

MINUTES.

Ordinary Council Meeting

25 October 2016

To: The Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 25 October 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

28 October 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/

Contents

1.	DECLARATION OF OPENING	6
2.	DISCLAIMER	6
3.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	6
3.1	STANDING ORDERS LOCAL LAW 2007	6
3.2	AUDIO RECORDING OF THE COUNCIL MEETING	6
3.3	PASSING OF MR DERRICK ERNST	6
3.4	PRESENTATION TO THE STATUTORY PLANNING COMMITTEE MEETING - 25 OCTOBER 2016	6
4.	ATTENDANCE	8
4.1	APOLOGIES	8
4.2	APPROVED LEAVE OF ABSENCE	8
5.	DECLARATIONS OF INTEREST	8
6.	PUBLIC QUESTION TIME	9
6.1	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	9
6.2	PUBLIC QUESTION TIME: 25 OCTOBER 2016	9
7.	CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIFFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1	10
7.1	MINUTES	10
7.1.1	Ordinary Council Meeting Held: 27 September 2016	10
7.1.2	Special Council Meeting Held: 6 October 2016	10
7.1.3	Special Council Meeting Held: 18 October 2016	10
7.2	BRIEFINGS	10
7.2.1	Website Redevelopment Project - 16 August 2016	10
7.2.2	Property Asset Management Review, South Perth Bridge Club, South Perth Commemorative Projects, Councillor Request System – 30 August 2016	10
7.2.3	Canning Highway Character Study, Future Development Aspirations for South Perth Hospital, Strategic Community Plan & Australian Business Excellence Framework – 4 October 2016	11
7.2.4	Council Agenda Briefing - 18 October 2016	11

8.	PRESENTATIONS	11
8.1	PETITIONS	11
8.2	PRESENTATIONS	11
8.3	DEPUTATIONS	12
8.4	COUNCIL DELEGATES REPORTS	12
8.4.1	Rivers Regional Council Meeting - 18 August 2016	12
8.5	CONFERENCE DELEGATES REPORTS	12
9.	METHOD OF DEALING WITH AGENDA BUSINESS	12
9.1	EN BLOC MOTION	13
10.	REPORTS	14
10.1	STRATEGIC DIRECTION 1: COMMUNITY	14
10.1.1	Australia Day 2017	14
10.3	STRATEGIC DIRECTION 3: HOUSING AND LAND USES	20
10.3.1	Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth	20
10.3.2	Policy P360 'Informing the Neighbours of Certain Development Applications': Revocation. (Item 10.0.1 Council Meeting 28 June 2016 refers)	32
10.5	STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT	34
10.5.1	South Perth Train Station Business Case	34
10.5.2	Tender 18/2016 "Provision of Security, Patrols and Guard Services"	38
10.5.3	Perth Transport Plan for a Population of 3.5 Million and Beyond	42
10.6	STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT	45
10.6.1	Monthly Financial Management Accounts - September 2016	45
10.6.2	Statement of Funds, Investments and Debtors 30 September 2016	51
10.6.3	Listing of Payments	56
10.6.4	Budget Review - Quarter 1	59
11.	APPLICATIONS FOR LEAVE OF ABSENCE	65
12.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	65

13. QUESTIONS FROM MEMBERS	65
13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE	65
13.2 QUESTIONS FROM MEMBERS	65
14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	65
14.1 REVIEW OF METRO CENTRAL JOINT DEVELOPMENT ASSESSMENT PANEL (JDAP) DECISION TO APPROVE THE APPLICATION FOR A 35 STOREY PLUS BASEMENTS MIXED USE DEVELOPMENT ON LOTS 2-20 (74) MILL POINT ROAD, SOUTH PERTH	66
15. MEETING CLOSED TO PUBLIC	67
15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED	67
15.1.1 City of South Perth 2016 Volunteer of the Year Awards	67
16. CLOSURE	68
17. RECORD OF VOTING	69
APPENDIX	72
6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE (27 SEPTEMBER 2016)	72
6.2 PUBLIC QUESTION TIME: 25 OCTOBER 2016	74
DISCLAIMER	84

Minutes

Minutes of the Ordinary Council Meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Tuesday 25 October 2016.

1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 7.02pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar/Bibbulmun people and that we honour them as the traditional custodians of this land.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 STANDING ORDERS LOCAL LAW 2007

This meeting is held in accordance with the City's Standing Orders Local Law 2007 which provides rules and guidelines which apply to the conduct of meetings.

3.2 AUDIO RECORDING OF THE COUNCIL MEETING

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

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

3.3 PASSING OF MR DERRICK ERNST

The Council and the City would like to express their condolences to the family of Mr Derrick Ernst, former Town Clerk and CEO of the City from 1986 – 1990, who recently passed away. The City has placed a notice in The West Australian in memory of Mr Ernst.

3.4 PRESENTATION TO THE STATUTORY PLANNING COMMITTEE MEETING – 25 OCTOBER 2016

The Presiding Member read aloud her submission to the Statutory Planning Committee on *Confidential Item 11.5 City of South Perth Town Planning Scheme No. 6 – Amendment 46*. at its meeting held 25 October 2016 as follows:

'This Amendment has become URGENT for the Council, City, community and developers.

Lack of recommendation from the WAPC's Statutory Planning Committee is prejudicing the City's long term planning for the South Perth Train Station

Precinct and the upcoming work which we will embark on early next year with Roberts Day and the engagement with our community. Allowing the present scheme amendment process to remain in limbo is totally contrary to the City's plan for the future. South Perth has the only Town Planning Scheme with no height limits and plot ratios in our South Perth Train Station Precinct.

Lack of recommendation from this Committee is also affecting JDAP decisions. This in effect was crystallised around the 3/2 decision of the JDAP on Wednesday 19th October with the approval of 74 Mill Point Road. The RAR recommended refusal of the 35 storey building and the Council strongly supported the RAR recommendation. We need to know what the recommendation is from this Committee so we can effectively say the Amendment is imminent and certain when development applications are considered.

This hold up on a decision is unacceptable. On all occasions the City and I have responded in a timely and transparent way to all requests from the Committee – it is now time for the Committee to reciprocate.

Amendment 46 has been developed over a 2 year period and it has gone out to the community for comment on 2 occasions since 2014. It has followed a transparent and carefully considered process with extensive consultation.

These public comments have changed over the periods of consultation and the resultant Amendment 46 endorsed by Council in April has been informed by both rounds of consultation as well as meetings with Planning Ministers of the day as well as various Departmental members.

When I last presented to this Committee, 11th October I spoke about the offer from the Office of the Government Architect to assist the City with renewing its planning guidance in a manner that aligns with current reform proposals being developed with the Department of Planning. How can we move forward in accepting this offer when we do not know the status of Amendment 46?

We request that the Statutory Planning Committee make a recommendation today on Amendment 46 to enable the City to move on with our next Amendment to ensure the best outcomes for this important area of the Perth metropolitan area. We are striving to do what we can to achieve good outcomes all round and ask for your support in progressing Amendment 46 to do so.

Our preference is not to go out to advertising again, our preference is to use Amendment 46 as the basis for our next Amendment and we need to know what the WAPC position is on this matter very soon. Within the next month the JDAP will reconsider another large development application in the precinct (twin towers of 49 and 40 storeys) and it will be unacceptable to all if we are not in a stronger position with regard to this matter. Central Park at 51 storeys is the tallest building in Perth, with the Bankwest Tower 50 storeys.

I request the WAPC – Statutory Committee to indicate in writing to the City before the end of this month their position on this Amendment.'

Sue Doherty
Mayor City of South Perth
25th October 2016

4. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

Councillors

Glenn Cridland	Como Ward
Jessica Black	Como Ward
Colin Cala	Manning Ward
Sharron Hawkins-Zeeb	Manning Ward
Travis Burrows	Moresby Ward
Fiona Reid	Moresby Ward
Ken Manolas	Mill Point Ward

Officers

Geoff Glass	Chief Executive Officer
Vicki Lummer	Director Development and Community Services
Michael Kent	Director Financial and Information Services
Mark Taylor	Director Infrastructure Services
Phil McQue	Manager Governance and Administration
Sharron Kent	Governance Officer

Gallery

There were approximately 26 members of the public and one member of the media present.

4.1 APOLOGIES

Nil

4.2 APPROVED LEAVE OF ABSENCE

Cheryle Irons Mill Point Ward

5. DECLARATIONS OF INTEREST

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

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

- Cr Jessica Black in relation to *Agenda Item 14. New Business of an Urgent Nature Introduced by Decision of Meeting.*

The Presiding Member advised that in accordance with the *Local Government (Rules of Conduct) Regulations 2007* this Declaration would be read out immediately before Item 14. was discussed.

Note: Councillors Cridland and Cala both did not deem it necessary to declare an interest at Item 14. but advised the meeting that, in their roles as Council representatives to the Metro Central Joint Development Assessment Panel (JDAP), they considered the matter at Item 14. at the JDAP meeting held 19 October 2016.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The Presiding Member advised that the responses to previous public questions taken on notice are available in the **Appendix** of these Minutes.

6.2 PUBLIC QUESTION TIME: 25 OCTOBER 2016

Public Question Time is operated in accordance with Local Government Act Regulations and the City's Standing Orders Local Law.

The Presiding Member advised the meeting that questions are to be in writing and submitted 24 hours prior to the meeting. Forms are available on the City's website, at Reception and also available in the Chamber Foyer on the night of the meeting. Questions received in advance of the meeting would be dealt with first. Questions received at the meeting were taken on notice and the response provided in the Minutes of the following month's Council meeting.

The Presiding Member then opened Public Question Time at 7.15pm.

Written questions were received prior to the meeting from:

- Mr Trevor Wilkinson of 2 Ruth Street, Como
- Mr Paul Ruthven of 5/24 Charles Street, South Perth

Written questions were received at the meeting from:

- Mr Phillip Courtney of 82 Princeton Circuit, Aubin Grove
- Ms Vicki Redden of 14/63 Mill Point Road, South Perth
- Mr Craig Dermer of 14/63 Mill Point Road, South Perth
- Mr Geoff Defrenne of 24 Kennard Street, Kensington

At 7.31pm the Presiding Member called for Public Question Time to be extended by five minutes to allow those who have not yet been heard, the opportunity.

MOTION TO EXTEND PUBLIC QUESTION TIME AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Public Question Time be extended by five minutes to hear those who have not yet been heard, the opportunity.

CARRIED (8/0)

The Presiding Member closed Public Question Time at 7.37pm.

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

The responses to those questions taken on notice will be made available in the Minutes of the November 2016 Ordinary Council meeting.

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

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 27 September 2016

7.1.2 Special Council Meeting Held: 6 October 2016

7.1.3 Special Council Meeting Held: 18 October 2016

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Travis Burrows

Seconded: Councillor Colin Cala

That the Minutes of the Ordinary Council meeting held 27 September 2016, the Special Council meeting held 6 October 2016 and the Special Council meeting held 18 October 2016 be taken as read and confirmed as a true and correct record.

CARRIED (8/0)

7.2 BRIEFINGS

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

7.2.1 Website Redevelopment Project - 16 August 2016

Officers of the City provided Council with an overview of the Website Redevelopment Project at a Concept Briefing held on 16 August 2016.

Attachments

7.2.1 (a): Notes - Website Redevelopment Project - 16 August 2016 .

7.2.2 Property Asset Management Review, South Perth Bridge Club, South Perth Commemorative Projects, Councillor Request System – 30 August 2016

Officers of the City provided Council with an overview of the:

- Property Asset Management Review
- South Perth Bridge Club
- South Perth Commemorative Projects
- Councillor Request System

at a Concept Briefing held 30 August 2016

Attachments

7.2.2 (a): Notes - Property Asset Management Review, South Perth Bridge Club, South Perth Commemorative Projects, Councillor Request System - 30 August 2016 .

7.2.3 Canning Highway Character Study, Future Development Aspirations for South Perth Hospital, Strategic Community Plan & Australian Business Excellence Framework – 4 October 2016

Officers of the City provided Council with an overview of the:

- Canning Highway Character Study
- Future Development Aspirations for South Perth Hospital
- Strategic Community Plan
- Australian Business Excellence Framework

at a Concept Briefing held 4 October 2016

Attachments

7.2.3 (a): Notes - Canning Highway Character Study

7.2.3 (b): Notes - Future Development Aspirations for South Perth Hospital

7.2.3 (c): Notes - Strategic Community Plan & Australian Business Excellence Framework .

