

AGENDA

Ordinary Council Meeting

22 March 2016

Notice of Meeting

To: The Mayor and Councillors

The next Ordinary Council of the City of South Perth Council will be held on Tuesday 22 March 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 7.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

18 March 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 19.9km² divided into four wards. Each ward is represented by two Councillors, presided over by a popularly elected Mayor. Councillor profiles provide contact details for each Elected Member.

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

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Ordinary Council Meeting - Agenda

1. DECLARATION OF OPENING

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 AUDIO RECORDING OF THE COUNCIL MEETING

The meeting will be 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'.

3.2 PUBLIC QUESTION TIME FORMS

Public Question Time forms are available on the Council's website or at the Civic Building Reception for members of the public who wish to submit a written question.

In accordance with Clause 6.7 of the Standing Orders Local Law, 'Procedures for Question Time', it is requested that questions be received in advance of the Council Meeting in order for the Administration to have the opportunity to prepare responses.

Questions may be taken on notice.

3.3 ACTIVITIES REPORT MAYOR AND COUNCIL REPRESENTATIVES

The Mayor's and Council Representatives' Activities Report for February 2016 will be made available in the Appendix of the Minutes.

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

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.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 22 MARCH 2016

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

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 23 February 2016

7.1.2 Audit and Governance Committee Meeting Held: 1 March 2016

7.1.3 Special Council Meeting Held: 8 March 2016

Officer Recommendation

That the Minutes of the:

- *Ordinary Council meeting* held 23 February 2016;
- *Audit and Governance Committee meeting* held 1 March 2016; and
- *Special Council meeting* held 8 March 2016

be taken as read and confirmed as a true and correct record.

7.2 BRIEFINGS

The following Briefings which have taken place since the last Ordinary Council meeting, 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 Councillor Bus Tour

Officers of the City presented background information to Councillors on various sites as part of a bus tour of South Perth on 9 February 2016.

Attachments

7.2.1 (a): Notes - Councillor Bus Tour - 9 February 2016 .

7.2.2 Strategic Key Performance Indicators Review Workshop

Integral Development facilitated a strategic review of the CEO's Key Performance Indicators on 10 February 2016.

Attachments

7.2.2 (a): Notes - Strategic Key Performance Indicators Review Workshop – 10 February 2016.

7.2.3 South Perth Station Precinct Review

Cardno provided Council with an overview of the review at a Concept Briefing held 8 March 2016.

Attachments

7.2.3 (a): Notes - South Perth Station Precinct Review - 8 March 2016 .

7.2.4 Agenda Briefing - 15 March 2016

Officers of the City presented background information and answered questions on items to be considered at the March Ordinary Council Meeting at the Agenda Briefing held 15 March 2016.

Attachments

Nil.

Officer Recommendation

That the Notes of the:

- *Councillor Bus Tour* held on 9 February 2016;
- *Strategic Key Performance Indicators Review Workshop* held on 10 February 2016;
- *South Perth Station Precinct Review* held on 8 March 2016; and
- *Agenda Briefing* held on 15 March 2016

be noted.

8. PRESENTATIONS

8.1 PETITIONS

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

8.3 DEPUTATIONS

Deputations were heard at the Agenda Briefing held 15 March 2016.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 WALGA South East Metro Zone (SEMZ) Meeting - 24 February 2016

A report summarising the WALGA South East Metro Zone (SEMZ) Meeting - 24 February 2016 is attached.

Attachments

8.4.1 (a): Delegates Report - WALGA SEMZ - 24 February 2016 .

8.4.2 Rivers Regional Council - Ordinary Council Meeting Held 18 February 2016

A report summarising the Rivers Regional Council - Ordinary Council Meeting Held 18 February 2016 is attached.

Attachments

8.4.2 (a): Delegates Report - RRC Ordinary Council Meeting held 18 February 2016 .

Officer Recommendation

That the Delegates Reports on the:

- *WALGA South East Metro Zone (SEMZ) meeting held 24 February 2016; and*
 - *Rivers Regional Council (RRC) meeting held 18 February 2016*
- be received.

8.5 CONFERENCE DELEGATES REPORTS

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Community Sport and Recreation Facility Fund (CSRFF) - Small Grants Funding

Location:	City of South Perth
Ward:	Como Ward, Manning Ward, Mill Point Ward and Moresby Ward, All, Not Applicable
Applicant:	Council
File Ref:	D-16-21353
Date:	22 March 2016
Author:	Sandra Watson, Manager Community, Culture & Recreation
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

To consider one application for the 2016/2017 Community Sporting Recreation Facilities Fund (CSRFF) Small Planning Grants.

Officer Recommendation

That:

- (a) The application for funding from the Hensman Tennis Club for the CSRFF Small Grants 2016/17 be submitted to the Department of Sport and Recreation, together with the comments from the officer report and the following ranking and rating:

Applicant	Project	Ranking	Rating
Hensman Park Tennis Club	Resurfacing of 3 hard courts	I	A

- (b) Subject to this application being successful with the Department of Sport and Recreation, a provisional amount of \$5,487 be considered in the 2016/17 budget as the City's contribution as follows:

Hensman Park Tennis Club	\$5,487 (excl.GST)
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Background

The Department of Sport and Recreation (DSR) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation. The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. Priority is given to projects that lead to facility sharing and rationalisation. The state government has allocated \$7M for the 2016/2017 funding round.

10.3.1 **Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.**

Table 1. CSRFF Grant Categories

Grant category	Total project cost range	Standard DSR contribution	Frequency
Small grants	\$7,500 - \$150,000	\$2,500 - \$66,666	Bi-annual
Annual Grants	\$200,001 - \$500,000	\$66,667- \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,667 - \$1 million	Annual

The Maximum grant awarded by DSR will be no greater than one-third of the total cost of the project up to a maximum of \$1 million. The CSRFF grant must be at least matched by the applicant's own cash contribution equivalent to one third of the total project cost, with any remaining funds being sourced by the applicant. In some cases, funds provided by the Department do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any such shortfall. The local government is not obliged to contribute funding to the projects.

As stated in the CSRFF guidelines, small grants for this round of applications require an implementation period of one year. Therefore grant applications in this round must be claimed by 15 June, 2017. In addition, while the funding round does not technically open until 1 July 2016, the City takes applications from clubs in April, to consider budget implications for the next financial year.

Comment

One project is being proposed by the City for the 2016/2017 CSRFF Small Grants:

(i) Hensman Park Tennis Club (resurfacing of 3 hard courts)

CSRFF Grant sought	\$ 5,487	(ex GST)
Hensman Park Tennis Club's contribution	\$ 5,486	(ex GST)
City's contribution	\$ 5,487	(ex GST)
Estimated Total Project Cost	\$16,460	(ex GST)

Assessment

A panel comprising the Manager Community Culture and Recreation, Building Coordinator, Acting Recreation Development Coordinator and Club Development Officer assessed and ranked the application against the following criteria set by the Department of Sport and Recreation:

A	Well planned and needed by municipality
B	Well planned and needed by applicant
C	Needed by municipality, more planning required
D	Needed by applicant, more planning required
E	Idea has merit, more preliminary work required
F	Not recommended

10.3.1 **Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.**

The results are summarised below:

2016/2017 CSRFF annual and forward planning grants

Applicant	Project	Ranking	Rating	City's Contribution	Total project cost
Hensman Park Tennis Club	Resurfacing of 3 hard courts	I	A	\$5,487 (ex GST)	\$16,460 (ex GST)
TOTAL				\$5,487 (ex GST)	\$16,460 (ex GST)

Hensman Park Tennis Club

Hensman Park Tennis Club is located on South Perth Lot 300 on Deposited Plan 44434 held on Crown Land Title volume 3157 folio 177 and is vested in the City of South Perth for the purpose of recreation, with a power to lease and/or sub lease. The lease with the club was renewed in 2013 for a period of five (5) years, with an option for another five (5) years. The club last resurfaced five different courts via CSRFF in 2014/15. In addition, the City recently assisted the club with fencing and retaining works which were completed in 2014.

The club is affiliated with Tennis West and currently has maintained a steady membership of 285 members. This is a slight decrease in membership compared to 2014/15 (295) and 2013/14 (316). The courts are primarily used by club members, casual/social hirers, as well as professional coaches and Wesley College.

The approximate percentage usage of the facility:

Participation type	% use of the facility	Hours per week
Hensman Park members & public hire	40%	35
Coaching	40%	35
Wesley College	20%	20

According to the club, resurfacing of three (3) hard courts is required for the following reasons:

- The existing surface is 10 years old and is showing signs of wear especially near baseline areas and they are becoming slippery which could lead to injury;
- These works will enhance current activities by providing top quality tennis playing surfaces for club members, players in coaching programs and for social court hire.
- There is a requirement to upgrade to current Australian hardcourt surface standards – two tone blue – Australian Open.

The City supports the club's application to enhance its existing facilities to ensure tennis participation can continue and increase. The clubs net income as at 22 February 2016 is \$3,222, with current net assets totalling \$179,953.

It is recommended this project is rated 'A -Well planned and needed by the municipality and in making this assessment the panel noted:

- Hensman Park Tennis Club has consulted with City Officers and DSR;
- Hensman Park Tennis Club submitted a sound application;
- Hensman Park Tennis Club has demonstrated that it is a sustainable club and is a good tenant of the City;

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

- The resurfacing of the courts are needed by the club to be able to support the existing and ongoing demand of the users;
- Officers support the club resurfacing its courts rather than installing new/additional courts;
- The City recently contributed \$4,000 (excl. GST) to the successful resurfacing of five (5) tennis courts at Hensman Park in 2015 also with the assistance of CSRFF funding.

