

MINUTES.

Ordinary Council Meeting

26 April 2017

The Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Wednesday 26 April 2017 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

28 April 2017

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

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

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

Further Information

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

- **Council Meeting Schedule**

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

- **Minutes and Agendas**

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

- **Meet Your Council**

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

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

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Ordinary Council Meeting- Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Wednesday 26 April 2017.

1. DECLARATION OF OPENING

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

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 PUBLIC QUESTION TIME STATEMENT

The Presiding Member made the following statement on the City's practice in regards to Public Question Time, in response to a complaint received by Mr Harry Anstey following the March 2017 Ordinary Council Meeting:

"The City's Public Question Time procedure provides that where questions are received 24 hours in advance of the meeting, the Council will provide a response to that question at that Council meeting.

The procedure provides that public questions submitted at that Council meeting will be taken on notice and an answer provided in the Minutes of the next Ordinary Council meeting.

Mr Anstey's public questions were submitted at the Council Meeting held 28 March 2017. Mr Anstey's public questions were read out at the meeting, and as advised at that meeting and noted in the March 2017 Council Minutes, the response to the questions will be provided in the April 2017 Ordinary Council Meeting Minutes, which will be distributed on Friday 28 April 2017.

Mr Anstey has received advice today from the Department of Local Government pertaining to the City's current practice of recording responses to questions taken on notice. The City will be seeking its own advice on the Department of Local Government's view.

3.2 STANDING ORDERS LOCAL LAW 2007

The Presiding Member advised that this meeting is held in accordance with the City's Standing Orders Local Law which provides rules and guidelines that apply to the conduct of meetings.

3.3 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 '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.

4. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

Councillors

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

Officers

Mr Geoff Glass	Chief Executive Officer
Mr Vicki Lummer	Director Development and Community Services
Mr Mark Taylor	Director Infrastructure Services
Mr Phil McQue	Manager Governance and Marketing
Mr Stevan Rodic	Manager Development Services
Mr Les Mainwaring	Interim Manager Financial Services
Ms Sharron Kent	Governance Officer
Ms Christine Lovett	Governance Officer

Gallery

There were approximately 18 members of the public and 1 member of the media present.

4.1 APOLOGIES

Nil

4.2 APPROVED LEAVE OF ABSENCE

Cr Cheryle Irons Mill Point Ward

The Presiding Member welcomed Mr Les Mainwaring, Interim Manager Financial Services who is filling in for Mr Colin Cameron, Interim Director Corporate Services who is on leave.

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. 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:

- Councillor Glenn Cridland in relation to *Item 10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth.*
- Councillor Glenn Cridland in relation to *Item 10.7.1 Property Committee – specifically Lot 747 (57) Angelo Street, South Perth.*
- Councillor Jessica Black in relation to *Item 10.4.1 Tender 4/2017 Provision of Urban Design / Landscape Services for the Connect South Mends Street Project.*

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

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the March 2017 Ordinary Council Meeting public questions were Taken on Notice. The responses to these questions are available in the **Appendix** of these Minutes.

6.2 PUBLIC QUESTION TIME: 26 APRIL 2017

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 and at the City's Reception. Questions can also be submitted electronically via the City's website. Questions received 24 hour prior to the meeting would be dealt with first. Questions received less than 24 hours prior to the meeting would be taken on notice and the response provided in the Minutes of the next month's Council meeting.

The Presiding Member then opened Public Question Time at 7.05pm.

Written questions were received prior to the meeting from:

- Mr Bernard Roberts of 5A Garden Street, South Perth
- Ms Jennifer Nevard of 195 Mill Point Road, South Perth
- Ms Marcia Manolas of 193 Mill Point Road, South Perth
- Ms Keryn Zeeb of 15/63 Mill Point Road, South Perth
- Mr Peter Esdale of 13 First Avenue, Kensington
- Ms Cecilia Brooke of 8/20 Garden Street, South Perth

Written questions were received late on the day of the meeting from:

- Dr Sarah Schladow of 3/20 Garden Street, South Perth
- Mr Harry Anstey of 21 River View Street, South Perth

At 7.21pm the Presiding Member called for a Motion to extend Public Question Time by 15 minutes to hear those questions not yet heard.

Motion to Extend Public Question Time AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Jessica Black

That Public Question Time be extended for 15 minutes to hear those not yet heard.

CARRIED (8/0)

At 7.40pm the Presiding Member called for a Motion to extend Public Question Time by 5 minutes to hear those questions not yet heard.

Motion to Extend Public Question Time AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That Public Question Time be extended for 5 minutes to hear those not yet heard.

CARRIED (8/0)

The Presiding Member then closed Public Question Time at 7.47pm.

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

Questions received late on the day of the meeting were Taken on Notice. The answers to these questions will be provided in the Minutes of the May 2017 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 Property Committee Meeting Held: 27 March 2017

7.1.2 Ordinary Council Meeting Held: 28 March 2017

Officer Recommendation AND COUNCIL DECISION

Moved: Mayor Sue Doherty

Seconded: Councillor Travis Burrows

That the Minutes of the Property Committee Meeting held 27 March 2017 and the Ordinary Council Meeting held 28 March 2017 be taken as read and confirmed as a true and correct record.

CARRIED (8/0)

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

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 Council Agenda Briefing held 18 April 2017

Officers of the City presented background information and answered questions on items to be considered at the April 2017 Ordinary Council Meeting at the Council Agenda Briefing held 18 April 2017.

Attachments

7.2.1 (a): 18 April 2017 - Council Agenda Briefing - Notes

7.2.2 Concept Briefings Held 4 April 2017

Officers of the City presented Council with background information in relation to the following at Concept Briefings held 4 April 2017:

- The reviewed Disability Access and Inclusion Plan 2017-2021
- Mends Street Jetty Precinct – Connect South Project
- Parking Management Plan for PCA 1 (South Perth Station Precinct)

Attachments

7.2.2 (a): 4 April 2017 - Disability Access and Inclusion Plan 2017-2021 - Concept Briefing Notes

7.2.2 (b): 4 April 2017 - Mends Street Jetty Precinct, Connect South Project - Concept Briefing Notes

7.2.2 (c): 4 April 2017 - Parking Management Plan for PCA1 (South Perth Station Precinct) - Concept Briefing Notes

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Jessica Black

Seconded: Councillor Colin Cala

That the Notes of the :

- Council Agenda Briefing held on 18 April 2017
- Concept Briefings held 4 April 2017
 - Disability Access and Inclusion Plan 2017-2021
 - Mends Street Jetty Precinct Connect South Project
 - Parking Management Plan for PCA1 South Perth Station Precinct

be noted.

CARRIED (8/0)

8. PRESENTATIONS

8.1 PETITIONS

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

A petition with 364 signatures was received on Wednesday 26 April 2017 from Mr Paul Nobel of 20 Mends Street, South Perth in relation to Mends Street businesses. The Presiding Member read aloud the text of the petition:

“To the Mayor of South Perth, Sue Doherty:

We the Undersigned say:

The livelihood of many retail owners in Mends Street is being destroyed through no fault of their own.

In the past 6 months 40% of the public car parking has been removed and 60% of shops in the strip have been demolished, including the only supermarket, leaving people and visitors no-where to buy even the bare essentials of bread and milk.

Due to unprecedented and uncoordinated construction, public footpaths and access ways have been closed. The once beautiful ambience of the Mends Street area is now a huge construction site – and will become worse with approximately 5 major construction sites being in operation within the next 3/6 months – the shoppers have gone.

The remaining business owners are struggling and the businesses in which they have invested money and years of energy are now in jeopardy.

To rub salt in to the wounds Council has allowed pop-up bars and cafes to set up on the foreshore in direct competition with the surviving retailers and offered no support to the long term retailers.

We the undersigned demand that South Perth Council:

- 1. Take immediate action to improve parking availability and signage*
- 2. Arrange compensation to retailers for reduced trading*
- 3. Use their resources as required to stimulate trading during construction phase*
- 4. Stop all pop-up businesses in the area of South Perth*

Principal petitioner Paul Noble. 20 Mends Street, South Perth, 6151.”

The Presiding Member called for a Motion to receive the petition.

Motion to Receive Petition AND COUNCIL DECISION

Moved: Councillor Fiona Reid

Seconded: Councillor Ken Manolas

That the petition with 364 signatures received on Wednesday 26 April 2017 from Mr Paul Nobel of 20 Mends Street, South Perth in relation to Mends Street businesses be received and forwarded to the appropriate Director for action.

CARRIED (8/0)

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 Council Agenda Briefing of 18 April 2017.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 WALGA South East Metropolitan Zone (SEMZ) Meeting - 22 February 2017

A report summarising the WALGA South East Metropolitan Zone (SEMZ) Meeting - 22 February 2017 is attached.

Attachments

8.4.1 (a): 22 February 2017 – WALGA South East Metropolitan Zone (SEMZ) Meeting- Delegates' Report

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Travis Burrows

Seconded: Councillor Sharron Hawkins-Zeeb

That the Delegates' Report summarising the WALGA South East Metropolitan Zone (SEMZ) Meeting held 22 February 2017 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 April 2017.

The Chief Executive Officer confirmed that this was correct.

ITEMS WITHDRAWN FOR DISCUSSION

Item 10.1.1 Review of City events

Item 10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

Item 10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot

95 (No. 30) York Street, South Perth

Item 10.4.1 Tender 4/2017 "Provision of Urban Design/Landscape Services for the Connect South Mends Street Project"

Item 10.7.1 Property Committee - 27 March 2017

9.1 EN BLOC MOTION

Motion AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

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

Item 10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

Item 10.3.4 Retrospective Additional Use of Residential Building to a Single House. Lot 206 No. 426 Canning Highway Como

Item 10.3.5 Report on Submissions - Revised Policy P316 Developer Contribution for Public Art & Public Art Spaces

Item 10.6.1 Management Account Summaries

Item 10.6.2 Statement of Funds, Investments and Debtors at 31 March 2017

Item 10.6.3 Listing of Payments

Item 10.6.4 Introduction of the Public Health Act 2016 and Delegation of Powers to Appoint Authorised Officers

Item 10.6.5 Memorandum of Understanding – Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park.

CARRIED (8/0)

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Review of City Events

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Ref:	D-17-31904
Date:	26 April 2017
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 is in response to a Motion carried at the Ordinary Council Meeting of 26 July 2016 requesting that the City engage an external consultant to conduct a review of City events.

Officer Recommendation

Moved: Councillor Jessica Black

Seconded: Councillor Glenn Cridland

That Council:

- (a) Receives the Lockwood Advisory Report "Review of City of South Perth Event " dated November 2016
- (b) Note that the following priorities from the Report will be completed:
 - the development of a Cultural Plan (inclusive of an event strategy);
 - review the Community Development Funding Program criteria to ensure community groups and others are able to hold small and local events;
 - review the Australia Day Event Budget (inclusive of the Celebration Zone), with a view to reducing expenditure, with a focus on the Celebration Zone activities.
- (c) Supports further investigation/research into the other ideas for consideration identified in the Event Review report.

Amended Motion

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That the Officer Recommendation be amended as follows:

- A) A Part (d) be added and shall read as follows:
With respect to the ideas put forward in the “Lockwood Advisory” Review and the priorities identified by the City Officers, a Report be prepared for Council’s consideration before any implementation proceeds or any new position created as a result of this review.

(LOST 3/5)

Amendment

With the agreement of the Mover and Seconder the following amendment was incorporated into the Recommendation at part (c) as suggested by Councillor Fiona Reid – shown in red:

- (c) Supports further investigation/research into the other ideas for consideration identified in the Event Review report **and those be presented to Council as they are completed.**

The Amendment then became the substantive:

COUNCIL DECISION

Moved: Councillor Jessica Black

Seconded: Councillor Glenn Cridland

That Council:

- (a) Receives the Lockwood Advisory Report “Review of City of South Perth Event “ dated November 2016
- (b) Note that the following priorities from the Report will be completed:
- the development of a Cultural Plan (inclusive of an event strategy);
 - review the Community Development Funding Program criteria to ensure community groups and others are able to hold small and local events;
 - review the Australia Day Event Budget (inclusive of the Celebration Zone), with a view to reducing expenditure, with a focus on the Celebration Zone activities.
- (c) Supports further investigation/research into the other ideas for consideration identified in the Event Review report and those be presented to Council as they are completed.

CARRIED (7/1)

Background

Council resolved at the July 2016 Council meeting that a review be undertaken of City events by an external consultant and that the review should comprise of the following:

- Review all current City events in line with event management trends/best practice (within other local governments, Not for Profits and private enterprise) and where required, recommend changes that will take City events to the next level;
- Review the demographics of the City of South Perth and engage with local residents (using the IAP2 framework) to explore whether City events could be changed to better suit the needs of residents. Examine whether changing City events could encourage greater participation from certain South Perth communities, demographics or minority groups;

- Conduct an environmental scan – to review events delivered by adjacent local governments and other South Perth groups/organisations to investigate where further event partnerships could be established;
- Explore additional ways to measure the return on investment of events from a social and economic perspective; and
- Review the current event implementation procedures to strategically analyse how the various organisational teams (including CCR, Libraries and other areas within the City) currently implement and manage their events – with the purpose of examining whether individual teams could better leverage off each other’s strengths and thereby increase organisational efficiency and effectiveness.

The City sourced names of appropriately qualified consultants from WALGA and sought expressions of interest and quotes. Two were received with one being assessed as the most appropriate to conduct the project. This was Lockwood Advisory who was subsequently engaged in October 2016.

Comment

Lockwood Advisory have compiled and submitted a report titled ‘Review of City of South Perth Events’ (**Attachment a**). To achieve the aims of the project brief the project team used the following methods:

- A desktop review and an environmental scan;
- Stakeholder engagement comprising a community survey (**attachment b**), staff workshops and meetings with external partners and stakeholders.

Lockwood Advisory makes the following statement in the executive summary as being a key idea and one that underpins the other initiatives identified in the review:

The development of a high quality event strategy that will integrate into a holistic Cultural Plan for the City. The plan should include opportunities for community and economic development, a curatorial framework, scale of events, resource allocation and clearly defined high level criteria to measure success.

The balance of the ideas for consideration from the review are labelled in the report as strategic or operational. They have been grouped here in summary under the following goals with an officer comment:

1. Ensure City staff are supported so as to operate as efficiently and effectively as possible

Ideas for consideration	Officer comment
Develop a high quality event strategy;	An events strategy will be an outcome of the holistic Cultural Plan which is one of the priority outcomes recommended in this report.
Use the event strategy and associated criteria to simplify methods used to evaluate events;	This idea will be achieved through the events strategy
Consider purchasing event management software to streamline inter-departmental communication and collaboration;	The City has recently implemented events booking software. The idea of more software requires examination in terms of the City's IT strategy
Consider investing in marketing or ticketing software which will allow for streamlined email marketing by demographic segment;	The idea of more software requires examination in terms of the City's IT strategy
Improve the system of how the City does marketing of external events; and	This idea would be best achieved by the human resource referred to below. However the system can be reviewed internally as part of a service review.
Consider the addition of a dedicated human resource for event marketing.	This idea is being considered in the organisational structure changes

2. Meet the needs of a diverse community

Ideas for consideration	Officer comment
Consider a community development approach to events in Karawara and Manning by seeking input from local groups in their own area on small events that bring people together.	Karawara Capacity-building Steering Committee was formed in late 2016 and will action this idea (amongst other projects)

3. Use events as a tool for economic development

Ideas for consideration	Officer comment
Using a tourism and economic development focus to capitalise on the foreshore location and support business clusters such as Angelo St to promote South Perth as a destination and support economic development;	This idea is supported, and would be facilitated by the Economic Development and Tourism Officer position in the event it is approved.

Maintain a strong relationship with Tourism WA to ensure City events support the business community through increased visitation to the City of South Perth;	In the event that an Economic Development and Tourism Officer is appointed, this role would be responsible for tourism related stakeholder engagement.
Consider further development and integration of interactive public art and events including art workshops as part of the summer program;	The City's policy P316 has been reviewed and is now more flexible which can accommodate this idea.
Capitalise on the interest shown by neighbouring local governments in a collaboration focused on the design and delivery of an events strategy and calendar; and	The events strategy development will provide the opportunity to plan events on a regional basis This idea will be actioned.
Consider membership of Experience Perth to increase the profile of the City and its events through the use of their website and associated blogs.	The City has applied for membership of Experience Perth.

4. Ensure human and financial resources are maximised

Ideas for consideration	Officer comment
Utilise the events strategy to ensure the events program remains manageable in relation to the level of human and financial resources available;	This idea would be achieved through the events strategy
Improve the integration of event considerations into planning processes and landscape design for public spaces; and	This idea is noted, and is best achieved through the project management of each of the public spaces being planned.
Consider scaling back the Australia Day Celebration Zone and reallocating the City's contribution to smaller more targeted community events in conjunction with the development of the Cultural Plan.	This idea has been actioned in part as officers have planned savings from the Australia Day budget. Reallocation of funds would be best planned through an events strategy.

Officers have identified the following priority tasks from the report to be completed initially:

- The development of a Cultural Plan including an event strategy;
- Ensuring that the criteria for the Community Development Funding program makes it possible for community groups and others to possibly run/offer small/local events; and
- A review of the budget for the Australia Day event (the Celebration Zone) with a view to reducing it, specifically the spend on activities for the Celebration Zone.

Cultural Plan

It is considered that this Plan could be developed in-house, with the Cultural Development Coordinator taking the lead on this project. After April through to October is the appropriate time for its development to avoid the busy events season. The consultants have suggested that an event strategy be an integral part of the Cultural Plan and include clear and measurable goals against the type of

community benefits sought by the City. Further, the Plan should include opportunities for community and economic development, a curatorial framework, scale of events, resource allocation and clearly defined criteria to measure success. It is their assertion that a Cultural Plan and associated events strategy should assist in facilitating better integration across the organization.

The current calendar of events that the City delivers is set over a calendar year with many events being historical in nature (Pioneer Lunch) or a civic responsibility (ANZAC Day, Remembrance Day). Notwithstanding these types of events, over the last two years the City has evolved the three week Fiesta, to be a whole summer program of events extending from November to April. It is now a good time to develop a more robust plan/strategy given that change. The Plan will also include an arts component relating to public art and community arts, programs and services, along with an event strategy dealing with both civic and community events.

Community funding

The Community Funding Program has grants of \$500-\$2000 available to community groups that deliver projects or events that benefit the community and increase participation in the local area. This program is advertised often and all the information is on the City's website. While traditionally the City has not received a lot of applications for cultural events, they are permitted under the criteria. The lack of awareness can be addressed by further tailoring the promotion of this program to increase community awareness that cultural events are an approved activity.

Australia Day

Officers have commenced a comprehensive review of the Australia Day event to identify possible savings and redirect funds to the areas of most need. There is little flexibility in the costs of the logistics (traffic management, toilets and so on) and with recent world events, the City will need to expend additional funds in the area of security at all future events, as was experienced in the lead up to the 2017 event.

The 2016/2017 budget allocation for the Australia Day event was as follows:

- Logistics (fencing, toilets, infrastructure and traffic management etc.)
\$280,000 budgeted - \$318,000 actual due to last minute additional security requirements imposed by the WA Police and Skyworks event organizers.
- Celebration Zone activities
\$570,000 budgeted - \$561,000 actual
- Revenue - \$300,000 (Lotterywest grant) and substantial in-kind/voluntary support

Following a desktop review a reduction in spend on the Celebration Zone 2018 of \$100,000 has been achieved, with a view to further savings/reallocations in the years following. Representatives from Lotterywest have advised that it is likely that funding levels will remain the same for the 2018 event due to the tragic circumstances that overshadowed the 2017 event and forced the early closure of activities and the cancellation of the fireworks. For future years however, they have suggested that it is likely there will be a reduction in grant funding to the City for the Celebration Zone given that the event has achieved to a large degree what the original intent was – to claim the foreshore back for families and as the event has reached its full potential and size. Officers are taking this into consideration in

the review of the Australia Day event with a view to planning ahead and making some changes to the model for the Celebration Zone from 2018.