7.2.4 Council Agenda Briefing - 18 October 2016

Officers of the City presented background information and answered questions on items to be considered at the October 2016 Ordinary Council Meeting at the Agenda Briefing held 18 October 2016.

Attachments

7.2.4 (a): Notes - Council Agenda Briefing - 18 October 2016 .

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Jessica Black

Seconded: Councillor Travis Burrows

That the Notes of the Briefings held 16 August, 30 August, 4 October and 18 October 2016 be noted.

CARRIED (8/0)

8. PRESENTATIONS

8.1 PETITIONS

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

Nil

8.2 PRESENTATIONS

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

Nil

8.3 DEPUTATIONS

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

Deputations were heard at the Agenda Briefing of 18 October 2016.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 Rivers Regional Council Meeting - 18 August 2016

A report summarising the Rivers Regional Council Meeting - 18 August 2016 is attached.

Attachments

8.4.1 (a): Delegates' Report - Rivers Regional Council Meeting - 18 August 2016 .

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Fiona Reid

Seconded: Councillor Travis Burrows

That the report on the Rivers Regional Council Meeting - 18 August 2016 be received.

CARRIED (8/0)

8.5 CONFERENCE DELEGATES REPORTS

Nil

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the Officer Recommendations, will be adopted en bloc, i.e. all together.

She then sought confirmation from the Chief Executive Officer that all the report items were discussed at the Agenda Briefing held on 18 October 2016. The Chief Executive Officer confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

- Item 10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth
- Item 10.5.1 South Perth Train Station Business Case
- Item 10.5.3 Perth Transport Plan for a Population of 3.5 Million and Beyond

9.1 EN BLOC MOTION

COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

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

- Item 10.1.1 Australia Day 2017
- Item 10.3.2 Policy P360 'Informing the Neighbours of Certain Development Applications': Revocation. (Item 10.0.1 Council Meeting 28 June 2016 refers)
- Item 10.5.2 Tender 18/2016 "Provision of Security, Patrols and Guard Services"
- Item 10.6.1 Monthly Financial Management Accounts - September 2016
- Item 10.6.2 Statement of Funds, Investments and Debtors 30 September 2016
- Item 10.6.3 Listing of Payments
- Item 10.6.4 Budget Review - Quarter 1

CARRIED (8/0)

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Australia Day 2017

Location:	All
Ward:	All
Applicant:	Council
File Ref:	D-16-80742
Date:	25 October 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

This report outlines the plans and strategies to manage the 2017 Australia Day celebrations on the South Perth Foreshore and seeks approval of the parking restrictions and road closures applicable to the event.

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That:

- (a) Council adopts the 2017 Safer Australia Day Strategy as detailed in this report;
- (b) the general 'No Parking' clause in section 7.4, schedule 4 of the City's Parking Local Law 2003 (as amended) be approved for:
 - (i) the temporary road closures, bounded by Labouchere Road to Angelo Street to Douglas Avenue to Canning Highway to Ellam Street, from 10.00am to 9.00pm on 26 January 2017; and
 - (ii) the parking restrictions, bounded by Labouchere Road, corner of Angelo Street to Hensman Street to Canning Highway to Ellam Street as outlined.

CARRIED EN BLOC (8/0)

Background

In July 2004, Council adopted Skyworks Strategy 2005 (the Strategy – later renamed Safer Australia Day) to address crowd control, traffic management, litter, anti-social behaviour and excessive alcohol consumption on the South Perth foreshore for future Australia Day events. These issues were identified in a post-

10.1.1 Australia Day 2017

2004 event review after significant anti-social problems were experienced at the 2004 event. The Strategy focused on the following areas:

- The introduction of new Local Laws
- Increased crowd control measures
- Revised traffic management and road closure plans;
- Initiatives to improve public transport and waste management
- A significant media and communications campaign

The Strategy aimed to improve the experience of the event for the wider community by controlling liquor consumption, traffic and parking management, improving policing and reducing the amount of anti-social behaviour on the South Perth foreshore. Following the Australia Day celebrations in January 2005, the City conducted a survey to determine what effect the Strategy had had in terms of addressing the concerns of the previous year. The results showed that the Strategy had worked well and this was further built upon in 2006 through to 2008 with successful events conducted.

In 2009 the City introduced a 'Family Zone' and a 'Youth Zone' as part of the celebrations. Both areas were extremely well received and they provided a range of creative and physical activities for families, young people and the community in general to enjoy throughout the day leading up to the fireworks. These initiatives were generously funded in part by Lotterywest. In 2011 the decision was made to combine the Family and Youth Zones into one 'Celebration Zone' located on Sir James Mitchell Park directly behind the flagpole area. This decision was taken to enable families and groups to come together in one area, rather than being separated across two 'zones'. The 'Celebration Zone' was expanded to 100,000m², which was more than double the size of the two previous zones combined. This initiative was so successful that in 2012 it was continued, with the 'Celebration Zone' containing seventy (70) free activities for all ages, a central 'Big Top' with on stage entertainment including a film screening, free drinking water stations and various food stalls. In addition, the zone was once again alcohol and smoke free.

From 2012 through to 2016 the City continued with the same formula for the Celebration Zone. In 2014 several new features were introduced designed to accommodate people with disability including an accessible 'grass track' inside the Celebration Zone, a free shuttle service for wheelchair users living in the City and extra ACROD parking areas along the foreshore. In 2016 the free shuttle for wheelchair users was discontinued as it was unfortunately not being utilised.

Comment

The 2017 event will have 100 free activities for all ages and will build on the 2015 and 2016 experience with a new access strategy for people with disability.

Following advice from Police and other experts and for the first time in the history of the Celebration Zone, there will be no high fencing erected around the area. Fencing was introduced to create a safe environment for families with young children in particular, but given recent international incidents, high fencing can become somewhat of an obstacle to evacuations in the event of an emergency. The reduction in fencing will be compensated with an increase in the number of

security officers in the area. The foreshore, including this area will continue to be an alcohol free area and the police will continue to be responsible for enforcement.

The event layout will consist of six activity areas including a 'Toddler & Kids Zone', the 'Challenge Area', the 'Sports Zone', the 'Art Section', the 'Adrenalin Corner' and the 'Rides Park'. The 'Big Top' will host live entertainment throughout the afternoon. As in previous years there will be ample shaded areas, free drinking water stations, various food stalls and the event will once again be alcohol and smoke free.

For 2017 the Safer Australia Day Strategy will be conducted along the same format and operations as previous years and the 'Celebration Zone' will again be an integral part of the Strategy. Strategies for Australia Day 2017 will consist of the following:

1. Public transport

In 2017, the City will continue its free bus shuttle service from George Burnett Leisure Centre and the Civic Centre to the 'Celebration Zone'. Given the growing success of this free service 20 buses will run every ten minutes, instead of every 15 minutes as in previous years, between the hours of 2.00pm and 9.30pm following the fireworks. This service is targeted towards City of South Perth residents in Manning, Karawara and Salter Point in particular, however anyone, including non-residents is able to utilise this service.

2. Local Laws

The Special Events Local Law provides City officers and other enforcement agencies with a range of offences that are backed up by additional powers under the Local Government Act (WA) 1995. The additional offences include the possession of liquor (whether or not the liquor is in a sealed container), possession or use of a large object ("large object" includes lounge chair, bed, refrigerator, spa/wading pool etc., and excludes shade shelters/umbrella's) and possession or use of loud stereos (as determined by amplification outputs). Since the introduction of these local laws, there has been a dramatic reduction in the number of large items being brought to the foreshore. In previous years large items such as lounges and inflatable swimming pools would be brought down to the foreshore resulting in the creation of nuisance obstructions or litter after the event had concluded.

3. Crowd control

The Western Australian Police Service (WAPS) and City of South Perth Rangers will commence patrolling the restricted areas and Sir James Mitchell Park (SJMP) from approximately 6.00am on the morning of 26 January 2017. Initially Rangers will focus on illegal parking and large objects being taken to the foreshore and as introduced in 2014, will also help control sensitive access points into the Celebration Zone. Management of the crowd will also be assisted by exclusion zones on Sir James Mitchell Park, Coode Street car park and Queen Street Jetty area. This will provide access for the various emergency services and hazard management agencies (HMA's) including the Police Command Posts. In addition, St Johns Ambulance will be providing a primary treatment facility on the South Perth foreshore to administer first aid assistance and to reduce the need for patient transfer to hospital and the Department of Child Protection will have a lost children's facility inside the Celebration Zone.

4. Celebration Zone

As in previous years the 'Celebration Zone' will cover 100,000 m² immediately behind the flagpole area on Sir James Mitchell Park.

5. Road closures (Access Restricted Area)

The roads bounded by Labouchere Road, Angelo Street, Douglas Avenue, Canning Highway and Ellam Street will be closed from 10.00am to 9.00pm on Australia Day. These closures are required to prevent people parking their vehicles in the access restricted areas and/or in car parks on the foreshore, congesting traffic and conflicting with pedestrian movement at the closure of the event. The road closures will be advertised in accordance with the requirements of the Local Government Act 1995 and in a number of different mediums including City publications, the community newspaper and on the City's website.

Following advice from Police there will be additional measures put in place to create hard road closures in the streets immediately opposite the Celebration Zone, to prevent unwanted vehicles from entering the area.

The City may declare general no parking zones, in accordance with the City's Parking Local law, section 7.4 which states as follows:

General No Parking Zones

- (a) General no parking zones are established as prescribed in Schedule 4;
- (b) Where the City establishes a general no parking zone, the City must erect a sign at entry points to the general no parking zone indicating;
 - (i) The area that is a general no parking zone, and
 - (ii) The dates and times during which the area is a general no parking zone.
- (c) Where the City establishes a general no parking zone and erects signs at each entry point to the general no parking zone then it is an offence to park on any road or nature strip within the general no parking zone.
- (d) A driver must not park a vehicle on the road or a nature strip in a general no parking zone.
- (e) A driver commits an offence under this clause notwithstanding the fact that there are no signs in the immediate vicinity of the area in which the driver parked the vehicle indicating that the area in which the driver parked the vehicle is a general no parking zone.

Schedule 4 of the Parking Local Laws states that the general no parking locations and effective times for Australia Day are as follows:

"From 6:00 am on 26 January to 6:00 pm on 27 January each year, the area contained within the Wards of Civic and Mill Point in the City of South Perth which area is bounded by and includes Hensman Street to the south, Canning Highway to the east and the Swan River foreshore to the west and north is declared to be a General No Parking Zone for the purposes of this local law".

On Australia Day 2017 this area will be restricted with no parking on the road or verge and have staffed road closures at each intersection. Several intersections will be accessible into the access restricted area for use by residents, visitors and businesses. Permits to access the restricted area will once again be issued to

residents, their visitors (those who can be parked on site only) and businesses. Verge parking permits will also be provided to residents within the access restricted area who do not have any physical onsite parking and as a result, are required to park their vehicles on the verge normally. To ensure vehicle and pedestrian safety, Police Traffic Branch and emergency services support the exclusion of vehicles parking on the road verge within the access restricted area. The exclusion of parked cars enables clear vision for pedestrians and access throughout the restricted area by authorised emergency vehicles.

The Coode Street boat ramp will be closed during the event to support the closure of Perth Waters to boats because of the fireworks. During the Australia Day event the Coode Street boat ramp parking area is used for the WA Police compound, as well as by State Emergency Services and St John Ambulance. There will be three disabled parking areas along the foreshore: at the end of Hurlingham Street, in the 'Boat Shed Restaurant' car park and inside the Celebration Zone (close to the Big Top). The City will employ the services of traffic management officers to secure the road closures as previously outlined in this report.

6. Traffic Management (Parking Restricted Area)

The proposed parking restricted area during Australia Day 2017 will extend from the access restricted area (as per item 5 of this report) to Hensman Street, to Canning Highway and to Ellam Street and be effective from 6.00 am to 10.00 pm.

Street signage, advertising in the community newspaper and a pamphlet drop will publicise all restrictions to local residents.

7. Waste Management

Event organisers (City of Perth and City of South Perth) will provide sufficient separate mini-skips for rubbish and recycling, which will be located at regular intervals along the foreshore. Biodegradable rubbish/recycling collection bags will also be distributed amongst the crowd for their use and to facilitate the post event clean-up.

8. Media and Communications

The Safer Australia Day Strategy 2017 provides for a number of initiatives and strategies which when combined are designed to more effectively manage the event. In that regard, the City will undertake some of this campaign directly and work closely with the event organisers and their radio and TV media partners to ensure the various elements of the City's Strategy are effectively communicated. In addition, the City will liaise with the Community Newspaper Group in terms of media releases and editorial leading up to Australia Day, as well as post event coverage.

