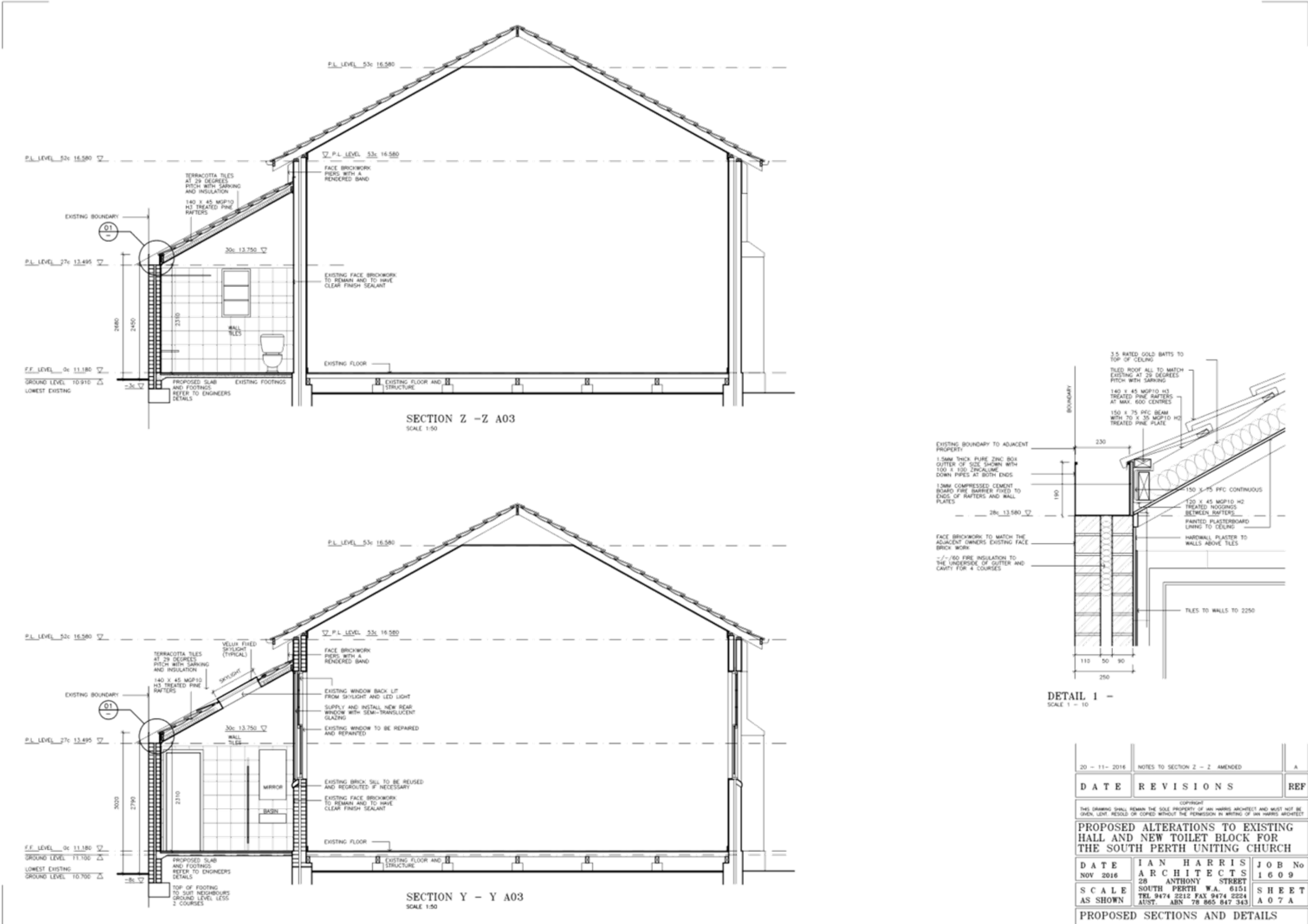


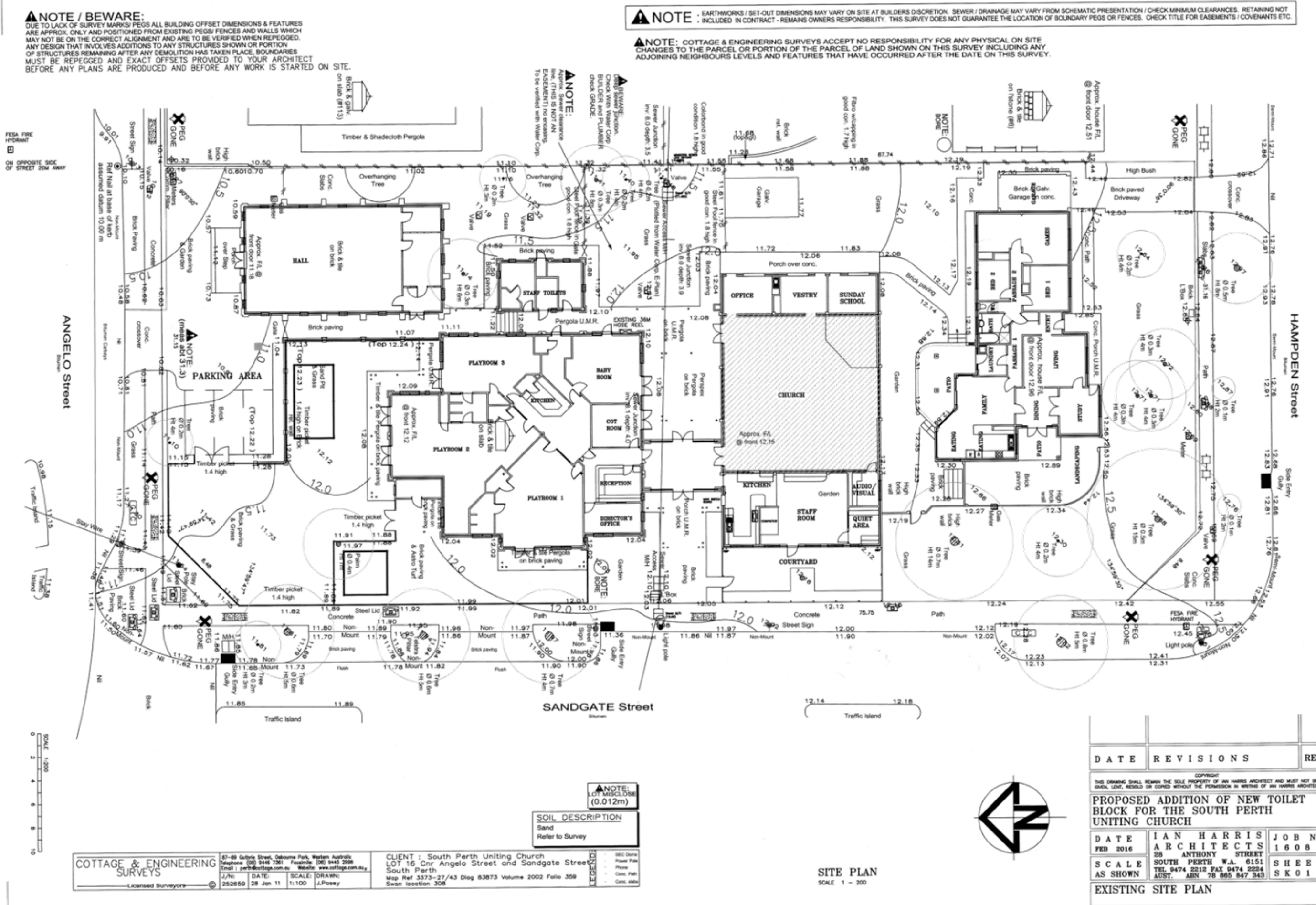


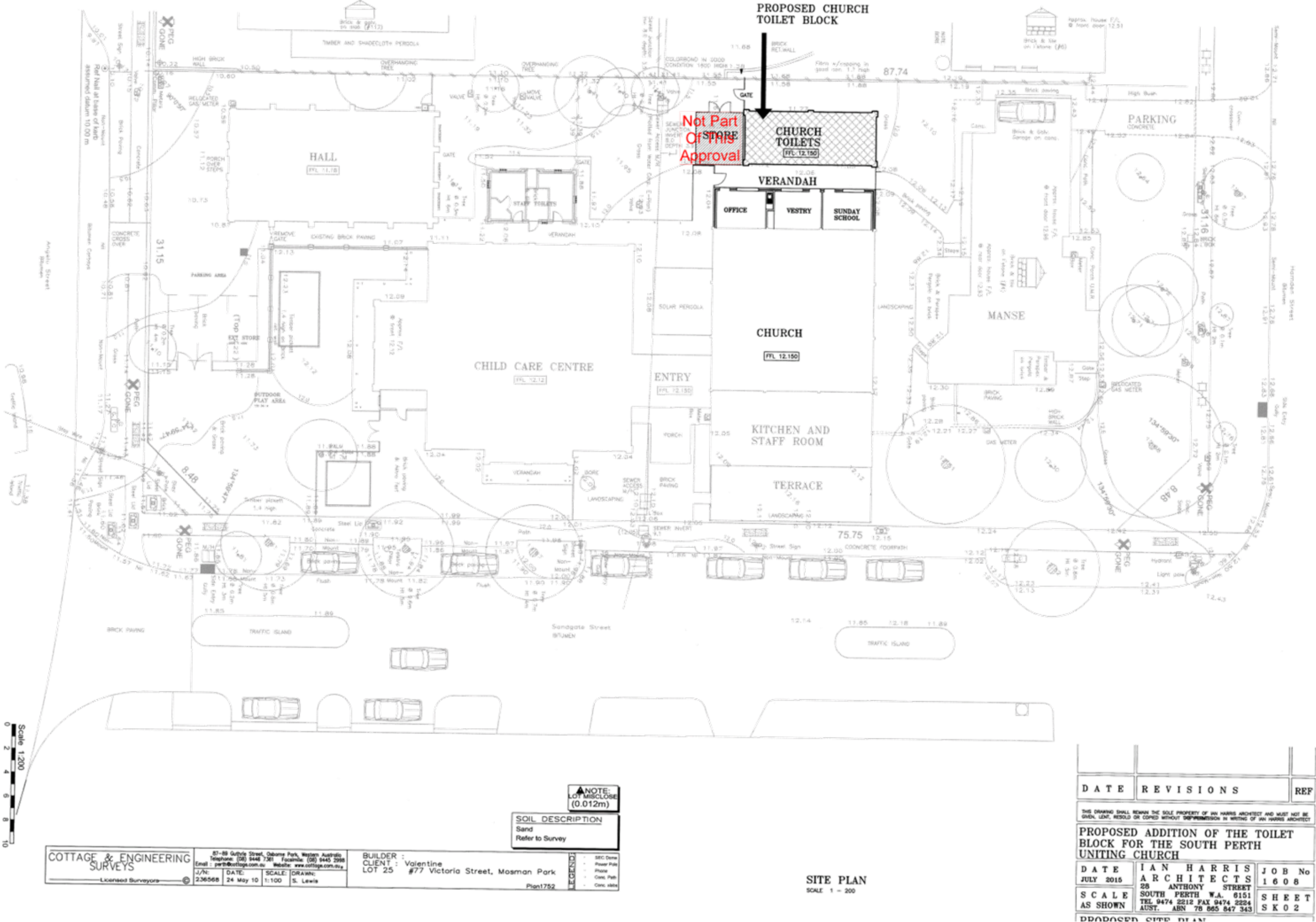


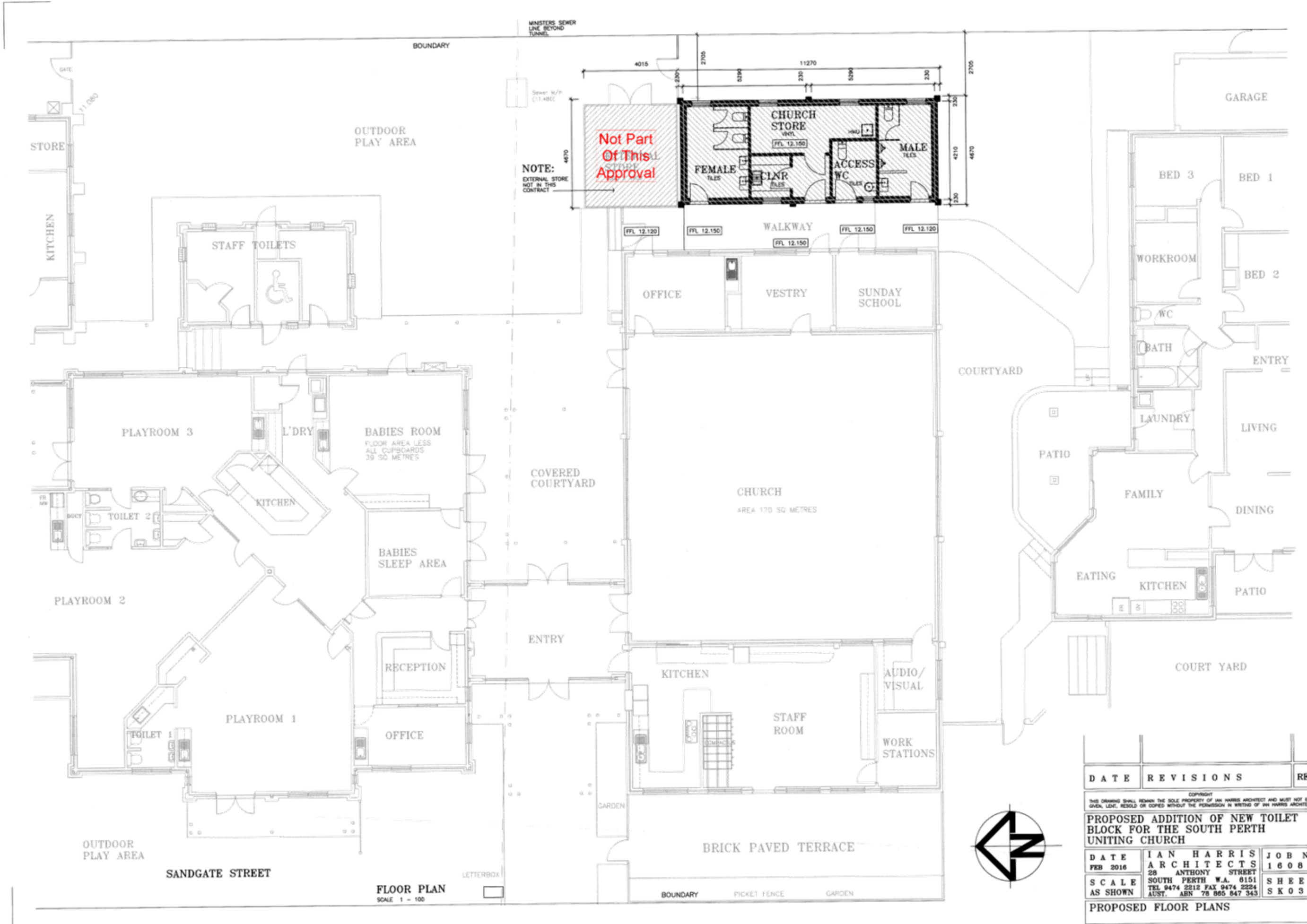


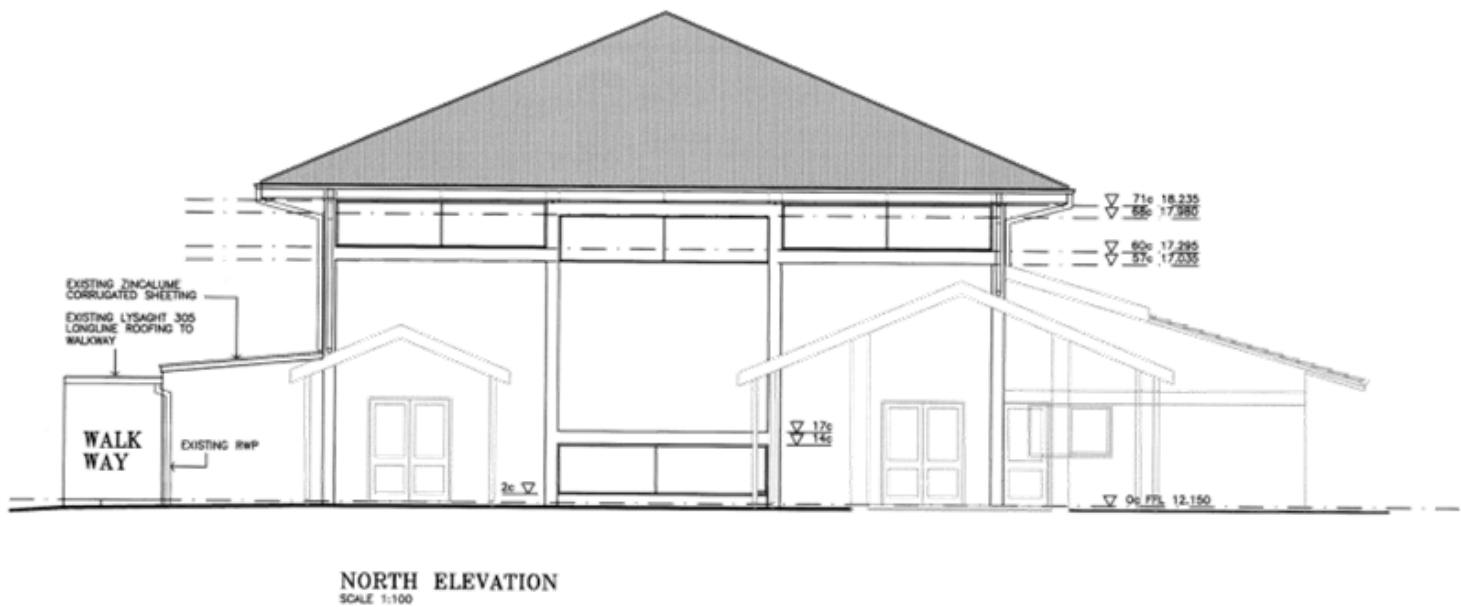
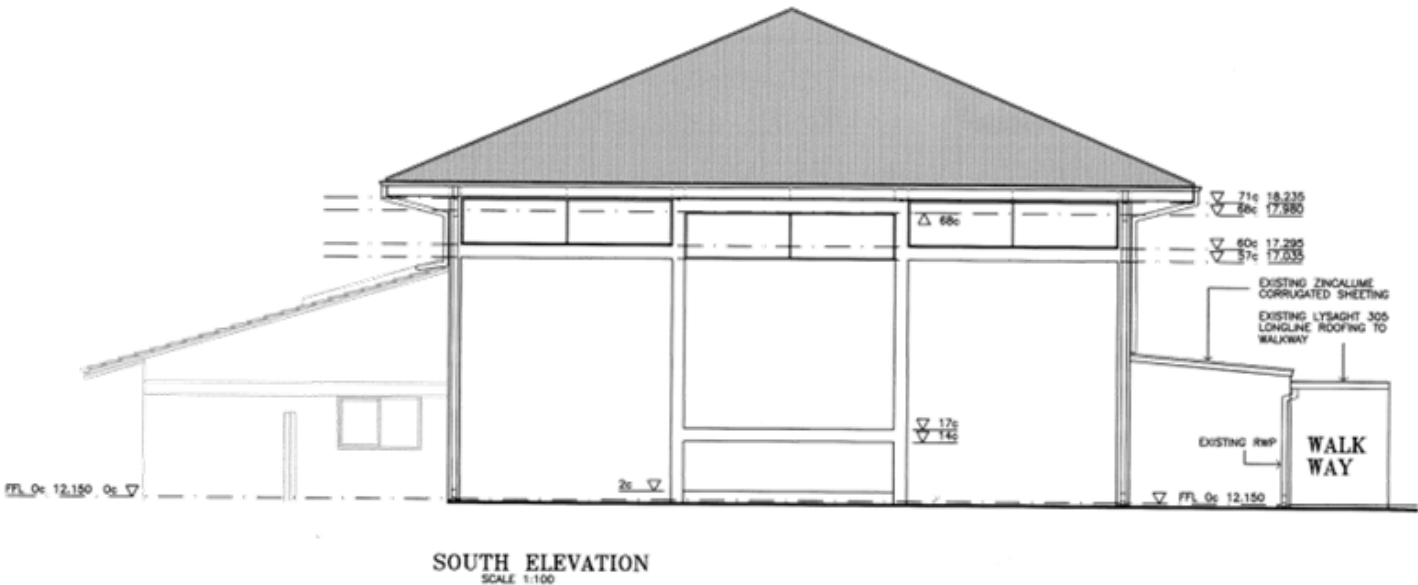
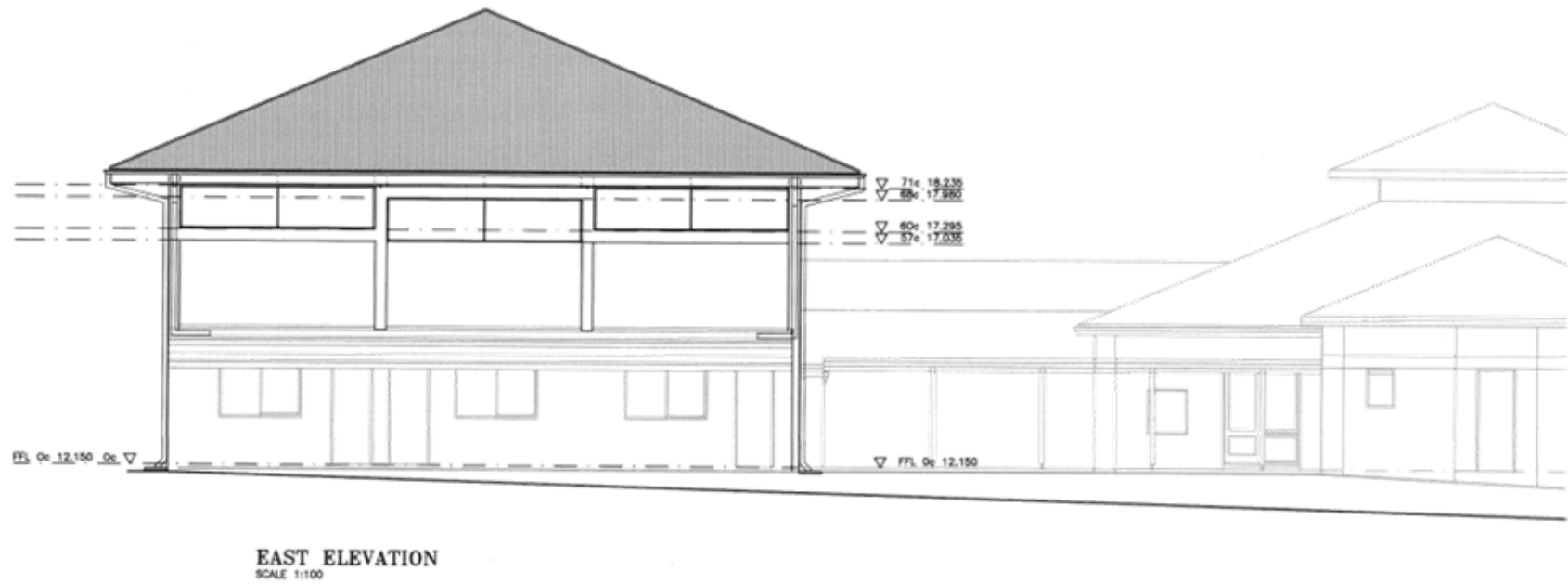
20 - 11 - 2016	SOUTH ELEVATION MODIFIED AND HEIGHT ADDED	A
DATE	REVISIONS	REF
THIS DRAWING SHALL REMAIN THE SOLE PROPERTY OF IAN HARRIS ARCHITECTS AND MUST NOT BE GIVEN, LOANED, REPRODUCED OR COPIED WITHOUT THE PERMISSION IN WRITING OF IAN HARRIS ARCHITECTS		
PROPOSED ALTERATIONS TO EXISTING HALL AND NEW TOILET BLOCK FOR THE SOUTH PERTH UNITING CHURCH		
DATE NOV 2016	IAN HARRIS ARCHITECTS 28 ANTHONY STREET SOUTH PERTH W.A. 6151 TEL 9474 2212 FAX 9474 2224 AUST. ABN 78 885 847 343	JOB No 1809 SHEET A06A
PROPOSED ELEVATIONS		