Consultation

Lockwood Advisory consulted with a number of groups via meetings including relevant City staff, current sponsors/partners, staff from neighbouring local governments and other stakeholders. They also conducted a public survey and did desktop research and a literature review.

Policy and Legislative Implications

Nil

Financial Implications

The ideas for consideration from the Lockwood Advisory report have significant financial implications, particularly in regard to new staff and IT resources. These implications will be considered as part of the budgeting process. Three initial tasks in the recommendation can be achieved within the current operating budget.

Strategic Implications

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

Sustainability Implications

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

Attachments

- 10.1.1 (a):** Review of City of South Perth Events
- 10.1.1 (b):** Community Survey

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

Location:	Lot 347 (No. 100) Manning Road, Manning
Ward:	Manning Ward
Applicant:	Dirk Gildenhuis
File Reference:	D-17-31726
DA Lodgement Date:	14 September 2016
Meeting Date:	26 April 2017
Author(s):	Victoria Madigan, Statutory Planning Officer
Reporting Officer (s):	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 development approval for a Change of Use from Single House to Consulting Rooms on Lot 347 (No. 100) Manning Road, Manning. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Minimum Lot Area	TPS6 clause 7.8(1)
Minimum Lot Frontage	
Landscaping (non-RES)	
Bicycle Parking	TPS6 clause 6.4(5)
Signs	TPS6 clause 6.1.2 & Council Policy P308 Signs
Land Use (Consulting Rooms 'DC' Use)	TPS6 clause 3.3

Officer Recommendation

Moved: Councillor Travis Burrows

Seconded: Councillor Fiona Reid

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval for a Change of Use from Single House to Consulting Rooms on Lot 347 (No.100) Manning Road, Manning **be approved** subject to the following conditions:

(a) Standard Conditions

352	car bays- marked and visible	455	dividing fences- standards
354	car bays- maintained	456	dividing fences- timing
390	crossover- standards	508	landscaping approved & completed
445	stormwater infrastructure	625	sightlines for drivers

(b) Specific Conditions

- (i) The approval of the 'Consulting Rooms' use is valid for two (2) year from the date of this approval. A new development approval will be required to extend the use of 'Consulting Rooms' past this time.

- (ii) In accordance with the requirements of clauses 6.14 (2) and (5) of Town Planning Scheme No. 6, a landscaping plan showing 25% of the entire site landscaped shall be submitted for approval by the City. No person shall occupy or use the land or any building the subject of this approval for the purpose for which this approval is given unless and until:
 - a. The City has approved a landscaping plan; and
 - b. The landscaping has been completed in accordance with the plan approved by the City.
- (iii) The hours of the operation shall be limited to Monday to Friday: 8am to 5pm.
- (iv) A maximum of one (1) practitioner is permitted to operate on site at any one time.
- (v) One locker is required to be provided in accordance with the requirements of clause 6.5(a) of Town Planning Scheme No. 6.
- (vi) The paved car park and driveway will be connected to a sufficient number of soak wells that will capture and contain all storm water falling on the site. The design and installation of the soak wells is to be to the satisfaction of the City.
- (vii) The existing crossover will need to be modified to be widened on the east side to provide an overall 5.5 metre width crossing for two way movement. The crossing is to be constructed with a 1200mm radius turnout to permit a total kerb opening of 7.9 metres to the satisfaction of the City.
- (viii) Vehicle buffers are to be installed along parking bays adjacent to external fences. Details in this respect are to be noted on the plans prior to the submission of a building permit.

(c) Standard Advice Notes

700A	building licence required	766	landscaping- general standards
725	fences note- comply with that Act	790	minor variations- seek approval
762	landscaping- plan required	795B	appeal rights- council decision

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

Withdrawal of Mover and Seconder to Officer Recommendation

Councillor Travis Burrows (as Mover) and Councillor Fiona Reid (as Seconder) withdrew their support of the Officer Recommendation.

Motion to Defer AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Colin Cala

That the Report be deferred to the May 2017 Ordinary Council meeting.

(CARRIED 8/0)

Reason for Deferral

The applicant requested the deferral so that he may address Council at the May Council Agenda Briefing to address some issues in the report.

1. Background

The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	825 sq. metres

The location of the development site is shown in **Figure 1** below:



Figure 1 - Development Site

In accordance with Council Delegation DC690, the proposal is referred to a Council meeting because it falls within the following categories described in the Delegation:

1. Specified uses

(g) Non-residential "DC" uses within the Residential zone;

6. Amenity impact

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

7. Neighbour comments

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

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

Comment

(a) Background

In September 2016, the City received an application for a Change of Use from Single House to Consulting Rooms on Lot 375 (No. 100) Manning Road, Manning (the **Site**).

(b) Existing Development on the Subject Site

The existing development on the Site currently features a land use of Single House, as depicted in the site photographs in **Attachment (c)**.

(c) Description of the Surrounding Locality

The Site has a frontage to Manning Road to the south and is located adjacent to single residential dwellings to the north, east and west as seen in **Figure 2** below:



Figure 2 - Aerial of Site

(d) Description of the Proposal

The proposal involves a Change of Use from Single House to Consulting Rooms with operating hours from 8am to 5pm Monday to Friday with one chiropractic practitioner and one receptionist at any given time. The existing single house is to remain with internal modifications to comply with BCA requirements for a Class 5 building including disabled access. The existing garage is to be demolished to accommodate the development of 8 car parking bays to the rear of the development site as depicted in the submitted plans in **Attachment (b)**. Access to the parking area will be off Manning Road via a 3 metre wide driveway and 5 metre wide crossover.

The following planning aspects have been assessed and found to be compliant with the provisions of TPS6, and relevant Council policies, and therefore have not been discussed further in the body of this report:

- Street setbacks (TPS6 Table 5)
- Site Works & Levels (TPS6 clause 6.9, 6.10 and Council Policy P350.07 clause 10.

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

- Building height (TPS6 clause 6.1A).
- Car Parking (TPS6 Table 6).
- Dimensions of Car Parking Bays and Access Ways (TPS6 clause 6.3.8 and Schedule 5).
- Crossover and conflict with infrastructure (Council Management Practice M403 and Council Policy P350.03).
- Driveway Gradients (TPS6 clause 6.10.2 and Council Policy P350.03)
- Finished floor and ground levels (TPS6 clause 6.10).
- Sight lines (R-Codes clause 5.2.5).
- Driveway gradient (TPS6 clause. 6.10(2)).

The following planning aspects require the exercise of discretion to be approved and are discussed further in the report:

- Land use – “DC” (Discretionary with Consultation) (TPS6 clause 3.3 and Table 1).
- Development requirements for non-residential Uses (Site Area, Site Frontage, Landscaping) (TPS6 Table 3).
- Non-residential bicycle parking bays (TPS6 clause 6.4.1)).
- Signs (TPS6 clause 6.12)

The discretionary matters are also addressed by the applicant in their Development Proposal Letter, contained in **Attachment (a)**.

(e) Land Use

The proposed land use of Consulting Rooms is classified as a ‘DC’ (Discretionary with Consultation) land use in Table 1 of TPS6. The use of Consulting Rooms is currently considered appropriate in this location and will provide the community with access to medical services. Such uses contribute to the range of uses available to local residents and are encouraged. It is noted that Manning Road is reserved for ‘Other Regional Road’ purposes under the Metropolitan Region Scheme and experiences high levels of traffic. Traffic generated from this use will be minimal and will have limited impact on the surrounding residential area.

(f) Development Requirements for Non-Residential Uses in the Residential Zone

As the proposed development is a non-residential use in a residential zone, the minimum requirements for consulting rooms are depicted in Table 4 of TPS6. The sections requiring discretion to be exercised are copied in the table below, along with the applicant’s proposal:

Discretion to be Exercised	TPS6 Requirement	Proposal	Variation
Lot Area (Table 4 TPS6)	Minimum 900m ²	825m ²	75m ²
Frontage (Table 4 TPS6)	Minimum 20m	18.23m	1.77m
Landscaping Table 4 TPS6)	Minimum 25% of site (206.25m ²)	72.85m ² (8.83%)	133.4m ²

Council discretion- cl. 7.8.1

Council has discretionary power under clause 7.8.1 of TPS6 to approve the proposed lot area, lot frontage and landscaping, if Council is satisfied that all requirements of that clause have been met.

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

The applicant has provided justification in support of the proposed variations:

“The proposed change of use fits within the strategic planning framework set out in the Local Commercial Strategy because it adds to the diversity of commercial activities available to the community. The proposed use of 100 Manning Road does not contravene the objectives of TPS6 because it is to be undertaken within the existing building and will therefore not change the character of the built form or scale of the current residential area. The residential character of Manning Road has been slowly changing over the years as non – residential uses increase predominantly as a result of increased traffic volumes drives down the desirability to live on Manning Road. These non-residential land uses form a natural buffer between Manning Road and the adjacent residential areas.

The minimum lot size and minimum lot frontage does not have a material impact on the application given the details of compliant car parking”.

Lot Area and Lot Frontage

Taking the above matters into account, it is evident the crossover and access requirements can be met as depicted in the proposed plans and recommended conditions and therefore the variation can be supported. Furthermore all parking is provided on site. It is noted that the proposed development has similar impact to existing non-residential uses along Manning Road as depicted in **Attachment (d)**.

Accordingly, it is recommended that the proposed development satisfies the relevant Scheme Objectives and clause 7.8.1 of TPS6 for the following reasons:

- As the building is existing, the built form and scale has not been changed;
- The proposal is consistent with the diverse streetscape of residential and non-residential uses.
- All parking and associated access requirements can be satisfied.

It is recommended that the lot frontage and lot area variations be supported

Landscaping

The landscaping requirements as per Table 3 of TPS6 require a minimum landscaped area of 25% of the overall site. The development site is proposing 72.85m² (8.83% of the required 25% landscaping).

The applicant provided the following comment:

“The landscaping requirements outlined in Clause 6.14 of TPS6 will be adhered to during the development of the new parking area and driveway”.

In this instance, it is recommended that the proposed landscaping provision could be increased to 25% as required by the Scheme. There is sufficient area surrounding the existing building that could be landscaped, in particular the area fronting the street. As such a condition should be placed

on the approval requiring the applicant to submit a landscaping plan demonstrating 25% of the site area to be landscaped in accordance with Table 3 of TPS6.

(g) Bicycle Parking

The bicycle requirements including end of trip facilities as per Table 6 of TPS6 and clause 6.4.4 are set out in the table below:

Discretion to be Exercised	TPS6 Requirement	Proposal	Variation
Bicycle Bays	1 per practitioner	1	Nil
Lockers	1 per bicycle bay	1	Nil
Showers	1 male and 1 female per 10 bays = 0.2	Nil	1 male shower 1 female shower

TPS6 clause 6.4(5) requires the provision of end-of-trip facilities where bicycle bays are required to be provided for the use of staff. 1 bicycle bay requires 1 secure clothes lockers and 1 pair of showers (1 male and 1 female shower in separate change-rooms per 10 bays). The internal fit out of the consulting rooms identifies the provision one lockers, which can be used as a bicycle end-of-trip facility. No shower facilities are provided.

The applicant has provided justification copied below:

“We believe bicycle bays and lockers will encourage short bicycle trips (by some customers), as opposed to long distance cycling (for example by the staff). For this reason separate male and female showers will not be utilised (as cyclist do not shower after every short trip) and therefore showers have not been proposed. We seek the Council’s discretion to waive this requirement”.

Taking the above matters into account, it is noted that it is most likely the practitioner will drive to work; given the car parking calculation includes the number of practitioners proposed.

Accordingly, it is recommended that the proposed development satisfies the relevant Scheme Objectives and clause 6.4(5) of TPS6 for the following reason:

- A shower is not likely to be utilised by one staff member, given they are allocated a car parking bay.

(h) Signage

The proposed development includes signage on one A- Frame board to be placed adjacent to Manning Road during the day and brought into the building in the evening.

The signage proposed adjacent to the building is observed to be consistent with signage provided in the surrounding vicinity and is considered to meet the provisions of TPS6 cl. 6.12 and Policy P308.

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

The A Frame sign on the site is approximately 1.2 metres in height and 0.9 metres wide with an area of 1.08m²

The applicant has provided justification copied below:

“In accordance with Clause 6.12 of the TPS6 the applicant is also requesting approval for a standard size A-Frame sign of 900mm in width and 1200mm in height. The purpose of the sign is simply to direct patients to the consulting rooms to meet their prior arranged appointments. The intention is not to attract walk in patients”.

TPS6 clause 6.12(6) requires that when determining an application for planning approval for a sign, the [decision maker] shall examine the application in the light of the objectives of the Scheme and the precinct, and with particular regard to the character, amenity, historic or landscape significance and traffic safety, within the locality.

The 1.2 metre high A Frame sign is observed to be consistent with the Scheme and policy provisions and is of comparable scale and visual impact as the nearby signs along Manning Road, as what would be expected for Consulting Rooms and other non-residential uses within the area.

(i) Local Planning Strategy

The City's Local Planning Strategy is currently under review. As part of this review the City will be considering how certain precincts function and where commercial uses should be located. A key objective of the Scheme is to maintain the City's predominantly residential character and amenity. The site is zoned Residential R20 and is located just outside the Canning Bridge Activity Centre. This Centre was recently recognised in Town Planning No. 6 and will comprise a mix of residential, civic, office, retail and entertainment uses. How development occurs along the remainder of Manning Road will need to be considered in the context of the Activity Centre. The Draft Local Housing Strategy in 2011 identified the area of Manning Road adjacent to the Centre, as possibly allowing for medium intensity residential development.

Given the above it is recommended a Temporary Development Approval be issued under clause 72 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of two (2) years. The applicant will need to submit an application for development approval should they wish to extend the use beyond this time. The City will then be able to reconsider whether or not the use of Consulting Rooms along Manning Road is appropriate when the Local Planning Strategy has been further developed and the desired form of development in this area has been determined.

(j) 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:

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

- (a) Maintain the City's predominantly residential character and amenity;*
- (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;*

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

(k) 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 listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The proposed development is considered satisfactory in relation to all of these matters as addressed in this report, subject to the recommended conditions.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the 'Area 1' consultation method, individual property owners, occupiers and/or strata bodies as depicted in the **Figure 3** below 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 20 consultation notices were sent and 1 submission(s) was received. The comments from the submitter, together with officer and applicant response are copied below.



Figure 3 – Matrix of Area 1 Advertising

Submitters' Comments	Applicants Response	Officer's Response
<p>Whilst there is no issue with the construction going ahead, I would like to put forward a request in regards to the carpark that sits just behind my back fence. The issue is concerning visiting cars damaging the existing fence as there is not seen on the plans received, any buffer, curbing or bollards in place to stop any such eventuality from happening.</p> <p>Running in accordance with Clause 7.3(2) of council regulations, I don't feel that these requests are too much to ask, and that a safeguard be put in place in front of the carparks to ensure that it doesn't.</p>	<p>The client will install some type of wheel stoppers along parking bays adjacent to external fences. The client does not wish to revise the drawings to show this, but would agree to this as a condition of the approval.</p>	<p>Provision for wheel stops has been included as a condition of approval.</p> <p>The comment is NOTED.</p>

(b) Internal Administration

Comments were invited from Engineering Infrastructure and Building Services section(s) of the City's administration.

The Manager, Engineering Infrastructure was invited to comment on a range of issues relating to the crossover, car parking and traffic generated from the proposal. This section raises no objections and has provided comments in **Attachment (e)**.

The City's Building Surveyor commented that the building would be required to change to a Class 5 building to comply with the Building Code of Australia requirements, the proposal will be the subject of a building permit application which will be thoroughly examined at a later stage.

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

(c) External Agencies

Comments were also invited from the Department of Planning with respect to the Site being on or abutting a regional road reservation. This agency raises no objections and does not recommend standard conditions and/or notes be placed on the approval as depicted in **Attachment (f)**.

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

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

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 uses of a non-sensitive nature, 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. Provided that advice notes and conditions are applied as recommended, it is considered that the application should be conditionally approved.

Attachments

- 10.3.1 (a):** Development Proposal - Cover Letter
- 10.3.1 (b):** Development Plans
- 10.3.1 (c):** Site Photographs
- 10.3.1 (d):** Non - Residential Uses Manning Road
- 10.3.1 (e):** Engineering Referral
- 10.3.1 (f):** Department of Planning Referral

10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

Location:	Lot 11 (No.201) Labouchere Road, Como
Ward:	Como Ward
Applicant:	Mr. Anthony Gordon
File Reference:	D-17-31727
DA Lodgement Date:	19 January 2017
Meeting Date:	26 April 2017
Author(s):	Victoria Madigan, Statutory Planning Officer
Reporting Officer (s):	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

To consider an application for development approval for Proposed Additional Use (Café) to Existing Barber Shop (Shop Use) on Lot 11 (No. 201) Labouchere Road, Como. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Bicycle Parking	TPS6 clause 6.4(5)
Landscaping	TPS6 clause 5.1(5) and clause 6.14(1)
Car Parking	TPS6 clause 6.3
Land Use (Local Commercial 'DC' Use)	TPS6 clause 3.3

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval for a Proposed Additional Use (Café) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road **be approved** subject to the following conditions:

(a) Standard Conditions / Reasons

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

(b) Specific Conditions / Reasons

- (i) The hours of the operation shall be limited to:
 - a) Monday to Friday: 7am to 6pm; and
 - b) Saturday: 7am to 4pm
- (ii) The cafe shall have a maximum capacity (internal and external) of 20 patrons at any given time.
- (iii) The dining area shall not exceed a maximum area of 22m².

- (iv) There shall be a maximum of eight (8) seats available for the exclusive use of cafe dining internally or externally (alfresco area) at any given time.
- (v) There shall be a maximum of 4 seats for the exclusive use of the waiting area for the barber shop at any given time.
- (vi) The alfresco area shall be clearly marked and shall be restricted to a total area of 7m² in accordance with approved plans.
- (vii) The alfresco dining area shall not encroach into any public land.
- (viii) Staff Parking shall only be limited to access off Labouchere Road, as noted on the plans.

(c) Standard Advice Notes

700A	building licence required	795B	appeal rights- council decision
790	minor variations- seek approval		

(d) Specific Advice Notes

The applicant is advised that:

- (i) The use of these premises must comply with the *Environmental Protection Act 1986* & the *Environmental Protection (Noise) Regulations 1997* at all times.
- (ii) Proposed Coffee Shop
 - (1) Compliance with the following legislation (as amended) is required:
 - (i) *Health Act 1911*;
 - (ii) *Health Act (laundries and Bathrooms) Regulations*;
 - (iii) *The City of South Perth Health Local Laws 2002*;
 - (iv) *The City of South Perth Al Fresco Dining Local Law 2003*;
 - (v) *Health (public Buildings) Regulations 1992*;
 - (vi) *Food Act 2008*;
 - (vii) *Food Regulations 2009*;
 - (viii) *Australia New Zealand Food Standards Code*; and
 - (ix) *Australian Standard – AS 4674-2004 Design, Construction and Fit-out of Food Premises*.
 - (2) Please be advised to provide two sets of drawing as per *Australian Standard – AS 4674-2004 Design, Construction and Fit-out of Food Premises* (floor plans and elevations to scale minimum 1:100) to show:
 - (i) Finishes of every wall, floor and ceiling; the position and type of every fixture, fitting and equipment; exhaust and ventilation systems, drains, grease-traps and provision for waste disposal; and
 - (ii) The estimated number of patrons.

