

# MINUTES

## Ordinary Council Meeting

23 February 2016

To: The Mayor and Councillors

Here within are the Minutes of the Meeting of the City of South Perth Council held Tuesday 23 February 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

26 February 2016



# Our Guiding Values

## **Trust**

Honesty and integrity

## **Respect**

Acceptance and tolerance

## **Understanding**

Caring and empathy

## **Teamwork**

Leadership and commitment

## Disclaimer

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

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

## Further Information

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

- **Council Meeting Schedule**

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

- **Minutes and Agendas**

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

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km<sup>2</sup> divided into four wards. Each ward is represented by two Councillors, presided over by a popularly elected Mayor. Councillor profiles provide contact details for each Elected Member.

[www.southperth.wa.gov.au/Our-Council/](http://www.southperth.wa.gov.au/Our-Council/)

# Contents

<b>1. DECLARATION OF OPENING</b>	<b>6</b>
<b>2. DISCLAIMER</b>	<b>6</b>
<b>3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>6</b>
<b>3.1 AUDIO RECORDING OF THE COUNCIL MEETING</b>	<b>6</b>
<b>3.2 PUBLIC QUESTION TIME FORMS</b>	<b>6</b>
<b>3.3 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES</b>	<b>6</b>
<b>4. ATTENDANCE</b>	<b>7</b>
<b>4.1 APOLOGIES</b>	<b>7</b>
<b>4.2 APPROVED LEAVE OF ABSENCE</b>	<b>7</b>
<b>5. DECLARATIONS OF INTEREST</b>	<b>7</b>
<b>6. PUBLIC QUESTION TIME</b>	<b>8</b>
<b>6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>8</b>
<b>6.2 PUBLIC QUESTION TIME: 23 FEBRUARY 2016</b>	<b>8</b>
<b>7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIFFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1</b>	<b>9</b>
<b>7.1 MINUTES</b>	<b>9</b>
7.1.1 Ordinary Council Held: 15 December 2015	9
7.1.2 Special Council Held: 27 January 2016	9
7.1.3 Special Council Held: 16 February 2016	9
<b>7.2 BRIEFINGS</b>	<b>9</b>
7.2.1 Agenda Briefing - 16 February 2016	9
7.2.2 Design Advisory Consultants Group - Amendment 46 - 17 February 2016	9
<b>8. PRESENTATIONS</b>	<b>10</b>
<b>8.1 PETITIONS</b>	<b>10</b>
<b>8.2 PRESENTATIONS</b>	<b>10</b>
8.2.1 Kingdom of Light - Asian Food Fair 2015	10
8.2.2 "A World of Destinations"	10
<b>8.3 DEPUTATIONS</b>	<b>10</b>
<b>8.4 COUNCIL DELEGATES REPORTS</b>	<b>11</b>
8.4.1 Rivers Regional Council Meeting - 17 December 2015	11
<b>8.5 CONFERENCE DELEGATES REPORTS</b>	<b>11</b>
<b>9. METHOD OF DEALING WITH AGENDA BUSINESS</b>	<b>11</b>
<b>9.1 EN BLOC MOTION</b>	<b>12</b>

<b>10. REPORTS</b>	<b>13</b>
<b>10.1 STRATEGIC DIRECTION 1: COMMUNITY</b>	<b>13</b>
10.1.1 Arts Advisory Group - Call for Nominees	13
<b>10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES</b>	<b>15</b>
10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.	15
10.3.2 Closure of Pedestrian Access Ways in Karawara	25
10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps	31
10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)	41
<b>10.4 STRATEGIC DIRECTION 4: PLACES</b>	<b>47</b>
10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal	47
<b>10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT</b>	<b>50</b>
10.6.1 Monthly Financial Management Accounts - January 2016	50
10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016	55
10.6.3 Listing of Payments	60
10.6.4 Budget Review for the Period ended 31 December 2015	63
10.6.5 Tender 18/2015 "Provision of Cleaning Services"	69
10.6.6 Memorandum of Understanding - City of South Perth and Town of Victoria Park	73
10.6.7 Donation to Lord Mayor's Distress Relief Fund - Waroona and District Fires Appeal 2016	76
<b>11. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>77</b>
<b>11.1 REQUESTS FOR LEAVE OF ABSENCE</b>	<b>77</b>
<b>12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>77</b>
<b>12.1 CITY OF PERTH 2015 BILL &amp; CHANGES TO THE LOCAL GOVERNMENT ACT 1995</b>	<b>77</b>
<b>13. QUESTIONS FROM MEMBERS</b>	<b>79</b>
<b>13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE</b>	<b>79</b>
<b>13.2 QUESTIONS FROM MEMBERS - 23 FEBRUARY 2016</b>	<b>79</b>
<b>14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>	<b>80</b>
<b>14.1 DEVELOPMENT CONTRIBUTION AREAS SCHEDULE 10 CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 6</b>	<b>80</b>
<b>15. MEETING CLOSED TO PUBLIC</b>	<b>81</b>
<b>15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b>	<b>81</b>
15.1.1 Sale of Land Under Section 6.64 of the Local Government Act 1995 - 78c Edgcumbe Street, Como	81

<b>16. CLOSURE</b>	<b>82</b>
<b>17. RECORD OF VOTING</b>	<b>83</b>
<b>APPENDIX A</b>	<b>86</b>
<b>6. PUBLIC QUESTION TIME: ORDINARY COUNCIL MEETING – 23         FEBRUARY 2016</b>	<b>86</b>
<b>APPENDIX B</b>	<b>98</b>
<b>13. QUESTIONS FROM MEMBERS: ORDINARY COUNCIL         MEETING – 23 FEBRUARY 2016</b>	<b>98</b>
<b>DISCLAIMER</b>	<b>100</b>

# Minutes

Minutes of the Ordinary Council Meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Tuesday 23 February 2016.

## **1. DECLARATION OF OPENING**

The Presiding Member opened the meeting at 7.00pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar/Bibbulmun people and that we honour them as the traditional custodians of this land.

## **2. DISCLAIMER**

The Presiding Member read aloud the City's Disclaimer.

## **3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

### **3.1 AUDIO RECORDING OF THE COUNCIL MEETING**

The Presiding Member reported that the meeting is being audio recorded in accordance with Council Policy P673 'Audio Recording of Council Meetings' and Clause 6.15 of the Standing Orders Local Law 2007 'Recording of Proceedings'.

She then gave her permission for the Administration to record proceedings of the Council meeting and requested that all electronic devices be turned off or on to silent.

### **3.2 PUBLIC QUESTION TIME FORMS**

The Presiding Member advised the public gallery that Public Question Time forms are available on the City's website and in the foyer for anyone wanting to submit a written question.

The Presiding Member stated that it is preferable that questions are received in advance of the council meetings in order for the Administration to have time to prepare responses.

### **3.3 ACTIVITIES REPORT MAYOR / COUNCIL REPRESENTATIVES**

The Presiding Member advised that the Mayor / Council Representatives Activities Report for the period December 2015 - January 2016 can be viewed at the Appendix of the Agenda.

## 4. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

### Councillors

Glenn Cridland	Como Ward
Jessica Black	Como Ward
Colin Cala	Manning Ward
Sharron Hawkins-Zeeb	Manning Ward (arrived at 7.01pm)
Travis Burrows	Moresby Ward
Fiona Reid	Moresby Ward
Cheryle Irons	Mill Point Ward
Ken Manolas	Mill Point Ward

### Officers

Geoff Glass	Chief Executive Officer
Vicki Lummer	Director Development and Community Services
Michael Kent	Director Financial and Information Services
Mark Taylor	Director Infrastructure Services
Phil McQue	Manager Governance and Administration
Rajiv Kapur	Manager Development Services (until 7.50pm)
Mark Carolane	Senior Strategic Projects Planner (until 8.04pm)
Rod Bercov	Strategic Urban Planning Adviser
Sharron Kent	Governance Officer

### Gallery

There were approximately 18 members of the public and one member of the media present.

### 4.1 APOLOGIES

Nil.

### 4.2 APPROVED LEAVE OF ABSENCE

Nil.

## 5. DECLARATIONS OF INTEREST

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

The Presiding Member noted that Declarations of Interest had been received from:

- Cr Colin Cala in relation to Agenda Item 10.3.2 Closure of Pedestrian Access Ways in Karawara.
- Cr Fiona Reid in relation to Agenda Item 10.3.3 Canning Highway #ShapeOurPlace – Study Report and Next Steps.
- Mayor Sue Doherty in relation to Agenda Item 10.3.3 Canning Highway #ShapeOurPlace – Study Report and Next Steps.
- Cr Glenn Cridland in relation to Agenda Item 10.3.3 Canning Highway #ShapeOurPlace – Study Report and Next Steps.

The Presiding Member advised that in accordance with the *Local Government (Rules of Conduct) Regulations 2007* these Declarations will be read out immediately before the Items are discussed.

## 6. PUBLIC QUESTION TIME

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

At the December Ordinary Council meeting and Special Council meeting of 27 January 2016 no questions were taken on notice. Questions taken on notice at the 16 February 2016 Special Council meeting were made available in the Minutes of that meeting.

### 6.2 PUBLIC QUESTION TIME: 23 FEBRUARY 2016

*Public Question Time is operated in accordance with Local Government Act Regulations.*

The Presiding Member advised that questions are to be in writing and questions received prior to this meeting would be answered tonight, if possible, or alternatively may be taken on notice. Questions received in advance of the meeting would be heard first.

The Presiding Member then opened Public Question Time at 7.04pm.

Due to the number of questions received questions were heard on a rotation basis with each speaker asking three (3) questions each.

Written questions were received prior to the meeting from:

- Vicki Redden of 14/63 Mill Point Road, South Perth
- Lindsay Jamieson of (address withheld on request for privacy)
- Lachlan Spicer of 26 Vista Street, Kensington
- Harry Anstey of 21 River View Street, South Perth

Written questions were received at the meeting from:

- Craig Dermer of 14/63 Mill Point Road, South Perth

At 7.21pm the Presiding Member moved that Public Question Time be extended for five (5) minutes to attend to questions yet to be heard.

#### EXTENSION OF TIME

#### COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Ken Manolas

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

**CARRIED (8/1)**

At 7.33pm the Presiding Member closed Public Question Time and advised the meeting that all outstanding questions would be taken on notice.

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



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

### 7.1 MINUTES

#### 7.1.1 Ordinary Council Held: 15 December 2015

#### 7.1.2 Special Council Held: 27 January 2016

#### 7.1.3 Special Council Held: 16 February 2016

#### Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Jessica Black

That the Minutes of the meetings held 15 December 2015, 27 January 2016 and 16 February 2016 be taken as read and confirmed as a true and correct record.

**CARRIED (9/0)**

### 7.2 BRIEFINGS

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

#### 7.2.1 Agenda Briefing - 16 February 2016

Officers of the City presented background information and answered questions on items to be considered at the February 2016 Ordinary Council Meeting at the Agenda Briefing held 16 February 2016.

#### Attachments

7.2.1 (a): Notes - Agenda Briefing - 16 February 2016 .

#### 7.2.2 Design Advisory Consultants Group - Amendment 46 - 17 February 2016

Architects presented their views on the proposed modified Amendment No. 46.

#### Attachments

7.2.2 (a): Notes - Design Advisory Consultants Group - Amendment 46 - 17 February 2016

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Sharron Hawkins-Zeeb

**Seconded:** Councillor Ken Manolas

That the Notes of the Agenda Briefing held on 16 February 2016 and the Amendment 46 Briefing held on 17 February 2016 be noted.

**CARRIED (9/0)**

## 8. PRESENTATIONS

### 8.1 PETITIONS

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

### 8.2 PRESENTATIONS

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

#### 8.2.1 Kingdom of Light - Asian Food Fair 2015

On 19 September 2016, Mayor Sue Doherty was guest at the 2015 Asian Food Fair at Curtin University Stadium. The event featured more than 30 stalls run by the Kingdom Light Church volunteers selling a range of food, drinks and desserts from South-East Asia, Japan, Korea, Taiwan, India and much more.

Proceeds raised from the event went towards the establishment of the new Kingdom Light centre in Cockburn and in support of Clontarf Foundation which seeks to improve the lives of young Aboriginal men.

Mayor Doherty was presented with a framed montage of the event in recognition of her attendance which she presented to Council.

#### 8.2.2 “A World of Destinations”

Councillor Ken Manolas advised the meeting he met with the Consul of Greece in Perth, Antonios Koliadis, and was presented with a letter of congratulations for becoming elected to the City of South Perth Council. Cr Manolas was also presented with a book entitled *A World of Destinations: All Time Classics* to present to the City. Only two Councillors with Greek heritage are represented in Western Australian local government.

Cr Manolas presented the book to Mayor Doherty.

### 8.3 DEPUTATIONS

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

Deputations were heard at the Agenda Briefing of 16 February 2016.

A special ‘Request for a Deputation to Address Council’ in relation to the Notice of Motion “City of Perth 2015 Bill & Changes to the Local Government Act 1995” was received on 22 February 2015 from:

- Ian Ker of 92 Vincent Street, Mt. Lawley in relation to *Item 12.1 Motion: City of Perth 2015 Bill & Changes to the Local Government Act 1995.*

Given the Notice of Motion was announced at the Briefing and there was no opportunity for a Deputation to be heard on the Item, the Presiding Member moved that the Deputation be heard this evening.

## **COUNCIL DECISION**

**Moved:** Councillor Fiona Reid

**Seconded:** Councillor Colin Cala

That the 'Request for Deputation to Address Council' submitted by Ian Ker of 92 Vincent Street, Mt Lawley in relation to *Item 12.1 Motion: City of Perth 2015 Bill & Changes to the Local Government Act 1995*, now be heard.

**CARRIED (9/0)**

## **8.4 COUNCIL DELEGATES REPORTS**

### **8.4.1 Rivers Regional Council Meeting - 17 December 2015**

A report summarising the Rivers Regional Council meeting held 17 December 2015 is attached.

#### **Attachments**

**8.4.1 (a):** Delegates Report - Rivers Regional Council - 17 December 2015 .

## **Officer Recommendation AND COUNCIL DECISION**

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Hawkins-Zeeb

That the report on the Rivers Regional Council meeting held 17 December 2015 be received.

**CARRIED (9/0)**

## **8.5 CONFERENCE DELEGATES REPORTS**

Nil.

## **9. METHOD OF DEALING WITH AGENDA BUSINESS**

The Presiding Member advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the officer recommendations, will be adopted en bloc, i.e. all together. She then sought confirmation from the Chief Executive Officer that all the report items were discussed at the Agenda Briefing held on 16 February 2016.

The Chief Executive Officer confirmed that this was correct.

### **ITEMS WITHDRAWN FOR DISCUSSION**

- Item 10.3.2 Closure of Pedestrian Access Ways in Karawara
- Item 10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps
- Item 10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)

## 9.1 EN BLOC MOTION

### Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That the officer recommendations in relation to the following agenda items be carried en bloc:

- Item 10.1.1 Arts Advisory Group - Call for Nominees
- Item 10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.
- Item 10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal
- Item 10.6.1 Monthly Financial Management Accounts - January 2016
- Item 10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016
- Item 10.6.3 Listing of Payments
- Item 10.6.4 Budget Review for the Period ended 31 December 2015
- Item 10.6.5 Tender 18/2015 "Provision of Cleaning Services"
- Item 10.6.6 Memorandum of Understanding - City of South Perth and Town of Victoria Park
- Item 10.6.7 Donation to Lord Mayor's Distress Relief Fund - Waroona and District Fires Appeal 2016

**CARRIED (9/0)**

## 10. REPORTS

### 10.1 STRATEGIC DIRECTION 1: COMMUNITY

#### 10.1.1 Arts Advisory Group - Call for Nominees

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-13407
Date:	23 February 2016
Author:	Sabrina Bruni, Arts and Events Coordinator
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	1.3 Create opportunities for social, cultural and physical activity in the City.

#### Summary

At the 15 December 2015 Ordinary Council Meeting, Council sought to nominate two elected member representatives as members of the Arts Advisory Group. Three written nominations were received. The subsequent ballot resulted in one election (Councillor Colin Cala) and one tie (Mayor Sue Doherty and Councillor Fiona Reid). As a result, Council resolved as follows:

*“That, as a result of the ballot, Council:*

- a) nominates Councillor Colin Cala to the Arts Advisory Committee; and*
- b) resolves to leave vacant the second position until determined at the next Ordinary Council Meeting”*

This report recommends that Council elect both the tied nominated representatives; Mayor Sue Doherty and Councillor Fiona Reid to the Arts Advisory Group.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That Council elect Mayor Sue Doherty and Councillor Fiona Reid to the Arts Advisory Group.

**CARRIED EN BLOC (9/0)**

#### Background

At the 15 December 2015 Ordinary Council Meeting, Council sought to nominate two elected member representatives as members of the Arts Advisory Group. Three written nominations were received. The subsequent ballot resulted in one election (Councillor Colin Cala) and one tie (Mayor Sue Doherty and Councillor Fiona Reid). As a result, Council resolved as follows:

*“That, as a result of the ballot, Council:*

- a) nominates Councillor Colin Cala to the Arts Advisory Committee; and*
- b) resolves to leave vacant the second position until determined at the next Ordinary Council Meeting”*

### 10.1.1 Arts Advisory Group - Call for Nominees

One of the purposes of the Public Art Strategy (PAS) 2013 – 2015 was to establish the strategic and administrative structure in order to manage and further develop the City's public art assets. As tabled in recommendation item 6.1 of the PAS, the implementation of an Arts Advisory Group including two (2) elected members will assist the City in making educated and considered decisions within the area of public art. An Arts Advisory Group (AAG) was subsequently established in November 2014.

As per item 2.6.1 in the current AAG Terms of Reference "*The term of membership will conclude following the October 2015 Council meeting or 30 June 2015 should the Council become the City of South Park.*", therefore the term of membership for current AAG members has now expired.

#### **Comment**

Officers are seeking two (2) elected members to join the Arts Advisory Group.

The Art Advisory Group's (AAG) primary involvement will be to;

- Offer comment, input and guidance with regard to any decisions resulting in City funded new and existing public artworks,
- Offer comment, input and guidance on any new strategies, policies and management practises relating to public art,
- In some instances, provide comment on developer contributions to public art, however, given the time constraints with these projects, these will be assessed on a case-by-case basis,
- In some instances provide comment in relation to the City's art collection and any policies or procedures that relate to this area.

All comment, input and decisions by the AAG will be considered in conjunction with officer recommendations and a fully developed 'Terms of Reference' which will be reviewed at the first AAG meeting to be held in February 2016.

The AAG is expected to meet four times a year for general meetings and at times may also be invited to Special AAG meetings to review design concept submissions or to provide input into other urgent related activities. The membership term will be for two years unless a council election occurs within the term or the Terms of Reference dictate otherwise.

#### **Consultation**

N/A

#### **Policy and Legislative Implications**

Policy P101 Public Art.

#### **Financial Implications**

N/A

#### **Sustainability Implications**

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

#### **Attachments**

Nil .