Consultation

Initial consultation was undertaken with the City via the Acting Recreation Development Coordinator and Club Development Officer. The City advertised the funding round by direct email to clubs.

Hensman Park Tennis Club has met with City Officers regarding its application. The club has also discussed its intention to submit an application with DSR and Tennis West.

Policy and Legislative Implications

This report relates to Policy P110 - Support of Community & Sporting Groups.

Financial Implications

The level of financial assistance offered is based on the overall significance of the proposed project, including the benefits provided to the community. There is no obligation on the local government authority to make any contribution to a community project, but in the past the City has matched the contribution by the Department of Sport and Recreation of up to one-third of the total cost of successful project within its boundaries.

The City supports the application and therefore the provisional amount has been proposed to be included in the upcoming annual budget.

The total project costs are estimated at \$16,460 (excl. GST). The total contribution being requested from the City is \$5,487 (excl. GST). Subject to DSR approval, it is proposed that \$5,487 (excl. GST) is provisionally allocated in the 2016/2017 annual budget.

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 .

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

Location:	Salter Point
Ward:	Manning Ward
Applicant:	Mr HK Wildermuth
File Ref:	D-16-20620
Lodgement Date:	16 March 2016
Date:	22 March 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 Single House (Balcony Extension and Roof) on Lot 221 (No. 40) Sulman Avenue, Salter Point. Council is not being asked to exercise discretion.

Officer Recommendation

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for additions/alterations to an existing Single House on Lot 221 (No. 40) Sulman Avenue, Salter Point **be approved** subject to:

(a) Standard Conditions

210	screening- permanent	425	colours & materials- matching
660	expiry of approval		

(b) Specific Conditions

- (i) In order to comply with Clause 5.4.1 'Visual Privacy' of the R-Codes 2015, screening shall be installed for the full length of the northern side of the balcony to match the screening proposed to that side of the balcony as shown on the approved plans. Alternatively, If the approved garage (Approval ID No: 11.2015.600.2 dated 22 February 2016) is constructed before, or in conjunction with the balcony extension in the manner that it prevents overlooking; the balcony screening will not be required.

(c) Standard Advice Notes

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

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

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

Background

The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	482 sq. metres
Building height limit	7.0 metres
Development potential	One (1) dwellings
Plot ratio limit	Not applicable (minimum 50% open space)

The location of the development site is shown below:



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

3. The exercise of a discretionary power

- (a) Applications on lots with a building height limit of 7.0 metres; having a boundary to River Way, and where the proposed building height exceeds 3.0 metres.

Comment

(a) Background

In December 2015, the City received an application for proposed additions of existing buildings on Lot 221 (No. 40) Sulman Avenue, Salter Point (the **Site**). Following the officer’s assessment and neighbour consultation period, the applicant was sent a letter requesting further information and the current set of drawings, referred to as **Attachment (a)**, was received on 16 February 2016.

(b) Existing Development on the Subject Site

The subject site is located at Lot 221 (No. 40) Sulman Avenue, Salter Point. The existing development on the Site currently features land use of ‘Single House’ as depicted in the site photographs at **Attachment (b)**.

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

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

The Site has its primary street frontage to Sulman Avenue to the north-west and its secondary street frontage to River Way to the south-east, located adjacent to Single Houses to the north-east and south-west and is located opposite to Single Houses to in River Way and Sulman Avenue, as seen in **Figure I** below:



(d) **Description of the Proposal**

The proposal involves the following works which can be viewed at **Attachment (a)**:

- Balcony extension at the rear of the existing dwelling of approximately 1.0 metre, including the addition of a new roof over with associated privacy screens.

Other works shown on the drawings at **Attachment (a)** relating to proposed double garage additions/alterations, front fence and sunken courtyard which have been approved under delegation by City Officers in a separate application which was approved on 22 February 2016.

The following elements of the proposal are observed to be compliant with the City's planning requirements:

- Lot Boundary Setbacks (R-Codes cl. 5.1.3)
- Open Space (R-Codes cl. 5.1.4 C4);
- Building Height (TPS6 cl. 6.1A);
- Street Surveillance (R-Codes cl. 5.2.3 C3.1/3.2);
- Outdoor Living Area (R-Codes cl. 5.3.1 C1.1);
- Solar Access for Adjoining Sites (R-Codes cl. 5.4.2 C2.1/2.2); and
- Development of Properties Abutting River Way (Council Policy P306) – Proposed extension to the existing balcony will comply with the prescribed 9.0 metre setback from River Way (as per cl. 1(c) of the policy).

These elements are not discussed further in this report. Standard conditions and/or advice notes are recommended.

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

The remaining aspects are compliant with *City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6)* the *Residential Design Codes of WA 2013 (R-Codes)* and/or Council Policy requirements, however, are discussed below.

- (i) Visual Privacy (R-Codes cl. 5.4.1 C1.1/C1.2); and
- (ii) Significant Views (Policy P350.9).

(e) Visual Privacy

The required minimum visual privacy setback for bedrooms and studies is 4.5 metres, 6.0 metres for other habitable rooms, and 7.5 metres for balconies. In regards to these requirements, the proposed balcony facing north-east, towards the rear of No. 38 Sulman Avenue (River Way frontage) will overlook their courtyard (see photo below depicting area of courtyard seen from the existing balcony).



During a site inspection with City Officers a piece of timber was placed above their garage wall (identified in the photo below in red) in order to demonstrate that an additional 300mm added to this wall would adequately screen the courtyard of No. 38 Sulman Avenue. As a result of this, the applicant proposed to add an additional five (5) courses to the wall of the existing garage (roof of existing garage shown below) which has been granted planning approval as noted above in item (d), adding an additional 430mm to that wall to provide adequate screening to prevent overlooking where viewed from the balcony (the additional height of the garage wall has been shown on the drawings at **Attachment (a)**).

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.



City officers considered that the proposal complies with Visual Privacy requirements of the R-Codes relating to overlooking to the courtyard of No. 38 Sulman Avenue and is therefore supported by City officers subject to a condition that requires the construction of the approved garage additions/alterations to be completed prior to completion of the balcony addition.

The existing balcony was also seen to overlook a lower bedroom of the adjacent property at 38 Sulman Avenue. To overcome this overlooking, a 2 metre section of screening of the balcony along the north-eastern elevation was included on an amended plan (see photo and diagram below showing the area being overlooked which can also be viewed and at **Attachment (a) and (b)**) which is seen to considerably improve an existing situation.



(f) **Significant Views**

Council Planning Council Policy P350.9 (Significant Views) at times requires consideration for the loss of significant views from neighbouring properties. The subject site has been assigned a building height limit of 7.0 metres, therefore Clause 6.1A(9) of TPS6 does not apply to this proposal.

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

Policy P350.9 (Significant Views) sets out design considerations relating to a significant view as follows:

- (a) *In the interest of preserving a significant view from a lot adjoining a development site, the City may require the design of a proposed development to be modified. In arriving at a decision regarding possible modifications, the City will have regard to the following factors, among others:*
 - (i) *the applicant's normal development entitlements with respect to residential density and building height; and*
 - (ii) *the objective of maximising any significant view from existing or proposed dwellings.*
- (b) *Before granting a requested setback variation, the City will have due regard to the effect that the setback variation would have on a significant view. Where the City considers that a setback variation would adversely affect a significant view from a lot adjoining a development site, the requested setback variation will not be approved.*
- (c) *Clause 6.2(3) of TPS6 enables the City to impose a restriction on roof height where considered appropriate in the interests of streetscape character within the focus area. In addition, in order to protect a significant view, the City may require a roof pitch to be reduced, where such reduction:*
 - (i) *would not compromise the architectural integrity of the proposed development; or*
 - (ii) *would not be contrary to the provisions of any applicable Precinct Streetscape Policy.*

In relation to the above criteria, the applicant's normal development entitlements relating to residential density and building height have been met as well as being compliant with setbacks. The owners of the neighbouring property viewed the plans during the consultation period and did not provide any comments in relation to the proposal.

City officers considered that the proposed development complies with the Significant Views Policy taking into consideration reasonable expectations of both existing residents and what has been proposed on the subject site.

(h) 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;
- (c) any approved State planning policy;
- (g) any local planning policy for the Scheme area;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

- (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;
- (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.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the standard consultation method, individual property owners, occupiers and/or strata bodies at No 38 and No 40A Sulman Avenue, were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of two (2) information only notices were sent and no submissions were received.

(b) Internal Referral

No comments from internal referrals were required for this proposal.

(c) External Agencies

No comments from external agencies were required for this 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 has no financial implications.

Strategic Implications

This matter relates to Strategic Direction 3 "Housing and Land Uses" identified within Council's Strategic Plan 2013-2023 which is expressed in the following terms:

Accommodate the needs of a diverse and growing population.

Sustainability Implications

This dwelling is designed so that the outdoor alfresco and decking areas will receive northern sun and is considered to be designed appropriately considering sustainability principles.

10.3.1 Proposed Additions to Two-Storey Single House (Balcony Extension and Roof). Lot 221 (No.40) Sulman Avenue, Salter Point.

Conclusion

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

Attachments

10.3.1 (a): Attachment (a) - Plans

10.3.1 (b): Attachment (b) - Site Photos .