CARRIED EN BLOC (8/0)

Background

The development site details are as follows:

Zoning	Local Commercial
Density coding	R30
Lot area	626 sq. metres

The location of the development site is shown in **Figure 1** below:

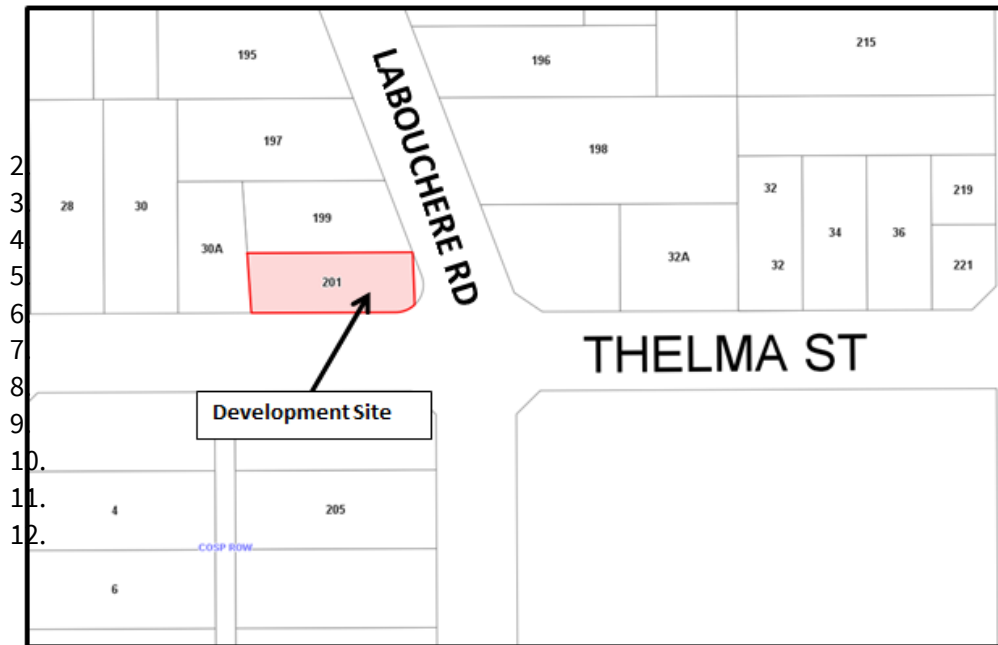


Figure 1 -Development Site

In accordance with Council Delegation DC690, the proposal is referred to a Council meeting because it falls within the following categories described in the Delegation:

3. The exercise of a discretionary power

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

6. Amenity impact

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

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.

10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

Comment

(a) Background

In January 2016 the City received an application for a Proposed Additional Use (Café) to Existing Barber Shop (Shop) on Lot 11 (No. 201) Labouchere Road, Como (the **Site**).

(b) Existing Development on the Subject Site

The existing development on the site currently features a barber shop. The shop was approved under delegated authority as part of a Change of Use from Office to Shop in 2003. An associated garage and carport is also evident on the site as depicted in the site photographs in **Attachment (b)**.

(c) Description of the Surrounding Locality

The site located on a corner lot, has a frontage to Labouchere Road to east, and Thelma Street to the South, located adjacent to single residential dwellings to the north and west as shown in **Figure 2** below:



Figure 2 - Aerial of Development Site

(d) Description of the Proposal

The proposal involves an additional Café use to the existing barber shop for the purpose of providing take away coffee to customers of the barber shop and nearby residents. The Café operating hours (should Council support this application) will be restricted to 7am to 6pm weekdays and 7am to 4pm Saturdays. The internal fitout of the Café area is depicted in the submitted plans in **Attachment (a)**. An alfresco area of 7m² is proposed fronting Labouchere Road. 6 car parking bays are located at the rear of the existing shop with access of Thelma Street. 4 staff car parking bays are located with access of Labouchere Road. In addition 3 bicycle parking bays are proposed at the rear of the property.

10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

Furthermore, the site photographs show the relationship of the Site with the surrounding built environment in **Attachment (b)**. The Applicant's Development Proposal Letter, in **Attachment (c)**, describes the proposal in more detail.

The following planning aspects have been assessed and found to be compliant with the provisions of TPS6, and relevant Council policies, and therefore have not been discussed further in the body of this report:

- Street setbacks (TPS6 Table 5)
- Site Works & Levels (TPS6 clause 6.9, 6.10 and Council Policy P350.07 clause 10).
- Building height (TPS6 clause 6.1A).
- Dimensions of Car Parking Bays and Access Ways (TPS6 clause 6.3.8 and Schedule 5).
- Crossover and conflict with infrastructure (Council Management Practice M403 and Council Policy P350.03).
- Driveway Gradients (TPS6 clause 6.10.2 and Council Policy P350.03)
- Finished floor and ground levels (TPS6 clause 6.10).
- Sight lines (R-Codes clause 5.2.5).
- Driveway gradient (TPS6 clause. 6.10(2)).
- Non-residential bicycle parking bays (TPS6 clause 6.4.1)).

The following planning aspects require the exercise of discretion to be approved and are discussed further in the report:

- Land use – “DC” (Discretionary with Consultation) in a Local Commercial Zone (TPS6 clause 3.3 and Table 1).
- Development requirements for non-residential Uses (landscaping) (TPS6 Table 3).
- Car Parking (TPS6 clause 6.3 and Table 6).

The discretionary matters are also addressed by the applicant in their Development Proposal Letter, contained in **Attachment (c)**.

(e) Land Use

The proposed land use of Café is classified as a ‘DC’ (Discretionary with Consultation) land use in Table 1 (Zoning - Land Use) of TPS6. Currently the site is used for a Barber Shop. The proposed use of ‘Café’ is considered to compliment the Barber Shop use. In considering this discretionary with consultation use, it is observed that the Site adjoins residential land uses, in a location with a residential streetscape. The Café use is considered an appropriate use in a residential zone as it is small in scale and provides a commercial service to the local community. The restricted operating hours, in particular no trading on a Sunday and not after 6pm on weekdays and 4pm on a Saturday, will limit the impacts on the surrounding residential amenity.

(f) Car Parking

Land Use	TPS6 Requirement	Proposed	Shortfall
Shop	1 car parking bay per 25m ² GFA (103m ²) = 4.12 bays = 5 bays	5 bays	Nil
Cafe	1 car parking bay per 5m ² dining area (21.5m ² dining) = 4.3 = 5 bays	5 bays	Nil
TPS6 Adjustment Factor (located within 400m from a bus stop).	10 bays x 0.85 = 8.5= 9 bays	10 bays overall	+1 bay

As evident in the car parking table above, the development site requires 10 car parking bays based upon the TPS6 parking requirements. Including Policy P315 adjustment factors for being located within 400m of a bus stop, the parking requirements are reduced to 9 car parking bays. 10 car parking bays are proposed.

Out of the 10 car parking bays proposed, the application proposes four car parking bays in a tandem configuration for the use of staff car parking. Whilst it is evident tandem car parking bays for customers is not appropriate, the proposal for tandem bays for the exclusive use of staff bays (as noted on the plans in **Attachment (a)**) can be suitably managed by the operators and is therefore supported. This allows 6 bays to be utilised for customers on the site, thus supplying an extra car parking bay above the TPS6 requirement.

The applicant has provided the following justification copied below:

“We have found that a large portion of our clients live nearby and walk to the shop which reduces the need for parking. There is also ample street parking available on Labouchere Road between Thelma Street and Alston Ave. The majority of the road around our business is marked as a No Standing zone with yellow road markings. Should nearby residents be dissatisfied with parking following the opening of our café, we would fully support the extension of the no standing zone down Thelma Street. I trust that the residents have not had parking issues since our opening in November 2016, and we would always want to work with nearby residents to ensure they are happy- ultimately we want them to be our biggest supporters- and having grown up in Como- we love the area as much as they do”.

Should Council not support the tandem bays the car parking bays proposed on site would result in a shortfall of one bay, providing 8 car parking bays in lieu of the 9 required.

This reduced number of car parking bays could be approved on site, as per TPS6 cl. 6.3(4), if the decision maker is satisfied that the number of bays is sufficient having regard to the peak parking demand generated by the use or uses and any opportunities for reciprocal parking arrangements and if the proposal is considered to meet the discretionary provisions of TPS6 clause 7.8.

Otherwise, the Council may accept a cash payment in lieu of the provision of some or all of the bays not provided on site, in accordance with TPS6 cl 6.3A(2).

Using the Policy P315 formula, 1 car parking bay is subject to the cash-in-lieu payment. The cash-in-lieu requirement the equivalent of the cost of 1 car parking bay is \$9,400.

In this instance, the utilisation of a cash-in-lieu payment is not seen to compensate for not providing this car bay on site, as the City has not identified appropriate measures that could be implemented in the locality to provide additional transport infrastructure to address the shortfall of car parking on site.

Given the café has a limited size and is a predominantly serving take away coffee it is considered that the majority of the customers will walk to the site or bicycle. As a result, the City considers that the provided number of car parking bays including the staff bays in tandem arrangement is sufficient and this component of the application should be supported.

(g) Bicycle Parking

As part of the Barber Shop approval in 2003, no end of trip facilities were required to be provided. The Café use requires the provision of one bicycle space under Table 6 of TPS6. The application proposes 3 bicycle bays at the rear of the property. It is envisaged that these will be readily used by cyclists. As bicycle bays are not required for staff under Table 6, no end of trip facilities are required for the additional use of Cafe.

(h) Landscaping

The landscaping requirements as per Table 3 of TPS6 require a minimum landscaped area of 10% of the overall site. As part of the proposal no additional landscaping is proposed. The site currently has approximately 10m² onsite.

Council discretion- cl. 7.8.1

Council has discretionary power under clause 7.8.1 of TPS6 to approve lesser landscaping if Council is satisfied all requirements of the clause has been met.

The site has an existing large mature tree at the front of the development and vegetation (hedges) visible from the frontage on Labouchere Road. There only minimal external changes to the building proposed and the Shop use is still in accordance with the (2003) development approval. The development has an existing nil and 2.1 metre setback from the building to the property boundary on Labouchere Road. Given the nature of the site there is minimal provision for additional landscaping to be provided. The existing on site trees and multiple verge trees are depicted in **Attachment (d)**.

10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

As the Scheme allows for discretion to be exercised, it is recommended the landscaping variation is supported by Council. In this instance, it is considered that the proposal complies with the discretionary clause, and therefore no additional landscaping is required.

(i) Front Outdoor Dining Area (Decking)

The existing decking area adjacent to Labouchere Road encroaches onto council property by 400mm as depicted in the site photographs in **Attachment (b)**. Separately to this application, the applicant is working with the City to resolve this encroachment. The applicant has agreed to remove any part of the deck that encroaches into Council property and for the deck to be solely contained within the site boundaries.

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

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

- (a) Maintain the City's predominantly residential character and amenity;*
- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*

The proposed additional use of 'Café' is considered to be complementing the existing barber shop and provide the residential neighbourhood with an additional community amenity.

(k) 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 listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The proposed development is considered satisfactory in relation to all of these matters as addressed in this report, subject to the recommended conditions.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals' as depicted in **Figure 3** below. Under the 'Area 1' consultation method, individual property owners, occupiers and/or strata bodies were invited to inspect the plans as evident in the image below and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised).

10.3.2

Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

During the advertising period, a total of 54 consultation notices were sent and 4 submission(s) were received. The comments from the submitter(s), together with officer responses are copied below.

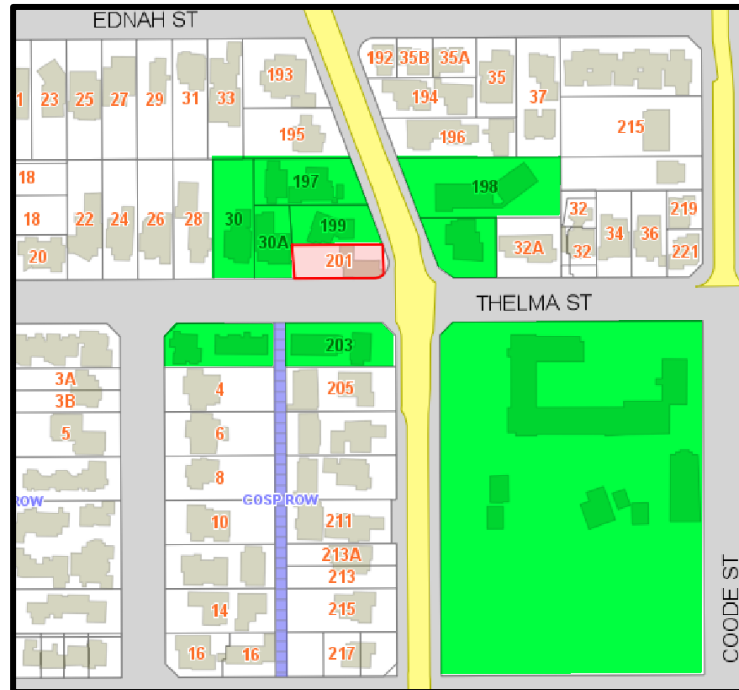


Figure 3 – Advertising Matrix

Submitters' Comments	Officer's Responses
<p><i>"No objection to the proposal however as this is predominantly a residential area, business on Sundays should not be open to customers prior to 7am. Whilst it is normally very busy at the intersection of Labouchere Rd and Thelma St (where the proposed café is) it is generally very quiet on a Sunday morning with any noise carrying very easily".</i></p>	<p>The applicant responded to this comment proposing opening times no earlier than 7am. The applicant also provided justification in which noise will be mitigated as depicted in Attachment (c).</p> <p>The City's Coordinator of Environmental Health noted that <i>"the Environmental Protection (Noise) Regulations 1997 defines daytime noise levels during 7am to 7pm, Monday to Saturday.</i></p> <p><i>As this business will only be operating during these hours, there are no concerns about noise from vehicle movements on this property between 7am and 7pm".</i> As depicted in Attachment (e).</p> <p>The comment is NOTED.</p>

<p><i>“As an immediate neighbour of these premises our primary concern relates to the need for maintenance of our 'quiet enjoyment of environment'. Potential noise from vehicular movement and pedestrian traffic in the rear car park and entry to carport at front of premises. In this context we raise a concern about the very early starting hours of operation planned for 0630 hours Tuesday to Sunday incl. Our preference is for a later starting time. This is particularly applicable to Saturday and Sunday. Operating a barber shop at 0630 seems unreasonable”.</i></p>	<p>The applicant responded to this comment proposing opening times no earlier than 7am. The applicant also responded annotating the two carport bays as staff parking to mitigate noise from parking. The applicant also provided justification in which noise will be mitigated as depicted in Attachment (c).</p> <p>The comment is NOTED.</p>
<p>Whilst I welcome the additional amenity this would offer to the area I wish to emphasise the parking issues in the vicinity.</p> <p>On Thelma Street there is very poor visibility both up and down the blind hill when reversing from my property. Cars parked along the hill further decrease visibility and require greater reversing into the street for visibility. This is a dangerous situation. Therefore I would request either a Residents only parking or No Parking sign outside my property.</p> <p>In the past customers to the hairdressers frequently park on the Thelma St hill. The situation is exacerbated by the bus stop and the large number of units in the area. I am in favour of The approval provided these parking issues are addressed. The solution is one of these signs at least in front of my property if not also down the rest of the hill.</p>	<p>There are currently ‘No Parking’ Signs and ‘Residents Only’ Signs in the vicinity as outlined in Attachment (f).</p> <p>The comment is NOTED.</p>
<p>No objections to the proposal.</p>	<p>The comment is UPHELD.</p>

(b) Internal Administration

Comments were invited from Engineering Infrastructure and the Environmental Health department of the City’s administration.

Engineering Infrastructure was invited to comment on a range of issues relating to parking issues (as a result of a neighbour comment) generated from the proposal. This section raises no objections and has provided the following comments:

“We can install a sign for ‘No Parking’ or ‘No Stopping’ in this area. However we would need to do a plan first and it also requires a signed delegated authority to ensure the parking restrictions will be enforceable.

The City would also put more parking restrictions throughout Thelma Street as we can see parking being an issue here when the Café is running. We would possibly do something similar to what we did at Comer Street when the Café on the corner of Comer Street and Canning Highway opened”.

Should Council consider it appropriate to restrict street parking in this locality the City would need to consider an overall plan for the immediate locality. This may involve consultation with adjoining residents. At this point in time, it is considered that the City should evaluate the parking in the area once the Café is operating.

The Environmental Health section provided comments with respect to waste, noise, kitchens, registration and inspections. This section raises no objections and has provided recommended important notes as depicted in **Attachment (f)**. It is noted that toilet facilities are to be provided where the patron numbers exceed 20. The applicant will be required to submit an application for a Food Fitout in accordance with the Australian Standards – AS 4674-2004 Design, Construction and Fit-out of Food Premises.

Accordingly, planning conditions and/or advice 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 application 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 uses of a non-sensitive nature, 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. Provided that relevant conditions and advice notes are applied as recommended, it is considered that the application should be conditionally approved.

10.3.2 Proposed Additional Use (Cafe) to Existing Barber Shop (Shop) on Lot 11 (No.201) Labouchere Road, Como.

Attachments

- 10.3.2 (a):** Development Plans
- 10.3.2 (b):** Site Photographs
- 10.3.2 (c):** Applicant Proposal
- 10.3.2 (d):** Landscaping Photographs
- 10.3.2 (e):** Health Referral Comments
- 10.3.2 (f):** Engineering Referral Comments

Prior to discussion on the following Item, Councillor Glenn Cridland read aloud his Declaration of Interest:

"I wish to declare an impartiality interest in Agenda Item 10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth on the Ordinary Council Meeting Agenda of 26/4/2017. I declare that I have a child at St Columba's Primary School and two others previously attended the School. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."

At 8.26pm and prior to voting on the Item Councillor Glenn Cridland vacated the Chamber and returned at 8.27pm.

10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth

Location: Lot 95 (No. 30) York Street, South Perth
Ward: Mill Point Ward
Applicant: EIW Architects
File Reference: D-17-31717
DA Lodgement Date: 8 November 2016
Meeting Date: 26 April 2017
Author(s): Victoria Madigan, Statutory Planning Officer
Reporting Officer (s): 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 development approval for Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth. Council is being asked to exercise discretion.

Element on which discretion is sought	Source of discretionary power
Minimum Setbacks for Lot Boundaries	TPS6 Table 3
Car Parking	TPS6 clause 6.3
End of Trip Facilities (Bicycle Parking)	TPS6 clause 6.4(5)

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala
Seconded: Councillor Travis Burrows

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval for Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth **be approved** subject to the following conditions:

(a) Standard Conditions

340A	parapet walls- finish from street	425	colours & materials- matching
353	visitor bays- marked and visible	445	stormwater infrastructure
354	car bays- maintained	660	expiry of approval

(b) Specific Conditions

- (i) Prior to any demolition, construction or refurbishment being undertaken, the applicant shall provide the City with a detailed electronic photographic record of the exterior of those existing buildings which are to be extended or altered, and of the surrounding grounds where new works will be located
- (ii) The detailing of new additions should not mimic the finer detail of historical fabric.
- (iii) All stormwater access points are to be grated and connected to suitable sized soak wells.
- (iv) Provision shall be made for the parking of 133 bicycles in bays, the design and location of which shall be to the satisfaction of the City.
- (v) A Construction Management Plan shall be submitted and approved by the City prior to submission of Building Permit. The management plan shall include but not limited to dilapidation survey report of adjoining buildings, protection of public & adjoining buildings and traffic management, noise & vibration from demolition and construction activities, dust from demolition & construction works, stormwater runoff, and removal of hazardous materials, waste water and construction traffic. The timing of construction of this development may be restricted or extended by traffic management requirements. The approved plan shall be implemented, unless otherwise approved by the City.
- (vi) The Construction Management Plan as approved by the City will be complied with at all times during development.
- (vii) The verge trees and trees along Alexandra Street in front of the 'Covered Area' and 'Bin Store' being retained to as indicated on the approved plan.

(c) Standard Advice Notes

700A	building licence required	790	minor variations- seek approval
725	fences note- comply with that Act	795B	appeal rights- council decision

(d) Specific Advice Notes

The applicant is advised that:

- (i) The use of these premises must comply with the *Environmental Protection Act 1986* & the *Environmental Protection (Noise) Regulations 1997* at all times.
- (ii) Engineering Infrastructure will no longer accept the uncontrolled discharge of stormwater from the vehicle access way into Alexandra Street in particular and will require all access points to be grated and connected to suitably sized soak wells.