Consultation

In reviewing and developing the Safer Australia Day Strategy 2017, consultation has occurred with officers of the following organisations:

- City of Perth
- Town of Victoria Park
- Kings Park Authority
- Main Roads

10.1.1 Australia Day 2017

- WA Police
- Department of Health
- DPI Marine Safety
- Constable Care Child Safety Foundation
- Traffic management companies
- Public Transport Authority
- Lotterywest
- Civil Aviation Safety Authority
- St John Ambulance
- Department of Mines and Petroleum
- Department of Fire and Emergency Services
- AEP Australian Event Protection

Policy and Legislative Implications

Nil

Financial Implications

To ensure the successful delivery of a safe, community focussed Australia Day event, the City allocates a Budget of \$850,000. This is made up of \$280,000 for event logistics and \$570,000 for the Celebration Zone.

Lotterywest have confirmed a grant allocation of \$300,000 towards the funding of the Celebration Zone and the City expects to recoup a further \$7,500 in minor event costs.

The net event cost to the City is therefore \$542,500.

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 Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

Location:	85 South Perth Esplanade, South Perth
Ward:	Mill Point Ward
Applicant:	Rambla on Swan Pty Ltd
File Ref:	D-16-80633
Lodgement Date:	20 October 2016
Date:	25 October 2016
Author:	Matthew Andrews, 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 an additional use of Tavern to an existing Restaurant/Café on Lot 113 Shop 39, No. 81-85 South Perth Esplanade, South Perth. The proposal is to facilitate more functions at the venue and will operate in accordance with a management plan. Council is being asked to exercise discretion in relation to the following:

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

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala
Seconded: Councillor Jessica Black

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for an additional use of Tavern to an existing Restaurant/Café on Lot 113 Shop 39, No. 81-85 South Perth Esplanade, South Perth **be approved** subject to:

(a) Standard Conditions

352	car bays- marked and visible	354	car bays- maintained
353	visitor bays- marked and visible	660	expiry of approval

(b) Specific Conditions

- (i) Operation of the Tavern shall be in accordance with Cumulative Impact Assessment (dated 12 September 2016) and associated Management Plan (dated 12 September 2016) and Public Interest Submission (dated 12 August 2016). Any proposed modification to these documents will require the submission of an amended planning application.

(c) Standard Advice Notes

795B appeal rights- council decision

(d) Specific Advice Notes

The applicant is advised that:

- (i) Noise Generally- All mechanical ventilation services, motors and pumps, e.g. air conditioners, swimming pools, to be located in a position so as not to create a noise nuisance as determined by the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;

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

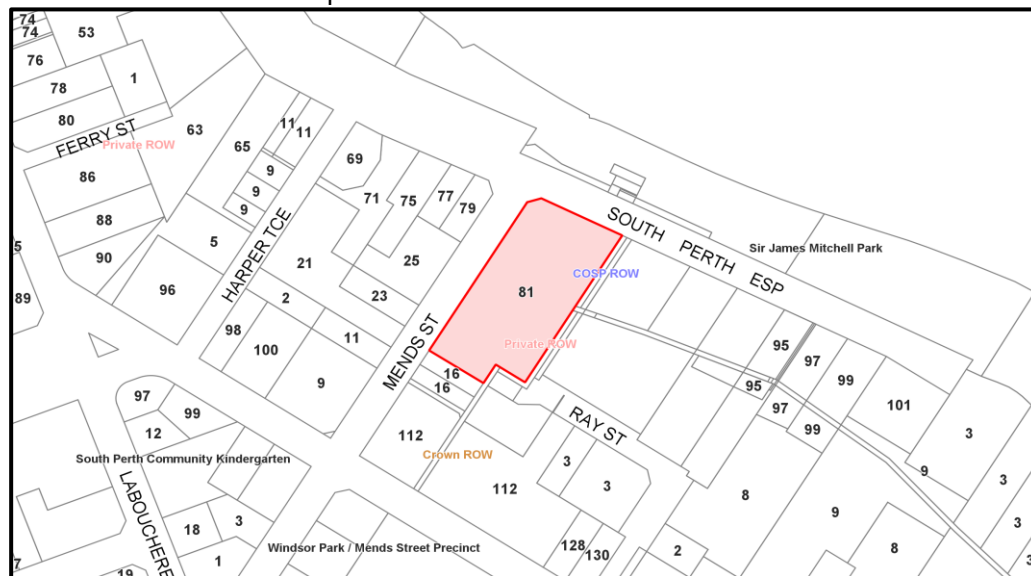
CARRIED (6/2)

Background

The development site details are as follows:

Zoning	Special Control Area 1 (previously Mends Street Centre Commercial)
Density coding	R100
Lot area	6,327 sq. metres
Building height limit	25 Metres
Development potential	N/A for this development
Plot ratio limit	N/A for this development

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:

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

10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

any significant doubt exists, the proposal shall be referred to a Council meeting for determination.

7. Neighbour comments

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

Comment

(a) Background

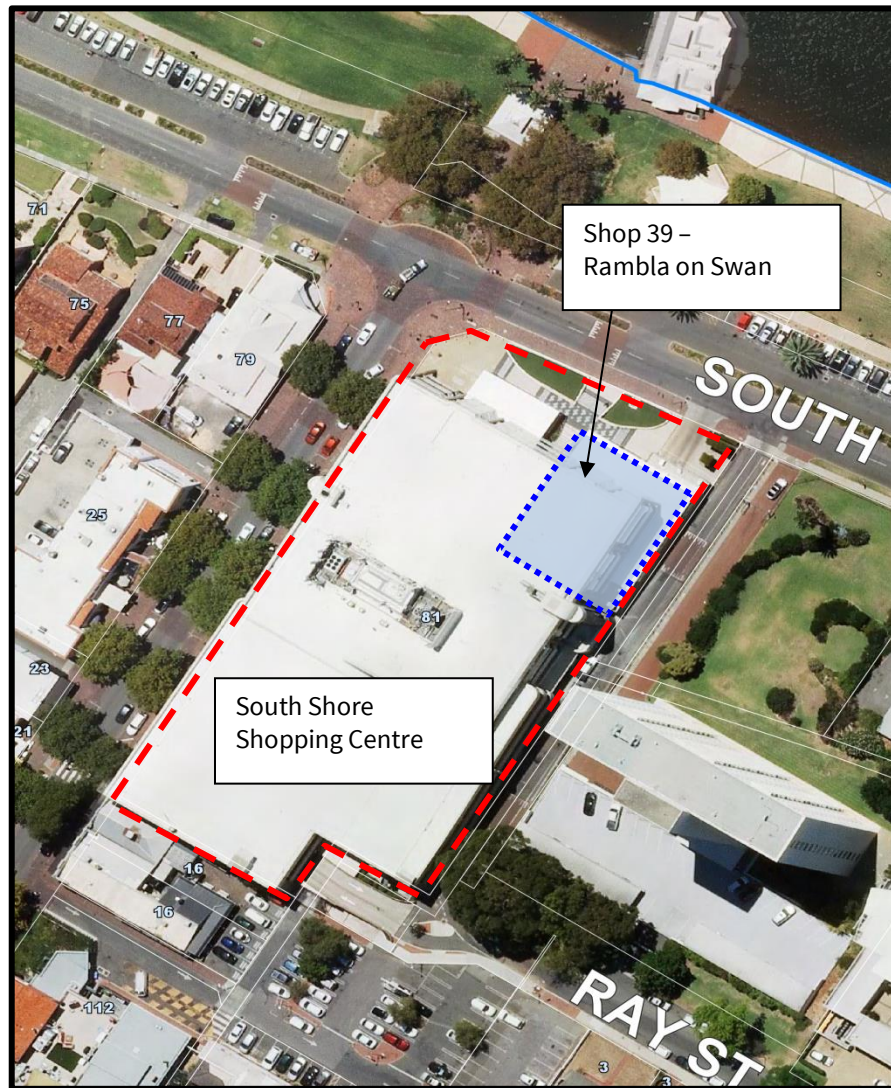
In July 2016, the City received an application for an additional use of Tavern to an existing Restaurant/Café on Lot 113 Shop 39, No. 81-85 South Perth Esplanade, South Perth (the **Site**). The tenancy currently occupied by Rambla on Swan has been used as a restaurant by various operators since the building was constructed in 1990. The external areas of the South Shore Shopping Centre facing towards Mends Street and the Swan River were recently renovated. As part of these building works a balcony area was added to the Site, as well as to the adjoining tenancy, Coco's Restaurant.

(b) Existing Development on the Subject Site

The existing use on the Site is Café/Restaurant, as depicted in the site photographs at **Attachment (a)**. The Site has operated as a Café/Restaurant since its construction. The building as a whole, commonly known as South Shore Shopping Centre, contains a mix of non-residential uses including Shop, Office, Café/Restaurant, Consulting Room and Take-away Food Outlet. South Shore Shopping Centre is serviced by 376 parking bays which are located on site both below and above street level.

(c) Description of the Surrounding Locality

The development Site has a frontage to South Perth Esplanade to the north. The South Shore Shopping Centre as a whole has frontages to both South Perth Esplanade to the south and Mends Street to the west. Immediately to the east is a Right-of-Way with various multiple dwellings located further to the east. To the south is a Café/Restaurant and Shop as well as public parking. The Site is also located overlooking places of interest such as the South Perth Foreshore and Swan River with views extending to Perth City. The area surrounding the site can be seen in **Figure 1** below:



(d) Relationship to Special Control Area 1 (SCA1)

The Site is located within the Mends Sub-Precinct of Special Control Area 1. The proposed development is not considered to be a comprehensive new development as defined by TPS6, therefore the provisions of Schedule 9 do not apply.

If the development were considered to be a comprehensive new development, the use of Tavern is not listed within the Mends Sub- Precinct and would therefore be required to satisfy Guidance Statements (a) and (b) listed below:

- (a) It is intended that this development area is to consolidate its role as an employment destination.
- (b) Non-residential uses should predominantly comprise office and commercial land uses, education establishments, tourist oriented development and small sale specialty retail.

The proposed development is considered to satisfy both of these requirements and therefore would be considered an appropriate use under Schedule 9.

10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

(e) Description of the Proposal

The proposal involves a an additional use of Tavern to an existing Restaurant/Café on Lot 113 Shop 39, No. 81-85 South Perth Esplanade, South Perth, as depicted in the submission and plans at **Attachment (b)**. Furthermore, the site photographs show the relationship of the Site with the surrounding built environment at **Attachment (a)**. The applicant has also provided documentation (Management Plans, Public Interest Submission and Cumulative Impact Assessment) in accordance with the requirements of Council Policy P317 'Licensed Premises', which is at **Attachment (c)**.

The main reason cited for the additional use within the management plan is due to the restrictions of a Restaurant Liquor Licence surrounding holding functions. Extended Trading Permits can be made for functions that do not involve a sit down meal as required under the Liquor Licence, but only 12 can be made per year. A Tavern Liquor Licence does not require the sale of alcohol with a meal, therefore events/function, such as weddings, could be held more frequently. The proposal complies with the Scheme and relevant Council policies, with the exception of the remaining non-complying aspects, with other significant matters, all as discussed below.

(f) Land Use and Impact on Surrounding Area

The proposed land use of Tavern is classified as a 'D' (Discretionary) land use in Table 1 (Zoning - Land Use) of TPS6. The use of Tavern as defined in TPS6 means *"any land or building the subject of a Tavern Licence granted under the provisions of the Liquor Licensing Act, 1988 (as amended)"*. The applicant has made an application to the Department of Gaming Racing and Liquor for a Tavern Restricted Licence. A Tavern Restricted License is similar to that of Tavern License, aside from the sale of packaged alcohol not being permitted. In considering this discretionary use, it is observed that the Site is in close proximity to both residential and non-residential land uses.

Apart from the subject Site there are 10 locations within 250m radius that have a current Permanent Liquor License granted by the Department of Racing Gaming and Liquor. These included restaurants, sporting clubs, special facilities and a hotel. The location and type of these licences can be seen in the below map. The surrounding residential properties are predominantly multiple dwellings in apartment buildings with some grouped dwellings and single houses. The surrounding non-residential is a mix of office, restaurants, cafés, consulting rooms and shops.