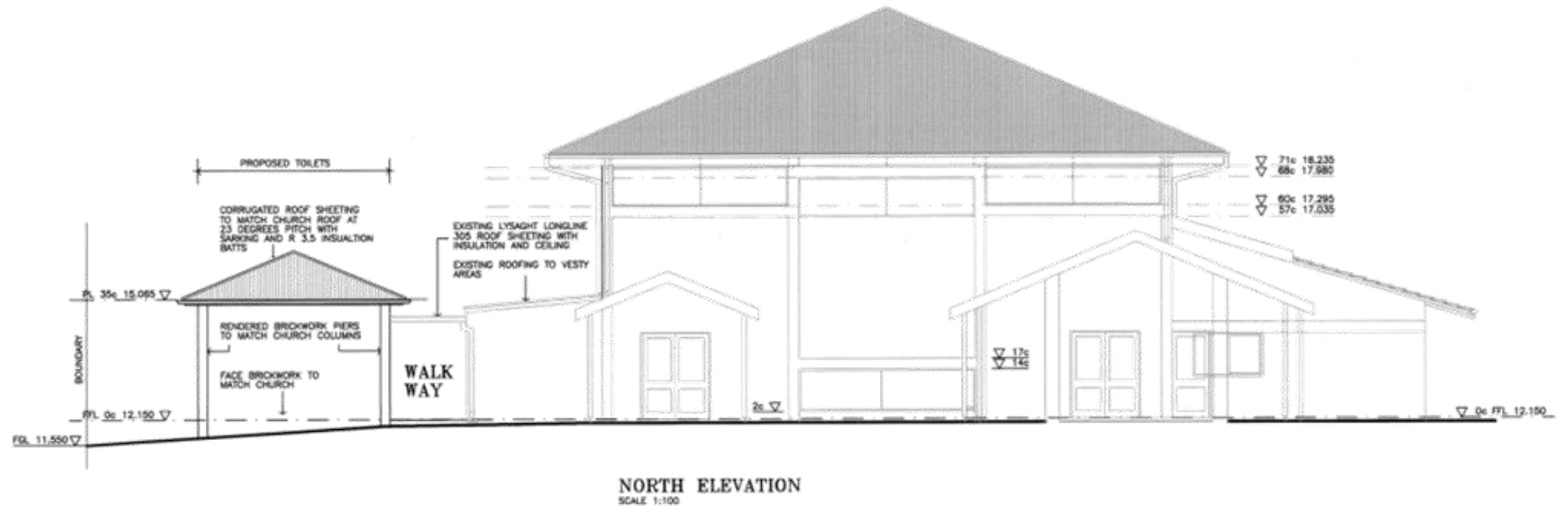
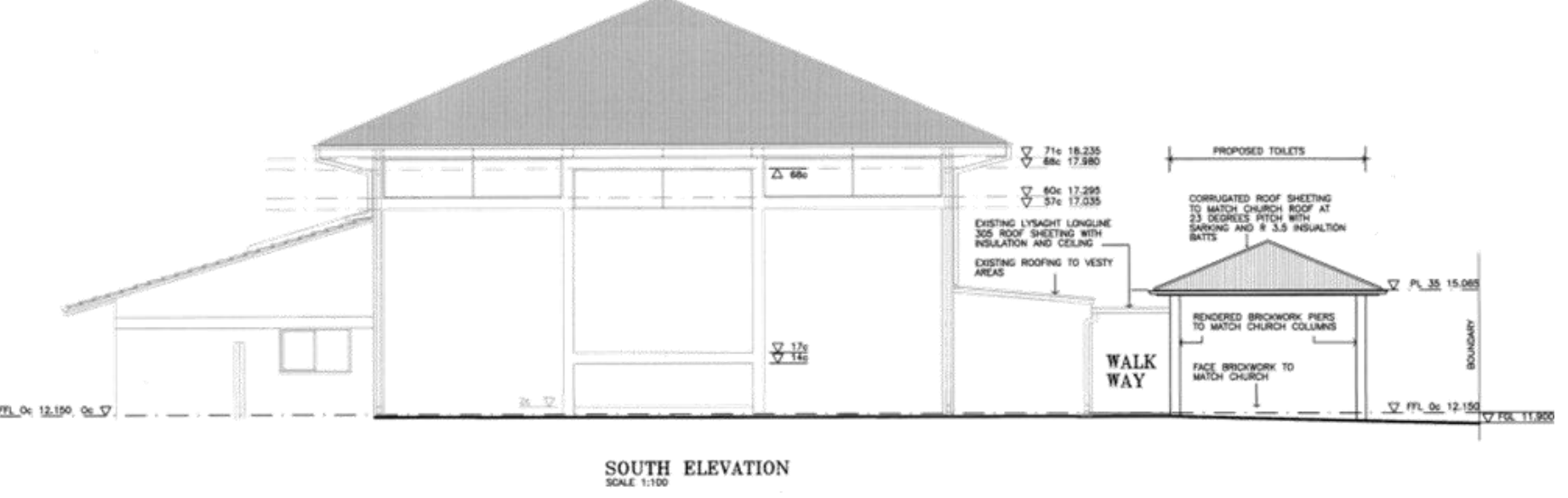
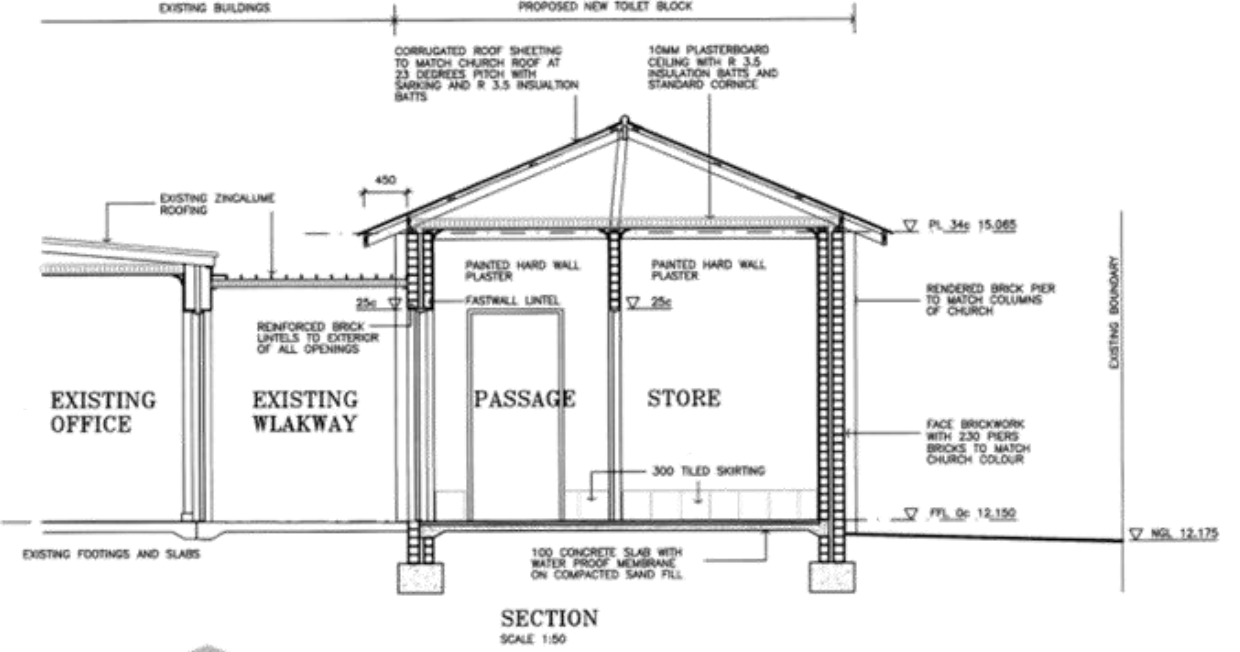
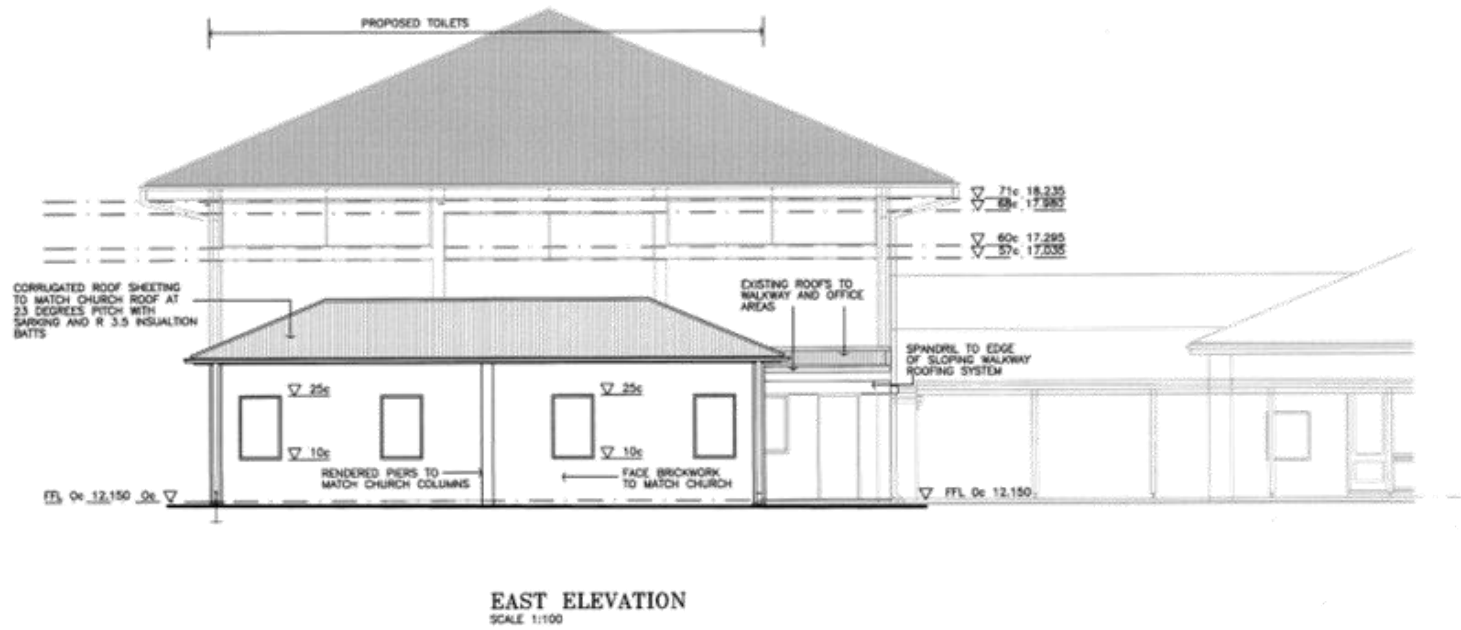








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PROPOSED ADDITION OF NEW TOILET BLOCK FOR THE SOUTH PERTH UNITING CHURCH		
DATE FEB 2016	IAN HARRIS ARCHITECTS 28 ANTHONY STREET SOUTH PERTH W.A. 6151 TEL 9474 2212 FAX 9474 2224 AUST. ABN 76 885 847 343	JOB No 1608 SHEET SK04
EXISTING ELEVATIONS		



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PROPOSED ADDITION OF NEW TOILET BLOCK FOR THE SOUTH PERTH UNITING CHURCH		
DATE	IAN HARRIS ARCHITECTS	JOB No 1608
FEB 2016	28 ANTHONY STREET	
SCALE	SOUTH PERTH W.A. 6151	SHEET 1
AS SHOWN	TEL 9474 2212 FAX 9474 2224 AUST. ABRN 78 865 847 343	SK05
PROPOSED ELEVATIONS		

