

AGENDA.

Special Council Meeting

6 February 2018

Notice of Meeting

Mayor and Councillors

The next Special Council Meeting of the City of South Perth Council will be held on Tuesday 6 February 2018 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 5.30pm.

The purpose of the meeting is to consider:

1. Responsible Authority Report (RAR) for the Joint Development Assessment Panel (JDAP)
Development Application: Lots 29-31 (50-52) Melville Parade, South Perth
2. Draft Modified Local Planning Policy P317 'Licensed Premises' – finalisation
3. Financial Management Reports and Listing of Payments - December 2017



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

2 February 2018

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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Special Council Meeting - Agenda

1. DECLARATION OF OPENING

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

2.1 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 Council meetings.

2.2 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'.

3. ATTENDANCE

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

4. DECLARATION OF INTERESTS

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

5. PUBLIC QUESTION TIME

6. DEPUTATIONS

7. REPORTS

7.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

7.3.1 Proposed 33 Level Comprehensive Mixed Use Development - Lots 29 -31 (Nos 50-52) Melville Parade, South Perth

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Hillam Architects
File Reference:	D-18-7982
DA Lodgement Date:	31 January 2018
Meeting Date:	6 February 2018
Author(s):	Erik Dybdahl, Senior Statutory Planning Officer
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.2 Sustainable Built Form

Summary

This report seeks Council's consideration of a Responsible Authority Report (RAR) and planning application for the proposed development of a 33 Level Comprehensive Mixed Use Development located on Lots 29-31 (Nos. 50-52) Melville Parade, South Perth. The RAR and all relevant attachments are attached to this report for review and consideration, prior to determination by the Metro Central Joint Development Assessment Panel (Metro Central JDAP) at the meeting scheduled to commence at 9:00am on Friday 9 February 2018 within the City's Council Chambers.

Officer Recommendation

That Council notes the Responsible Authority Report (RAR) prepared for the Metro Central Joint Development Assessment Panel (Metro Central JDAP) regarding the proposed development of a 33 Level Comprehensive Mixed Use Development located on Lots 29-31 (Nos. 50-52) Melville Parade, South Perth.

Comment

As requested by Council, the RAR is provided for Council to consider. The Metro Central JDAP meeting is scheduled to commence at 9:00am on Friday 9 February 2018 within the City's Council Chambers.

Policy and Legislative Implications

Comments have been provided in the RAR in relation to Scheme and other Policy requirements.

Financial Implications

Nil.

Strategic Implications

This matter relates to Strategic Direction 3 “Environment (Built and Natural)” identified within Council’s [Strategic Community Plan 2017-2027](#).

Attachments

- 7.3.1 (a):** RAR - Proposed 33 Level Mixed Use Development - 50-52 Melville Parade, South Perth
- 7.3.1 (b):** Revised Final Plans (dated 15 January 2018)
- 7.3.1 (c):** Applicant DA Report - Proposed 36 Storey (117.37m) Mixed Use Development - 50-52 Melville Parade, South Perth
- 7.3.1 (d):** Planning Compliance Report - TPG - Proposed 36 Storey (117.37m) Mixed Use Development
- 7.3.1 (e):** Consultation Submission Summary
- 7.3.1 (f):** Infrastructure Services Engineering Comments
- 7.3.1 (g):** Environmental Health Planning Comments
- 7.3.1 (h):** Final Waste Management Plan - Bowman and Associates - dated 11 December 2017
- 7.3.1 (i):** Cardno Traffic Modelling Results
- 7.3.1 (j):** Cardno Peer Review of Traffic Impact Assessment
- 7.3.1 (k):** Revised Traffic Impact Assessment - Shawmac (Rev 4 - dated 8 December 2017)
- 7.3.1 (l):** Design Review Panel Pre-Lodgement Comment
- 7.3.1 (m):** Initial Application Development Plans (Septmeber 2017)
- 7.3.1 (n):** Response to Citys Further Information Request (15 December 2017)
- 7.3.1 (o):** Final Design Review Panel Commentary - 12 December 2017
- 7.3.1 (p):** Initial DBCA Comment
- 7.3.1 (q):** Revised Plans and Responses to Final DRP comments - 22 Dec 2017
- 7.3.1 (r):** Facade Reflectivity Report (Aurecom 1.12.17)
- 7.3.1 (s):** Additional Overshadowing Diagrams
- 7.3.1 (t):** Secondary DBCA comment
- 7.3.1 (u):** Main Roads Response to South Perth11.2017.326
- 7.3.1 (v):** Water Coroporation Comment
- 7.3.1 (w):** Landscaping Report
- 7.3.1 (x):** Additional Landscaping Plans and Materials - CAPA (December 2017)
- 7.3.1 (y):** Acoustic Report - BESTEC
- 7.3.1 (z):** Initial Wind Environment Statement - Windtech
- 7.3.1 (aa):** Follow Up Wind Environment Statement