CARRIED (8/0)

Background

The development site details are as follows:

Zoning	Private Institution
Density coding	R15
Lot area	19153 sq. metres
Building height limit	7.0 metres
Plot ratio limit	0.60

The location of the development site is shown in **Figure 1** below:

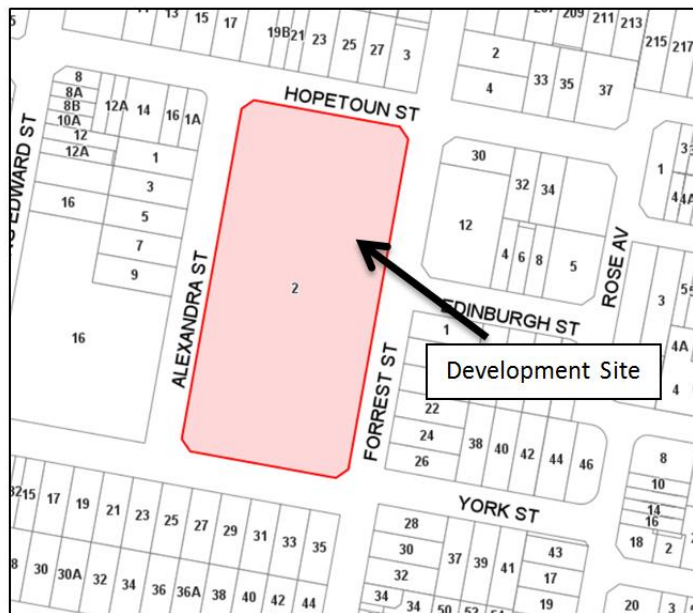


Figure 1 - Development Site

In accordance with Council Delegation DC690, the proposal is referred to a Council meeting because it falls within the following categories described in the Delegation:

2. Major developments

- (a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;
- (c) Development of the kind referred to in items (a) and (b) above, but which, in the opinion of the delegated officer, is contentious or is of significant community interest.

6. Amenity impact

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

7. Neighbour comments

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

Comment**(a) Background**

In November 2016, the City received an application for Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth (the **Site**).

(b) Existing Development on the Subject Site

The subject site is located at Lot 95 (No. 30) York Street, South Perth. The existing development on the Site currently features a land use of Private Institution (an existing Catholic Primary School and associated Church) as depicted in the site photographs at **Attachment (c)**. Both the School and the Church are listed on the State Heritage Register and also the City's Heritage List.

(c) Description of the Surrounding Locality

The Site has a frontage to Hopetoun Street to the north, Forrest Street to the east, York Street to the South and Alexandra Street to the west. The site is surrounded by residential development as depicted in **Figure 2** below:



Figure 2 – Aerial of Surrounding Locality

(d) Description of the Proposal

The proposal involves introducing a second stream of Kindergarten to Year 6 by expanding on its existing facilities through extension and refurbishment of the existing administration building, extension of the existing covered assembly area, refurbishing of existing toilets, construction of 2 new general learning areas, and construction of a bin storage area which will increase the school from 420 students to 532 students and a total of 40 staff members at Lot 95 (No. 30) York Street, South Perth (Site) as depicted in the submitted plans in **Attachment (a)**. The Applicant's letter, **Attachment (b)**, describes the proposal in more detail.

The opening times are as follows:

- Pre-Kindergarten Programme (Tuesday or Friday) 9am to 3pm;
- Kindergarten Monday, Wednesday and Thursday 8:45am to 3pm; and
- Pre – Primary to Year 6 Monday to Friday 8:45am to 3.10pm.

Furthermore, the site photographs show the relationship of the Site with the surrounding built environment in **Attachment (c)**.

The following planning aspects have been assessed and found to be compliant with the provisions of TPS6, and relevant Council policies, and therefore have not been discussed further in the body of this report:

- Land use – “P” (Permitted) (TPS6 clause 3.3 and Table 1).
- Site Works & Levels (TPS6 clause 6.9, 6.10 and Council Policy P350.07 clause 10).
- Building height (TPS6 clause 6.1A).
- Dimensions of Car Parking Bays and Access Ways (TPS6 clause 6.3.8 and Schedule 5).
- Crossover and conflict with infrastructure (Council Management Practice M403 and Council Policy P350.03).
- Driveway Gradients (TPS6 clause 6.10.2 and Council Policy P350.03)
- Finished floor and ground levels (TPS6 clause 6.10).
- Sight lines (R-Codes clause 5.2.5).
- Driveway gradient (TPS6 clause. 6.10(2)).
- Development requirements for non-residential Uses (Site Area, Site Frontage, Landscaping) (TPS6 Table 3).
- Non-residential bicycle parking bays (TPS6 clause 6.4.1)).
- Signs (TPS6 clause 6.12)

The following planning aspects require the exercise of discretion to be approved and are discussed further in the report:

- Street setbacks (TPS6 Table 5).
- Car Parking (TPS6 Table 6).
- Bicycle Parking Bays (TPS6 Clause 6.4)

(e) Street Setback (Side Boundary) – Ground, West

The prescribed minimum ‘Street Setback’ in a Private Institution zone is 7.5 metres and ‘Other Setback’ 4.5 metres under Table 3 of TPS6. The proposed ‘Covered Area’ addition and ‘Bin Store’ addition is setback 1.5 metres from Alexandra Street.

Under clause 7.8(1) of TPS6, Council has the discretion to vary the setback requirement subject to being satisfied that the proposed development is consistent with the orderly and proper planning and the preservation of the amenity of the locality, will not have an impact on the users of the development and meets the objectives of the Scheme.

The setback variation is not considered to have a significant impact on the streetscape. The portion of the wall setback 1.5 metres is 5 metres in height and 12 metres in length. The design and material of extension to the 'Covered Area' is in keeping with the existing building. The addition takes up a small percentage of the west side boundary and is of comparable scale and visual impact of the existing development

The 'Bin Store' which is to be enclosed, is a more aesthetic alternative than present situation whereby bins are visible from the street and in some instances left on the verge as depicted in **Attachment (c)**. The proposed 'Bin Store' is 2 metres in height and less than 5 metres in length. It noted the 'Bin Store' design resulted from negotiations with the applicant and the City's Engineering Infrastructure Department, to satisfy a condition that no waste bins to be visible from the street.

The verge and setback area adjacent to this part of the development contains a number of mature trees which help reduce the impact of the reduced setback by creating a visual buffer. It is recommended that a condition be placed on the approval to retain these trees.

Overall the extension of the 'Covered Area' and 'Bin Store' is not considered to have significant impact on the streetscape and therefore the reduced setback to Alexandra Street is supported.

(f) Car Parking

The required number of car bays is 22.5, and the proposed number of car bays is 15, a shortfall of 7.5 bays. Therefore the proposed development does not comply with the car parking requirement in Table 6 of TPS6.

Council discretion- cl. 6.3.4

This reduced number of on-site car bays could be approved, as per TPS6 clause 6.3(4), if the decision maker is satisfied that the number of bays is sufficient having regard to the peak parking demand generated by the use or uses and any opportunities for reciprocal parking arrangements. A lesser number of car parking bays can be approved, if the proposal is considered to meet the discretionary provisions of TPS6 clause 7.8. The car parking requirement is outlined in the table below.

TPS6 Requirement	Required	Proposed	Shortfall
Educational Establishment	<ul style="list-style-type: none"> • bays per classroom • 23 bays required (rounded up) 	<ul style="list-style-type: none"> • 15 classrooms • 15 bays on site provided • reciprocal use of an additional 23 bays 	<ul style="list-style-type: none"> • 8 bays (rounded up)

As part of the proposal, the Catholic Archdiocese of Perth and St Columba's Primary School have agreed to reciprocal parking for the use the Primary School during peak pick up and drop off hours.

The applicant has provided the following justification in relation to the reciprocal parking below:

*“The Catholic Archdiocese of Perth and St Columba’s Primary School have proposed for an additional 23 car parking bays to be used for the reciprocal use of the primary school, during peak pick up and drop off school hours (830am to 9am and 310pm to 330pm Monday to Friday). Outside the above times in the day, the car park is free for church and school visitors. During events (services/weddings/funerals) or during school hours, the church bays will not be utilised by the school as these events will fall outside of peak drop off and pick up times, as depicted in **Attachment (d)**”.*

As the school is located in a residential area it is considered majority of the students will be able to walk to and from the school, or will be carpooled. Additionally, there are 35 on street car parking bays within the vicinity to be utilized along York and Alexandra Street. A ‘Kiss and Drive’ has been setup located adjacent to the church on the north side of the school. It is noted in the Traffic Impact Assessment that the functionality should be revised in the future to accommodate peak parking demands.

As a result, the City considers that the provided number of car parking bays including the use of reciprocal bays with the Church, meets the discretionary provisions of the Scheme and therefore this component of the application should be supported.

(g) Traffic Impact Assessment

As a result of the additional traffic impact to the residential area by proposing a second stream for the Primary School, the applicant has supplied a Traffic Impact Assessment. The Traffic Impact Assessment concludes:

- *“The existing site has the potential to generate up to 908 vehicle movements per day which are currently accommodated on Forrest Street, York Street, Alexandra Street and Hopetoun Street.*
- *Under the current development scenario, the theoretical generation from the site is 1144 vehicles per day; a 25% increase in traffic generated by the site.*
- *The additional traffic can be accommodated on the adjacent road network without introducing unacceptable negative impacts and the increased traffic flow through the intersections will not compromise intersection level of service or introduce unacceptable risks into the road environment.*
- *The locations of the access and egress points are considered appropriate and are expected to operate safely.*
- *Based on the expected usage pattern it is considered that the proposed parking is adequate to service the land use.*
- *Internal parking areas cater for all expected classes of vehicles.*
- *Provision of school drop off and pick up no parking zone between York Street and the Kiss and Ride crossover is required to minimise impact of the Kiss and Drive on the road network”.*
- *Bike parking will need to be provided”.*

The City's Engineering Infrastructure has reviewed the Traffic Impact Assessment and raises no objections to the information provided. Please find the Engineers comments in **Attachment (h)**.

(h) Bicycle Parking

The bicycle parking is required at the rate of 1 bicycle bay per 4 students for an Educational Establishment as per Table 6 of TPS6. The proposed development has not included any provisions for bicycle parking bays however this will be a condition of approval. The City is encouraging alternative modes of transport to private vehicles and accordingly considers that the end-of-trip facilities such as bicycle parking should be provided within these additions. The condition of planning approval will require 133 bicycle bays to be provided on site to comply with the TPS6 requirement.

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

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

- (a) Maintain the City's predominantly residential character and amenity;*
- (e) Ensure community aspirations and concerns are addressed through Scheme controls;*
- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*
- (g) Protect residential areas from the encroachment of inappropriate uses;*
- (k) Recognise and preserve areas, buildings and Sites of heritage value; and*

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

(j) 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 listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The proposed development is considered satisfactory in relation to all of these matters as addressed in this report, subject to the recommended conditions.

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. The use of Educational Establishment is a 'Permitted Use' under TPS6. In this circumstance neighbour notification was required to be undertaken. Under the Area 1 neighbour notification method, individual property owners, occupiers and/or strata bodies as depicted in **Figure 3** below were invited to inspect the plans during a minimum 14-day period (however the notification continued until this report was finalised).

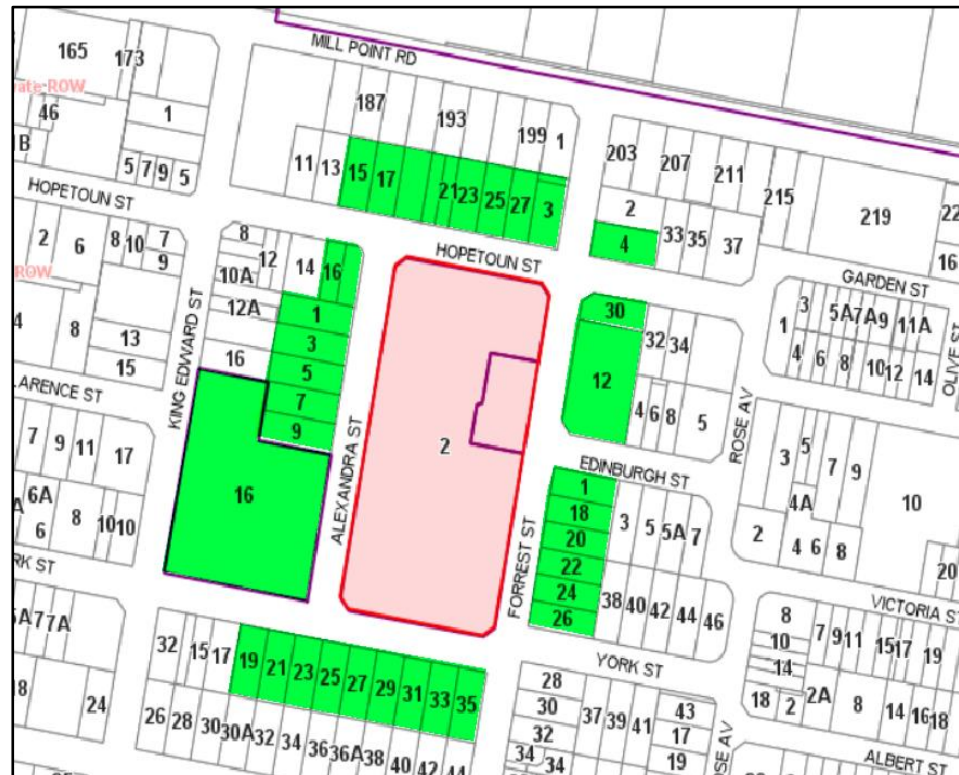


Figure 3 - Consultation Matrix

During the advertising period, a total of 44 neighbour notification letters were sent and 1 submission(s) was received. The comments from the submitter, together with officer response are copied below.

Submitters' Comments	Officer's Responses
<p>There is no objection to the changes as planned except for the practicality of the access for deliveries to the school canteen. At the moment the paved area opposite me and in front of the current Covered Area is used as a service area for the storage of a large bin as well as the usual yellow topped wheelie bins and also the delivery of foods to the canteen.</p> <p>There doesn't appear to be any street access to the proposed canteen store and there doesn't seem to be any storage for the extra-large bin which is currently being used. These are issues for the school to consider and maybe they already have solutions to these noticeable possible problems. Our only issue with this area has been rubbish which due to wind, birds and lids left open has left sometimes quite a mess to collect from the road.</p> <p>I will also mention that the security lighting has been a problem lighting</p>	<p>Plans have been amended to enclose the bin area adjacent to Alexandra Street. There does not appear to be any proposed lighting on the west elevation. Given there is existing street lighting along Alexandra Street, if lighting was proposed it would be assumed it wouldn't be any brighter than street lighting.</p> <p>The City's Engineering Department commented on the access for service vehicles into the canteen, with no objections as evident in Attachment (h).</p> <p>The comment is NOTED.</p>

<p>our bedrooms at night. Would you please check the lighting location on my behalf and see that the lights shine down rather than straight out.</p> <p>The school design is being carefully thought out and I appreciate that as I like living opposite St Columba's.</p>	
--	--

(b) Internal Administration

Comments were invited from Engineering Infrastructure and the Heritage Officer of the City's administration.

The Manager, Engineering Infrastructure section was invited to comment on a range of issues relating to car parking, vehicle access, waste management and traffic generated from the proposal. This section raises no objections as evident in **Attachment (h)**.

The Heritage Officer, Development Services raises no objections and has provided comments as depicted in **Attachment (e)**.

Accordingly, planning conditions are recommended to respond to the comments from the above officer(s).

(c) External Agencies

Comments were also invited from the State Heritage Office.

The State Heritage Office provided comments with respect to heritage matters and requests the following condition be placed on the approval:

"The detailing of new additions should not mimic that of historical fabric".

As the addition is visible from the Street the City requires the additions and alterations to demonstrate compatibility with the existing development given the development is within a predominantly residential area. The City sought clarification regarding the requested condition and the State Heritage Office commented:

"The condition refers to the finer detailing of the design. We would like to discourage the mimicking of exact details such as finials and external joinery. This is to clearly distinguish the work as new, even if the overall form and style is similar to historic fabric".

The City is satisfied the condition can be met, given the use of new materials to construct the additions will vary in detail to the existing construction in 1908 and multiple additions between 1908 and 2010.

Overall, this agency raises no objections and does recommend the standard condition to be placed on the approval as depicted in **Attachment (f)**.

10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth

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

The proposed additional use has minimal sustainability implications compared to the approved development.

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. Provided that advice notes and conditions are applied as recommended, it is considered that the application should be conditionally approved.

Attachments

- 10.3.3 (a):** Development Plans
- 10.3.3 (b):** Cover Letter
- 10.3.3 (c):** Site Photographs
- 10.3.3 (d):** Reciprocal Bays Agreement
- 10.3.3 (e):** Local Heritage Referral
- 10.3.3 (f):** State Heritage Referral
- 10.3.3 (g):** Traffic Impact Assessment
- 10.3.3 (h):** Engineering Referral

10.3.4 Retrospective Additional Use of Residential Building to a Single House. Lot 206 No. 426 Canning Highway Como

Location: 426 Canning Highway, Como
Ward: Moresby Ward
Applicant: David Cavanagh
File Reference: D-17-31724
DA Lodgement Date: 23 May 2016
Meeting Date: 26 April 2017
Author(s): Matthew Andrews, Statutory Planning Officer
Reporting Officer (s): Vicki Lummer, Director Development and Community Services
Strategic Direction: Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy: 3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

Summary

To consider an application for planning approval for a retrospective additional use of 'Residential Building' to an existing 'Single House' on Lot 206 (No. 426) Canning Highway, Como. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Land Use (Residential 'DC' Use)	TPS6 clause 3.3

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for planning approval for a retrospective additional use of 'Residential Building' to an existing 'Single House' on Lot 206 (No. 426) Canning Highway, Como **be approved** subject to the following conditions:

(a) Standard Conditions

354 car bays- maintained

(b) Specific Conditions

- (i) This approval pertains to the temporary approval of an additional use of 'Residential Building' to a 'Single House'.
- (ii) A maximum of eight (8) temporary occupants are permitted in relation to the additional use of 'Residential Building'.
- (ii) The approval of the additional use of 'Residential Building' is valid for one (1) year from the date of this approval. At the end of this period the building will revert to 'Single House'. A new development approval will be required to extend past this time.
- (iii) The preparation of a Management Plan for the additional use of 'Residential Building' shall be submitted that is to the satisfaction of the

City. The Management Plan in to be submitted within twenty-eight (28) days of the date of this approval.

- (iv) The approved Management Plan must be implemented and adhered to for the life of the additional use of ‘Residential Building’.
- (v) A minimum of two (2) car parking bays accessible from Daisy Lane shall be permanently available for occupants of the ‘Residential Building’.
- (vi) All parking for occupants of the ‘Residential Building’ shall be accessed from Daisy Lane.

(c) Standard Advice Notes

795B appeal rights- council decision

(d) Specific Advice Notes

The applicant is advised that:

- (i) The use of these premises must comply with the *Environmental Protection Act 1986* & the *Environmental Protection (Noise) Regulations 1997* at all times.