Page 171 of 223

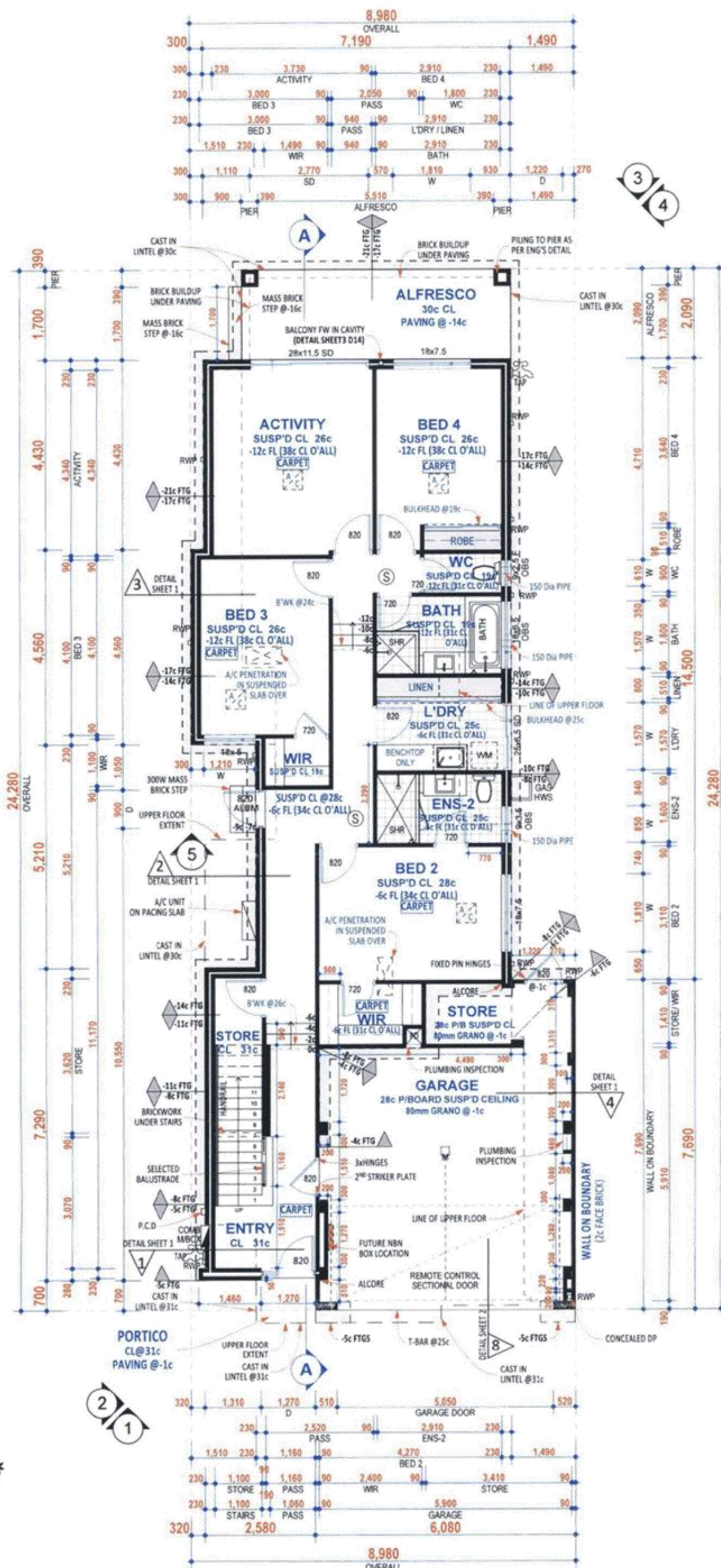
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ALFRESCO	13.14
STORE	5.07
177.55 m ²	

STAIRS

250 GOING
176 RISER

REFLECTIVE INSULATION
TO ALL CAVITY WALLS



RENDERED
BRICKWORK

NOTE

REFER TO DETAIL SHEET FOR EAVES
DETAILS

CLIENT NOTE

REFER TO ADDENDA FOR SUPPLY
AND INSTALLATION OF ALL FLOOR
COVERINGS

© COPYRIGHT

SHEET:
3 OF 12

HOUSE TYPE:
THE OUTLOOK

PROJECT:

SMITH RESIDENCE
LOT 800 (34A) SULMAN AVENUE,
SALTER POINT

JOB No:
794

DRAWING:
GROUND FLOOR PLAN

WORKING DRAWINGS

1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT
PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR.
2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON
SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

SCALE:
1:100

DRAWN BY:
SSB

PREPARED BY:
??

DATE:
05-Sep-16

novushomes
CREATIVE LIFESTYLE SOLUTIONS

32 Mumford Place, Balcatta, W.A. (08) 9240 1969
Builders Registration Number: 8967

AREAS

UPPER	127.56
BALCONY	22.01
STAIRS	5.70
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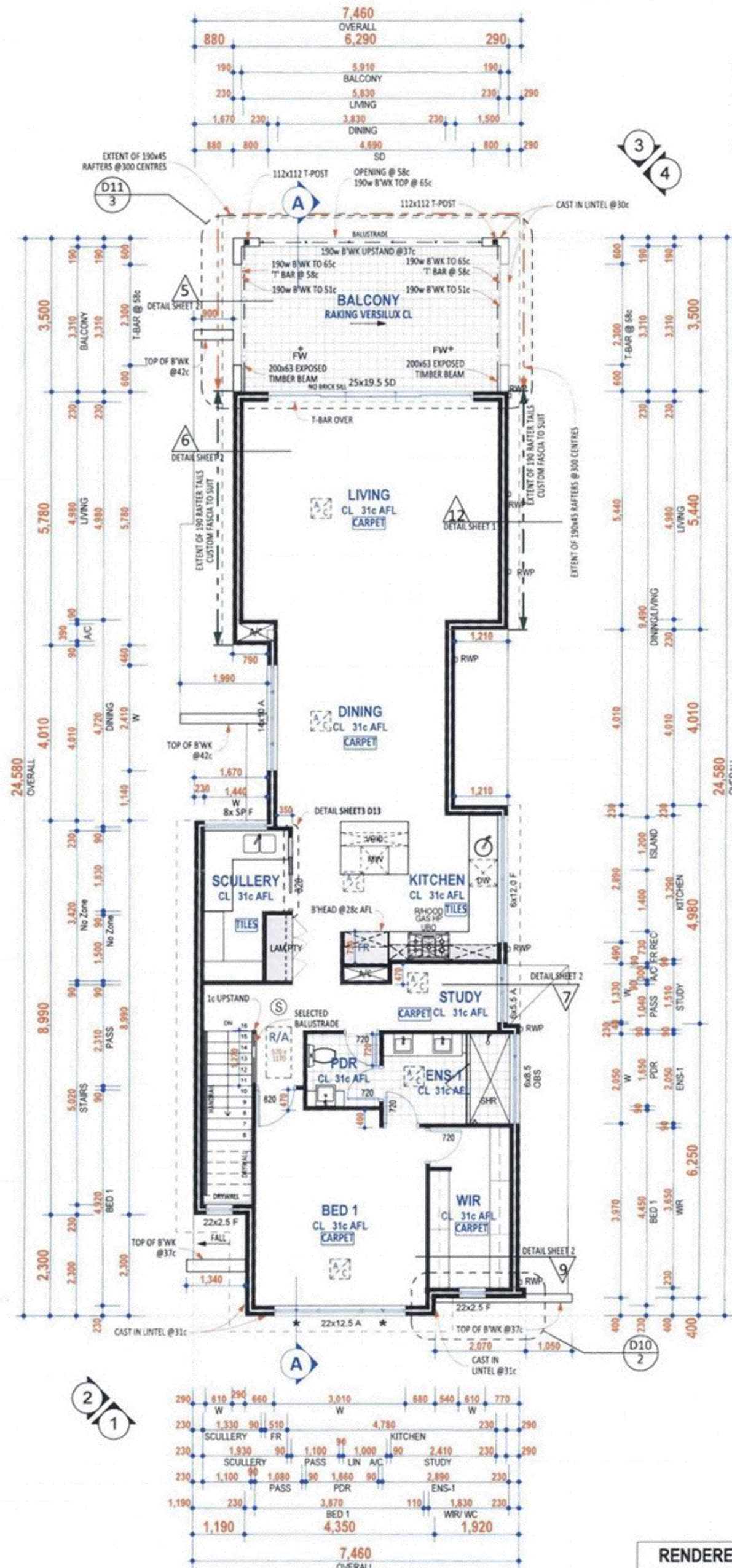
STAIRS

250 GOING
176 RISER

REFLECTIVE INSULATION
TO ALL CAVITY WALLS

NOTE

* - NOMINATED WINDOWS TO COMPLY
WITH B.C.A VOL.2, PART 3.9.2.5.
PORTION OF OPENING WINDOW
RESTRICTED TO 125mm MAX.



NOTE

* - NOMINATED WINDOWS TO COMPLY
WITH B.C.A VOL.2, PART 3.9.2.5.
PORTION OF OPENING WINDOW
RESTRICTED TO 125mm MAX.

NOTE

REFER TO DETAIL SHEET FOR EAVES
DETAILS

CLIENT NOTE

REFER TO ADDENDA FOR SUPPLY
AND INSTALLATION OF ALL FLOOR
COVERINGS

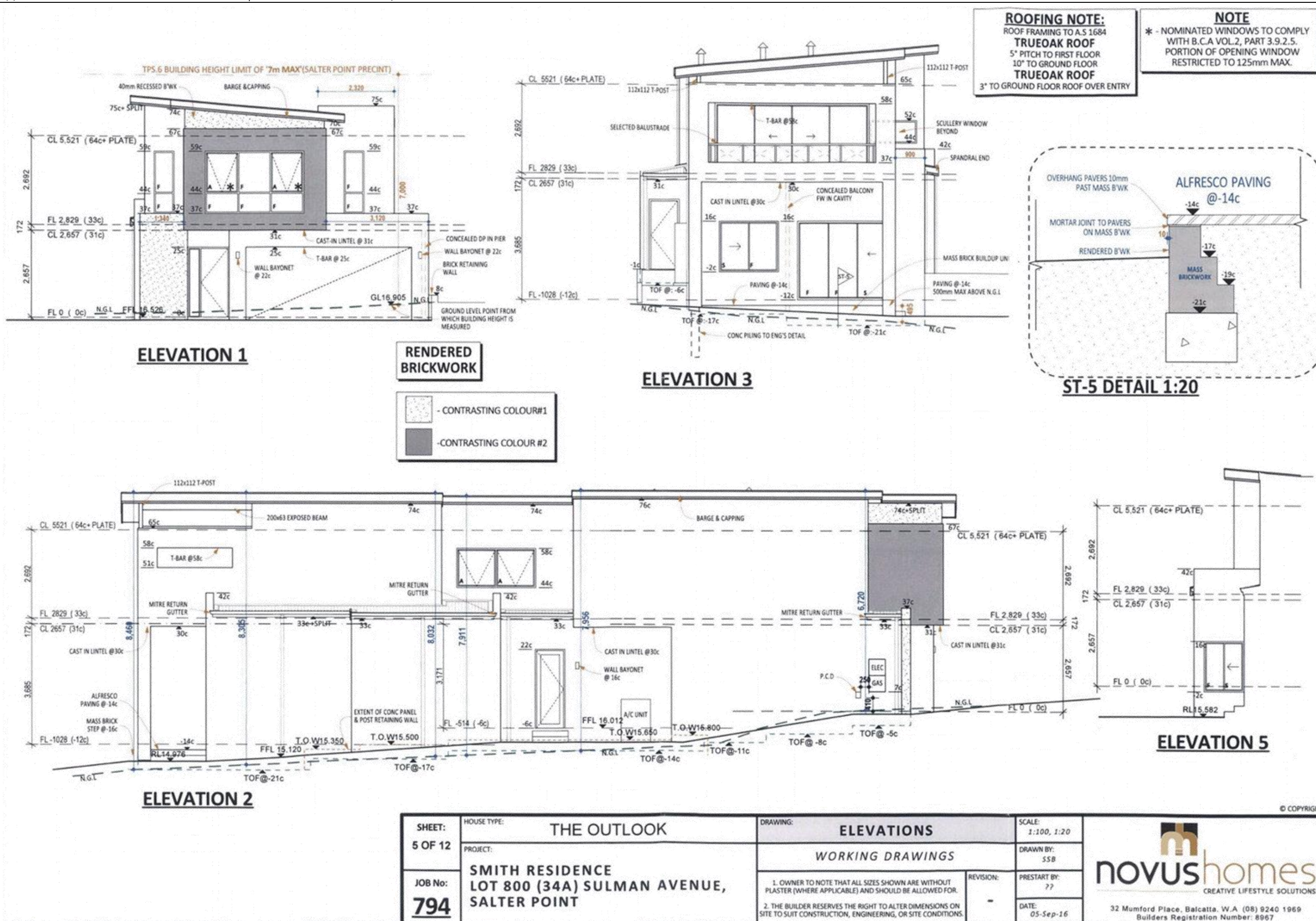
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BRICKWORK

