

AGENDA.

Ordinary Council Meeting

28 March 2017

Notice of Meeting

Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 28 March 2017 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 7.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

24 March 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 Agenda

1. DECLARATION OF OPENING

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 STANDING ORDERS LOCAL LAW 2007

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

3.2 AUDIO RECORDING OF THE COUNCIL MEETING

This meeting will be audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.15 of the Standing Orders Local Law 2007 "Recording of Proceedings".

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

5. DECLARATIONS OF INTEREST

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

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 28 MARCH 2017

The Presiding Member to invite those members of the public who submitted questions to read their questions.

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

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 28 February 2017

7.1.2 CEO Evaluation Committee Meeting Held: 7 March 2017

7.1.3 Audit, Risk and Governance Committee Meeting Held: 14 March 2017

Recommendation

That the Minutes of the:

- Ordinary Council Meeting held 28 February 2017
 - CEO Evaluation Committee Meeting held 7 March 2017
 - Audit, Risk and Governance Committee Meeting held 14 March 2017
- be taken as read and confirmed as a true and correct record.

7.2 BRIEFINGS

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

7.2.1 Council Agenda Briefing held 21 March 2017

Officers of the City presented background information and answered questions on items to be considered at the March 2017 Ordinary Council Meeting at the Council Agenda Briefing held 21 March 2017.

Attachments

7.2.1 (a): 21 March 2017 – Council Agenda Briefing - Notes

Officer Recommendation

That the Notes of the Council Agenda Briefing held 21 March 2017 be noted.

8. PRESENTATIONS

8.1 PETITIONS

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

8.3 DEPUTATIONS

Deputations are heard at the Council Agenda Briefings.

There were no Requests for a Deputation to Address Council at the Council Agenda Briefing held on 21 March 2017.

8.4 COUNCIL DELEGATES REPORTS

8.4.1 Rivers Regional Council (RRC) Meeting held 23 February 2017

A report summarising the Rivers Regional Council (RRC) Meeting held 23 February 2017 is attached.

Attachments

8.4.1 (a): Rivers Regional Council (RRC) Meeting held 23 February 2017

Officer Recommendation

That the report on the Rivers Regional Council (RRC) Meeting held 23 February 2017 be received.

8.5 CONFERENCE DELEGATES REPORTS

9. METHOD OF DEALING WITH AGENDA BUSINESS

With the exception of those to be withdrawn for discussion, reports will be adopted En Bloc - the Officer Recommendation will be adopted as is, without discussion or amendment. Items to be withdrawn for discussion will be decided by Council at the meeting.

10. REPORTS

10.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

Location:	Lot 21 (No. 182) River Way, Salter Point
Ward:	Manning Ward
Applicant:	Refresh Renovations
File Reference:	D-17-24742
DA Lodgement Date:	16 February 2017
Meeting Date:	28 March 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

This report seeks Council's consideration of an application for development approval for Proposed Additions and Alterations to a Two Storey Single House on Lot 21 (No. 182) River Way, Salter Point. Council is being asked to exercise discretion on the following matters:

Element on which discretion is sought	Source of discretionary power
Setbacks of Carports and Garages	Residential Design Codes (Design Principles of Clause 5.2.1) and Council Policy P306.
Visual privacy	Residential Design Codes (Design Principles of Clause 5.4.1)
Lot Boundary Setback	Residential Design Codes (Design Principles of Clause 5.1.3)

Officer Recommendation

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval for Additions and Alterations to a Two Storey Single House on Lot 21 (No. 182) River Way, Salter Point **be approved** subject to:

(a) Standard Conditions

210	screening- permanent	470	retaining walls – if required
425	colours & materials- matching	471	retaining walls - timing
445	stormwater infrastructure	625	sightlines for drivers
455	dividing fences- standards	456	dividing fences- timing

(b) Specific Conditions

Nil.

(c) Standard Advice Notes

700A	building licence required	Note 3	appeal rights
790	minor variations – seek approval	Note 1-2	Validity (2 years)

Background

The development site details are as follows:

Zoning	Residential
Density coding	R20
Lot area	875 sq. metres
Building height limit	7.0 metres
Development potential	1 dwelling
Plot ratio limit	Not Applicable

The location of the development site is shown below:

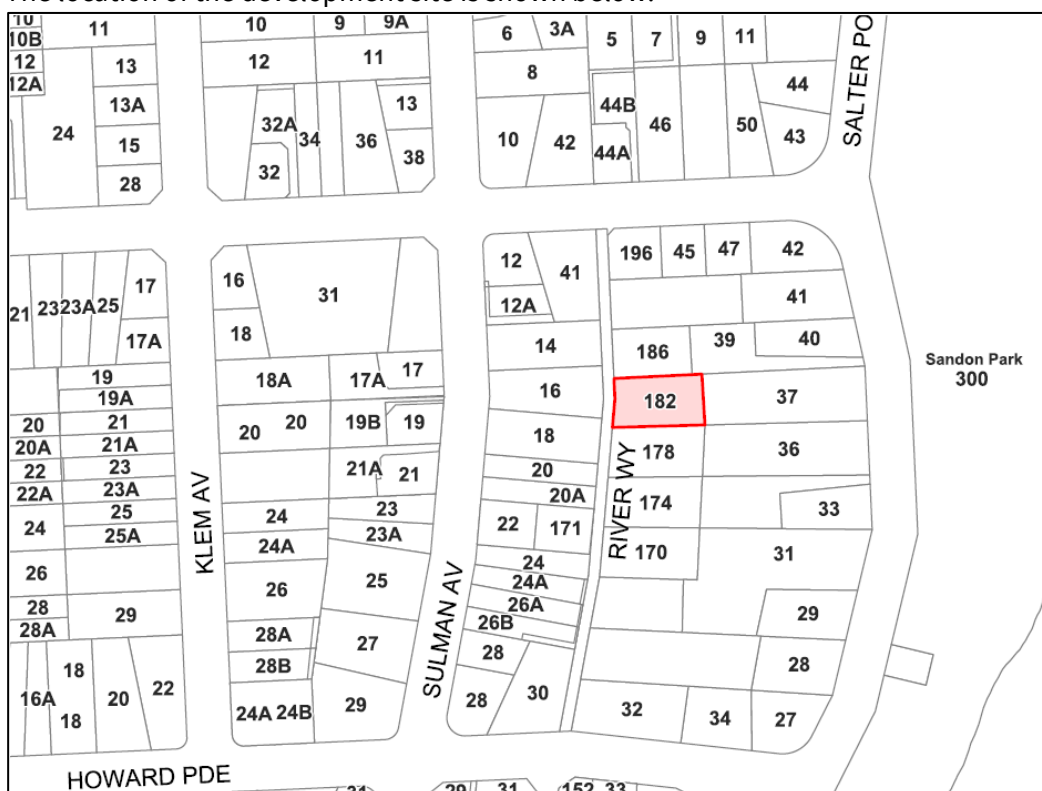


Figure 1 – Location Plan

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

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

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.

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

Comment

(a) Background

In January 2017, the City received an application for Proposed Additions and Alterations to a Two Storey Single House on Lot 21 (No.182) River Way, Salter Point (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 (a)**. The existing house is proposed to be refurbished with additions to both the ground floor level and upper level.

(c) Description of the Surrounding Locality

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



Figure 2 - Aerial Image of Surrounding Locality

(d) Description of the Proposal

The proposal involves the extension of the garage, a new balcony and enclosure of a terrace to extend two habitable rooms on the Site, as depicted in the submitted plans in **Attachment (b)**.

The following planning aspects have been assessed and found to be compliant with the provisions of TPS6, the R-Codes 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).
- Street setbacks (R-Codes 5.1.2 and Council Policy P306 clause 1).
- Lot boundary setbacks – Boundary Walls (Council Policy P350.02 clause 1.1).
- Building height restrictions in Precinct 13 ‘Salter Point’ (TPS6 cl. 6.1A (10)).

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

- Open space (R-Codes clause 5.1.4).
- Garage width (R-Codes clause 5.2.2).
- Street surveillance (R-Codes clause 5.2.3).
- Street walls and fences (R-Codes clause 5.2.4 and Council Policy P306 clause 5).
- Finished floor and ground levels (TPS6 clause 6.10).
- Sight lines (R-Codes clause 5.2.5).
- Outdoor living area (R-Codes clause 5.3.1).
- Parking (R-Codes clause 5.3.3; Council Policy P306 clause 3 and TPS6 clause 6.3(8)).
- Vehicular access (R-Codes clause 5.3.5 C5.2-3).
- Driveway gradient (TPS6 clause. 6.10(2)).
- Solar access for adjoining sites (R-Codes clause 5.4.2).