## 10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

### 10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.

Location:	Manning
Ward:	Manning Ward
Applicant:	Australian Renovation Group Pty Ltd
File Ref:	D-16-13116
Lodgement Date:	18 February 2016
Date:	23 February 2016
Author:	Valerie Gillum, Planning Officer Development Services
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

#### Summary

To consider an application for planning approval for Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic on Lot 20 (No. 18) Bradshaw Crescent, Manning. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Car parking provision	TPS6 clause 7.8(1)

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic on Lot 20 (No. 18) Bradshaw Crescent, Manning **be approved** subject to the following conditions:

#### (a) Standard Conditions

- 425 colours & materials- matching
- 352 car bays- marked and visible
- 354 car bays- maintained
- 508 landscaping approved & completed
- 625 sightlines for drivers
- 445 stormwater infrastructure
- 550 plumbing hidden
- 660 expiry of approval

#### (b) Specific Conditions

- (i) Unless otherwise approved by the City, a maximum of one (1) veterinary practitioner and three (3) other non-practising staff members are permitted to operate on site at any one time
- (ii) Unless otherwise approved by the City, client visits are limited to appointment only.

10.3.1

**Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

- (iii) This approval pertains only to the signs as shown on the approved plans. Any additional signage or modification of the proposed signage will require further planning approval, prior to erection.
- (iv) Any illuminated signage shall be of low-level not exceeding 300cd/m<sup>2</sup> and shall not flash, pulsate or chase.
- (v) The signage shall not contain fluorescent, reflective or retro reflective colours or materials.

**(c) Standard Advice Notes**

- 700A building permit required
- 762 landscaping- plan required
- 706 applicant to resolve issues
- 790 minor variations- seek approval
- 795B appeal rights- council decision

**(d) Specific Advice Notes**

- (i) The applicant is advised that all mechanical ventilation services, motors and pumps, e.g. air-conditioners, to be located in a position so as not to create a noise nuisance as determined by the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*.

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

**CARRIED EN BLOC (9/0)**

**Background**

The development site details are as follows:

<b>Zoning</b>	Neighbourhood Centre Commercial
<b>Density coding</b>	R20
<b>Lot area</b>	814 sq. metres
<b>Building height limit</b>	7.0 metres
<b>Plot ratio limit</b>	0.75

This report includes the following attachments:

- Attachment (a)** Amended Development Plans of the Proposal
- Attachment (b)** Applicant’s Planning Statement

The location of the development site is shown below:





**10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

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

**3. The exercise of a discretionary power**

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

**6. Amenity impact**

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

**7. Neighbour comments**

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

**Comment**

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

The Site has a frontage to Bradshaw Crescent to the south, located adjacent to an existing Mixed Commercial/Residential Development to the west and to the north and east includes Grouped Dwellings as seen in **Figure I** below. The focus area is made up mostly of grouped dwellings and single houses with the exception of the subject site and the adjacent property at No. 16 Bradshaw Crescent.



10.3.1 **Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

**(b) Description of the Proposal**

The subject property currently supports a single storey veterinary clinic and a single house within an existing building of which the single house will be converted to further areas associated with the veterinary clinic. The existing garage/carport structures at the front of the site will be demolished to make way for car parking associated with the use. Car parking is proposed to be screened from view by landscaping with a strip along the front of the site 1.0 metre in width and additional plantings along the side boundaries. **Attachment (b)** explains the proposal in more detail.

The following planning aspects have been assessed and found to be compliant with the provisions of Town Planning Scheme No. 6 (TPS6) and *Schedule 2 Deemed Provisions of the Planning and Development Regulations 2015*, and therefore have not been discussed further in the body of this report:

- Plot ratio (*Table 3 of TPS6*) – maximum 0.75 required and 0.30 proposed;
- Street Setback (*Table 3 and Clause 5.4(4)(c) of TPS6*) – 1.5m average required and existing building setback is maintained at approximately 16m;
- Setbacks to Side and Rear Boundaries (*Table 3 and Clause 5.1(4)(a) of TPS6*) – Setback from common boundaries shared with residential land shall be in accordance with that prescribed for Grouped Dwellings which is 1.5 metres - Setback to rear boundary (north) shared with No. 16 Welwyn Avenue and No. 25 Henning Crescent is 6m and the setback to the side boundary shared with No. 22 Bradshaw Crescent is 4.0 metres; setback to the western side boundary is permitted to be nil however the existing building is setback approximately 2.4 metres;
- Landscaping (*Table 3 of TPS6*) – 15% required and 26.6% proposed which incorporates existing grassed areas to the sides and rear of the building;
- Building height (*Clause 6.1A of TPS6*) - maximum 7.0 metres (building is single storey);
- Minimum Ground and Floor Level (*Clause 6.9 and 6.10 of TPS6*) – Site maintains existing building and additional car park levels maintain same as existing; and
- Signage (*Clause 6.12(3) of TPS6 and Deemed Provisions Clause 67*).

The following matters, some of which require the exercise of discretion, are considered acceptable and discussed further below:

- Car Parking (*Clause 6.3 and Table 6 of TPS6*);
- Screening of Car Parking (*Clause 6.3(6)(c) of TPS6*; and
- Vehicle Movement (*Clause 6.3(6)(b) of TPS6*).

**(c) Land Use**

The proposed land use of Veterinary Clinic is classified as a 'D' (Discretionary) land use in Table I (Zoning - Land Use) of TPS6. In considering this discretionary use, it is observed that the Site adjoins a non-residential use, in a location with a non-residential streetscape in Welwyn Avenue and a residential streetscape in Bradshaw Crescent with the exception to the subject site and the adjoining site at No. 16 Bradshaw Crescent. Accordingly, the use is regarded as complying with the Table I of the Scheme.

**(d) Car Parking**

Parking is required at the ratio of one bay per 19 sq. metres gross floor area (minimum of six (6) spaces) plus one (1) space per employee as per TPS6 requirements. The 238 sq. metres of actual floor area requires 13 spaces. The four (4) employees would generate a requirement for four (4) additional bays, making a total requirement of 17 bays. This application proposes only 10 car parking bays which generally comply with access, egress and manoeuvring requirements of the Australian Standards. The proposal is therefore deficient in accordance with Table 6 of Town Planning Scheme No. 6.

In considering the proposed development of the site and the 17 car bays required, the applicant seeks the exercise of discretion by Council as outlined in Clause 7.8 of TPS6. The applicant has provided details to demonstrate that the car parking provided will be able to cater for the use in their Planning Statement (refer **Attachment (b)** dated 28 January 2016) as the proposal involves only one (1) practitioner and by appointment only, there is no opportunity for simultaneous appointments. Their submission is summarised below:

*Whilst the classification under Table 6 is for a Veterinary Clinic, this would cover an ordinary clinic, however this is more of a hospital as the practitioner is a veterinary ophthalmologist and has clients referred from other veterinarians. This means that any one time there would be only two (2) clients maximum using the parking area, one (1) veterinary doctor and two (2) nurses.*

*We ask that Council members use their discretionary powers and permit the provision of required bays to 10 bays (including a disable bay) as shown on the revised plans.*

**Council discretion- cl. 6.3(4)**

Council has discretionary power under clause 6.3(4) of TPS6 to approve the proposed car parking, if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the proposed car parking be approved, as the applicant has satisfied the City in relation to the following requirements of that clause (emphasis added):

- (a) The Council is satisfied that the proposed number of bays is sufficient, having regard to the **peak parking demand** generated by the Use.

City Officers support the proposed number of car parking bays based on the extent of the activities suggested by the applicant and the plans proposed. It is recommended that a condition of approval be included to nominate that the number of practitioners be restricted to one (1) and be limited to 'by appointment only'. This will ensure that there are sufficient car parks to cater for the use.

**Applying Council Policy P315 – “Car Parking Reductions for Non-Residential Development”**

The 'actual' car parking shortfall of **seven (7) bays**, as a result of the change of use, has been assessed against Council Policy P315 “Car Parking Reductions for Non-Residential Development”. **The objectives of this policy are “to allow a reduction of the number of car parking bays required for non-residential uses where there are significant opportunities to promote alternative modes of transport, or utilise existing transport and car parking infrastructure”**. Based on permitted car parking reductions of Table 1 of the policy, the following factors and features of the subject site provide allowable reductions in the parking requirements:

**10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

- (A) The proposed development is within 400 metres of one or more existing public car parking place(s) with more than a total of 50 car parking spaces (0.90 adjustment factor).

*Subject site is located approximately 73 metres (most direct route via a gazetted footpath not just the direct route – as per Note \*\* of Policy P315) to the Welwyn Ave (Car Park 35) Car Parking Place which includes 56 parking bays.*

The following summarises the reasons why other reductions in Table 1 of the policy cannot be applied to the proposed veterinary clinic:

- Reductions cannot be reasonably applied in relation to proximity to a bus stop or rail station as clients transporting sick animals would be unable to do so using these modes of transport.
- In relation the reduction for end-of-trip facilities in addition to any facilities required under Clause 6.4(5) (referenced as Item 6 of Table 1 of this policy), this clause indicates that these provisions are only required where bicycle parking bays are required to be provided for staff. Table 6 of TPS6 does not require bicycle parking bays for staff in relation to a veterinary clinic.
- In regards to a reduction whereby secure on-site and/or adjacent street bicycle parking (facilities within public view to which at least five bicycle frames and wheels can be locked) referenced as Item 6a of Table 1 of this policy, as noted above in relation to public transport, it would not be reasonable to expect that animals could be delivered for treatment using a bicycle.

**Calculation of Allowable Reductions (Table 2 of Policy P315)**

Using the formula provided in Table 2 of the policy, and taking into account the various adjustment factors above, the figures used are as follows:

The resultant number of car parking bays adjustment is calculated as follows;

$$R (17) \times A (0.90) - P(10) = 5.3 (5).$$

The application of the car parking reductions under Policy P315 would reduce the 'actual' demand to **15 parking bays** and as explained above, the demand based on one (1) veterinary practitioner, three (3) other staff and client visits by appointment only, this would generate a maximum of six (6) required car parking spaces. It is therefore concluded that the existing development site can cater for the use for its 'actual' demand utilising the provisions and formulas of the policy and applying conditions restricting the use.

**Council discretion- cl. 7.8.1**

Council has discretionary power under clause 7.8.1 of TPS6 to approve the proposed car parking, if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the proposed car parking be approved, as the applicant has satisfied the City in relation to the following requirements of that clause (emphasis added):

10.3.1 **Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

- (a) approval of the proposed development would be consistent with the **orderly and proper planning** of the precinct and the preservation of the **amenity of the locality**;
- (b) the non-compliance will not have any **adverse effect** upon the occupiers or users of the development or the inhabitants of the precinct or upon the likely future development of the precinct; and
- (c) the proposed development meets the **objectives for the City and for the precinct** in which the land is situated as specified in the precinct Plan for that precinct.

In this instance, it is considered that the proposal complies with the discretionary clause as the proposed number of car parking bays is considered to be sufficient having regard to the peak parking demand generated by the Use, and is therefore supported by City Officers. A condition is recommended limiting the number of veterinary practitioners to one (1) and associated staff to three (3) (four (4) in total) and client visits restricted to appointment only to ensure that parking demands are accommodated in perpetuity.

**Clause 6.3A Cash in Lieu of Car Parking Bays**

Under Clause 6.3A of TPS 6, an applicant for planning approval for a non-residential development may, if Council agrees, make a cash payment to the Council in lieu of providing one or more of the deficit bays.

In this instance, cash in lieu payment for the car parking bays shortfall seems inappropriate for the proposed veterinary clinic addition/change of use. As discussed above, the provision of 10 bays, with a restriction on the number of practitioners and client visits will therefore meet the parking demand.

Based on the above, the City's officers are satisfied that proposed addition meets with the above discretionary provisions and objectives, therefore is supported by the City's officers.

Should Council not support this shortfall based on peak demand and request that a cash-in-lieu payment be made, then the value of providing those bays elsewhere would be **\$33,000.00** representing the deficit of five (5) bays. If this is Council's decision, the Manager of Engineering Infrastructure advised that one (1) parking bay could be provided within the road reserve directly out the front of the veterinary clinic and the remaining four (4) within the nearby Jarman Avenue street parking works.

The on-site car parking is seen to satisfy the demand requirements for practitioners, staff and customers and to minimise the impact of the use on the surrounding neighbourhood and as such is recommended for approval.

**Clause 6.3(6)(c) Suitability and Adequacy of Screening to Car Parks**

City Officers are of the opinion that the suitability and adequacy of proposed screening or natural planting surrounding the car parking area is adequate as the bays have been designed to minimise adverse visual and amenity impact on the residential properties in Welwyn Avenue. The parking will be screened by landscaping along both side boundaries 1.0 metre wide as well as the frontage of the site having a strip of 1.0 metre wide landscaping. A landscaping plan is required to be submitted for approval by the City prior to lodgement of a building permit application. A condition to this effect is included in the recommendations of this report.

10.3.1 **Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

**Clause 6.3(6)(b) Vehicle Movements**

The usability of the car parking area was assessed by the City's Manager of Infrastructure Engineering Services and the following comments were provided in relation to vehicle movements:

*As a veterinary clinic, the bays will be used both for long term parking by employees as well as short to medium stay "customer" parking (where the extra width would be advantageous). The extra width in the aisle facilitates easier entry and exit into the bays but has no impact on accessibility for anyone entering or leaving the vehicle and requiring maximum width in the door opening.*

*Over time the former B50 vehicle (and designated as the "small car" dimension) at 4450mm in length by 1700mm width has become longer and wider and for the purposes of defining a "small car" parking bay a new "light car category" has been introduced that has the same length of 4450mm with an increase in width to 1740mm. The "light car" category now represents the 35<sup>th</sup> percentile of the Australian fleet.*

*By adopting the minimum bay dimensions for this location the applicant will inconvenience some users and must acknowledge the shortcomings. As a private parking area the users of the bays will become aware of the shortcomings and will exercise due caution.*

In consideration of the above, City Officers requested the owner provide an acknowledgment provided by the owner recognising the shortcomings. On relaying this requirement to the applicant, the car park layout was amended to accommodate larger vehicles, thus reducing the number of bays on site to 10 from 11. The amended car parking layout is considered functional and will meet the demands of the proposed use whilst maintaining safety to pedestrians and vehicle movement on the development site and in the adjacent street

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

In considering the application, the Council is required to have due regard to, and may impose conditions with respect to, matters listed in clause 1.6 of TPS6, which are, in the opinion of the Council, relevant to the proposed development. Of the 12 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (a) *Maintain the City's predominantly residential character and amenity;*
- (e) *Ensure community aspirations and concerns are addressed through Scheme controls;*
- (f) *Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*
- (j) *In all commercial centres, promote an appropriate range of land uses consistent with:*
  - (i) *the designated function of each centre as set out in the Local Commercial Strategy; and*
  - (ii) *the preservation of the amenity of the locality;*

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

**(f) Matters to be considered by Local Government: Clause 67 of the Deemed Provisions for Local Planning Schemes**

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (g) any local planning policy for the Scheme area;
- (n) the amenity of the locality including the following —
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (s) the adequacy of —
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (y) any submissions received on the application;
- (zb) any other planning consideration the local government considers appropriate.

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

I.

**Consultation****(a) Neighbour Consultation**

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the 'Area 1' consultation method, individual property owners, occupiers and/or strata bodies at No's. 16, Units 1-6/18 and No. 28 Welwyn Avenue, No's. 15, Unit 1/17, 19, 19A and 22 Bradshaw Crescent and Unit 2/25 and Unit 1-2/27 Henning Crescent were invited to inspect the plans and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised).

During the advertising period, a total of 15 consultation notices were sent and no submission(s) were received.

**10.3.1 Proposed Additions to Veterinary Clinic and Change of Use from Single House to Veterinary Clinic. Lot 20 (No. 18) Bradshaw Crescent, Manning.**

**(b) Internal Administration**

Comments were invited from the Engineering Infrastructure and Environmental Health sections of the City's administration.

- The Manager, Engineering Infrastructure was invited to comment on parking generated from the proposal should there be a demonstrated shortfall in parking numbers and whether the cash-in-lieu required for that shortfall could be utilised in the immediate area.
- The Environmental Health Services department were asked to provide comments with respect to the "Veterinary Surgery". Health Services raised no objections to the proposal.

**Policy and Legislative Implications**

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

**Financial Implications**

This determination may have financial implications, if the application is subject to an appeal to the State Administrative Tribunal.

**Strategic Implications**

This matter relates to Strategic Direction 3 "Housing and Land Uses" identified within Council's Strategic Plan 2015-2025 which is expressed in the following terms:

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

**Sustainability Implications**

Being non-residential land uses of a non-sensitive nature, it is considered that the development enhances sustainability by providing local businesses and employment opportunities.

2.

**Conclusion**

It is considered that the proposal meets all of the relevant Scheme and / or Council policy objectives and provisions, as it will not have a detrimental impact on adjoining residential neighbours. Accordingly, it is considered that the application should be conditionally approved in accordance with the recommended conditions of approval above.

**Attachments**

**10.3.1 (a):** Amended Development Plans

**10.3.1 (b):** Planning Statement .



At this point Councillor Colin Cala declared an Interest in the following Item as follows:

*"I wish to declare a Proximity Interest in relation to Item 10.3.2 Closure of Pedestrian Access Ways in Karawara on the Council Agenda for the Ordinary Council meeting of 23 February 2016. I declare that I own a property affected by the Officer's Recommendation. It is my intention to vacate the Council Chamber before the Item is discussed and voted on."*

At 7.50pm Councillor Colin Cala left the Chamber.

### **10.3.2 Closure of Pedestrian Access Ways in Karawara**

Location:	Karawara
Ward:	Manning Ward
Applicant:	Not applicable
File Ref:	D-16-13118
Date:	23 February 2016
Author:	Mark Carolane, Senior Strategic Projects Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.2 Develop integrated local land use planning strategies to inform precinct plans, infrastructure, transport and service delivery, cognisant of the local amenity.

#### **Summary**

Karawara was developed in the early 1970s based on 'Radburn' design principles, which include Public Open Space (POS) reserves for community use, located at the rear of dwellings and connected to the road network by Pedestrian Access Ways (PAWs).

The PAWs have been the subject of a number of community engagement projects and reports to Council since 2006, due to concerns about relatively high levels of crime and anti-social behaviour in Karawara.

The Karawara Public Open Space Masterplan (2013) recommended, as one of 14 projects, that the City 'Test the Closure of Pedestrian Access Ways' by installing permeable pool fencing at either end for a period of six to twelve months. A trial of the physical closure of a PAW was intended to be followed by the subdivision and sale of land to adjacent landowners.

Based on the consultation done to date, which is extensive over a number of years as discussed below, there are no PAWs where it is likely that 100 percent of adjacent landowners would agree to purchase additional land to close the PAW.