10.3.2 Proposed Telecommunications Infrastructure. Lot 123 No. 59 Angelo Street, South Perth (Angelo Street Post Office).

Location: Lot 123 No. 59 Angelo Street, South Perth.
 Ward: Mill Point Ward
 Applicant: Planning Solutions (Aust) Pty Ltd on behalf of Service Stream Mobile Communications and Telstra Corporation Ltd
 File Ref: D-16-21314
 Lodgement Date: 26 October 2015
 Date: 22 March 2016
 Author: Cameron Howell, Senior Statutory Planning Officer
 Reporting Officer: Vicki Lummer, Director Development and Community Services
 Strategic Direction: Housing and Land Uses -- Accommodate the needs of a diverse and growing population
 Council Strategy: 3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

Summary

To consider an application for planning approval for a Telecommunications Infrastructure (mobile phone base station) on Lot 123 (No. 59) Angelo Street, South Perth (Angelo Street Post Office). Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Land Use	TPS6 clause 3.3
Building height	No discretionary power available
Alteration to place in Heritage List	No discretionary power available
Siting (Proximity to residential buildings)	TPS6 clause 7.8(1)
Car and bicycle parking provision	TPS6 clause 7.8(1)
Visual impact	Council Policy P310, clause 2(b)

Officer Recommendation

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6*, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *Metropolitan Region Scheme*, this application for planning approval for a proposed Telecommunications Infrastructure (mobile phone base station) on Lot 123 (No. 59) Angelo Street, South Perth **be refused** for the following reasons:

(a) Specific Reasons

- (i) The proposal is located less than 300 metres from the nearest residential building (Lot 22 No. 4 Anstey Street), hence conflicts with Clause 6.15(a) of Town Planning Scheme No. 6. The exercise of discretion under Clause 7.8(1) is not supported as it would have an adverse impact to the occupants of the precinct.
- (ii) The proposal has a significant adverse visual impact, hence conflicts with Clause 2(b) Council Policy P310 "Telecommunications Infrastructure".
- (iii) If the Building Height Limit was applicable to this proposal, the mobile phone tower would exceed the 10.5 metres building height limit applicable under Clause 6.1A of Town Planning Scheme No. 6 and the Scheme maps "Building Height Limit : Precinct 3 – South Perth Civic" by 6.9 metres. Notwithstanding the non-applicability of the Building Height Limit, the mobile phone tower is seen to be out of keeping with the height of buildings and other structures in the locality.

- (iv) The proposal does not demonstrate compliance with Scheme Objectives (a), (e) and (f), in Clause 1.5 of Town Planning Scheme No. 6.
- (v) The proposal does not demonstrate compliance with Matters to be Considered by Local Government (a), (b), (g) and (m) in Schedule 2 Clause 67 of Planning and Development (Local Planning Schemes) Regulations 2015.

(b) Standard Advice Notes

- (i) Appeal rights (Note 3 of Notice of Determination form)

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

Background

The development site details are as follows:

Zoning	Neighbourhood Centre Commercial
Density coding	R50
Lot area	832 sq. metres
Building height limit	7.0 metres
Development potential	Approx. 6 Multiple Dwellings or permissible Non-residential land uses
Plot ratio limit	0.75 (non-residential); 0.6 (residential)

The location of the development site is shown below:



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

1. Specified uses

- (e) Telecommunications Infrastructure that is not classified as a low-impact facility under the Telecommunications Act 1997;

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.
- (c) Applications involving the exercise of discretion under Clauses 6.1 or 6.11 of the Scheme.

6. Amenity impact

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

Comment

(a) Background

In October 2015, the City received an application for a Telecommunications Infrastructure on Lot 123 (No. 59) Angelo Street, South Perth (Angelo Street Post Office) (the **Site**).

(b) Existing Development on the Subject Site

The existing development on the Site currently features land uses of 'Telecommunications Infrastructure' (telephone exchange) and 'Civic Use/Office/Shop' (post office).

(c) Description of the Surrounding Locality

The Site has a frontage to Angelo Street to the north, located adjacent to the RSL Hall building to the west, a shop and a bank to the east and a public car park to the south, as seen in **Figure I** below:



(d) Description of the Proposal

The proposal involves the removal of the existing Telecommunications Infrastructure antennae on the eastern and western sides of the existing building and the construction of new Telecommunications Infrastructure antennae attached to a new pole at the rear of the existing building, as depicted in the submitted plans at **Attachment (a)**. The Applicant's report, **Attachment (b)**, describes the proposal in more detail.

(e) Land Use

The proposed land use of Telecommunications Infrastructure 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 currently contains Telecommunications Infrastructure, being the telephone exchange and mobile phone infrastructure. Accordingly, the use is regarded as complying with the Table I of the Scheme.

10.3.2 Proposed Telecommunications Infrastructure. Lot 123 No. 59 Angelo Street, South Perth (Angelo Street Post Office).

(f) **Street and Lot Boundary Setbacks**

TPS6 Table 3 specifies a minimum 1.5 metre (average) street boundary setback and a minimum nil setback for other lot boundaries. The new telecommunication infrastructure is compliant with these minimum setbacks.

(g) **Plot Ratio**

The proposal has no area that is defined as plot ratio.

(h) **Landscaping**

The proposal has no impact upon the provision of landscaping.

(i) **Building Height**

The building height limit for the Site is 10.5 metres and the maximum height of the proposed antennae is 17.4 metres above ground level and 5.4 metres above the ridge of the roof of the existing building.

In this instance, the mobile phone infrastructure does not meet the common and normal meaning of building. The definition of building in Appendix I of the *Residential Design Codes (2015)* is not considered to be applicable as this definition, referring to a residential dwelling, is out of context to this non-residential development. Accordingly, the mobile tower is not subject to the building height limit.

If the building height limit applied, the proposed development would have exceeded the building height limit by 6.9 metres and would not comply with Clause 6.1A "Building Height Limit" of TPS6. There is no discretion permitted to vary the building height limit in accordance with Clause 7.8(2)(a) of TPS6.

Notwithstanding the non-applicability of the building height limit, the mobile phone tower is considered by City officers to be out of keeping with the height of surrounding buildings and the existing (low impact facility) mobile phone tower at 53-55 Angelo Street (the Coles Supermarket building), which is approximately 3 metres above that building's roof height.

(j) **Car and Bicycle Parking**

As Telecommunications Infrastructure is not listed in Table 6 of TPS6, the number of car and bicycle parking bays shall be provided having regard to the likely demand. For this proposal, City officers consider that one (1) car parking bay and no bicycle parking bays are required as the only parking demand will be from a technician servicing the facility. The existing parking area at the rear of the site is retained as part of this proposal and is considered adequate to cater for the likely parking demand.

(k) **Proximity to residential buildings**

Mobile telephone towers and associated equipment buildings are required by Clause 6.15(a) of TPS6 to be sited not less than 300 metres from the nearest residential buildings. The nearest residential building, being the residences at Lot 22 (No. 4) Anstey Street, is located approximately 35 metres to the south of the proposed location of the Telecommunications Infrastructure facility.

Based upon the wording used in Clause 6.15(a) of TPS6 and definition of "setback" in Appendix I of the *Residential Design Codes (2015)*, the Scheme's siting requirement is not a setback. However, the siting requirement in TPS6 is similar to the concept of a minimum horizontal distance (a component of "setback"). Therefore, discretion to permit a variation to "related matters" to

10.3.2 **Proposed Telecommunications Infrastructure. Lot 123 No. 59 Angelo Street, South Perth (Angelo Street Post Office).**

setbacks by Clause 7.8(1) of TPS6 is considered to be available for this proposal.

The primary purpose of Clause 6.15(a) of TPS6 is to minimise the visual impact to nearby residential properties. In considering the discretionary clauses, as the mobile phone tower exceeds the building height limit and is noticeably taller than the existing Post Office building, the non-compliance with Clause 6.15(a) of TPS6 would have an adverse impact, primarily to the inhabitants of the precinct (the surrounding residents).

(l) Visual Impact

In considering an application for planning approval, Clause 2(b) of Council Policy P310 "Telecommunications Infrastructure", the City will have regard to the provisions of TPS6 and the visual impact of the proposed Telecommunications Infrastructure. For this application, planning approval should be recommended for refusal where Council is of the opinion that the proposed facility would have a significant adverse visual impact. Alternatively, Council may recommend the granting of planning approval conditional upon appropriate modifications to minimise the adverse visual impact.

City officers do not consider that the proposal demonstrates compliance with the visual impact requirements of Council Policy P310, as the tower exceeds the building height limit, is noticeably taller than the existing Post Office building and would have a significant adverse visual impact to surrounding residential properties.

(m) Heritage

The Angelo Street Post Office is classified as Management Category B in the City's Municipal Heritage Inventory (MHI) and has been heritage-listed by the City since December 1994. By virtue of having a classification of Category B, the Angelo Street Post Office is also contained in the City's Heritage List. The Angelo Street Post Office is not registered by the Heritage Council in the State Register of Heritage Places.