The future land uses within the surrounding locality will be governed by the South Perth Station Precinct requirements in Schedule 9 of TPS6. The emerging streetscape, specifically to the south and west of the Site, is therefore expected to be characterised by Mixed Development with non-residential uses on lower floors and residential above. The land uses of residential to the east are not anticipated to change. The proposed use is there considered to be compatible with the surrounding uses taking in to consideration the Management Plan submitted by the applicant. Accordingly, the use is regarded as complying with the Table 1 of the Scheme.

Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth



(g) Car Parking

For the existing Café/Restaurant use, the required number of car bays is 73. The use of Tavern on this site would require 121 bays be provided. Therefore an additional 48 bays are required for the additional use of Tavern.

There are a total of 376 bays located on the Site. Of those 376 bays, 209 are located on the upper floors which service the parking needs for office uses and staff parking for tenancies on the ground floor. These bays are not accessible by the public. The remaining 167 parking bays are located directly below the Site within a publically accessible secure parking garage.

10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

It is noted by the applicant that these 167 bays are typically at 20-30% occupancy. The applicant is of the opinion that the proposed additional use will not affect the parking demand as the overall function of the business will not be altering significantly. The applicant also states that the site is well served by taxis and other ride sharing services as well as public transport, such as the ferry service. Further justification is provided in the Management Plan at **Attachment (c)**.

Council discretion- cl. 6.3.4

Council has discretionary power under clause 6.3.4 of TPS6 to approve the proposed car parking, if Council is satisfied that all requirements of that clause have been met. In this instance, it is recommended that the proposed car parking be approved, as the applicant has satisfied the City in relation to the following requirements of that clause (emphasis added):

- (a) The Council is satisfied that the proposed number of bays is sufficient, having regard to the **peak parking demand** for different uses on the development site.

In regards to above, a traffic and parking study for the area has been completed by the City of South Perth recently. Comments from Manager, Engineering Services indicate that the additional use will not have any significant impact on the traffic generation.

Council discretion- cl. 7.8.1

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

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

Orderly and proper planning and the preservation of the amenity of the locality

The City suggests that the basement car parking will be sufficient taking in to account the peak demand for parking and other uses on the Site. If the application were to be assessed against the provisions of Schedule 9 the proposed use would be required to provide a total of 14 bays. This is 107 bays less than the requirements of Table 6 of TPS6. It is therefore proposed that the existing bays are considered to be acceptable for the area and requesting any additional bays would not be considered orderly and proper planning. The amenity of the locality of proposed to be unchanged as the parking areas for the Site are existing.

**10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85)
South Perth Esplanade, South Perth**

Not have any adverse effect upon the occupiers/users/inhabitants

It is considered that the additional use of Tavern will not significantly affect the parking demand for the site. Based on the information provided in the Management Plan the overall function of the Site will be similar to the existing except with more functions and events. The inhabitants of the precinct are highly unlikely to be adversely affected by the concession in parking given the estimated peak demand and the availability of parking, and future development is unlikely to be affected by the concession in parking and will likely benefit from the existing public parking garage.

The objectives of the Scheme and for the precinct

The City suggests that proposed additional use meets the objectives for the City and the Precinct. For the objectives of the Scheme, please refer to section Scheme Objectives, which are considered to have/have not been satisfied.

In this instance, it is considered that the proposal complies with the discretionary clause, and is therefore supported by the City.

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

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

- (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;**

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

(i) 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 matters in Clause 67 of the Planning and Development Regulations 2015 to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. Of those matters the following are considered to be relevant:

- (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

10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

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;

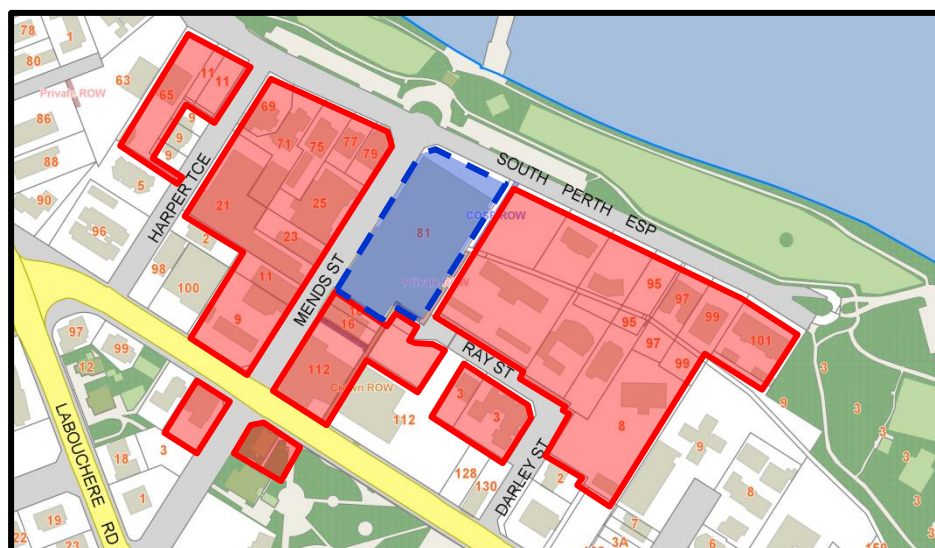
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (w) the history of the site where the development is to be located;
- (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;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (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

(j) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the 'Area 2' consultation method, individual property owners, occupiers and/or strata bodies depicted in the below map were invited to inspect the plans and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised).



During the advertising period, a total of 193 consultation notices were sent and 22 submission(s) were received, 0 in favour and 22 against the proposal. The comments from the submitter(s), together with officer responses are summarised below.

Submitters' Comments	Officer's Responses
The increased noise from the proposed development will impact on the neighbouring residential dwellings (16)	A letter submitted by the applicant from an Acoustic Engineer states that the additional use of Tavern will not alter noise emissions from Rambla on Swan. This letter is at Attachment (d) The comment is NOT UPHELD.
There are currently enough Taverns in the area and there is no current demand for any additional Taverns (7)	The number of premises within the area that are licensed is discussed elsewhere in this report. The comment is NOTED
The Tavern will lead more anti-social behaviour (3)	Based on the information provided by the applicant the overall function of the business will not be altered significantly. The comment is NOTED
The additional use will generate more parking demand (2)	The provision of parking is discussed elsewhere in this report. The comment is NOTED
Proximity to play equipment (1)	The play equipment that is located within Sir James Mitchell Park has been situated opposite the Site, as well as various other restaurants since approximately 1995. Based on the information provided by the applicant the overall function of the business will not be altered significantly. As there has been no issues with the proximity of the play

	equipment to the Site previously it is not expected to be an issue should the use of Tavern be approved. The comment is NOT UPHELD .
--	--

(k) Internal Administration

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

The Manager, Engineering Infrastructure section was invited to comment on a range of issues relating to car parking and traffic generated from the proposal. This section raises no objections and has provided the following comments:

- (i) The additional use will not have any impact on the traffic generation or car parking demand within the precinct.

The Environmental Health section provided comments with respect to noise and general comments. This section raises objections regarding the possible impact of noise and requested that a report be submitted by a suitably qualified Acoustic Engineer. The Applicant provided a letter from an Acoustic Engineer in response, which is at **Attachment (d)**. Upon review of this letter the Environmental Health section had no further comments.

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

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 2015-2025 which is expressed in the following terms: *Accommodate the needs of a diverse and growing population.*

Sustainability Implications

Being non-residential land use, it is considered that the development enhances sustainability by providing local businesses and employment opportunities.

Conclusion

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

**10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85)
South Perth Esplanade, South Perth**

Attachments

- 10.3.1 (a):** Site Photos
- 10.3.1 (b):** Cover Letter and Plans
- 10.3.1 (c):** Management Plan for Rambla on Swan
- 10.3.1 (d):** Acoustic Engineer Letter .

10.3.2 Policy P360 'Informing the Neighbours of Certain Development Applications': Revocation. (Item 10.0.1 Council Meeting 28 June 2016 refers)

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-16-80618
Date:	25 October 2016
Author:	Gina Fraser, Senior Strategic 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:	3.1 Develop a new Local Planning Strategy and a new Town Planning Scheme to meet current and future community needs, cognisant of the local amenity.

Summary

In June 2016, the Council adopted revisions to Policy P301 'Community Engagement in Planning Proposals'. As part of that review, the key provisions of Policy P360 'Informing the Neighbours of Certain Development Applications' were incorporated into Policy P301, rendering Policy P360 redundant.

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That:

- (a) Council revoke Planning Policy P360 'Informing the Neighbours of Certain Development Applications' (**Attachment (a)**); and
- (b) in accordance with clause 6 of Division 2 of Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notice of the rescission of Planning Policy P360 'Informing the Neighbours of Certain Development Applications' be published in the *Southern Gazette* newspaper.

CARRIED EN BLOC (8/0)

Background

This report includes **Attachment (a)**, being Policy P360 'Informing the Neighbours of Certain Development Applications' ('Policy P360'), which is to be revoked as a result of having been incorporated into the recently revised and updated Policy P301 'Community Engagement in Planning Proposals' ('Policy P301').

Comment

Policy P360 now duplicates some of the provisions in the revised Policy P301 and should be revoked. Policy P360 was removed from the City's web site following the June Council meeting and is no longer in use. When the Council has resolved to revoke the Policy, a notice will be published once in the *Southern Gazette* as

10.3.2 Policy P360 'Informing the Neighbours of Certain Development Applications': Revocation. (Item 10.0.1 Council Meeting 28 June 2016 refers)

required by clause 6 of Division 2 of Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Consultation

No community consultation is required for the revocation of a local Planning Policy, although notice of the revocation will be published in the *Southern Gazette*.

Policy and Legislative Implications

The process for revoking a local planning policy is contained in Division 2 of Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The process now being followed is consistent with the relevant regulations.

Financial Implications

This matter has no financial implications other than the cost of the required notice in the *Southern Gazette*.

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](#).

Revocation of the redundant Policy P360 will remove any ambiguity and confusion which might arise from the duplication of certain provisions in Policy P301.

Conclusion

This report relates to a necessary minor administrative action – the overdue rescission of a redundant policy.

Attachments

10.3.2 (a): Policy P350 'Informing Neighbours of Certain Development Applications' .

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 South Perth Train Station Business Case

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	City of South Perth
File Ref:	D-16-80612
Date:	25 October 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
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

The City commissioned MacroPlanDimasi to prepare a Business Case for the South Perth Train Station. This report recommends that the Council endorse the Business Case, submit it to the *Draft Perth Transport Plan for 3.5 Million* and use it as a compelling case to advocate and lobby for the construction of the South Perth Train Station as a transport infrastructure priority.

Officer Recommendation

Moved: Councillor Fiona Reid
Seconded: Councillor Travis Burrows

That Council:

- a) endorse the South Perth Train Station Business Case (**Attachment (a)**), prepared by MacroPlanDimasi;
- b) resolve to submit the South Perth Train Station Business Case to the Department of Transport's *Draft Perth Transport Plan for 3.5 Million*; and
- c) use the South Perth Train Station Business Case to lobby and advocate for the construction of the South Perth Train Station as a transport infrastructure priority.

Amended Motion AND COUNCIL DECISION

Moved: Councillor Colin Cala
Seconded: Councillor Sharron Hawkins-Zeeb

That a part (d) be added as follows:

- (d) That any consideration to excise a portion of Richardson Park be deferred pending a wider area of consultation that would include the area north of Judd Street.

CARRIED (8/0)

COUNCIL DECISION**Moved:** Councillor Fiona Reid**Seconded:** Councillor Travis Burrows

That Council:

- a) endorse the South Perth Train Station Business Case (**Attachment (a)**), prepared by MacroPlanDimasi;
- b) resolve to submit the South Perth Train Station Business Case to the Department of Transport's *Draft Perth Transport Plan for 3.5 Million*; and
- c) use the South Perth Train Station Business Case to lobby and advocate for the construction of the South Perth Train Station as a transport infrastructure priority.
- (d) That any consideration to excise a portion of Richardson Park be deferred pending a wider area of consultation that would include the area north of Judd Street.

CARRIED (8/0)**Background**

The provision of a railway station in the vicinity of Richardson Street South Perth has previously been planned since the introduction of the Perth to Mandurah railway line. At the time of constructing the Perth to Mandurah railway line, the Kwinana Freeway was realigned near Richardson Street at an estimated cost of \$3M to facilitate the South Perth Train Station platform to be constructed at a later stage.

In 2002, the State Government formally provided a commitment to construct a railway station at South Perth by 2010. Designs were prepared in 2008 by the Public Transport Authority, based on the principle that it was a 'destination' station rather than interchange station. Since this commitment, successive WA State Governments have continued to defer the construction of a railway station at South Perth, with the station no longer an identified infrastructure project in the budget forward estimates.