The City has made a number of commitments to close PAWs in Karawara; however there is not unanimous support within the community for this. The process to close a PAW is complex and may in fact prove impossible to achieve. It is therefore recommended that Council resolve not to close the PAWs in Karawara and that the City will focus on alternative measures to improve the environment of Karawara.

**Officer Recommendation AND COUNCIL DECISION****Moved:** Councillor Sharron Hawkins-Zeeb**Seconded:** Councillor Jessica Black

That Council resolve:

1. not to close the Pedestrian Access Ways (PAWs) in Karawara;
2. that the City will focus on alternative measures to improve the environment of Karawara, including the Pedestrian Access Ways (PAWs), as set out in the Karawara Public Open Space Masterplan and Collaborative Action Plan (2013); and
3. that the City inform affected residents of the above decision by mail.

**CARRIED (8/0)****Background**

Karawara was developed in the early 1970s based on 'Radburn' design principles, which include Public Open Space (POS) reserves for community use, located at the rear of dwellings and connected to the road network by Pedestrian Access Ways (PAWs).

The 'Radburn' principles are no longer considered to be good urban design practice, due to social and crime problems experienced in many estates, including Karawara. The public open space at the rear of dwellings was intended to encourage community interaction and walkability, safely separated from car traffic and with passive surveillance provided by houses facing onto the open space through visually permeable fencing. However in practice the open space at the rear of dwellings is under-utilised and has very little passive surveillance because high solid fences have been constructed to provide security and privacy for residents. This in turn has provided space for crime and anti-social behaviour to occur out of sight and in areas that are difficult for police to access.

The PAWs have been the subject of a number of community engagement projects and reports to Council since 2006, due to concerns about relatively high levels of crime and anti-social behaviour in Karawara. A number of proposals to close the pedestrian access ways have been considered, as discussed under "consultation", below.

**Attachment (a)** was presented to Council in August 2012 and shows the layout of Karawara and the pedestrian access ways that were recommended to be closed at that time.

**Comment**

The Karawara Public Open Space Master Plan and Collaborative Action Plan were endorsed by Council at the December 2013 Council meeting and contain 14 projects that aim to 'strengthen Karawara's public open space and community character'. Implementation of the Collaborative Action Plan is ongoing and Council received a progress and next steps update in May 2014. **Attachment (b)** provides an update of progress on the Collaborative Action Plan priority short-medium term projects, for your information.

[Karawara Collaborative Action Plan project 10: Test the closure of pedestrian access ways \(PAWs\)](#)

The Karawara Public Open Space Masterplan recommended that the City 'Test the Closure of Pedestrian Access Ways' by installing permeable pool fencing at either end for a period of six to twelve months.

### 10.3.2 Closure of Pedestrian Access Ways in Karawara

There are a number of potential issues with this approach, which would require further investigation and engagement with the community, including:

- Whether there is sufficient support from landowners to make PAW closure possible (see “consultation”, below);
- Whether fencing a PAW temporarily will support anti-social behaviour such as dumping of rubbish and/or make maintenance difficult; and
- The City does not have a policy or other clear guideline to guide officers and provide certainty for residents regarding the procedure for closing PAWs.

#### Permanent closure of PAWs by sale of land to adjacent landowners

Trial of the physical closure of a PAW, as set out above, would be followed by the subdivision and sale of land to adjacent landowners, who would absorb the land into their property.

There are a number of potential issues with the subdivision and sale of a PAW to adjacent landowners, including:

- Whether service agencies, in particular the Department of Water, would support PAWs being incorporated into private lots, given that many PAWs contain sewer lines;
- The cost to landowners and the City of purchasing the PAWs from the Crown (as discussed below);
- The requirements for fencing and any other required works and how those obligations could be enforced;
- 100 percent of the land within the PAW would need to be allocated to an adjacent landowner who is willing to purchase the land and incorporate it into their property. There would need to be a high level of support from land owners with financial capacity to purchase the additional land;
- there are a limited number of potential purchasers for any PAW portion, which would reduce the valuation of the PAW (as discussed below).

If permanent closure cannot be achieved it is not recommended to trial physical closure as set out in Project 10 of the Collaborative Action Plan. Closed PAWs may become very undesirable fenced off public space if fencing were left in the long term or, if fencing were removed after the trial, the PAW would return to its original state having achieved very little.

#### Procedure for subdivision and sale of PAWs to adjacent landowners

The PAWs are actually reserved for ‘Public Recreation’ and their disposal would be subject to the Department of Lands 20A /152 Public Recreation Reserves State Land policy guidelines. The Guidelines state that any excisions or the disposal of Public Recreation reserves are subject to the approval of the Minister for Lands.

Prior to requesting the Minister’s approval, the City must comply with the following requirements:

1. Reasons for requesting the disposal
2. Obtain consent from the WAPC
3. Referral to the public service authorities to confirm that no services are going to be affected with the proposal
4. Details of the level of public consultation undertaken and results of that consultation
5. Signpost the area
6. Advertise in a local newspaper
7. Canvass nearby landowners

### 10.3.2 Closure of Pedestrian Access Ways in Karawara

Once the Minister has approved the disposal of the reserve the City would purchase it from the Department of Lands for \$500 or 5% of unimproved market value (as advised by the Valuer General), whichever is the greater, plus any statutory fees. The land can then be sold to adjacent landowners and the PAW closed permanently.

The time required to undertake the above procedure is uncertain due to the public consultation and WAPC and Ministerial approval requirements. However it is estimated to take at least two years and possibly longer.

#### Valuation of a sample of PAW at the rear of 6 Yallambee Place Karawara (September 2015)

The City commissioned Garmony Property Consultants to undertake a valuation of a portion of PAW at the rear of 6 Yallambee Place. The objective was to establish an estimate of the market value of land in the PAWs to inform the City regarding their disposal and closure.

A number of factors were noted in the assessment, including:

- there would only be 1, 2 or 3 potential purchasers for the subject portion of land, being the owners of 6 Yallambee Place or the owners of 3 and 5 Koolunda Court; and
- the sewer line runs directly behind 6 Yallambee Place, within the PAW, and an easement would be required, which would limit potential development within the easement area.

Both of these factors significantly reduce the valuation of the land. The assessed market value was given as between \$2,000 and \$5,000 for a 50m<sup>2</sup> portion.

#### Recommendation

It is not recommended to temporarily close any PAWs using fencing, as set out in the Collaborative Action Plan, unless this can be followed by a permanent closure. Closing a PAW by fencing each end is likely to impede maintenance and create an inaccessible site where dumping of rubbish and other antisocial behaviour is likely to occur.

Based on the consultation done to date, which is extensive over a number of years as discussed below, there are no PAWs where it is likely that 100 percent of adjacent landowners would agree to purchase additional land to close the PAW. Notwithstanding the Council resolution of August 2012 requiring the agreement of all adjacent landowners to any closure, all of the land within the PAW would need to be allocated to an adjacent landowner before closure, subdivision and disposal of the land could occur. If the land were not fully allocated the City would be left with inaccessible small pockets of open space.

There is little advantage to landowners of taking on the extra land in terms of development potential due to the relatively small amount of land that would be added to existing properties and the presence of sewer easements across many of the PAWs. Landowners would be required to amend their fence lines, at their own cost, to incorporate the additional land into their properties.

The process to close, subdivide and dispose of land in the PAWs is lengthy, complex and may be costly for the City. The limited number of potential purchasers for any given portion of PAW and the presence of sewer easements reduce the market value of the land. It is likely that the Minister for Lands would require that any money from the disposal of PAWs be hypothecated to specified improvements in the Karawara area.

### 10.3.2 Closure of Pedestrian Access Ways in Karawara

The requirements for community consultation, service agency referral, WAPC approval and Ministerial approval make it very difficult to estimate the timeframe for closure of a PAW. However it is expected to take at least 2 years and possibly longer and would require a significant amount of administrative work by the City.

The City has made a number of commitments to close PAWs in Karawara; however there is not unanimous support within the community for this, as outlined below. The process to close a PAW is complex and may in fact prove impossible to achieve. It is therefore recommended that Council resolve not to close the PAWs in Karawara and that the City will focus on alternative measures to improve the environment of Karawara, as set out in the Collaborative Action Plan (2013).

#### **Consultation**

In 2009, the City engaged consultants Creating Communities Australia and Development Planning Strategies to undertake consultation with landowners, residents and other local stakeholders to identify ways to further enhance and improve Karawara. The extensive community engagement undertaken included community workshops and mail-out surveys. The highest priority concern reported was crime and 'not feeling safe'. The under-utilised public open space was considered to provide a network for unseen crime and easy escape routes. The project report recommended a range of community development strategies and physical improvement works, including closure of some PAWs, to address crime and enhance the suburb's appearance and social wellbeing.

A range of opinions were expressed during the community consultation as to whether the POS reserves and PAWs should be closed and divided between adjoining properties, or be enhanced and remain open. The consultants recommended that the City close some of the narrow PAWs.

In January 2012 the proposed closure plan was mailed to all Karawara landowners and residents for comment with an information letter and feedback form attached. Responses were received from 60 property owners adjoining proposed PAW closures with 46 (74%) in support. The highest supporting response was received from Boongala Cl/Lurnea Pl, where 56% (9 properties) supported closure, 6% (1 property) opposed and 38% (6 properties) did not respond.

In August 2012 Council considered the results of the community consultation and resolved the following regarding potential closure of selected pedestrian access ways (PAW) and public open space (POS) links in Karawara. However, rather than continue to focus only on the PAWs, in October 2012 Landscape Architecture firms UDLA and CoDesign were engaged to develop a Masterplan and Collaborative Action Plan for Karawara's POS network. The project aimed to take a holistic approach to improve Karawara's physical environment and sense of community.

The Masterplan and Collaborative Action Plan project focused on maximising community and stakeholder input. The consultants and City officers facilitated a number of community workshops and drop-in activities within Karawara between February and May 2013. The Masterplan was endorsed by Council at the December 2013 ordinary Council meeting.

### 10.3.2 Closure of Pedestrian Access Ways in Karawara

In November 2014 the City sent letters to the owners of the twelve properties adjoining the PAW between Yallambee Place and Koolunda Court, to establish the level of support for closure of the PAW. This PAW was chosen due to it being a relatively short length, relatively regular in shape and the adjoining properties mostly being owner occupiers. Nine responses were received, with six supporting, two with conditional support and one objection. The remaining landowners did not respond to the City despite several follow up attempts. Support for the closure was 50%, increasing to 67% when taking into account those who provided conditional support.

#### **Policy and Legislative Implications**

There are no policy or legislative implications of the PAWs remaining open.

#### **Financial Implications**

There are no financial implications of the PAWs remaining open.

**Attachment (b)** sets out estimated budgets required to implement the priority short-medium term Collaborative Action Plan projects. Detailed budget requirements are established by the relevant Managers and Directors and included in Annual Budgets.

#### **Sustainability Implications**

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

#### **Attachments**

- 10.3.2 (a): Plan of PAWs including recommended closures
- 10.3.2 (b): Karawara CAP Priority short-medium term projects 2016 .

At 7.52pm Councillor Colin Cala returned to the Chamber.

At this point Councillors Fiona Reid, Glenn Cridland and Mayor Doherty declared similar Interests in the following Item, as follows:

*"I wish to declare an Impartiality Interest in Item 10.3.3 Canning Highway #ShapeOurPlace – Study Report and Next Steps on the Council Agenda for the Ordinary Council meeting of 23 February 2016. I declare that I own a property that could be perceived as being in the vicinity of the study area. Under section 5.63 (1)(a) of the Local Government Act it is not an Interest that is subject to the disclosure requirements of 'proximity' or the participation and voting prohibitions of the Local Government Act. However, I believe it prudent for me to declare an interest of 'impartiality'. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."*

### **10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps**

Location:	Canning Highway
Ward:	Como Ward, Mill Point Ward and Moresby Ward
Applicant:	Not Applicable
File Ref:	D-16-13119
Date:	23 February 2016
Author:	Mark Carolane, Senior Strategic Projects Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.2 Develop integrated local land use planning strategies to inform precinct plans, infrastructure, transport and service delivery, cognisant of the local amenity.

#### **Summary**

The Canning Highway #ShapeOurPlace study (the study) examined the residential density and built form of the area approximately 100 metres either side of Canning Highway. The study addresses recommendation 4.1A of the draft Local Housing Strategy, to *investigate and progress medium density coding increases for all Residential zoned lots within 100 metres of Canning Highway*, as per Council's resolution of November 2012 (OCM decision item 10.0.3).

Canning Highway is affected by a Metropolitan Region Scheme 'Primary Regional Road' Reservation to facilitate road widening, which has a significant impact on properties abutting the highway, particularly on the southern side.

The study was conducted in five stages:

- site analysis and stakeholder consultation;
- phase one community consultation;
- preparation of draft building height plan and explanatory material;
- phase two community consultation;
- preparation of final report and recommendations.

The study report uses three streetscape types (highway, urban and suburban) and six housing typologies (single house, town house, terrace, manor house apartment, apartment and mixed use) to illustrate a concept of how the study area might develop.

Discussion of maximum building heights formed a significant part of the community consultation because they are a simple indicator of bulk and scale of buildings. The study report recommends that heights above two storeys be concentrated along the highway and at key locations such as intersections with existing commercial land uses.

The study report includes recommendations for development control and design guidance for elements of built form including façade design and treatments, sustainable design, setbacks, open space, visual privacy, solar access, garages, landscaping, fencing, access and commercial areas. Recommendations are made regarding each of these considerations, including for additional studies and/or ongoing engagement with the community, service authorities and Main Roads WA.

#### Officer Recommendation

**Moved:** -

**Seconded:** -

That Council notes and endorses:

1. The actions resolved at the November 2012 Ordinary Council Meeting, as detailed at **Attachment (b)** are now resolved.
2. The Canning Highway Residential Density and Built Form Study report at **Attachment (a)** as the basis for future planning in the study area.
3. Residents be informed of this study via email to participants in the study and advertisements in the Southern Gazette newspaper, Peninsular Snapshot and the City's website and Facebook page
4. Place I (Kensington and South Perth) be the first priority for further planning work. A character study of Kensington is recommended to provide a comprehensive review of the existing building stock and inform future development. In addition, the study report recommends:
  - (a) Undertake detailed planning for local centre at Way Road/Gwenyfred Road.
  - (b) Prioritise areas for rezoning close to the Highway to manage the transition from R80 to R15.
5. An access study, to investigate alternative access arrangements for properties that currently only have access via Canning Highway, be progressed as a priority.

**LAPSED FOR WANT OF A MOVER**

#### Alternative Motion AND COUNCIL DECISION

**Moved:** Councillor Jessica Black

**Seconded:** Councillor Sharron Hawkins-Zeeb

That:

- (a) The Officer Recommendation not be adopted;
- (b) Council:
  - (i) Notes the Canning Highway Residential Density and Built Form Study report at Attachment (a) and defer endorsement of the report as the basis for future planning in the study area until the March 2016 Ordinary Council Meeting; and
  - (ii) Defers commencement of an access study to investigate alternative access arrangements for properties that currently only have access via Canning Highway.



- (c) Council endorses:
- (i) Residents be informed of this study via email to participants in the study and advertisements in the Southern Gazette newspaper, Peninsular Snapshot and the City's website and Facebook page; and
  - (ii) Place 1 and Place 2 (Kensington and South Perth) be the first priority for further planning work. A character study of Kensington is recommended to provide a comprehensive review of the existing building stock and inform future development. In addition, the study report recommends:
    - a) Undertake detailed planning for local centre at Way Road/Gwenyfred Road.
    - b) Prioritise areas for rezoning close to the Highway to manage the transition from R80 to R15

**CARRIED (9/0)**

#### **Reasons for Alternative**

- Deferring the report's endorsement will allow residents the opportunity to review and comment on the report. Council to inform residents of the study to allow the opportunity for review and comment (as per Item (c)(i)).
- It is feasible that the character studies in Place 1 and 2 can continue during the proposed deferment of the report's endorsement. Additionally, it is my understanding that there has been a long held desire in Kensington to have a character study.
- Item (b)(ii): The Access Study is important, however given its link to the Canning Highway Residential Density And Built Form Study it is advisable for it to be deferred along with the Canning Highway Residential Density and Built Form Study's endorsement.

#### **Background**

The Canning Highway #ShapeOurPlace study (the study) examined the residential density and built form of the area approximately 100 metres either side of Canning Highway. The study area was consolidated following the first phase of consultation and proposed planning scheme changes were kept as close to the highway as possible. The consolidated study boundary is shown in Figure 1 (page 3) of the attached report (**Attachment (a)**).

The vision for the study is:

*To articulate a desirable future character for Canning Highway and adjacent areas, reflecting an appropriate scale and intensity for the strategic context of the place. #ShapeOurPlace will facilitate the development of Canning Highway as an urban corridor while enabling a transition that harmoniously integrates development between the highway and the suburbs. #ShapeOurPlace promotes activation of places, sustainable living through increasing use of public transport and reinforces the strong relationship the community has with its local area.*

The objectives of the study were:

- *To provide clear guidance for future development situated on or adjacent to Canning Highway.*
- *To recommend changes to the City's Town Planning Scheme No. 6 to facilitate desirable built form outcomes.*

### 10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps

- To recommend appropriate dwelling types and building heights for the area.
- To facilitate an harmonious transition of density and built form from Canning Highway to the lower density suburban areas.
- To protect the amenity of the existing residential areas, both within and adjacent to the study area.
- To facilitate an appropriate interface between residential and non-residential uses.

The study provides analysis, tools and recommendations for the City to implement a planning framework that will help integrate new development with the existing and desired future character of the area. This framework will provide developers, residents and the City with a clear shared understanding of what is expected for the locality.

A number of State Government planning documents and the City's draft Local Housing Strategy informed the study and will influence the future density and built form of the area, as outlined below.

#### Perth and Peel at 3.5 Million

In May 2015, the Western Australian Planning Commission (WAPC) released the draft *Perth and Peel @ 3.5 Million* strategy, which aims to guide where future growth should be targeted to ensure the sustainable development of the Perth metropolitan and Peel regions. It is based on projections indicating that by the year 2050, Perth and Peel will have a population of approximately 3.5 million.

Urban consolidation principles are set out in the draft *Perth and Peel at 3.5 Million* to guide where infill development should be located. The document identifies corridors as key locations for concentrating urban consolidation, with Canning Highway being highlighted as one of these corridors.

#### Draft Local Housing Strategy (2011)

The City prepared a draft Local Housing Strategy in 2011, in which Canning Highway is identified for medium density development, to provide a suitable transition between the high density Highway Commercial zoning and low density residential development in the adjoining suburbs.

This study progresses recommendation 4.1A of the draft Local Housing Strategy, to *investigate and progress medium density coding increases for all Residential zoned lots within 100 metres of Canning Highway*. Council resolved to progress this action at the November 2012 Ordinary Council Meeting (decision item 10.0.3).

**Attachment (b)** shows the relevant parts of the motion adopted by Council in November 2012 and outlines how the Canning Highway #ShapeOurPlace study responds to each item. It is recommended that these resolutions are now complete.