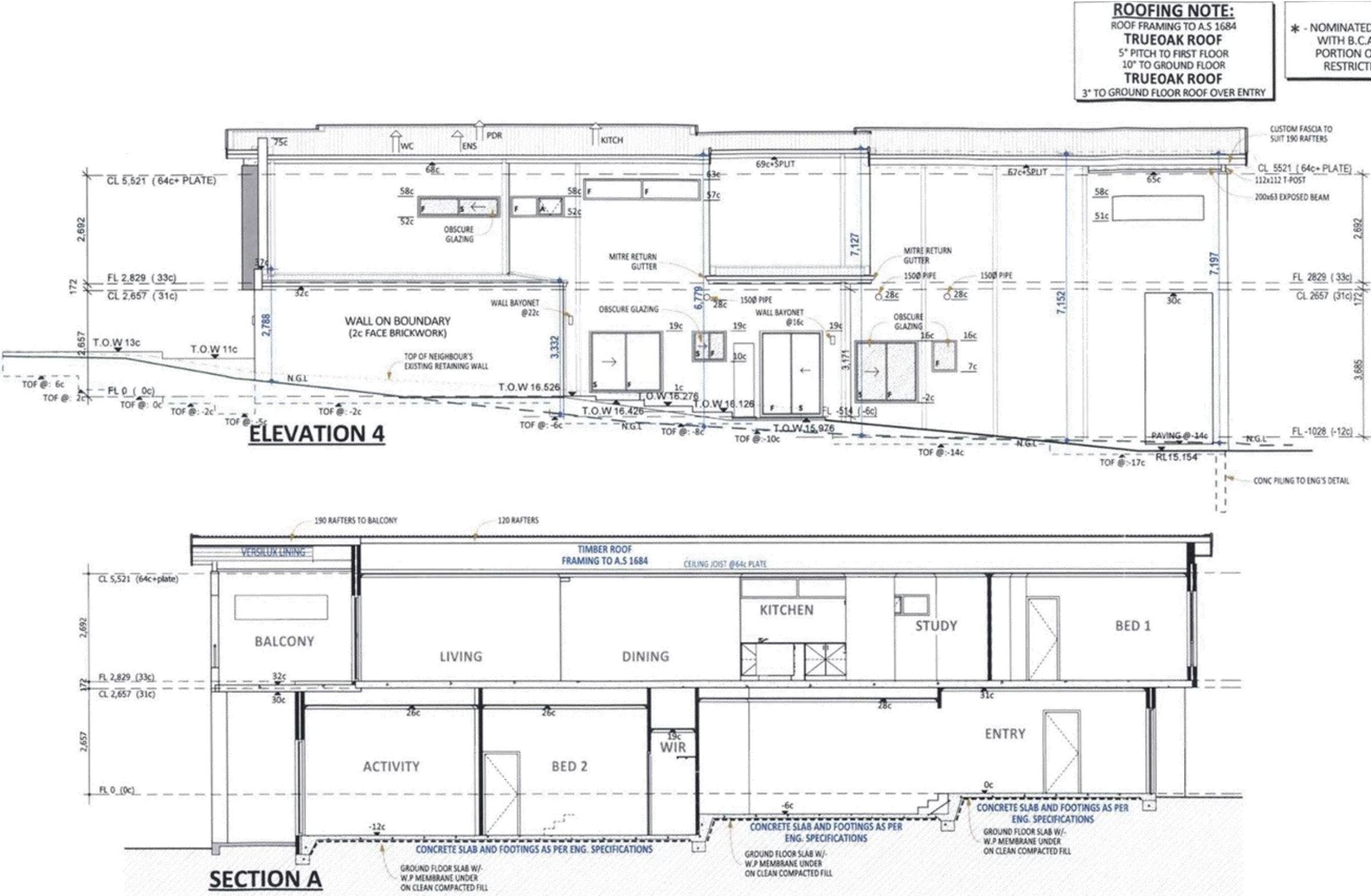
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SHEET: 4 OF 12	HOUSE TYPE: THE OUTLOOK	DRAWING: UPPER FLOOR PLAN	SCALE: 1:100
JOB No: 794	PROJECT: SMITH RESIDENCE LOT 800 (34A) SULMAN AVENUE, SALTER POINT	WORKING DRAWINGS	DRAWN BY: SSB
		1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR.	PREPARED BY: ??
		2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.	DATE: 05-Sep-16

novushomes
CREATIVE LIFESTYLE SOLUTIONS

32 Mumford Place, Balcatta, W.A. (08) 9240 1969
Builders Registration Number: 8967





SHEET: 6 OF 12	HOUSE TYPE: THE OUTLOOK	DRAWING: ELEVATIONS/ SECTION	SCALE: 1:100, 1:50	 CREATIVE LIFESTYLE SOLUTIONS 32 Mumford Place, Balcatta, W.A. (08) 9240 1969 Builders Registration Number: 8967
	PROJECT: SMITH RESIDENCE LOT 800 (34A) SULMAN AVENUE, SALTER POINT			
	JOB No: 794			
		WORKING DRAWINGS	DRAWN BY: SSB	
		1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR.	PREPARED BY: ??	
		2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.	DATE: 05-Sep-16	

DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from information supplied by Water Corporation.



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CREATIVE LIFESTYLE SOLUTIONS
32 Mumford Place, Balclutha, W.A. (08) 9240 1969
Builders Registration Number: 8967



794/16

Smith Residence

Lot 800 (#34A) Sulman Avenue, Salter Point

EXTERNAL COLOUR SCHEDULE

Roof Cover	: Colorbond - Surfmist
Gutter	: Colorbond - Surfmist
Fascia	: Colorbond - Surfmist
Downpipes & Meterbox	: Dulux - Powered Rock
Window Frames	: Anodic Natural
Main Render Colour	: Dulux - Powered Rock 50%
Contrast Render Colour 1	: Dulux - Surfmist
Contrast Render Colour 2	: Dulux - Powered Rock
Front Entry Door & Frame	: Dulux - Powered Rock
Garage Door	: Surfmist



Friday 4 November 2016

City of South Perth
Administration Office
Civic Centre
Cnr Sandgate Street and South Terrace
SOUTH PERTH WA 6151

To Whom It May Concern,

Lot 800 (No. 34a) Sulman Avenue, Salter Point
Proposed Two Storey Dwelling

This letter has been produced in support of the abovementioned proposal with respect to variations to the deemed-to-comply provisions of the Western Australian Residential Design Codes (R-Codes) and the City of South Perth Town Planning Scheme No. 6 (TPS 6):

- R-Codes Clause 5.1.3 - Lot Boundary Setback
- R-Codes Clause 5.3.5 – Vehicle Access
- TPS 6 Clause 6.10 - Maximum Ground and Floor Levels
- R-Codes Clause 5.4.1 – Visual Privacy

The proposal is also subject to the provisions of the City of South Perth's Strategic Direction 3 policy document compilation.

Background

1. The subject site is zoned 'Residential' and designated a density coding of R20 and is situated within Precinct 13 under the provisions of the City of South Perth Town Planning Scheme No. 6 (TPS 6).
2. The subject site is 440m² in area.
3. The subject site has an effective lot frontage of 10.055m to Sulman Avenue.
4. The subject lot is of a mostly regular shape but narrower compared to neighbouring lots and tapers towards River Way.
5. The lot has sweeping views towards Canning River.
6. The lot suffers from a topographical variation in the form of an overall 4m drop across the extents of the lot.
7. The lot is subject to a 7.0m height limit under TPS 6.



Figure 1: Aerial of subject site.

Existing Planning Approval

We understand that Development Approval was previously issued for a similar dwelling proposal at the City of South Perth ordinary Council meeting held on 14 November 2015. However the landowner has since changed preferred builders and implemented several minor changes to design as part of this revision. Notwithstanding, we note that the planning approval still remains valid and the current proposal is generally in accordance with that approval.

Conclusion

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

Figure 2: Extract from November 2015 minutes

This planning approval was granted subject to several conditions, and included discretion which was applied to the following elements:

Element on which discretion is sought	Source of discretionary power
Street setback	Council Policy P306
Lot boundary setback	R-Codes 5.1.3
Boundary walls	Council Policy P350.02
Visual privacy	R-Codes 5.4.1
Significant View	Council Policy P350.09

Figure 3: Discretionary elements corresponding to the conditions placed on approval.

However, since the time of the previous approval the applicant has changed builders (to Novus Homes). We understand that a new planning approval is required and requested for the proposed dwelling by the new applicant given the minor design changes.

Variations to R-Codes and Relevant City Provisions

Variations to planning requirements will be outlined within this section of the report:

Clause 5.1.3 - Lot Boundary Setback

C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:

- i. buildings set back from lot boundaries in accordance with **Table 1 Tables 2a and 2b** (refer to **Figure Series 3 and 4**);

The proposed dwelling has a wall adjacent to the northern lot boundary along the dining room with a major opening and a length of 4m and maximum height of 7.39m from the proposed ground level. In accordance to Table 2a of the R-Codes an R20 site wall between 7 and 7.5m high and less than 9m long must have a lot boundary setback of 3.5m. The proposed wall is setback between 3.31m and 3.45m respectively, with the setback increasing with the wall height. A minor variation is proposed accordingly in this regard.

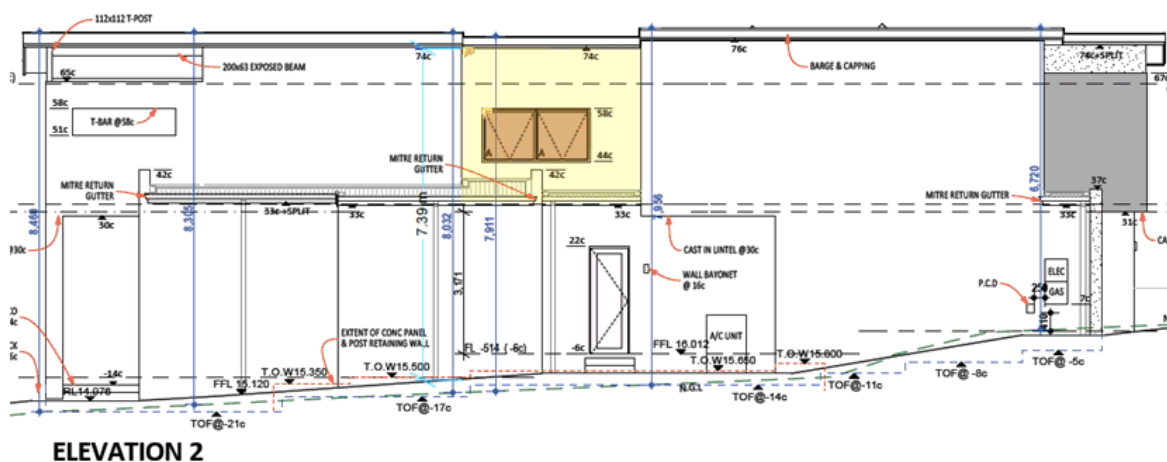


Figure 4: Subject site northern elevation.

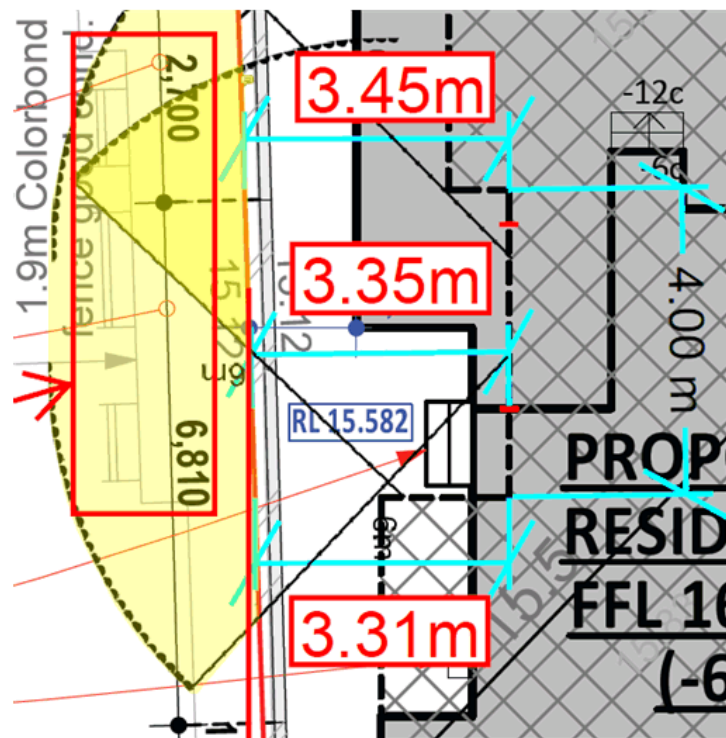


Figure 5: Proposed setback variations.

R-Codes Clause 5.3.5 – Vehicle Access

C5.1 Access to on-site car parking spaces to be provided:

- where available, from a **right-of-way** available for lawful use to access the relevant **lot** and which is adequately paved and drained from the property boundary to a constructed **street**
- from a **secondary street** where no right-of-way exists; or
- from the **primary street frontage** where no secondary street or right-of-way exists.

The proposed dwelling features vehicle access from the Primary street (Sulman Avenue) in lieu of the right-of-way access to River Way), which is required and preferred according to the provisions of Clause 5.3.5 of the R-Codes. In this regard, a minor variation is proposed.

TPS 6 Clause 6.10 - Maximum Ground and Floor Levels

The proposed ground floor finished floor levels are approximately 100 to 200mm higher than the applicable TPS6 'equal cut and fill' calculated in accordance to Clause 6.10 of the TPS 6, which is featured as follows.