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

- Street setback – Carports and garages (Council Policy P306 clause 2 and R Codes clause 5.2.1).
- Visual privacy (R-Codes clause 5.4.1).
- Lot boundary setbacks (R-Codes clause 5.1.3 and Tables 2a/2b).

The discretionary matters are also addressed by the applicant in their justification response, contained in **Attachment (c)**.

(e) **Garage Setback**

As the site abuts River Way, Salter Point, the minimum street setback provisions for garages for this site are specified in clause 2 of Council Policy P306 *'Development of Properties Abutting River Way'*. This policy replaces the deemed- to-comply standards of the R-Codes that would otherwise apply. The prescribed minimum street setback for any carports and garages from River Way is 4.5 metres. The proposed addition to the garage is setback 2.6 metres, therefore the proposed development does not comply with clause 2 of Council Policy p306 *'Development of Properties Abutting River Way'*.

The Council can approve the proposed setback (or an alternative setback that is less than specified in clause 2) if Council is satisfied the development demonstrates compliance with the street setback design principles in clause 5.2.1 of the R- Codes.

The relevant design principles for Council's consideration are copied below:

P1 The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings; or obstruct views of dwellings from the street and vice versa.

The applicant has provided the following justification in support of the proposed variation:

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

“Given the garage has only increased from 5.24 metres to 6.56 metres in width (25% increase) it does not affect sightlines and the streetscape appearance. This increase allows the owners to park two cars comfortably in the garage instead of just one at this time. This 25% increase has no adverse effect on the neighbouring properties”.

The following matters should be noted in considering this application:

- This development proposes a substantial variation to the Council Policy requirements, which were prepared and implemented to address the bulk and scale concerns raised by the community.
- If the Council Policy Requirements are applied consistently, the River Way streetscape will, overtime, reflect the objectives within the current Council Policy, as properties have redeveloped.

Taking the above matters into account, it is noted that the proposed development has similar building bulk impact to River Way as many other existing buildings on River Way. However the established character is largely inconsistent with the Council’s current objectives for new development on River Way.

The site has an existing 5.24 metre wide garage, setback 2.3 metres from the primary street boundary. The 1.3m wide addition to the garage will permit two vehicles to park in the garage, allowing an additional visitor bay (where the second vehicle currently parks). The addition matches in with the design existing garage. There proposed addition is in line with the setback of the existing garage and will therefore not have a significant impact on the streetscape.

Accordingly, it is recommended that the proposed development satisfies the design principles of the R-Codes for the following reasons:

- the setback of the garage addition is in line with the existing garage;
- the setback of the garage addition does not detract from the streetscape; and
- the setback of the garage addition does not impact the street in terms of bulk and scale;

(f) Lot Boundary Setback (South Wall, Ground Floor)

	Deemed-to-comply provision	Proposed
South Side Setback (Bedrooms 2, 4 and Bathroom)	3.0 metres	2.4 metres
<p><i>Design Principles:</i></p> <p><i>Buildings set back from lot boundaries so as to:</i></p> <ul style="list-style-type: none"> •Reduce impacts of building bulk on adjoining properties; •Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and •Minimise the extent of overlooking and resultant loss of privacy on adjoining properties. 		

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

“The lot boundary setbacks have not changed. The southern, eastern and northern walls of Bedrooms 2 & 3 are in poor condition and are being rebuilt”.

The proposed development includes the extension of the southern side ground floor side by approximately 1.85 metres by bricking up the existing clear glass terrace window. The terrace is being enclosed in order to extend the size of bedrooms 2 and 3. It is noted that the southern wall is to be refurbished with external cladding to the existing brickwork. The extension maintains the existing wall setback to the southern boundary. It is noted that the existing roof line over the terrace remains and as the terrace is already enclosed, albeit by clear glass, the impact of additional building bulk is minimal. In addition by bricking up the terrace window, privacy for the adjoining property is increased.

Accordingly, it is recommended that the proposed setback to the southern boundary satisfies the design principles of the R – Codes for the following reasons:

- the extension is in line setback the existing dwelling and has limited impact on terms of building bulk onto the adjoining property; and
- by enclosing the terrace, privacy for the adjoining property is increased.

(g) Visual Privacy Setback- (South, Ground Floor Bedroom 2 Door)

	Deemed-to-comply-provision	Proposed
Bedroom 2 window	Min 4.5 metres	2.3 metres within the cone of vision
<p><i>Design Principles</i></p> <p><i>Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</i></p> <ul style="list-style-type: none"> • <i>Building layout and location;</i> • <i>Design of major openings;</i> • <i>Landscape screening of outdoor active habitable spaces; and/or</i> • <i>Location of screening devices.</i> <p><i>Maximum visual privacy to side and rear boundaries through measures such as:</i></p> <ul style="list-style-type: none"> • <i>offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;</i> • <i>building to the boundary where appropriate;</i> • <i>setting back the first floor from the side boundary;</i> • <i>providing higher or opaque and fixed windows; and/or</i> • <i>screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)</i> 		

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

As the floor level of Bedroom 2 is raised more than 500 millimetres above natural ground level it is subject to the visual privacy requirements of the R Codes.

The area of overlooking evident from Bedroom 2 is a maximum of 0.2 square metres as depicted in **Figure 3** below. R – Codes Explanatory Guidelines implies a distance of 15 metres or more for effective privacy separation for active habitable spaces, which is considered when the deemed-to-comply requirements are not met. When assessing the cone of vision at a 15 metre distance, it results in an overlooking a sensitive area of the adjoining properties swimming pool (No. 178 River Way).

The existing dwelling is setback 2.3 metres from the southern boundary with a clear glass window to the terrace facing the adjoining property. The proposed extension to the southern wall of Bedroom 2 encloses this terrace with a blank wall. A new window is proposed to the bedroom on the eastern side, however, due to this location, overlooking of the adjoining property to the south is indirect. As a result it is considered that the amount for privacy for the adjoining property is increased by the proposal.