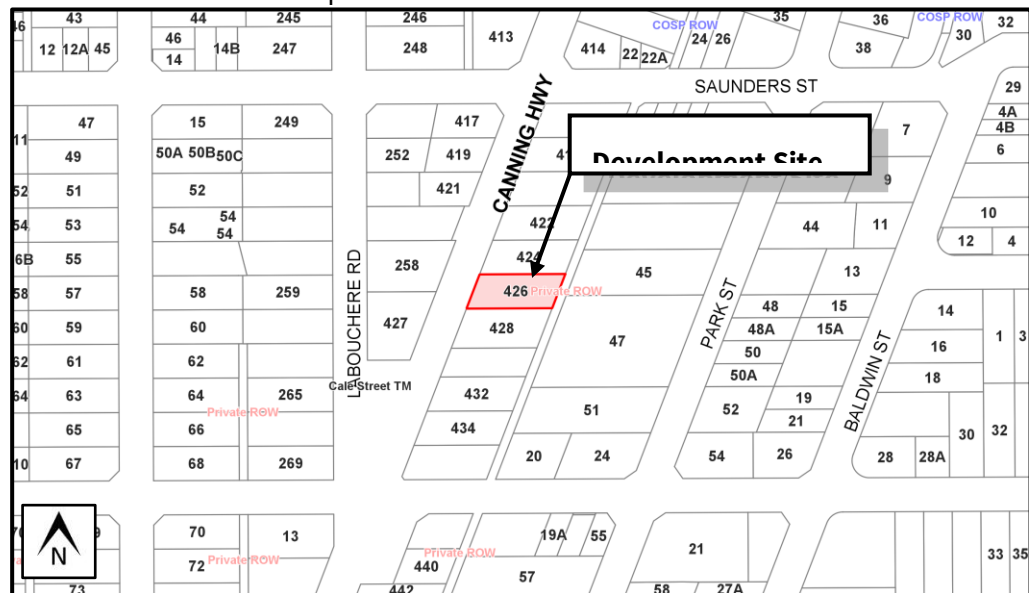
CARRIED EN BLOC (8/0)

Background

The development site details are as follows:

Zoning	Residential/Regional Road
Density coding	R60
Lot area	1,012 sq. metres
Building height limit	10.5 metres

The location of the development site is shown below:



In accordance with Council Delegation DC 690, the proposal is referred to a Council meeting because it falls within the following categories described in the Delegation:

1. Specified uses

(c) Residential Buildings;

3. The exercise of a discretionary power

(c) Applications involving the exercise of discretion under Clauses 6.2A or **6.11** of the Scheme.

6. Amenity impact

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

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 May 2016, the City received an application for retrospective approval for various additional uses within a 2 storey heritage building on Lot 206 (No. 426) Canning Highway, Como (the **Site**). The Residence at 426 Canning Highway, more commonly known as 'Blue Waters' has been heritage listed in the City's Local Heritage Inventory (LHI) with a classification of Management Category B since 1994. The place is not registered by the Heritage Council of Western Australia in the State Register for Heritage Places.

In recent years there has been a significant amount of noise complaints made in relation to activities at the Site. As a result of the complaints a compliance case was opened in February 2016 and the issue investigated. It was found that the property was being used for commercial purposes including hiring out the dwelling for short term accommodation and for holding weddings, parties and other functions. The property has also been used as the set for multiple films and photoshoots.

A directions notice was issued in March 2016 directing the owner to cease all unauthorised uses and return the use of the property to its approved use as a 'Single House'. As a result of the Directions Notice the owner made a retrospective application for development approval to continue to operate some of the unauthorised uses. The compliance case is still open and is currently under review by the Magistrates Court.

A development application was submitted in May 2016 for various uses including 'Residential Building', 'Bed and Breakfast Accommodation', 'Home Occupation', 'Civic Use', 'Religious Activities' and 'Tourist Accommodation'. This was refined down to include only the uses of 'Tourist Accommodation', 'Religious Activities' and 'Home Office' in a report presented at the November 2016 Council Briefing session (item 10.3.2). The item was removed from the Council Meeting agenda in response to a

deputation from the owner/applicant, who indicated that some information in the report was incorrect and that the proposed uses of 'Religious Activities', 'Tourist Accommodation' and 'Home Office' did not reflect the intended use of the property. Following the removal of the proposal from the Council Meeting agenda, further consultation was undertaken with the owner/applicant and a planning consultant to assist with the application process to clarify the application prior to it being presented to Council.

An amended application form and updated associated documentation at **Attachment (c)** were submitted to the City on 8 February 2017. The proposal was amended to a retrospective additional use of 'Residential Building' to the existing 'Single House'.

(b) Existing Development on the Subject Site

The existing development on the Site currently features a Single Residential Dwelling, as depicted in the site photographs at **Attachment (a)**. The existing development is heritage listed under the City's Local Heritage Inventory. Further information regarding the heritage of the property can be found in the Memorandum from the (former) Strategic Urban Planning Adviser at **Attachment (d)**. The house has previously been used as a 'Residential Building' and other commercial uses without Council approval.

(c) Description of the Surrounding Locality

The Site has a frontage to Canning Highway to the west, located adjacent to a City of South Perth owned ROW to the east and residential properties to the north and south, as seen in **Figure 1** below:



The Site is also subject to a MRS Regional Road Reserve for the future widening of Canning Highway. The reserve does not impact on the proposal as no physical development is required.

(d) Description of the Proposal

The proposal involves a retrospective additional use of 'Residential Building' to the existing 'Single House' on the Site, which is depicted in the submitted plans at **Attachment (b)**. The existing dwelling is a two-storey, Art Deco inspired residence that has been recently restored by the current owner. It comprises of four (4) bedrooms with a swimming pool and balconies with views to the Swan River. The dwelling has frontages to Canning Highway and Daisy Lane with parking bays accessible from both roads. The site photographs show the relationship of the Site with the surrounding built environment at **Attachment (a)**.

The application details that the number of temporary occupants for the additional use of 'Residential Building' will be restricted to the number that would normally occupy a four (4) bedroom dwelling. The dwelling and associated facilities on the lot will be available to the temporary tenants. The Applicant's letter, **Attachment (c)**, along with the Applicants Management Plan, **Attachment (g)** describes the proposal in more detail.

(e) Existing Unapproved Use

As stated in the background section, a compliance case was opened as a result of various noise complaints at the property over an extended period of time. It was found the property was being used for short term accommodation on a regular basis. The scale of the use as stated in the retrospective application forms submitted in May 2016 was for a maximum of 16 persons. Details on the website listing for the property offered the use of the property for events such as weddings, engagement parties, and corporate functions for a fee. The scale of the operation was not considered to be appropriate for the site and a Directions Notice was issued to the owner directed that the unauthorised use of the land cease and the use return to a 'Single House'.

(f) Land Use

The proposed land use of 'Residential Building' is classified as a 'DC' (Discretionary with Consultation) land use in Table 1 (Zoning - Land Use) of TPS6. In considering this discretionary with consultation use, it is observed that the Site adjoins residential land uses, in a location with a residential streetscape.

“Residential Building’ is defined in the R-Codes as:

“a building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

- *temporarily by two or more persons; or*
- *permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.”*

The proposed use is considered to meet this definition as it will be used for the temporary accommodation for two or more people on a temporary basis. The use is not considered to be a 'Tourist Accommodation' as it does not meet the definition in the Scheme which requires the provisions of ancillary amenities such as Café /Restaurant, laundry or cleaning services.

(g) Car Parking

Under Table 6 of the Scheme there is no specific parking requirement for the use of 'Residential Building' and therefore the total number of car parking bays required must be determined by Council, having due regard to the likely demand, as stated in clause 6.3 of the Scheme.

As prescribed in clause 5.3.3 of the R-Codes, a 'Single House' or 'Grouped Dwelling' on the Site would require one (1) bay to meet the deemed-to-comply requirements as it is located within 250m of a high frequency bus route (Canning Highway). The Site has four (4) parking bays on-site; two (2) in tandem accessed from Canning Highway and two (2) in a carport accessed from Daisy Lane. There are no additional parking requirements for a 'Residential Building' under the R Codes and therefore the same parking requirements as a 'Single House' are deemed to apply. It is considered that the existing car bays on-site will be adequate to meet the likely demand for the proposed land use.

(h) Conditions of Approval

Given the previous uses that have operated at the property and the various complaints from adjoining residences the use of the premises as a 'Residential Building' must be operated in such a way as to avoid impact on the adjoining residences. To ensure that the site is managed in an appropriate way a management plan which includes details relating to health and safety, guest behaviour, noise, parking and approval conditions shall be submitted. The applicant has submitted a Management Plan to assist in the assessment of this application, as depicted in **Attachment (g)**. Planning conditions will also be imposed to ensure that the use of 'Residential Building' will not cause a nuisance or annoyance to neighbouring property owners and occupiers.

Additionally, it is recommended a Temporary Development Approval be issued under clause 72 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of one (1) year. The use will then be reviewed after the one (1) year period to determine if the use is being carried out in accordance with the conditional planning approval and that the planning conditions and management plan have been adhered to. The applicant will need to submit an application for development approval should they wish to extend the use beyond this time.

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

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

- (a) *Maintain the City's predominantly residential character and amenity;*
- (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;*

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

(j) 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 listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The proposed development is considered satisfactory in relation to all of these matters as addressed in this report, subject to the recommended conditions.

Consultation**(k) Neighbour Consultation**

Neighbour Consultation has been undertaken twice for this Development Application; once for the application as proposed in May 2016 ('Tourist Accommodation', 'Religious Activities' and 'Home Office'), and again for the amended application as proposed in February 2017 ('Residential Building'). During the first advertising period, a total of 141 consultation notices were sent (Area 2 consultation with signs on-site) and 14 submissions were received; 2 in favour, and 12 against the proposal. During the second advertising period, a total of 71 consultation notices were sent (Area 1 consultation) and 1 submission was received against the proposal. Given the similar nature of 'Tourist Accommodation' and 'Residential Building' all comments relating to the Tourist Accommodation use received during the first advertising period have been taken into consideration. The comment(s) of the submitter(s), together with officer response(s) are summarised below.

Submitters' Comments	Officer's Responses
Excessive noise has been an issue in the past which will be increased as a result of the change of use	Noise is regulated under the <i>Environmental Protection (Noise) Regulations 1997</i> . The City's Environmental Health department has addressed this matter in part (m) of this report. The comment is NOTED .

The proposed use is not compatible with the existing residential nature of the area	The use of 'Residential Building' is considered to be compatible with the surrounding residential properties subject to compliance with the conditions of this approval. The comment is NOTED.
Insufficient parking is available on the property which has resulted in cars parking in the laneway. The change of use will exacerbate this issue.	Parking and access are addressed in part (g) of this report. The comment is NOTED.

(l) Manager, Engineering Infrastructure

The Manager, Engineering Infrastructure was invited to comment on a range of issues relating to car parking and traffic, arising from the initial proposal. As a result of the amended proposed use of 'Residential Building' the comments received are not applicable and additional comments on the use of 'Residential Building' were not sought.

Accordingly, planning conditions and/or important notes are not required to respond to the comments from the above officer.

(m) Environmental Health Comments

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

The Environmental Health section provided comments with respect to noise and safety. The following comments were received:

- (i) Based on the application stating "this application does not propose the use of the land for 'lodging house' purposes" the maximum number of persons to lodge or board in the house must not exceed 6 persons.
- (ii) The use of these premises must comply with the *Environmental Protection Act 1986* & the *Environmental Protection (Noise) Regulations 1997* at all time

Upon further clarification of the proposed use it was considered that the intent of the 'Lodging House' provisions under the Health Act 1911 were not applicable. In short, a 'Lodging House' by definition would include facilities such as a backpackers hostel whereby a keeper remains on site at all times. As the property may only be rented out by a single family or group the proposed use is not considered to fall under these provisions and therefore is not required to comply with the lodging house requirements under Part 8 of the *City of South Perth Health Local Law 2002*.

Accordingly, planning conditions and/or important notes are required to respond to the comments from the above officer.

(n) Local Heritage Office Comments

Comments were initially invited from the (former) Strategic Urban Planning Advisor of the City's administration. Additional comments were then sought from the Senior Strategic Planning Officer due to changes to the proposal.

The Senior Strategic Planning Officer requested that a Heritage Impact Report be undertaken by a qualified heritage specialist due to concerns that the additional uses may impact on the heritage value of building. The Heritage Impact Report can be found at **Attachment (e)**.

In summary the Report indicates that the usage of the dwelling would not change significantly and therefore will not detrimentally impact on the heritage significance.

Accordingly, planning conditions and/or important notes are not required to respond to the comments from the above officer. The full response from both the Senior Strategic Planning Officer and the (former) Strategic Urban Planning Advisor are at **Attachment (d)**.

(o) External Agencies

Comments were invited from Main Roads. Main Roads provided comments with respect to the Site being on or abutting a regional road reservation. This agency raised objections and has provided the following comments:

- (i) Any redevelopment shall not be permitted to have access to a State Road if the development is for a residential dwelling or business and the lot has access to a right of way, which is the case for this property.*
- (ii) Main Roads does not permit development within the areas zoned as Primary Regional Road under the Metropolitan Region Scheme (MRS). Therefore modification to the existing driveway to provide forward access would not be possible.*
- (iii) If adjoining properties were used to park cars, these properties would need to be upgraded to provide adequate car parking facilities. The applicant must supply supporting documentation (adjacent owner approval, plans, etc.) and compliance with the City's Town Planning Scheme.*
- (iv) All access and car parking is to be obtained via Daisy Lane.*

This agency raised objections and states that they cannot support the application. The full response from Main Roads is at **Attachment (f)**.

As a result of the amended proposal for a 'Residential Building' it is considered that the car parking facilities on-site accessed from Daisy Lane are adequate for the proposed use.

Accordingly, planning conditions will be applied to ensure that all parking for the additional use of 'Residential Building' is access via Daisy Lane in response to the comments from Main Roads.

10.3.4 Retrospective Additional Use of Residential Building to a Single House. Lot 206 No. 426 Canning Highway Como

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 a minor implication, to the extent of:

- (a) potential appeal of decision through the State Administrative Tribunal (SAT)

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

Nil

Conclusion

It is considered that the proposal can meet all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions. The use of ‘Residential Building’ is a contemplated use in a Residential zone. With appropriate condition such a use can be suitably managed. It is recommended that the approval be issued for a temporary period so the use can be reviewed to ensure that the use is being managed correctly.

Accordingly, it is recommended that the application should be conditionally approved for a temporary period of one (1) year.

Attachments

- 10.3.4 (a):** Site Photos
- 10.3.4 (b):** Planning Drawings
- 10.3.4 (c):** Application Letter
- 10.3.4 (d):** Heritage Comments and LHI Listing
- 10.3.4 (e):** Heritage Impact Report
- 10.3.4 (f):** Main Road Comments
- 10.3.4 (g):** Blue Waters Management Plan

10.3.5 Report on Submissions - Revised Policy P316 Developer Contribution for Public Art & Public Art Spaces

Location:	All
Ward:	All
Applicant:	Not Applicable
File Ref:	D-17-31733
Date:	26 April 2017
Author:	Mark Carolane, Senior Strategic Projects Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

Summary

Planning policy P316 Developer Contribution for Public Art & Public Art Spaces was adopted by Council in July 2014. Since that time the City has received 25 development applications requiring a contribution for public art pursuant to policy P316. The policy has delivered valuable public art contributions; however some amendments are required to improve the operation of the policy and ensure that the policy objectives are achieved.

The draft revised policy P316 was endorsed by the Audit and Governance Committee on 9 August 2016 and was then endorsed for community consultation at the November 2016 Ordinary Council Meeting.

The draft revised policy (**Attachment (a)**) and Public Art Toolkit – A Guide for Developers (**Attachment (b)**) have now been advertised in accordance with clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions) and Part 11 of policy P301 Consultation for Planning Proposals. No submissions were received.

City officers have recommended a number of additional minor modifications to the policy to clarify certain items and remove ambiguity, as outlined below. These modifications do not require re-advertising as they do not change the intent of the policy.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That:

- (a) Council adopt planning policy P316 with modifications as detailed in **Attachment (a)**; and
- (b) A notice be published in the Southern Gazette newspaper advising of the adoption of the amended policy.

CARRIED EN BLOC (8/0)

Background

Policy P316 Developer Contribution for Public Art & Public Art Spaces was adopted by Council in July 2014. Since that time the City has received 25 development applications requiring a contribution for public art. The scale and budget of each artwork varies significantly, with the value of individual contributions ranging from \$42,000 to \$1.65million.

The policy has delivered valuable public art contributions; however some amendments are required to improve the operation of the policy and ensure that the policy objectives are achieved.

The draft revised policy P316 was endorsed by the Audit and Governance Committee on 9 August 2016 and was then endorsed for community consultation at the November 2016 Ordinary Council Meeting. The draft revised policy was advertised in accordance with the City's Town Planning Scheme No. 6 (TPS6) and policy P301 Consultation for Planning Proposals, as detailed under Consultation, below.

Comment

The advertised draft policy (**Attachment (a)**) includes the modifications detailed in the minutes of the Ordinary Council Meeting held on 22 November 2016. These modifications are summarised below:

- The policy is renamed to include “Public Art Spaces”, which can be selected by developers under Option A (public art or public art space within the development itself).
- The Responsible Officer is updated to include the Manager Community, Culture and Recreation, along with the Manager Development Services. Implementation of the policy is undertaken by Development Services, in assessing development applications and applying a condition to comply with the policy when required; and Community, Culture and Recreation in assessing artwork proposals and implementing the Public Art Strategy.
- The definition of public art is updated to specify that *public art must be clearly seen from and/or located in the public realm*.
- Introduction of conditions to the three options for delivering a public art contribution:
 - Conditions to Option A are to ensure that larger developments diversify their artwork budget allocation by introducing a cap of \$200,000 or 50% of the required contribution, whichever is greater, on artworks within the development itself. All remaining monies must be paid into the City's Public Art Fund or delivered as artwork on City land. This will ensure that major developments contribute to public art outside of the site of the development.
 - The option to deliver the contribution as a public art space is included as a condition to Option A.
 - Conditions to Option B (public art on land owned by the City) are to ensure that artwork on City land is approved by the City in accordance with the City's Public Art Toolkit and Public Art Strategy.
 - Conditions to Option C (contribution to the City's Public Art Fund) are to provide an incentive, in the form of a discount, for developers to contribute to the Public Art Fund. To date no money

has been contributed to the Public Art Fund and the City is seeking to build this fund to support implementation of the Public Art Strategy.

- The policy is updated to refer to the City's Public Art Toolkit – A Guide for Developers (**Attachment (b)**). The Toolkit was prepared in 2014 to provide guidance for developers in meeting the requirements of policy P316; however it was not referenced in the policy and so did not carry weight in assessing artwork proposals. The draft revised policy now specifies that artwork concepts and proposed public art spaces will be assessed against the qualitative assessment criteria in the Toolkit.

The attached final version of the revised policy (**Attachment (a)**) has advertised modifications identified in red font. Recommended further modifications are highlighted yellow. The recommended further modifications are summarised as follows:

- Reference to “total project cost” is replaced with “construction value” throughout the document. Construction value is defined as *the estimated cost of the equipment, financing, services and utilities that are required to carry out a development but does not include the cost of land acquisition. The City will generally accept this to be the same as the estimated cost of development stated by the applicant on the building permit application.* This terminology and definition is clear and removes ambiguity in calculating the value of the required public art contribution.
- Option A is updated to include reference to public art spaces, in line with the advertised conditions to Option A.
- A requirement is added so that *on submission of a development application the proponent must nominate the way in which the public art contribution will be met, for consideration by the City.* This is to clarify the process for compliance with the policy.
- The paragraph referring to development within Special Control Area SCA1 is deleted from the policy. This paragraph is no longer required as Amendment No. 46 removed provision of public art from the list of additional community benefits able to be selected through Table B of Schedule 9 of Town Planning Scheme No. 6.
- The Public Art Toolkit (**Attachment (b)**) has been incorporated as Appendix 1 to the policy. This makes the Toolkit part of the policy and provides the ability for the Toolkit to be used in conjunction with the Policy in the assessment of artwork proposals. Incorporating the toolkit as part of the Policy strengthens the status of the toolkit and provides a statutory mechanism for it to be applied. This will provide greater certainty and clarity for all users of the Policy.

Consultation

The draft revised policy and Public Art Toolkit were advertised in accordance with the City's Town Planning Scheme No. 6 (TPS6) and Part 11 of policy P301 Consultation for Planning Proposals. The toolkit was advertised at the same time as the policy because it is a key supporting document that was referred to in the policy. The policy and toolkit were advertised between Tuesday 14 February and Friday 10 March 2017, as follows:

10.3.5 Report on Submissions - Revised Policy P316 Developer Contribution for Public Art & Public Art Spaces

- Two notices were published in the Southern Gazette newspaper (14 and 21 February);
- The draft revised policy and toolkit were made available on the Your Say South Perth online community engagement portal for the duration of the advertising period;
- The draft revised policy and toolkit were displayed in the City's libraries and Civic Centre for the duration of the advertising period;
- A news item was published in the Peninsula Snapshot e-newsletter on 14 February 2017.