*"Management Category B - Considerable significance
Conservation essential. Reflects the highest level of local cultural heritage significance. Very important to the heritage of the locality. High degree of integrity and authenticity. Demolition or significant alteration to a place in Management Category B of the Heritage List is not permitted. Any alterations or additions are to be guided by a conservation plan, if any, and reinforce the heritage values of the place."*

The MHI provides the following statement of significance for the Angelo Street Post Office:

"The Angelo Street Post Office has aesthetic, historic, social, representative and rarity cultural heritage significance. Since 1939 the Angelo Street Post Office has been the base for the postal service in this area. The building is one of a limited number of post offices constructed in the 1930s in Australia owing to the lasting effects of the Depression. The street fabric is of interest owing to the design patterns and textures particularly of the brickwork and wrought iron. The building has high integrity and is a good example of post offices constructed in the 1930s and provides a demonstration of their accommodation and materials."

The proposal has been reviewed by the City considering Clause 6.11 "Heritage Places" of TPS6, Council Policy P313 "Local Heritage Listing", the Municipal Heritage Inventory, and the Heritage List. The officer's comments are provided in **Attachment (c)**.

Development involving the significant alteration to a place in Management Category B of the Heritage List shall not be permitted, in accordance with Clause 6.11(6)(d). The proposed Telecommunication Infrastructure is considered to not be a significant alteration as the City considers that the works are not seen to meet the “significant alteration” definition in Policy P313. Hence, the proposal is considered to be compliant with the local heritage requirements.

(n) 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;*
- (g) *Protect residential areas from the encroachment of inappropriate uses;*
- (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;*
- (k) *Recognise and preserve areas, buildings and Sites of heritage value;*

The proposed development is considered unsatisfactory in relation to the above items, as listed in the Officer Recommendation.

(o) 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 listed in Schedule 2 clause 67 of the *Regulations* to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. Of the 27 listed matters, the following are particularly relevant to the current application and require careful consideration:

- (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;*
- (c) *any approved State planning policy;*
- (g) *any local planning policy for the Scheme area;*
- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality*

- including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (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;
 - (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
 - (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
 - (y) any submissions received on the application;
 - (zb) any other planning consideration the local government considers appropriate.

The proposed development is considered unsatisfactory in relation to the above items, as listed in the Officer Recommendation.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner, as described below:

- 1720 notices were mailed to individual property owners, occupiers and / or strata bodies located within a 500 metre radius of the proposal;
- A sign was erected on site;
- 21 days advertising period.

4 submissions were received, 1 supporting and 3 against the proposal. The comments from the submitters are contained in **Attachment (d)**.

In response to these submissions, objections relating to the mobile phone base station's structural design, wind loading capacity and electromagnetic emissions are not relevant planning considerations and hence are not upheld. Comments relating to the height and visual impact of the mobile phone base station are noted.

(b) Internal Administration

Comments were invited from Senior Strategic Planning Officer, in relation to local heritage, of the City's administration. The Senior Strategic Planning Officer, Development Services raises no objections and has provided the following comments:

"I have examined the information you have provided in relation to the proposal. In examining the drawings, I have noted that the proposed structure comprising shrouded panel antennas on an antenna mount attached to the building:

- *is complementary to the existing uses of the building;*
- *would replace other existing smaller panel antennas;*
- *would be located at the rear of the building; and*
- *would be coloured to match the existing roof colour.*

Therefore, despite the height of the proposed structure, I am of the opinion that the applicant has made a reasonable effort to reduce the visual impact of the tower when viewed from the street. From the point of view of the local heritage significance of the proposal, it is acceptable.

10.3.2 Proposed Telecommunications Infrastructure. Lot 123 No. 59 Angelo Street, South Perth (Angelo Street Post Office).

It is recommended that the application be determined according to all of the usual development considerations.”

The local heritage comments are provided in **Attachment (c)**.

Comments were invited from Environmental Health Services department of the City’s administration. This department raises no objections and has provided the following comments:

“Noise Generally

Telecommunications infrastructure 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.

Electromagnetic Emissions

Telecommunications infrastructure must operate in compliance with the Australian Communication and Media (ACMA) Electromagnetic Emissions (EME) regulatory arrangements.”

Accordingly, planning conditions and/or important notes are recommended to respond to the comments from the above officer(s).

(c) External Agencies

The application has not been referred to any external agencies.

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

Council’s determination may have financial implications if the application is subject to an appeal to the State Administrative Tribunal or the Australian Communications and Media Authority (*Telecommunications Act 1997*).

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

The development would enhance sustainability by providing local businesses and residents improved telecommunications services.

Conclusion

It is considered that the proposal does not meet all of the relevant Scheme and/or Council Policy objectives and provisions, as it has the potential to have a detrimental impact on adjoining residential neighbours and streetscape. Accordingly, it is considered that the application should be refused.

10.3.2 Proposed Telecommunications Infrastructure. Lot 123 No. 59 Angelo Street, South Perth (Angelo Street Post Office).

Attachments

- 10.3.2 (a):** Development Plans | 59 Angelo Street, South Perth - 11.2015.498.1
- 10.3.2 (b):** Applicant's Report | 59 Angelo Street, South Perth - 11.2015.498.1
- 10.3.2 (c):** Local Heritage Comments | 59 Angelo Street, South Perth - 11.2015.498.1
- 10.3.2 (d):** Public Submissions | 59 Angelo Street, South Perth - 11.2015.498.1 .

10.3.3 Canning Highway #ShapeOurPlace - community feedback on study report

Location:	Canning Highway
Ward:	Como Ward, Mill Point Ward and Moresby Ward
Applicant:	Not Applicable
File Ref:	D-16-20772
Date:	22 March 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 report (**Attachment (a)**) provides information, including feedback from the community and state government stakeholders, which is vital for the planning of the study area.

The study progresses recommendation 4.1A of the draft Local Housing Strategy (2012), to investigate and progress medium density coding increases for all Residential zoned lots within 100 metres of Canning Highway. 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.

The final study report was presented to Council at the February Ordinary Council Meeting (Item 10.3.3), where Council resolved to allow time for community comments before endorsing the report. Now that the community has had time to review and provide comment on the report it is recommended that Council note these comments alongside the results of community consultation undertaken in 2015.

Officer Recommendation

That Council notes:

1. The actions resolved at the November 2012 Ordinary Council Meeting, as detailed at **Attachment (b)** are now resolved.
2. The comments received following release of the final study report.

That Council endorses:

1. The Canning Highway Residential Density and Built Form Study report presented at item 10.3.3 at the February 2016 Ordinary Council Meeting (**Attachment (a)**) as the basis for future planning in the study area.
2. An access study, to investigate alternative access arrangements for properties that currently only have access via Canning Highway, be progressed as a priority.

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 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.

The final study report was presented to Council at the February 2016 Ordinary Council Meeting. Council resolved as follows:

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*

Comment

The study process, built form concepts, study outcomes and recommendations, and next steps were outlined at the February 2016 Ordinary Council Meeting (Item 10.3.3). Now that the community has had time to review and provide comment on the report it is recommended that Council note these comments alongside the results of community consultation undertaken on this project in 2015.

The study report provides information, including feedback from the community and state government stakeholders, which is vital for the planning of the study area. The consultant's recommendations are not binding in any way but identify issues, areas for future work and community views. All of the report recommendations involve

10.3.3 Canning Highway #ShapeOurPlace - community feedback on study report

further work and community consultation to resolve issues and incorporate changes into Town Planning Scheme No. 6 as required.

It is recommended that Council endorse the Canning Highway Residential Density and Built Form Study report at **Attachment (a)** as the basis for future planning in the study area. In addition to the Council's endorsement of Places 1 and 2 (Kensington and South Perth) as the first priority for further planning work at the February 2016 Ordinary Council Meeting, 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

Previous participants in the project were notified by email on Wednesday 10 February 2016 that the consultant's report would be presented to the Council Briefing on Tuesday 16 February 2016. The report was made available to the public along with the agenda documents on Friday 12 February 2016.

Council received two deputations at the 16 February Agenda Briefing. Both were from residents of Kensington and both requested additional time for the community to review the report and provide comments to Council.

Following the February Ordinary Council Meeting the report was placed on the City's online engagement portal, Your Say South Perth, and on the City's website. The report was uploaded on Thursday 25 February 2016 and feedback was requested to be submitted before 12 noon, Tuesday 15 March 2016.

An email was sent to previous participants in the study on Thursday 25 February 2016, notifying them of the outcome of the Council meeting on 23 February and advising how and when comments could be submitted.

A notice was posted on the City's facebook on 25 February 2016 and also in the Southern Gazette newspaper and Peninsular Snapshot e-newsletter on Tuesday 1 March 2016.

Due to the short time between Council meetings, submissions were open all the way up to the day of the Agenda Briefing. The submissions have therefore not been analysed; but are presented at **Attachment (c)**. A total of 14 submissions were received and the Your Say South Perth page received 205 visits during the 20 day comment period. The submissions will be placed on file and will be used to inform future projects in the study area.

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 at **Attachment (a)**). 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 study report also recommends that 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.

10.3.3 Canning Highway #ShapeOurPlace - community feedback on study report

Design guidelines, or similar local planning policies, 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.

Financial Implications

Consultants will be required to progress the next steps for this project, as discussed above and in Item 10.3.3 at the February 2016 Ordinary Council Meeting. 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.

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

- 10.3.3 (a):** FINAL - ShapeOurPlace Report
- 10.3.3 (b):** Council decision item 10.0.3 November 2012 Canning Highway
- 10.3.3 (c):** Submissions received following report publication .