#### Canning Highway Road Reservation Review (Item 10.5.1 of June 2012 Council Agenda)

Canning Highway is affected by a Metropolitan Region Scheme 'Primary Regional Road' Reservation to facilitate road widening, which has a significant impact on properties abutting the highway, particularly on the southern side.

The road reservation has the potential to include:

- Two lanes of traffic in each direction;
- A transit/bicycle lane in each direction;
- Wider verges for pedestrians, shared use and utilities/services; and
- A median strip.

The timeframe for the widening is not known, however the future urban form needs to be cognisant of the future road widening. It is recommended that the City continue to liaise with Main Roads WA regarding the likely timing of widening of Canning Highway.

### **Comment**

#### Study process

The first stage of the study was a comprehensive site analysis of the area to understand the dwelling types, streetscape character and street presentation based on the current town planning scheme zonings. The character of the area varies, generally as a result of building ages, lot sizes and lot layout. The suburbs of Kensington and South Perth have a high proportion of single houses, whereas Como has a prevalence of both grouped dwellings and single houses.

The next stage of the study was to undertake consultation with the community and State Government stakeholders. The aim of this consultation was to understand what types of buildings the community like and don't like, and where they wish to see certain types of development within the study area. Further details are outlined under 'consultation', below.

Following stakeholder consultation and phase one of the community consultations GHD prepared a draft building height plan and explanatory material for the second phase of community consultation. The purpose of this stage of the study was to draft recommendations in response to the site analysis and phase one consultation, and provide this material to the community for additional feedback.

Further community consultation (phase two) was undertaken to obtain feedback on the draft height plans and cross section concepts, as outlined under 'consultation', below.

The final report and recommendations were prepared taking into account the wide range of feedback received. The study report uses three streetscape types (highway, urban and suburban) and six housing typologies (single house, town house, terrace, manor house apartment, apartment and mixed use) to describe a concept of how the study area might develop.

#### Built form concept

The R-Codes define medium density as land coded R30-R60 and generally contain grouped dwellings and single houses. The application of parts 5 and 6 of the R-Codes facilitate all residential built form types, including single houses, grouped dwellings and multiple dwellings.

The study report describes six built form typologies that are likely to be developed within the study area in the future, ranging from low to high density:

- a) Single house;
- b) Townhouse;
- c) Terrace house;
- d) Manor house apartment;
- e) Apartment; and
- f) Mixed use development.

The study report describes the key characteristics and typical densities of each typology (page 64-70).

### 10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps

In order to manage the transition from Canning Highway into the residential streets, the density and scale of development should generally reduce as it moves away from the highway. Canning Highway will be characterised by high to high-medium density products such as apartments, mixed use developments and terrace houses. Behind the highway a more medium density product including terraces, town houses and smaller apartment buildings will allow the development scale and density to be stepped down. This will then be further stepped down into the low-medium to low density areas where built form includes town houses, manor house apartments and single houses.

The study proposes three different streetscape types to facilitate this transition from Canning Highway to the residential suburban streets:

- a) Highway streetscapes: for high density (R80), high-medium density (R60-50) and mixed use products.
- b) Urban streetscapes: for high-medium (R60-50) and medium density (R40) products.
- c) Suburban streetscapes: for medium (R40) low-medium (R30) and low density (R20 and lower) products.

The streetscapes group together the built form typologies and provide an indication of the level of development intensity that is envisaged for the locality. The study report describes the streetscape types in more detail (page 71-74). A plan showing the appropriate locations for the streetscape types is provided in the study report at page 76 and should be read in conjunction with the proposed maximum building heights plan at page 77.

The following table illustrates the housing typologies that would make up each streetscape type (see page 84 of the study report).

		Housing typology				
		Single house	Townhouse	Manor house apartment	Terrace	Apartment
Streetscape type	Highway	X	X	X	✓	✓
	Urban	✓	✓	✓	✓	✓
	Suburban	✓	✓	✓	X	X

#### Study outcomes and recommendations

The study, through community engagement, sought to dispel common misperceptions within the community that medium density means intense forms of development and significant loss of amenity for adjoining properties. However, while there was demonstrated acceptance of medium density development within the study area community, concerns were raised that existing development control mechanisms do not adequately address the impacts of increased density.

The R-Codes perform a key function in determining appropriate design of buildings and siting of development within the study area. In instances where there is opportunity to strengthen the provisions of the R-Codes to achieve a better and more suitable outcome that relates to the local context, it is suggested that additional design control measures be adopted through Town Planning Scheme No. 6 and local planning policies.

Discussion of maximum building heights formed a significant part of the community consultation because they are a simple indicator of bulk and scale of buildings. A draft maximum building heights plan was presented to the community as part of the phase two consultation, as discussed below.

The study report recommends that heights above two storeys be concentrated along the highway and at key locations such as intersections with existing commercial land uses. A heights plan is presented in the report at page 77. It is recommended that variations to maximum building heights should not be permitted, so that developers and the community have certainty regarding the scale of development that will be permitted.

Some existing lots within the areas where the height limit is recommended to be increased are too small to support development up to the proposed maximum height limits. Minimum lot sizes are therefore recommended to apply to development above two storeys, as set out in the report at page 86. This would require lots to be amalgamated before the maximum building height could be achieved and effectively provides a sliding scale of building height limits, based on lot size.

The study report includes recommendations for development control and design guidance for elements of built form including façade design and treatments, sustainable design, setbacks, open space, visual privacy, solar access, garages, landscaping, fencing, access and commercial areas (page 87-95). Many of these controls are recommended to remain discretionary and be articulated through local planning policies.

A number of strategic considerations were identified through the study that must be considered in planning for the future of the Canning Highway area (see study report page 97), including:

- a) Services;
- b) Access;
- c) Public transport;
- d) Highway interface; and
- e) Incentives for development.

The study report makes recommendations regarding each of these considerations, including for additional studies and/or ongoing engagement with service authorities and Main Roads WA. The full set of study recommendations are presented at page 101 of the report.

#### Next steps

It is recommended that Council endorse the Canning Highway Residential Density and Built Form Study report as the basis for future planning in the study area.

It is recommended that Place 1 (Kensington and South Perth) be the first priority for further planning work because this area received the most interest through the community consultation. A character study of Kensington is recommended to provide a comprehensive review of the existing building stock and inform future development. In addition, the study report recommends:

- a) Undertake detailed planning for local centre at Way Road/Gwenyfred Road.
- b) Prioritise areas for rezoning close to the Highway to manage the transition from R80 to R15.

It is also recommended that an access study, to investigate alternative access arrangements for properties that currently only have access via Canning Highway, be progressed as a priority.

### **Consultation**

Consultation was undertaken with relevant State Government agencies, Council and the local community. The aim of the consultation was for the study recommendations to reflect community aspirations, informed by stakeholder planning priorities and identified challenges.

#### State Government stakeholders

In addition to the provision and maintenance of infrastructure, the State Government owns many properties adjacent to Canning Highway. As a major landowner, the Government has a large influence on the built form adjacent to the highway. Canning Highway is a major infrastructure asset for the State, therefore it was important to engage with key State Government agencies early in the project. Workshops were held with the Department of Planning, Department of Transport, Main Roads WA, the Public Transport Authority and the Department of Housing

The widening of Canning Highway will have a major influence on many properties in the study area both directly for properties adjacent to the highway and indirectly via changes to access arrangements and public transport in the future.

State Government stakeholders expressed a strong desire for access onto and from the highway to be reduced wherever possible (see page 93 of the study report) and Main Roads WA will seek to reduce direct access from properties onto Canning Highway over time. The City will need to undertake further investigations to understand how the reduction of access from the highway, and provision of rear access to those sites that abut the highway, can and will be provided.

#### City of South Perth Elected Members

Two briefings were given to elected members by the project consultants. The first, in February 2015, introduced the consultant and the project. The second, in May 2015, presented the results of the phase one community consultation and introduced the draft material for phase two. Following both briefings feedback from elected members was incorporated into the consultation materials and subsequently considered during preparation of the final study report.

#### Community consultation

The study aims to ensure that future planning for the area is reflective of community aspirations. Acquiring an understanding of community aspirations and stakeholder priorities for the future formed a solid basis for the study recommendations. The methodology employed to undertake the community consultation comprised two phases - phase one to establish the community desires and aspirations for the area and phase two to seek feedback on concept plans.

A range of methods were used throughout the study to advertise and encourage participation in the community consultation. Notices were mailed to all residents and landowners to advertise both community workshops, notices were placed in the Southern Gazette and Peninsular Snapshot, the City's facebook page was used to inform and promote discussion and community workshops were held in both consultation phases.

Phase one introduced the study to the community and enabled the project team to gain an appreciation of the type and intensity of development regarded as generally acceptable by the community. Specifically, the initial phase of consultation aimed to paint the picture of the future Canning Highway and its surrounding environment by:

### 10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps

- Gauging an understanding of the community preference for built form typologies;
- Determining the community's opinion of appropriate design of the locality; and
- Understanding the community's opinion of the spatial locations of the suburban, transitional and urban forms of medium density development.

A wide range of views and comments were received through the phase one consultation, as detailed in the study report. The community workshop was attended by approximately 125 community members. There was active discussion and participation on the Facebook page (via posts and 'likes') and 29 individual comments were submitted to the City regarding the study.

Phase two built on the findings from the first phase of community consultation, providing the community with an overview of the project to date, including general feedback received through phase one, and presenting suggested ways to introduce medium density development into parts of the study area.

The purpose of the second round of consultation was to:

- Understand community opinion of a draft height plan for the study area;
- Illustrate how heights will transition back into the residential areas through the provision of cross sections; and
- Determine the community's opinion of the draft design guidelines area (later referred to as the consolidated study boundary).

The City received approximately 150 written submissions and the community workshop held on 1 August 2015 was attended by approximately 100 people. Further details of the results of the phase two consultation are provided in the study report.

#### **Policy and Legislative Implications**

The study report makes a number of recommendations for changes to Town Planning Scheme No. 6 and the City's planning policies (see page 101 of the report). Amendments to the Scheme are recommended relating to:

- a) Residential density;
- b) Building height limits;
- c) Setbacks (front, side and rear); and
- d) Changes to access arrangements.

The City's planning policies enable the City to provide an additional level of guidance for development, whilst still allowing a level of discretion. A set of comprehensive design guidelines should be prepared on a Place by Place basis and endorsed as a local planning policy. The design guidelines should encompass:

- a) A vision for the Place;
- b) Objectives;
- c) Design controls; and
- d) Identify areas for Local Development Plans.

The policy framework will assist to guide the application of the discretionary provisions of the R-Codes (Design Principles) by providing clear objectives about the desired streetscapes and character for the area.

### 10.3.3 Canning Highway #ShapeOurPlace - Study Report and Next Steps

#### **Financial Implications**

Consultants will be required to progress the next steps for this project, as discussed above. It is estimated that consultant fees for a residential character study of Kensington and an access study for properties that currently only have access via Canning Highway would be approximately \$150,000.

#### **Sustainability Implications**

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

#### **Attachments**

**10.3.3 (a):** Canning Highway Residential Density and Built Form Study Final Report November 2015

**10.3.3 (b):** Council decision item 10.0.3 November 2012 Canning Highway .



### 10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)

Location:	Not Applicable
Ward:	All
Applicant:	Council
File Ref:	D-16-13223
Date:	23 February 2016
Author:	Rod Bercov, Strategic Urban Planning Adviser
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	1.5 Develop effective processes to listen, engage, communicate and respond to the community.

#### Summary

In August 2015, the Council resolved that Policy P301, then titled 'Consultation for Planning Proposals', was to be reviewed. A draft revised Policy was considered and discussed by the Council Members at a workshop on 1 December 2015, and additional revisions were requested. The additional revisions requested by Council Members have now been incorporated into the revised Policy which is now presented for endorsement for community advertising.

#### Officer Recommendation AND COUNCIL DECISION

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

That:

- the draft revised Policy P301 'Community Engagement in Planning Proposals', **Attachment (a)**, be endorsed for the purpose of community consultation;
- the draft revised Policy P301 be advertised in the manner prescribed in that Policy, inviting comments from any member of the community. In addition, community input is to be elicited via the *Your Say South Perth* facility on the City's website;
- a report on submissions received be presented to a later Council meeting following the conclusion of the advertising period; and
- prior to Council's consideration of the 2016-17 Annual Budget, Planning Fees relating to the advertising of, or community consultation on, development applications, be re-examined.

**CARRIED (9/0)**

#### Background

This report includes **Attachment (a)** being draft revised Policy P301 'Community Engagement in Planning Proposals'.

Prior to the current review, Policy P301 'Community Engagement in Planning Proposals' was titled 'Consultation for Planning Proposals'. The proposed change of title reflects expansion of the ways in which it is proposed that the community can participate in various kinds of Planning proposals.

Policy P301 was adopted in 2005. It was last reviewed in March 2012, but there has not been any significant change to the original version since 2009, when a major review took place.

**10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)**

In August 2015, Council resolved that a further comprehensive review of Policy P301 was to be undertaken. The resolution reads as follows:

“That –

- (a) *Planning Policy P301 – ‘Consultation for Planning Proposals’ be comprehensively reviewed and a report be provided to Council in December 2015; and*
- (b) *Recommendations from the comprehensive review be brought to Council in the form a revised P301 and the revised Policy be recommended to Council for community consultation at the February 2016 Ordinary Council meeting.”*

Reasons for this resolution were given as follows:

1. *It is likely that in the future there will be an increasing number of development applications in certain areas of the City of South Perth for multiple dwellings, grouped dwellings, more than 2 storey and medium to high density developments, this policy needs to be reviewed to ensure it is reflective of the changing development context.*
2. *The City of South Perth is in a period of transition and growth and it is important that we involve our community as widely as possible so that the outcomes of this growth benefit the community as a whole.*
3. *The City of South Perth residents’ changing and increasing expectations to be consulted with and informed about changes to their Community. It is important that Council has Policies that meet and reflect these Community expectations, not just the minimum standards required.*
4. *Whilst there have been some minor changes to the Policy in 2011 and 2012 and it was reviewed in March 2015 there have been no significant changes to the Policy since June 2009. It is timely to review this Policy to ensure it meets not only the current requirements of orderly planning and community consultation but also increasing community expectations into the future.*
5. *The motion allows sufficient time for there to be a comprehensive review of the Policy, which has far reaching application, and appropriate time for consideration by the newly elected Council.”*

A Council Members’ workshop was held on 1 December 2015. Prior to the workshop, Council Members were provided with a draft revised version of Policy P301 for consideration and discussion. At the workshop, Council Members discussed various aspects of the draft revised Policy, and suggested further improvements to it. These have been incorporated into the attached draft revised Policy P301 (**Attachment (a)**).

**Comment**

Having regard to the reasons for the Policy review outlined above, a large number of modifications and improvements to Policy P301 are proposed. The sources of the recommended changes to the Policy are:

- Council Members’ individual suggestions;
- Council Members’ suggestions made at the Workshop held on 1 December 2015; and
- City Planning Officers.

The community will be invited to comment after the Council has endorsed the draft policy being presented to the February Council meeting.

At the 1 December workshop, the Council members considered the following suggested changes to Policy P301:

10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)

- Change of the name of Policy P301 to reflect the wider scope of the revised Policy –  
**From:** 'Consultation for Planning Proposals';  
**To:** 'Community Engagement in Planning Proposals'.
- Consolidation of Policy P301 and Policy P360 'Informing the Neighbours of Certain Development Applications' into a single 'engagement' policy.
- Proper alignment of the Policy with the current (2015) version of the *Residential Design Codes* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Broader definition of 'Planning Proposal', to include: development applications; TPS6 amendments; planning policies; Local Heritage Inventory; road or right-of-way closures; subdivisions; precinct studies; local planning strategies; structure plans; activity centre plans; special control areas; development contribution plans; and a new town planning scheme.
- Stronger link with the Council's 'umbrella' engagement Policy P103 'Communication and Consultation', to include –
  - description of the four 'levels' of community interaction identified in P103:
    - Level 1 'Inform'
    - Level 2 'Consult'
    - Level 3 'Involve'
    - Level 4 'Collaborate'; and
  - identification of the particular 'Levels' of community engagement to be implemented for the respective kinds of Planning proposals.
- For **Level 1 'Inform'** and **Level 2 'Consult'**, simplification of the description of 'Area 1', which is now to be based on a distance of 30 metres from the subject site within the same street.
- For **Level 2 'Consult'**, creation of new 'Area 3', which is to be based on 300 metres distance from the subject site, and which would apply to:
  - development in South Perth Station Precinct and Canning Bridge Activity Centre; and
  - Hotel; Liquor Store (Large); and Tavern.
- Introduction of provisions for community engagement at **Level 3 'Involve'** and **Level 4 'Collaborate'**.
- Recognition of current practice of employing **Level 3** for large scale strategic projects, in addition to community engagement at **Levels 1 and 2**.
- Elimination of unnecessary duplication in the existing Consultation Matrix, rendering the revised Policy more user-friendly.
- Re-formatting to reduce the overall length of the Policy by many pages, despite the scope of the Policy being expanded considerably.

As a result of discussion at the Workshop, the following additional changes to Policy P301 are proposed:

- Inclusion of a larger number of properties at the rear of development sites, offering more potentially affected neighbouring landowners and occupiers the opportunity to comment on development proposals.
- Inclusion of provisions ensuring that site notices (signs) are kept in good condition throughout the full length of the advertising period.
-

**10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)**

An increase in the extent of consultation for the following kinds of development:

- Night Club (where a DC use) Area 3
- Liquor Store (Small) Area 2
- Additional 'Other Relevant Policies / Key Documents' have been listed at the end of the Policy.

The attached draft revised Policy P301 incorporates all of the above changes, which are clearly identified in red font. The draft revised Policy P301 is now presented to Council for endorsement for community comment.

The Workshop also suggested other improvements to City practices which are being explored. These changes will be implemented administratively and do not affect the Policy provisions.

**Consultation**

Following Council's endorsement, the draft revised Policy P301 will be advertised for community comment in the manner described below, as required by the Scheme and the existing and draft revised Policy P301:

- advertising period of not less than 21 days;
- notice published once a week for two consecutive weeks in the *Southern Gazette* newspaper; and
- copies of the draft revised Policy displayed on the City's web site, in Libraries and in the Civic Centre foyer for the duration of the consultation period.

In addition, community input will be invited and encouraged via:

- media release published in the *Southern Gazette* newspaper and City web site; and
- the 'Your Say South Perth' facility on the City's website.

At the conclusion of the advertising period, a report on the submissions received and officer's recommendations on the submissions and on the Policy will be presented to a Council meeting for consideration and for adoption of the revised Policy.