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 6

NOTES :

6.10 Maximum Ground and Floor Levels

- (1) The floor level of a building other than a parking structure shall be calculated to generally achieve equal cutting below and filling above the ground level at the perimeter of the building, subject to the following:
- (a) Such level may be raised by up to 100 millimetres;
 - (b) The Council may permit or require the floor level to be varied to the extent necessary to comply with the following:
 - (i) In no case shall the floor level be lower than required by clause 6.9.
 - (ii) The floor shall not be at a level which, in the Council's opinion, would cause the building to unreasonably adversely affect the amenity of neighbouring properties in relation to visual impact and overshadowing.
 - (iii) The Council may require the floor level to be varied where necessary in the Council's opinion to achieve a visually balanced streetscape, having regard to the floor levels of buildings on adjoining lots.

**NOTE ON
CLAUSE 6.10 :**
For Residential uses,
refer also to Design
Element 6.6 of the
R-Codes (2008) for
relevant site works
requirements not
otherwise specified in
the Scheme.
[Note added 29.4.2003;
updated April 2008]

Figure 6: TPS 6 Extract

R-Codes Clause 5.4.1 – Visual Privacy

C1.1 *Major openings and unenclosed outdoor active habitable spaces* which have a floor level of more than 0.5m above *natural ground level* and overlook any part of any other residential property behind its *street setback* line are:

- i. set back, in direct line of sight within the *cone of vision* from the *lot boundary*, a minimum distance as prescribed in the table below (refer *Figure Series 10*):
or;
- ii. are provided with permanent *screening* to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space.

Types of habitable rooms/ active habitable spaces	Location	
	Setback for areas coded R50 or lower	Setback for areas coded higher than R50
Major openings to bedrooms and studies	4.5m	3m
Major openings to habitable rooms other than bedrooms and studies	6m	4.5m
Unenclosed outdoor active habitable spaces	7.5m	6m

Figure 7: R-Codes Extract

We note that major openings from certain habitable rooms (Dining room, Rear Balcony and Activity room) do not comply with the deemed-to-comply visual privacy setback requirements of the R-Codes according to the City. The respective visual privacy setback variations are depicted in the figure below.



The following justification is provided in line with the design principles of the R-Codes and relevant City of South Perth planning policy to demonstrate proposal's compliance.

P3.1 Buildings set back from lot boundaries so as to:

The proposal, regardless of the variation, will not contribute an amount building bulk in excess of what is reasonably expected from a technically compliant design for a constrained site such as this. The designer of the home has appropriately placed the external wall positions to ensure that amenity impacts are minimised as much as possible. This is achieved by applying several layers of articulation, and in general avoiding the use of major openings to habitable rooms.

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provide adequate direct sun and ventilation to the building and **open spaces** on the **site** and adjoining properties; and

The affected neighbouring dwelling wall is orientated towards the south (to achieve river views like the proposal is seeking to do), and thus would generally not receive direct sunlight. The proposed setback variation is very minor and does not impact the dwelling itself, just the vehicle access leg at closest boundary wall, so ventilation for the affected neighbouring lot is not considered to be excessively compromised by the proposal.

minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

The proposed setback variation only has implications for three (3) windows of the neighbouring lot, which only appear to affect the ground floor of the windows to the side. These windows do not appear to be provided to habitable rooms however. Visual privacy will be discussed in greater detail in the later sections of this report.



Figure 9: Adjacent facade of neighbouring dwelling affected by privacy setback variations.

R-Codes Clause 5.3.5 - Vehicular access

P5.1 Vehicular access provided for each development site to provide:

vehicle access safety;

In reality, the location of the garage affords a significant amount of safety to both drivers of vehicles and pedestrians. The placement of the garage does not impact on the visibility afforded to pedestrians nor does it impact on the sight lines of vehicle drivers. If a comparison between the current proposal and a technically compliant design were to be undertaken with no secondary street, there would be little difference in terms of vehicular access safety.

reduced impact of access points on the streetscape;

The proposed positioning of the crossover/vehicular access will serve to minimise the impact of access points on the streetscape aesthetics of Sulman Avenue. In fact, it will be consistent with the existing crossovers provided to other lots on Sulman Avenue which also utilise it as their primary street in lieu of the secondary street (River Way). Please refer to the aerial image (Figure 1) and the figure below in this regard. The streetscape is therefore not considered to be adversely impacted by the proposal.



Figure 10: Subject site in relation to the streetscape.

legible access;

The vehicle crossover is in line with the expectations of the established streetscape which already has a number of crossovers fronting Sulman Avenue. In this manner the proposed garage location helps to achieve a consistent streetscape.

pedestrian safety;

As mentioned previously, the proposal is not considered to unduly impact pedestrian safety. As there is no screening / fencing that would otherwise block sightlines to the pathway, reversing out of the garage onto Sulman Avenue, can be therefore be accomplished in a safe manner.

minimal crossovers; and

The proposed crossover to Sulman Avenue does not adversely impact the streetscape aesthetics in any way. While a crossover to River Way may be is less noticeable than one to Sulman Avenue, the overall number of crossover provided to the street block would remain the same (i.e. one crossover to each lot). In any case, the site already features an existing crossover as indicated in the previous figure.

high quality **landscaping** features.

The proposal does not impact on the ability of the street setback area and /or verge to be landscaped to a high quality.

TPS 6 Clause 6.10 - Maximum Ground and Floor Levels

(a) Such level may be raised by up to 100 millimetres;

Considering this aspect of the policy, the proposal would only represent a variation of no more than 100mm above the required equal cutting/filling level.

(b) The Council may permit or require the floor level to be varied to the extent necessary to comply with the following:

(i) In no case shall the floor level be lower than required by clause 6.9.

The proposed ground floor levels are not lower than the permissible heights specified in TPS 6 Clause 6.9.

(ii) The floor shall not be at a level which, in the Council's opinion, would cause the building to unreasonably adversely affect the amenity of neighbouring properties in relation to visual impact and overshadowing.

The proposed variation to the ground floor level would have a virtually no effect on amenity of the neighbouring properties in relation to visual impact and overshadowing

(iii) The Council may require the floor level to be varied where necessary in the Council's opinion to achieve a visually balanced streetscape, having regard to the floor levels of buildings on adjoining lots.

The proposed ground floor level variation would have a virtually unnoticeable effect on the streetscape. In this manner the streetscape will remain as visually balanced as possible which respects the existing topography despite the massive height drop across the site.

R-Codes Clause 5.4.1 – Visual Privacy

P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

building layout and location;

The primary major opening overlooking onto the neighbouring property is from the proposed dining room and the scullery (non-habitable room). The overlooking from the dining room is essential to the provision of natural light and solar access to a central element of the dwelling.

Meanwhile, the scullery is in effect a non-habitable room as it is mainly used for the preparation of food and washing dishes. It is separated from the more "active" areas of the proposed dwelling. Furthermore, overlooking from the scullery window would be difficult as a sink is located directly underneath it, separating any potential overlooker, while the window itself faces towards Canning River rather than the neighbouring lot.

In any case, the major habitable areas of the dwelling such as the dining room, living room, first floor balcony, activity room and alfresco area are orientated towards the river as opposed to neighbouring properties.

The side facing major openings of the first floor balcony which are said to be overlooking are in fact one (1) brick course below the finished floor level of the dwelling, and so achieve the required 1.6m screening (refer to Section A – Figure blow). In any case, any potential for overlooking from the sides of the balcony is minimal at best as the intent is only to achieve River views.

Section A architectural drawing showing a balcony and active area. The drawing includes the following labels and dimensions:

- Labels:**
 - VERSILUX LINING
 - BALCONY
 - ACTIVE
- Dimensions:**
 - CL. 5,521 (64c+plate)
 - 2,692
 - 172
 - FL. 2,829 (33c)
 - CL. 2,657 (31c)
 - 2,657
 - FL. 0 (0c)
 - 1.63 m
 - 32c
 - 30c
 - 12c
- Section Title:** SECTION A

ELEVATION 4

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Additional Comments

Although the development proposal includes some variations to R-Codes Clause 5.4.1 visual privacy deemed-to-comply provisions it must be noted that the existing neighbouring lot to the south is considerably more non-compliant in comparison to the proposed dwelling as it includes one major opening close to and facing the subject site in the form of a raised outdoor area which also overlooks onto the subject site, as portrayed in the following figure.



Figure 13: Major openings affecting the subject site by the opposite neighbouring dwelling.

Conclusion

The landowner has chosen this design to maximise their use and function of the property. The design is not out of character with the established streetscapes (at Sulman Avenue and River Way) and has been thoughtfully designed by walking a fine line between achieving the most out of the site and maintaining external amenity. Applying the design principles against the proposal in conjunction with the R-Codes and the City's Local Planning Policy's, the preceding section of this letter demonstrates that this design has been able to successfully address the relevant criteria. Accordingly, the above justification is tendered for your approval.

Please do not hesitate to contact the undersigned, should you wish to discuss any aspects of the proposed dwelling further.

Yours faithfully,



David D'Orazio

MA Urban & Regional Planning (Curtin)
BAppSc (Architectural Science) (Curtin)

Graduate Planner | FORMSCAPE Built form planning solutions

Tel | +618 9355 5484

Email | david@wabca.com.au

Web | www.formscape.com.au



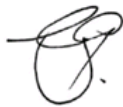
MINUTES.

Audit, Risk and Governance Committee Meeting

29 November 2016

Mayor and Councillors

Here within are the Minutes of the Audit, Risk and Governance Committee meeting held Tuesday 29 November 2016 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

1 December 2016

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Audit, Risk and Governance Committee Meeting - Minutes

1. DECLARATION OF OPENING

The Chair opened the meeting at 6.57pm and welcomed everyone in attendance.

2. ATTENDANCE

Cr Fiona Reid	Moresby Ward (Chair)
Cr Ken Manolas	Mill Point Ward (Deputy Chair)
Mayor Sue Doherty	Mayor
Cr Sharron Hawkins-Zeeb	Manning Ward

Officers

Mr Geoff Glass	Chief Executive Officer
Mr Phil McQue	Manager Governance and Administration
Ms Sharron Kent	Governance Officer

Elected Members as Observers

Cr Glenn Cridland	Como Ward
Cr Colin Cala	Manning Ward

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Cr Cheryle Irons	Mill Point Ward
------------------	-----------------

3. DECLARATIONS OF INTEREST

Mayor Sue Doherty declared an impartiality interest in *Item 6.3 External Membership – Expressions of Interest* as follows:

‘I wish to declare an impartiality interest in Item 6.3 on the Audit, Risk and Governance Committee meeting Agenda of 29 November 2016. I declare that one of the applicants is a neighbour. It is my intention to remain in the Chamber and vote on the matter on its merits’.

4. CONFIRMATION OF MINUTES

The Presiding Member noted that the Minutes of the 8 November 2016 Audit, Risk and Governance Committee meeting were confirmed at the Ordinary Council meeting held 22 November 2016.

5. BUSINESS ARISING FROM PREVIOUS MEETING

6. REPORTS

6.1 PROPOSED CITY OF SOUTH PERTH DOGS LOCAL LAW 2016

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-16-87339
Date:	29 November 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report recommends that the City makes a new Dogs Local Law 2016.

Officer Recommendation AND COUNCIL RECOMMENDATION

Moved: Mayor Sue Doherty

Seconded: Councillor Sharron Hawkins-Zeeb

That the Audit, Risk and Governance Committee recommends that Council:

- In accordance with section 3.12(4) of the Local Government Act 1995, adopts the *City of South Perth Dogs Local Law 2016*, subject to:
 - o Deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted
 - o Various other amendments as 'marked up' on the attachment to the report to Council
- In accordance with s3.12(5) of the *Local Government Act 1995*, resolves that the local law be published in the Government Gazette and a copy sent to the Minister for Local Government
- After Gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, resolves that local public notice be given —
 - o Stating the title of the local law
 - o Summarising the purpose and effect of the local law and the day on which it comes into operation)
 - o Advising that copies of the local law may be inspected or obtained from the City's offices
- Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, resolves that a copy of the local law and a duly completed explanatory

6.1 Proposed City of South Perth Dogs Local Law 2016

memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation

- Notes that no comments were received from the public with respect to areas designated as being where dogs are prohibited absolutely pursuant to s31(2B) of the *Dog Act 1976*, and areas that are dog exercise areas for the purposes of sections 31 and 32 of the Act

**ABSOLUTE MAJORITY VOTE REQUIRED
CARRIED (4/0)**

Background

The City of South Perth Dogs Local Law was originally gazetted in July 2011. Since then, a significant number of activities dealt with by the Dogs Local Law have been affected by changes to other legislation, and in particular changes to the *Dog Act 1976* in 2012 and new *Dogs Regulations* in 2013.