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 Planning Control Area for Canning Highway and Cassey Street

Location:	Not Applicable
Ward:	Como Ward
Applicant:	Main Roads WA
File Ref:	D-16-20636
Date:	22 March 2016
Author / Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Infrastructure and Transport -- Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community
Council Strategy:	5.1 Advocate for, implement and maintain integrated transport and infrastructure plans in line with best practice asset management and safe system principles.

Summary

Canning Bridge Activity Centre Plan highlighted Canning Highway as a 'Special Consideration Area' and recommended a Planning Control Area (PCA) be placed over the Canning Highway Corridor so that new development does not restrict the implementation of the planned widening and broader use of Canning Highway.

Main Roads WA has investigated various options and the PCA reflects this. The PCA will remain in place for 5 years or until a Metropolitan Region Scheme (MRS) amendment is approved.

The design provided by Main Roads WA is still high level and strategic.

Main Roads has requested endorsement of the Planning Control Area to be transferred to an amendment to the MRS. This does not include endorsement of the design for the road or overpass.

Officer Recommendation

That:

1. Council endorse the road reservation as proposed in the Planning Control Area 117
2. It be noted that the endorsement is for the road reservation only and is not an endorsement of any future design.
3. Main Roads be advised that the City wishes to be involved in any future design exercise for Canning Highway and Cassey Street
4. Main Roads be advised that further community engagement is required prior to endorsement of any detailed design.

Background

The Canning Bridge Activity Centre Structure Plan was endorsed by Council in May 2015. The future road reserve was a consideration during the development of the Activity Centre plan however a final concept from Main Roads WA was not completed prior to the Activity Centre Plan being completed. The process of creating a Planning Control Area to protect land required for the future capacity of

10.5.1 Planning Control Area for Canning Highway and Cassey Street

the Highway was written into the structure plan with the anticipation that the process would be undertaken to coincide with the release of the Activity Centre plan.

Clause 4.1.3 of the Canning Bridge Activity Centre Plan refers to 'Special Consideration Areas'. Canning Highway is one of these Special Control Areas. The Activity Centre Plan states that 'It is very important to note that a detailed planning design is currently being undertaken for the section of Canning Highway between Glenelg Road and Henley Street which runs through the CBSP area. In the interim, and so that new development does not restrict the implementation of the planned widening and broader use of Canning Highway, it is recommended that a Planning Control Area be placed over the Canning Highway corridor, effectively requiring a greater setback than that which is currently required by the MRS for Canning Highway. The Planning Control Area would be made redundant at such time as the full MRS amendment is gazetted.'

The Planning Control Area was introduced in September 2015.

The relevant Planning Control Area is shown at **Attachment (a)**.

Comment

The Canning Bridge Activity Centre Plan states that:

The future bus station is located in a raised structure in Q6. Long term connectivity (for public transport only) of the bus station is being designed currently, with a view to providing a Freeway overpass for bus movements which will join Cassey Street. The levels and grades have not yet been determined, but it is expected that there will be a difference in level between the overpass as it ties into Cassey Street and the existing road. A design for this section of the network is also currently being undertaken by MRWA.

It is recommended that a Development Control Area be established for those lots which are immediately adjacent to Cassey Street and all lots between Cassey Street and Canning Highway to the south. Once the detailed design of this future overpass is complete, a detailed design for this area will be required.

The Canning Bridge Activity Centre Plan has provided the opportunity to increase development potential in the precinct to allow for an additional 2500 new dwellings by 2031. The increases anticipated at the Canning Bridge Activity Centre, has prompted Main Roads WA to consider the future reservation requirements for Canning Highway to ensure capacity of the road is maintained.

Main Roads WA presented a concept for the future of Canning Highway at a Concept Briefing on 18 November, 2015. The presentation largely impacted the road reservation in the City of Melville, although Cassey Street and Canning Highway north of Canning Bridge were also featured. . It should be stressed that the figures used for the modelling were for maximum build out of Canning Bridge, Canning Highway Transport Corridor and the surrounding suburban areas. Therefore the figures were for an anticipated growth at the year 2051 and beyond.

The Planning Control Area is an instrument that protects land from development until the Metropolitan Region Scheme can be amended through the normal amendment process. Although the concept provided from Main Roads at the briefing showed that an option for the overpass could be constructed within this reservation, there are some concerns about some of the impacts of this design. The Design is not detailed at this stage, although it is sufficient to show that the reservation as suggested does allow for a solution for the future highway and the long term connectivity of the bus station.

10.5.1 Planning Control Area for Canning Highway and Cassey Street

Concerns about impact on future communities can be addressed further with more detailed analysis and with other design workshops that will allow further options to be addressed within this protected reservation. What is shown is that a realistic design can be addressed within the proposed reservation.

The Planning Control Area was introduced in September 2015. A Planning Control Area provides protection for up to 5 years before an amendment is undertaken.

Consultation

No Consultation is required at this stage.

Policy and Legislative Implications

A Planning Control Area is a state planning instrument that directs that the WAPC will be the approving authority for development within the PCA.

Financial Implications

There are no financial implications as a result of this decision.

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

10.5.1 (a): Planning Control Area .

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - February 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-20629
Date:	22 March 2016
Author / Reporting Officer:	Michael Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management - - Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (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

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.

Background

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

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

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

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

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

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

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

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

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

Comment

The components of the monthly management account summaries presented are:

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

10.6.1 Monthly Financial Management Accounts - February 2016

Operating Revenue to 29 February 2016 is \$48.54M which represents some 100% of the \$48.44M year to date budget. Revenue performance is close to budget in most areas other than those items identified below.

Rates and investment revenue reflects as being very slightly ahead of budget after the budget targets were increased in the Q2 Budget Review. Parking revenue remains 3% below budget expectation after Australia Day but the appointment of a dedicated parking officer is helping to remedy the previously unfavourable situation.

Building revenues are shown as 21% ahead of budget due to a higher than expected number of applications and an application for 40 Coode St. Planning revenues are 13% ahead of budget with the larger applications being for 80 Henley St, Mill Point Rd and Lyall St & Melville Parade. All of these are JDAP Applications. Collier Park Golf Course revenues are very close to budget at 29 February. Other apparent monthly variances reflect Q2 Budget Review adjustments being brought to account.

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

Operating Expenditure to 29 February 2016 is \$33.60M which represents 99% of the year to date budget of \$33.92M. Operating Expenditure shows as 4% under budget in the Administration area. Operating costs are 5% under budget for the golf course and show as 2% over 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 which are mostly expected to reverse in later months. Other apparent monthly variances reflect Q2 Budget Review adjustments being brought to account.

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

The February accounts also reflect some (non-cash) variances on depreciation of infrastructure assets following the revaluation to fair value of parks assets. These were adjusted following the completion of the audited annual financial statements 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.

In the waste management area there have been a number of changes to the accounting structure (to comply with new reporting requirements) and these are still being 'settled' in the management accounts. As a consequence, there are some offsetting variances apparent. There are currently some ongoing investigations into rubbish site charges and staff costs associated with the transfer station which the City is pursuing with the relevant contractors.

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

10.6.1 Monthly Financial Management Accounts - February 2016

budget (including temporary staff where they are being used to cover vacancies) is currently around 1.5% 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 \$3.31M at 29 February which is in line with the year to date budget of \$3.31M.

Capital Expenditure at 29 February is \$14.66M representing 83% of the year to date budget of \$17.66M (before the inclusion of carry forward projects). The total budget for capital projects for the year is \$37.32M.

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	25,000	1,144	11%	245,000
Major Community Project	7,557,000	7,377,155	98%	18,177,000
Financial & Information	584,000	294,596	50%	1,322,000
Develop & Community	390,000	312,216	80%	585,000
Infrastructure Services	8,601,500	6,167,835	72%	17,321,915
Waste Management	118,400	116,438	98%	193,400
Golf Course	384,840	393,190	102%	474,289
UGP	0	0	-%	0
Total	17,660,740	14,662,574	83%	38,318,604

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

As can be seen from the table above, the City has made steady progress to date in delivering its very challenging 2015/2016 capital program with 83% of the year to date works completed. This amount represents some 38% of the total proposed program. Notwithstanding that there is a further \$11.0M anticipated expenditure on the Manning Community Hub and James Miller Oval works, there is still a further \$12.0M of works to be undertaken to deliver the full capital program.

The leadership team is currently reviewing the program and assessing the City's capacity to deliver the remaining capital program and will be bring an updated briefing on this topic to Council in early April.

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 pro-active identification and response to apparent financial variances. Furthermore, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

Attachments

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

10.6.2 Statements of Funds, Investments and Debtors as at 29 February 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-20631
Date:	22 March 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

That Council receives the 29 February 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)**

Background

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

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

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

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

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

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

Comment

(a) Cash Holdings

Total funds at month end are \$80.89M which compares unfavourably to \$83.20M at the equivalent stage of last year. This is largely due to drawdowns from Reserves towards the Manning Hub project. Last month, total funds were \$84.03M.

Municipal funds represent \$20.38M of this total, with a further \$59.63M being Reserve Funds and the balance of \$0.88M relates to monies held in Trust. The Municipal Fund balance is some \$0.80M higher than last year which relates to some delayed cash outflows on the capital works program.

Reserve funds are \$3.4M 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 such as Manning Hub.

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 \$0.1M higher. 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).

In relation to the Quarantined Reserves, there is a \$0.8M 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 \$75.85M compared to \$81.87M at the same time last year. There was \$0.8M more in cash in Municipal investments. Cash backed reserves are \$3.4M 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 \$1.55M. This compares to \$1.57M at the same time last year despite the historically low interest rates. The prevailing interest rates appear likely to continue at current low levels in the short to medium term.