**Policy and Legislative Implications**

The process for modifying Council Planning Policy P301 is set out below, together with a date, or anticipated date, for each stage. The stages which have been completed, including the consideration at the 23 February Council meeting, are shaded:

<b>Stage of Amendment Process</b>	<b>Date</b>
Council decision to review Policy P301	25 August 2015
Council members' workshop for consideration and identification of required revisions	1 December 2015
Consideration of draft revised Policy P301 at Council meeting and endorsement for community consultation	23 February 2016
Community consultation period of not less than 21 days	March-April 2016
Council consideration of report on submissions and adoption of revised Policy P301	May or June 2016
Publication of Notice of the Council's final approval of the revised Policy P301 in <i>Southern Gazette</i> newspaper	Not yet known

**Financial Implications**

The Chief Executive Officer has highlighted the issue of increased costs to the City which will be incurred through the wider extent of consultation proposed for certain development proposals. The Council's 2015-16 Schedule of Fees and Charges currently includes the following advertising costs which may be charged for applications for Planning Approval:

- Area 1 Consultation in accordance with Policy P301 \$ 111.00
- Area 2 Consultation in accordance with Policy P301 \$ 280.00

At this stage, the Fee Schedule does not contain a Planning Fee for community engagement within the proposed Area 3. This will be examined prior to the Council's consideration of the draft 2016-17 Annual Budget.

In considering any increase to the extent of mail outs or other forms of community engagement for planning proposals, the Council should be aware that under the existing Fee Schedule, in some cases, most of the costs will be borne by the City and not by the applicant. Generally, the most common source of such costs is mail outs, and the related use of letterhead paper and envelopes, postage, and staff time in preparing the letter and its mail-merge data, and printing and folding the documents to be mailed. It is becoming common for mail outs to comprise several hundred and occasionally over 1600 items per mail out. For very large mail outs, an external firm is sometimes employed, also at considerable cost to the City. Nor do the fees and charges include the costs of other incidental processes, such as dealing with resulting verbal queries and written submissions from the community, workshops, surveys, public meetings, etc.

In the case of mail outs, the City is operating at a loss, despite the fee payable by applicants for development approvals. For development applications requiring wide neighbourhood consultation, the \$280 fixed Planning Fee (for Area 2 mail-outs), only covers a small proportion of the City's actual cost. The postal rate for the City's standard bulk letter delivery has recently increased from 67c to 95c per DL-sized envelope.

In recent changes to its services, Australia Post has also introduced three speeds of delivery service:

<b>Delivery type:</b>	<b>Express Post</b>	<b>Priority Post</b>	<b>Regular Post</b>
<b>Delivery time:</b>	Next business day delivery guaranteed	1 day within Metro area; 2 days between City and country or City and another capital city; 3 days between City and interstate country	Up to 2 days longer than 'Priority'
<b>Cost per DL-sized item:</b>	\$ 5.75	95c plus 50c priority label	95c

(<http://auspost.com.au/changes-to-your-letters-service.html?link=us706-changes-to-your-letters-service-learn-more>)

The City uses 'Regular' post.

In addition to the considerable 'hidden' costs associated with mailouts, the cost of postage is substantial. As an example, the postage component of the cost for a 1600-item mail out would be \$1,520 using 'Regular' post.

**10.3.4 Review of Policy P301 'Community Engagement in Planning Proposals' (Item 12.2 of the Council Meeting of 25 August 2015 refers.)**

**Strategic Implications**

This report is aligned to the City's [Strategic Community Plan 2015-2025](#), Direction 3 – Housing and Land Uses “Accommodate the needs of a diverse and growing population”.

**Sustainability Implications**

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). The proposed modifications to Policy P301 will ensure that, for all of the various kinds of Planning proposals, the City's engagement with the community is undertaken at appropriate 'levels'.

**Conclusion**

The proposed changes to Policy P301 reflect the community's perceived need for a wider range of engagement options. This will be tested when the draft revised Policy P301 is advertised for community comment.

**Attachments**

**10.3.4 (a):** Draft revised Policy P301 'Community Engagement in Planning Proposals'.

## 10.4 STRATEGIC DIRECTION 4: PLACES

### 10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-16-13288
Date:	23 February 2016
Author:	Katie Breese, Governance Project Officer Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Places -- Develop, plan and facilitate vibrant and sustainable community and commercial places
Council Strategy:	4.5 Review opportunities to implement a Land Asset Assessment Plan for City Land

#### Summary

This report recommends that the Council subdivide a drainage sump at (Lot 278) 36 Brittain Street Como and dispose of the boundary portion to the adjoining owners at 34 Brittain Street, 38 Brittain Street and 91 Thelma Street, subject to statutory consultation.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That the Council:

- (a) approve the subdivision of (Lot 278) 36 Brittain Street Como, whilst retaining the drainage sump;
- (b) approve the sale of a 2m x 20m portion of the northern side of (Lot 278) 36 Brittain Street Como Street to Alexander Coughlan for the market valuation price of \$12,000;
- (c) approve the sale of a 2m x 48m portion of the eastern side of (Lot 278) 36 Brittain Street Como to Michael and Candice Danby for the market valuation price of \$26,000;
- (d) approve the sale of a 2m x 48m portion of the western side of (Lot 278) 36 Brittain Street Como to Timothy and Christine Jackson for the market valuation price of \$26,000;
- (e) authorise the Chief Executive Officer to give statutory public notice of the proposed disposition of the three identified portions of (Lot 278) 36 Brittain Street Como;
- (f) consider a further report to Council in the event that objections are received during the public submission period; and
- (g) authorise the Mayor and Chief Executive Officer to execute the relevant transfer of land documentation in the event that no objections are received.

**CARRIED EN BLOC (9/0)**

#### 10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal

##### **Background**

The City owns (Lot 278) 36 Brittain Street Como freehold. The 1012m<sup>2</sup> lot is currently zoned residential and predominately used as a drainage sump. The City's Infrastructure Services Directorate advise that the sump can be redesigned and reconfigured and remain operational. This would allow approximately two metres width being subdivided for disposal.

##### **Comment**

The three adjoining of (Lot 278) 36 Brittain Street Como have all requested that the Council subdivide this lot to allow for them to purchase the adjoining portion of approximately 2 metres width, thereby increasing the size of their respective lots.



**\*\* IMAGE NOT TO SCALE**

All three adjoining owners have agreed to the following terms of disposal:

- the three owners being equally responsible for the City's costs associated with the redesign and reconfiguration of the sump;
- the three owners being equally responsible for all other costs associated with the subdivision and sale of land, including but not limited to the market valuation, subdivision costs, survey costs, realignment of fencing, settlement and legal fees, stamp duty fees etc
- the purchase price being the agreed independent market valuation provided by Garmony Property Consultants.



#### 10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal

The following three disposals for the market valuation price are recommended:

- Michael and Candice Danby of 38 Brittain Street - \$26,000
- Alexander Coughlan of 91 Thelma Street - \$12,000
- Timothy and Christine Jackson of 34 Brittain - \$26,000

As identified in the Land Asset Assessment Plan, the City should explore opportunities to subdivide drainage sumps for disposal.

#### **Consultation**

The proposed disposition has been the subject to consultation with the adjoining neighbours and the City's Infrastructure Services Directorate.

#### **Policy and Legislative Implications**

The City is proposing to dispose of (Lot 278) 36 Brittain Street, Como by private treaty in accordance with s3.58 *Disposing of property, Local Government Act 1995*.

#### *3.58. Disposing of property*

*(1) In this section —*

*dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.*

*(2) Except as stated in this section, a local government can only dispose of property to —*

*(a) the highest bidder at public auction; or*

*(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

*(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

*(a) it gives local public notice of the proposed disposition —*

*(i) describing the property concerned; and*

*(ii) giving details of the proposed disposition; and*

*(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*

*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

#### **Financial Implications**

The sale proceeds from the disposition of (Lot 278) 36 Brittain Street, Como will fund strategic priority services and facilities.

#### **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**

Nil .

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

### 10.6.1 Monthly Financial Management Accounts - January 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-13291
Date:	23 February 2016
Author:	Michael Kent, Director Financial and Information Services
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

#### Summary

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

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That ....

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

**CARRIED EN BLOC (9/0)**

#### Background

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

## 10.6.1 Monthly Financial Management Accounts - January 2016

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

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

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

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

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

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

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

A monthly Statement of Financial Position detailing the City's assets and liabilities and giving a comparison of the value of those assets and liabilities with the relevant values for the equivalent time in the previous year is also provided. Presenting this statement on a monthly, rather than annual, basis provides greater financial accountability to the community and provides the opportunity for more timely intervention and corrective action by management where required.

### Comment

The components of the monthly management account summaries presented are:

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

## 10.6.1 Monthly Financial Management Accounts - January 2016

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

Operating Revenue to 31 January 2016 is \$47.21M which represents some 100% of the \$47.17M year to date budget. Revenue performance is close to budget in most areas other than those items identified below.

Rate revenue reflects as being slightly ahead of budget as a result of the receipt of several significant interim billing schedules since that date. Parking revenue is now much closer to budget expectation after Australia Day and the appointment of a dedicated parking officer is helping to remedy the previously unfavourable situation.

Building revenues are shown as 19% ahead of budget due to a higher than expected material on verge fees received and planning revenues are 8% ahead of budget. These are adjusted for in the Q2 Budget review. Collier Park Golf Course revenues are very close to budget at 31 January. There are also some small favourable variances for vehicle trade-ins deferred from the previous year and some unbudgeted contributions towards 3<sup>rd</sup> party works that are adjusted for in the Q2 Budget Review.

Comment on the specific items contributing to the revenue variances may be found in the Schedule of Significant Variances **Attachment (f)**. Relevant items are also adjusted through the Q2 Budget Review - Item 10.6.4 of this agenda.

Operating Expenditure to 31 January 2016 is \$29.08M which represents 98% of the year to date budget of \$29.76M. Operating Expenditure shows as 5% under budget in the Administration area. Operating costs are 7% under budget for the golf course and show as on budget in the Infrastructure Services area.

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

In the Infrastructure Services operations area, there are some small variances at the end of the month that relate to phased roll-out of maintenance activities and these are expected to reverse out in future months.

The January accounts also reflect some (non-cash) variances on depreciation of infrastructure assets following the recent revaluation to fair value of parks assets. This was adjusted in the Q1 Budget Review but may require some further refinement in Q3 - although there is no cash-flow impact. Overheads are also now in line with anticipated recoveries following the retrospective adjustment in December.

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

As would be expected in any entity operating in today's economic climate, there are some budgeted staff positions across the organisation that are necessarily being covered by agency staff (potentially at a higher hourly rate). Overall, the salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently around 4.4% under the budget allocation for the 219.9 FTE positions

approved by Council in the budget process. There are number of factors impacting this including vacant positions and timing differences in relation to invoicing by the agencies that supply casual staff.

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

Capital Revenue is disclosed as \$2.90M at 31 January which is very slightly ahead of the year to date budget of \$2.88M.

Capital Expenditure at 31 January is \$12.57M representing 84% of the year to date budget of \$14.91M (before the inclusion of carry forward projects). The total budget for capital projects for the year is \$37.30M.

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

**TABLE I - CAPITAL EXPENDITURE BY DIRECTORATE**

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	10,000	1,144	11%	245,000
Major Community Projects	6,397,000	6,308,257	98%	18,137,000
Financial & Information	344,000	276,165	80%	1,322,000
Develop & Community	290,000	268,594	93%	585,000
Infrastructure Services	7,409,000	5,228,054	71%	16,365,115
Waste Management	102,150	114,583	112%	173,400
Golf Course	362,705	371,056	98%	474,289
UGP	0	0	-%	0
<b>Total</b>	<b>14,914,855</b>	<b>12,567,853</b>	<b>84%</b>	<b>37,301,804</b>

The figures in the table above now contain the Carry Forward Works of \$3.70M.

### Consultation

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

### Policy and Legislative Implications

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

### Financial Implications

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

### **Strategic Implications**

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

### **Attachments**

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

## 10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-13292
Date:	23 February 2016
Author:	Michael Kent, Director Financial and Information Services Deborah Gray, Manager Financial Services
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

### Summary

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

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

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That Council receives the 31 January 2016 Statement of Funds, Investment & Debtors comprising:

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

**CARRIED EN BLOC (9/0)**

### Background

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

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

## 10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016

As significant holdings of money market instruments are involved, an analysis of cash holdings showing the relative levels of investment with each financial institution is also provided.

Statistics on the spread of investments to diversify risk provide an effective tool by which Council can monitor the prudence and effectiveness with which these delegations are being exercised.

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

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

### Comment

#### (a) Cash Holdings

Total funds at month end are \$84.03M which compares favourably to \$84.18M at the equivalent stage of last year. Last month, total funds were \$83.68M.

Municipal funds represent \$24.15M of this total, with a further \$59.03M being Reserve Funds and the balance of \$0.85M relates to monies held in Trust. The Municipal Fund balance is some \$3.5M higher than last year which relates to delayed cash outflows on the capital works program.

Reserve funds are \$3.8M lower overall than the level they were at the same time last year - largely as a result of timing differences on the use of Reserve funds for major discretionary capital projects.

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

The current Reserve fund balances show that the Major Community Facilities Reserve is \$3.9M lower than at the same time last year as funds are applied to major capital initiatives that are now underway - but is partly offset by the consolidation of other smaller reserves into this reserve (as foreshadowed in the 2015/2016 Budget). The land sale proceeds currently quarantined in the Major Community Facilities Reserve do not represent 'surplus cash' and are being progressively utilised as part of carefully constructed funding models for future major discretionary capital projects. These funding models are detailed in the City's Long Term Financial Plan.

The Sustainable Infrastructure Reserve is \$1.2M higher than at the same time last year due to the consolidation of reserves as noted above, whilst the Technology Reserve is also \$0.5M higher when compared to last year as funds are quarantined for major technology infrastructure projects in the next year. The Plant Replacement Reserve is \$0.3M lower. The River Wall Reserve is \$0.3M lower as funds have been deployed to fund major capital works. Various other reserves are modestly changed (generally slightly lower balances).



## 10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016

In relation to the Quarantined Reserves, there is a \$0.7M higher holding of cash backed reserves to support CPV refundable monies compared to last year due to the timing of outgoing versus ingoing resident transactions but \$0.1M less for the CPV Reserve after allowing for last year's operating and capital results.

The Waste Management Reserve is \$0.7M higher than last year and the Golf Course Reserve is \$0.3M higher after allowing for last year's operating results.

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

### **(b) Investments**

Total investment in money market instruments at month end was \$78.68M compared to \$83.13M at the same time last year. There was \$3.9M more in cash in Municipal investments. Cash backed reserves are \$3.8M lower as discussed above.

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

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

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

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

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

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

Interest revenue (received and accrued) for the year totals some \$1.36M. This compares to \$1.36M at the same time last year despite the historically low interest rates. The prevailing interest rates appear likely to continue at current low levels in the short to medium term.

Investment performance will be closely monitored given recent interest rate cuts to ensure that we pro-actively identify secure, but higher yielding investment opportunities, as well as recognising any potential adverse impact on the budget closing position.

## 10.6.2 Statement of Funds, Investments and Debtors at 31 January 2016

Throughout the year, we re-balance the portfolio between short and longer term investments to ensure that the City can responsibly meet its operational cash flow needs.

Treasury funds are actively managed to pursue responsible, low risk investment opportunities that generate additional interest revenue to supplement our rates income whilst ensuring that capital is preserved.

The weighted average rate of return on financial instruments for the year to date is a very modest 2.92% with the anticipated weighted average yield on investments yet to mature now sitting at 2.87%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of only 1.75% since the May 2015 RBA decision.

Currently Department of Local Government Guidelines (presently withdrawn for revision) provide very limited opportunities for investment diversity as they emphasise preservation of capital. Unfortunately at this time of the year, there is a very large pool of local government investment funds and a rather limited demand for deposits - so investment opportunities are both modest and scarce.

### (c) Major Debtor Classifications

Effective debtor management to convert debts to cash is an important aspect of good cash-flow management. Details are provided below of each major debtor category classification (rates and general debtors).

#### (i) Rates

The level of outstanding local government rates relative to the same time last year is shown in **Attachment (c)**. Rates collections to the end of January 2016 represent 88.1% of rates collectible (excluding pension deferrals) compared to 88.9% at the same time last year. Pension rebates receivable, however, are slightly higher due to timing differences.

The City expects to maintain a strong rates collection profile following the issue of the 2015/2016 rates notices as indicated by the good level of collections at the due dates for the first three instalments - but will be proactive in striving to repeat last year's best ever collection profile. The current response suggests that there has been a good acceptance of our rating strategy, communications strategy and our convenient, user friendly payment methods. The instalment payment options and, where appropriate, ongoing collection actions provide encouragement for ratepayers to meet their rates obligations in a timely manner.

#### (ii) General Debtors

General debtors stand at \$1.01M at month end (\$2.31M last year). Last month debtors were \$1.06M. GST Receivable is \$0.75M lower and Balance Date Debtors (road grants) were \$0.34M lower whilst most other Debtor categories were only modestly changed compared to the previous year.

Continuing positive collection results are important to effectively maintaining our cash liquidity and these efforts will be closely monitored during the year. Currently, the majority of the outstanding amounts are government & semi government grants or rebates (other than infringements) - and as such, they are considered collectible and represent a timing issue rather than any risk of default.

**Consultation**

This financial report is prepared to provide evidence of the soundness of the financial management being employed by the City whilst discharging our accountability to our ratepayers.

**Policy and Legislative Implications**

The cash management initiatives which are the subject of this report are consistent with the requirements of Policy P603 - Investment of Surplus Funds and Delegation DC603. Local Government (Financial Management) Regulation 19, 28 & 49 are also relevant to this report - as is the DOLG Operational Guideline 19.

**Financial Implications**

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

**Strategic Implications**

This report is aligned to the City's [Strategic Community Plan 2015-2025](#). This report addresses the 'financial' dimension of sustainability by ensuring that the City exercises prudent but dynamic treasury management to effectively manage and grow our cash resources and convert debt into cash in a timely manner.

**Sustainability Implications**

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

**Attachments**

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

### 10.6.3 Listing of Payments

Location: City of South Perth  
Ward: Not Applicable  
Applicant: Council  
File Ref: D-16-13293  
Date: 23 February 2016  
Author: Michael Kent, Director Financial and Information Services  
Deborah Gray, Manager Financial Services  
Reporting Officer: Michael Kent, Director Financial and Information Services  
Strategic Direction: Governance, Advocacy and Corporate Management --  
Ensure that the City has the organisational capacity,  
advocacy and governance framework and systems to deliver  
the priorities identified in the Strategic Community Plan  
Council Strategy: 6.2 Develop and maintain a robust Integrated Planning and  
Reporting Framework (in accordance with legislative  
requirements).

#### Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 November 2015 and 31 January 2016 is presented to Council for information. During the reporting period, the City made total payments to Creditors by EFT of \$15,766,370.62 and by cheque payment of \$1,322,333.14 giving total monthly payments to Creditors of \$17,088,703.76. Payments totalling \$874,270.02 were also made by cheque to Non Creditors. Total payments were therefore \$17,962,973.78.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That the Listing of Payments for the months of November 2015 to January 2016 inclusive as detailed in **Attachment (a)**, be received.