The draft revised policy and toolkit were available for public comment for a period of 24 days, which is 3 days longer than the minimum required 21 day consultation period.

No submissions were received during the public comment period. However, City officers have recommended a number of additional modifications to the policy to clarify certain items and remove ambiguity, as discussed above. These modifications do not change the intent or operation of the policy and are not considered to require additional public consultation.

Policy and Legislative Implications

Under clause 1.5 of TPS6, planning policies are documents that support the Scheme. The revised policy at **Attachment (a)** has been prepared and advertised for public comment in accordance with clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions).

Financial Implications

Nil

Strategic Implications

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

3.3 Review and establish contemporary sustainable buildings, land use and best practice environmental design standards.

6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). The policy objective *to facilitate development of public art as a means of celebrating the identity and history of the community, enhancing the environment and contributing to a sense of place* contributes to the overall goals of the Sustainability Strategy.

Attachments

- 10.3.5 (a):** P316 Developer Contribution for Public Art and Public Art Spaces FOR ADOPTION APRIL 2017
- 10.3.5 (b):** Public Art Toolkit - April 2017

Prior to discussion on the following Item, Councillor Jessica Black read aloud her Declaration of Interest:

"I wish to declare an impartiality interest in Agenda Item 10.4.1 Tender 4/2017 "Provision of Urban Design/Landscape Services for the Connect South Mends Street Project" on the Ordinary Council Meeting Agenda of 26/4/2017. I declare that I have professional relationships with some of the tenderers. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."

10.4 STRATEGIC DIRECTION 4: PLACES

10.4.1 Tender 4/2017 "Provision of Urban Design/Landscape Services for the Connect South Mends Street Project"

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-17-32359
Date:	26 April 2017
Author:	Karen Lancaster, Landscape Architect
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Places -- Develop, plan and facilitate vibrant and sustainable community and commercial places
Council Strategy:	4.1 Develop and facilitate activity centres and community hubs that offer a safe, diverse and vibrant mix of uses.

Summary

This report considers submissions received from the advertising of Tender 4/2017 for the "Provision of Urban Design / Landscape Services for the Connect South Mends Street Project".

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 Fiona Reid

That the Council approves the tender submitted by Place Laboratory for the "Provision of Urban Design / Landscape Services for the Connect South Mends Street Project" in accordance with Tender 4/2017 in the sum of \$409,750 ex GST.

CARRIED (8/0)

Background

A Request for Tender (RFT) 4/2017 for the "Provision of Urban Design / Landscape Services for the Connect South Mends Street Project" was advertised in The West Australian on 4 March 2017 and closed at 2:00pm on 30 March 2017.

Tenders were invited as a *Lump Sum Contract*.

Tender 4/2017 "Provision of Urban Design/Landscape Services for the Connect South Mends Street Project"

The purpose of the RFT is to engage a Design Consultant for the provision of Urban Design, Landscape Architectural and Place Making Consultancy services for the delivery of the Connect South Mends Street Project. This is the first stage of the broader Connect South Project.

The Consultant will be responsible for the delivery of Urban Design, Landscape Architectural and Place Making Consultancy services for all phases of the Project. This will include interaction with and coordinating activities and deliverables with the design team and interfacing with the engaged works contractor(s).

The City is seeking to engage a design team that can deliver a solution that is visionary, inspires the local community, encourages greater visitation and recognises the diverse and rich history of the area. This is a rare opportunity to deliver a truly great piece of urban infrastructure on the Perth map.

Comment

At the close of the tender advertising period nine submissions had been received and these are tabled below:

TABLE A - Tender Submissions

Tender Submission
1. Aspect Studios Pty Ltd
2. Ecoscape
3. Emerge Associates
4. EPCAD Pty Ltd
5. GHD Pty Ltd
6. Place Laboratory
7. Sprout Ventures ta Seedesign Studio
8. UDLA Pty Ltd
9. Urbis

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Key Personnel	25%
2. Demonstrated Experience in Similar Projects and Deliverables	25%
3. Demonstrated Understanding & Methodology	50%
Total	100%

Based on the assessment of all submissions received for Tender 4/2017 "Provision of Urban Design / Landscape Services for the Connect South Mends Street Project", it is recommended that the tender submission from Place Laboratory be approved by Council.

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

Consultation

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

Policy and Legislative Implications

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

The following Council Policies also apply:

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

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.*

Financial Implications

The full cost of the works is reflected in the 2016/2017 and 2017/2018 Capital Works budgets for the Connect South project.

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

10.4.1 (a): Evaluation Panel Members Report (*Confidential*)

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Management Account Summaries

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-32178
Date:	26 April 2017
Author:	Les Mainwaring, Interim Manager Financial Services
Reporting Officer:	Colin Cameron, Interim 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 Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

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 for March 2017 provided as **Attachment (a) - (e)** be received
- (c) the Schedule of Significant Variances for March 2017 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 for March 2017 provided as **Attachment (g) & (h)** be received.
- (e) the Rate Setting Statement for March 2017 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 - **Attachments (g) & (h)**
- Rate Setting Statement - **Attachment (i)**

Operating Revenue to 31 March 2017 is \$55.51M which represents 99% of the \$56.06M year to date budget. Revenue performance is close to budget in most areas other than items identified below.

Rates revenue is on budget after the interim rates billing. Investment revenues are 14% under budget. Parking revenue is 8% behind budget targets following a quieter than expected third quarter.

Planning revenues are 21% under budget (despite two downwards budget revisions to date) due to the slowing of activity particularly in the station precinct. Building Services revenue is currently above budget by 7%. These revenues will need to be carefully monitored in future months to assess further impact on the attainment of the (revised downwards) full year budget targets.

Waste management revenues are less than 1% under budget expectations and Collier Park Golf Course revenue continues to track at 5% under budget following a downwards revision in the Q2 Budget Review.

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

Operating Expenditure to 31 March 2017 is \$40.17M which represents 96% of the year to date budget of \$41.98M. Operating Expenditure shows as 4% under budget in the Administration area. Operating costs are 8% under budget for the golf course and show as being 4% 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, savings on consultancy or vacant staff positions.

10.6.1 Management Account Summaries

In the Infrastructure Services operations area, there are some favourable variances at the end of the month that relate to timing differences on maintenance activities and these are expected to continue to reverse out. Major infrastructure expenditure areas such as parks and grounds maintenance and also road, path and drainage maintenance are representative of this issue. There are some areas such as nursery operations that reflect offsetting unfavourable variances.

Fleet operations currently show that whilst cash costs are being effectively managed well within budget, recovery of plant charge-out against jobs remains problematic. A different strategy is being progressively implemented to try to better understand and manage plant charge recoveries.

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

Where appropriate, relevant expenditure adjustments were made in the Q2 Budget Review.

Capital Revenue is disclosed as \$4.43M at 31 March which is 4% under the year to date budget of \$4.59M which is mainly due to a few acquittals to be finalised.

Capital Expenditure to 31 March is \$15.68M representing 77% of the (revised) year to date budget of \$20.40M.

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	294,000	229,806	78%	1,214,000
Major Community Projects	4,400,000	4,141,122	94%	5,500,000
Financial & Information	1,640,000	670,937	41%	1,760,000
Development	165,000	155,147	94%	250,000
Community Services	710,000	611,493	86%	725,000
Infrastructure Services	12,584,205	9,356,660	74%	14,164,505
Waste Management	152,000	135,708	89%	665,000
Golf Course	460,970	377,657	82%	936,612
Total	20,406,175	15,678,531	77%	25,215,117

A Schedule showing the movements in the budget since adoption is also presented from the November meetings onwards.

10.6.1 Management Account Summaries

Consultation

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

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#). Financial reports address the 'financial' dimension of sustainability by promoting accountability for resource use through a historical reporting of performance - emphasising pro-active identification and response to apparent financial variances.

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

Attachments

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

10.6.2 Statement of Funds, Investments and Debtors at 31 March 2017

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-32301
Date:	26 April 2017
Author:	Les Mainwaring, Interim Manager Financial Services
Reporting Officer:	Colin Cameron, Interim 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 Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That Council receives the 31 March 2017 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 \$71.14M which compares unfavourably to \$76.85M 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 \$74.33M.

Municipal funds represent \$19.09M of this total, with a further \$51.09M being Reserve Funds. The balance of \$0.96M relates to monies held in Trust. The Municipal Fund balance is some \$3.18M lower.

Reserve funds are \$2.62M 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 other than the \$2.0M contribution to the Millers Pool project from the Major Community Facilities Reserve; the only significant reserve movements since 30 June 2016 have related to movements of leaseholder funds associated with the Collier Park Village and transfers reflecting the operating results of the Collier Park Village and Golf Course.

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 \$70.28M compared to \$74.37M at the same time last year. There is \$4.09M less cash in Municipal investments whilst cash backed Reserve Fund investments are \$2.62M 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, 92% 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 31.7% of its investments in such institutions.

In meeting this objective, the City has necessarily invested 8.0% 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)**. At the Agenda Briefing on 18 April 2017, the Interim Director Corporate Services noted that the National Australia Bank investments being 26% of the total investments was greater than the maximum of 25% invested in any one institution, as required under the Policy P603 Investment of Surplus Funds. The Interim Director provided assurances that the Investments will be monitored to ensure compliance with Policy P603.

Interest revenue (received and accrued) for the year totals \$1.39M. This compares to \$1.72M 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 2.73% with the anticipated weighted average yield on investments yet to mature now sitting at 2.44%. At call cash deposits used to balance daily operational cash needs have been providing a very modest return of 1.25% since the 3 August 2016 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 March 2017 (1 instalment remaining) represent 95.8% of rates collectible (excluding pension deferrals) compared to 96.3% at the same time last year. This is adversely impacted by the significant interim rates revenue levied in to date.

This reflects a slightly lesser collection profile compared to the prior year - broadly reflecting the weakening economy but also impacted by the debt collection process commencing a few weeks later than in the previous year.

The City still 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 \$2.54M at the end of the month (\$1.15M last year). Last month debtors were \$2.54M. Most debtor balances are not materially different to last year's comparatives other than Balance Date debtors which are \$0.63M higher - largely due to the month end accrual for the WCG Thomas building insurance recovery, \$0.14M higher Sundry Debtors for event recoveries and \$0.54M higher GST Receivable.

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.

10.6.2 Statement of Funds, Investments and Debtors at 31 March 2017

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

10.6.3 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-32304
Date:	26 April 2017
Author:	Les Mainwaring, Interim Manager Financial Services
Reporting Officer:	Colin Cameron, Interim 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 March 2017 and 31 March 2017 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(434)	\$6,641,346.30
Cheque Payment to Creditors	(31)	\$237,308.62
Total Monthly Payments to Creditors	(465)	\$6,878,654.92
Cheque Payments to Non Creditors	(85)	\$82,158.22
Total Payments	(550)	\$6,960,813.14

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That the Listing of Payments for the month of March 2017 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.

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)** to this agenda.

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

Reflecting contemporary practice, the report records payments classified as:

- **Creditor Payments**

(regular suppliers with whom the City transacts business)

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

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

- **Non Creditor Payments**

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

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

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

10.6.3 Listing of Payments

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

10.6.1 Introduction of the Public Health Act 2016 and Delegation of Powers to Appoint Authorised Officers

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-17-32361
Date:	26 April 2017
Author:	Jason Jenke, Coordinator Environmental Health Services
Reporting Officer:	Vicki Lummer, Director Development and Community 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:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report is to inform the Council of the introduction of the new Public Health Act 2016 and to obtain delegation of powers and functions to the Chief Executive Officer to appoint Authorised Officers.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That Council approves by an absolute majority, pursuant to s5.42 of the Local Government Act 1995 and s21(1)(b)(i) of the Public Health Act 2016, to delegate the powers and functions of the Public Health Act 2016 to the Chief Executive Officer.

ABSOLUTE MAJORITY REQUIRED

CARRIED EN BLOC (8/0)

Background

On 25 July 2016, new legislation to control public health in Western Australia, namely the Public Health Act 2016, received Royal Assent. Implementation is to occur in a staged manner over the next three to five years.

Comment

The new Public Health Act 2016 provides modern legislation to regulate public and environmental health in Western Australia and during the transition period the outdated Health Act 1911 will be known as the Health (Miscellaneous Provisions) Act 1911. At the conclusion of the transition period, the Health Act 1911 will be repealed.

The Public Health Act 2016 provides a flexible and proactive framework for the regulation of public health and is designed to better protect and promote the health of all Western Australians. Key features of the Act include:

- Promoting public health and well-being in the community
- Help prevent disease, injury, disability and premature death
- Inform individuals and communities about public health risks
- Encourage individuals and their communities to plan for, create and maintain a healthy environment
- Support programs and campaigns intended to improve public health
- Collect information about the incidence and prevalence of diseases and other public health risks for research purposes
- Reduce the health inequalities in public health of disadvantaged communities.

Staged Implementation:

Stage 1 came into operation upon Royal Assent (25 July 2016) of the new legislation and Stage 2 on the following day (26 July 2017).

These stages involved various technical matters required to facilitate the transition from the Health Act 1911 (“the Health Act”) to the Public Health Act.

The Health Act and regulations, by-laws and local laws made under that Act still remain in operation.

Stages 1 & 2 had no practical implications for local governments.

Stage 3 commenced on Tuesday 24 January 2017. Stage 3 involved key elements of the administrative framework provided by Part 2 of the Public Health Act 2016 coming into operation to replace the equivalent administrative framework provided by Part II of the Health Act 1911.

Implications for Local government:

1. Changes to terminology:

Terminology under the Health Act 1911 and all subsidiary regulations, as well as any Western Australian (WA) legislation that references that Act, will change to reflect new terms coming into effect under the Public Health Act 2016. This includes:

- i. the “Health Act 1911” be renamed the “Health (Miscellaneous Provisions) Act 1911”.
- ii. “Executive Director, Public Health” will be referred to as the “Chief Health Officer”.
- iii. “Environmental Health Officers” are now referred to as “Authorised Officers”.

The *Health (Miscellaneous Provisions) Act 1911* and subsidiary legislation will continue to be the main enforcement tool for local government during stages 3 and 4. All Local governments will need to be aware of the following changes that will take place on the date stage 3 comes into effect and the action that is required to support this stage. Changes to the new terminology will need to be updated on any council correspondence including, standard letters, Council website content, information resources/guides and standard forms.

2. Local Government Environmental Health Officers:

Local governments will continue to enforce the *Public Health Act 2016*. Authorised Officers, previously known as Environmental Health Officers (EHO's), will continue to be responsible for investigating any public health matter within their local government boundaries.

Under the provisions of the *Health Act 1911*, Environmental Health Officers employed by Local Governments were “approved” through the powers conferred to the Executive Director Public Health from the Department of Health WA. Under the provisions of Section 21 of the *Public Health Act 2016*, the Local Government, (also now referred to as an Enforcement Agency), has the power to delegate the duty conferred or imposed on it, to the Chief Executive Officer.

Traditionally, under the provisions of the *Health Act 1911*, all Environmental Health Officers (EHOs) were “approved” by the Executive Director Public Health (EDPH) to perform specified functions of the Act. The EDPH was a specified role within the *Health Act 1911* and the person assigned to that role was an employee of the Department of Health WA.

Each time a Local Government appointed an EHO, it was required to seek “approval” from the EDPH for that EHO to undertake the duties of the *Health Act 1911*. This application process usually took 1-2 weeks with the EHO being ultimately issued with an Authority Card through the Department of Health.

Under the *Public Health Act 2016*, EHOs (Authorised Officers) appointed by the Local Government that employs them, will no longer require “approval” from the Department of Health WA. The Local Government may delegate the function of authorising officers to the Chief Executive Officer.

As such, the administrative process for issuing approvals for Authorised Officers can be taken with minimum delay and EHOs can be given authority to perform their functions almost immediately after they are employed through the delegation of that duty to the Chief Executive Officer.

3. Current Local Government Environmental Health Officers:

In order to minimise the impact on local governments, Section 312 of the *Public Health Act 2016* includes a transitional provision. Under that section, persons who are currently appointed as EHOs will be deemed to be designated as Authorised Officers for the purpose of the *Public Health Act 2016*, the *Health (Miscellaneous Provisions) Act 1911* and a range of other relevant Acts.

Local governments must:

- i. Identify all persons who hold a current appointment as an EHO who are to be automatically designated as an Authorised Officer under Section 312.
- ii. Prepare a Certificate of Authority template (ID cards) for the local government, in accordance with Section 30 of the Public Health Act 2016.
- iii. Determine the designation requirements, that is the Public Health Act 2016 or provisions of the Public Health Act 2016 the person will be designated or any restrictions / limitations to the designation, to be included on the Certificate of Authority for each person.
- iv. Develop a list of Authorised Officers, which must be maintained in accordance with Section 27 of the Public Health Act 2016.

4. Reporting requirements:

Local governments will be required to report on their performance of functions under the Public Health Act 2016, effective from 24 January 2017. The reporting period will be annually on a financial year basis and will be required to be submitted in October each year. It is envisaged that on-line reporting through a template will be required. At stage 3, reporting functions will be minimal.

In addition, all local governments will be required to report to the Chief Health Officer within 1 month of commencing or finalising an offence under the Public Health Act 2016.

5. Public Health Plan:

Local governments will be required to prepare a Public Health Plan (PHP). At this stage, each local government will be required to prepare its' first PHP within 5 years (ie by 30 June 2021). To date, no specific information has been provided as to what must be included into the PHP, however, it can reasonably be expected that the following issues could be expected to be included in the State PHP and then the local government PHP's:

The Environmental Health themes include:-

- i. Safe water;
- ii. Food safety;
- iii. Healthy built environment;
- iv. Pest and vector control;
- v. Planning for public health; and
- vi. Supporting Aboriginal Environmental Health

The chronic disease preventive health themes include:-

1. *'Eating for better health'* – Maintain existing initiatives and develop new programs to encourage healthy eating. Food outlets audited to ensure they are attempting to provide healthy meals options and not only large portions of unhealthy meals.
2. *'A more active WA'* - Maintain existing initiatives and develop new programs to encourage physical activity. (Eg better footpaths, cycle-paths and cycling facilities. Suburbs to be designed to encourage walkability. Parks to provide facilities that attract users. Fitness tracks in more parks. All suburbs to be audited to ensure they meet a minimum standard for physical activity and public transport, and every residence to have at least 3 walkable destination points within 400m)
3. *'Maintaining a healthy weight'* - Maintain existing initiatives and develop new programs to encourage people to maintain a healthy weight.
4. *'Making smoking history'* - Maintain existing initiatives and develop new programs to discourage smoking. Local governments will be encouraged to adopt a Tobacco Action Plan.
5. *'Reducing harmful alcohol use'* – Maintain existing initiatives and develop new programs to discourage excessive and irresponsible use of alcohol especially for young people. Local governments will be encouraged to adopt an Alcohol Action Plan and policies to follow the WALGA Town Planning Guidelines for alcohol outlets/premises.

10.6.1 Introduction of the Public Health Act 2016 and Delegation of Powers to Appoint Authorised Officers

6. *'Creating safer communities'* - Maintain existing initiatives and develop new programs to encourage safer communities.
7. *'Mental Health'* - Maintain existing initiatives and develop new programs to develop strong communities. (eg mental health services is a key area where local government could support the State Government mental health services through providing support and engagement at Council facilities. For example seniors who are depressed could be referred to the Councils Seniors services for engagement in Seniors Centre activities and the like).

Consultation

The Public Health Plan will be a public document. Through the planning process, the City will consult with relevant and key stakeholders as required.

Policy and Legislative Implications

Section 312 of the Public Health Act 2016

Financial Implications

A future budget allocation may be required to assist in developing the City's Public Health Plan.

Strategic Implications

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

Sustainability Implications

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

Attachments

Nil

10.6.5 Memorandum of Understanding - Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park

Location:	South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-17-31901
Date:	26 April 2017
Author / Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

This report considers a Memorandum of Understanding between Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park. The Memorandum of Understanding has been established for the purposes of exploring possible collaboration and co-operative opportunities.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Colin Cala

Seconded: Councillor Sharron Hawkins-Zeeb

That that Council endorse the Memorandum of Understanding between Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park.