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

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

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

The weighted average rate of return on financial instruments for the year to date is a very modest 2.89% with the anticipated weighted average yield on investments yet to mature now sitting at 2.92%. 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 February 2016 represent 90.0% of rates collectible (excluding pension deferrals) compared to 91.4% 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 \$1.18M at month end (\$2.06M last year). Last month debtors were \$1.01M. GST Receivable is \$0.55M lower and Sundry Debtors were \$0.40M 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.

10.6.2 Statements of Funds, Investments and Debtors as at 29 February 2016

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-16-21317
Date: 22 March 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 February 2016 and 29 February 2016 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(405)	\$5,933,362.92
Cheque Payment to Creditors	(68)	\$347,333.56
Total Monthly Payments to Creditors	(473)	\$6,280,696.48
Cheque Payments to Non Creditors	(92)	\$349,043.35
Total Payments	(565)	\$6,629,739.83

Officer Recommendation

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

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. The payment listing is now submitted 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.

Consultation

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

10.6.3 Listing of Payments

Policy and Legislative Implications

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

Financial Implications

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

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 Review of Governance Framework

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-21318
Date:	22 March 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report provides an update on the review of the Governance Framework. The City is presently reviewing the Standing Orders Local Law 2011 and Policy P672 Agenda Briefings, Concept Forums and Workshops, as well as undertaking a major redesign and redevelopment of its website, and it is therefore recommended that a further report on this outcome of the review of the Governance Framework be submitted to the Council for consideration in June 2016.

Officer Recommendation

That the Council note the update on the review of the City's Governance Framework.

Background

Councillor Reid moved the following motion at the September 2015 Council Meeting:

That Council requests the City Administration to:

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

Comment

The City has a comprehensive Governance Framework with its suite of components reviewed to ensure it reflects contemporary best practice governance principles at various stages each year, including:

- Audit and Governance Committee conducted an annual review of the City's Policies and Delegations in March 2016;
- Audit and Governance Committee adopted the Annual Statutory Compliance Return in March 2016, with a 100% level of compliance;
- Audit and Governance Committee undertook a comprehensive review of the City's Code of Conduct in 2015;
- Audit and Governance Committee adopted a significant CEO Review of Internal Controls in 2015;
- All new Elected Members provided with a comprehensive Councillor Induction Manual and sessions on the Local Government Act and Town Planning in October 2015;
- Risk Management Framework reviewed by the City's Risk Management Committee in May each year;
- Annual Report, Audit Statement and Annual Financial Statements (recognised with Silver Award at the Australasian Reporting Awards) being adopted by Council in November 2015.

The City is presently undertaking a comprehensive review of its Standing Orders Local Law and Policy P672 Agenda Briefings, Concept Forums and Workshops. At present, the City is researching best practice Standing Orders and Concept Briefing arrangements. This outcome of this review will be presented to the Audit and Governance Committee in due course.

In addition, the City has prepared for the *City of Perth Act 2016* which received the Royal Assent on 3 March 2016, amending the gifts and contributions to travel provisions within the *Local Government Act 1995*.

As of 4 March 2016, the Act requires relevant persons who accept a gift worth more than \$200 to disclose this gift, in writing, to the Chief Executive Officer within 10 days of receipt. This replaces the previous process of disclosing these gifts in the annual return. All contributions to travel over \$200 must also be disclosed as do multiple gifts or contributions from the same donor where the total value is over \$200.

The threshold for disclosures remains the same as do the other disclosures required under the Act for the annual return.

The disclosure for a gift must include:

- a description of the gift
- the name and address of the person who made the gift
- the date on which the gift was received
- the estimated value of the gift at the time it was made, and
- the nature of the relationship between the relevant person and the person who made the gift.

The City published its online gift register on southperth.wa.gov.au on Friday 11 March 2016. The City will be making available for online viewing all gifts declared above the value of \$200. Gifts received and declared between the value of \$50 and \$200 will be recorded but will not be made available for online viewing until the point it cumulatively exceeds the value of \$200 from the same donor within a year.

10.6.4 Review of Governance Framework

A considerable element of the September 2015 Council resolution relates to opportunities for increased transparency via the City's' on-line presence, primarily relating to the City's website.

A comprehensive redesign and redevelopment of the City's website is presently being progressed, and the on-line governance component / portal will form a major focus of this website redesign and redevelopment with the objective of increased transparency and accountability. This project is scheduled to be completed in July 2016.

It is therefore recommended that a final report on the review of the City's Governance Framework, inclusive of the Standing Orders Review and Policy P672 Review and the website redesign and redevelopment, be submitted to Council for consideration in June 2016.

Consultation

The City is presently consulting with other metropolitan local governments in relation Standing Orders and Councillor Briefing Sessions.

Policy and Legislative Implications

The City's Governance Framework and its associated suite of documents are all subject to the *Local Government Act 1995*.

Financial Implications

Nil.

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 .

10.6.5 Committee Resignations and Call for Nominations

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-18501
Date:	15 March 2016
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report considers the resignation of Councillor Colin Cala from the Audit and Governance Committee and the CEO Evaluation Committee and the resignation of Councillor Sharron Hawkins-Zeeb from the CEO Evaluation Committee.

The report also recommends to Council that the subsequent vacancies on each Committee be filled.

Officer Recommendation

That Council:

- a) notes the resignation of Councillor Colin Cala from the Audit and Governance Committee;
- b) calls for nominations to fill the vacancy on the Audit and Governance Committee;
- c) notes the next Audit and Governance Committee meeting is scheduled for Tuesday 7 June 2016;
- d) notes the resignation of Councillor Colin Cala from the CEO Evaluation Committee;
- e) notes the resignation of Councillor Sharron Hawkins-Zeeb from the CEO Evaluation Committee; and
- f) calls for nominations to fill the vacancies on the CEO Evaluation Committee.

Background

Council appointed members to the Audit and Governance Committee and the CEO Evaluation Committee at its Special Council meeting held 19 October 2015.

Section 5.11(1)(b) of the *Local Government Act 1995* (the Act) prescribes that the tenure of a Committee member ends when “the person resigns from membership of the Committee”.

10.6.5 Committee Resignations and Call for Nominations

At the Audit and Governance Committee of 1 March 2016, Councillor Colin Cala gave notice of his resignation from the Committee, with immediate effect. Administration has also received both Councillor Colin Cala's and Councillor Sharron Hawkins-Zeeb's resignations from the CEO Evaluation Committee, both with immediate effect.

Comment

Audit and Governance Committee

This Committee oversees the City's audit process and deals with a range of governance issues. The terms of reference for the Audit and Governance Committee are:

That the Committee is responsible for providing guidance, assistance and oversight to the Council of the Audit and review of the City's processes and performances in relation to:

- (a) Annual Financial Audit
- (b) City's Risk Management Framework
- (c) Annual Statutory Compliance Audit
- (d) Code of Conduct
- (e) Access to Information
- (f) Policy and Delegation Reviews
- (g) Australian Business Excellence Framework
- (h) City's Local Laws

The Committee meets on an 'as needed' basis during the year with the timing of each meeting coinciding with the conduct of a particular aspect of the City's audit and governance cycle. The CEO and relevant staff and advisors also attend the meeting to provide relevant information and advice.

Following the resignation of Cr Colin Cala the membership of the Audit and Governance Committee is as follows:

- Cr Fiona Reid (Chair)
- Cr Ken Manolas (Deputy Chair)
- Mayor Sue Doherty
- Cr Cheryle Irons
- Vacant

The Audit and Governance Committee has no delegated power and all recommendations made are referred to Council for decision.

Membership of the Audit and Governance Committee expires October 2017.

CEO Evaluation Committee

The terms of reference of the CEO Evaluation Committee are:

- (a) To oversee Council's only staff function, that being the performance review and management of the Chief Executive Officer.
- (b) At all times to act in the best interests of the City whilst ensuring the principles of natural justice and procedural fairness are met.
- (c) To ensure the appropriate leadership is in place to allow the City's strategic planning processes to be realised through the setting of appropriate performance criteria.
- (d) To ensure equity and transparency in all dealings with the Chief Executive Officer's performance outcomes and remuneration obligations are met.

10.6.5 Committee Resignations and Call for Nominations

- (e) *To provide a safe forum for Council and the Chief Executive Officer to air any concerns or to discuss variances in any timelines that have been set as part of the performance criteria.*
- (f) *To oversee the development of robust performance criteria that has a measurable return to the City.*
- (g) *To set and oversee any changes in performance expectations for the review period*
- (h) *To make recommendations to Council on all matters pertaining to the Chief Executive Officer Annual Review.*

Following the resignation of Cr Sharron Hawkins-Zeeb the membership of the CEO Evaluation Committee is as follows:

- Mayor Doherty (Chair)
- Cr Travis Burrows (Deputy Chair)
- Cr Cheryle Irons
- Vacant
- Vacant

The Committee meets on an 'as needed' basis during year. The CEO Evaluation Committee has no delegated power and all recommendations made by the Committee are referred to Council for decision.

Membership of the CEO Evaluation Committee expires October 2017.

Consultation

It is the responsibility of the Council to appoint members to its Committees.

Policy and Legislative Implications

The *Local Government Act 1995* guides appointment and tenure of Committee members.

Financial Implications

There are no financial implications associated with the appointment of the Council Committees. Councillors do not receive additional payments for attendance at these meetings.