**CARRIED EN BLOC (9/0)**

#### Background

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

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

Payments in the attached listing are supported by vouchers and invoices. All invoices have been duly certified by the authorised officers as to the receipt of goods or provision of services. Prices, computations, GST treatments and costing have been checked and validated. Council Members have access to the Listing and are given opportunity to ask questions in relation to payments prior to the Council meeting.

**Comment**

A list of payments made during the reporting period is prepared and presented to the next ordinary meeting of Council and recorded in the minutes of that meeting. Due to the early Council meeting dates in November & December 2015 and the Council meeting holiday in January 2016, it was not possible to submit the payments listing to the 'next' meeting - so the combined payment listing is now submitted in aggregate to this meeting as **Attachment (a)** of this agenda.

It is important to acknowledge that the presentation of this list of payments is for information purposes only as part of the responsible discharge of accountability. Payments made under this delegation cannot be individually debated or withdrawn.

Reflecting contemporary practice, the report records payments classified as:

- **Creditor Payments**

*(regular suppliers with whom the City transacts business)*

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

For instance, an EFT payment reference of 738.76357 reflects that EFT Batch 738 included a payment to Creditor number 76357 (Australian Taxation Office).

- **Non Creditor Payments**

*(one-off payments to individuals / suppliers who are not listed as regular suppliers in the City's Creditor Masterfile in the database).*

Because of the one-off nature of these payments, the listing reflects only the unique Cheque Number and the Payee Name - as there is no permanent creditor address / business details held in the creditor's masterfile. A permanent record does, of course, exist in the City's financial records of both the payment and the payee - even if the recipient of the payment is a non-creditor.

Details of payments made by direct credit to employee bank accounts in accordance with contracts of employment are not provided in this report for privacy reasons nor are payments of bank fees such as merchant service fees which are direct debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services. These transactions are of course subject to proper scrutiny by the City's auditors during the conduct of the annual audit.

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

### 10.6.3 Listing of Payments

#### **Consultation**

This financial report is prepared to provide financial information to Council and the administration and to provide evidence of the soundness of financial management being employed. It also provides information and discharges financial accountability to the City's ratepayers.

#### **Policy and Legislative Implications**

Consistent with Policy P605 - Purchasing and Invoice Approval and Delegation DM605.

#### **Financial Implications**

This report presents details of payment of authorised amounts within existing budget provisions.

#### **Strategic Implications**

This 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](#). This report contributes to the City's financial sustainability by promoting accountability for the use of the City's financial resources.

#### **Attachments**

**10.6.3 (a):** Listing of Payments .

## 10.6.4 Budget Review for the Period ended 31 December 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-13294
Date:	23 February 2016
Author:	Michael Kent, Director Financial and Information Services
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

### Summary

A comprehensive review of the 2015/2016 Adopted Budget for the period to 31 December 2015 has been undertaken within the context of the approved budget programs. Comment on the identified variances and suggested funding options for those identified variances are provided. Where new opportunities have presented themselves, or where these may have been identified since the budget was adopted, they have also been included - providing that funding has been able to be sourced or re-deployed.

The Budget Review recognises two primary groups of adjustments:

- those that increase the estimated Budget Closing Position  
(new funding opportunities or savings on operational costs)
- those that decrease the estimated Budget Closing Position  
(reduction in anticipated funding or new / additional costs)

The underlying theme of the review is to ensure that a 'balanced budget' funding philosophy is retained. Wherever possible, those service areas seeking additional funds to what was originally approved for them in the budget development process are encouraged to seek / generate funding or to find offsetting savings in their own areas.

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That, following the detailed review of financial performance for the period ending 31 December 2015, the budget estimates for Revenue and Expenditure for the 2015/2016 Financial Year, (adopted by Council on 13 July 2015 and as subsequently amended by resolutions of Council to date), be amended as per the following attachments to this Council Agenda:

- Amendments identified from normal operations in the Quarterly Budget Review; **Attachment (a)**;
- Items funded by transfers to or from Reserves; **Attachment (b)**;
- Cost neutral re-allocations of the existing Budget **Attachment (c)**.

**Absolute Majority Required**

**CARRIED EN BLOC (9/0)**

### Background

Under the *Local Government Act 1995* and the Local Government (Financial Management) Regulations, Council is required to review the Adopted Budget and assess actual values against budgeted values for the period at least once a year - after the December quarter. This requirement recognises the dynamic nature of local government activities and the need to continually reassess projects competing for limited funds - to ensure that community benefit from available funding is maximised. It should also recognise emerging beneficial opportunities and react to changing circumstances throughout the financial year so that the City makes responsible and sustainable use of the financial resources at its disposal.

Although not required to perform budget reviews at greater frequency, the City typically conducts a Budget Review after the end of the September, December and March quarters each year - believing that this approach provides more dynamic and effective treasury management than simply conducting the one statutory half yearly review.

The results of the Half Yearly (Q2) Budget Review after the December Management accounts were finalised will be forwarded to the Department of Local Government for their review after they are endorsed by Council.

This requirement allows the Department to provide a value-adding service in reviewing the ongoing financial sustainability of each of the local governments in the state - based on the information contained in the Budget Review. However, local governments are encouraged to undertake more frequent budget reviews if they desire - as this is good financial management practice. As noted above, the City takes this opportunity each quarter. This particular review incorporates all known variances up to 31 December 2015.

Comments in the Budget Review are made on variances that have either crystallised or are quantifiable as future items - but not on items that reflect timing difference (scheduled for one side of the budget review period - but not spent until the period following the budget review).

### Comment

The Budget Review is typically presented in three parts, although on occasions the budget review has included an additional fourth part:

- Amendments resulting from normal operations in the quarter under review

#### **Attachment (a)**

These are items which will directly affect the Municipal Surplus. The City's Financial Services team critically examine recorded revenue and expenditure accounts to identify potential review items. The potential impact of these items on the budget closing position is carefully balanced against available cash resources to ensure that the City's financial stability and sustainability is maintained.

The effect on the Closing Position (increase / decrease) and an explanation for the change is provided for each item.

- Items funded by transfers to / from existing Cash Reserves shown as

#### **Attachment (b)**



#### 10.6.4 Budget Review for the Period ended 31 December 2015

These items reflect transfers back to the Municipal Fund of monies previously quarantined in Cash-Backed Reserves or planned transfers to Reserves. Where monies have previously been provided for projects scheduled in the current year, but further investigations suggest that it would be prudent to defer such projects until they can be responsibly incorporated within larger integrated precinct projects identified within the Long Term Financial Plan (LTFP) or until contractors / resources become available, they may be returned to a Reserve for use in a future year.

There is no impact on the Municipal Surplus for these items as funds have been previously provided.

- **Cost Neutral Budget Re-allocation - Attachment (c)**

These items represent the re-distribution of funds already provided in the Budget adopted by Council on 13 July 2015. Primarily these items relate to changes to more accurately attribute costs to those cost centres causing the costs to be incurred. There is no impost on the Municipal Surplus for these items as funds have already been provided within the existing budget.

Where quantifiable savings have arisen from completed projects, funds may be redirected towards other proposals which did not receive funding during the budget development process due to the limited cash resources available. This section also includes amendments to “Non-Cash” items such as Depreciation or the Carrying Costs (book value) of Assets Disposed of. These items have no direct impact on either the projected Closing Position or the City’s cash resources.

There is no current year impost on the Municipal Surplus for these items as the discretionary funding models have already allowed for them within the existing budget.

The projected Budget Opening Position for 2015/2016 (and therefore, by logical extension, the Closing Position) was necessarily adjusted to reflect the actual figure achieved at year end rather than the ‘estimated’ figure that was used in formulating the budget. This matter is discussed further in the Financial Implications section of this report.

#### **Consultation**

External consultation is not a relevant consideration in a financial management report although budget amendments have been discussed with responsible managers within the organisation where appropriate prior to the item being included in the Budget Review.

#### **Policy and Legislative Implications**

Whilst compliance with statutory requirements requires only a half yearly budget review (with the review results being forwarded to the Department of Local Government), more frequent and dynamic reviews of budget versus actual financial performance is good management practice.

#### **Financial Implications**

This report addresses the City’s ongoing financial sustainability through critical analysis of historical performance, emphasising pro-active identification of financial variances and encouraging responsible management responses to those variances. Combined with dynamic treasury management practices, this maximises community benefit from the use of the City’s financial resources - allowing the City to re-deploy savings or access unplanned revenues to capitalise on emerging opportunities. It also allows proactive intervention to identify and respond to cash flow challenges that

#### 10.6.4 Budget Review for the Period ended 31 December 2015

may arise as a consequence of timing differences in major transactions such as land sales or GST transactions involving the ATO.

The amendments contained in the attachment to this report that directly relate to directorate activities will result in a net change of \$195,500 (increase) to the projected 2015/2016 Budget Closing Position as a consequence of the review of operations.

At the Q1 Budget Review, a (\$1,276,193) adjustment was made to the estimated 2015/2016 Budget Opening Position. This adjustment resulted from calculating the Budget Opening Position in accordance with the Department of Local Government's guideline using the final audited figures from the annual financial statements rather than the estimated numbers used in determining the Budget Position at budget adoption date.

The revised Budget Opening Position (including monies associated with Carry Forward items) was adjusted from the previously estimated position of \$6,776,610 (inclusive of the \$4,000,000 worth of carry forward works) to \$5,622,417 (or \$2,800,417 after allowing for the revised net amount of \$3,700,000 relating to carry forward items and the change in cash movements relating to deferred GST recoveries from the ATO).

Budget Review amendments made by Council in August and September in relation to legal fees and traffic management measures in Como, inclusion of the carry forward items and the adjustments made following the Q1 review of operations resulted in a revised estimated Closing Position of \$1,622,417 immediately before this review.

The impact of the proposed amendments in the Q2 Budget Review on the financial arrangements of each of the City's directorates is disclosed in Table I below. Figures shown apply only to those amendments contained in the attachments to this report (not to any previous amendments).

Table I includes only items directly impacting on the Closing Position and excludes transfers to and from cash backed reserves - which are neutral in effect. Wherever possible, directorates are encouraged to contribute to their requested budget adjustments by sourcing new revenues or adjusting proposed expenditures.

The adjustment to the Opening Balance shown in the tables below refers to the difference between the Estimated Opening Position used at the budget adoption date (July) and the (lesser) final Actual Opening Position as determined after the close off and audit of the 2014/2015 year end accounts.

**TABLE I: (Q2 BUDGET REVIEW ITEMS ONLY)**

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	185,500	(70,000)	115,500
Financial & Information Services	212,000	(123,000)	89,000
Development & Community Services	81,500	(48,000)	33,500
Infrastructure Services	1,741,000	(1,783,500)	(42,500)
Special Review Items	0	(0)	0
Adjustment to Est Carry Forwards	0	(0)	0
Opening Position Adjustment	0	(0)	0
<b>Total</b>	<b>\$2,220,000</b>	<b>(2,024,500)</b>	<b>\$195,500</b>

A positive number in the Net Impact column on the preceding table reflects a contribution towards improving the Budget Closing Position by a particular directorate.

The cumulative impact of all budget amendments for the year to date (including those between the budget adoption and the date of this review) is reflected in Table 2 below.

**TABLE 2: (CUMULATIVE IMPACT OF ALL 2015/2016 BUDGET ADJUSTMENTS)**

Directorate	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	725,500	(610,000)	115,500
Financial & Information Services	482,000	(370,000)	112,000
Development & Community Services	214,500	(296,500)	(82,000)
Infrastructure Services	2,857,000	(2,985,000)	(128,000)
Special Review Items	0	(0)	0
Adjustment to Est Carry Forwards	300,000	(0)	300,000
Opening Position Adjustment	0	(1,276,193)	(1,276,193)
<b>Total Change in Adopted Budget</b>	<b>\$4,579,000</b>	<b>(\$5,537,693)</b>	<b>(\$958,693)</b>

The cumulative impact table (Table 2 above) provides a very effective practical illustration of how a local government can (and should) dynamically manage its budget to achieve the best outcomes from its available resources.

Whilst there have been a number of budget movements within individual areas of the City's budget, the overall estimated Budget Closing Position has moved in net terms by (\$958,693) from the estimated Closing Position at budget adoption date after including all budget movements to date. This projected closing position contributes to a sound set of financial ratios but will nonetheless still need to be closely monitored during the remainder of the year.

This report addresses the City's ongoing financial sustainability through critical analysis of historical performance, emphasising pro-active identification of financial variances and encouraging responsible management responses to those variances.

Combined with dynamic treasury management practices, this maximises community benefit from the use of the City's financial resources - allowing the City to re-deploy savings or access unplanned revenues to capitalise on emerging opportunities. It also allows proactive intervention to identify and respond to cash flow challenges that may arise as a consequence of timing differences in major transactions such as land sales.

### 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](#). Conducting regular budget reviews addresses the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance, emphasising pro-active identification and response to apparent financial variances. Furthermore, through the City exercising disciplined and dynamic financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

### **Attachments**

- 10.6.4 (a):** Amendments resulting from normal operations in the quarter under review
- 10.6.4 (b):** Items funded by transfers to or from Reserves
- 10.6.4 (c):** Cost neutral re-allocations of the existing Budget .

## 10.6.5 Tender 18/2015 "Provision of Cleaning Services"

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-16-13299
Lodgement Date:	19 February 2016
Date:	23 February 2016
Author:	Gil Masters, Building and Asset Coordinator
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

### Summary

This report considers submissions received from the advertising of Tender 18/2015 – 'Provision of Cleaning Services' within the City of South Perth for the period of three years with the option of a one year extension at the City's discretion.

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

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons  
**Seconded:** Councillor Travis Burrows

That the tender from Multiclean WA P/L for the 'Provision of cleaning services' within the City of South Perth (Tender 18/2015) for the period of three years, with the option of a one year extension at the City's discretion, be accepted for the resolved tender price of \$1,719,186 (ex GST).

**CARRIED EN BLOC (9/0)**

### Background

A Request for Tender (RFT) 18/2015 for the 'Provision of cleaning services' within the City of South Perth' was advertised in the West Australian on Saturday 24 October 2015 and closed at 2pm Tuesday 24 November 2015.

The RFT is to fulfil the City's objective of cleaning services for public buildings and facilities services.

The Premises and Facilities requiring cleaning Services have been segregated into the following five main groups:

- Group 1: Community Facilities – Collins Street Centre, George Burnett Leisure Centre, Moresby Street and Ernest Johnson Scout Hall.
- Group 2 Civic Centre Administration Precinct -- Principal Administration Centre (including Community Culture & Recreation Offices), Council Chambers and associated areas, Civic Centre Library, Community Centre and South Perth Child Health Centre.
- Group 3: Administration Facilities – Manning Library, Senior Citizen Centres, Collier Park Golf Course, Collier Park Village Administration Complex (including

#### 10.6.5 Tender 18/2015 "Provision of Cleaning Services"

Maintenance Shed) and South Perth Operations Centre, Gatehouse and Animal Care Facility.

- d) Group 4: Public Toilets - All public toilets located throughout the City. Including toilets at Collier Park Golf Course Complex A total of 15 (Fifteen sites). Some of the Men's urinals are fitted with waterless units and it will be the Contractor's responsibility to ensure that the correct replacement cartridges are installed
- e) Group 5: Barbecues - All barbecues located throughout the Principal's boundaries. There are 21 barbecue sites with a total of 33 barbecue plates. Should additional barbecue plates be installed then it will be accepted that the fee for cleaning will be as stated with other sites within the contractors pricing structure.

The City may require to include other aspects of cleaning maintenance program and any obvious exclusions relating to a particular site are to be taken as inclusive of the general cleaning requirement etc. for works not listed within this Tender for the period of 3 years. The term of the contract can be extended by 1 year at the City's discretion.

#### Comment

At the close of the Tender advertising period on the 24 November 2015, 14 tender submissions had been received from skilled and experienced contractors.

Table A - Tender Submissions

Contractors
1. Pioneer Facility Services
2. OCE Corporate
3. Multiclean WA P/L
4. Menzies International
5. Iconic Property Services
6. GWC Total Management
7. GJK Facility Services
8. CMC Property Services
9. Brightshine Cleaning Services
10. Allclean Property Services
11. Storm International
12. DMC Cleaning
13. TJS Services Group P/L
14. Evolution Group

Note: Evolution Group is a Traffic Management Contractor. Their submission was meant for the Traffic Supply Tender and was erroneously placed in the cleaning tender folder by that company. It was not considered further for this Tender.

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

Table B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Skills & Experience	40%
2. Resources	40%
3. Methodology	20%
Total	100%

It is recommended that the tender from Multiclean WA P/L for the 'Provision of Cleaning Services' for the City of South Perth be accepted for a period of three years with option to extend by one year at the City's discretion.

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

### Consultation

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

### Policy and Legislative Implications

Section 3.57 of the Local Government Act (as amended) requires a local government to call tenders when the expected value is likely to exceed \$150,000. Part 4 of the Local Government (Functions and General) Regulations 1996 sets regulations on how tenders must be called and accepted.

The following Council Policies also apply:

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

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

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

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

### Financial Implications

The cost of the annual works is reflected in the annual operating budget and will be taken into account during formulation of the 2015/2016 (quarterly reviews) 2016/2017, 2017/2018 and 2018/2019 operating budgets.

### Strategic Implications

The report is consistent with the City's [Strategic Community Plan 2015–2025](#) Direction 6 – Governance, Advocacy and Corporate Management "Ensure that the City has the organisational capacity, advocacy, and governance framework and systems to deliver the priorities identified in the Strategic Community Plan".

#### **10.6.5 Tender 18/2015 "Provision of Cleaning Services"**

##### **Sustainability Implications**

This tender will ensure that the City is provided with the best available service to complete the works identified in the Annual Budget. By seeking the services externally the City is able to utilise best practice opportunities in the market and maximise the funds available to provide sound and sustainable cleaning to public buildings and facilities.

##### **Attachments**

**10.6.5 (a):** Panel Report - Tender 18/2015 "Provision of Cleaning Services" *(Confidential)* .



## 10.6.6 Memorandum of Understanding - City of South Perth and Town of Victoria Park

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-16-13300
Date:	23 February 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:	6.5 Advocate and represent effectively on behalf of the South Perth community.

### Summary

This report considers a draft Memorandum of Understanding between the City of South Perth and Town of Victoria Park.

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Cheryle Irons  
**Seconded:** Councillor Travis Burrows

That the Council endorse the Memorandum of Understanding between the City of South Perth and the Town of Victoria Park.

**CARRIED EN BLOC (9/0)**

### Background

Following the February 2015 amalgamation ballot, the City of South Perth and Town of Victoria Park both resolved in April 2015 to close the City of South Park amalgamation program and adopt a number of other related resolutions, including:

- a) *endorse the Reform Program Closure Report;*
- b) *note the cessation of the Local Implementation Committee and commends members of the Committee for their work;*
- c) *endorse the funding application submitted to the Department of Local Government and Communities;*
- d) *note the opportunities identified by the City and Town for further collaboration;*
- e) *agree that the CEO investigate the potential for a Memorandum of Understanding between the City of South Perth and the Town of Victoria Park to guide future collaborative initiatives; and*
- f) *agree that the City of South Perth and Town of Victoria Park Councils meet at least annually to update each other on key strategic projects, and any collaborative work that may be occurring at an operational level.*

### Comment

The City and Town established an effective working relationship during the reform program and both parties agreed that there was value in maintaining and developing the relationship, working together to identify, prioritise and promote opportunities for future cooperation and partnership.