CARRIED EN BLOC (8/0)

Background

Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park (The Parties) have been in discussions for the purposes of exploring possible collaboration opportunities. This has resulted in a Memorandum of Understanding (MOU) (**Attachment (a)**) being established that provides a framework for a co-operative relationship between The Parties.

Comment

The MOU's strategic objective is to collaborate in multiple areas to enhance the brand, objectives and outcomes of each organisation as leading innovators in their respective industries, and also to create the south eastern corridor as an appealing 'edu-tourism' destination for local community and industry, as well as international visitors and investment.

The MOU states that The Parties will discuss and explore opportunities and proposals to cooperate and collaborate in one or more of the following areas:

Memorandum of Understanding - Curtin University of Technology, City of South Perth, City of Canning and Town of Victoria Park

- a) Agree a strategic approach for collectively lobbying government;
- b) Agree an effective forum and executive stakeholders for identifying the strategic priorities of each organisation on an annual basis;
- c) Share information in relation to areas of expertise and possible collaboration and engagement with industry;
- d) Develop strategies to improve community participation and access to tertiary education;
- e) Work together to develop events and community activities that benefit local business and rate payers as well as Curtin students and staff;
- f) Identify student placement and/or employment programmes with respective councils, including work integrated learning placements, 'Earn While You Learn', and Curtin Volunteers initiatives;
- g) Develop strategies and process for continually identifying joint research and development projects including opportunities to use Curtin as a Living Laboratory;
- h) Develop strategies and implementation plans to improve community understanding and participation in the recreational and social opportunities offered by the University;
- i) Develop sustainability strategies and projects that deliver operational efficiencies in areas such as waste management and biodiversity protection.
- j) Leverage the South East Region Recreation Advisory Group (SERRAG) meeting to develop a regional strategy that positions the region as being a leader in offering formal and informal recreation and wellness opportunities for the benefit of the region and Perth more broadly
- k) Share facilities and resources where appropriate.

The MOU will require each signatory to attend the Local Area Steering Committee twice a year to review strategic priorities and discuss government relationship management.

Consultation

The MOU has been developed in consultation between The Parties.

Policy and Legislative Implications

The MOU is for a period of three years and is non-binding with no legal obligations arising.

Financial Implications

There are no financial implications associated with this MOU.

Strategic Implications

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

Sustainability Implications

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

Attachments

10.6.5 (a): Memorandum of Understanding

Prior to discussion on the following Item, Councillor Glenn Cridland read aloud his Declaration of Interest:

"I wish to declare an impartiality interest in Agenda Item 10.7.1 Property Committee (specifically in relation to Lot 474 (50) Angelo Street, South Perth) on the Ordinary Council Meeting Agenda of 26/4/2017. I declare that I am a member of the South Perth RSL, the current lessee of the site. It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Property Committee - 27 March 2017

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-31902
Date:	26 April 2017
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

The purpose of this report is to provide the recommendations of the Property Committee from its meeting held 27 March 2017 for Council's consideration. The Minutes of which can be found at **Confidential Attachment (a)**.

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Travis Burrows

Seconded: Councillor Sharron Hawkins-Zeeb

That Council adopt the following recommendations of the Property Committee meeting held 27 March 2017:

1. Lot 747 (57) Angelo Street South Perth

Confidential recommendation as detailed in the Property Committee Minutes held 27 March 2017.

2. Property Asset Management Review

That the Property Committee recommends to Council that it initiate a Property Asset Management Review.

3. Old Mill Precinct Redevelopment

That the Property Committee note the update and review of the Old Mill Precinct Redevelopment and recommend to Council that it not proceed with any further planning or development of this project.

CARRIED (8/0)

Property Committee**Background**

The Property Committee meeting was held on 27 March 2017 with the following Items listed for consideration on the Agenda:

- Lot 747 (57) Angelo Street, South Perth
- Property Asset Management Review
- Old Mill Precinct Redevelopment

Comment

The Property Committee considered the following Items on 27 March 2017

1. Lot 747 (57) Angelo Street South Perth

This is a **confidential** matter.

2. Property Asset Management Review

This report recommends to Council that it initiate a Property Asset Management Review with suggested terms of reference and parameters for the review.

3. Old Mill Precinct Redevelopment

This report recommends to Council that it note the update and review of the Old Mill Precinct Redevelopment and that is not proceed with any further planning or development of this project.

Consultation

The 3 Items were the subject of consideration at the 27 March 2017 Property Committee meeting.

Policy and Legislative Implications

The Property Committee meeting is held under the prescribed requirements the *Local Government (Administration) Regulations 1996*.

Financial Implications

Nil

Strategic Implications

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

Sustainability Implications

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

Attachments

10.7.1 (a): Minutes - Property Committee - 27 March 2017 (*Confidential*)

11. APPLICATIONS FOR A LEAVE OF ABSENCE

Motion AND COUNCIL DECISION

Moved: Councillor Fiona Reid

Seconded: Mayor Sue Doherty

That the Leave of Absence application submitted by Councillor Glenn Cridland for the period 30 April – 8 June 2017 inclusive, be granted.

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 March 2017 Ordinary Council Meeting questions from Members were Taken on Notice. The responses to these questions will be made available in the **Appendix** of these Minutes.

13.2 QUESTIONS FROM MEMBERS

A Question was received from Councillor Ken Manolas in relation to The Westralian Centre:

Q. Is the document titled *Westralian Centre - Financial Proof of Concept* and marked “confidential draft” located in the Councillors Lounge still confidential or can it be made available to the public?

A. [Chief Executive Officer, Geoff Glass] It is not necessary that this document remain confidential and we can provide this to all Councillors electronically.

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

Nil

15. MEETING CLOSED TO THE PUBLIC

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

Reports regarding these matters have been circulated separately to Councillors.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15.1.1 Receipt and Processing of Waste for Resource Recovery

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

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-32363
Date:	26 April 2017
Author:	Les Croxford, Manager Engineering Infrastructure
Reporting Officer:	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment -- Enhance and develop public open spaces and manage impacts on the City's built and natural environment
Council Strategy:	2.2 Foster and promote sustainable water, waste management and energy management practices.

Motion to Close the Meeting to the Public AND COUNCIL DECISION

Moved: Councillor Sharron Hawkins-Zeeb

Seconded: Councillor Jessica Black

That the following Agenda Items be considered in closed session, in accordance with s5.23(2) of the Local Government Act 1995:

15.1.1 Receipt and Processing of Waste for Resource Recovery

CARRIED (8/0)

At 8.32pm the Presiding Member requested those in the Gallery vacate the Chamber and doors closed in order that *Item 15.1 Receipt and Processing of Waste for Resource Recovery* be considered.

At 8.40pm the Presiding Member requested that the Chamber doors be reopened for members of the Public to return to the Chamber to hear the resolution.

15.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.1.2 Receipt and Processing of Waste for Resource Recovery

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Travis Burrows

Seconded: Councillor Fiona Reid

That Council:

1. Note the content of the Deed of Variations, amending the Waste Supply Agreement (2015) and amending the Participants Agreement (2015); and
2. Authorise the Mayor and CEO to sign on behalf of Council.

CARRIED (8/0)

Phil McQue, Manager Governance and Marketing read aloud the resolution at Item 15.1.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.41pm.

17. RECORD OF VOTING

6.2 Extension of Public Question Time – 15 mins

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

Absent: Cr Cheryle Irons

6.2 Extension of Public Question Time – 5 mins

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

Absent: Cr Cheryle Irons

7.1 Confirmation of Minutes

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

Absent: Cr Cheryle Irons

7.2 Tabling of Notes of Briefings

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

Absent: Cr Cheryle Irons

8.1 Receipt of Petition

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

Absent: Mayor Sue Doherty

8.4 Council Delegates Report: WALGA South East Metropolitan Zone (SEMZ) Meeting - 22 February 2017

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

Absent: Cr Cheryle Irons

9.1 En Bloc Motion

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

Absent: Cr Cheryle Irons

10.1.1 Review of City Events – Amended Motion: Cr Cala

For: Cr Colin Cala, Cr Sharron Hawkins-Zeeb, Cr Ken Manolas

Against: Mayor Sue Doherty, Cr Glenn Cridland, Cr Jessica Black, Cr Travis Burrows, Cr Fiona Reid

Absent: Cr Cheryle Irons

10.1.1 Review of City Events

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

Against: Cr Ken Manolas

Absent: Cr Cheryle Irons

10.3.1 Proposed Change of Use from Single House to Consulting Rooms. Lot 347 (No. 100) Manning Road, Manning.

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

Absent: Cr Cheryle Irons

10.3.3 Additions and Alterations to St Columba's Catholic Primary School on Lot 95 (No. 30) York Street, South Perth

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

Absent: Cr Cheryle Irons

10.4.1 Tender 4/2017 "Provision of Urban Design/Landscape Services for the Connect South Mends Street Project"

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

Absent: Cr Cheryle Irons

10.7.1 Property Committee - 27 March 2017

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

Absent: Cr Cheryle Irons

15.1.2 Receipt and Processing of Waste for Resource Recovery

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

Absent: Cr Cheryle Irons

APPENDIX

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE: 28 MARCH 2017

1. Harry Anstey of 21 River View Street, South Perth Received at the Meeting: 28 March 2017	Response provided by: Stevan Rodic, Manager Development Services
<p><i>[Preamble] I hope that Councillors and officers share my concern with the environmental impact that is occurring around the Aurelia and Civic Heart development sites. I refer to the untimely “death” of the median strip trees in Labouchere Rd, between Mill Point and Mends Street. (I note they have been removed this week, so the issue is less obvious). However the problem does not appear to be limited to those trees to the west of Civic Heart. I note that the tree in the front of the Police Station (south of Civic Heart) is now looking sick, as is that on the western side of Aurelia, and the Southern-most plane tree in Mends Street, front of the BP Service Station. There seems to be some initial distress in the trees a bit further afield, near Bowman, etc. I realise my questions are benefiting from that of hind sight. But it has raised some interesting, but currently unanswered questions:</i></p>	
<p>1. What did Council have in place in relation to the Development Approvals with regard to environmental impact from water extraction or injection which should have prevented this problem?</p>	<p>Development Applications are referred to relevant state agencies such as the Department of Parks and Wildlife (Swan River Trust) and the Department of Environment Regulation as part of the consultation process. Where required, these agencies place conditions in respect to certain environmental matters e.g. the requirement to submit and gain approval of a dewatering or acid sulfate soils management plan.</p>
<p>2. What action has been taken now the problem has been identified?</p>	<p>The City has been liaising with a number of state agencies in respect to the recent changes in groundwater levels in the Mill Point Road/Labouchere Road area and has been working with these agencies to suitably manage the situation. The City has written to the Department of Water (including the Minister for Water) and expressed concerns regarding the groundwater changes in the Mill Point Road locality and queried how the Department is ensuring that infiltration activities are being carried out in accordance with the operating strategy approved as part of the ‘Licence to Take Water’. It must be pointed out that the monitoring of groundwater levels and quality is not the direct responsibility of the City of South Perth.</p>

<p>3. What monitoring, at various ground water depths, is proposed around the Civic Heart and Aurelia sites (at 50 and 100m from respective boundaries)?</p>	<p>In regards to the ‘Aurelia’ site, as part of dewatering management plan, the developer is responsible for monitoring groundwater levels and report results to the relevant authorities. The approved dewatering management plan included four wells surrounding the development site and another well outside the infiltration trench on the ‘Civic Heart’ site. The City cannot confirm the exact depth of the wells but is aware that the management plan required a groundwater drawdown trigger level of RL -0.73mAHD to identify potential impacts on acid sulfate soils and RL 1.21mAHD for groundwater mounding.</p>
<p>4. Will similar monitoring be set up wherever there is a development proposal going into the water table?</p>	<p>As part of the approval of a dewatering management plan, developers are required to monitor groundwater levels in the vicinity of their sites and maintain a record of results for relevant authorities. The developer is responsible for carrying out works in accordance with relevant approvals. The City is not aware of state agencies setting up independent monitoring wells.</p>
<p>5. What responsibility does the Developer currently have to “remedy” the obvious impact and into the future?</p>	<p>A developer is responsible for carrying out works in accordance with relevant approvals and/or licences. These approvals and/or licences have certain conditions that must be complied with.</p>
<p>6. What conditions are remedies do Council’s Officers intend to apply to all existing and proposed Das which involved going into the water table of the development site?</p>	<p>The City cannot apply retrospective conditions to existing approvals. In respect to developments already approved and requiring a dewatering management plan as a condition of approval, the City will be liaising with the relevant approval authorities such as the Department of Water, the Department of Parks and Wildlife (Swan River Trust) and the Department of Environment Regulation prior to any works commencing. In addition, the City will consider having a peer review of the management plans by a suitably qualified consultant prior to any sign off.</p>
<p>7. If there is no financial requirement on the Developers, how does Council propose to recover the cost for remedying the problems created, without recourse to rate revenue?</p>	<p>The City is not the responsible authority for the management of groundwater. Should it be established by a responsible authority that a developer has breached an approval or licence then it will be up to that authority to determine if remedial works are required by the developer. In addition these authorities may, depending on legislative authority, impose a monetary fine.</p>

2. Peter Dreverman of 2/20 Garden Street, South Perth Received at the Meeting: 28 March 2017	Response provided by: Phil McQue, Manager Governance and Marketing
1. Is the final design of the Westralian Centre as illustrated on the Council Website	The Westralian Centre designs on the City's website are concepts only at this stage, not the final design.
2. If it is not, how can Council in all honesty, proceed to consultation with residents, and for the residents to make an informed decision if the final design is not known, the tenancy mix is unknown, and whether the footprint of the building will be excised from the titl	The City will be seeking general feedback and views on the concept of the Westralian Centre, inclusive of the design and proposed uses. Should the Council resolve to progress the Westralian Centre Concept further, there will be ongoing and extensive community consultation at various stages throughout the development of this project.
3. Why is the Report on the Westralian Centre Confidential and Councillors are not open, accountable and transparent with the people, their voters, in relation to the Westralian Centre design and fact	The February 2017 Council Report on The Westralian Centre was made available to the public on the City's website, Friday 28 April 2017.
4. How long is the recording of the Ordinary Council Minutes retained by Administration?	Audio Recordings of Council meetings are retained for a minimum of 1 year after the Minutes of that meeting are confirmed.

6.2 PUBLIC QUESTION TIME: 26 APRIL 2017

1. Bernard Roberts of 5A Garden Street, South Perth Received: 22 April 2017	Response provided by: Geoff Glass, Chief Executive Officer
<p><i>[Preamble] An effective community consultation process will be critical to ensure that all stakeholders are aligned with what is being proposed. As such further clarification is required in the following areas:</i></p>	
<p>1. <u>Community Consultation Format</u> – will the proposed community consultation be undertaken in a similar manner to recent, successfully conducted South Perth Station Precinct & Vision 2027 workshops, to ensure that all stakeholders (eg. Residents, South Perth Historical Society, Aboriginal Reference Groups, Returned Services League, Australian War Museum, West Australian Museum, State Heritage Office, National Trust etc.) are aligned on the proposed Westralian Centre?</p>	<p>The City Administration is guided by Policy P103 Communication and Consultation which gives guidance to the conduct of consultation with members of the community and stakeholders to contribute to the Council’s decision making process. Such consultation is one part of the information gathering upon which decisions are based. The City undertakes a range of consultation strategies and processes according to the particular purpose or activity that is being promoted or assessed.</p> <p>You have referred to the recent extensive Planning Design Forum undertaken to develop a vision and way forward for the South Perth Station Precinct and to the recent Vision 2027 work in contributing towards the 4 yearly review of the Councils Strategic Community Plan. These are large comprehensive undertakings and required the particular approaches used in those instances.</p> <p>The Westralian Centre is a specific development site and consultation in relation to that proposal flows from the already very extensive consultation that occurred in relation to the Councils adoption of the South Perth Foreshore Strategy and Management Plan. The further consultation that has and will be undertaken relates to both those considered to be stakeholders as well as the broader public.</p> <p>With respect to stakeholders formal and informal consultation has and is occurring and with respect to the broader community a number of approaches will be applied. There will be a customised online survey of approximately 500 people with the survey questions currently being prepared and it is also planned to use the City’s ‘Your Say South Perth’ engagement portal.</p>

2. <u>Community Consultation Timeline</u> – what is the proposed timeline for the community consultation to be undertaken to ensure that the June 2017 milestone is achieved (ref Westralian Centre Concept – Media Release – 9 March 2017)?	In relation to the consultation with the broader community both of the methodologies outlined in the response to the previous question will commence next month.
2. Jennifer Nevard of 195 Mill Point Road, South Perth Received: 23 April 2017	Response provided by: Geoff Glass, Chief Executive Officer
<i>[Preamble] The background documentation to Agenda Item 15.1.3 28/02/17 relating to the Westralian Centre was deemed to be confidential and was subsequently released via an FOI request.</i>	
1. Why had the material been deemed confidential as the information did not involve a commercial contract and there seemed to be some level of uncertainty about the structure’s final location?	Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.
2. How would this structure operate in the financial interests of ratepayers when the project presently appears to have a serious shortfall in funding?	Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.
3. How would this project be an achievable operation when it is proposing that a component of the staffing would be covered by volunteers?	Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.
<p><i>[Preamble] The City of South Perth secured \$2.5 million of federal funding in October of last year through the National Stronger Regions Fund. The City of South Perth's Connect South project proposal listed:</i></p> <ul style="list-style-type: none"> <i>• contributing to economic growth,</i> <i>• addressing disadvantage within the region,</i> <i>• increasing investment and building partnerships, and achieving viable and sustainable project outcomes as their justification for obtaining funding.</i> <p><i>Mr Irons, MP asserted that the total cost of \$7.5 million going towards Connect South will deliver an enhanced and invigorated Mends Street precinct, and will play a key role in the long-term economic and social growth of the South Perth peninsula. This proposal is presently suffering a \$5 million shortfall.</i></p>	

<p>4. What form of disadvantage did the Council have in mind when it sought the funds and how will this disadvantage be addressed through the invigorating of Mends St and the investment of a further \$5mill in infrastructure?</p>	<p>Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.</p>
<p>5. The appointment of a Tourism and Economic Development Officer will attract on-going financial outlay beyond the \$7.5 mill development activities the Council is currently proposing. How would this be in the interests of the South Perth rate payers?</p>	<p>Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.</p>
<p>6. Given the current turmoil along the Mill Point Peninsular would the Administration please clarify how increasing investment and building partnerships is in the interests of ratepayers and how a Tourism and economic Development Officer would be acting in ratepayers interests?</p>	<p>Question asked in absentia: As she was not in attendance at the meeting the question was Taken as Correspondence and a written response will be provided directly to Jennifer Nevard.</p>
<p>3. Marcia Manolas of 193 Mill Point Road, South Perth Received: 24 April 2017</p>	<p>Response provided by: Geoff Glass, Chief Executive Officer</p>
<p><i>[Preamble] Item 10.1.1 Strategic Direction 1: Community [“Review of City Events”] The recommendation states that Council "(c) support further investigation/research into the other ideas for consideration identified in the Event Review report".</i></p>	
<p>1. Please clarify: By Council accepting the Officers recommendation without any amendment, Council would be accepting the Lockwood Advisory recommendations which includes to consider "a new Economic Development and Tourism officer position as part of the 2017/18 budget deliberations?"</p>	<p>I must say that the question is not exactly clear to me. The question appears to be ‘Please clarify’ and for me to clarify a statement that you then make. You state that ‘By Council accepting the Officers recommendation without any amendment, Council would be accepting the Lockwood Advisory recommendations which includes to consider "a new Economic Development and Tourism officer position as part of the 2017/18 budget deliberations?"</p>

Please note that the Lockwood Advisory recommendation is not to consider 'a new Economic Development and Tourism officer position as part of the 2017/18 budget deliberations'. So your statement is not correct.

The Lockwood Advisory review makes 7 strategic ideas for consideration and 11 operational ideas for consideration. One of the 11 operational ideas for consideration is 'Consider a dedicated economic development human resource within the City's staffing structure, to capitalise on and leverage the economic benefit of events'.