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.

10.6.6 Tender 4/2016 - Provision of Catering Services

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	N/A
File Ref:	D-16-21306
Lodgement Date:	18 March 2016
Date:	22 March 2016
Author:	Katie Breese, Governance Project Officer
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report considers submissions received for Tender 4/2016 for the provision of catering services for a range of meetings, functions and events held at the City of South Perth.

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

Officer Recommendation

That:

- (a) Council approves the tender submitted by Temptations Catering for the 'Catering Services for a range of meetings and functions held at the City of South Perth' in accordance with Tender Number 4/2016 for the period of supply up to 2 years inclusive.; and
- (b) the resolved tender price be included in the Minutes of this meeting.

Background

A Request for Tender (RFT) 04/2016 for the 'Catering Services for a range of meetings and functions held at the City of South Perth' was advertised in *The West Australian* on Saturday 16 January 2016 and closed at 2.00pm on Thursday 4 February 2016.

Tenders were invited as a *Schedule of Rates / Lump Sum Contract* for a contact period of two years.

Comment

At the close of the tender advertising period, two submissions had been received from Ultimo Catering and Temptations Catering.

The Tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Scope of Service	40%
2. Experience	40%
3. Price	20%
Total	100%

Based on the assessment of all submissions received for Tender 04/2016 'Catering Services for a range of meetings and functions held at the City of South Perth', it is recommended that the tender submission from Temptations Catering be approved by Council.

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

Consultation

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

Policy and Legislative Implications

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

The following Council Policies also apply:

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

Delegation DM607 *Acceptance of Tenders* provides the Chief Executive Officer with delegated authority to accept:

1. annual tenders to a maximum value of \$200,000.00 (exclusive of GST); and
2. all other tenders to a maximum value of \$150,000.00 (exclusive of GST).

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

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

Financial Implications

The City's Governance Budget provides for Council catering services.

Strategic Implications

The report is consistent with the City's Strategic Community Plan 2015-2025.

10.6.6 Tender 4/2016 - Provision of Catering Services

Sustainability Implications

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

Attachments

10.6.3 (a): Panel Members Report (*Confidential*).

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Audit and Governance Committee Meeting - Held 1 March 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-20617
Date:	22 March 2016
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report provides Council with the recommendations from the Audit and Governance Committee meeting held 1 March 2016.

Audit and Governance Committee Recommendations

The Audit and Governance Committee recommends that Council adopt the following recommendations from its meeting held 1 March 2016:

1) Policy Review 2016

That the Audit and Governance Committee, having reviewed the Council Policies, recommends to Council that:

- (a) the following policies having been reviewed with 'no change' to content be adopted:

P107	Disability Access
P108	Honorary Freeman of the City
P111	Commemoration
P112	Community Advisory Groups
P113	Community Gardens
P202	Energy Conservation
P203	Ground Water Management
P204	Chemical Use
P205	Tree Preservation
P206	Urban Forest
P207	Natural Areas
P208	Ecologically Sustainable Building Design
P209	Shade Structures
P210	Street Verges
P211	Water Sensitive Urban Design
P301	Consultation for Planning Proposals
P302	General Design Guidelines for Residential Development
P303	Design Advisory Consultants

P305	Land Reserves for Road Widening
P306	Development of Properties Abutting River Way
P307	Family Day Care and Child Day Care Centres
P308	Signs
P310	Telecommunications Infrastructure
P311	Subdivision Approval – Early Release from Conditions
P312	Serviced Apartments
P315	Car Parking Reductions for Non-Residential Development
P316	Developer contribution for Public Art
P317	Licensed Premises
P350.01	Environmentally Sustainable Building Design
P350.05	Trees on Development Sites and Street Verges
P350.13	Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6
P350.14	Use or Closure of Rights-of-Way
P350.15	Bed and Breakfast Accommodation
P351.5	Streetscape Compatibility – Precinct 5 ‘Arlington’ and Precinct 6 ‘Kensington’
P351.12	9 Bradshaw and 8 Conochie Design Guidelines
P351.14	Cygnia Cove Residential Design Guidelines
P352	Final Clearance Requirements for Completed Buildings
P353	Crossings/Crossovers
P354	Stormwater Drainage Requirements for Proposed Buildings
P356	Electricity Substations
P357	Right-of-Way (ROW) Maintenance and Development
P358	House Numbers on Kerbs
P360	Informing the Neighbours of Certain Development Applications
P401	Graffiti Management
P501	Paths – Provision & Construction
P502	Cycling Infrastructure
P510	Traffic Management Warrants
P601	Preparation of Long Term Financial Plan & Annual Budget
P602	Authority to make payments from the Municipal & Trust funds
P603	Investment of Surplus Funds
P604	Use of Debt as a Funding Option
P606	Continuous Financial Disclosure
P608	Dividend Policy – Collier Park Golf Course
P610	Collier Park Village – Financial Arrangements
P612	Disposal of Surplus Property
P625	Equal Employment Opportunity
P626	The Elimination of Harassment in the Workplace
P629	Occupational Safety and Health
P637	Employee Separation Payments
P648	Motor Vehicles
P649	Mayoral Vehicle
P662	Advertising on Banner Poles
P665	Use of Council Facilities
P667	Member Entitlements
P668	Mayoral Portraits
P670	Delegates from Council
P671	Governance
P673	Audio Recording of Council Meetings
P675	Legal Representation
P677	State Administrative Tribunal
P680	Electronic Agendas
P687	Development of Council Owned Land

P688	Asset Management
P691	Australian Business Excellence Framework
P692	Sustainability Policy
P693	Retiring Elected Member Gift

- (b) the following policies having been reviewed and the content revised, as per Attachment (a), be recommended to Council for adoption:

P101	Public Art
P102	Community Funding Program
P105	Cultural Services and Activities
P106	Use of City Reserves and Facilities
P110	Support of Community and Sporting Groups
P309	Satellite Dishes
P350.02	Boundary Walls
P350.03	Car Parking Access, Siting and Design
P350.04	Additions to Existing Dwellings
P350.07	Fencing and Retaining Walls
P350.09	Significant Views
P402	Alfresco Dining
P403	Charity Clothing Bins on City Managed Land
P605	Purchasing & Invoice Approval
P607	Tenders & Expressions of Interest
P609	Management of City Property
P613	Capitalisation & Valuation of Fixed Assets
P661	Complaints
P669	Training and Development
P689	Applications for Planning Approval: Applicants Responsibilities

- (c) the following policy having been reviewed at Attachment (b), be deleted:
P201 Sustainable Procurement

- (d) the following policy having been added at Attachment (c), be adopted:
P212 Waste Management

- (e) the recommendation for policy P103 Communication and Consultation be deferred until the next Audit and Governance Committee meeting.

2) Council Delegation Review 2016

That the Audit and Governance Committee, having reviewed the City's Delegations, recommends to Council that the Delegations, listed hereunder and contained at Attachment (a), be adopted:

DC370	Approve or Refuse Granting of a Building Permit
DC371	Approve or Refuse Granting of a Demolition Permit
DC372	Grant, or refuse to grant Occupancy Permits or Building approval Certificates
DC373	Approve or refuse an Extension of the Duration for Occupancy permits or Building Approval Certificates
DC374	Appoint Authorised Officers for the purposes of the Building Act 2011
DC375	Issue or Revoke Building Orders
DC511	Partial Closure of a Thoroughfare for Repair or Maintenance
DC601	Preparation of Long Term Financial Plan, Annual Budget & Annual Financial Report

DC602	Authority to Make Payments from Municipal and Trust Funds
DC603	Investment of Surplus Funds
DC607	Acceptance of Tenders
DC607B	Non Acceptance of Tenders
DC609	Leases and Licences
DC612	Disposal of Surplus Property
DC616	Write off Debts
DC642	Appointment of Acting CEO
DC664A	Dogs – Limitation as to numbers
DC664B	Dogs – Dangerous Dog Declaration
DC664C	Dogs – Registration
DC665A	Cats – Registration
DC665B	Cats – Approval to Breed Cats
DC665C	Cats – Recover Costs
DC678	Appointment of Authorised Officers
DC679	Administer the City's Local Laws
DC685	Inviting Tenders or Expressions of Interest
DC686	Granting Fee Concessions
DC690	Town Planning Scheme 6

3) 2015 Compliance Audit Return

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

1. Adopt the 2015 Compliance Audit Return for the period 1 January 2015 to 31 December 2015 as detailed in Attachment (a);
2. Authorise the Mayor and Chief Executive Officer to jointly certify the 2015 Compliance Audit Return; and
3. Submit the 2015 Compliance Audit Return to the Department of Local Government in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

(Absolute Majority Required)

4) Progressing Audit and Governance Committee Meetings

That:

- a) the Audit and Governance Committee meet a minimum of four (4) times per year; and
- b) future annual policy reviews be progressively staged throughout the year.

Background

The Audit and Governance Committee meeting was held on 1 March 2016 with the following items listed for consideration on the Agenda:

- Policy Review 2016
- Council Delegation Review 2016
- 2015 Compliance Audit Return

The Minutes and Attachments of the Audit and Governance Committee are at **Attachments (a) and (b)** respectively.