#### 10.6.6 Memorandum of Understanding - City of South Perth and Town of Victoria Park

A draft Memorandum of Understanding (**Attachment (a)**) has been prepared between the City and the Town, to commit both parties to a more formalised working relationship and partnership for a period of three years. The Memorandum of Understanding is based on the Local Government Reform Program Closure Report, which was adopted by the Council in April 2015, containing a number of strategic and operational level opportunities for business improvement.

The Memorandum of Understanding has the following principles, objectives and commitments:

##### Principles

- a willingness and focus to make the collaboration succeed
- to cooperate with each other in good faith
- initiatives will be outcome focussed and mutually beneficial
- the sharing of information between both parties where appropriate
- monitoring and managing internal considerations that may impact on the success of this Memorandum of Understanding.

##### Objectives

- to review the opportunities for business improvement as outlined in the Local Government Reform Program Closure Report
- provide better value to ratepayers
- improve and streamline business processes
- create opportunities for professional development for staff
- strengthen our communities 'voice'
- assist each other in achieving each organisational objectives where possible

##### Commitments

- Shared procurement and contract management
- Shared specialist resources and staff secondments
- Shared equipment and plant
- Joint training and professional development programmes
- Joint advocacy
- Joint business continuity and technology arrangements
- Alignment of major projects and business planning initiatives to achieve collaborative outcomes.

The Memorandum of Understanding provides that the City and Town's Executive Teams will meet three times per annum to progress the above objectives and that Elected Members from the City and Town will meet at least once per annum to foster the partnership.

##### **Consultation**

The Memorandum of Understanding has been prepared in partnership with the Town of Victoria Park.

##### **Policy and Legislative Implications**

There are no policy or legislative implications associated with this Memorandum of Understanding.

## 10.6.6 Memorandum of Understanding - City of South Perth and Town of Victoria Park

### **Financial Implications**

The Memorandum of Understanding does not commit the City to any financial arrangements. One of the objectives of the Memorandum of Understanding is to provide better value to the ratepayers of the City and the Town.

### **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**

**10.6.6 (a):** Memorandum of Understanding .

## 10.6.7 Donation to Lord Mayor's Distress Relief Fund - Waroona and District Fires Appeal 2016

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-13301
Date:	23 February 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:	6.5 Advocate and represent effectively on behalf of the South Perth community.

### Summary

This report recommends that the Council donate \$10,000 to the Lord Mayor's Distress Relief Fund for the Waroona and District Fires Appeal 2016.

### Officer Recommendation

**Moved:** Councillor Cheryle Irons

**Seconded:** Councillor Travis Burrows

That the Council donate \$10,000 to the Lord Mayor's Distress Relief Fund for the Waroona and District Fires Appeal 2016.

**CARRIED EN BLOC (9/0)**

### Background

In January 2016, Waroona and surrounding districts experienced one of the State's worst bush fires, burning over 70,000 hectares and claiming two lives. Over 140 properties were damaged with the Yarloop Township being destroyed.

### Comment

The Lord Mayor's Distress Relief Fund was established in 1961 and is the recognised state emergency fund, providing relief for personal hardship and distress arising from natural disasters within Western Australia.

The Lord Mayor has activated the Fund to raise and coordinate donations to support the victims of the Waroona and Districts bushfire. The costs of administering the Fund are absorbed by the City of Perth, with all funds raised disbursed directly to victims.

### Consultation

Nil.

### Policy and Legislative Implications

Nil.

### Financial Implications

Funding will be provided for from Account 21.42.4915 Donations – with a budget amendment increase of \$10,000 to \$195,000.

### 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

Nil

## 11. APPLICATIONS FOR LEAVE OF ABSENCE

### 11.1 REQUESTS FOR LEAVE OF ABSENCE

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

- Mayor Sue Doherty for the period 12 March – 16 March 2016 inclusive;
- Councillor Fiona Reid for the period 4 March – 13 March 2016 inclusive;
- Councillor Cheryle Irons for the period 22 March – 10 April 2016 inclusive; and
- Councillor Glenn Cridland for the period 19 March – 24 March 2016 inclusive and 22 April – 6 June 2016 inclusive.

#### COUNCIL DECISION

**Moved:** Councillor Ken Manolas

**Seconded:** Councillor Colin Cala

That Leave of Absence be granted to:

- Mayor Sue Doherty for the period 12 March – 16 March 2016 inclusive;
- Councillor Fiona Reid for the period 4 March – 13 March 2016 inclusive;
- Councillor Cheryle Irons for the period 22 March – 10 April 2016 inclusive; and
- Councillor Glenn Cridland for the period 19 March – 24 March 2016 inclusive and 22 April – 6 June 2016 inclusive.

**CARRIED (9/0)**

## 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 12.1 CITY OF PERTH 2015 BILL & CHANGES TO THE LOCAL GOVERNMENT ACT 1995

At the Agenda Briefing held 16 February 2016, Mayor Sue Doherty gave notice that at the 23 February 2016 Ordinary Council meeting she would move the following motion.

#### Motion AND COUNCIL DECISION

**Moved:** Mayor Sue Doherty

**Seconded:** Councillor Glenn Cridland

That Council support the City of Subiaco and write to the South Metropolitan MLC's expressing;

- a. support of the concept of a Capital City Act to acknowledge the special situation of the capital city, and
- b. concerns relating to the Local Government boundary changes as outlined within the City of Perth 2015 Bill.

**CARRIED (9/0)**

## Background

The City of Perth Bill 2015 aims to promote and enhance the City of Perth on a national and international level. The purpose of this Bill is to continue the City of Perth as a local Government district but redefine its boundaries and recognise Perth as the capital city of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow on from that.

There are areas of discussion within the Bill including proposed changes to the boundaries of the City and amendments to the Local Government Act 1995.

The proposed changes to the boundaries of the City of Perth will enlarge the City of Perth to include the University of Western Australia, Kings Park, the Queen Elizabeth II Medical Centre and the new Perth Children's Hospital to take effect on 1 July 2016. The 'rationale' for the boundary changes was premised on the 'need' for the capital city to have a major hospital within its boundaries. However it was announced on 25th November 2015 that Royal Perth Hospital will be retained as the 'flagship' of a new Eastern Metropolitan Region Health Service – so the 'need' for QEII/PCH to go to the City of Perth is removed.

The proposed changes will reduce the area of both the City of Subiaco and the City of Nedlands as the boundaries of the City of Perth expand. For the City of Subiaco, concerns have been expressed that under the proposal 3000 residents will be serviced by the City of Perth without any consultation with community members or the City of Subiaco. These changes will reduce income revenue and services for what is left of the City of Subiaco.

The Mayor of the City of Subiaco has written to the Mayor of the City of South Perth to ask for support by writing to our Legislative Council Representative.

## Reasons for the Motion

- i. The purpose of the Bill aims to recognize Perth as the Capital of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow from that. There are 10 objectives outlined within the Bill that the City of Perth will use as a guide for its long term planning and decision making. The objects of the City of Perth are aspirational and broad and there is no reason why these could not be achieved under the current Local Government Authority boundaries.
- ii. The proposed boundary changes to the City of Perth have been made with limited planning and discussion with the City of Subiaco or its community members. Some of the ramifications of the change are unknown; however, it is certain that as a result of this change, there will be a dramatic reduction to the City of Subiaco's revenue stream which will then have flow-on effect to the services it provides to the remaining community. The proposed change will reduce land size managed by the City of Subiaco which in the long term could jeopardise the future of the City of Subiaco and could lead to amalgamation of other metropolitan Local Government Authorities.
- iii. The Department of Local Government and Communities has previously made attempt to change Local Government boundaries through the amalgamation of metropolitan Local Government Authorities to reduce from 30 to 16, however in February 2015 plans were rejected in response to concerns raised by the affected communities.

- iv. Consultation and planning are mandatory to ensure that the changes imposed on the City of Subiaco and the City of Nedlands are sustainable in the long term. As consultation has not occurred, this section of the Bill should be rejected as it currently stands.
- v. Lack of clarity over transitional arrangements, including lack of time to carry out the required ward review (Clause 22) which can only be initiated once the Bill becomes law. Clause 25 gives the executive (not Parliament) broad powers to “prescribe all matters that are required, necessary or convenient” where the Act does not contain specific provisions.

#### CEO COMMENT

The City has been supportive of residents being provided the opportunity to have their say on boundary adjustments.

### **13. QUESTIONS FROM MEMBERS**

#### **13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE**

At the December 2015 meeting and Special Council meeting of 27 January 2016 no questions from Members were taken on notice.

At the Special Council meeting of 16 February 2016 questions from Members were taken on notice and responses were provided to the Members by way of a memorandum.

#### **13.2 QUESTIONS FROM MEMBERS - 23 FEBRUARY 2016**

Questions were received from:

- Councillor Glenn Cridland
- Councillor Cheryle Irons
- Councillor Fiona Reid

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

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

Councillor Ken Manolas put forward the following 'New Business of an Urgent Nature Introduced by Decision of Meeting':

- *Development Contribution Areas Schedule 10 City of South Perth Town Planning Scheme No. 6*

The Presiding Member put that the Motion at Item 14.1 be considered.

### **MOTION TO CONSIDER NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

#### **COUNCIL DECISION**

**Moved:** Councillor Manolas

**Seconded:** Councillor Reid

That the 'New Business of an Urgent Nature Introduced by Decision of Meeting' at *Item 14.1 Development Contribution Areas Schedule 10 City of South Perth Town Planning Scheme No. 6*, put forward by Councillor Ken Manolas be considered.

**CARRIED (9/0)**

## 14.1 DEVELOPMENT CONTRIBUTION AREAS SCHEDULE 10 CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 6

#### **COUNCIL DECISION**

**Moved:** Councillor Manolas

**Seconded:** Councillor Reid

That Council continues to investigate a Development Contribution scheme for high rise in the Station Street Precinct as listed in Schedule 10 in the Town Planning Scheme No. 6 and to report to Council at the May 2016 Ordinary Council meeting to indicate what progress has been made.

**CARRIED (9/0)**

#### **Reasons for Motion**

With all the high rise development occurring in the Station Street precinct, the city will have added costs, eg traffic studies, traffic management parking issues etc. Included in TP6 is Schedule 10 Developer Contribution. I believe that the developers are making huge profits and they should contribute to the costs associated with the impacts of their developments to the City. It should not be left up to the ratepayers to pick up all the costs and Council has a responsibility to move with implementing a developer contribution even if there is difficulty with its implementation.



## 15. MEETING CLOSED TO PUBLIC

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

Reports regarding these matters were circulated separately to Councillors.

The Presiding Member put that if no Member sought to discuss the *confidential* Item the meeting would not be closed to the public.

As no Member requested discussion on the Item, the Chamber remained open to the public and the Presiding Member put the Officer Recommendation.

### 15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

#### 15.1.1 Sale of Land Under Section 6.64 of the Local Government Act 1995 - 78c Edgecumbe Street, Como

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (b) as it contains information relating to "the personal affairs of any person"*

Location:	78c Edgecumbe Street
Ward:	Como Ward
Applicant:	City of South Perth
File Ref:	D-16-13305
Date:	23 February 2016
Author:	Peter Yaxley, Rates Officer
Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

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

**Moved:** Councillor Glenn Cridland

**Seconded:** Councillor Cheryle Irons

That Council adopt the Officer Recommendation as per the *confidential* Item.

**CARRIED (9/0)**

### 15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

#### 15.2 Sale of Land Under Section 6.64 of the Local Government Act 1995 - 78c Edgecumbe Street, Como

The Governance Officer read aloud the above *confidential* resolution.

*Note: the resolution remains confidential.*

## 16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.36pm.

## 17. RECORD OF VOTING

23/02/2016 7:21:15 PM

### 6.2 Extension of Public Question Time

Motion Passed 8/1

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

No: Cr Glenn Cridland

23/02/2016 7:34:06 PM

### 7.1 Confirmation of Minutes

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 7:35:04 PM

### 7.2 Receive Briefing Notes

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 7:39:26 PM

### 8.3 Consideration of Deputation

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 7:44:59 PM

### 8.4 Receive Council Delegates Reports

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 7:48:48 PM

### 9.1 En Bloc Motion

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 7:51:04 PM

### **10.3.2 Closure of Pedestrian Access Ways in Karawara**

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb

Absent: Cr Colin Cala

23/02/2016 8:03:00 PM

### **10.3.3 Canning Highway #ShapeOurPlace – Study and Next Steps**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:09:06 PM

### **10.3.4 Review of Policy P301 ‘Community Engagement in Planning Proposals’ (Item 12.2 of the Council Meeting of 25 August 2015 Refers).**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:10:59 PM

### **11.1 Requests for Leave of Absence**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:17:40 PM

### **12.1 Mayor Sue Doherty: Motion – City of Perth 2015 Bill & Changes to the Local Government Act 1995**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:28:22 PM

### **14. Motion to Consider New Business of An Urgent Nature Introduced by Decision of Meeting**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:34:52 PM

**14.1 Development Contribution Areas Schedule 10 City of South Perth Town Planning Scheme No. 6**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

23/02/2016 8:35:43 PM

**15.1.1 Sale of Land Under Section 6.64 of the Local Government Act 1995 - 78c Edgcombe Street, Como (*Confidential*)**

Motion Passed 9/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

## APPENDIX A

### 6. PUBLIC QUESTION TIME: ORDINARY COUNCIL MEETING – 23 FEBRUARY 2016

<b>Vicki Redden of 14/63 Mill Point Road, South Perth Received prior to the meeting: 22 February 2016</b>	<b>Response provided by: Vicki Lummer, Director Development and Community Services.</b>
<p>1. Can you provide details on the sale of the Civic Heart site? Apart from the final \$\$\$ - which are in the public arena I would like know on what Planning Scheme the valuation was based. Was it based on the ability to have 10.5/25/41 metre high buildings as per Plan 3 of Schedule 9 or an "unlimited height" building?</p>	<p>The market valuation was based upon the land zoning - Special Control Area 1 under Town Planning Scheme No 6 (Special Design Area) on the highest and best use of the site utilising the comparable sales method and hypothetical sales method.</p>
<p>2. A 2007 council resolution asked for a report on proposed development guidelines (i.e. height, density residential vs. commercial land use), and other relevant conditions on disposal of the Civic Triangle. Was that report provided and if so can it be made available to the public? As we know 2007 predates the Station Precinct study and Amendment 25 by some years.</p>	<p>The further report and design guidelines for the Civic Triangle were not prepared in isolation of the remainder of the precinct. The South Perth Station Precinct Study was undertaken, leading to the adoption of the South Perth Station Precinct Plan. The provisions in the Precinct Plan served the same purpose that would have been served by design guidelines specifically applicable to the Civic Triangle alone.</p>
<p>3. In Council Minutes in 2012 there is talk about engaging two architectural firms to develop concepts to "allow for the Civic Triangle site to be developed to its full potential under the proposed Amendment 25". What did those concepts show (especially heights)? What did it mean by 'develop to its full potential'?</p>	<p>Two development proposals for the highest and best use of the site were based on the development guidelines for Amendment 25 were commissioned. These concepts were for 20 storeys and 17 storeys. It must be noted that these were hypothetical concepts, and in reality gross realisations and market forces are a strong determinant on full potential.</p>

<p>4. What is South Perth Council’s definition of “short term” accommodation?</p>	<p>The Town Planning Scheme defines serviced apartment: an apartment which is one of a group of two or more apartments on the same lot, used, furnished and equipped to be used on a temporary basis in a manner similar to a Grouped Dwelling or Multiple Dwelling, for which laundry and cleaning services are provided, with or without other ancillary amenities.</p> <p>Temporary Occupancy is also defined: occupancy of a serviced apartment by the same temporary tenant for a period of 6 months or less.</p>
<p>5. We have seen in recent Dev Apps that many apartments are being described as “commercial” in an attempt to get around the Commercial/Residential Ratio in the SDA of SP plan.</p> <p>When someone buys a property to rent out there is no requirement to tell council whether it is a long or short term lease? According to REIWA and the taxation department to be classified as commercial, “serviced apartments” are required to be sold as a block with specific management aspects.</p> <p>Does council have a policy on what constitutes a commercial apartment? And In light of this potential loophole is council going to strengthen its definition of “commercial” with regard to serviced apartments?</p>	<p>The City has a policy P312 which guides this type of development. ‘Serviced apartments’ are one form of ‘Tourist Accommodation’ which provides self-contained visitor accommodation for short-term occupancy. These visitors play an important role in the economic well-being of the City .</p>

<p><b>Lindsay Jamieson of (address withheld on request for privacy) Received prior to the meeting: 23 February 2016</b></p>	<p><b>Response provided by: Geoff Glass, CEO</b></p>
<p><i>[Preamble] I would like to extend my welcome to the new CEO Mr Glass. You have had several months in the role now and I trust it is meeting your expectations. I certainly hope that your work is positive for the residents and ratepayers, both collectively and individually. As we know the City and the administration are continuous rather than starting and stopping and starting again as people come and go. However it is appropriate to acknowledge you bring a new instantiation to the City and administration with your own leadership and ideals. I would like to gain a deeper insight and understanding of what you bring or intend to bring to the City and the administration.</i></p>	
<p>I. Can you please advise the extent of your commitment to the Code of Conduct? Are you fully committed to the Code of Conduct? In responding could you please respond to the Code of Conduct in total as well as the following specific sections of the Code of Conduct:</p> <ul style="list-style-type: none"> <li>• The guiding values of “Honesty and integrity”, “caring and empathy”</li> <li>• Section 2.(a) acting with reasonable care and diligence</li> <li>• Section 2.(b) acting with honesty and integrity</li> <li>• Section 5.1(d) make no allegations which are offensive or objectionable and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment</li> <li>• Section 5.2(a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards</li> </ul>	<p>The Code of Conduct establishes the standards expected by the City of its Elected Members and its staff and it is a requirement for all employees for which I am one to act in accordance with that Code.</p>