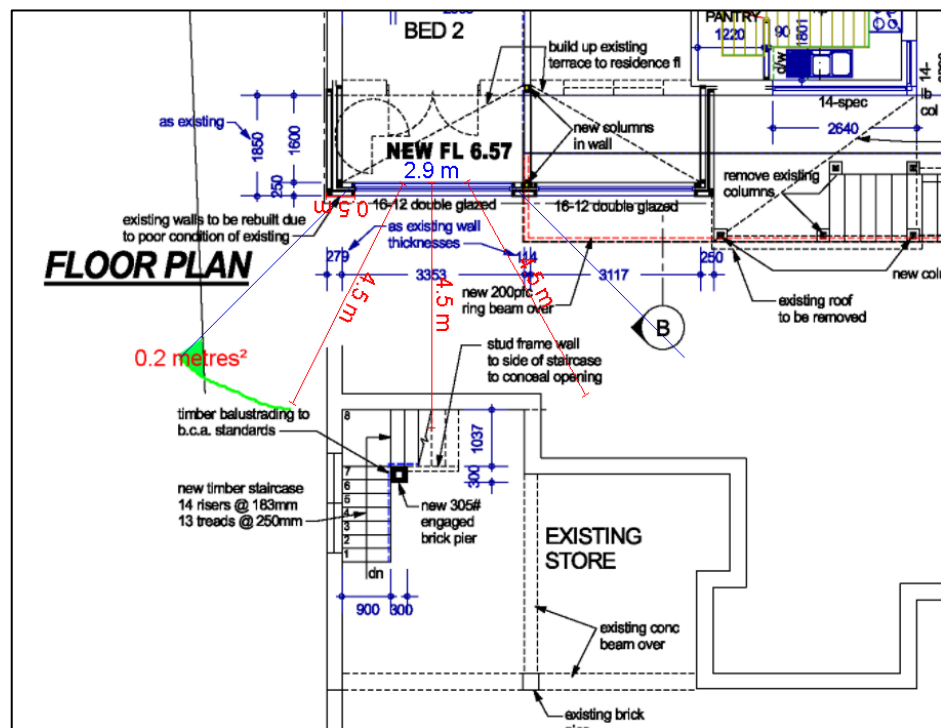


Figure 3 – Cone of Vision Bedroom 2

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

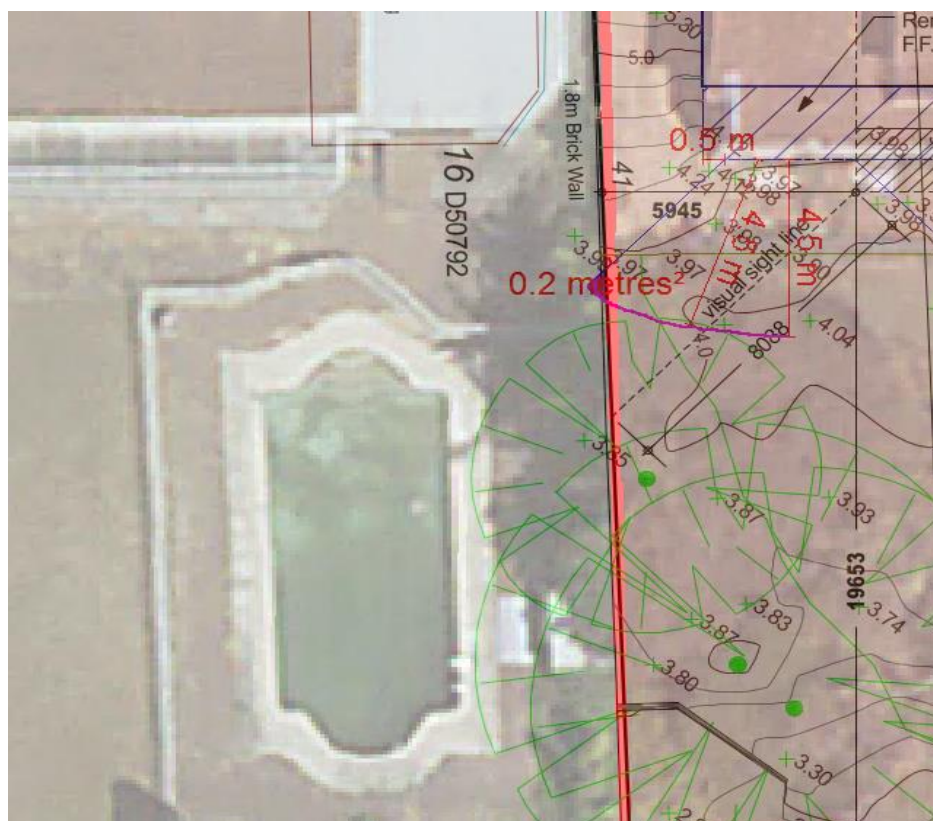


Figure 4- Aerial of Proposed Refurbishment against Existing Development

Accordingly, it is recommended that the visual privacy setback of bedroom 2 satisfies the design principles of the R – Codes for the following reasons:

- the proposed refurbishment increases the amount of privacy for the adjoining property; and
- the bedroom 2 window does not directly overlook the adjoining property.

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

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

- (f) *Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development.*

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

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

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (g) any local planning policy for the Scheme area;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (zb) any other planning consideration the local government considers appropriate.

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

Consultation

(a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. The adjoining property owner was consulted with regard to the setback variation to the southern boundary. Notification letters were sent to all other adjoining land owners. During the advertising period, no submissions were received supporting the application.

(b) Other City Departments

The application did not require referrals to other departments of the City's administration.

(c) External Agencies

The application did not require referrals to any external agencies.

10.3.1 Proposed Additions and Alterations to a Two Storey Single House Lot 21 (No. 182) River Way, Salter Point

Policy and Legislative Implications

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

Financial Implications

This determination may have no financial implications, should the applicant not be satisfied with the Council's decision and elect to lodge an application to the State Administrative Tribunal to review Council's Decision.

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

Noting the constraints posed by the development Site with respect to the significant slope of ground, as well as not a very favourable orientation of the lot, the officers observe that outdoor living areas at the ground level as well as on the roof top have been provided that have access to winter sun. Accordingly, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

Conclusion

The retention and improvement of existing house stock is encouraged. It is considered that the proposal meets all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions, as it will not have a detrimental impact on adjoining residential neighbours and streetscape. Accordingly, it is considered the application should be conditionally approved.

Attachments

- 10.3.1 (a):** Site Photos No. 182 River Way, Salter Point
- 10.3.1 (b):** Development Plans No. 182 River Way, Salter Point
- 10.3.1 (c):** Applicant Justification No. 182 River Way, Salter Point

10.3.2 Proposed Deletion of Condition to Approved Change of Use from Office to Consulting Rooms. Lot 51 (No. 245) Canning Highway, Como

Location: Lot 51 (No. 245) Canning Highway, Como
Ward: Como Ward
Applicant: GATE GP Pty Ltd
File Reference: D-17-24765
DA Lodgement Date: 22 March 2017
Meeting Date: 28 March 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 to delete Condition 11 (vehicle access/ restriction) of the development approval dated 26 July 2016 for an Approved Change of Use from Office to Consulting Rooms on Lot 51 (No. 245) 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
Vehicle Access	Deemed Provisions Clause 77

Officer Recommendation

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval to delete condition 11 of the development approval of the Approved Change of Use from Office to Consulting Rooms on Lot 51 (No. 245) Canning Highway, Como dated 26 July 2016 be **approved** subject to:

(a) Deletion of Existing Conditions

1. Existing Condition 11 (vehicle access) is deleted.

All other conditions and requirements detailed on the previous approval dated 26 July 2016 shall remain unless altered by this application.

(b) Specific Advice Notes

The applicant is advised that modifications to the existing median along South Terrace may be modified in the future and therefore this will limit access to the parking area as “left in” only and “left out” only”.

Background

The development site details are as follows:

Zoning	Highway Commercial
Density coding	R80
Lot area	1498 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 request to delete condition 11 of the development approval dated 26 July 2016 is referred to a Council for determination as the original application was determined by Council:

4. Applications previously considered by Council

This power of delegation does not extend to applicants for planning approval previously considered by Council, where drawings supporting a current application have been significantly modified from those previously considered by Council at an earlier stage of the development process, including at an earlier rezoning stage, or as a previous application for planning approval.

Comment

(a) Background

In July 2016, the Council approved an application for a Change of Use from Offices to Consulting Rooms on Lot 51 (No.245) Canning Highway, Como (the **Site**). The site contains two buildings Nos 245 and 247 Canning Highway.

On 2 February 2017, the City received an application pursuant to Clause 77 of the 'Deemed Provisions' to delete Condition 11 of Council's Approval dated 26 July 2016. Condition 11 stated as follows:

10.3.2 Proposed Deletion of Condition to Approved Change of Use from Office to Consulting Rooms. Lot 51 (No. 245) Canning Highway, Como

(11) Vehicle access to the parking area is to be 'left in' only and exit 'left out' only. The crossing is to be configured with a 'splitter island' to ensure the left in and left out movement is complied with.

(b) Existing Development on the Subject Site

The Site contains two single storey buildings, used for Consulting Rooms at No. 245 Canning Highway and an Educational Establishment at No. 247 Canning Highway.

(c) Description of the Surrounding Locality

The Site has a frontage to South Terrace to the north, located adjacent to a residential property to the south and west, and to Canning Highway to the east, as seen in **Figure 2** below:



Figure 2- Aerial of No. 245 Canning Highway

(d) Description of the Proposal

The applicant has requested the deletion of Condition 11 of Planning Approval dated 26 July 2016 (11.2016.161.1) that relates to restricting vehicle access to and from the site.

If this application is approved by Council, the applicant will not be required to modify the central median, maintaining both left and right turn vehicle movements into and out of the development site.

The most recent planning approval for this development is contained within **Attachment (a)**. The tenants email on behalf of the owners in **Attachment (b)** describes the proposal in more detail.

(e) Vehicle Access

Condition 11 was imposed by Council to restrict access to and egress from the site. At the time it was considered that the proposed change of use would increase traffic movements into the site. In order to control vehicle movements the City's Engineering Department requested a condition requiring 'left in' and 'left out' movements only.

The tenant has provided justification below:

"We would like to appeal this decision and request that the current free entry and exit that has been in existence for the last few decades be allowed to continue. It has been working well in its previous use as Office (housing up to 40 people) and the use before as Consultation Rooms for several decades. It appears an unnecessary inconvenience to staff and clients as well as neighbouring businesses with minimal or dubious benefits".

The current application was referred to the City's Engineering Infrastructure Department to review the previous advice. The City's Engineering Department has advised they support the deletion of Condition 11.

Their comments are copied below and outlined in **Attachment (c)**.

"The reasoning for imposing Condition 11 was in regard to future development. Our position was and remains that the current road configuration with the central median (and recessed kerb line adjacent to No. 245 Canning Highway) will not remain that way for much longer if the No. 243 Canning Highway is redeveloped. The Development Plans previously submitted for No. 243 Canning Highway (Como Hotel Site) had the crossing being relocated further west and South Terrace widened both sides to allow for:

- *an extended second lane at the signals for east bound traffic; and*
- *a "turning lane" to the Hotel and a single west bound through lane.*

This scenario would result in the central median being extended thus closing off access to the car park other than as "left in left out". In the short term however the Applicants request for the removal of Condition 11 could be accepted on the understanding and acknowledgement that the City will within the foreseeable future be extending the central median in South Terrace further west thus limiting access to the parking area as "left in" only and "left out" only".