The following item was raised under Item '7. Other Related Business':

- Progressing Audit and Governance Committee Meetings

Comment

The Audit and Governance Committee considered the following items on 1 March 2016:

1) Policy Review 2016

The City has a statutory obligation under the *Local Government Act 1995* to review its policies each financial year. The Terms of Reference of the Audit and Governance Committee include responsibility for reviewing the City's policies. A review of the City's policies has been completed, considered and recommended by the Committee and is now presented for the consideration of Council for adoption.

2) Council Delegation Review 2016

The City has a statutory obligation under the *Local Government Act 1995* to review its delegations each financial year. The Terms of Reference of the Audit and Governance Committee include responsibility for reviewing the City's delegations. A review of Council delegations has been completed, considered and recommended by the Committee and is now presented for the consideration of Council for adoption.

3) 2015 Compliance Audit Return

The Department of Local Government's 2015 Compliance Audit Return for the period 1 January 2015 to 31 December 2015 has been completed and is submitted to Council for final adoption by *Absolute Majority*. The Committee recommended the Officer Recommendation by *Absolute Majority*.

4) Progressing Audit and Governance Committee Meetings

At the Audit and Governance meeting of 1 March 2016 Standing Orders were suspended to allow for open discussion as to how to progress the Audit and Governance Committee meetings. The Committee recommended the Motion raised at Item '7. Other Related Business' and is now presented for the consideration of Council for adoption.

Consultation

The four items were the subject of consideration at the 1 March 2016 Audit and Governance Committee meeting.

Policy and Legislative Implications

The Audit and Governance Committee meeting are held under the prescribed requirements of *Part 7 Audit of the Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

Financial Implications

Nil.

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](#).

10.7.1 Audit and Governance Committee Meeting - Held 1 March 2016

Attachments

- 10.7.1 (a):** Minutes - Audit and Governance Committee Meeting - 1 March 2016
- 10.7.1 (b):** Attachments - Audit and Governance Committee Meeting - 1 March 2016 .

11. APPLICATIONS FOR LEAVE OF ABSENCE

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 REVIEW OF DEVELOPMENT ASSESSMENT PANELS (DAP) - COUNCILLOR KEN MANOLAS

At the 15 March 2016 Agenda Briefing Councillor Ken Manolas gave notice that at the 22 March 2016 Ordinary Council meeting he would move the following motion:

Motion

That Council:

1. ADVOCATES for the abolition of Development Assessment Panels (DAPs) on the basis that:
 - 1.1 DAPs by means of their majority unelected membership are not democratic bodies representing the ratepayers and accordingly do not reflect the aspirations or values of the community;
 - 1.2 DAPs represent a significant erosion of planning powers by elected representatives who have been given a mandate by ratepayers to make these decisions; and
 - 1.3 Previous decisions made by the Metro Central Joint Development Assessment Panel have gone well beyond the purpose, intent and application of relevant Local Planning Policies adopted by the City of South Perth; and
2. ADVOCATES for consideration of the following reforms, in the event that DAPs remain in place, to ensure greater accountability, transparency and procedural fairness for ratepayers through the Panel's assessment and decision making processes:
 - 2.1 Abolishing the current opt-in mechanism which allows applicants to choose either elected Councils or the DAP as the decision maker and reinstating the minimum threshold for consideration of development applications by the DAP at \$7 million and indexed annually;
 - 2.2 Requiring equal membership on the DAP between Local Government and Appointed Specialist members;
 - 2.3 Requiring the DAP to set the meeting date for consideration of the development applications no later than five working days after the application being received to enable inclusion within the community consultation process;
 - 2.4 Requiring the DAP agenda and local government report and recommendation to be published no less than ten business days prior to the scheduled meeting date;
 - 2.5 Requiring a minimum of five business days between publishing the DAP agenda and the date by which ratepayers can make public presentations to the DAP, to provide more time to prepare a formal response;
 - 2.6 Mandating that respondents to the develop application can nominate email or Australia Post as their preferred contact method for information and requiring the local government to contact registered respondents throughout the process as deadlines are reached;

- 2.7 Providing a public template for ratepayers to assist with the preparation of feedback as part of the Community consultation process;
- 2.8 Requiring any changes to a development application between the community consultation period and final proposal for decision by the DAP to be published on the local government's website and to notify all respondents to the original community consultation of those changes; and
- 2.9 Removing the need for the local government to obtain the applicant's consent for further consultation or an extension of time to report the applicant's development proposal to a DAP meeting for determination.

REASONS FOR MOTION

DAP's have largely removed opportunities for local and community based issues to be considered in the decision making process. These issues represent what is important to a local community in terms of its future character, landscape, streetscape and amenity and elected council members are best placed to represent those views. Further local issues cannot always easily be captured through Local Planning Policies.

While the specialist DAP members are well qualified and experienced in their fields they do not have the same appreciation and ownership of local issues and consequences of decisions as elected members have, which comes from being a local resident.

Councillor Ken Manolas.

CEO COMMENT

The City has opposed the Introduction of DAPS since the initial opportunity to provide comment in 2009 and their introduction in July 2011. The operation of the DAP system has imposed greater administrative costs on all local governments, with additional meeting and secretariat costs. The officers dealing with DAP applications at the City find the current timeframes and inability to extend them without applicants consent, creates a situation where the required detailed assessment of amended plans cannot be achieved in all cases. This is unacceptable in the City's view. The propose Notice of Motion deals with these and other matters that affect the ability of local government to deliver planning outcomes at the local level.

12.2 INTERNAL AUDIT - COUNCILLOR KEN MANOLAS

At the 15 March 2016 Agenda Briefing Councillor Ken Manolas gave notice that at the 22 March 2016 Ordinary Council meeting he would move the following motion:

Motion

That Council:

- (a) assesses the inclusion of an internal audit in their audit procedures; and
- (b) reports back to Council in May 2016 with the intention that an internal audit is included for the financial year starting July 2016.

REASONS FOR MOTION

The audit that is in place at the moment is an external audit. I have been involved in many businesses and an internal audit is important as this is used not only to identify fraud and error assessment but can also be used to identify risk management, efficiency of operations and compliance with regulations and laws.

Councillor Manolas.

CEO COMMENT

Rather than a generic 'internal audit function, what is being requested is an Audit of Risk, Fraud & Internal Controls.

This particular requirement has been recognised by the Department of Local Government who introduced the Local Government Audit Regulation 17A Requirement for all Local Governments in December 2014 requiring assessment of internal controls, risk and legislative compliance. Local governments were required to conduct such an assessment progressively over a 4 year period or more frequently at the local government's discretion.

The City took the opportunity to complete the full audit cycle in one comprehensive assessment which was presented to Council at the Audit & Governance Committee meeting of 13 February 2015. Macri Partners (the City's auditors) also hold a copy of this assessment on their files in relation to the City of South Perth.

A copy of that Audit & Governance Committee Report and the Audit Regulation 17A Assessment attachment has been previously provided for Council Members information.

Whilst the City is only required to undertake such assessment once in every 4 years, the City adopts a different and more rigorous approach with these items being reviewed on an ongoing basis. This is well demonstrated by the recent comprehensive review of Purchasing Protocols resulting in a revised policy being presented to the March 2016 Audit & Governance Committee meeting.

In addition, the City has an agreed position of formally presenting an Audit Regulation 17A style report to Council every second year - rather than the legislated 4 year cycle. This more comprehensive review is currently scheduled to occur at the end of the 2016 year with the report to go to the Audit & Governance Committee's first meeting after the Christmas / New Year break. This timing was chosen in consultation with our auditors because it is the period when audit firms have a lull in activity after the corporate reporting season and local government annual audit season.

It should be noted also that the City's current audit contract concludes after the audit of the 2015/2016 annual financial statements with their presentation of the Audit Completion Report to Council in November. The requirement for ongoing independent assessment of Internal Controls would form part of the Audit Contract Specification when the incoming auditors are appointed later this year.

Conducting the full audit of Internal Controls, Risks & Compliance at that time would seem particularly beneficial for the incoming auditors in that there would be a comprehensive, up to date set of documentation available for their audit files to allow them to make their audit risk assessments as well as giving a good understanding of the City's in-place internal controls.

Each year, the City completes the City of South Perth Audit Fraud Risk Assessment which is then provided to our auditors to enable them to make an assessment of measures in place to minimise opportunities for fraud. This report could potentially also be presented to the Audit & Governance Committee to satisfy them that the matter is being properly addressed in addition to submitting it to the auditors.

From the preceding narrative and the referenced documents, it should be evident that the City engages Macri Partners to conduct both an 'Internal Audit' (assessment of internal controls & risk)which occurs annually during the Interim Audit Phase (April – May) and then also conducts the Annual Audit which is the 'External Audit phase' focussing on the financial statements in Oct – Nov.

Whilst having no objection to the proposed Notice of Motion, the Notice of Motion seems to request the Administration to do what it is already doing (and is in excess of our legislative requirements), and it is not clear what additional benefit is gained.

Ensuring that these procedures continue and that Council is kept fully informed is important and can and will occur

The City thanks Cr Manolas for the opportunity to share these reports and give Council Members a more comprehensive understanding of the internal control environment used to mitigate fraud risk.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

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

15. MEETING CLOSED TO PUBLIC

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

Reports regarding these matters have been circulated separately to Councillors.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.1.1 Lot 801 Bradshaw Crescent, Manning

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

Location:	Manning
Ward:	Manning
Applicant:	Council
File Ref:	D-16-17722
Date:	15 March 2016
Author:	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:	4.1 Develop and facilitate activity centres and community hubs that offer a safe, diverse and vibrant mix of uses.

16. CLOSURE