When and how the City and ultimately the Council gives consideration to that idea is for the City and Council to determine.

In the report to Council the Officers comment refers to that recommendation being considered in the context of the 2017/18 budget consideration. That is still some time away and may or may not occur. It is an Officer comment, not a recommendation of the Lockwood Advisory report.

It must be concluded therefore that the Council in accepting the Officers recommendation is no more than what it states, that is, to further investigate and research the other ideas for consideration in the review report.

Of more note and more accurately reflecting your statement about accepting the Officers recommendation without any amendment is the Officers recommendation to endorse the 3 identified priority tasks. Those tasks are:

1. the development of a Cultural Plan including an event strategy
2. ensuring that the criteria for the City's existing Community Development Funding program makes it possible for community groups and others to run or offer small and local events
3. review the budget for the Australia Day event (namely the Celebration Zone) with a view to reducing it

	<p>So Council in adopting the Officers recommendation are accepting (to use your word) those specific recommendations at this stage.</p>
<p>2. Why is this position even being considered when Lockwood's own survey states only 14% of the respondents were dissatisfied with the event program, and more importantly 63% were satisfied, and, every other survey has put economic development under 50%?</p> <p>explanation of Survey Results:</p> <p><i>(From my understanding and reading, all Surveys have shown Economic Development and lifestyle has been rejected by the respondents including in one of the most recent surveys – December 2016: These were the questions asked in the December 2016 and the interpretation.</i></p> <p><i>Question: "What are the 3 things you like most about living or visiting The City of South Perth" - The highest was location with 70% and the second highest was Natural Environment at 66%. economic lifestyle rated only 34%. The same Survey question 2. "What three ideas do you have that would make the city a better place to live or visit." The Survey Report added the total of three results into Places, Economy and Lifestyle – Activating the cafe, restaurant and bar scene was only 20%, improve parking etc. 14%; improving the retail offering 13%. All those percentages added up to 40%, however, on its own, in both questions, economic lifestyle rated only 34% or 33% respectively. Furthermore, the 23.10.2013 South Perth Foreshore Survey Results providing the basis for the South Perth Strategy Management Plan May 2015, - under "Objectives" – rated facilitate economic development last at 2.8 - (A Resolution of Council stated any Objective rating under 3 was to be marked not for consideration).</i></p>	<p>This is not a question of percentages. At the July 2016 Council meeting Council resolved that we review all our current City managed events and recommend changes to take the City's events to the next level. An external company with expertise in this area was engaged to provide independent advice. The report before Council brings that external consultant's report to Council for their information and consideration.</p> <p>The Officers report recommends it be noted and identifies 3 priorities for action now and that further research and investigation occur with the other ideas presented.</p> <p>It is no surprise that a good majority of those surveyed are satisfied with the events that the City runs because the City is very experienced and has an award winning reputation for the range and quality of events it manages. However times change and we must keep evolving to ensure that the events remain of the highest calibre and of public interest.</p> <p>The time to adapt is not when the majority are dissatisfied. You need to keep ahead of the game (so to speak) and so the review was to explore how we might go to the next level.</p> <p>So before the Council tonight is that review which suggests 18 strategic and operational ideas to achieve that.</p> <p>The City also has policies and various plans that affect our involvement in activities and events. One such plan is the current Economic Development Strategy 2013-2016. It has included such activities as:</p> <p>1.6 Develop a Sir James Mitchell Park Masterplan that facilitates and encourages more activities on this high profile but currently underutilised public open space.</p> <p>3.4 Partner with leading marketing and tourism agencies to promote the unique visiting opportunities within the City.</p> <p>Any plan is only as good as its ability to be implemented. That will require resources and at the appropriate time, when we have investigated and further researched it is planned</p>

	to report to Council on various ideas suggested in the independent report.
3. Will the additional staff position increase our rates?	<p>Any new staffing proposals will be considered by the Council during the 2017/18 budget deliberations and new positions would be fully funded within the adopted budget of Council.</p> <p>In the event that the Council wish to appoint an Economic Development Officer, the primary role would be to facilitate and promote local economic development in the City's key activity centres. This function is seen as an increasingly critical role and function in the majority of metropolitan local governments, with a view to attracting new business investment and assisting existing businesses to maintain viability and encourage sustainable employment and growth, as well as creating and promoting tourism opportunities.</p>
<p><i>[Preamble] Westralian Centre Council Ordinary Meeting 28.2.2017 Item 15.1.3.</i></p> <p><i>In the 28th February 2017 Ordinary Council Meeting Minutes, Council states, "a progress report on the business plan, community and stakeholder consultation will be provided to Council by June 2017 for the purpose of the initial review before proceeding to any further stage of the Proposed project". I am aware there were workshops in March 2017, of which I attended all three, however, they did not deal with the Westralian Centre Concept.</i></p>	
4. When will Community consultation take place relating to the Westralian Centre?	Consultation will commence May 2017.
<p><i>[Preamble] I wish to congratulate Steve Irons, our Federal Member for playing a key role in obtaining Government grants totalling \$7.5 million to enhance and invigorate Mends Street precinct, and also the City of South Perth on their successful Application. This is a fantastic achievement.</i></p>	
5. Would Council consider spending the grant money within the commercial precinct of Mends Street Shopping by considering developing the South Perth Bowling Club to provide the facilities for a Military Museum, Aboriginal and European history on the ground floor (similar to the Westralian Centre), and on the top floor, a grass area and	The National Stronger Regions Fund Connect South project was a grant for an applied purpose (ie construction and upgrade to Mends Street and the Piazza area) and is the subject of a Deed of Agreement with the Commonwealth Government. Monies from the grant can only be spent in accordance with the purpose applied for. The grant was not sought nor granted for a project as suggested in the question.

<p>clubrooms for the bowling Club, which would in turn, provide a vibrancy in the Mends Street commercial precinct, increase walking traffic to the south end of Mends Street, benefiting the Historical Society, Zoo, and current vacant and future retail shops in developments along Labouchere Road? (This idea was suggested at one of the workshops by a Town Planner.)</p>	
<p>4. Keryn Zeeb of 15/63 Mill Point Road, South Perth Received: 26 April 2017</p>	<p>Response provided by: Geoff Glass, Chief Executive Officer</p>
<p><i>[Preamble] I note that the Westralian Concept was the subject of a confidential Councillor Briefing in August 2016. However, I refer specifically to the Minutes of the February 2017 Council Meeting Item 15.1.3 that states it is common practice for the capital funding for such projects to come from external sources and that GRA Everingham have been engaged by the City to assist with obtaining such funding.</i></p>	
<p>1. As it is now April 2017, how confident is the City that \$7 million of external funding IS available to support the Westralian Concept?</p>	<p>The City will make best endeavours to secure financial support from the State and Federal Governments. Informal meetings with various representatives of stakeholder groups in the development of the concept has to date indicated strong support and interest. It is too early to be definitive on likely funding as the work relating to the business case and formal consultation needs to occur first.</p>
<p>2. Assuming the City is confident that \$7 million in external funding is available and with reference to the highly successful RobertsDay Planning Forums organised by the City, has the City considered that this money could be used more effectively to develop some of the historical and civic projects that evolved during the RobertsDay stakeholder planning sessions, rather than on ANOTHER new project?</p>	<p>Any funding obtained for the proposed Westralian Centre would be for that proposal in that location.</p> <p>The report from RobertsDay on the recent Planning Design Forum has yet to be provided to the City. Any projects that might arise from that work would be the subject of further work as to their scope, design, business case and funding options.</p>

**5. Peter Esdale of 13 First Avenue, Kensington
Received: 26 April 2017**

Response provided by: Geoff Glass, Chief Executive Officer

[Preamble] With reference to Minutes City of South Perth Council meeting 28/02/17, Council resolution to Agenda Item 15.1.3 P119 Since May 2015, The Council has successfully enlivened Sir James Mitchell Park by providing leasing opportunities to many organisations and individuals for them to host a diverse range of activities.

These events successfully cater to many tastes, purposes and age groups and occur over various short term timeframes. The generous proportions of this Park mean that parking can be offered when larger events are conducted. The flexibility of the present space means that the present arrangements successfully address a wide range of purposes at comparatively low cost. The flexibility of the present space also means that when public tastes and needs change the composition of the City population changes or there is a substantial economic correction, the space will still be able to cater to those changed community interests and needs. The current arrangements and activities attract relatively low costs for the Council and the users.

1. What compelling features of the Council’s needs analysis for the Westralian Centre demonstrated that Node 9 in the flagpole area of Sir James Mitchell Park would be best served with a permanent structure and raised lawn area for an events venue and to showcase local history?

The South Perth Foreshore Management Plan identifies Foreshore Node 9: ‘Flag Pole’ with the following statement of intent:

- A landmark site, representing national, state, local and Aboriginal significance, that expresses the historical background of the area; and
- A landmark event space for calendar civic and social events that provides recreational facilities throughout the year

The proposed location has been chosen to maximise the opportunity for formal civic and public occasions, with the Westralian Centre proposed to be a central focus for events of local, state and national significance.

The proposed location will facilitate the Westralian Centre leveraging and complementing the future development activities planned for Connect South at the Mends Street Node 1.

The proposed location also creates symmetry between the State War Memorial in Kings Park and Elizabeth Quay, with the three significant tourism attractions located in a triangular formation, visible to each other.

2. Why were the present flexible arrangements for conducting civic ceremonies and providing events space rejected as unsuitable?

The arrangements for conducting civic ceremonies and events at the current Node 9 Flagpole site and in that general proximity will continue as now in event of the Westralian Centre concept being developed. It is anticipated that the provision of facilities such as

	permanent electricity and toilets in that location will in fact enhance the useability of the space.
3. Why was the location on the corner of Mends St and Mill Point Rd not seriously considered for these activities given the buildings are in proximity to the Zoo which is South Perth's main tourist attraction?	<p>The proposed Westralian Concept is about progressive implementation of the South Perth Foreshore Strategy and Management Plan. That Plan was predicated on the basis that the Foreshore was, and I quote from the Plan, 'in need of revitalisation'.</p> <p>The City undertakes work in all parts on South Perth. In February this year we opened the new Manning Hub and Library, we are currently building a new sporting and community facility on Ernest Johnson Reserve at South Perth, we also launched the new landscaping at Millers Pool and the river wall works under and around the Narrows Bridge, we are upgrading Roebuck Reserve in Salter Point, and so it goes on. Works all around the City.</p> <p>The Foreshore is just one of those.</p> <p>Node 9 was identified in the Plan for a landmark site representing national, state, local and Aboriginal significance, that expresses the historical background of the area. The proposed concept was developed to meet that objective.</p>
6. Cecilia Brooke of 8/20 Garden Street, South Perth Received: 26 April 2017	Response provided by: Geoff Glass, CEO
<i>[Preamble] It is apparent that before the Proposed Westralian Centre went before Council for consideration, that a significant amount of money had been spent on consultants and internal staff time. Given any realization of this project ever coming to fruition without external funding, ongoing viability and community acceptance, my questions are:</i>	
1. Is this a responsible use of rate-payers funds on questionable schemes that could only ever be funded from Federal or State Government sources?	This is an opinion rather than a question.
2. Are there any proposals that the City is engaged in that are also of this category as a recent media release would suggest	The major projects that the City is progressing relate to Connect South at Mends Street and the redevelopment of Ernest Johnson Reserve.

<p>that there are future proposals for the Mends St Jetty? How much of ratepayers money has been spent on this proposal to date?</p>	<p>In relation to the Connect South project as the redevelopment works include the current pavilion area and the car parks either side the integration of an expanded jetty at this location needed to be conceptually developed and promoted to the Department of Transport and Public Transport Authority. The City had been invited by the previous State Government to put forward its ideas for an enlarged Mends Street jetty as part of a revamp generally of the Swan River ferry services. We were scheduled to present to a dedicated Committee established for that purpose in February this year, but this was cancelled when the former government announced the election. The proposal had been to also call for re-introduction of the Coode Street ferry service which had a level of support from within government.</p> <p>Given the change of government the plans for the expansion of the river ferry services is not known.</p> <p>Certainly with the establishment of Elizabeth Quay and the inevitable expansion of visitor number to that area (6million in the first 12months), it is also equally inevitable that visitor numbers to South Perth and use of the ferry will increase. It has already increased 90% since the establishment of Elizabeth Quay.</p> <p>To support the expansion of the ferry service and the State to commit to a redeveloped Mends Street jetty it is estimated the City has spent \$25,000.</p>
<p>3. It would appear that Council is considering the appointment of a new officer as Economic Development and Tourism Officer. Given the current economic environment, would it be more prudent to reduce and not increase staff as other Councils seem to be doing? Do you consider that potential appointment, along with the Westralian Centre, is in the best interests of the ratepayers of the City of South Perth?</p>	<p>Any new staffing proposals will be considered by the Council during the 2017/18 budget deliberations and new positions would be fully funded within the adopted budget of Council.</p> <p>In the event that the Council wish to appoint an Economic Development Officer, the primary role would be to facilitate and promote local economic development in the City's key activity centres. This function is seen as an increasingly critical role and function in the majority of metropolitan local governments, with a view to attracting new business investment and assisting existing businesses to maintain viability and encourage</p>

	sustainable growth and employment, as well as creating and promoting tourism opportunities.
4. Could you please explain why there seems to be a contradictory approach to the report, because it talks about saving money by scaling back the events on Australia Day (which is always very popular) while contemplating employing more staff?	<p>The City's Celebration Zone has had the desired effect of making the South Perth Foreshore a family friendly place for the community to enjoy the Australia Day Fireworks. It is therefore an opportunity time to review the City's Celebration Zone and its effectiveness.</p> <p>In addition, the City has received advice its current Lottery West funding of approximately \$300,000 for the Celebration Zone will be reduced in future years, and therefore the City is reviewing its expenditure.</p> <p>Any proposed employment of new officers by the City is not related to the Celebration Zone funding, and would be fully funded within the adopted budget of the Council.</p>
7. Dr Sarah Schladow of 3/20 Garden Street, South Perth Received: 26 April 2017	Response provided by: Geoff Glass, CEO
<i>[Preamble] I am increasingly concerned with the proposed expenditure of ratepayers' money - seemingly in contradiction of survey results for Foreshore Management - and would appreciate answers on the following issues, in the interests of public transparency, please:</i>	
1. New Economic Development and Tourism Officer: What is Council's rationale for this, given that a considerable majority - 63% - of respondents were 'very or somewhat satisfied' with the City's events programme as it currently stands. If the rationale is based on the 14% of people who were 'very or somewhat dissatisfied', could you please explain the reasons given for dissatisfaction? And what is the likely salary for such an officer?	These questions were received on the day of the meeting at 1.59pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.
2. Westralian Centre concept plan: Why has this been 'sprung' on the community almost 'fully-formed', please?	These questions were received on the day of the meeting at 1.59pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary

- a) Community survey results/ratings from the SPF plan apparently indicated a marked desire for minimal permanent structures and development on the Foreshore.
- b) Why did council apparently ignore/contradict this rating and prepare a 'detailed plan . . . for the upgrade of the Flagpole site' - noted on p 53 of the Foreshore Management Plan, and accompanied by a picture of a simple shelter (which was the main suggestion at the preceding community workshops). Was the prior development plan shown on the website as part of the Foreshore management plan? If not, why not?
- c) The survey response also showed that any work at flagpole node was of low importance, rating almost last in terms of priority. So. why has this proposal for this node been initiated by the City at considerable expense to date? not to mention in the future, when the simple flagpole and a limestone coat of arms (requiring little expenditure or maintenance) will be replaced by a large multi- purpose tourist attraction and civic public space on the . . . Foreshore' (see 'Comment' section of item 15.1.3, p 9/16). Such a 'space'/development was not mooted in public workshops or survey, and seemingly counters the spirit and apparent intent of the survey on which the Management plan was ostensibly based.
- d) I Can you explain the City's need for such a large development, please, when:

Council Meeting.

- i) A war memorial hardly fits the meaning of 'recreation'. Does Perth need another memorial (even with Anzac centenary funding)?
- ii) No museum was mooted at the workshops, where commemoration of 'historical' sites on the Foreshore was considered as simply the use of plaques and small information boards at relevant locations
- iii) No new (park or other) function centre was mooted at the workshops or in the survey
- iv) Retail/shop – this is simply commercial development, which rated extremely low for the Foreshore area.
- v) Tourism destination – the Foreshore already seems popular with tourists, who marvel at our clean, open, green, community recreation space so close to the city.
- e) The City seems to be pushing the 'economic development' of the Foreshore. I understood that the survey indicated Foreshore economic development was rated extremely low. However, economic development rated more highly for the rest of the wards. Why has the City apparently transposed the latter rating into this considerable development proposal for the Foreshore. In my opinion, this seeming 'skew' on the survey results potentially misleads ratepayers, residents, and the people of Perth and WA into thinking this was a whole-of-community-generated plan.

<p>3. Where is the basic business plan showing the cost of building AND maintaining such a structure - not to mention its actual necessity. Ratepayer funds have already been expended for setting up a 'financial proof of concept' without showing prior intent or plans - seemingly contradicting the City's supposed commitment to community survey! How does the City plan to cover any shortfall if fundraising from government and private sources is not forthcoming, or proves inadequate for the considerable cost and upkeep of this development?</p>	<p>These questions were received on the day of the meeting at 1.59pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.</p>
<p>8. Harry Anstey of 21 River View Street, South Perth Received: 26 April 2017</p>	<p>Response provided by: Geoff Glass, CEO</p>
<p><i>[Preamble] Agenda Item 6.1 Responses to Previous Questions Taken on Notice: I advise that I have not received any formal response to the questions I raised at the OCM of 28 March and taken on notice.</i></p>	
<p>1. Is it Council's intention not to provide its responses to my questions of 28 March at this meeting tonight?</p>	<p>These questions were received on the day of the meeting at 12.33pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.</p>
<p>2. If so, is this practice consistent with the Local Government Guidelines to questions?</p>	<p>These questions were received on the day of the meeting at 12.33pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.</p>
<p><i>[Preamble] Agenda Item 7.2 Briefings: I confirm that since my questions to the OCM of 28 March I have received an email from the Deputy Mayor, I was invited to attend a one-on-one meeting with the Corporate Support Officer and Manager Development Services on 20 April and I received an email from the CEO on 24 April. I suggest that there were significant matters concerning the questions raised but note that there is no suggestion of any these consultations. I have provided a copy of some photos and extracts from documents that were referenced as part of those discussions, so all Councillors are informed and I request that they be included in the Minutes as part of this question.</i></p>	

<p>3. Is it usual practice for notes or memos to be kept of consultation about public questions?</p>	<p>These questions were received on the day of the meeting at 12.33pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.</p>
<p>4. Will Councillors be provided with a copy of the emails and associated notes as part of the response to the questions, and noted at this Item? If Councillors are interested in my verbal summary of these briefings then I am happy to answer any queries they may have.</p>	<p>These questions were received on the day of the meeting at 12.33pm and were Taken on Notice. The responses will be made available in the Minutes of the May 2017 Ordinary Council Meeting.</p>

13.1 RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE: 28 MARCH 2017

1. Councillor Fiona Reid – South Perth Station Precinct	Response provided by: Vicki Lummer, Director Development and Community Services
<p>1. Congratulations to the City for the forums recently conducted. Does the City have strategies and plans around meeting with the new Minister for Planning, to try to move the issue along as soon as possible given the time and energy that was afforded to the forums? Does the City have an update of what interim measures are being taken to get traction and move forward in a positive direction?</p>	<p>The report from RobertsDay with recommendations from the Planning Design Forum is expected in early May with Council being briefed on 9 May prior to a public exhibition of the report on 20 May. This is to be held in the Manning Hall and advertising of the event will be undertaken in due course.</p> <p>Subject to the final recommendations, the City has a number of avenues that it is pursuing :</p> <ul style="list-style-type: none">• Meeting with the Director General of Department of Planning• Forming a working group to assist with the implementation of the recommendations• Examining new avenues to achieve the train station• Additional policy implementation to guide discretion in the precinct

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 the Ordinary Council Meeting on Tuesday 23 May 2017.

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