<p>2. If/when you believe a Council member or staff member have an interest, or the perception of an interest, in a matter:</p> <ul style="list-style-type: none"> <li>• How will you guide the Council member on what they should do?</li> <li>• How will you guide the staff member on what they should do?</li> </ul>	<p>In terms of my responsibility for matters of interest the Local Government Act is very clear: Those responsibilities relate to written disclosures, to the recording of those disclosures, the keeping of a register and the reporting of any breaches. It is incumbent on the elected member or staff to decide if they have an interest and them to declare that interest.</p>
<p>3. The Code of Conduct in several places refers to ethical conduct and also states “so as to achieve the highest standards of ethical conduct”. What do you understand by the term “ethical conduct”? What do you understand by the term “the highest standards of ethical conduct”? How does this differ from legal conduct?</p>	<p>The City’s Code of Conduct outlines what general principles of behaviour achieve to make higher standards of ethical conduct and those behaviours referred to are:</p> <ul style="list-style-type: none"> <li>(a) acting with reasonable care and diligence;</li> <li>(b) acting with honesty and integrity;</li> <li>(c) acting lawfully;</li> <li>(d) avoiding damage to the reputation of the City;</li> <li>(e) being open and accountable to the public;</li> <li>(f) basing decisions on relevant and factually correct information;</li> <li>(g) treating others with respect and fairness; and</li> <li>(h) not being impaired by mind affecting substances.</li> </ul>
<p>4. The Code of Conduct in several places refers to integrity. What do you understand by the term “integrity”?</p>	<p>The Code of Conduct outlines what is meant by “integrity” and I would refer to the common use of “integrity” meaning someone who is honest and has strong moral principles.</p>
<p>5. For the investigation into any alleged breach of the Code of Conduct what is the level of proof required to establish a breach has occurred? How does this compare to the level of proof in court that requires “beyond reasonable doubt”?</p>	<p>The CEO must report to the Corruption and Crime Commission on any matter which he or she reasonably suspects concerns misconduct.</p>
<p>6. Does the administration support a person’s right to be innocent until proven guilty?</p>	<p>The City operates and abides by the Australian legal system which presumes innocence until proven guilty.</p>

<p>7. When considering matters before the administration, and in preparation of reports to Council, would it be fair that the administration would base decisions and recommendations on</p> <ul style="list-style-type: none"> <li>• the truth, the whole truth and nothing but the truth, and</li> <li>• the facts , the whole facts, and nothing but the facts?</li> </ul>	<p>[This question was taken on notice due to time constraints]</p> <p>It is a legislative requirement of Council officers to perform their duties impartially and consistently, in the best interests of the City uninfluenced by fear or favour, acting in good faith at all times with the highest standards of honesty and integrity.</p>
<p>8. My understanding of Council policies is that they are directions from Council to the administration, and the administration will follow those policies unless Council agrees to an alternate. Is that your understanding? If not then please explain how you and the administration will handle Council policies.</p>	<p>[This question was taken on notice due to time constraints]</p> <p>The City of South Perth's Policies contain statements of strategic intent to guide the City's operations and decision making.</p>
<p>9. It was mentioned to me that you as the new CEO advised staff that you will judge all matters on merit, and not based on previous administration approach. Is that what you advised staff? Please elaborate if that is not what you advised staff.</p>	<p>[This question was taken on notice due to time constraints]</p> <p>In reference to your specific matter, the Council resolved in 2012 to inform yourself that the “<i>matter has been fully determined by the Council and will not be reconsidered</i>”.</p>
<p><b>Lachlan Spicer of 36 Vista Street, Perth Received prior to the meeting: 23 February 2016</b></p>	<p><b>Response provided by: Vicki Lummer, Director Development and Community Services.</b></p>
<p><b>Relates to 10.3.3 Canning Highway #ShapeOurPlace – Study Report and Next Steps</b>  [Preamble] <i>I think it is fair and reasonable to be provided with more time to read the ShapeOurPlace Study Report before the council votes on it's findings.</i></p>	
<p>1. Can the council explain why they had access to the #ShapeOurPlace Study Report and Next Steps since Nov 2015 but only released it to the community on the 12th Feb 2016 and then only provided 4 days to read and prepare questions for the 16th Feb Council meeting? Is 4 days the standard process?</p>	<p>[This question was taken on notice due to non-attendance]</p> <p>The Council was briefed on the report in December. With no Council meeting in January, February is the first opportunity for Council to consider the report. Council should view the report before it is released to the public, in order to be informed regarding its content.</p>

<p>2. Can the council please afford the community the same time it was afforded (e.g. 3 months) to read, digest and consider queries that it may want to ask the council in relation to the findings of the report?</p>	<p>[This question was taken on notice due to non-attendance]</p> <p>The report is the output from a planning and community engagement project and further submissions are not sought from the community.</p> <p>The consultant's recommendations are not binding in any way but identify issues, areas for future work and community engagement.</p> <p>All of the report recommendations involve further work and community consultation to resolve issues and incorporate changes into TPS No.6 as required.</p>
<p><b>Harry Anstey of 21 River View Street, South Perth Received prior to the meeting: 23 February 2016</b></p>	<p><b>Response provided by: Mark Taylor, Director Infrastructure Services</b></p>
<p><b>Relates to 10.4.1 (Lot 278) 36 Brittain Street, Como - Subdivision and Partial Disposal</b></p> <p><i>[Preamble] Council is aware of concerns identified about how public consultation is taking place within the city, Policy P301. Here we have a small local matter of no apparent concern to anyone else. Before adopting this recommendation, I ask Councillors:-</i></p>	
<p>1. What is the necessity for Council to dispose of part of this property?</p>	<p>This site is still required for the operation of a drainage sump however there is the opportunity to subdivide a portion of it, with the City to use the proceeds to fund other projects.</p>
<p>2. What was the form of the apparent "statutory consultation" undertaken? Was it in accordance with Policy P301? What was the radius from the boundaries? 150m? 300m? Or was it limited to the same street? Or only the adjacent neighbours?</p>	<p>The immediate neighbouring properties were consulted as part of this disposal process. If Council approves the disposal, the City is required to advertise the sale and invite public submissions for a period of two weeks. This is in accordance with s3.58 of the Local Government Act. Policy 301 does not apply to the sale of Council land.</p>
<p>3. Did the "statutory consultation" invite community comments for alternatives, such as retention of the whole site for community garden type open space (particularly given the surrounding infill taking place).</p>	<p>The immediate neighbouring properties were consulted as part of this disposal process.</p>

<p>4. How much Local Public Open Space is available in the Como area currently? Does this include allowance for the duplex infill development which is occurring in this area? Has Council a plan to provide additional local public open space in this area of Como?</p>	<p>The immediate area is reasonably well serviced by POS. Available public reserves within 800 metres of the Brittain Street sump include:</p> <ul style="list-style-type: none"> <li>• Ryrie Reserve (3.4 ha) which is 330 metres away by road;</li> <li>• Bill Grayden Reserve (4.6 ha) which is 700 metres away by road;</li> <li>• Axford / Barker Reserve (3.5 ha) which is 285 metres away by road.</li> </ul> <p>The City believes there is adequate POS in this particular area in consideration of the current town planning scheme.</p> <p>There are no plans to provide additional public open space in this particular area of Como for this reason.</p>
<p>5. Will the \$64,000 received be reserved for future POS requirements in the surrounding area in Como?</p>	<p>The sale proceeds from the disposal will fund future strategic priority services and facilities.</p>
<p>This very local matter requires no less consideration and scrutiny than any other disposal of a council asset, large or small. Once sold it is very hard to recover! I hope this question will enable Officer's to provide you and me with the fundamental re-assurances which I suggest should have been apparent in the report.</p>	
<p><b>Harry Anstey of 21 River View Street, South Perth Received prior to the meeting: 23 February 2016</b></p>	<p><b>Response provided by: Vicki Lummer, Director Development and Community Services</b></p>
<p><b>Relates to 7.3.1 Proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth of the Special Council Meeting held 16 February 2016 (&amp; the JDAP meeting held 22 February 2016)</b></p> <p><i>[Preamble] I was most concerned to hear Council's Officer advise the JDAP panel yesterday concerning the Charles St Development proposal that there is no definition of what constitutes a car parking bay, either in TPS6 or Australian Standards. I am not sure if that response was related to the horizontal dimensions only or the volumetric dimensions (including height, with a stacker). I don't think I was the only person who was unclear - perhaps the Officer may wish to clarify this evening? From my review of the Scheme, its prescription and guidance, it appears that several aspects need to be corrected promptly to clarify the definition and intent of TPS6. I would like to ask Councillors to consider:-</i></p>	

<p>1. Amend existing TPS6 Clause 6.3 (8) to “The dimensions of car parking bays shall be prescribed as 3.1m wide and 5.5m long with associated accessways as detailed in Figure 1 of Schedule 5.” With no further cross reference or qualification.</p> <p>It appears to me that 6.3 (8) is intended to be prescriptive but then uses Figures 1 &amp; 2 to clarify the intent for various situations. However after carefully following the words and drawings it became obvious that the horizontal plane requirements are not clearly defined. From Figure 2 it is apparent that Council intends a car parking bay to be 5.5m by 3.1m wide, which should be the prescriptive requirement clearly defined in 6.3 (8). Discretionary considerations should be consolidated (in 6.3 (9)) and not be confusing these prescriptive elements.</p>	<p>The Town Planning Scheme has been amended and you are not referring to the latest version.</p>
<p>2. Amend Clause 6.3 (9) which provides the additional, discretionary aspects, and add “Council may allow a car parking bay which has an abutting column, pier, wall, fence, tree, vehicle or similar obstruction intruding within the 3.1m width but otherwise conforms with the specific requirements detailed in Figure 2 of Schedule 5.”</p>	<p>[This question was taken on notice due to time constraints]</p> <p>Refer answer to question 1.</p>
<p>3. The Table in Schedule 5, Figure 1. It is of questionable value to the definition of parking bay width of 3.1m and 5.5m length. The minimum width of accessway for each of the respective angles can be similarly detailed, so the Table could be deleted.</p> <p>The inclusion of unqualified parking bay widths of 2.5 to 2.9 only confuses the prescriptive 3.1m minimum width requirement.</p> <p>The diagram below the Table clearly illustrates the application of these terms for any car parking angle. The associated mathematics of each example should be unnecessary to a competent technical person.</p>	<p>[This question was taken on notice due to time constraints]</p> <p>Schedule 5 has been deleted.</p>

<p>4. Why have Officers failed to implement the guidance/suggestion provided by WAPC and the Minister last September concerning car parking bay height being a Policy which had been removed from Amendment 48?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>The draft policy will be on the 1 March 2016 Audit and Governance Committee agenda.</p>
<p>5. The Officer's explanation of the various anomalies, omissions, etc. questioned by the Panel about the RAR, his response about timeliness and I ask whether the existing Council process is performing adequately when this RAR had also been reviewed by another?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>This question is unclear in its meaning.</p>
<p><i>I suggest each of these points is very crucial when preparing a RAR for Council and DAP consideration, particularly if Councillors' serious intentions concerning Town Planning are to be accurately interpreted by others! It is not acceptable for Officers to exclude or forget to include serious considerations in the RAR to DAP. I hope these questions will be viewed in the constructive manner intended so Councillors will be informed and obtain answers to address each of these fundamental issues revealed during the DAP processes.</i></p>	
<p><b>Harry Anstey of 21 River View Street, South Perth Received prior to the meeting: 23 February 2016</b></p>	<p><b>Response provided by: Mark Taylor, Director Infrastructure Services</b></p>
<p><i>[Preamble] I understand from a comment at Council last week that Council is undertaking a traffic study, possibly of the Station Precinct. I could not locate any details via the web site and so request details of the:-</i></p>	
<p>1. Scope</p>	<p>[This question was taken on notice due to time constraints]</p> <p>Two Traffic Models are being developed. GHD have been commissioned to review their modelling undertaken in 2010/11 for the "City of South Perth Station Precinct Transport Access Strategy (May 2012)". The earlier model is a macro transport planning tool using data retained by Main Roads. The review model will reflect development within the precinct. The original "Access Strategy" defined works needed to be implemented to better manage traffic through the Precinct. Cardno will develop a micro transport planning model for the Precinct that will focus on anticipated movements at intersections and to validate solutions proposed for the intersections that will better manage traffic within the precinct area.</p>

<p>2. Area(s) being considered. Roads, streets &amp; intersections</p>	<p>[This question was taken on notice due to time constraints]</p> <p>Yes</p>
<p>3. Review:-</p> <ul style="list-style-type: none"> <li>• Will it compare peak flows, etc. with the previous study and future projection/trend?</li> <li>• How are Developments Approved and Planned being addressed?</li> <li>• Is parking included?</li> <li>• Main Roads data, on/off freeway into/off Mill Point and Labouchere Roads?</li> <li>• Identify Elizabeth Quay diversion traffic flow (east/west) via MPR?</li> </ul>	<p>[This question was taken on notice due to time constraints]</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• The micro model will incorporate approved developments. Planned developments will be added as received.</li> <li>• No</li> <li>• Yes</li> <li>• No</li> </ul>
<p>4. Recommendations - particularly of crash statistics &amp; hot spots? 1y/5y plans? estimated costs?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>The required improvements to signal installations and various intersections will be undertaken separately using design consultants. Road and intersection improvements will be designed to full contract documentation for implementation 2017/18 and beyond.</p>
<p>5. Community consultation intent of the draft report.</p>	<p>[This question was taken on notice due to time constraints]</p> <p>No. The models are operational tools (computer simulations) to assist in the assessment of Planning Applications and to ensure support from the various state agencies to essential intersection improvement works.</p>

<b>Craig Dermer of 14/63 Mill Point Road, South Perth Received at the meeting: 23 February 2016</b>	<b>Response provided by: Vicki Lummer, Director Development and Community Services.</b>
<p>1. One of the stated purposes of the DAC is to provide comments and advice to the Council and City officers on urban design. Is there any formal urban design/town planning qualification amongst them? If not, shouldn't one of the following be actions –</p> <ul style="list-style-type: none"> <li>a. This part of their role be removed from their stated purpose and</li> <li>b. Council refer such issues to a qualified person when they arise?</li> <li>c. A qualified person be added to the group.</li> </ul>	<p>[This question was taken on notice due to time constraints]</p> <p>Yes, there are formal Town Planning Qualifications.</p>
<p>2. The DAC presentation to Staff, Councillors, CEO &amp; Mayor re Amendment 46 has raised some eyebrows in the community, especially since it was seen to be an oral submission well after the closure date. Given this, and the public statements by members of the DC, is Council confident that this group is as impartial as required under the code of behaviour guidelines and public expectations?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>Council Policy P303 Design Advisory Consultants provides the basis for the groups' advice to the City. Town Planning Scheme Amendments are clearly one type of planning proposal about which the group is required to advise the City.</p>
<p>3. There are a number of absolutely incorrect submissions re Amendment 46, including direct letters to the CEO purporting to be submissions. These submissions have been made public to assist the lobbying activities of certain groups who want to maintain the chaotic LPS6. One example is the article in today's Southern Gazette. They talk about such things as excising developable land etc, which clearly exhibits either a failure to read or understand the Amendment, or simply fabricated to promote their own cause. Is it appropriate that you request a retraction/correction, and also publish a Q&amp;A style note on the SP website to show that you do not, in fact, countenance this blatant propaganda? If not, why not?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>A retraction is not considered necessary. The City has a great deal of information on the web site already in regard to amendment 46. As submissions are no longer being accepted this has little relevance.</p>



<p>4. Further to the misleading and incorrect public statements concerning Amendment 46, submissions claiming things which are 'wrong in fact' cannot be considered fully valid. Do your audit procedures in the submissions tally process contain clear steps to ignore any incorrect claims rather than simply include them as a score for the 'against'?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>The assessment of submissions is not a simple tally of “for” and “against”. The assessment is far more sophisticated and will resolve any factual matters.</p>
<p>5. Council staffs are clearly overwhelmed with work, and given the importance of reaching the next step in the process, has council considered enlisting an independent third party to do the tally of the Amendment 46 submissions? If not, why not?</p>	<p>[This question was taken on notice due to time constraints]</p> <p>The City will deal with the submissions in a timely manner.</p>

## APPENDIX B

### 13. QUESTIONS FROM MEMBERS: ORDINARY COUNCIL MEETING – 23 FEBRUARY 2016

<b>Councillor Glenn Cridland – Como Ward</b> <b>Received at the meeting: 23 February 2016</b>	<b>Response provided by: Mark Taylor, Director Infrastructure Services and Vicki Lummer, Director Development and Community Services</b>
<p>1. [to Director of Infrastructure Mark Taylor]  <i>I have spoken to people at the South Perth Tennis Club who have advised me of the productive working relationship between the new project person at the City in respect of the upgrade project at the Club.</i></p> <p>Can the Director advise the Council and the members of the public how close the City is to putting out a tender for that upgrade?</p>	<p>At this stage it will be advertised on Saturday 27 February 2016.</p>
<p>2. [to Director of Infrastructure Mark Taylor]  <i>I refer to recent correspondence I have forward onto Mr Taylor in respect of an area of sub-pristine bush near the Manning Primary School which was recently severely degraded by a Department of Education contractor and a request from a group to have the City assist with some fencing to allow some natural regrowth in that area.</i></p> <p>Will the City be able to respond to that request?</p>	<p>Yes, the City will make a payment because the fence bounds a City reserve. In regards to the bushland the City is very disappointed at what has happened. The City has written to the Education Department asking a series of questions as to how this was able to occur and we were not happy with the response. The City's view that the Department should be funding, not just fencing, but also the ongoing rehabilitation of an area of locally significant bushland that has now been seriously degraded.</p>
<p>3. [to Director Development Vicki Lummer]  <i>In respect of the April 2015 motion of the Council with regard to writing to Main Roads and the Department of Planning regarding the inclusion in their plan of the timed bus bay on their particular plans for Canning Highway upgrade.</i></p> <p>Is the Director able to give the Council and public any update as to what progress has been made in having that timed bus bay put on the Main Roads plan?</p>	<p>Main Roads have advised that they have written to the Department of Planning seeking that change to the MRS road reservation. The Department of Planning have advised that they are seeking further input from the transport departments; Department of Transport, Public Transport Authority and Main Roads about the need for the timed bus bay and further details from them before they can initiate that MRS amendment.</p>

<p>4. [to Director Development Vicki Lummer]  <i>In respect of the September 2015 correspondence from WAPC about Amendment 48 and how the advice from the WAPC is that car stackers are something that should be regulated by City policy.</i></p> <p>How progressed is the policy on car stackers and when will it come before council?</p>	<p>The policy is in draft form and will be presented to the Audit and Governance Committee scheduled for 1 March 2016 and follow the process through to the Ordinary Council meeting. If adopted in draft form it will then be advertised in accordance with the TPS requirements.</p>
<p>5. [to Director Development Vicki Lummer]          Is there any prospect of there being a report to the March 2016 meeting in respect of the comments on the proposed TPS Amendment 46?</p> <p><b>[Subsequent question from Councillor Cheryle Irons]</b>          When is the report likely to go to Council?</p> <p><b>[Subsequent question from Councillor Fiona Reid]</b>          Given the volume of submissions will Council have more than four days prior to the Briefing to read them?</p>	<p>No, the volume of submissions received has meant that a report will not make it to the March 2016 Council meeting.</p> <p>We are anticipating the April 2016 meeting will be the time when the report will be submitted.</p> <p>Yes, Council will have more than four days.</p>

## DISCLAIMER

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

These Minutes were confirmed at a meeting on Tuesday 22 March 2016.

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