The Act and Regulations override local laws and deal with many areas previously dealt with by local laws. The only matters that a local government may now make local laws about are listed in s51 of the *Dog Act 1976*:

The changes required to the City's Dogs Local Law were to such an extent that it is simpler to make a new local law, which was duly adopted as a draft by Council at its meeting held on 23 August 2016.

Comment

The proposed new *City of South Perth Dogs Local Law 2016* is shown at **Attachment (a)**. As previously reported to Council, it deals only with those matters that are allowed under s51 of the *Dog Act 1976*, which are:

- Confinement and fencing rules;
- Setting the maximum number of dogs that can be kept on a property without the City's approval; and
- A requirement to remove dog excreta.

Areas where dogs are prohibited, and where dogs may be exercised off leash, are set by Council resolution, and by giving local public notice under s31 and s32 of the *Dog Act 1976*. As advised to Council at its meeting held on 23 August 2016, it was recommended that the existing provisions in the 2011 Local Law be retained.

The Council may now make the local law, which will come into effect 14 days after its publication in the Government Gazette.

Consultation

Section 3.12(3) of the *Local Government Act 1995* requires a local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears. Feedback from this consultation must be considered by Council before it resolves to make the local law.

6.1 Proposed City of South Perth Dogs Local Law 2016

The draft City of South Perth Dog Local Law was advertised for public comment for 45 days closing 4 November 2016. Three comments were received from the public and are summarised below – these comments relate to matters outside the scope of the local law:

Comment	Response
<p>Dear Sir / Madam, I believe that the Proposed Dogs Local Law should be modified to make it much easier to identify and prosecute the minority of irresponsible Dog Owners that leave their Dog's mess on pavements and in parks. At times there is a considerable amount of Dogs mess on the pavement and on verges in the City, and this can be seen down the street in which I live. Furthermore, in the last two years, I have noticed more Dog's mess being left in Sir James Mitchell Park - even at the edge of the main walkway. The park, pavements and verges are for all to enjoy, but I don't feel confident to leave my Children to run freely with this situation. I understand that it is now possible to test Dog's mess for DNA, where the actual pet can be identified. This is being trialled in the UK now. There are companies now advertising DNA testing kits for testing Dog's mess in a cost effective way. This has to be done in conjunction with a DNA register. I believe that we should have a compulsory DNA Register for Dogs anyway, and this could help narrow down offenders. I believe that the problem would go away almost overnight. DNA could also be used to identify breeds more clearly, and may be used to assist in identifying a Dog in the event of an attack. It could also be used to track down the owners of lost Dogs. Please see the following interesting articles: http://www.bbc.com/news/uk-england-london-35363991 http://www.telegraph.co.uk/news/newsttopics/howaboutthat/12099492/Village-to-DNA-test-dog-poo-to-track-down-irresponsible-owners.html https://www.gtldna.com.au/dog-poop-dna-testing/ http://www.easydna.com.au/dog-poop-dna-testing/ Many thanks.</p>	<p>The proposed local law makes it an offence to fail to remove dog excreta from public property.</p> <p>Collection of dog DNA is not presently a matter allowed to be regulated by local law under s51 of the Dog Act.</p> <p>However, if and when the technology is sufficiently developed and reasonably cost effective (and if deemed allowable and appropriate by State Parliament to collect dog DNA), it will be possible to achieve the outcome sought by the resident.</p> <p>There is though, no need to amend the proposed local law.</p>

6.1 Proposed City of South Perth Dogs Local Law 2016

Comment	Response
<p>I generally agree with the proposed changes however there may be some instances where a responsible dog owner wishes to keep three dogs. I think the City should be reasonable in their dealings with such residents if they can show that a third dog will be appropriately cared for. In my experience, the problem is never the dogs but the owners and two dogs - if badly cared for can be more trouble to the community than more than two dogs kept well.</p> <p>Does the City have any ability to intervene if an animal isn't being cared for well? And by this I mean appropriate shelter, nutrition, exercise, attention - not that it barks which is usually the symptom of poor care.</p>	<p>Under s26 of the <i>Dog Act 1976</i>, the City is obliged to consider applications by persons wishing to keep more than two dogs.</p> <p>Assessment of applications involves amongst other things, Rangers inspecting the property where the dog is proposed to be kept and conducting neighbourhood surveys. Each application is dealt with on a case by case basis.</p> <p>Animal welfare issues are dealt with by the RSPCA WA under the Animal Welfare Act. Any matters noted by staff that may involve an animal is not being appropriately cared for are forwarded onto RSPCA to investigate.</p> <p>No changes to the proposed local law are required as a result of the submission.</p>
<p>My submission relates to Section 2.2 of the proposed changes to the South Perth Dog Local Laws specifically in relation to the number of dogs that may be kept in or at a premise. The amendment suggested is two dogs. The West Australian Dog Act 1976 Part V Section 26.2(a) states that the limit of dogs that can be kept in or at a premise is 2, 3, 4, 5 or 6 only. Now while I believe that six dogs maybe excessive for an inner city suburb; I suggest that there may be circumstances whereby three or four dogs may be reasonably housed. The population of South Perth although varied contains an elderly group who though circumstances beyond their control (illness /absences etc.), may seek to temporarily relocate their pets with neighbours or friends who already have dog/s. Kennel fees as you would be aware can be exorbitant. I seek to have an additional clause inserted which will allow the South Perth Rangers a degree of flexibility to approve "short term" stays, without requiring the imposition of draconian requirements. Although the standard would be two or three dogs that may be kept in or at a premise in South</p>	<p>The purpose of clause 2.2(2) of the draft local law is simply to set the number of dogs that can be kept without the need for a permit from the local government. The City has kept this at two as per its existing local law, and the new local law is the same.</p> <p>It is agreed that there are circumstances where more than two dogs can reasonably be kept on a property, temporarily or permanently. As noted above, section 26 of the Dog Act provides for persons to apply to a local government to keep more than the standard number of dogs on a property.</p> <p>Assessment of applications is already done under delegated authority from Council.</p> <p>Each application is dealt with on a case by case basis, is done quickly and efficiently. Approval can be permanent or temporary; and can be in relation to a particular dog only if sought. Any conditions imposed are usually</p>

6.1 Proposed City of South Perth Dogs Local Law 2016

Comment	Response
Perth, the addition of this clause would demonstrate a consideration that we as ratepayers expect of our Councillors. You are the representatives of (most) of the people who live in this area; I would like to think you have the capacity to be lateral thinkers in this subject.	straightforward. No changes to the proposed local law are required as a result of the submission; the City already has the ability to what the submission requests.

The Department of Local Government and Communities recommended a number of minor editorial amendments, which are shown 'marked' on the attached copy of the proposed new local law.

In addition, areas where dogs are prohibited from being, and areas where they may be exercised off lead are now established by Council resolution, and were also adopted as required by the *Dog Act 2011* on 23 August 2016.

The local law may now be adopted subject to the changes shown 'marked up' on the attachment to this report, and deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted as recommended to Council above.

Policy and Legislative Implications

Section 49 of the *Dog Act 1976* specifies that local laws to regulate dogs are to be made in accordance with the process set out by sections 3.11 to 3.17 of the *Local Government Act 1995*.

Financial Implications

There are some administrative expenses involved in making the proposed Local Law.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

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

Attachments

6.1 (a): Proposed new City of South Perth Dogs Local Law 2016 (marked up)

6.2 PROPOSED CITY OF SOUTH PERTH PENALTY UNITS AMENDMENT LOCAL LAW 2016

Location:	South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-88112
Date:	29 November 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report recommends that the City makes a new Penalty Units Amendment Local Law 2016.

Officer Recommendation AND COMMITTEE DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Mayor Sue Doherty

That the Audit, Risk and Governance Committee recommends to Council that:

- In accordance with section 3.12(4) of the *Local Government Act 1995*, the City of South Perth Penalty Units Amendment Local Law 2016 be adopted, subject to various amendments shown 'marked up' on the attachment to the report to Council
- In accordance with s3.12(5) of the *Local Government Act 1995*, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government
- After Gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, local public notice be given —
 - o Stating the title of the local law
 - o Summarising the purpose and effect of the local law (specifying the day on which it comes into operation)
 - o Advising that copies of the local law may be inspected or obtained from the City office
- Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation

**ABSOLUTE MAJORITY REQUIRED
CARRIED (4/0)**

6.2

Proposed City of South Perth Penalty Units Amendment Local Law 2016

Background

The City's Penalty Units Local Law 2003 provides a monetary value for a modified penalty where another local law refers to a penalty unit. By amending the amount listed in the Penalty Units Local Law, all modified penalties in other local laws are automatically amended without their having to be changed one by one.

The Penalty Units Local Law provides for an escalated modified penalty where 'special events' occur, and refers to a Second Schedule of the City's Parking Local Law. The only special event where this currently applies to is the annual 'Skyworks' fireworks display held on Australia Day.

The Parking Local Law was re-made in 2011, with a First rather than a Second Schedule, and as such an amendment to the Penalty Units Local Law was required to reflect this. Similarly, an event that was listed in the Penalty Units Local Law which was known as the 'Red Bull Air Race' no longer happens. Provisions relating to it should be deleted.

The Council resolved on 23 August 2016 to make a Penalty Units Amendment Local Law to reflect these changes.

Comment

The proposed City of South Perth Penalty Units Amendment Local Law 2016 shown at **Attachment (a)** was advertised for public comment, with no comments received from members of the public. The Department of Local Government and Communities made a number of minor recommendations in relation to the format and appearance of the draft local law, which are considered minor in nature.

As noted in the recommendation to Council, adoption is recommended subject to the amendments 'marked up' on the attachment to the report to Council (**Attachment (a)**). The Council may now make the local law, which will come into effect 14 days after its publication in the Government Gazette.

Consultation

Section 3.12(3) of the *Local Government Act 1995* requires a local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

The draft City of South Perth Penalty Units Amendment Local Law was advertised for public comment for a 45 day period closing on 2 September 2016.

No feedback was received from the public, and as noted above the Department of Local Government and Communities made a number of minor suggestions in relation to appearance and format of the local law.

Policy and Legislative Implications

Local law amendments are made using the process set out in section 3.12(3) of the *Local Government Act 1995*.

Financial Implications

There are some administrative expenses involved in amending the Local Law.

6.2 Proposed City of South Perth Penalty Units Amendment Local Law 2016

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

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

Attachments

- 6.2 (a):** Proposed City of South Perth Penalty Units Amendment Local Law 2016 (marked up)

6.3 EXTERNAL MEMBERSHIP - EXPRESSIONS OF INTEREST

Location:	South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-88229
Date:	29 November 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report considers the Expressions of Interest (EOI) received for membership to the Audit, Risk and Governance Committee.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Ken Manolas

That the Audit, Risk and Governance Committee recommends to Council that it:

- notes the Expressions of Interest (EOI) received for external community membership to the Audit, Risk and Governance Committee and recommends to Council its preferred candidate
- shortlists applicants 1, 2 and 5 for interview by the Chair of the Audit Risk and Governance Committee, Chief Executive Officer and Manager Governance & Administration
- notes that a further report will be submitted directly to the February 2017 Ordinary Council meeting recommending the preferred candidate/s for appointment

CARRIED (4/0)

Background

The Council in August 2016 resolved to appoint an external community member to the Audit, Risk and Governance Committee to assist the Committee to independently and objectively discharge its statutory responsibilities.

The external community member will be required to appropriately prepare for, attend and participate in all Audit, Risk and Governance Committee meetings. It was agreed that the Committee could appoint more than one external Community member in the event that the selection process outcome was that the Committee could be better served by external members with differing skill sets participating on the Committee.

6.3 External Membership - Expressions of Interest

The Terms of Reference (TOR) were subsequently prepared and circulated to all Councillors for consideration, prior to the EOI process commencing, as outlined below:

Appointment

The external community member will be appointed for a maximum term of 2 years, commencing January 2017.

Obligations

The external community member must agree to abide by the City's Code of Conduct.

Remuneration

The external community member will be paid a nominal fee of \$750 per meeting attendance and \$300 per hour for attendance at City required training or meetings with staff.

Induction Program

The external community member will be required to complete an induction and any internal and external training programs deemed necessary by the Committee. This includes meeting with relevant internal officers and access to relevant documentation.

Confidentiality

The external community member must sign and comply with a confidentiality agreement requiring the member not to disclose any information specified in the agreement.