At the request of the State Government, the City in 2010 commissioned the development of a Business Case to assess a number of options which would demonstrate the economic and financial viability for the construction of the South Perth Train Station.

The Council resolved to develop and endorse a business case, proposing a mix of commercial and residential development on the northwest corner of Richardson Park, with 12 storeys of 14,400sqm residential and 4,000sqm commercial.

The City subsequently advocated and lobbied the South Perth Train Station Business Case and the development impacts of Amendment 25 with the State Government for many years, unsuccessfully.

Comment

The State Government released its *Draft Perth Transport Plan for 3.5 Million* in July 2016, seeking comments until 28 October 2016. This Draft Plan identifies the State Government's key transport projects and priorities, however it does not make any reference to the future provision of the South Perth Train Station.

MacroPlanDimasi were subsequently engaged by the City to assist build upon the business case for the South Perth Train Station (shown at **Attachment (a)**), given the significant planned development and growth in recent years, with Amendments 25 and 46.

The original business case underestimated the scale and size of development that is presently occurring in the South Perth Train Station Precinct. As an example, it assumed a total ultimate build out model of 1,710 residents in the precinct, however this is already at 2,420 residents, without the forthcoming approved developments being completed. The previous business case also did not consider that South Perth has over 1 million visitations per year, and that the South Perth Train Station could be an invaluable State tourism asset, given the tourism opportunities within the immediate precinct, including Perth Zoo.

MacroPlanDimasi's assessment concludes that the South Perth Train Station can ultimately achieve 4,365 to 5,447 passengers per day by 2026, based on five key drivers:

- Increasing number of residents in area – ultimate build out model indicates population of 9,240
- Increasing employment opportunities in area – ultimate build out model indicates employment population of 26,573
- Perth Zoo patronage (average 700,000 visitations per year) and lack of available parking
- Special event attractions such as Australia Day, concerts at Sir James Mitchell Park and special events at Perth Zoo
- Potential for future development at Richardson Park (as shown in previous business case) and waterside development to the west of the proposed South Perth Train Station.

MacroPlanDimasi's report addresses the key challenges associated with the South Perth Train Station, including the significant quarter circle catchment. MacroPlanDimasi's assessment is that the South Perth Train Station is not a typical commuter station as previously assumed, and that it potentially has three key transit functions that would overcome the quarter circle catchment. The South Perth Train Station could now have key three transit functions of 'destination station, 'origin' station and potentially 'transfer' station, outlined in further detail within the report.

Consultation

The City has been in consultation with the State Government and relevant Ministers for Transport and Planning for many years in relation to the proposed construction of the South Perth Train Station.

10.5.1 South Perth Train Station Business Case

Policy and Legislative Implications

Nil.

Financial Implications

The City's Long Term Financial Plan does not include any funding towards the construction of the South Perth Railway Station.

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): South Perth Train Station Business Case (MacroPlanDimasi) - Updated 20 October 2016 .

10.5.2 Tender 18/2016 "Provision of Security, Patrols and Guard Services"

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-16-80739
Lodgement Date:	20 October 2016
Date:	25 October 2016
Author:	Fraser James, Procurement Coordinator
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community -- Create opportunities for an inclusive, connected, active and safe community
Council Strategy:	1.2 Facilitate and foster a safe environment for our community.

Summary

This report considers submissions received from the advertising of Tender 18/2016 for the "Provision of Security, Patrols and Guard Services".

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 and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That Council approves the tender submitted by Perth Security Services (MCW Corporation Pty Ltd) at an approximate price of \$314,183 excl. GST for the "Provision of Security, Patrols and Guard Services" in accordance with Tender Number 18/2016 for the period of supply of three (3) years inclusive; with an option of two (2) years at the City's discretion.

CARRIED EN BLOC (8/0)

Background

A Request for Tender (RFT) 18/2016 for the 'Provision of Security, Patrols and Guard Services' was advertised in The West Australian on Saturday 25 June 2016 and closed at 2pm on Friday 20 July 2016.

The City invited tenders as a Schedule of Rates / Lump Sum Contract.

The RFT is for the provision of security, patrols and guard services within the City of South Perth.

To undertake the provision of security services in the form of patrols, static guards and alarm responses to all/and or selected facilities within the City. At all times there is a requirement to report to the relevant City's officers any changes or damages noted whilst carrying out the security services.

10.5.2 Tender I8/2016 "Provision of Security, Patrols and Guard Services"

The work will include but is not limited to:

- identify facilities are secure
- minimise and prevent the entry of the City's facilities by unauthorised person/s or intruders
- note any changes or damages whilst carrying out the security services
- make safe any facilities in the event of a breach of security
- prepare and submit reports

The provision of security patrols including alarm and emergency responses, staff escorts and guard services including:

- premises (toilets) lock-ups
- security random patrols
- alarm response
- static Guards
- emergency response
- staff escorts (Manning Library and George Burnett Recreation Centre)
- reporting of daily events including details of any damage observed

The contract is for the period three (3) years with the option of two (2) years at the City's discretion.

Comment

At the close of the tender advertising period, the City had received 10 submissions tabled below:

TABLE A - Tender Submissions

Tender Submission
State Security Services (WA) Pty Ltd
Group 4 Securitas Pty Ltd
Major Security Services
Seth Holdings Pty Ltd
Mpire Security Pty Ltd - Alternative Tender
Mpire Security Pty Ltd
Perth Security Services (MCW Corporation Pty Ltd)
Southern Cross Group Services
X - Men Security Services
Wilson Security

An evaluation panel reviewed the tenders, assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
Sustainability	5%
Occupational Safety & Health	5%
Demonstrated resources to respond to major and minor requests in a timely manner and Reporting and Management Systems	30%
Respondents resources, skills and experience of key personnel	30%
Experience working with Local Government Authorities	30%
Total	100%

Based on the assessment of all submissions received for Tender 18/2016 'Provision of Security, Patrols and Guard Services', it is recommended that the tender submission from Perth Security Services (MCW Corporation Pty Ltd) be approved by Council.

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

Consultation

The City invited public tenders in accordance with the *Local Government Act 1995*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act* (as amended) requires a local government to call tenders when the expected value is likely to exceed \$150,000. Part 4 of the Local Government (Functions and General) Regulations 1996 sets regulations on how tenders are to 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 tenders to a maximum value of \$250,000 (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.*

10.5.2 Tender 18/2016 "Provision of Security, Patrols and Guard Services"

Financial Implications

The full cost of the works is currently and planned to be reflected in the 2016/2017, 2017/2018 and 2018/2019 operating budgets.

Strategic Implications

The report is consistent with the [City's Strategic Community Plan 2015-2025](#).

Sustainability Implications

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

Attachments

10.5.2 (a): Recommendation Report - Tender 18/2016 (*Confidential*).

10.5.3 Perth Transport Plan for a Population of 3.5 Million and Beyond

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-80740
Date:	25 October 2016
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Infrastructure and Transport -- Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community
Council Strategy:	5.1 Advocate for, implement and maintain integrated transport and infrastructure plans in line with best practice asset management and safe system principles.

Summary

The State Government has prepared a “draft” long term Transport Plan (*Perth Transport Plan – For 3.5 Million People and Beyond*) that sets the vision for a generational change to Perth’s transport network as the population grows.

Due to the current growth being experienced within the City and its strategic inner suburban location such a plan warrants an appraisal to ensure that it aligns with the City’s Strategic Goals for Transport.

Officer Recommendation

Moved: Councillor Fiona Reid

Seconded: Councillor Sharron Hawkins-Zeeb

That the City’s submission on the *Perth Transport Plan – For 3.5 Million People and Beyond* (**Attachment (a)**) be endorsed by Council.

The motion was moved by Councillor Fiona Reid *with* the following Amendment:

Amended Motion AND COUNCIL DECISION

Moved: Councillor Fiona Reid

Seconded: Councillor Sharron Hawkins-Zeeb

That the City’s submission on the Perth Transport Plan – For 3.5 Million People and Beyond (**Attachment (a)**) be endorsed by Council, with the inclusion of the following addition to Specific Comment One under Public Transport, South Perth Railway Station:

A future rail station at South Perth is included in the May 2015 draft of the Central Sub-regional Planning Framework of Towards Perth and [Peel@3.5million](#) however has not been included in Transport @ 3.5 million, Perth Transport Plan.

CARRIED (8/0)

Reason for Amendment

To ensure a consistent approach in state government transport planning it is vital that the future train station is included in both documents.

Background

The Development of the *Perth Transport Plan – For 3.5 Million People and Beyond* (PTP) draws upon the expertise within the State’s Transport Portfolio (Department of Transport, Public Transport Authority and Main Roads) in collaboration with the Departments of Planning, Treasury, and Premier and Cabinet. The Planning and Transport Research Centre (PATREC) were also involved as independent advisors for the mass transit network.

The following are extracts from the PTP:

“The State Government has developed a vision for Perth’s future transport network; designed to keep our city moving as we grow and help Perth to continue to be one of the most liveable cities in the world. The release of Transport @ 3.5 Million is just the beginning; we will be consulting with federal, state and local government bodies, the business community, industry, academia and the wider community. We all have a role to play in the future of Perth’s Transport Network and we want to hear from you”.

“Transport @ 3.5 Million sets the vision for a generational change to Perth’s transport network. It provides a long term plan for transport infrastructure and considers how we can use the transport network more efficiently as Perth’s population approaches 3.5 million and beyond.

The plan describes a future transport network that provides people with more than one viable option for travelling to work, school and shops, and for accessing services and recreational activities.

To support this growth Perth’s existing transport network will require fundamental changes, resulting in improved connectivity with activity centres where people live, work and play.

The expanded public transport and cycling networks will connect people to where they want to go. In addition, improved road and freight networks, tunnels and river crossings will all play a part in Perth’s future transport network, keeping our city vibrant, connected and productive”.

Comment

The City commissioned GTA Consultants to assist in the preparation of the City’s response by providing advice on how the PTP may affect the wider community’s access to, through-out and from the South Perth local government area.

GTA have completed the following tasks:

- A high level review of the Perth Transport Plan and the Perth and Peel Planning Framework
- A review of the joint submission the City has under consideration with the City of Canning and the Town of Victoria Park and the Issues Paper prepared by WALGA
- A high level overview of what infrastructure is proposed for and adjacent to the South Perth LGA area and what this means for accessibility of South Perth residents

10.5.3 Perth Transport Plan for a Population of 3.5 Million and Beyond

- A high level 'Gap Analysis' to ascertain what state led infrastructure may be missing from the Perth Transport Plan that the City should advocate for its inclusion

GTA advises that the review “ has been undertaken for all modes, with a focus on the public transport and cycling infrastructure proposed that is relevant for the South Perth area, as well as the neighbouring authorities of the City, in particular any proposals that may affect cross boundary infrastructure with the City”.

The City has incorporated the recommendations made by GTA in its submission **(Attachment (a))** and seeks Council endorsement of the submission.

Consultation

The PTP is currently open for comment, which closes at 5:00pm on Friday 28 October 2016.

The City has also been participating in the development of a number of other submissions, which are being prepared on a more regional basis.

These include a joint submission from the Cities of Canning, South Perth and Victoria Park and the submission by the South West Group (Cities of Cockburn, Fremantle, Kwinana, Rockingham and the Town of East Fremantle).

City officers have also attended a forum to develop a submission by the WA Local Government Association (WALGA).

Policy and Legislative Implications

The State Government's *Transport @ 3.5 Million* sets the vision for a generational change to Perth's transport network.

Financial Implications

Because the PTP is essentially an “aspirational” document, the financial implications to the City cannot be determined at this time

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

- 10.5.3 (a):** City of South Perth - submission on the Perth Transport Plan - For 3.5 Million People and Beyond .

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Monthly Financial Management Accounts - September 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-80732
Date:	25 October 2016
Author / Reporting Officer:	Michael J. Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

Summary

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

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That:

- (a) Council adopts a definition of 'significant variances' as being \$5,000 or 5% of the project or line item value (whichever is the greater);
- (b) the monthly Statement of Financial Position and Financial Summaries provided as **Attachment (a) - (e)** be received;
- (c) the Schedule of Significant Variances provided as **Attachment (f)** be accepted as having discharged Council's statutory obligations under Local Government (Financial Management) Regulation 34.
- (d) the Schedule of Movements between the Adopted & Amended Budget **Attachment (g) & (h)** not be presented for September;
- (e) the Rate Setting Statement provided as **Attachment (i)** be received.