Accordingly, Planning Condition 11 can be deleted however an important advice note will be required in respect of the City's future road modifications.

(f) 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:

- (j) *In all commercial centres, promote an appropriate range of land uses consistent with:*
- *the designated function of each centre as set out in the Local Commercial Strategy; and*
 - *the preservation of the amenity of the locality;*

The proposed development is considered satisfactory in relation to all of these matters.

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

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;
- (zb) any other planning consideration the local government considers appropriate.

The proposed development is considered satisfactory in relation to all of these matters.

Consultation

(a) Design Advisory Consultants' Comments

This reconsideration did not necessitate referral to the City's Design Advisory Consultants (DAC).

(b) Neighbour Consultation

Neighbour Consultation was not required for this application as per Policy P301 "*Community Engagement in Planning Proposals*". However the effected party submitted comments in support of the condition, as copied below:

"We are in support of deletion of Condition 11 for 245 Canning Hwy Change of Use to Consulting Rooms. For your information in support of the deletion we provide the following feedback:

- *Planning requests have been approved in the past without this condition for the same use.*
- *No reported incidents with ingress or egress have occurred during our 4 years as tenants.*
- *The current traffic which we have witnessed ingresses and egresses complies with left in left out.*
- *The Current Island and double white lines on South Terrace prohibit ingresses and egresses for East bound traffic.*
- *The works would significantly impact our business at quite significant financial cost.*
- *We will continue (as we have always) to inform new clients of the correct ingress and egress process".*

The previous application for a Change of Use from Office to Consulting Rooms (11.2016.161.1) was advertised and no submissions were received.

(c) Other City Departments

Condition 11 was included based upon the advice received from the City's Engineering Department as part of the original application.

The City's Engineering Infrastructure Department was invited to comment in relation to the proposal to delete Condition 11 from the Planning Approval. Further details are provided under the Comment Section – (e) *Vehicle Access*.

(d) External Agencies

This amendment did not necessitate referral to any external agencies.

Policy and Legislative Implications

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

10.3.2 Proposed Deletion of Condition to Approved Change of Use from Office to Consulting Rooms. Lot 51 (No. 245) Canning Highway, Como

Financial Implications

This determination may have no financial implications, should the applicant not be satisfied with the Council's decision and elect to lodge an application to the State Administrative Tribunal to review Council's Decision.

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 development has minimal sustainability implications compared to the approved development.

Conclusion

It is considered that the proposal meets all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions; accordingly, it is considered the application to delete condition 11 of the original planning approval be supported.

Attachments

- 10.3.2 (a):** Planning Approval No. 245 Canning Highway 11.2016.16.1
- 10.3.2 (b):** Proposal for Deletion of Condition 11 - 11.2016.16.2
- 10.3.2 (c):** Infrastructure Engineering Comments 2017 - 11.2016.16.2

10.4 STRATEGIC DIRECTION 4: PLACES

10.4.1 Initiation of Proposed Amendment No. 55 to Town Planning Scheme No. 6 - Minor Modifications to Clause 5.4(10)(e)

Location:	No. 8 (Lot 801) Bradshaw Crescent and No. 10 (Lot 802) Conochie Crescent, Manning
Ward:	Manning Ward
Applicant:	N/A
File Ref:	D-17-25292
Date:	28 March 2017
Author:	Elyse Maketic, Manager Strategic Planning
Reporting Officer:	Vicki Lummer, Director Development and Community 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 seeks Council approval to initiate Amendment No. 55 to Town Planning Scheme No. 6. This amendment proposes minor modifications to clause 5.4(10)(e) which relates to the site specific development provisions for lot 801 Bradshaw Crescent and Lot 802 Conochie Crescent, adjacent to the Manning Community Facility and within the Manning Community Hub. The amendment is a standard amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015* and will enable additional minor design elements such as balcony balustrades and canopies to be located outside the three dimensional building envelopes, which mandate setback, density and plot ratio requirements for these sites.

The amendment does not increase the height, plot ratio, density or development potential of the site and will consequently have no impact on the state planning framework or surrounding transport network. The impact of additional bulk will be minimal owing to the lightweight nature and limited dimensions of such structures. The amendment will facilitate greater articulation of the built form and casual surveillance of the public realm.

It is recommended that Council initiate the amendment.

Officer Recommendation

That Council;

1. Resolve pursuant to Section 75 of the *Planning and Development Act 2005* and Clause 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to initiate the proposed amendment No. 55, to Town Planning Scheme No. 6 as shown in attachment (a):
2. Pursuant to Clause 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determine that the amendment is a standard amendment for the following reasons:
 - a) The amendment will have minimal impact on land in the Scheme

- area that is not the subject of the amendment; and
- b) The amendment will not result in any significant environmental, social, economic or governance impacts on land in the Scheme area;
3. Pursuant to Section 81 of the *Planning and Development Act 2005*, refer the proposed amendment to the Environmental Protection Authority for consideration prior to advertisement;
 4. Pursuant to Clause 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, prepare notice of, and advertise, the proposed amendment with a submission period of not less than 42 days.

Background

In 2009 the Manning Community Facility Study was finalised. This study identified community needs and aspirations for the aging community buildings, and investigated the rationalisation of land and facilitation of additional commercial land uses in the area bounded by Bradshaw Crescent, Welwyn Avenue, Conochie Crescent and James Miller Oval.

Following on from this study, the detailed planning and redevelopment of the existing community buildings in this location commenced in December 2011. This work included the preparation of a master plan for the site, illustrating how the future Manning Community Facility would interact with the existing shopping centre fronting Welwyn Avenue and the nature of development on residual land between the two.

The City subsequently initiated Scheme Amendment No.36 in September 2012 in order to facilitate the implementation of this masterplan. The Amendment was finalised by Council in March 2013 and gazetted in July 2014. The Amendment, in part, introduced a new clause 5.4(10) into the Scheme, which prescribes development requirements for the two parcels of land between the Manning Community Facility, and the Welwyn Avenue shopping Centre (Lot 801 Bradshaw Crescent and Lot 802 Conochie Crescent) via two three-dimensional building envelopes. These building envelopes replace all plot ratio, residential density and setback provisions for these sites. Policy No. 351.12 '9 Bradshaw and 8 Conochie Design Guidelines' was subsequently adopted in July 2013 to provide design guidance on the application of the aforementioned Scheme provisions.

The existing provisions do not allow for any comprehensive new development to extend beyond the building envelopes, with the exception of awnings. Additionally the Policy states that canopies may extend beyond the building envelope, however, the Policy cannot override the Scheme requirements.

Comment

This amendment relates to the site specific development provisions for Lot 801 Bradshaw Crescent and Lot 802, Conochie Crescent contained in clause 5.4(10). It proposes minor modifications to clause 5.4(10)(e) to allow for additional design elements such as balcony balustrades and canopies to extend beyond the building envelope. The amendment report in full is included at attachment (a) and the amendment proposal is outlined on page 6 of this attachment.

10.4.1 **Initiation of Proposed Amendment No. 55 to Town Planning Scheme No. 6 - Minor Modifications to Clause 5.4(10)(e)**

It has become apparent through the detailed design for these sites that it would be beneficial to the design outcome and use of the site to allow additional minor design elements, such as canopies and balcony balustrades, to extend beyond the three dimensional envelope. Such elements add interest to and articulate the built form.

The proposed amendment is minor and will not increase the residential density or commercial development potential of the subject sites. It will therefore not have any impact on the state planning framework or adjacent transport network.

The impact on the bulk of the building will be minimal given that balcony balustrades and canopies are minor design elements that are lightweight with limited dimensions. Further, the nearest low density residential land uses are located approximately 14.5 metres to the north and 16 metres to the south of the site on the opposite side of Conochie Crescent and Bradshaw Crescent. The distance of these properties from the subject site will further limit the impact of any additional bulk on these properties.

Further, allowing balcony balustrades to project beyond the building envelope will allow for more useable outdoor space for the intended community focussed uses and promote increased casual surveillance of the public realm. This is consistent with the intended purpose of these sites and objectives of Policy No. 3.51.12. Further it would be in the interests of orderly and proper planning for the Scheme Provisions and Policy provisions to be consistent.

Whilst the amendment is minor it does not meet the criteria for a basic amendment listed in Part 5, regulation 34 of the *Planning and Development (Local planning Schemes) Regulations 2015* (the Regulations). The amendment is therefore considered to be a standard amendment for the following reasons:

- (a) The amendment will have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- (b) The amendment will not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Consultation

Neighbour and community consultation requirements for Standard Amendments are prescribed by regulation 47 of the Regulations. These requirements are supplemented by Part 10 of Policy P301 'Community Engagement in Planning Proposals', which provides further guidance for advertising such proposals.