Voting

The external community member can vote at Committee meetings.

Termination

The City reserves the right to terminate the appointment of the external community member prior to the end of appointment, in the event that there is a breach of confidentiality, an ongoing conflict of interest, a non-disclosure of a conflict of interest, a breach of the City's Code of Conduct or performance not meeting expectations.

Comment

The skills required by the external community member are based on the Department of Local Government and Communities guidelines:

- Senior business and/or financial management experience
- Understanding of reporting and compliance requirements
- Understanding of internal and external audit; and
- Understanding of enterprise risk management

6.3 External Membership - Expressions of Interest

Five EOI were received from community members addressing the above skills criteria, shown at **Confidential Attachments (a) – (e)**.

A 'selection criteria matrix' has been prepared for Committee members to assess the EOI at the 29 November 2016 Audit, Risk and Governance Committee **(Confidential Attachment (f))**.

Consultation

Advertisements seeking EOI were placed in the *Southern Gazette* and other City media platforms on 1 November 2016 with a closing date of 18 November 2016.

Policy and Legislative Implications

The *Local Government Act 1995* and associated Regulations prescribe the establishment, functions, roles and responsibilities and membership of Audit Committees.

Financial Implications

The external community member will be paid a nominal fee of \$750 per meeting attendance and \$300 per hour for attendance at City required training or meetings with staff.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

Sustainability Implications

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

Attachments

- 6.3 (a): Application 1 (*Confidential*)
- 6.3 (b): Application 2 (*Confidential*)
- 6.3 (c): Application 3 (*Confidential*)
- 6.3 (d): Application 4 (*Confidential*)
- 6.3 (e): Application 5 (*Confidential*)
- 6.3 (f): Selection Criteria Matrix (*Confidential*)

7. CLOSURE

The Presiding Member closed the meeting at 7.28pm and thanked everyone for their attendance.

RECORD OF VOTING

6.1 Proposed City of South Perth Dogs Local Law 2016

Motion Passed 4/0

Yes: Mayor Sue Doherty, Cr Fiona Reid, Cr Ken Manolas, Cr Sharron Hawkins-Zeeb

Absent: Cr Cheryle Irons

6.2 Proposed City of South Perth Penalty Units Amendment Local Law 2016

Motion Passed 4/0

Yes: Mayor Sue Doherty, Cr Fiona Reid, Cr Ken Manolas, Cr Sharron Hawkins-Zeeb

Absent: Cr Cheryle Irons

6.3 External Membership – Expressions of Interest

Motion Passed 4/0

Yes: Mayor Sue Doherty, Cr Fiona Reid, Cr Ken Manolas, Cr Sharron Hawkins-Zeeb

Absent: Cr Cheryle Irons

These Minutes were confirmed at a meeting held on Tuesday 13 December 2016.

Signed: _____

Presiding Member at the meeting at which the Minutes were confirmed

ATTACHMENTS.

Audit, Risk and Governance Committee Meeting

29 November 2016

ATTACHMENTS TO AGENDA ITEMS

Audit, Risk and Governance Committee - 29 November 2016

Contents

6.1 PROPOSED CITY OF SOUTH PERTH DOGS LOCAL LAW 2016

Attachment (a): Proposed new City of South Perth Dogs Local Law 2016 (marked up) 2

6.2 PROPOSED CITY OF SOUTH PERTH PENALTY UNITS AMENDMENT LOCAL LAW 2016

Attachment (a): Proposed City of South Perth Penalty Units Amendment Local Law
2016 (marked up) 12

City of South Perth
DOGS LOCAL LAW 2016

DOG ACT 1976

Local Government Act 1995

Published in the Government Gazette on dd/mm 2016: number 12234
Amended:
Disclaimer:

City of South Perth
DOGS LOCAL LAW 2016
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Note

Most issues regulating dogs are dealt with by the Dog Act 1976 and Dog Regulations 2013. This includes:

- Registration of dogs;
- 'Dangerous dogs' as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a poundkeeper at the pound; and
 - Release of impounded dogs are dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
- Dog attacks;
- Provisions about assistance animals such as guide dogs;
- Modified penalties applicable for minor offences.

The only matters that a local government may make local laws about are listed in section 51 of the Dog Act:

51. Local law making powers

A local government may so make local laws —

(a) providing for the registration of dogs;

[(b) deleted]

(c) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;

(d) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;

(e) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;

(f) providing for the detention, maintenance, care and release or disposal of dogs seized;

(g) as to the destruction of dogs pursuant to the powers hereinbefore conferred;

[(h) deleted]

(i) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
City of South Perth
DOGS LOCAL LAW 2016

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of South Perth resolved on the dd/mm/2016 to make the following local law.

Comment [Chris1]: Date on which Council makes final resolution to make local law

PART 1 - PRELIMINARY

1.1 Title

This is the *City of South Perth Dogs Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Repeal

The *City of South Perth Dogs Local Law 2011* as published in the *Government Gazette* on 21 July 2011 is repealed.

1.4 Terms used

(1) In this local law unless the context otherwise requires –

Act means the *Dog Act 1976*;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

district means an area of the State that has been declared to be a district under the Local Government Act 1995, and includes for certain purposes provided for in this Act other areas which although not being within the boundaries of a district are regarded for those purposes as being part of the district;

s3(1) Dog Act 1976

effectively confined –

- (a) in relation to keeping a dog in premises comprising a mobile home, means the mobile home is designed and constructed in a way that enables an occupant to prevent the dog from escaping the mobile home; and
- (b) in relation to keeping a dog in or at other premises, or in any outdoor area of those premises, means the premises or area is bounded by a fence or barrier of a standard sufficient to prevent the dog from escaping;

s3(1) Dog Act 1976

local government means the City of South Perth;

owner in relation to a dog means —

- (a) the person by whom the dog is ordinarily kept; or
- (b) a person who is deemed by subsection (2) to be the owner of the dog;

Section 3(2) states —

‘(2) A person who is shown in the register maintained by a local government under this Act as being the last person recorded by the local government as the registered owner of a dog is deemed to be owner of that dog, whether or not the registration in his name continues in force, unless he proves that he is not the owner of the dog’.

owner’s delegate, in relation to a registered owner, means a person appointed under section 16AA as the dog owner’s delegate;

person liable for the control of the dog means each of the following —

- (a) the registered owner of the dog; or
- (b) the owner of the dog; or
- (c) the occupier of any premises where the dog is ordinarily kept or ordinarily permitted to live; or
- (d) a person who has the dog in his possession or under his control, but does not include —
- (e) a registered veterinary surgeon, or a person acting on his behalf, in the course of his professional practice; or
- (f) a police officer or other person acting under a statutory duty or in the administration of this Act;

s3(1) and (2) Dog Act 1976

“premises” shall, for the purpose of determining who is the occupier, be taken to refer to any land or building, or part of any land or building, that is or is intended to be occupied as a separate residence from any adjacent tenement, and includes a mobile home;

s3(1) Dog Act 1976

Regulations means the *Dog Regulations 2013*; and

thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

- (2) A term that is used in this local law and is not defined in subclause (1) has the same meaning that is given to it in the Act or, if not defined in the Act, the same meaning given to it in the *Local Government Act 1995*.

1.5 Application

This local law applies throughout the district.

PART 2 - KEEPING OF DOGS

2.1 Dogs to be confined

- (1) An occupier of premises on which a dog is kept must -
 - (a) ensure that a portion of the premises on which the dog is kept is fenced in a manner capable of confining the dog;
 - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
 - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) An occupier who fails to comply with subclause (1) commits an offence.
- (3) Notwithstanding subclause (1) and (2), the confinement of dangerous dogs is dealt with in the Act and the Regulations.

Section 33GA(2) of the Dog Act provides that a dangerous dog must be confined whenever it is not tethered or leashed and under the direct control of an adult. This section provides for a maximum penalty of \$10,000. Since the penalty is twice the maximum penalty which a local law can impose, local governments are required to enforce the penalty directly rather than via a local law.

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2.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is 2 dogs over the age of 3 months and the young of those dogs under that age.

2.3 Offence to excrete

- (1) A dog must not excrete on -

-
- (a) any thoroughfare or other public place; or
(b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 3 - ENFORCEMENT

3.1 Terms used

In this Part -

infringement notice means the notice referred to in clause 3.4;

notice of withdrawal means the notice referred to in clause 3.7(1); and

penalty unit has the meaning given to it in the *City of South Perth Penalty Units Local Law 2003*.

3.2 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not less than \$500 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

3.3 Modified penalties

- (1) An offence against a clause specified in Schedule 1 is an offence in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence.
- (3) If this local law expresses a modified penalty as a number of penalty units, the monetary value of the modified penalty is the number of dollars obtained by multiplying the value of the penalty unit by the number of penalty units.

3.4 Issue of infringement notice

- (1) Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, the authorised person may serve on the

alleged offender a notice in the form prescribed by section 9.17 of the Local Government Act 1995 and regulation 26(2) of the Local Government (Functions and General) Regulations 1996 informing the alleged offender that, if he or she does not wish to be prosecuted in court for the alleged offence, he or she may pay to the local government within the time specified in the notice, the amount prescribed as the modified penalty.

- (2) An infringement notice may be served on an alleged offender personally, or by leaving it at or posting it to her or his address as ascertained from the alleged offender, at the time of or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by the local government under the Act.

3.5 Failure to pay modified penalty

Where a person who receives an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, the person must be regarded as having declined to have the allegation dealt with by way of a modified penalty.

3.6 Payment of modified penalty

An alleged offender on whom an infringement notice has been served may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the modified penalty, with or without a reply as to the circumstances giving rise to the allegation, and then –

- (a) the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment; or
(b) the local government, or an authorised person acting on behalf of the local government, may withdraw the infringement notice under clause 3.7.5.6 and refund the amount so paid.

3.7 Withdrawal of infringement notice

- (1) An infringement notice may, whether or not the modified penalty has been paid, be withdrawn by the local government, or an authorised person acting on behalf of the local government, by the sending of a notice in the form prescribed by section 9.17 of the *Local Government Act 1995* and *Regulation 26(2) of the Local Government (Functions and General) Regulations 1996* to the alleged offender at the address specified in the notice or his or her last known place of residence or business and in that event, any amount received by way of modified penalty must be refunded and any acknowledgment of the receipt of that amount must for the purposes of any proceedings in respect of the alleged offence be regarded as not having been issued.
- (2) A person appointed under section 29(1) of the Act to exercise the power of an authorised person to serve infringement notices under clause 3.4(1) is not eligible to be appointed under that section to exercise the power of an authorised person to withdraw infringement notices under clause 3.7(1).

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**Schedule 1
Modified penalties
(clause 3.3)**

Item	Offence	Nature of Offence	Modified Penalty Unit
<u>1</u>	2.1	Failing to provide means for effectively confining a dog	10
<u>2</u>	2.3(2)	Dog excreting in prohibited place	10

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Note:
Penalty Units are prescribed in the *City of South Perth Penalty Units Local Law 2003*. At 16 June 2016 one penalty unit was \$10.00.

Dated this..... day of 20__

The Common Seal of the }
City of South Perth }
was affixed by authority of a }
resolution of the Council in the }
presence of: }

Sue Doherty
MAYOR

Geoff Glass
CHIEF EXECUTIVE OFFICER

**City of South Perth
Penalty Units Amendment Local Law 2016**

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of South Perth resolved on date to adopt the following local law:

Comment [Chris1]: Date when LL is adopted as final by Council

1.1 Citation

This local law is cited as the *City of South Perth Penalty Units Amendment Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

1.3 Amendment

Schedule 1 of ~~the~~ *City of South Perth Penalty Units Local Law* published in the *Government Gazette* on 20 June 2003 is deleted and replaced with the following:

**Schedule 1 – Prescribed Offences
[Clause 6]**

Item	Local Law	Clause	Locations	Dates	Times
1.	<i>City of South Perth Parking Local Law 2011</i>	All the clauses specified in the table which is Schedule 1 of the Parking Local Law	All the portion of the City of South Perth bounded by and including South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north.	January 26 each year	6.00 am to midnight.
2.	<i>City of South Perth Parking Local Law 2011</i>	All the clauses specified in the table which is Schedule 1 of the Parking Local Law	All the portion of the City of South Perth bounded by and including South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north.	January 27 each year	Midnight to 6:00 pm.

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Dated date 2016

Comment [Chris2]: Date on which the Mayor/CEO sign the sealed version of the LL after adoption Council

The Common Seal of the City of South Perth was affixed by authority of a resolution of the Council in the presence of—

Sue Doherty, Mayor

Geoff Glass, Chief Executive Officer