CARRIED EN BLOC (8/0)

Background

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

The information provided to Council is a summary of the more than 120 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 October onwards. From that date on, the schedule will reflect a reconciliation of movements between the 2016/2017 Adopted Budget and the 2016/2017 Amended Budget including the introduction of the unexpended capital items carried forward from 2015/2016.

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 - Not presented for September 2016
- Rate Setting Statement - **Attachment (i)**

Operating Revenue to 30 September 2016 is \$43.83M which represents 100% of the \$43.84M year to date budget. Revenue performance is close to budget in most areas other than those items identified below.

Rates revenue reflects as being very slightly ahead of budget after the receipt of some revised GRVs from Landgate on the day of Budget adoption. Investment revenues are on budget for Reserve Funds but 1% over for the Municipal Fund. Parking revenue is 6% ahead of budget expectations but this is not considered unusual given the timing of school holidays which typically results in a spike in this revenue area. Facility booking revenues are slightly ahead of budget expectations to this stage of the year.

Planning revenues are 41% under budget due to the slowing of activity particularly in the station precinct. Building Services revenue is 22% under budget for similar reasons. These revenues will need to be carefully monitored in future months to assess the impact on the attainment of the full year budget targets.

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

Operating Expenditure to 30 September 2016 is \$13.51M which represents 98% of the year to date budget of \$13.73M. Operating Expenditure shows as 1% under budget in the Administration area. Operating costs are 5% under budget for the golf course and show as being 2% under budget in the Infrastructure Services area.

In addition to 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 vacant staff positions.

10.6.1 Monthly Financial Management Accounts - September 2016

In the Infrastructure Services operations area, there are some favourable variances at the end of the month that relate to the timing of the roll-out of maintenance activities and these are expected to continue to reverse out. Major infrastructure expenditure areas such as parks maintenance and streetscape maintenance are representative of this issue - although it is possible that the increased rigour in managing costs in these areas may deliver some savings against budget.

A change in the accounting treatment for wages accrued for pay periods that are incomplete at month end means that some months may show a favourable variance on specific jobs whilst field staff overheads will reflect an unfavourable variance. This difference is a consequence of an accounting treatment and will reverse out in the next month. It does not reflect over-expenditure.

Fleet operations may show a similar variance for the same reason as the fleet charge-out and recovery is driven by staff timesheet entry.

As would be expected in any entity operating in today's economic climate, there are some budgeted staff positions across the organisation that are necessarily being covered by agency staff (potentially at a higher hourly rate). Overall, the salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently showing as 2.5% under the budget allocation for the positions approved by Council in the budget process. This is not unusual given several staff vacancies at present including 3 managerial positions currently being recruited for and others provided for in anticipation of the organisational structural review.

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

Capital Revenue is disclosed as \$0.86M at 30 September which is 12% over the year to date budget of \$0.77M. This difference relates to a slightly higher than anticipated direct road grant and two unbudgeted grants that will be adjusted in the Q1 Budget Review.

Capital Expenditure to 30 September is \$5.54M representing 98% of the year to date budget of \$5.65M. The total budget for capital projects for the year is now \$34.26M after the inclusion of carry forward projects into the budget in September.

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 are confirmed after completion of the annual financial statements.

TABLE 1 - CAPITAL EXPENDITURE BY SERVICE AREA GROUPING

Directorate	YTD Budget	YTD Actual	% YTD Budget	Total Budget
CEO Office	0	10,628	-%	1,084,000
Major Community Project	3,200,000	3,203,775	100%	14,850,000
Financial & Information	125,000	150,859	121%	2,185,000
Development	35,000	34,128	98%	250,000
Community Services	198,000	207,185	105%	725,000
Infrastructure Services	1,832,000	1,706,507	93%	13,579,050
Waste Management	11,000	13,558	86%	655,000
Golf Course	247,275	211,333	85%	936,612
Total	5,648,275	5,537,973	98%	34,264,662

A Schedule showing the movements in the budget since adoption will be presented from the November meetings onwards. That is, after the Q1 Budget review has been completed.

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.

10.6.1 Monthly Financial Management Accounts - September 2016

Furthermore, through the City exercising disciplined financial management practices and responsible forward financial planning, we can ensure that the consequences of our financial decisions are sustainable into the future.

Attachments

- 10.6.1 (a):** Statement of Financial Position
- 10.6.1 (b):** Statement of Financial Position
- 10.6.1 (c):** Summary of Non Infrastructure Operating Revenue and Expenditure
- 10.6.1 (d):** Summary of Operating Revenue & Expenditure - Infrastructure Service
- 10.6.1 (e):** Summary of Capital Items
- 10.6.1 (f):** Schedule of Significant Variances
- 10.6.1 (g):** Reconciliation of Budget Movements - Not Presented for September 2016
- 10.6.1 (h):** Reconciliation of Budget Movements - Not Presented for September 2016
- 10.6.1 (i):** Rate Setting Statement .

10.6.2 Statement of Funds, Investments and Debtors 30 September 2016

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-80733
Date:	25 October 2016
Author / Reporting Officer:	Michael J. Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

Summary

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

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

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That Council receives the 30 September 2016 Statement of Funds, Investment & Debtors comprising:

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

CARRIED EN BLOC (8/0)

Background

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

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

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

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

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

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

Comment

(a) Cash Holdings

Total funds at month end are \$83.05M which compares unfavourably to \$92.52M at the equivalent time last year. This is largely the result of planned drawdowns from Reserves as contributions towards the Manning Hub project. Last month, total funds were \$90.02M.

Municipal funds represent \$29.53M of this total, with a further \$52.53M being Reserve Funds. The balance of \$0.98M relates to monies held in Trust. The Municipal Fund balance is some \$3.61M lower than last year which relates to the timing of cash outflows on the capital works program. It should also be noted that \$7.25M of the Municipal Funds balance relates to capital works carried forward from 2015/2016.

Reserve funds are \$6.89M lower overall than the level they were at the same time last year as a result of funds drawn down for major discretionary capital projects such as Manning Hub, SJMP Foreshore Promenade and River Walls.

In July 2015, the previous 24 reserves were consolidated into just 15 with this consolidation being 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 only reserve movements since 30 June 2016 have related to movements of leaseholder funds associated with the Collier Park Village.

The largest Reserve balance is the Major Community Facilities Reserve, but the land sale proceeds currently quarantined in that reserve do not represent 'surplus cash'. These funds 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.

Details of cash holdings (disclosed by fund) are presented as **Attachment (a)**.

(b) Investments

Total investment in money market instruments at month end was \$82.50M compared to \$89.55M at the same time last year. There was \$0.6M less in cash in Municipal investments. Cash backed Reserve Fund investments are \$6.6M 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 global financial and corporate environment.

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.

Analysis of the composition of the investment portfolio shows that at reporting date, 87.9% of the funds were invested in securities having a S&P rating of A1 (short term) or better.

The City also holds a portion of its funds in financial institutions that do not invest in fossil fuels. Investment in this market segment is contingent upon all of the other investment criteria of Policy P603 being met. Currently the City holds 30.9% of its investments in such institutions.

In meeting this objective, the City has invested 11.2% of its funds in investments rated at BBB+.

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 \$0.49M. This compares to \$0.56M at the same time last year as a consequence of 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 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. Current Department of Local Government guidelines prevent investment of funds for periods longer than one year.

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 modest 2.90% with the anticipated weighted average yield on investments yet to mature now sitting at 2.75%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of 1.50% since 4 May 2016. This has now fallen to 1.25% following the 3 August 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, there is a 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 September 2016 represent 62.4% of rates collectible (excluding pension deferrals) compared to 64.8% at the same time last year. This reflects a lesser collection profile to the previous year - perhaps more broadly reflecting the weakening economy.

The City expects to maintain a strong rates collection profile in respect to the 2016/2017 rates notices - assisted by 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 will also provide encouragement for ratepayers to meet their rates obligations in a timely manner.

(ii) General Debtors

General debtors stand at \$1.33M at the end of the month (\$1.76M last year). Last month debtors were \$1.28M. Most debtor balances are not materially different to last year's comparatives other than GST Receivable and Sundry debtors which reflect timing differences.

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

Consultation

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

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Sustainability Implications

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

Attachments

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

10.6.3 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-16-80735
Date:	25 October 2016
Authors	Michael J. Kent, Director Financial and Information Services Deborah Gray, Manager Financial Services
Reporting Officer:	Michael J. 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 September 2016 and 30 September 2016 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(470)	\$7,383,767.53
Cheque Payment to Creditors	(41)	\$232,909.44
Total Monthly Payments to Creditors	(511)	\$7,616,676.97
Cheque Payments to Non Creditors	(95)	\$254,478.38
Total Payments	(606)	\$7,871,155.35

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That the Listing of Payments for the month of September 2016 as detailed in **Attachment (a)**, be received.

CARRIED EN BLOC (8/0)

Background

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

10.6.3 Listing of Payments

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.

10.6.3 Listing of Payments

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 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.

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Sustainability Implications

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

Attachments

10.6.3 (a): Listing of Payments .

10.6.4 Budget Review - Quarter 1

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-80736
Date:	25 October 2016
Author / Reporting Officer:	Michael J. Kent, Director Financial and Information Services
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.2 Develop and maintain a robust Integrated Planning and Reporting Framework (in accordance with legislative requirements).

Summary

A comprehensive review of the 2016/2017 Adopted Budget for the period to 30 September 2016 has been undertaken within the context of the approved budget programs. Comment on the identified variances and suggested funding options for those identified variances are provided. Where new opportunities have presented themselves, or where these may have been identified since the budget was adopted, they have also been included - providing that funding has been able to be sourced or re-deployed.

The Budget Review recognises two primary groups of adjustments:

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

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

Officer Recommendation and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Glenn Cridland

That:

- (a) Council note the detailed review of financial performance for the period ending 30 September 2016
- (b) the budget estimates for Revenue and Expenditure for the 2016/2017 Financial Year (adopted by Council on 12 July 2016 and as subsequently amended by resolutions of Council to date) be amended as per the following attachments to this Council Agenda:
 - Amendments identified from normal operations in the Quarterly Budget

Review (**Attachment (a)**)

- Items funded by transfers to or from Reserves (**Attachment (b)**)
- Cost neutral re-allocations of the existing Budget (**Attachment (c)**)

Absolute Majority Required**CARRIED EN BLOC (8/0)****Background**

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

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

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

This requirement allows the Department to provide a value-adding service in reviewing the ongoing financial sustainability of each of the local governments in the state - based on the information contained in the Budget Review. However, local governments are encouraged to undertake more frequent budget reviews if they desire - as this is good financial management practice. As noted above, the City takes this opportunity each quarter. This particular review incorporates all known variances up to 30 September 2016.

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

Comment

The Budget Review is typically presented in three parts:

- Amendments resulting from normal operations in the quarter under review
Attachment (a)

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

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

- Items funded by transfers to / from existing Cash Reserves shown as **Attachment (b)**

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

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

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

These items represent the re-distribution of funds already provided in the Budget adopted by Council on 12 July 2016. Primarily these items relate to changes to more accurately attribute costs to those cost centres causing the costs to be incurred. There is no impost on the Municipal Surplus for these items as funds have already been provided within the existing budget.

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

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

The projected Budget Opening Position for 2016/2017 (and therefore, by logical extension, the Closing Position) was necessarily adjusted to reflect the actual figure achieved at year end rather than the ‘estimated’ figure that was used in formulating the budget. This matter is discussed further in the Financial Implications section of this report.

Consultation

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

Policy and Legislative Implications

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

Financial Implications

This report addresses the City's ongoing financial sustainability through critical analysis of historical performance, emphasising pro-active identification of financial variances and encouraging responsible management responses to those variances. Combined with dynamic treasury management practices, this maximises community benefit from the use of the City's financial resources - allowing the City to re-deploy savings or access unplanned revenues to capitalise on emerging opportunities. It also allows proactive intervention to identify and respond to cash flow challenges that may arise as a consequence of timing differences in major transactions such as land sales or GST transactions involving the ATO.

The amendments contained in the attachment to this report that directly relate to directorate activities will result in a net change of \$192,228 (increase) to the projected 2016/2017 Budget Closing Position as a consequence of the review of operations.

At the Q1 Budget Review, a downwards adjustment was also made to the estimated 2016/2017 Budget Opening Position. This resulted in the Opening Position net of carry forward works decreasing by \$363,968. This difference arose as a consequence of calculating the Budget Opening Position in accordance with the Department of Local Government's guideline using the final audited figures from the annual financial statements rather than the estimated numbers used in determining the Budget Position at budget adoption date.