7.3.1 Proposed 33 Level Comprehensive Mixed Use Development - Lots 29 -31 (Nos 50-52) Melville Parade, South Perth

- 7.3.1 (ab):** Liveable Housing Unit Diagrams
- 7.3.1 (ac):** Revised Perspective Visualizations
- 7.3.1 (ad):** View Corridor Diagrams
- 7.3.1 (ae):** Green Star (ESD) Letter (Cadds Energy - 4.12.17)

7.3.2 Revised Local Planning Policy P317 'Licensed Premises' - Finalisation

Location:	Not Applicable
Ward:	All
Applicant:	Council
File Ref:	D-18-7250
Meeting Date:	6 February 2018
Author(s):	Matthew Andrews, Statutory Planning Officer
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.2 Sustainable Built Form

Summary

At its Special Council Meeting held on 14 November 2017 the Council resolved to consent to the advertising of amendments to existing local planning policy, P317– Licensed Premises.

The policy was advertised for public comment for a period of 22 days and at the conclusion of this period (being 12 December 2017) one (1) submission had been received.

It is recommended the Council adopt the policy without any modifications.

Officer Recommendation

That Council, in accordance with the provisions of Schedule 2, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a) adopt the draft amended local planning policies P317 – Licensed Premises as included at **Attachment (a)** in this report; and
- b) publish a notice of the policy adoption in the local newspaper circulating in the local area.

Background

At its meeting of 27 June 2017, the Council resolved to commence a review of the Scheme. Part of this review includes a comprehensive review of the City's local planning policy framework. At its Special Council Meeting held on 14 November 2017 the Council resolved to advertise the following draft or modified local planning policies for public comment:

- Draft revised local planning policy P317 – Licensed Premises (**Attachment (a)**)

This policy was advertised for public comment in accordance with the Scheme and P301 – Consultation for Planning Proposals, as detailed under the 'Consultation' section of this report.

Comment

Amendment of local planning policy P317 – Licensed Premises has been proposed to address the 'loophole' for large format liquor stores as discussed in the Special Council Meeting held on 14 November 2017. To address the 'loophole' the Policy has been amended to:

- Apply to all licenced premises, including Tavern and Hotel;
- Delete the land use definitions and excerpt of the land use permissibility table from the Scheme, and instead reference the relevant clauses in the Scheme. The references to the Scheme are sufficient for the purposes of this policy;
- Replace the word 'venue' with 'development' in the policy for the purposes of consistency with the Scheme and Planning and Development (Local Planning Scheme) Regulations, 2015. This will also make clear the intent that the policy is to apply to all development relating licenced premises (new and alterations and/or additions);
- Amend criteria 2(b) relating to design and location to read as follows:
 - b) *"Whether the scale and nature of the development is appropriate for the locality and, in the case of a tavern or hotel that will display and sell packaged liquor from a net lettable area of more than 300 square metres, whether a Liquor Store (Large) is a prohibited use in the subject zone"*

The draft policy has undergone minor amendments from when it was last presented to Council including changes to the formatting to improve clarity. The content of the draft policy has been unchanged.

Consultation

The draft revised policy was advertised for a minimum period of 21 days, concluding on 12 December 2017, in accordance with Local Planning Policy 301 'Community Consultation in Planning Proposals'. This consultation involved:

- Two notices in the Southern Gazette, appearing in consecutive weeks;
- Notice and copies of the local planning policy being published on 'Your Say South Perth' throughout the consultation period; and
- Hard copy notices and copies of the local planning policy being available at the City's Civic Centre and libraries throughout the consultation period.

At the conclusion of the consultation period a total of one (1) submission was received. A summary of the submissions received is provided in Table 1.

Table 1 – Summary of submissions

	Officer Comments
Policy should provide requirements for landscaping including minimum number of trees and maintenance of landscaped areas.	Minimum landscaping requirements, maintenance of landscaped areas and tree protection/provision are covered under clauses 6.13 and 6.14, and Tables 3 and 4 of the TPS6.
Policy should include provisions prohibiting the display of signage that would negatively impact the area.	Signage controls are covered under clause 6.12 of TPS6 and local planning policy P308 – Signs.
Ensure all parking is provided on site and 'cash in lieu' cannot be utilised for deficit bays.	The policy provides additional guidance on how the provisions of 6.3A of TPS6 should be applied to licenced premises. As stated in the policy cash in lieu payments would not generally be supported for large liquor stores.

No changes were considered necessary to address the submission received.

Policy and Legislative Implications

A planning policy does not form part of a Scheme, and cannot bind a decision maker in respect of an application or planning matter. However, the decision maker is required to have due regard to the provisions and objectives of the policy in its decision making.

In regard to planning policies, clause 3(4) of the Deemed Provisions states that the Council may amend or repeal a local planning policy. The draft amended policies ought to be appropriately adopted under that provision.

Financial Implications

There are no financial implications to the City resulting from this report.

Strategic Implications

This report is aligned to Strategic Direction 3 “Environment (built and natural)” in the City’s [Strategic Community Plan 2017-2027](#).