The City has obtained the written agreement of the subject landowners to undertake the amendment. Preliminary engagement is therefore not required under Part 10(a) of Policy P301.

Following Council's endorsement of the draft Scheme Amendment, community consultation will be undertaken in accordance with the above for a period of 42 days. Consultation will include notices in the Southern Gazette newspaper, the Civic Centre, the City's Libraries and on the City's web site. The consultation process will also involve referral to the Environmental Protection Authority for assessment and the Western Australian Planning Commission for information.

10.4.1 **Initiation of Proposed Amendment No. 55 to Town Planning Scheme No. 6 - Minor Modifications to Clause 5.4(10)(e)**

Any submissions received during this period will be referred to a later Council meeting for consideration, before the Council decides how to proceed with the amendment.

Policy and Legislative Implications

The statutory process for Standard Scheme Amendments is set out in Part 5, Divisions 1 and 3 of the Regulations. The process as it relates to the proposed Amendment No. 55 is set out below, together with an estimate of the likely time frame associated with each stage of the process.

	Estimated Time
Council resolution to initiate proposed amendment and adoption of draft Amendment for advertising purposes	28 March 2017
Referral of draft Amendment proposals to EPA for environmental assessment during a 28 day period, and copy to WAPC for information	Early April 2017
Public advertising period of not less than 42 days	May 2017
Council consideration of Report on Submissions and resolution on how to proceed with amendment	August 2017
Referral to WAPC and Planning Minister for consideration, including: <ul style="list-style-type: none">• Report on Submissions;• Council's recommendation on the proposed Amendment;• Three signed and sealed copies of Amendment documents for final approval	August 2017
Minister's final determination of Amendment and publication in Government Gazette	Not yet known

Financial Implications

The Amendment is being initiated by the City and the costs of processing the amendment, including advertising, are borne by the City.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#). This matter relates to Strategic Direction 4 "Places" identified within Council's Strategic Plan 2015-2025 which is expressed in the following terms: *Develop, plan and facilitate vibrant and sustainable community and commercial places*

Sustainability Implications

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

Attachments

10.4.1 (a): Scheme Amendment No. 55 - Report

10.5 STRATEGIC DIRECTION 5: INFRASTRUCTURE AND TRANSPORT

10.5.1 Mends Street Precinct Parking

Location:	City of South Perth
Ward:	Mill Point Ward
Applicant:	Council
File Ref:	D-17-25294
Date:	28 March 2017
Author:	Les Croxford, Manager Engineering Infrastructure Phil McQue, Manager Governance and Administration
Reporting Officer:	Mark Taylor, Director Infrastructure Services Geoff Glass, Chief Executive Officer
Strategic Direction:	Infrastructure and Transport -- Plan and facilitate safe and efficient infrastructure and transport networks to meet the current and future needs of the community
Council Strategy:	5.1 Advocate for, implement and maintain integrated transport and infrastructure plans in line with best practice asset management and safe system principles.

Summary

This Report addresses:

- i) a petition to the City of South Perth on behalf of the commercial community within the Mends Street Precinct requesting the City to address perceived parking issues in this precinct; and
- ii) a request to change the designation of the loading bay adjacent to #11 Mends Street to general parking bays.

Officer Recommendation

That:

- the "First Hour Free" parking trial be introduced in May 2017 to SPE3 and SPE4, with the appropriate changes in times as outlined in the report, and to the South Perth Esplanade from approximately opposite Harper Terrace through to Queen Street;
- the parking trial be reviewed each quarter with a report to be brought to Council in the event that it is recommended the trial be discontinued;
- the Council note that the proposed introduction of "First Hour Free" would result in approximately \$150,000 per annum reduction in parking revenue, with a budget adjustment to be provided to Council in Quarter Three to reflect this revenue loss; and
- the request to change the designation of the loading bay adjacent to #11 Mends Street to parking bays is not supported.

10.5.1 Mends Street Precinct Parking

Background

A petition was received by Council at the February 2017 meeting from Paul and Hazel Noble of 20 Mends Street, South Perth together with 439 signatures in relation to the closure of the Mends Street car park adjacent to the Windsor Hotel.

The text of the petition reads:

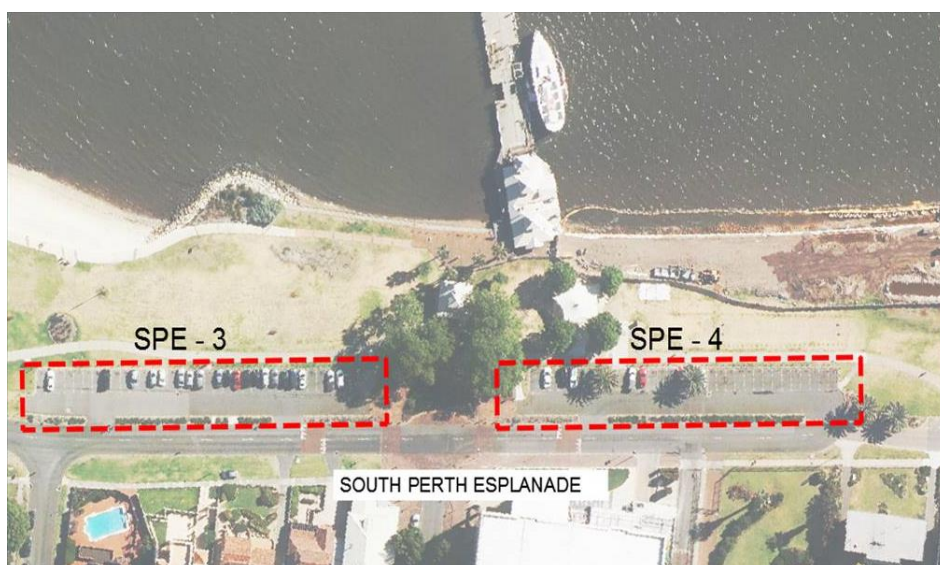
*“ Car Park Closure Adjacent to Windsor Hotel Mends Street South Perth:
We the undersigned demand that the Mayor and the City of South Perth Council take immediate action to rectify the problems the above-mentioned closure will have in the area of Mends Street, South Perth. The area has seen serious decline of retail outlets and businesses over recent years due to the direct result of lack of parking and the introduction of paid parking – (while other areas of South Perth i.e. Angelo Street have free parking for all).”*

The City has received a separate request to change the designation of the loading bay located adjacent to #11 Mends Street (pharmacy and medical centre) to general parking bays.

Comment

The Mends Street Precinct has the following parking arrangements presently in place:

- Parking along the South Perth Esplanade is within two time restricted paid parking areas (SPE 3 – northwest of Mends Street and SPE 4 – southeast of Mends Street) and on-street “pay as you use” parking north side (riverside) full length from near Queen Street through to the east end;
- Parking on the south/west side of the South Perth Esplanade Mends Street through to Queen Street is time limited with no fee;
- There is no on street parking east of Mends Street on the south side of the South Perth Esplanade;
- Mends Street is time restricted parking with no fee;
- Free one hour parking is available in adjacent Ray Street;
- First hour free parking is provided in the undercover South Shore Centre paid parking station off South Perth Esplanade;
- Paid parking is available at the Windsor Hotel carpark.



10.5.1 Mends Street Precinct Parking

The Mends Street Precinct has had the following parking arrangements discontinued or proposed to be discontinued:

- The former Mill Stream Shopping Arcade (#23 Mends Street) provided first hour free parking in the three hour time restricted private basement car park off Harper Terrace;
- Time limit with no fee parking bays were available in Harper Terrace but have recently been removed to enable the construction traffic to the three developments off Harper Terrace to operate safely;
- The Windsor Hotel Carpark now opens at 11:00am, where previously it was open 24 hours;
- The imminent demolition of #77 and #79 South Perth Esplanade (loss of on-street parking bays adjacent to the construction zone);
- The concurrent construction programs and approved traffic management plans that direct all construction traffic away from Mends Street to both Harper Terrace and the South Perth Esplanade will require the removal of all day time parking along one side of the South Perth Esplanade. Without the removal of parking on one side the road would be too narrow to accommodate the anticipated number of commercial vehicles and still maintain a safe road environment for all other road users.

The City does not consider the loss of parking bays in the precinct directly correlates to the poor performance of Mends Street business. The City acknowledges that precinct building works have had an impact on the overall supply of parking within the precinct however it is of the view that there are sufficient parking bays remaining to meet demand, particularly within the South Shore Centre.

The City considers the closure of businesses associated with new developments (e.g. IGA supermarket) may have had a more significant impact on the remaining business within the precinct. Mends Street precinct users may have to walk slightly further to access the precinct, however this is an inner City suburb adjacent to Perth CBD and is to be expected as the City's population increases.

Notwithstanding the above, as part of its commitment to economic development and to the businesses of Mends Street during a period of considerable disruption, the City is proposing the following trial amendments to commence in May 2017 for Council's consideration:

- South Perth Esplanade SPE 3
SPE 3 has 33 bays available for timed "pay as you use" parking with 20 of the bays having a four hour limit and the remaining 13 a one hour limit. This parking area could be converted to a two hour limit with the first hour free, the intention being to encourage high turnover. The financial implications of the proposal are referenced elsewhere in the report.
- South Perth Esplanade SPE 4
SPE 4 has 24 bays available for timed pay as you use parking with 9 bays set aside as one hour limit and the remaining 15 set aside as two hour limit. This parking area could be converted to a two hour limit for all bays with the first hour free, the intention being to encourage high turnover. The financial implications of the proposal are referenced elsewhere in the report.

10.5.1 Mends Street Precinct Parking

- South Perth Esplanade – North side Harper Terrace to Queen Street
To offset the loss of the timed but no fee parking on the south side the paid parking on the north side could be retained as four hour timed “pay as you use” parking with the first hour free. The financial implications of the proposal are referenced elsewhere in the report.

Given the significant financial loss associated with the above proposal, a quarterly review of the trial will be undertaken. Should the review identify the trial be discontinued, a further report would be presented to Council for consideration.

In response to the request to change the designation of the loading bay located adjacent to #11 Mends Street to general parking bays, an investigation has been completed. The City’s position is the loading bay is required to service the street. The loading bay has been in constant use since the street was upgraded in 1991 and is considered to be required.

The City’s adopted Parking Strategy lists loading bays as essential in the parking user hierarchy for a commercial centre. As a result, the request is not supported.

Consultation

The Coordinators Ranger Services and Network Operations have contributed to the preparation of this report.

Policy and Legislative Implications

The City’s adopted Parking Strategy has listed five parking principles which are to underlie future strategies relating to travel behaviour. Principle iv) is particularly relevant to this issue:

- i) Focus on people access not vehicle access
This requires the development of innovative access programs targeted at a more active community.
- ii) Provide efficient and effective alternatives to car access
This requires the promotion of accessibility such as a park and ride facility or the availability of low fare or free buses, rather than the promotion of parking. The provision of high quality reliable public transport is a fundamental prerequisite for parking policies which seek to maintain supply within acceptable limits, reduce congestion and encourage alternative modes of transport.
- iii) Parking policy and strategy must support sustainable transport
The integration of commuter parking with public transport is a major opportunity to reduce the dependency on cars coming into a centre. Additionally, there is a need for better bicycle paths and quality end-of-trip bicycle facilities, as well as improved bus shelters with real-time information.
- iv) The appropriate amount of parking for the centre will be well below the unconstrained demand for parking
The available parking supply should be adequate, not excessive. It need not cater to occasional peak demand, or ensure that every driver will always be able to find a bay. Rather, it seeks to eliminate over-supply and unused

10.5.1 Mends Street Precinct Parking

capacity. Consolidated parking is a means of making better use of available supply. Sharing parking between multiple land uses and/ or businesses does not require each of them to provide their own parking. This ensures an adequate rather than excessive supply of parking and is particularly appropriate to the provision of overall parking in the commercial precincts.

v) The provision of parking requires a demand management, not a demand satisfaction approach

Controlling parking demand is the counterbalance to the management of parking supply, but it is far easier, more flexible and less expensive to make better use of existing parking capacity than to create additional parking. Parking management strategies recognise different hierarchies of users. Fees can be used to control demand and to encourage alternative modes. Additionally, improvements to transport and access infrastructure can be funded from additional income derived from parking.

Financial Implications

SPE3 and SP4 together contribute approximately 20% of parking revenue to the City.

The first hour free parking trial is anticipated to result in a reduction of about \$150,000 per year, or approximately 10% overall of the parking revenue.

Strategic Implications

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

Sustainability Implications

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

Attachments

Nil

10.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

10.6.1 Management Account Summaries

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-25079
Date:	28 March 2017
Author:	Michael J. Kent, Director Financial and Information 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

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

Background

Local Government (Financial Management) Regulation 34 requires the City to present monthly financial reports to Council in a format reflecting relevant accounting principles.

10.6.1 Management Account Summaries

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.

10.6.1 Management Account Summaries

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 28 February 2017 is \$50.09M which represents 99% of the \$50.42M year to date budget. Revenue performance is close to budget in most areas other than items identified below.

Rates revenue reflects as being slightly ahead of budget after the recent interim rates billing. Investment revenues are 14% under budget for the Municipal Fund whilst Reserve Funds are 12% under budget. Parking revenue is now 7% behind budget targets following a quieter than expected January & February period.

Planning revenues are 11% 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 on budget. 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 1% 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 28 February 2017 is \$35.70M which represents 97% of the year to date budget of \$36.94M. Operating Expenditure shows as 3% under budget in the Administration area. Operating costs are 4% 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.

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

10.6.1 Management Account Summaries

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.

As would be expected in any entity operating in today's economic climate, there are some budgeted staff positions across the organisation that are necessarily being covered by agency staff (potentially at a higher hourly rate). Overall, the salaries budget (*including temporary staff where they are being used to cover vacancies*) is currently showing as 4.0% under the budget allocation for the positions approved by Council in the budget process. This reflects several staff vacancies (including 2 recently filled managerial positions and others vacant ones provided for in anticipation of the organisational structural review).

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

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

Capital Revenue is disclosed as \$4.37M at 28 February which is 3% over the year to date budget of \$4.26M after the recognition of the insurance recovery proceeds from the WCG Thomas fire in the Q2 Budget Review at the February council meeting.

Capital Expenditure to 28 February is \$14.32M representing 82% of the (revised) year to date budget of \$12.10M. The total budget for capital projects for the year is now \$25.21M after the inclusion of carry forward projects into the budget in September and incorporation of the Q2 Budget Review adjustments.

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	219,000	228,266	104%	1,214,000
Major Community Projects	4,165,000	3,811,809	91%	5,500,000
Financial & Information	1,150,000	650,629	57%	1,760,000
Development	140,000	128,665	92%	250,000
Community Services	547,000	542,743	99%	725,000
Infrastructure Services	10,724,805	8,526,757	80%	14,164,505
Waste Management	133,000	75,743	57%	665,000

10.6.1 Management Account Summaries

Golf Course	395,115	354,302	90%	936,612
Total	17,473,920	14,318,914	82%	25,215,117

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

Consultation

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

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Sustainability Implications

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

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

Attachments

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

10.6.2 Statement of Funds, Investments and Debtors at 28 February 2017

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-25080
Date:	28 March 2017
Author:	Michael J. Kent, Director Financial and Information 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

That Council receives the 28 February 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)**

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 \$74.33M which compares unfavourably to \$80.89M 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 \$76.91M.

Municipal funds represent \$22.78M of this total, with a further \$50.61M being Reserve Funds. The balance of \$0.94M relates to monies held in Trust. The Municipal Fund balance is some \$2.40M higher than last year which relates to the timing of cash outflows on the capital works program.

Reserve funds are \$9.02M 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 \$74.25M compared to \$75.85M at the same time last year. There is \$7.08M more cash in Municipal investments whilst cash backed Reserve Fund investments are \$9.02M 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, 68.6% 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 28.5% of its investments in such institutions.

In meeting this objective, the City has necessarily invested 10.2% of its funds in investments rated at BBB+.

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

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

Interest revenue (received and accrued) for the year totals \$1.32M. This compares to \$1.54M 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 2.74% with the anticipated weighted average yield on investments yet to mature now sitting at 2.59%. 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 February 2017 (1 instalment remaining) represent 89.6% of rates collectible (excluding pension deferrals) compared to 89.9% 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 (\$1.18M last year). Last month debtors were \$2.14M. Most debtor balances are not materially different to last year's comparatives other than Balance Date debtors which are \$0.69M higher - largely due to the month end accrual for the WCG Thomas building insurance recovery, \$0.4M higher Sundry Debtors for event recoveries and \$0.2M 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.

Sustainability Implications

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

Attachments

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

10.6.3 Listing of Payments

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-25082
Date:	28 March 2017
Author:	Michael J. Kent, Director Financial and Information 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 February 2017 and 28 February 2017 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(429)	\$4,299,399.35
Cheque Payment to Creditors	(30)	\$234,594.17
Total Monthly Payments to Creditors	(459)	\$4,533,993.52
Cheque Payments to Non Creditors	(97)	\$112,398.25
Total Payments	(556)	\$4,646,391.77

Officer Recommendation

That the Listing of Payments for the month of February 2017 as detailed in **Attachment (a)**, be received

Background

Local Government Financial Management Regulation 11 requires a local government to develop procedures to ensure the proper approval and authorisation of accounts for payment. These controls relate to the organisational purchasing and invoice approval procedures documented in the City's Policy P605 - Purchasing and Invoice Approval.

They are supported by Delegation DM605 which sets the authorised purchasing approval limits for individual officers. These processes and their application are subjected to detailed scrutiny by the City's auditors each year during the conduct of the annual audit.

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

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

Comment

A list of payments made during the reporting period is prepared and presented to the next ordinary meeting of Council and recorded in the minutes of that meeting. The payment listing is now submitted as **Attachment (a)** 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.

10.6.3 Listing of Payments

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

These transactions are of course subject to proper scrutiny by the City's auditors during the conduct of the annual audit.

In accordance with feedback from Council Members, the attachment to this report has been modified to recognise a re-categorisation such that for both creditors and non-creditor payments, EFT and cheque payments are separately identified. This provides the opportunity to recognise the extent of payments being made electronically versus by cheque.

The payments made are also listed according to the quantum of the payment from largest to smallest - allowing Council Members to focus their attention on the larger cash outflows. This initiative facilitates more effective governance from lesser Council Member effort.

Consultation

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

Policy and Legislative Implications

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

Financial Implications

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

Strategic Implications

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

Sustainability Implications

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

Attachments

10.6.3 (a): Listing of Payments

10.6.4 Property Committee

Location:	South Perth
Ward:	Not Applicable
Applicant:	City of South Perth
File Ref:	D-17-25077
Date:	28 March 2017
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report considers a notional vacancy on the Property Committee and recommends that Council appoint an Elected Member to the Committee.

Officer Recommendation

That the Council nominate Councillor _____ to the Property Committee.

Background

The Council resolved to establish a Property Committee in September 2016:

- (a) The Committee will be called the City of South Perth Property Committee.
- (b) The Committee is established with effect from September 2016
- (c) Membership of the Committee shall comprise:
 - (i) Four elected members of the Council of the City of South Perth; and
 - (ii) Two external persons appointed for their specialist knowledge and experience.
- (d) The Committee will appoint a Chair from among the committee members
- (e) External persons appointed as members of the Committee shall be appointed for a period not exceeding one year with a right of reappointment.

Mayor Doherty, Cr Burrows, Cr Hawkins-Zeeb and Cr Manolas were appointed to the Committee in September 2016, with Lewis Brock appointed as an external community member in February 2017.

Comment

There is notionally one vacancy on the Property Committee given only one external community member has been appointed. Given this vacancy, it is recommended that Council consider appointing one more Elected Member to the Property Committee.

Consultation

This report has been prepared in consultation with the City's Executive Team.

10.6.4 Property Committee

Policy and Legislative Implications

Part 5 Division 2 of the *Local Government Act 1995* prescribes the administration of Committees of Council.

Financial Implications

Nil.

Strategic Implications

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

Sustainability Implications

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

Attachments

Nil

10.6.5 Arts Advisory Group

Location:	N/A
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-25084
Date:	28 March 2017
Author / 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:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

Summary

This report seeks an elected member nominee who would like to represent the City and the community as a member of this advisory group, following the resignation of the Mayor from the group.

Officer Recommendation

That the Council nominate _____ to the Arts Advisory Group.

Background

The development of a Public Art Strategy (PAS) was to establish the strategic and administrative structure to managing and developing the City's current public art assets and future projects. Since the adoption of this strategy in 2013, the City has progressed with many action items within this PAS that have resulted in an increase in public art projects.

As tabled in recommendation item 6.1 of the PAS, the implementation of an Art Advisory Group made up of elected and community members assists the City in making educated and considered decisions within the field of public art.

Current elected members on the group are Councillor Colin Cala and Councillor Fiona Reid. The third member, Mayor Doherty has recently resigned from the group.

Comment

The purpose of the Public Art Advisory Group (PAAG) is to:

- 1 Provide advice on matters relating to the review, development and implementation of the Public Art Strategy and related policies.
- 2 Assist to develop the creation of opportunities for a diverse range of public art
- 3 Vote on artwork concept designs that result from City initiated Public Art Projects (Policy P101).
- 4 Provide recommendations to Council on City initiated Public Art projects resulting from P101 and are procured through a Tender and therefore are over \$150,000 in value.

10.6.5 Arts Advisory Group

All decisions are considered in conjunction with officer recommendations and a 'Terms of Reference' is at attachment 1

The AAG's meets four times a year. The last meeting was held on 9 March 2017. The working group comprises a maximum of three elected members.

Current and upcoming items that may be put to the group may include current City projects resulting from percent-for-art contributions.

Consultation

N/A

Policy and Legislative Implications

Policy P101 Public Art and Policy P316 Developer Contributions for Public Art

City of South Perth Public Art Strategy

Financial Implications

Budget provisions exist for Public Art.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2015-2025](#). In particular Area 6. Governance, Advocacy and Corporate Management: *Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan.*

Sustainability Implications

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

Attachments

Nil

10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.7.1 Audit, Risk and Governance Committee Meeting: 14 March 2017

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-24986
Lodgement Date:	23/03/2017
Date:	28 March 2017
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 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 from the Audit, Risk and Governance Committee meeting held on 14 March 2017 for Council's consideration. The Minutes and Attachments of which can be found at **Attachments (a) and (b)**.

Committee Recommendations

That Council adopt the following recommendations of the Audit, Risk and Governance Committee meeting held on 14 March 2017:

1. Review of Policies

That the Audit, Risk and Government Committee, having reviewed the Council Policies; listed hereunder recommends to the Council that:

- a) The following policies having been reviewed with 'no change' to content, be adopted:
 - P601 Preparation of Long Term Financial Plan and Annual Budget
 - P604 Use of Debt as a Funding Option
 - P605 Purchasing and Invoice Approval
 - P606 Continuous Financial Disclosure
 - P607 Tenders and Expressions of Interest
 - P608 Dividend Policy – Collier Park Golf Course
 - P610 Collier Park Village – Financial Arrangements
 - P612 Disposal of Surplus Property
 - P613 Capitalisation and Valuation of Fixed Assets
 - P648 Motor Vehicles
 - P649 Mayoral Vehicle
 - P661 Complaints
 - P662 Advertising on Banner Poles
 - P665 Use of Council Facilities

- P667 Member Entitlements
- P668 Mayoral Portraits
- P670 Delegates from Council
- P671 Governance
- P673 Audio Recording of Council Meetings
- P675 Legal Representation
- P677 State Administrative Tribunal (with amendment)
- P687 Development of Council Owned Land
- P688 Asset Management
- P692 Sustainability
- P693 Retiring Elected Member Gift

b) The following policies have been reviewed and the content revised as per **Attachment (a)** be recommended to the Council for adoption:

- P602 Authority to make payment from the Municipal and Trust funds
 - P603 Investment of Surplus Funds
 - P672 Agenda Briefings, Concept Forums and Workshops
- Note: Policy P672 Agenda Briefings, Concept Forums and Workshops has been amended to include provision for electronic presentations to support Deputations. This can be seen in **Attachment (c) of this Agenda**.
- P674 Management of Corporate Records
 - P680 Electronic Agendas
 - P689 Applications for Planning Approval: Applicants Responsibilities
 - P303 Design Review Panel (Strategic Direction 3: Housing and Land Uses) (with amendment)

Note: Policy P303 Design Review Panel (Strategic Direction 3: Housing and Land Uses) is recommended to the Council for adoption for the purpose of advertising.

c) The following new policies as per **Attachment (b)** be recommended to the Council for adoption:

- P694 Fraud and Corruption Prevention Policy
- P695 Risk Management Policy

d) Policy P691 Business Excellence Framework as per **Attachment (c)** be recommended to the Council for deletion.

2. Review of Council Delegations – Strategic Direction 6

That the Audit, Risk and Governance Committee, having reviewed the City's Delegations held within Strategic Direction 6 – Governance, Advocacy and Corporate Management; listed hereunder and contained at **Attachment (a)** be referred to Council for adoption:

- DC601 Preparation of Long Term Financial Plan, Annual Budget & Annual Financial Report
- DC602 Authority to Make Payments from the Municipal and Trust Funds
- DC603 Investment of Surplus Funds
- DC607 Acceptance of Tenders
- DC607B Non Acceptance of Tenders
- DC609 Lease and Licences
- DC612 Disposal of Surplus Property
- DC616 Write off Debts
- DC642 Appointment of Acting CEO
- DC664A Dogs – Limitation as to numbers
- DC664B Dogs – Dangerous Dog Declaration

DC664C	Dogs – Registration
DC665A	Cats – Registration
DC665B	Cats – Approval to Breed Cats
DC665C	Cats – Recover Costs
DC678	Appointment of Authorised Officers
DC679	Administer the City’s Local Laws
DC685	Inviting Tenders or Expressions of Interest
DC686	Granting Fee Concessions – Development Applications
DC690	Town Planning Scheme 6

3. Confirmation of Dog Exercise Areas

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

- adopts the list of areas attached to the report (**Attachment (a)**) where:
 - dogs are prohibited absolutely pursuant to s31(2B) of the *Dog Act 1976*;
 - areas that are dog exercise areas for the purposes of s31 and s32 of the *Dog Act 1976*, and
 - gives 28 days local public notice of its decision.
- notes that the prohibited areas and exercise areas are the same as those contained in the former *City of South Perth Dogs Local Law 2011*.

ABSOLUTE MAJORITY VOTE REQUIRED

4. Adoption of Standing Orders Amendment Local Laws

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

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

ABSOLUTE MAJORITY REQUIRED

5. Proposed New Parking Local Law 2017

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

- In accordance with section 3.12(4) of the *Local Government Act 1995*, adopts the *City of South Perth Parking Local Law 2017*, subject to:
 - Deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted; and
 - Various other amendments as ‘marked up’ on the attachment to the report to Council.
- In accordance with s3.12(5) of the *Local Government Act 1995*, resolves that the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
- After Gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, resolves that local public notice be given –
 - Stating the title of the local law;
 - Summarising the purpose and effect of the local law and the day on which it comes into operation); and
 - Advising that copies of the local law may be inspected or obtained from the City’s offices.
- Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, resolves that a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

ABSOLUTE MAJORITY VOTE REQUIRED

6. Proposed Waste Local Law 2017

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

- In accordance with section 3.12(4) of the *Local Government Act 1995*, adopts the *City of South Perth Waste Local Law 2017*, subject to:
 - Deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted; and
 - Various other amendments as ‘marked up’ on the attachment to the report to Council
- In accordance with s3.12(5) of the *Local Government Act 1995*, resolves that the local law be published in the Government Gazette and a copy sent to the Ministers for Local Government and the Environment;
- After Gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, resolves that local public notice be given –
 - Stating the title of the local law
 - Summarising the purpose and effect of the local law and the day on which it comes into operation); and

- Advising that copies of the local law may be inspected or obtained from the City's offices
- Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, resolves that a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

ABSOLUTE MAJORITY VOTE REQUIRED

7. 2016 Compliance Audit Return

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

- a) adopt the 2016 Compliance Audit Return for the period 1 January 2016 to 31 December 2016 as detailed in **Attachment (a)**
- b) authorise the Mayor and Chief Executive Officer to jointly certify the 2016 Compliance Audit Return; and
- c) submit the 2016 Compliance Audit Return to the Department of Local Government, in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*.

ABSOLUTE MAJORITY REQUIRED

8. Corporate Business Plan – Quarter Two Update

That the Audit, Risk and Governance Committee recommend to Council that it note the Corporate Business Plan Quarter Two.

Background

The Audit and Governance Committee meeting was held on 14 March 2016 with the following items listed for consideration on the Agenda:

- Review of Policies
- Review of Council Delegations – Strategic Direction 6
- Confirmation of Dog Exercise Areas
- Adoption of Standing Orders Amendment Local Law
- Proposed New Parking Local Law 2017
- Proposed Waste Local Law 2017
- 2016 Compliance Audit Return
- Corporate Business Plan – Quarter Two Update

Comment

The Audit and Governance Committee considered the following items on 8 November 2016:

1) Review of Policies

This report seeks Council's consideration of:

1. The annual review of the City's Policies held within Strategic Direction 6 – Governance, Advocacy and Corporate Management with 'no' change to content.
2. A major review of Policy P303 Design Review Panel (Strategic Direction 3).
3. New Policies which align with Strategic Direction 6 – Governance, Advocacy and Corporate.
4. Deletion of Policy P691 Business Excellence Framework.

2) Review of Council Delegations – Strategic Direction 6

This report seeks Council's consideration of the annual review of the City's Delegations held within Strategic Direction 6 – Governance, Advocacy and Corporate Management for adoption.

3) Confirmation of Dog Exercise Areas

This report recommends that Council reaffirm prohibited and dog exercise areas and their conditions, in accordance with its resolution of 23 August 2016 to avoid any doubts with respect to compliance with the requirements of the *Dog Act 1976*.

4) Adoption of Standing Orders Amendment Local Law

This report considers the City of South Perth amended Standing Orders Local Law. Following a review of the City's Standing Orders Local Law, a number of amendments were adopted. An Amendment Local Law was subsequently advertised, and may now be adopted by Council with minor amendments.

5) Proposed New Parking Local Law 2017

This report considers the City of South Perth proposed Parking Local Law 2017. A number of changes were required to the City of South Perth *Parking Local Law 2011*, to the extent that it was more efficient to make a new local law. The Council adopted the draft Parking Local Law at its meeting held on 22 November 2016 for public consultation and it is now recommended for adoption, with minor amendments.

6) Proposed Waste Local Law 2017

This report considers the City of South Perth proposed Waste Local Law 2017. The Council adopted a draft Waste Local Law at its meeting held on 23 August 2016 for public consultation and it is now recommended for adoption, with minor amendments.

7) 2016 Compliance Audit Return

The Department of Local Government's 2016 Compliance Audit Return for the period 1 January 2016 to 31 December 2016 has been completed and is submitted to the Council for consideration.

8) Corporate Business Plan – Quarter Two Update

This report requests Council note the Corporate Business Plan – Quarter Two Update.

Consultation

The 8 items were the subject of consideration at the 14 March 2017 Audit, Risk and Governance Committee meeting.

Policy and Legislative Implications

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

Financial Implications

Nil

Sustainability Implications

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

10.7.1 Audit, Risk and Governance Committee Meeting: 14 March 2017

Attachments

- 10.7.1 (a):** Audit, Risk and Governance Committee Meeting - 14 March 2017
- Attachments
- 10.7.1 (b):** Audit, Risk and Governance Committee Meeting - 14 March 2017
- Minutes
- 10.7.1 (c):** Minor change to Policy P672 Agenda Briefings, Concept Forums
and Workshops

10.7.2 CEO Evaluation Committee: 7 March 2017

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-17-25008
Date:	28 March 2017
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 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 from the CEO Evaluation Committee meeting held on 7 March 2017 for Council's consideration.

Officer Recommendation

That Council adopt the recommendations of the CEO Evaluation Committee meeting held on 7 March 2017 as noted in **Confidential Attachments (a) and (b)**.

Background

The Council in March 2016 resolved to:

- *endorse the Chief Executive Officer Key Performance Indicators and Measures for the period July 2016 to June 2017;*
- *Request the Chief Executive Officer to provide a bi-annual report to the CEO Evaluation Committee.*

The CEO Evaluation Committee meeting was held on 7 March 2017 with the following items listed for consideration on the agenda:

- Chief Executive Officer - Key Performance Indicator Report February 2017

Comment

The CEO Evaluation Committee was provided with a comprehensive Key Performance Report for the period October 2015 to October 2016 in November 2016.

The Chief Executive Officer has now prepared a bi-annual Key Performance Indicator Report for the period ending February 2017 shown at **Confidential Attachment (a)**.

This includes the following specific indicators:

- Bi-annual report on stakeholder and key interest group engagement and activities
- Bi-annual report on grant applications
- Review and prepare updated ICT Strategy

- Bi-annual progress report on key infrastructure projects
- Bi-annual meeting with individual Councillors
- Report on culture improvement program progress
- Council review of the Community Strategic Plan
- Review of Service Delivery Model

The report also includes an update on the Organisational Structure Review.

Consultation

This report has been prepared in consultation with the City's Executive Management Team.

Policy and Legislative Implications

The *Local Government (Administration) Regulations 1996* provides:

18D. Performance review of CEO, local government's duties

A local government is to consider each review on the performance of the CEO carried out under s5.38 and is to accept the review, with or without modification, or to reject the review.

Clause 5.38 and 5.39 (3) of the *Local Government Act 1995* provides that there must be specified contract performance criteria for the purpose of reviewing the performance of the Chief Executive Officer at least once in relation to every year of employment.

Financial Implications

There is no proposed increase to the Chief Executive Officer's Total Remuneration Package as part of this bi-annual performance review.

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

- 15.1.1 (a):** CEO Evaluation Committee - 7 March 2017 - Attachments
(Confidential)
- 15.1.1 (b):** CEO Evaluation Committee Meeting - 7 March 2017 - Minutes
(Confidential)

- 11. APPLICATIONS FOR LEAVE OF ABSENCE**
- 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 13. QUESTIONS FROM MEMBERS**
 - 13.1 RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE**
 - 13.2 QUESTIONS FROM MEMBERS: 28 MARCH 2017**
- 14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 15. MEETING CLOSED TO THE PUBLIC**
- 16. CLOSURE**