Budget Review amendments made by Council in September in relation to the review of City events, the inclusion of the carry forward items and the adjustments made in the Q1 review of operations result in a revised estimated Closing Position of \$1,084,146.

The impact of the proposed amendments in the Q1 Budget Review on the financial arrangements of each of the City's directorates is disclosed in Table 1 below. Figures shown apply only to those amendments contained in the attachments to this report (not to any previous amendments).

Table 1 includes only items directly impacting on the Closing Position and excludes transfers to and from cash backed reserves - which are neutral in effect. Wherever possible, directorates are encouraged to contribute to their requested budget adjustments by sourcing new revenues or adjusting proposed expenditures.

The adjustment to the Opening Balance shown in the tables below refers to the difference between the Estimated Opening Position used at the budget adoption date (July) and the (lesser) final Actual Opening Position as determined after the close off and audit of the 2015/2016 year end accounts.

TABLE 1:(Q3 BUDGET REVIEW ITEMS ONLY)

Service Grouping Area	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	154,000	(145,000)	(9,000)
Financial & Information Services	45,000	(0)	45,000
Community Services	0	(50,000)	(50,000)
Development Services	4,000	(120,000)	(116,000)
Infrastructure Services	503,228	(199,000)	304,228
Special Review Items	0	(0)	0
Opening Position Adjustment	0	(363,968)	(363,968)
Total	\$706,228	(\$877,968)	(\$171,740)

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

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

TABLE 2: (CUMULATIVE IMPACT OF ALL 2016/2017 BUDGET ADJUSTMENTS)

Service Grouping Area	Increase Surplus	Decrease Surplus	Net Impact
Office of CEO	154,000	(145,000)	(9,000)
Financial & Information Services	45,000	(0)	45,000
Community Services	0	(70,000)	(70,000)
Development Services	4,000	(120,000)	(116,000)
Infrastructure Services	503,228	(199,000)	304,228
Special Review Items	0	(0)	0
Opening Position Adjustment	0	(363,968)	(363,968)
Total Change in Adopted Budget	\$706,228	(\$897,968)	(\$191,740)

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

Whilst there have been a number of budget movements within individual areas of the City's budget, the overall estimated Budget Closing Position has moved in net terms by only (\$191,740) to a Closing Position of \$1,084,146 after including all budget movements to date. This is relative to the initial estimated Closing Position at budget adoption date of \$1,275,886. This projected revised closing position contributes to a sound set of key financial ratios but will nonetheless still need to be closely monitored during the remainder of the year.

Strategic Implications

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

Sustainability Implications

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

Attachments

- 10.6.4 (a):** Amendments identified from normal operations in the Quarterly Budget Review
- 10.6.4 (b):** Items funded by transfers from Reserves
- 10.6.4 (c):** Cost neutral re-allocation of the existing Budget .

11. APPLICATIONS FOR LEAVE OF ABSENCE

A Leave of Absence application was received from Councillor Fiona Reid for the period 27 December 2016 to 25 February 2017 inclusive.

Motion and COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Travis Burrows

That the Leave of Absence application received from Councillor Fiona Reid for the period 27 December 2016 to 25 February 2017 inclusive be approved.

CARRIED (8/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

At the 27 September 2016 Ordinary Council meeting questions from Members were taken on notice. The responses provided were made available in the Minutes of the September meeting.

13.2 QUESTIONS FROM MEMBERS

Nil

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

At this point Councillor Jessica Black read aloud her Declaration of Interest in Item 14.:

‘I wish to declare a financial interest in Agenda *Item 14. New Business of an Urgent Nature Introduced by Decision of Meeting* on the Council Agenda for the Ordinary Council meeting of 25 October 2016. I declare that my employer TPG + Place Match has been engaged to provide professional services on this project and therefore has a financial interest in the project. It is my intention to vacate the Council Chamber before the Item is discussed and voted on.’

Councillor Black vacated the Chamber at 8.07pm.

14.1 REVIEW OF METRO CENTRAL JOINT DEVELOPMENT ASSESSMENT PANEL (JDAP) DECISION TO APPROVE THE APPLICATION FOR A 35 STOREY PLUS BASEMENTS MIXED USE DEVELOPMENT ON LOTS 2-20 (74) MILL POINT ROAD, SOUTH PERTH

Motion AND COUNCIL DECISION

Moved: Mayor Sue Doherty

Seconded: Councillor Fiona Reid

That the Council

- 1) Express its disappointment at the decision by the Metropolitan Central Joint Development Assessment Panel to approve the application for a 35 storey plus basements Mixed Use Development on Lots 2-20 (74) Mill Point Road, South Perth;
- 2) Engage a suitably experienced Senior Counsel to review the decision by the Metropolitan Central Joint Development Assessment Panel to approve the application for a 35 storey plus basements Mixed Use Development on Lots 2-20 (74) Mill Point Road, South Perth;
- 3) Allocate funding of \$60,000 from the Municipal Surplus towards this review, reducing the Municipal Surplus to \$1,024,146;
- 4) Reaffirm its strong commitment to the intent of Amendment 46, and in particular its objectives in limiting the heights and zero set back provisions of Town Planning Scheme 6 with regard to all Development Applications in the Special Control Area (SCA1), and that other approving bodies shall acknowledge the intent and purpose of the Amendment in their determinations, pending its gazettal.

CARRIED (7/0)

Reasons for the Motion

The City of South Perth Council considered the 74 Mill Point Road South Perth application and strongly recommended to the Joint Development Assessment Panel that it be refused and that the Panel have due regard to the intent of Amendment 46.

The Council recommended refusal on many grounds, including the residential plot ratio being greater than 1.5; the building height being greater than 25 metres (116.60 metres) and significantly impairing the effect of Amendment No. 46, and the zero street setback impairing the effect of Amendment No. 46; and the amount of traffic that would be generated by this development.

The Joint Development Assessment Panel in this instance did not accept the Council's recommendation and recommended conditional approval.

The Council is very disappointed that the Joint Development Assessment Panel did not have due regard to the Amendment No. 46, approving a large scale development with significant height and zero street setback. Whilst the outcome of Amendment No. 46 is yet to be determined by the Minister for Planning, in the event it is approved in totality, this approval of 74 Mill Point Road, South Perth has created a significantly compromised and inconsistent development in the South Perth Peninsula.

Whilst the Council is legally precluded from the State Administrative Tribunal appeal process, it does have formal standing to seek a judicial review of the Joint Development Assessment Panel approval. The Council resolution will allow the Council to seek advice as to whether there are reasonable grounds for an appeal to be considered by the Supreme Court, and an opinion as to the prospects of a successful outcome in the event that the appeal is heard.

The purpose of the Council reaffirming its commitment to Amendment 46 is to add more weight to the present general requirement of only “due regard” being given to Amendment 46 in the consideration of any future development application.

It is imperative that Council use all planning measures as it has at its disposal, to maintain the integrity of its planning objectives for the Precinct, whilst we await the Minister for Planning’s determination.

The Council is working with consultants to develop an appropriate Built Form Precinct Plan. These intentions are being jeopardised by the current circumstances and the Council needs to put in place a statement such as proposed as soon as possible.

The Council affirmation will formally address the frustration that Council has with the current inconsistent decision-making process of the Joint Development Assessment Panel and their apparent disregard for the intent of Amendment 46.

Councillor Black returned to the Chamber at 8.16pm.

15. MEETING CLOSED TO PUBLIC

Reports regarding these matters have been circulated separately to Councillors.

The Presiding Member advised that unless a Councillor chose to discuss Item 15.1.1 the meeting would not be closed to the public, but rather the Item be put to the vote.

As no Councillor chose to discuss the Item, it was put to the vote and the Chamber doors remained open to the public.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.1.1 City of South Perth 2016 Volunteer of the Year Awards

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (h) as it contains information relating to "such other matters as may be prescribed"*

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-16-80737
Date:	25 October 2016
Author:	Rene Polletta, Youth & Children's Officer
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.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Travis Burrows

That the Officer Recommendation at Item 15.1.1, as detailed in the Confidential Agenda, be endorsed.

CARRIED (8/0)

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

As the meeting was not closed to the public the Resolution was not read aloud.

*Note: the resolution as detailed in the Confidential Agenda remains **confidential**.*

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.18pm.

17. RECORD OF VOTING

25/10/2016 7:32:04 PM

MOTION TO EXTEND PUBLIC QUESTION TIME AND COUNCIL DECISION

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 7:37:54 PM

7.1 CONFIRMATION OF MINUTES

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 7:39:14 PM

7.2 NOTING OF BRIEFING NOTES

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 7:40:02 PM

8.4.1 Rivers Regional Council Meeting - 18 August 2016

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 7:42:28 PM

9.1 EN BLOC MOTION

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 7:52:55 PM

10.3.1 Proposed Additional Use of Tavern to Existing Restaurant/Cafe - Lot 113 (Shop 39, No. 85) South Perth Esplanade, South Perth

Motion Passed 6/2

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Glenn Cridland, Cr Jessica Black, Cr Colin Cala

No: Cr Ken Manolas, Cr Sharron Hawkins-Zeeb

Absent: Cr Cheryle Irons

25/10/2016 7:59:29 PM

10.5.1 South Perth Train Station Business Case – AMENDMENT

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 8:00:03 PM

10.5.1 South Perth Train Station Business Case – COUNCIL DECISION

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 8:04:11 PM

10.5.3 Perth Transport Plan for a Population of 3.5 Million and Beyond

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 8:05:12 PM

11. Applications of Leave of Absence

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

25/10/2016 8:15:16 PM

14.1 REVIEW OF METRO CENTRAL JOINT DEVELOPMENT ASSESSMENT PANEL (JDAP) DECISION TO APPROVE THE APPLICATION FOR A 35 STOREY PLUS BASEMENTS MIXED USE DEVELOPMENT ON LOTS 2-20 (74) MILL POINT ROAD, SOUTH PERTH

Motion Passed 7/0

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

Absent: Cr Cheryle Irons, Cr Jessica Black

25/10/2016 8:17:53 PM

15.1.1 City of South Perth 2016 Volunteer of the Year Awards

Motion Passed 8/0

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

Absent: Cr Cheryle Irons

APPENDIX

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE (27 SEPTEMBER 2016)

1. Geoff Defrenne of 24 Kennard Street, Kensington Received on the day of the meeting	Questions were taken on notice due to the lateness of the submission
<p><i>[Preamble] Public Question Time – 23 August 2016: Q5. Does the City have proposed lease agreements with the proposed tenants including the term of the tenancy and annual lease? Response provided: Yes the City has proposed peppercorn leases for the child health clinic, playgroup and Moorditj Keila and a paid lease for the football club and gridiron club which will be calculated on the formula of 0.01% of the insured value of the facility. All leases are 5 years with a 5 year option and all come with responsibilities on the groups for cleaning and maintenance.</i></p>	
In relation to both the Football Club and the Gridiron Club.....	
1. What is the estimated lease payable by the club?	The clubrooms and change rooms will be jointly leased with Manning Rippers FC and Perth Blitz Gridiron Club.
2. What will be the approximate area of the building the club will have exclusive use of?	The standard lease fee for a standard lease is 0.01% of the insured value of the property. This would be proportional to the area that is being used.
3. What will be the approximate area of the playing field the club will have use of?	The exclusive area totals 625 sqm.
4. How many hours per year will the club have the use of the playing fields?	<p>Various clubs share James Miller Oval which is in total approx. 17595 sqm – shared by AFL, Cricket, Gridiron and schools – each group pays a seasonal permit fee for use.</p> <p>Winter Season = 1 April – 30 Sep Manning Rippers Football Club = 36hrs/wk <i>Perth Blitz Gridiron Club, pre-season, Sep only = 5/hrs/wk</i></p> <p>Summer Season = 1 Oct – 30 Mar, Perth Blitz Gridiron Club = 5hrs/week (South Perth Junior Cricket Club = 18hrs/week) <i>Manning Rippers Football Club, Feb-Mar only = 4hrs/wk</i></p>