Attachments

Nil

7.4 STRATEGIC DIRECTION 4: LEADERSHIP

7.4.1 Listing of Payments - December 2017

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-18-5943
Meeting Date:	6 February 2018
Author(s):	Andre Brandis, Manager Finance
Reporting Officer(s):	Colin Cameron, Director Corporate Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

A list of accounts paid under delegated authority (Delegation DC602) between 1 December 2017 and 31 December 2017 is presented to Council for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(459)	\$6,170,729.77
Cheque Payment to Creditors	(23)	\$32,023.47
Total Monthly Payments to Creditors	(482)	\$6,202,753.24
Cheque Payments to Non-Creditors	(78)	\$145,739.33
Total Payments	(560)	\$6,348,492.57

Officer Recommendation

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

Background

Local Government (*Financial Management*) Regulation 11 requires the development of procedures to ensure the approval and authorisation of accounts for payment. These controls are documented Policy P605 - Purchasing and Invoice Approval and Delegation DM605 sets the authorised purchasing approval limits.

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. Payments in the attached listing are supported by vouchers and invoices.

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.

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.

- **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 exist in the City's financial records of both the payment and the payee - even if the recipient of the payment is a non-creditor.

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

Consultation

Nil.

Policy and Legislative Implications

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

Financial Implications

The payment of authorised amounts are within existing budget provisions.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2017-2027](#).

Attachments

7.4.1 (a): Listing of Payments - December 2017

7.4.2 Monthly Financial Statements - December 2017

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-18-5945
Meeting Date:	6 February 2018
Author(s):	Andre Brandis, Manager Finance
Reporting Officer(s):	Colin Cameron, Director Corporate Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

The monthly financial statements have been reformatted and incorporated in one package (**Attachments (a) – (i)**). High level analysis is contained in the comments of this report.

Officer Recommendation

That Council note the financial statements and report for the month ended 30 September 2017 in accordance with regulation 34 (1) of the Local Government (*Financial Management*) Regulations 1996.

Background

Regulation 34(1) of the Local Government (*Financial Management*) Regulation 1996, requires each Local Government to present a statement of financial activity, reporting on income and expenditure, as set out in the annual budget. In addition, Regulation 34(5) requires a Local Government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2017/18 Budget, adopted on 10 July 2017, has increased the amount to \$10,000 or 10% for the 2017/18 financial year.

In previous years the monthly reports were presented in two separate agenda item reports, with multiple attachments. These two separate reports, as well as numerous attachments have been streamlined to one agenda item.

The attachment Financial Management Reports provides similar information to that provided in previous years, with less duplication. By way of example, each Financial Management Report contains the Original Budget and the Annual Budget, thereby allowing a quick comparison between the adopted Budget and any Budget Adjustments approved by Council. This change eliminates the need for the previous report 'Reconciliation on Budget Movements' reports.

Comment

The Statement of Financial Activity, a similar report to the Rate Setting Statement, is required to be produced monthly in accordance the Local Government (*Financial Management*) Regulations. This financial report is unique to Local Government, drawing information from other reports to include Operating Revenue and Expenditure, Capital Income and Expenditure as well as transfers to reserves and loan funding. The Statement of Financial Activity has commentary provided on variances, in accordance with the Regulations.

Actual Income from Operating Activities for the year to date is \$49.24m in comparison to budget of \$49.30m. Expenditure from Operating Activities for the year to date is \$28.68m in comparison to budget of \$29.53m. Variations in the month of December are minor with Operating Activities tracking closely to budget.

In terms of the Capital Summary, actual Capital Revenue for the year to date is \$0.72m in comparison to the budget of \$0.68m. Actual Capital Expenditure for the year to date is \$8.07m in comparison to the budget of \$12.14m.

Cash and Investments balance was \$72.75m, traditionally a higher point of the annual cycle, following collection of rates issued with payments being received during August.

The City 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 67.86% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments, Attachment 10.6.1 (h), has been improved to illustrate the percentage invested in each of the Non-Fossil Fuel institutions as well as adding the Short Term Credit Rating provided by Standard & Poors (S&P) for each of the Banks.

Consultation

No external consultation is undertaken.

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 preparation of the monthly financial reports occurs from the resources provided in the Annual Budget.

Strategic Implications

This report is aligned to the City's [Strategic Community Plan 2017-2027](#).

Attachments

- 7.4.2 (a):** Interim Statement of Financial Position - December 2017
- 7.4.2 (b):** Interim Statement of Change in Equity - December 2017
- 7.4.2 (c):** Statement of Financial Activity - December 2017
- 7.4.2 (d):** Operating Revenue & Expenditure - December 2017
- 7.4.2 (e):** Capital Summary - December 2017
- 7.4.2 (f):** Significant Variance Analysis by Business Unit Operating Revenue Expenditure - December 2017
- 7.4.2 (g):** Statement of All Council Funds - December 2017
- 7.4.2 (h):** Summary of Cash Investments - December 2017
- 7.4.2 (i):** Statement of Major Debtor Categories - December 2017

8. MEETING CLOSED TO THE PUBLIC

9. CLOSURE