<p>2. Sue Gillieatt of 7 Howard Parade, Salter Point (Chair of the Salter Point Community Group) Received at the meeting</p>	<p>Question taken on notice due to the lateness of the submission</p>
<p><i>[Preamble] In relation to Item 10.3.1 Proposed Additional Use - Use Not Listed "Open Amphitheatre" associated with an Educational Establishment at Aquinas College - Lot 18 (No. 58) Mount Henry Road</i></p>	
<p>1. Should the West Australian Planning Commission (WAPC) determine that the amphitheatre will go ahead we trust the Council's recommended specific conditions will be accepted by the Commission? Assuming they are and given we appreciate there will be difficulties for the city in policing any restrictions we request that all specific conditions be clearly defined. Therefore we ask how the following relevant terms and phrases will be defined. What types of activities will be "school based" activities, what will they entail and how do you think the City and Commission will define "for school use only"?</p>	<p>The recommendation to the WAPC was amended by Council so that school based activities are defined – as follows :</p> <p><i>The Use hereby permitted must only be used for City of South Perth school based activities – assemblies, graduations, school orchestra / bands / choirs, concerts, drama performances with patronage by City of South Perth, students and their family members, with no external or public events.</i></p>

6.2 PUBLIC QUESTION TIME: 25 OCTOBER 2016

1. Trevor Wilkinson, 2 Ruth Street, Como Received 24 October 2016	Response provided by: Geoff Glass, Chief Executive Officer
<p><i>[Preamble]</i> Driveway at 23 Brittain Street: I addressed a question concerning the driveway at 23 Brittain Street at last month's meeting to the CEO which he never answered. In fact the subject matter was not answered. I put this question to the CEO and request a full answer not just a part answer.</p>	
<p>1. Which regulations is the Council going to enforce and which regulations are they not going to enforce and why not?</p>	<p>In answer to your question 'which regulations is the Council going to enforce' I advise that at my initiative I directed City staff to serve a Direction Notice on the owner of the property of 23A Brittain Street, Como. That Direction Notice was issued under the Planning and Development Act 2005 Section 214(3) headed 'Illegal Development, responsible authority's power as to'</p> <p>Section 214(3) states that if a development has been undertaken in contravention of a planning scheme the responsible authority may give a written direction to the owner to remove, pull down, take up or alter the development.</p> <p>The Direction Notice was served on the owner on 6 October 2016. That referred to breaching several conditions of planning approval and required:</p> <ol style="list-style-type: none"> 1. Any filling of the site to be retained by embankments or walls 2. All subsoil water and stormwater from the property to be discharged into soak wells or sumps located on the site. <p>The Direction Notice also referred to these breaches of conditions as constituting a breach of Schedule 8 of City of South Perth Town Planning Scheme No.6 Notice of Determination of Application for Planning Approval.</p> <p>Please note that the owner has 60 days to comply with the direction issued in the Directions Notice (that is by Monday 5 December).</p>

	<p>Please also note that the owner has an entitlement to appeal that Direction Notice and that appeal must be made within 28 days of receipt of the Direction Notice. That is they can lodge an appeal up to Thursday 3 November to the State Administrative Tribunal.</p> <p>That is the process and we are not choosing not to enforce any regulations.</p>
<p><i>[Preamble]</i> With the Planning Department not adopting proper procedure and not following instructions from the Infrastructure Department even with items listed under the heading of the following are non-negotiable, this making Council unworkable. My question to the CEO is....</p>	
<p>2. When will he put an end to this and will he assure me tonight that the items under non-negotiable will be enforced with the above?</p>	<p>The assumption in your question that the planning department has not adopted proper procedure is not correct.</p> <p>In fact I would suggest that the City staff have gone to great lengths to try and assist you in this matter.</p> <p>In your reference to the term ‘non-negotiables’ this is a phrase taken from an internal memo between 2 staff members (which you have obtained, as is your right) under the Freedom of Information Act (1992).</p> <p>They are matters of opinion not law.</p> <p>They are not relevant considerations.</p> <p>The only relevant consideration is the achievement of the requirements as directed under the Direction Notice I have referred to in Q1.</p> <p>I can assure you that the City’s staff are very familiar with your perspective in this matter, they remain committed to try and ensure that the breaches identified are rectified and due process and reasonableness will be exercised at all times.</p>

[Preamble] I put a question to the former Acting CEO, Ms Lummer at the March 2016 meeting she never answered. The CEO replied with a total irrelevant answer as I did not raise several issues in my October 2015 letter. I requested a formal reply as to the outcome of her inquiry. This letter was not written in September 2015 and the CEO being a very learned man should know he was not being relevant. The Mayor also erred in chairing the meeting to facilitate this with the minutes now being incorrect. My question is....

3. Why has my letter never been answered with the outcome after all this time? Through this meeting I also request a deputation of Councillors on site.

A letter was sent to you dated 29 October 2015. That letter referred to the matters raised in your letter dated 12 October 2015.

One of the matters was the enquiry into how the builder was aware of the work that was required to be undertaken at 23 Brittain Street. The response in this letter stated that the City has advised the landowner of its concerns regarding stormwater and retaining on site and hence the landowner would have told the builder.

Your request to Councillors is noted.

<p>2. Paul Ruthven, 5/25 Charles Street, South Perth Received 24 October 2016</p>	<p>Response provided by: Geoff Glass, Chief Executive Officer</p>
<p><i>[Preamble]</i> At agenda item 10.5.1, Council is being asked to endorse the South Perth Train Station Business Case, which includes selling off and developing part of Richardson Park.</p> <p>The Officer's background statements indicate that the City commissioned a business case back in 2010, and that the City subsequently resolved to endorse the business case, which advocated for a mix of commercial and residential development on the northwest corner of Richardson Park.</p> <p>What the Officer neglected to mention is that the THEN Council decided to explicitly EXCLUDE the residents on the Peninsula from the consultation area. This decision was made at a Concept Forum held on 30th August 2011. Instead of endorsing the proposal for a SYMMETRICAL consultation area, certain members of the Council advocated for an alternative ... which was an ASYMMETRIC consultation area that EXCLUDED the residents on the Peninsula ... and extended three times further in the Southerly direction (reaching Preston Street) than in the Northerly direction.</p> <p>The Council had in its possession at the time the results of the initial Amendment 25 consultation process, which showed that the densely populated pocket of residents on the Peninsula were indeed hostile to the proposed development in the area.</p>	
<p>1. Is the Council advocating selling off part of Richardson Park as this latest business case suggests?</p>	<p>The purpose of the Business Case is to review the original South Perth Railway Station Business Case that was prepared in 2010 and assess the projected patronage and viability given 6 years has elapsed and WA has experienced a boom, including in population, and the Station Precinct, as you are well aware, is also experiencing its own challenges with very high levels of projected development.</p> <p>This is a chicken and egg scenario and if the development is to occur in that location it must be supported by a commensurate investment in a range of transport solutions. The Business Case is prepared to argue that the development that is being proposed must be supported by a train station as was originally planned for.</p> <p>It is my understanding that the Council of the day supported excising part of Richardson Park to aid in the attractiveness and viability of the station being built. That proposition was put to the State Government but I am not aware of any commitments from the State in response to that proposal.</p>

	<p>It may not be unreasonable to suggest that a similar approach may also be necessary to convince the State about adding to the viability of the destination by including uses surrounding the site and possibly as was originally envisaged.</p> <p>Any firm decisions on that however would be speculative at this stage as this report really is focussed on demonstrating the projected need for such a facility. Any development on an excised portion of Richardson Park would form only a part of the overall demand and justification for the station.</p>
<p>2. If the Council is still advocating for this position, will they now conduct a fairer consultation process, which includes the residents on the Peninsula?</p>	<p>If it comes to pass that the State commits to a train station in this location and it did require a mixed use development on the north west corner of Richardson Park then any proposed disposition of land by the Council would require firstly a resolution to that effect and then statewide consultation.</p>

3. Phillip Courtney, 82 Princeton Circuit, Aubin Grove Received at the meeting	Response provided by: Mayor Sue Doherty
<p><i>[Preamble]</i> This council is aware that on Wednesday 19 October that JDAP approved a high rise building at 74 Mill Point Road. That meeting was advised by your traffic officer Mr. Edwards, and by myself, that the resulting traffic congestion will be non trivial. The presiding member advised, after all presentations were closed, that the resulting traffic issues will be something the residents of South Perth will need to adapt to.</p>	
<p>1. Does the council have any view about the resulting degradation of air quality which in my view will lead to an increase in mortality and morbidity c.f. <i>Ole Raaschou-Nielsen; et al. (July 10, 2013). "Air pollution and lung cancer incidence in 17 European cohorts: prospective analyses from the European Study of Cohorts for Air Pollution Effects (ESCAPE)". The Lancet Oncology. 14 (9): 813-22. Doi:10.1016/S1470-2045(13)70279-1. PMID 23849838. Retrieved October 25 2016. Particulate matter air pollution contributes to lung cancer incidence in Europe.?</i></p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
<p>2. Does the council have any view about the resulting degradation of air quality which may result in stress on the London plane trees in Mill Point Road north? Does the Council have plans to pollard the trees to protect their viability?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
<p>3. Does the council have any view about the resulting degradation of air quality which may have an adverse effect on residents of the aged care facilities to be built in this – and other developments?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
<p>4. Does the council have any view about the resulting degradation of air quality on the operation of the Zoo? Has the council considered whether the zoo will be able to keep mammals, and if not what the effect on the zoo will be?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>

<p>5. a) Does the council have any plans to investigate the resulting degradation of air quality?</p> <p>b) Does the council have powers to delay this (and other approvals) until it is satisfied, or otherwise if the council finds the effects are non trivial, what powers does the council have to ameliorate the resulting health risk.</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
---	--

4. Vicki Redden, 14/63 Mill Point Road, South Perth Received at the meeting	Response provided by: Mayor Sue Doherty
<p><i>[Preamble]</i> We received advice that a SAT appeal against the JDAP decision for 74 Mill Point Rd, is not completely out of the question. It may be a long shot or even perhaps a first, but it wouldn't harm the situation. I've learned in the last 2 years that lawyers have very different opinions on what is right and wrong – and in the end some are right and some are not so right! The other reason for taking this initial step would be to publically declare that council is serious about challenging this decision.</p>	
<p>1. So will council consider a request to SAT to be joined as a 3rd party in the final proceedings?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
<p><i>[Preamble]</i> As we have had 3 JDAP reviews in 3 weeks... sadly I have only read through this Business Case for the South Perth Rail Station just the once, and there are some good ideas, but it raised quite a few concerns.... As you can see by my notes. This report makes numerous incorrect assumptions and many errors. An there are many areas where the report builds a case on all the <u>unexpected</u> consequences of TPS6 – many of the developments described are unlawful approvals and as you know, not what was planned. I worry that this is TPS7 by stealth as it and leans heavily towards developers determining the future of South Perth rather than a consultative approach. My question is....</p>	
<p>2. If you adopt this report tonight, does that mean you also accept these dubious assumptions and factual errors?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>
<p>3. This same Business Case refers to many items which will be impacted by some upcoming events..... Amendment 46 – surely must be finalised soon, the Consultative Planning Forum with Roberts Day in the new year and hopefully a Local Planning Scheme for the Mends St area which has been strongly recommended by the Government Architect. Wouldn't it be more sensible to defer this proposal until the city has a clearer idea of its future vision?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>

5. Craig Dermer, 14/63 Mill Point Road, South Perth Received at the meeting	Response provided by: Mayor Sue Doherty
<i>[Preamble]</i> Some time ago, after the special electors meeting, Cardno were engaged to do something? Perhaps review the current town planning scheme.	
1. Why is this report still not available to the public (I am not certain about the access by the Councillors?) What is so secret that the residents and ratepayers (and councillors?) are refused access?	The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.
<i>[Preamble]</i> In the introduction of the DA for 74 Mill Point Road it is stated that the value of the Development is \$90 million. However, in the AEC economic impact report, which was used to approve the DA (for the 34 Storey building), the total project cost is estimated to be \$140 million.	
2. Since the applicant will be required to contribute monies based on the cost, is council aware of the true figure on which these contributions will be calculated?	The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.

6. Geoff Defrenne, 24 Kennard Street, Kensington Received at the meeting	Response provided by: Mayor Sue Doherty
<p><i>[Preamble]</i> Underground power – Kensington: The state government, local government, and statutory authorities have an obligation to provide certain services to an area.</p>	
<p>1. Are residents expected to contribute to the replacement or maintenance of the following, should they require upgrading?:</p> <ul style="list-style-type: none"> • the water supply pipes • the sewage pipes • the footpaths • the local roads • the electricity supply <p>2. If residents contribute to the cost of underground power, will they have any equity in the electricity that is currently under review for sale?</p>	<p>The Question was received at the meeting and taken on notice. A response will be provided in the Minutes of the November 2016 Ordinary Council meeting.</p>

DISCLAIMER

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

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

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed