

# MINUTES

## Ordinary Council Meeting

28 August 2018

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 28 August 2018 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

31 August 2018

# Welcome to Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjul kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past, present and future.

## Our Guiding Values



## 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.

# Contents

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>6</b>
<b>2.</b>	<b>DISCLAIMER</b>	<b>6</b>
<b>3.</b>	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>6</b>
<b>4.</b>	<b>ATTENDANCE</b>	<b>6</b>
<b>4.1</b>	<b>APOLOGIES</b>	<b>7</b>
<b>4.2</b>	<b>APPROVED LEAVE OF ABSENCE</b>	<b>7</b>
<b>5.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>7</b>
<b>6.</b>	<b>PUBLIC QUESTION TIME</b>	<b>7</b>
<b>6.1</b>	<b>RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>7</b>
<b>6.2</b>	<b>PUBLIC QUESTION TIME - 28 AUGUST 2018</b>	<b>7</b>
<b>7.</b>	<b>CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS AND OTHER MEETINGS UNDER CLAUSE 19.1</b>	<b>8</b>
<b>7.1</b>	<b>MINUTES</b>	<b>8</b>
7.1.1	Ordinary Council Meeting Held: 31 July 2018	8
7.1.2	Property Committee Meeting Held: 9 August 2018	8
<b>7.2</b>	<b>BRIEFINGS</b>	<b>8</b>
7.2.1	South Perth Station Precinct Reference Group Concept Briefing - 12 April 2018	8
7.2.2	Perth Airport New Runway Project Concept Briefing - 14 May 2018	8
7.2.3	Draft Local Planning Strategy Concept Briefing - 6 August 2018	8
<b>8.</b>	<b>PRESENTATIONS</b>	<b>9</b>
<b>8.1</b>	<b>PETITIONS</b>	<b>9</b>
<b>8.2</b>	<b>PRESENTATIONS</b>	<b>9</b>
<b>8.3</b>	<b>DEPUTATIONS</b>	<b>9</b>
<b>8.4</b>	<b>COUNCIL DELEGATES REPORTS</b>	<b>9</b>
<b>8.5</b>	<b>CONFERENCE DELEGATES REPORTS</b>	<b>9</b>
<b>9.</b>	<b>METHOD OF DEALING WITH AGENDA BUSINESS</b>	<b>9</b>

<b>10. REPORTS</b>	<b>11</b>
<b>10.1 STRATEGIC DIRECTION 1: COMMUNITY</b>	<b>11</b>
10.1.1 Tender 7/2018 Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.	11
10.1.2 Tender 8/2018 Provision of Truck Mounted Sweeping Services	14
10.1.3 City of South Perth - Draft Cultural Plan 2019-2023	17
<b>10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)</b>	<b>20</b>
10.3.1 Proposed Two Storey Single House Plus Semi Basement Parking on Lot 804 (No. 2) Salter Point Parade, Salter Point.	20
10.3.2 Proposed Amendment to Approved Cafe/Restaurant on Lot 2 (No. 51-57) George Street, Kensington	35
10.3.3 Canning Bridge Activity Centre Plan - Review of Operation	45
10.3.4 Draft Local Planning Strategy - Endorsement for Public Consultation	54
<b>10.4 STRATEGIC DIRECTION 4: LEADERSHIP</b>	<b>73</b>
10.4.1 Listing of Payments - July 2018	73
10.4.2 Monthly Financial Statements - July 2018	76
<b>10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS</b>	<b>79</b>
10.7.1 Property Committee - 9 August 2018	79
<b>11. APPLICATIONS FOR A LEAVE OF ABSENCE</b>	<b>83</b>
<b>12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>83</b>
<b>12.1 COUNCILLOR MOTION - REMOVAL OF PARKING RESTRICTION SIGNS IN CLARENCE &amp; YORK STREETS (CR KEN MANOLAS)</b>	<b>83</b>
<b>13. QUESTIONS FROM MEMBERS</b>	<b>87</b>
<b>13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE</b>	<b>87</b>
<b>13.2 QUESTIONS FROM MEMBERS – 28 AUGUST 2018</b>	<b>87</b>
<b>14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>	<b>87</b>
<b>15. MEETING CLOSED TO THE PUBLIC</b>	<b>87</b>
<b>15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b>	<b>87</b>
<b>15.2 PUBLIC READING OF RESOLUTIONS THAT MAYBE MADE PUBLIC</b>	<b>87</b>
<b>16. CLOSURE</b>	<b>87</b>

RECORD OF VOTING	88
APPENDIX	90
6.2 PUBLIC QUESTION TIME: 28 AUGUST 2018	90
13.2 QUESTIONS FROM MEMBERS: 28 AUGUST 2018	97
DISCLAIMER	98

# Ordinary Council Meeting - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 7.00pm on Tuesday 28 August 2018.

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 7.00pm.

## 2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

## 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

## 4. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

### Councillors

Como Ward  
Como Ward  
Manning Ward  
Manning Ward  
Moresby Ward  
Moresby Ward  
Mill Point Ward

Councillor Glenn Cridland  
Councillor Tracie McDougall  
Councillor Blake D'Souza  
Councillor Colin Cala  
Councillor Travis Burrows  
Councillor Greg Milner  
Councillor Ken Manolas

### Officers

Chief Executive Officer  
Director Development and Community Services  
Director Corporate Services  
Director Infrastructure Services  
Manager Governance  
Manager Development Services  
Manager Strategic Planning  
Manager Stakeholder and Customer Relations  
Senior Strategic Projects Planner  
Senior Executive Support Officer  
Communications Officer  
Governance Officer

Mr Geoff Glass  
Ms Vicki Lummer  
Mr Colin Cameron  
Mr Mark Taylor  
Ms Bernadine Tucker  
Mr Stevan Rodic  
Ms Elyse Maketic  
Ms Danielle Cattalini  
Mr Aaron Augustson  
Ms Katie Roberts  
Ms Donna House  
Ms Sharron Kent

### Gallery

There were approximately 16 members of the public and 1 member of the press present.

#### 4.1 APOLOGIES

Nil.

#### 4.2 APPROVED LEAVE OF ABSENCE

Mill Point Ward

Councillor Cheryle Irons

### 5. DECLARATIONS OF INTEREST

Cr Tracie McDougall declared an Interest in relation to Agenda Item *10.1.3 City of South Perth – Craft Cultural Plan 2019-2023*.

### 6. PUBLIC QUESTION TIME

#### 6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

#### 6.2 PUBLIC QUESTION TIME - 28 AUGUST 2018

The Presiding Member opened Public Question Time at 7.01pm.

Written questions were received prior to the meeting from:

- Mark Paskos of Hartington Way, Carine
- Carol Roe of Abjornson Street, Manning
- Keryn Zeeb on behalf of the City of South Perth Residents' Association Inc.

Written questions were received late from:

- Craig Dermer of Mill Point Road, South Perth
- Vicki Redden of Mill Point Road, South Perth

At 7.16pm the Presiding Member called for a motion to extend Public Question Time to hear those questions not yet heard.

#### MOTION TO EXTEND PUBLIC QUESTION TIME AND COUNCIL DECISION

**Moved:** Councillor Colin Cala

**Seconded:** Councillor Greg Milner

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

**CARRIED (8/0)**

The questions and responses can be found in the **Appendix** of these Minutes.

Questions received late were read aloud but Taken on Notice. The responses to these questions will be made available in the September 2018 Agenda.

There being no further questions, the Presiding Member closed Public Question Time at 7.20pm.

## **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: 31 July 2018**

##### **Officer Recommendation AND COUNCIL DECISION**

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Greg Milner

That the Minutes of the Ordinary Council Meeting held 31 July 2018 be taken as read and confirmed as a true and correct record.

**CARRIED (8/0)**

#### **7.1.2 Property Committee Meeting Held: 9 August 2018**

These Minutes were confirmed at the Property Committee Meeting held 27 August 2018.

### **7.2 BRIEFINGS**

#### **7.2.1 South Perth Station Precinct Reference Group Concept Briefing - 12 April 2018**

Officers of the City facilitated a discussion with Councillors on the South Perth Station Precinct Reference Group's operation and opportunities.

##### **Attachments**

**7.2.1 (a):** South Perth Station Precinct Reference Group Concept Briefing - 12 April 2018 - Notes

#### **7.2.2 Perth Airport New Runway Project Concept Briefing - 14 May 2018**

Officers of the City and Perth Airport representatives provided Council with an overview of the Major Development Plan that has been prepared.

##### **Attachments**

**7.2.2 (a):** Perth Airport New Runway Project Concept Briefing - 14 May 2018 - Notes

#### **7.2.3 Draft Local Planning Strategy Concept Briefing - 6 August 2018**

Officers of the City provided Council with an overview of the Draft Local Planning Strategy, progress and next steps.

##### **Attachments**

**7.2.3 (a):** Draft Local Planning Strategy Workshop Concept Briefing - 12 June 2018 - Notes



## **Officer Recommendation AND COUNCIL DECISION**

**Moved:** Councillor Tracie McDougall

**Seconded:** Councillor Colin Cala

That the Notes of the following Council Briefings/Workshops be noted:

Item 7.2.1 South Perth Station Precinct Reference Group Concept Briefing - 12 April 2018

Item 7.2.2 Perth Airport New Runway Project Concept Briefing - 14 May 2018

Item 7.2.3 Draft Local Planning Strategy Concept Briefing - 6 August 2018

**CARRIED (8/0)**

## **8. PRESENTATIONS**

### **8.1 PETITIONS**

Nil.

### **8.2 PRESENTATIONS**

Nil.

### **8.3 DEPUTATIONS**

Deputations were heard at the Agenda Briefing of 21 August 2018.

### **8.4 COUNCIL DELEGATES REPORTS**

Council Delegates' Reports are circulated to Elected Members.

### **8.5 CONFERENCE DELEGATES REPORTS**

Conference Delegates' Reports are circulated to Elected Members.

## **9. METHOD OF DEALING WITH AGENDA BUSINESS**

The Presiding Member advised that with the exception of the Items identified to be withdrawn for discussion that the remaining reports, including the Officer Recommendations, will be adopted en bloc (i.e. all together) as per Clause 5.5 Exception Resolution of the *Standing Orders Local Law 2007*.

The Chief Executive Officer confirmed all the report Items were discussed at the Council Agenda Briefing held 21 August 2018.

### **ITEMS WITHDRAWN FOR DISCUSSION**

Item 10.3.3 Canning Bridge Activity Centre Plan - Review of Operation

Item 10.3.4 Draft Local Planning Strategy - Endorsement for Public Consultation

Item 10.7.1 Property Committee – 9 August 2018

The Presiding Member called for a Motion to move the balance of reports en bloc by Exception Resolution.

#### **EN BLOC MOTION AND COUNCIL DECISION**

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That the Officer Recommendations in relation to the following Agenda Items be carried en bloc (Exception Resolution):

Item 10.1.1 Tender 7/2018 Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.

Item 10.1.2 Tender 8/2018 Provision of Truck Mounted Sweeping Services

Item 10.1.3 City of South Perth - Draft Cultural Plan 2019-2023

Item 10.3.1 Proposed Two Storey Single House Plus Semi Basement Parking on Lot 804 (No. 2) Salter Point Parade, Salter Point.

Item 10.3.2 Proposed Amendment to Approved Cafe/Restaurant on Lot 2 (No. 51-57) George Street, Kensington

Item 10.4.1 Listing of Payments - July 2018

Item 10.4.2 Monthly Financial Statements - July 2018

**CARRIED (8/0)**

## 10. REPORTS

### 10.1 STRATEGIC DIRECTION 1: COMMUNITY

#### 10.1.1 Tender 7/2018 Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Reference:	D-18-86745
Meeting Date:	28 August 2018
Author(s):	Len Dalton, Works and Services Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

#### Summary

This report considers submissions received from the advertising of Tender 7/2018 for the Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.

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

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council:

- (a) accepts the tender submitted by Holcim Australia Pty Ltd for the Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products in accordance with Tender Number 7/2018 for the period of supply, up to three (3) years inclusive, with an option for a further one (1) year and an additional one (1) year at the discretion of the City.
- (b) accepts the tender price included in **Confidential Attachment (a)**.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

#### Background

A Request for Tender (RFT) 7/2018 notice for the Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products was created in the City of South Perth's Tenderlink e-tendering portal on Saturday 12 May 2018 and closed at 2pm (AWST), Tuesday 5 June 2018.

Tenders were invited as a Schedule of Rates contract.

The RFT is for the Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.

The contract is for a period up to three (3) years inclusive, with an option for a further one (1) year and an additional final one (1) year at the discretion of the City.

### Comment

At the close of the tender advertising period three (3) submissions had been received and these are tabled below:

TABLE A – Tender Submission

Tender Submission
Holcim Australia Pty Ltd
Smartstream Technology Pty Ltd
MJB Industries Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Product selection	50%
2. Ability to delivery on time	20%
3. Experience	30%
<b>Total</b>	<b>100%</b>

Based on the assessment of all submissions received for Tender 7/2018 Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products, it is recommended that the tender submission from Holcim Australia Pty Ltd be approved by Council.

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

### Consultation

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

### Policy and Legislative Implications

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

The following Council Policies also apply:

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

### Financial Implications

The full cost of the works is included in the 2018/2019 budget.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Community infrastructure
Strategy:	Development facilitate community infrastructure to respond to changing community needs and priorities

**Attachments**

- 10.1.1 (a):** Tender 7/2018 - Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products - Recommendation Report (*Confidential*)

### 10.1.2 Tender 8/2018 Provision of Truck Mounted Sweeping Services

Location:	City of South Perth
Ward:	All
Applicant:	Council
File Reference:	D-18-86747
Meeting Date:	28 August 2018
Author(s):	Len Dalton, Works and Services Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

#### Summary

This report considers submissions received from the advertising of Tender 8/2018 for the Provision of Truck Mounted Sweeping Services.

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

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council:

- (a) Accepts the tender submitted by Environmental Wastewater Catchment Services Pty Ltd t/a EnviroSweep for the Provision of Truck Mounted Sweeping Services in accordance with Tender Number 8/2018 for the period of supply, three (3) years from the date on the letter of engagement with an option for a further one (1) year and an additional final one (1) year at the discretion of the City.
- (b) Accepts the tender price included in **Confidential Attachment (a)**.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

#### Background

A Request for Tender (RFT) 8/2018 for the Provision of Truck Mounted Sweeping Services was advertised in The West Australian on Saturday 19 May 2018 and closed at 2pm (AWST) on Tuesday 19 June 2018.

Tenders were invited as a Schedule of Rates contract.

The RFT is for the Provision of Truck Mounted Sweeping Services.

The contract is for the period of three (3) years from the date on the letter of engagement with an option for a further one (1) year and an additional final one (1) year at the discretion of the City.

### Comment

At the close of the tender advertising period three (3) submissions had been received and these are tabled below:

TABLE A – Tender Submission

Tender Submission
Environmental Wastewater Catchment Services Pty Ltd t/a Enviro Sweep
Cleansweep WA t/a Austral Environmental Services
Mint Civil Pty Ltd t/a Immacu Sweep

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Relevant experience	40%
2. Sustainability	20%
3. Resources	40%
<b>Total</b>	<b>100%</b>

Based on the assessment of all submissions received for Tender 8/2018 Provision of Truck Mounted Sweeping Services, it is recommended that the tender submission from Environmental Wastewater Catchment Services Pty Ltd t/a Enviro Sweep be accepted by Council.

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

### Consultation

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

### Policy and Legislative Implications

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

The following Council Policies also apply:

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

### Financial Implications

The full cost of the works is included in the 2018/2019 budget.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Community infrastructure
Strategy:	Development facilitate community infrastructure to respond to changing community needs and priorities

**Attachments**

- 10.1.2 (a):** Tender 8/2018 - Provision of Truck Mounted Sweeping Services - Recommendation Report (*Confidential*)



Cr Tracie McDougall declared an Interest in relation to Agenda Item *10.1.3 City of South Perth – Craft Cultural Plan 2019-2023* as she personally knows the Principal of Lockwood Advisory who recommended the creation of the Cultural Plan .

### 10.1.3 City of South Perth - Draft Cultural Plan 2019-2023

Location:	City of South Perth
Ward:	All
Applicant:	N/A
File Ref:	D-18-86750
Meeting Date:	28 August 2018
Author(s):	Patrick Quigley, Manager Community, Culture & Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

#### Summary

This report seeks Council endorsement to advertise the draft City of South Perth Cultural Plan 2019-2023 for public comment.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council endorse the draft City of South Perth Cultural Plan 2019-2023 for community and stakeholder consultation for a period of 42 days.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

#### Background

On 26 July 2016 a Motion was carried requesting that the City engage an external consultant to conduct a review of City events. On the 26 April 2017 Council received the Lockwood Advisory Report “Review of City of South Perth Events” dated November 2016. In the executive summary of the report, Lockwood Advisory recommended ‘the development of a Cultural Plan for the City as a key initiative and one that underpinned the other initiatives identified in the review. From this Report, Council requested the development of a Cultural Plan be completed.

In November 2017 Councillors were advised that the City had commenced planning for the development of a Cultural Plan. Between December 2017 and February 2018 the City engaged with the community to ask three ‘cultural planning’ questions:

1. ‘What does culture mean to you?’
2. ‘What makes the City of South Perth’s culture special?’
3. ‘As a community, how can we celebrate our culture?’

250 members of the community provided feedback whilst attending the City’s arts and cultural events held during the community engagement phase – Australia Day, South Perth Sounds Concert, Angelo Street Marketplace. 65 online surveys were completed and 5 consultation sessions were held across the City.

On 18 June 2018 a Councillor Concept Briefing/Workshop was held to invite input from Councillors into the cultural planning process.

### **Comment**

The purpose of the draft Cultural Plan is to prepare a consolidated plan that provides a strategic and coordinated approach to the provision of arts and cultural programs and services throughout the City. It is intended that once implemented, the Cultural Plan will enhance opportunities for community participation in a wide range of cultural events, activities and programs.

The draft Cultural Plan is also intended to complement the objectives of the City's Strategic Community Plan 2017-2027 and has been developed following a comprehensive process involving three main phases, as follows:

1. Research Phase – various areas of research was undertaken, including audit of the City's existing arts and cultural programs, review of arts and culture participation trends and opportunities, creative community consultation strategies, comparison of cultural delivery by other local governments, review of existing City of South Perth and State Government documents and reports relevant to the development of culture, review of arts and cultural policy (local, state and national) and review of the City's Strategic Community Plan to determine council's strategic direction relating to culture. The outcomes of the research phase are highlighted in the draft Cultural Plan.
2. Identification of Priority Areas – in reviewing the outcomes of the research, 10 priority areas for the Cultural Plan were identified.
3. Action Plan – the action plan is the final phase of the draft Cultural Plan and it incorporates the outcomes of research and priority areas. The action plan is presented in a table format to clearly outline the following:
  - How the draft Cultural Plan actions are grouped according to a common principles/strategic goals
  - Actions
  - Who is responsible for carrying out the action/s
  - Timeframes

Any financial requirements for implementing the Cultural Plan will generally be sought through the City's annual operating budget process, with external funding also to be pursued to assist with implementation of the Actions. Furthermore, for each Action the City's level of involvement (and potential involvement) has been listed to emphasize that the provision of culture within the local community is a shared responsibility amongst various stakeholders. In particular, the City will not be expected to complete all Actions itself, but will undertake relevant roles, namely: Planner, Partner, Supporter, Coordinator or Provider. The Cultural Plan 2019-2023 will guide funding allocations within annual and long term financial parameters.

### **Consultation**

This report seeks Council endorsement to advertise the draft Cultural Plan 2019-2023 for public comment. At the conclusion of the consultation period, a report will be presented to Council to summarise the feedback; and highlight any required amendments.

**Policy and Legislative Implications**

Development and implementation of the Cultural Plan 2019-2023 is aligned with the charter set out in the current Policy P105 – Cultural Services and Activities.

**Financial Implications**

The estimated cost to advertise the draft Cultural Plan 2019-2023 for public comment is \$500. Funds are allocated in the City's 2018/19 Operating Budget for this purpose.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Culture and Community
Strategy:	Facilitate and create opportunities for social, cultural and physical activity in the City

**Attachments**

**10.1.3 (a):** City of South Perth - Draft Cultural Plan 2019-2023

## 10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

### 10.3.1 Proposed Two Storey Single House Plus Semi Basement Parking on Lot 804 (No. 2) Salter Point Parade, Salter Point.

Location: Lot 804 (No. 2) Salter Point Parade, Salter Point  
Ward: Manning Ward  
Applicant: Pinnacle Planning  
File Reference: D-18-86762  
DA Lodgement Date: 15 December 2017  
Meeting Date: 28 August 2018  
Author(s): Victoria Madigan, 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

To consider an application for development approval for a Two Storey Single House plus Semi Basement Parking on Lot 804, No. 2 Salter Point Parade, Salter Point. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Building height restrictions in Precinct 13 'Salter Point'	TPS6 clause 6.1A (9).
Street setbacks	R – Codes Design Principles clause 5.1.2
Lot boundary setbacks	R – Codes Design Principles clause 5.1.3
Site works	R – Codes Design Principles clause 5.3.7
Visual privacy	R – Codes Design Principles clause 5.4.1

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, this application for development approval for a Two Storey Single House plus Semi Basement Parking on Lot 804, No. 2 Salter Point Parade, Salter Point **be approved** subject to:

- (i) The development shall be in accordance with the approved plans unless otherwise authorised by the City.
- (ii) Prior to occupation of the dwellings the applicant shall construct crossovers between the road and the property boundaries in accordance with the approved plans, to the satisfaction of the City.
- (iii) The major openings on the western elevation shall be adequately screened so as to achieve compliance with the 'Deemed-to-comply' of clause 5.4.1 of the Residential Design Codes, to the satisfaction of the City.
- (iv) All stormwater from the property shall be discharged into soak wells or sumps located on the site unless otherwise approved by the City.

- (v) The height of any wall, fence or other structure, excepting one brick pier (maximum size of 470 mm x 470 mm), shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street, to the satisfaction of the City.
- (vi) At least one tree, not less than 3.0 metres in height, shall be planted on site, preferably within the front setback area, prior to occupation of the dwellings. The trees shall be maintained in good condition thereafter, to the satisfaction of the City.

**Advice Notes**Specific

- (i) This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional Planning and Building requirements may apply to development on this land.

General

- (ii) PN01
- (iii) PN02
- (iv) PN21
- (v) PNX1
- (vi) PNX3
- (vii) Standard crossover advice note

**CARRIED BY EXCEPTION RESOLUTION (8/0)****Background**

The development site details are as follows:

<b>Zoning</b>	Residential
<b>Density coding</b>	R20
<b>Lot area</b>	596 sq. metres
<b>Building height limit</b>	3.5 metres

The location of the development site is shown below:

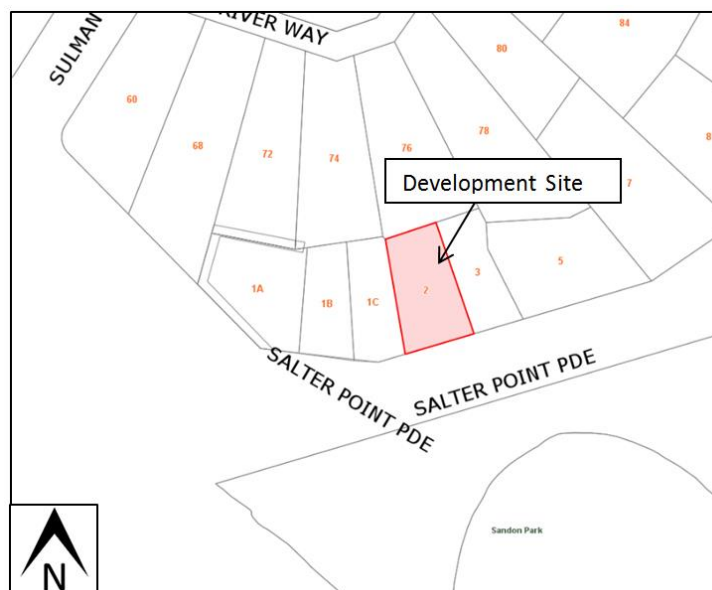


Figure 1: Development Site

This item is referred to Council as the building heights are outside of officers delegation.

### **Comment**

#### **(a) Background**

In December 2017 the City received an application for a two storey single house plus semi basement parking on Lot 804 (No. 2) Salter Point Parade, Salter Point **(the Site)**.

A series of amended plans have been provided by the applicant in response to concerns raised during the neighbour consultation period and subsequent discussions with the City officers and adjoining properties to the north. The most recent set of plans reduced the overall building height (including roof) by 0.5 metres.

A development approval was issued in March 2018 for the extension of validity for site works and ground levels. Site works were required due to the topography of the site and the works were originally approved in June 2015 as evident in **Attachment (a)**. The works have not yet been carried out.

#### **(b) Existing Development on the Subject Site**

The subject site is vacant at present, with a previous single house being demolished in 2010.

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

The Site has a frontage to Salter Point Parade to the south, located adjacent to residential dwellings to the north and east, as seen in **Figure 2** below:



**Figure 2: Aerial image of the subject Site**

#### **(d) Description of the Proposal**



The proposal involves the construction of a two storey single house plus semi basement parking on the site, as depicted in the submitted plans at **Attachment (b)**. The proposed two storey single house includes the following:

- Four bedrooms;
- Four bathrooms;
- Garage;
- Office;
- Games room;
- Sitting, living and dining room;
- Kitchen rooms; and
- Verandah and balconies.

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

The following components of the proposed development require discretionary assessments against the *City of South Perth Town Planning Scheme No. 6* (Scheme; TPS6) the *Residential Design Codes of WA* (R-Codes) and/or Council Policy requirements:

- (i) Street setbacks
- (ii) Lot boundary setbacks
- (iii) Site works
- (iv) Visual privacy
- (v) Building height restrictions in Precinct 13 'Salter Point'

The proposal is considered to meet the relevant Design Principles or discretionary criteria of the Scheme, the R-Codes and relevant Council policies. The various discretionary assessments are discussed in further detail below.

(f) **Building Height Restrictions**

Clause 6.1A (9) of TPS6 contains specific building height restrictions on lots located in Salter Point where building height limits are 3.0 metres, 3.5 metres or 6.5 metres. A person shall not erect or add to a building unless the Council is satisfied that views of the Canning River from any buildings on neighbouring land will not be significantly obstructed. Clause 6.1A (4) of TPS6 also stipulates that the Council may impose restriction on roof height where the proposal would have an adverse impact on or be out of character with development on the development site or within the focus area; or contravene any planning policy adopted under clause 9.6 relating to the design of buildings, significant views, or maintenance of streetscape character.

Clause 7.8 (2) of TPS6 stipulates that Council's discretionary power shall not be exercised with respect to Building Height Limits referred to in clause 6.1A.

The neighbouring property to the north of the subject site currently enjoys views of Sandon Park, Salter Point Lagoon and the Canning River (significant

view); upon consultation regarding the proposed development and the potential impact on their views, one written objection on the loss of views were submitted to the City.

Photos and illustrations on the image below show viewing corridors from No. 76 River Way that would be potentially affected by the proposed development.



Figure 3: Intramaps Image showing the viewing corridors from the adjoining rear lots towards the Canning River

Photos taken from site visits to adjoining properties are provided at **Attachment (c)**. The viewing corridors of the following properties are considered to be most potentially be affected:



- No. 76 River Way
- Properties along River Way

In response to these concerns, the applicant has provided a detailed letter with associated diagrams and attachments to illustrate the impact the development would have on views towards Canning River. This particular document provided by the applicant can be found at **Attachment (d)**.

In order to be satisfied that views of Canning River will not be significantly obstructed the impact of the development of views of the adjoining properties needs to be considered. As such, reference is made to the previously cited case of *APP Corporation Pty Ltd and City of Perth [2008] WASAT 291* which considers a 'four - step assessment'. As the detail of the case has been discussed in previous assessments, the four - step assessment can be categorised as follows:

1. *Assessment of view(s) that are affected*
2. *What part of the property are views obtained*
3. *Assess the extent of impact on views*
4. *Assess the 'reasonableness' of the proposal*

The impact on views toward Canning River as a result of the development is considered to be supportable for the following reasons:

In relation to step 1, the views from No. 76 River Way are limited in a southerly direction looking over No. 2 Salter Point Parade. An example of the view from 76 River Way is shown below for reference:



**Figure 4: View from No. 76 River Way looking in a southerly direction over No. 2 Salter Point Parade**

It is noted that this picture is taken while standing on a balcony therefore is a selective shot in that other angles may be partially obscured by existing vegetation.

In relation to step 3, the applicant has provided a superimposed image depicting the line of sight visible from the balcony of No. 76 River Way. The accuracy of this plan has been determined by a qualified land surveyor in **Attachment (e)**. The view corridor for No. 76 River Way has not been impacted any further than the existing development of No. 3 Salter Point Parade and allows for views to be maintained.

In relation to step 2, the views are obtained via a balcony and living area on No. 76 River Way. It is considered that residents would spend more time in the living room than standing on a balcony for significant durations. In any case, the view toward the river from No. 76 River Way is a south direction partially overlooking Salter Point Lagoon which includes dense vegetation as evident in **Figure 4** above.

In relation to step 4 above, the proposal at No. 2 Salter Point Parade is considered to be reasonable, noting that the roof pitch being proposed is at 15 degrees and the applicant amended the plans to lower the development by 0.5 metres as a result of neighbour objection.

Properties along River Way – properties along River Way have also been consulted with respect to potential loss of views during the public consultation period. It is considered that these properties are located on a much higher ground and their views will not be significantly affected. The aerial photo below shows the existing streetscape from Salter Point Parade:



**Figure 5: Aerial Photo of Existing Streetscape on Salter Point Parade.**

The applicant has provided further justification with respect to significant views at **Attachment (d)**.

Whilst it is difficult to produce an absolute visual representation of the potential obstruction of views of significance without special computer visualisation programs, the Applicant has also produced an alternative field survey to demonstrate the view impacts based on the following information as evident in **Attachment (e)**:

- A field survey carrying out the obstructed views created by the construction;
- The field survey taken from the second storey balcony of No. 75 River Way using a reflector less total station to demonstrate the building to be position horizontal and vertically without physically entering the property; and
- The obstructed views have been calculated adopting a height of 1.6m above the observed floor level (FFL 15.17m AHD) of the balcony of Lot 803 of 16.77m AHD and the proposed design roof pitch. The highest point of the roof as determined from the Design and Construct Residential drawings Rev h is 14.55m AHD (noting this views assessment was taken prior to the amended plans lowering the building).

On the basis of field survey provided, Council is required to consider whether the proposed building will cause significant obstruction on the existing views of Canning River.

Whilst it is acknowledged that the proposed building will cause some obstruction of views of Canning River from the adjoining properties, the extent of obstruction is not considered to be significant as the adjoining properties will still retain a substantial portion of views of Canning River. In addition, it is evident that there are at least three existing properties on Salter Point Parade within the same focus area that contain similar developments. The applicant has demonstrated that the roof line of the development has been restricted to minimise obstruction to views.

The roof has a pitch of 15 degrees and therefore allows views of the river to be maintained for adjoining properties to the rear of the site. The wall heights of the proposed development are not excessive and have been restricted. The wall heights are below the 3.5 metre building height limit as can be seen in **Attachment (b)**. In addition it is noted that the applicant has lowered the entire building and roofline by 0.5 metres to preserve additional views for River Way.

The applicant could have proposed a building with a greater roof pitch angle in the order of 25 degrees, however has elected to reduce the roof pitch in order to maintain some partial views toward the river.

Overall, it is considered that the views of the Canning River from neighbouring land will not be significantly obstructed by the dwelling proposed at No. 2 Salter Point Parade.

## (g) Street setbacks

Element	Deemed-to-Comply	Proposed
Street Setback	6 metre average	5.75 metre average
<p><b>P351.5 Policy Objectives</b></p> <ol style="list-style-type: none"> <li><i>To preserve or enhance desired streetscape character, by ensuring that new residential development has bulk and scale that is compatible with the streetscape within which it is located.</i></li> <li><i>To enhance standards of residential amenity by focusing on key design elements identified by the local community as being important to the maintenance of streetscape compatibility.</i></li> <li><i>To provide guidance as to Council's expectations in relation to the application of Design Element 6.2 – Streetscape Requirements of the Residential Design Codes of Western Australia (R-Codes); and clause 4.5 – General Design Guidelines (relating to the design of residential development) and clause 7.5 – Matters to be Considered by Council (in considering applications for development approval) of the City's Town Planning Scheme No. 6 (TPS6).</i></li> <li><i>To identify the extent of nearby development to be taken into consideration when assessing the streetscape compatibility of proposed residential development.</i></li> </ol> <p><b>R- Codes Design Principles Clause 5.1.2</b></p> <p><i>P2.1 Buildings set back from street boundaries an appropriate distance to ensure they:</i></p> <ul style="list-style-type: none"> <li><i>contribute to, and are consistent with, an established streetscape;</i></li> <li><i>provide adequate privacy and open space for dwellings;</i></li> <li><i>accommodate site planning requirements such as parking, landscape and utilities; and</i></li> <li><i>allow safety clearances for easements for essential service corridors.</i></li> </ul> <p><b>P2.2 Buildings mass and form that:</b></p> <ul style="list-style-type: none"> <li><i>uses design features to affect the size and scale of the building; uses appropriate minor projections that do not detract from the character of the streetscape;</i></li> <li><i>minimises the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and meters and the like; and</i></li> <li><i>positively contributes to the prevailing development context and streetscape.</i></li> </ul>		

The R-Codes require a 6 metre average primary street setback. The proposal includes portions of the balcony on the ground and undercroft plan which are not considered to be minor projections with reference to the R-Codes definition and are set forward of the 6 metre setback line. These projections do not compensate an equal area of open space behind the 6 metre setback line required to average and are therefore seeking a variation. The deemed to comply requirement of clause C.2.4 of Part 5.1.2 is outlined below:

*“A porch, balcony, verandah, chimney or the equivalent may project not more than 1m into the street setback area, and this projection is not subject to a compensating open area under clause 5.1.2 C2.1iii, provided that the total of such projections does not exceed 20 per cent of the frontage at any level”.*



The applicant has provided their justification so to why they believe the development as proposed should be approved by Council. The applicant's justification to support the development is provided in **Attachment (d)**.

As the main building is setback 6 metres from the primary street, the proposal technically meets the 6 metre deemed to comply requirement if excluding the balconies, however does not meet the 6 metre average requirement.

It is noted there are three vacant properties to the left of the development site. The properties to the right of the development depict 6 metre averages however also include structures such as pergolas and verandas in the front setback area, and for this reason the proposal is considered to be consistent with the existing streetscape.

The proposed street setback is considered to meet the Design Principles of the R-Codes and local policies for the following reasons:

- The setback variation is consistent with the streetscape;
- The inclusion of balconies on each level;
- There is significant landscaping within the front setback area to reduce building bulk;
- Overall, there is not considered to be a significant adverse impact on the amenity of the street.

(h) **Lot boundary setbacks**

Element	Deemed-to-Comply Provision	Proposed
West Ground Floor: Bulk Wall Length	7.3 metres	6.3 metres
West Ground Floor: Kitchen and Dining Wall	6.1 metres	1.2 metres
West Ground Floor: Living Wall	4.2 metres	2.0 metres
East Ground Floor: Bulk Wall Length	7.3 metres	2.1 metres
East Ground Floor: Bed 2 to Ensuite	2.0 metres	1.6 metres
East Ground Floor: WIR to Balcony	4.3 metres	1.6 metres
<b><i>R- Codes Design Principles Clause 5.1.2</i></b> <i>P2.1 Buildings set back from street boundaries an appropriate distance to ensure they:</i> <ul style="list-style-type: none"> <li>• <i>contribute to, and are consistent with, an established streetscape;</i></li> <li>• <i>provide adequate privacy and open space for dwellings; accommodate site planning requirements such as parking, landscape and utilities; and</i></li> <li>• <i>allow safety clearances for easements for essential service corridors.</i></li> </ul> <b><i>P2.2 Buildings mass and form that:</i></b> <ul style="list-style-type: none"> <li>• <i>uses design features to affect the size and scale of the building; uses appropriate minor projections that do not detract from the character of the streetscape;</i></li> <li>• <i>minimises the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and metres and the like; and</i></li> <li>• <i>positively contributes to the prevailing development context and streetscape.</i></li> </ul>		

Given the existing topography of the site and the extent of the slope, the wall height was measured from the recently approved natural ground level to the

highest point of the building vertically above where the wall touches the roof (in accordance with Figure Series 3) of the R-Codes to assess the worst impact scenario and therefore the overall impact produces less impact than what was advertised.

West (Bulk Wall, Kitchen and Dining Wall and Living Wall)

The walls to the west are currently adjacent to a vacant block. The proposed western lot boundary setbacks are considered to meet the Design Principles of the R-Codes for the following reasons:

- The proposed walls are not adjacent to any major openings or outdoor living areas given the vacant lot and therefore do not contribute to building bulk;
- The wall lengths are primarily towards the rear of the development site;
- The proposal meets the deemed to comply requirements visual privacy in accordance with the R-Codes; and
- The proposal meets the deemed to comply requirements of solar access for adjoining sites in accordance with the R-Codes.

East (Bulk Wall, Bed 2 – Ensuite, WIR to Balcony)

The proposed western lot boundary setbacks are considered to meet the Design Principles of the R-Codes for the following reasons:

- The proposed walls seeking setback variations are not adjacent to any major openings;
- The wall lengths are primarily located towards the rear of the development site and thus the streetscape is not impacted;
- The proposal meets the deemed to comply requirements visual privacy in accordance with the R-Codes; and
- The proposal meets the deemed to comply requirements of solar access for adjoining sites in accordance with the R-Codes.

(i) **Site Works**

Element	Deemed-to-comply	Provided
Fill	0.5 metres	Up to 1.38 metres
<p><b><i>R-Code Design Principles:</i></b>  <i>P7.1: Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</i>  <i>P7.2: Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.</i></p> <p><b><i>Policy P350.17 – Site Works: Design Principles</i></b></p> <ul style="list-style-type: none"> <li>• <i>The natural features of the site, in particular any significant differences in natural ground level that result in a sloping site;</i></li> <li>• <i>The interpretation of natural ground level at all lot boundaries;</i></li> <li>• <i>The natural ground level as viewed from the street; and</i></li> <li>• <i>Having regard to the natural features of the site and adjoining properties, the necessity for any excavation and/or fill.</i></li> </ul>		

A development approval was issued in March 2018 for the extension of validity for site works and ground levels and the retaining walls proposed complement these.

The proposed level of fill is considered to meet the Design Principles of the R-Codes for the following reasons:

- It is recognised that, due to the substantial gradient in the topography of the site, some fill and excavation is necessary to create a relatively level pad for construction. The building is proposed to be positioned on the northern section of the site due to the 6 metre setback requirement from Salter Point Parade. There is a steep drop off in the site as it runs from north to south. In this regard, it is necessary for the ground level of the site in the front setback area fronting Salter Point Parade to be relatively flat to reduce the extent of slope and to allow vehicles to achieve a compliant driveway gradient. While fill in the front setback is ordinarily not supported, the unique circumstances of the site and policy requirements are considered to necessitate the fill proposed in this instance. A review of the streetscape surrounding the subject site also reveals that other properties have fill within the front setback area due to the topography of the focus area. To this end, the level of site works in the front setback area is deemed to be consistent with this streetscape pattern and is not out of character with the surrounding area.
- There is also retaining proposed on the northern boundary at the rear and sides, which is where the significant drop off in topography occurs. While the full extent of fill may appear to be substantial (approximately 1.38m), the site works proposed in this area are considered necessary to rectify the steep drop off in the topography of the site and to engineer levels that can be practically used for the benefit of residents. The impact to the adjoining properties is not considered to be adverse. Furthermore, the area impacted is not used as an outdoor living area (in the front setback area).

The floor level proposed is also considered to be supportable under clause 6.10.1 (b) of TPS6 for the following reasons:

- The proposed development would achieve a visually balanced streetscape taking into consideration the floor levels of adjoining lots.
- The floor level will not unreasonably adversely affect the amenity of the neighbouring properties in relation to visual impact and overshadowing.

## (j) Visual Privacy

Element	Deemed-to-comply	Provided
Ground Floor Dining	6 metres	1.5 metres
Ground Floor Balcony East and West	7.5 metres	1.5 metres
Undercroft Balcony West	7.5 metres	1.5 metres
Undercroft Verandah East	7.5 metres	1.5 metres
<p><i>P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</i></p> <ul style="list-style-type: none"> <li><i>Building layout and location;</i></li> <li><i>Design of major openings;</i></li> <li><i>Landscape screening of outdoor active habitable spaces; and/or</i></li> <li><i>Location of screening devices.</i></li> </ul> <p><i>P1.2 Maximum visual privacy to side and rear boundaries through measures such as:</i></p> <ul style="list-style-type: none"> <li><i>Offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;</i></li> <li><i>Building to the boundary where appropriate;</i></li> <li><i>Setting back the first floor from the side boundary;</i></li> <li><i>Providing higher or opaque and fixed windows; and/or</i></li> <li><i>Screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).</i></li> </ul>		

The proposed variations are required to be screened in accordance with the deemed to comply requirements of clause 5.4.1 of the R-Codes. Accordingly, Condition No. 3 is recommended to respond to the visual privacy variations and was agreed upon by the City and the applicant.

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

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

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

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

## (l) 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 matters listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The matters most relevant to the proposal, and the City's response to each consideration, are outlined in the table below:

Matter	Officer's Comment
--------	-------------------



<i>(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;</i>	The height, bulk and scale of the development are considered to be consistent within the focus area and it is not deemed to adversely impact the streetscape.
<i>(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;</i>	As outlined in report, the proposed two storey house is not considered to have significant impact on the amenity of the locality, and is not out of character with the surrounding area.

### Consultation

#### (a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the standard consultation method, individual property owners, occupiers and/or strata bodies at Nos 1C and 3 Salter Point Parade, and Nos 74 and 76 River Way were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, a total of four (4) consultation notices were sent and two (2) submissions were received, against the proposal. The comments of the submitters, together with officer responses are summarised below.

Submitters' Comments	Officer's Responses
<u>Loss of views</u> – the development would unreasonably obstruct views of significance towards Canning River.	The latest set of plans detail that the whole building has been lowered by 0.5 metres and therefore the impact on views is now considered acceptable and is supported for reasons mentioned in the 'Significant Views' section of this report. This comment is <b>NOT UPHELD</b> .
<u>Building height</u> - The development should be reduced in building height.	Building height complies. The measurement of building height has been carefully examined by City staff and verified internally by reviewing the survey plans provided. Consideration has been given to the methodology of measuring building height as outlined in clause 6.1A of the City's TPS6. The applicant was also required to make some minor amendments to the plans at an early stage in order to ensure that building height complies with the Scheme requirement. Additionally, the building was lowered to reduce impact of views for adjoining neighbours. This comment is <b>NOTED</b> .

### 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

Nil.

### Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Environment (Built and natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable buildings and land use

### Sustainability Implications

Noting the favourable orientation of the lot, the officers observe that a number of north facing windows have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

### Conclusion

It is considered that the proposal meets all of the relevant Scheme, R-Codes and/or Council Policy objectives and provisions, as it is not considered to have a detrimental impact on adjoining residential neighbours and streetscape. Notwithstanding the number of the areas of the development seeking use of discretion the proposed dwelling has a bulk and scale that is compatible with the streetscape along Salter Point. Although the development will impact on some views of Canning River from neighbouring properties it is considered that the views will not be significantly obstructed by the dwelling proposed at No. 2 Salter Point Parade. Accordingly, it is considered that the application should be approved subject to appropriate conditions.

### Attachments

- 10.3.1 (a): Planning Approval - No. 2 Salter Point Parade - Extension to Validity - 11.2014.237.4
- 10.3.1 (b): Development Plans - No. 2 Salter Point Parade, Salter Point
- 10.3.1 (c): Site Photographs - No. 2 Salter Point Parade, Salter Point
- 10.3.1 (d): Applicant Justification Combined - No. 2 Salter Point Parade, Salter Point
- 10.3.1 (e): Sight Lines Surveys - No. 2 Salter Point Parade, Salter Point

### 10.3.2 Proposed Amendment to Approved Cafe/Restaurant on Lot 2 (No. 51-57) George Street, Kensington

Location: Kensington  
Ward: Moresby Ward  
Applicant: James Be Tran  
File Reference: D-18-86753  
DA Lodgement Date: 6 March 2018  
Meeting Date: 28 August 2018  
Author(s): Kevin Tang, 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

To consider an application for development approval for a proposed amendment to approved café/restaurant on Lot 2 No.51-57 George Street, Kensington. Council is being asked to exercise discretion in relation to the following:

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

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council:

1. Accept that the Development Application reference 11.2017.11.2 to amend the approval for a café/restaurant granted by Council on 23 May 2017 is appropriate for consideration in accordance with Clause 77 of the deemed provisions of *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Approve this application for retrospective development approval for a proposed amendment to café/restaurant on Lot 2 No. 51-57 George Street, Kensington, pursuant to the provisions of the *City of South Perth Town Planning Scheme No. 6* and the *Metropolitan Region Scheme*, subject to:

#### (a) Amended Conditions

Conditions 1-4 of the approval granted on 23 May 2017 being deleted and replaced by the following conditions:

1. The development shall be in accordance with the approved plans.
2. The days and hours of the operation shall be limited to:  
11.30AM – 9.30PM Monday  
Closed Tuesday  
11.30AM – 9.30PM Wednesday to Sunday:

3. The café shall have a maximum capacity (internal and external) of 30 patrons with the alfresco dining area being limited to a maximum capacity of 10 patrons at any given time.
4. The dining area shall not exceed a maximum area of 35.25m<sup>2</sup>.
5. The signs shall not be illuminated.

**(b) Amended Advice Notes**

Advice Note (3) and (4) of the approval granted on 23 May 2017 being deleted and replaced by the following advice note:

(3) PN03

All other requirements detailed on the previous approval dated 23 May 2017 (ID No. 11.2017.11.1) shall remain unless altered by this application.

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

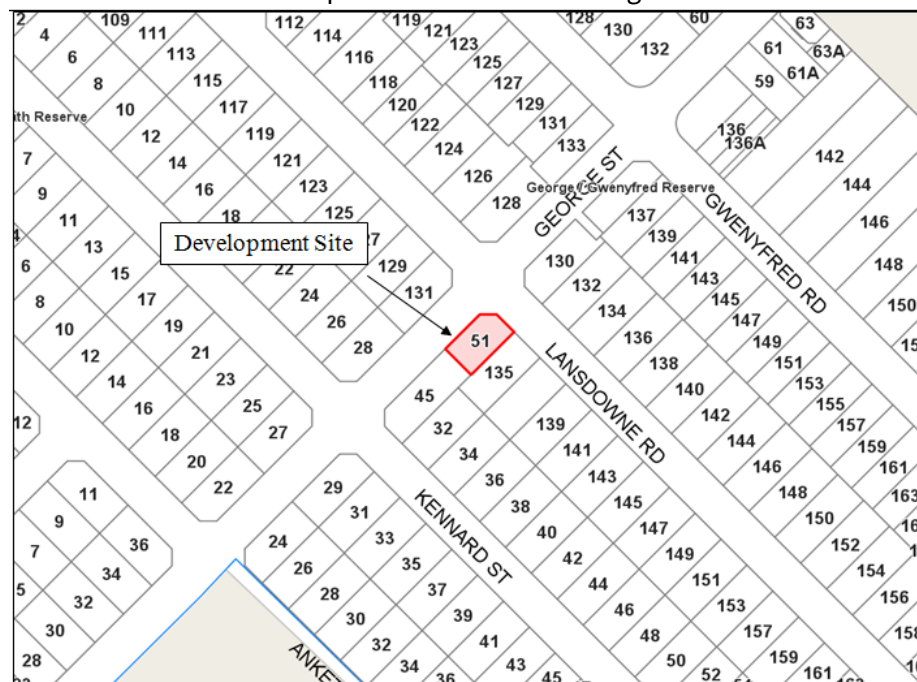
**CARRIED BY EXCEPTION RESOLUTION (8/0)**

**Background**

The development site details are as follows:

<b>Zoning</b>	Local Commercial
<b>Density coding</b>	R15
<b>Lot area</b>	557 sq. metres
<b>Building height limit</b>	7.0 metres
<b>Development potential</b>	N/A
<b>Plot ratio limit</b>	N/A

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

**4. Applications previously considered by Council**

*This power of delegation does not extend to applications 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 January 2018, the City received a complaint regarding an unauthorised alfresco dining deck, shed and signage in relation to a café/restaurant on Lot 2 (No. 51-57) George Street, Kensington. The City's Compliance Officer investigated the complaint and advised the landowner that a retrospective development approval will be required for the unauthorised development. In March 2018, an application for retrospective development approval was received by the City.

Council at its meeting of 23 May 2017 granted a development approval for a change of use from local shop to café/restaurant at the above premises. The following conditions were imposed on the approval:

1. *The development shall be in accordance with the stamped plans at all times;*
2. *The hours of the operation shall be limited to Monday to Sunday: 10am to 10pm;*
3. *The café shall have a maximum capacity (internal and external) of 20 patrons at any given time;*
4. *The dining area shall not exceed a maximum area of 28.4m<sup>2</sup>.*

**(b) Existing Development on the Subject Site**

The subject site contains a single storey commercial building divided into four commercial tenancies, including All Day Breakfast and Lunch, Steven Davis Real Estate and Ayhan's Turkish Café. This is depicted in the site photographs provided at **Attachment (a)** together with the unauthorised developments. The existing commercial building was built in the 1950s prior to Town Planning Scheme No. 6 (TPS6) and was approved with a rear access laneway to be used as an access and loading area.

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

The subject site has a frontage to George Street to the north-west, located adjacent to another commercial building to the south and residential zoned land to the south-east, as depicted in **Figure 2** below:





Figure 2 – Aerial Image

**(d) Description of the Proposal**

The proposal includes the following components:

- Retrospective alfresco dining deck area (13.1m<sup>2</sup>);
- Retrospective Sheds addition (8.02m<sup>2</sup>); and
- Retrospective fascia sign

The applicant advised that, being unaware of the requirement to obtain prior approval from the City, the addition of the alfresco dining area was intended to provide an alternative outdoor dining experience over the summer period for customers in order to generate more business revenue. The applicant has also stated that he would be willing to reduce days and hours of operation for his business to minimise traffic and vehicular impacts to the surrounding area. The business proposes to close on Tuesdays and reduce the hours of operation from 10am-10pm to 11.30am-9.30pm on remaining days of the week. Two sheds have also been erected for storage purpose that forms part of this application.

The applicant's cover letter and development plans are provided at **Attachment (b)**.

The following components of the proposed development require discretionary assessments against the City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6) and Council Policy requirements:

- Car parking provisions (TPS6 Clause 7.8);
- Lot boundary setback (TPS6 Clause 7.8 and R-Codes clause 5.1.3);

**(e) Car Parking**

Council at its meeting of 23 May 2017 approved a shortfall of one car bay based on a dining area of 28.4m<sup>2</sup> for this development. The dining area has now been increased to a total of 35.25 m<sup>2</sup> with the addition of the alfresco dining area. The car parking calculation for the retrospective alfresco dining area is provided below:

Land Use	TPS6 and Council Policy Requirements	Proposed	Shortfall
Café/Restaurant (Scheme requirements)	1 car parking bay every 5m <sup>2</sup> dining area for the additional alfresco dining area of 35.25 – 28.4=6.85m <sup>2</sup> – 6.85/5=1.37 bays-> 2 bays	0 bays	-2 bays (0-2=-2)
Café/Restaurant (Scheme and P315 requirements)	After applying policy adjustment factor (located within 400m from a bus stop) 2x0.85=1.7 (2bays)	0 bays	<b>-2 bays</b> (total for the café/restaurant being 3 bays noting Council have already supported 1 bay shortfall)

Council discretion – cl. 6.3(4)

Clause 6.3(4) provides Council discretion to approve a car parking deficit if it is satisfied that the peak parking demand for different uses on the development site is being met.

The applicant has provided the following justification to support his application:

*We believe our alfresco area is more appealing and the presentation for this street is superior and improved the area. With the decking, it gives a choice to our customers as to whether they wish to sit inside or outside and during four months of summer only. We have now reduced the opening and closing hours... For the last nine months we have not open for lunch business as it has been very quiet our survival depends on the council's decision.*

The applicant installed the alfresco dining area to attract more business and reduced the internal dining area resulting in a combined dining area of 35.25m<sup>2</sup>, an increase of 6.85m<sup>2</sup> to the previously approved application. It is considered that the proposal will satisfy the peak parking demand in the area and should be supported based on the following reasons:

- The increase in dining area is minor;
- The days and hours of operation are proposed to be reduced whereby the café/restaurant will be closed on Tuesdays and the hours of operation on all other days will be reduced to 11.30am-9.30pm, which is estimated to be a reduction of 24 hours from the previous approval hours;
- There are 13 existing on-street car parking bays on both sides of George Street;
- The applicant has agreed to limit the alfresco dining area to no more than ten (10) patrons only;
- The proposed alfresco dining area is in keeping with what other café/restaurants are operating in the same strip centre.
- Public transport is available in the immediate vicinity.

(f) **Lot Boundary Setback**

Clause 5.1(4)(a) of TPS6 prescribes the setback from common boundary between non-residential zone and residential zone to be the same as that prescribed for Grouped Dwellings on the adjoining residential land. Council can approve a lot boundary setback variation if the proposal satisfies the relevant design principle of the R-Codes.

The application includes two sheds at the rear part of the subject site. Shed 1 is 1.5m in width, 3.05m in length and 1.9m in height and Shed 2 is 1.5m in width, 2.3m in length and 1.9m in height (refer to **Attachment b**). Both sheds provide a nil setback to the south-east boundary. The R-Codes contain the following standards and design principles in relation to lot boundary setbacks:

Element	Deemed-to-comply	Provided
Sheds southeast wall	1.0m	Nil setback
<p><i>Design Principles:</i></p> <p><i>P3.1: Buildings set back from lot boundaries so as to:</i></p> <ul style="list-style-type: none"> <li>• Reduce impacts of building bulk on adjoining properties;</li> <li>• Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</li> <li>• Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.</li> </ul> <p><i>P3.2: Buildings built up to boundaries (other than street boundary) where this:</i></p> <ul style="list-style-type: none"> <li>• Makes more effective use of space for enhanced privacy for the occupants or outdoor living areas;</li> <li>• Does not compromise the design principle contained in clause 5.1.3 P3.1;</li> <li>• Does not have any adverse impact on the amenity of the adjoining property;</li> <li>• Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and</li> <li>• Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.</li> </ul>		

The existing sheds are considered to meet the Design Principles for the following reasons:

- The boundary wall is set back more than 13m from Lansdowne Road and would therefore have no significant impact on the existing streetscape.
- The boundary wall is only 0.1m higher than the existing boundary fence between the two properties and would present a minimal building bulk impact on the adjoining property.
- The overall length of the wall is 5.35m on a lot boundary of 30.88m in length, which accounts for 17% of the total length of the boundary. This would still allow necessary sunlight and ventilation to be afforded to the southern adjoining property.
- It is noted that the boundary wall would abut a carport on the adjoining property therefore would have no adverse impacts on any outdoor living areas or major openings of habitable rooms.
- Both sheds are non-habitable structures hence will have no visual privacy implications.
- Overall, there is not considered to be a significant adverse impact on the amenity of the southern adjoining property for the abovementioned reasons.



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

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

- (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;*
- (g) Protect residential areas from the encroachment of inappropriate uses;*
- (j) In all commercial centres, promote an appropriate range of land uses consistent with:*
  - (i) the designated function of each centre as set out in the Local Commercial Strategy; and*
  - (ii) the preservation of the amenity of the locality;*

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

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

In considering an application for development approval, the local government is to have due regard to the matters listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The matters most relevant to this proposal and the City's responses to each consideration are outlined in the table below:

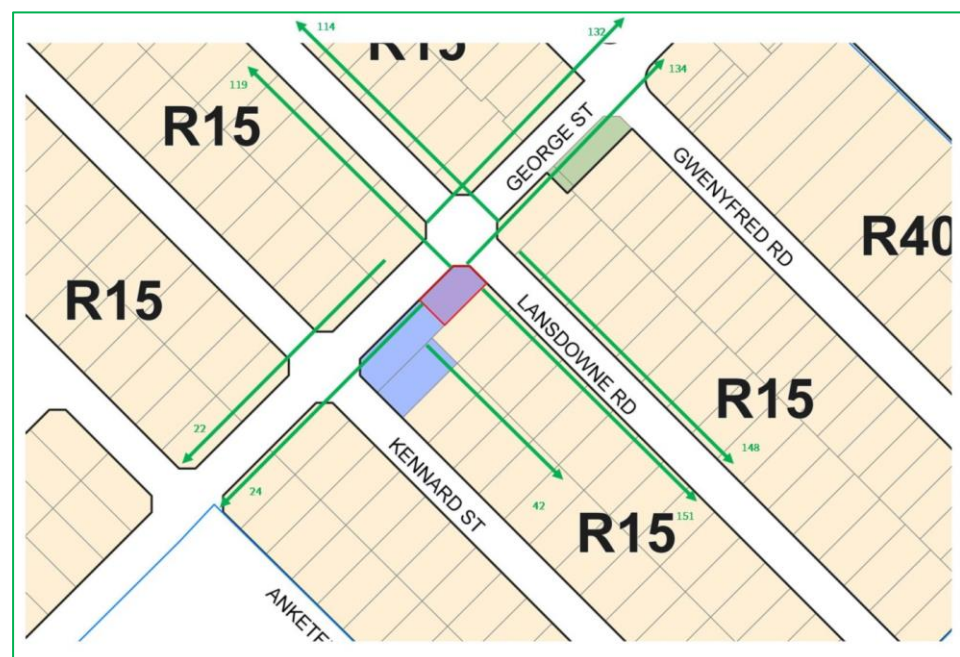
<b>Matters</b>	<b>Officer's Comment</b>
<i>(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>	The development satisfies the aims and provisions of the TPS6 as outlined in the planning assessment above.
<i>(m) the compatibility of the development 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;</i>	The café/restaurant land use is considered to be compatible with the surrounding land uses in a local commercial centre
<i>(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;</i>	The proposal will have no significant impact on the existing amenity of the locality. The alfresco dining area will add vibrancy and activation into the character of the locality.

<p>(s) the adequacy of –</p> <p>(i) the proposed means of access to and egress from the site; and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</p>	<p>The provision of car parking has been discussed in the planning assessment section above and is considered to meet the peak parking demand. It is expected that patrons will utilise the existing on-street parking to access the development.</p>
<p>(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;</p>	<p>According to the Transport Assessment Guidelines for Developments published by the Western Australian Planning Commission, the proposal has low traffic impact and does not require a traffic assessment.</p>
<p>(y) any submissions received on the application;</p>	<p>Details of neighbour consultation will be discussed below.</p>

### Consultation

#### (a) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Community Engagement in Planning Proposals'. Under the 'Area 2' consultation method, individual property owners, occupiers and strata bodies included in the diagram below were invited to inspect the plans and to submit comments during a minimum 14-day period (however the consultation continued until this report was finalised). In addition, a sign was placed on the Site inviting comment from any other interested person.



During the advertising period, a total of 56 consultation notices were sent and six (6) submissions were received, five (5) in favour and one (1) against the proposal. The comments from the submitters, together with officer responses are summarised below.

Submitters' Comments	Officer's Responses
Lack of available parking	Council at its meeting of 23 May 2017 supported the proposed change of use to café/restaurant notwithstanding the one parking bay shortfall. The provision of car parking for this proposal has been discussed in the previous section of the report and is considered to satisfy peak parking demand for the intended uses.  The comment is <b>NOT UPHELD</b> .
Proper business planning must be done in advance and get approval not retrospective, this is to me a complete waste of resources available.	Section 164 of the <i>Planning and Development Act 2005</i> provides the opportunity for a local government to approve development already commenced or carried out. The City must consider any application that is presented before it.  The comment is <b>NOTED</b> .
If this application gets approved there may be similar applications in future	Each application will be assessed and considered based on its planning merits.  The comment is <b>NOTED</b> .
The addition is an improvement to the look of the shop and should be encouraged for all other shops in the area.	The comment is <b>NOTED</b> .
Great foods and services. We also feel that the alfresco area gives this row of shops a more village feel which before, was lacking	The comment is <b>NOTED</b> .

A copy of all submissions is provided at **Attachment (c)**.

**(b) Internal Administration**

Comments were invited from Environmental Health of the City's administration. This section provided no comment to this proposal.

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

**Policy and Legislative Implications**

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

**Financial Implications**

This determination has some financial implications – if the applicant were to appeal the determination at the State Administrative Tribunal, the City would be required to seek representation (either internal or external).

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Environment (Built and natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable buildings and land use

**Sustainability Implications**

Being non-residential land uses of a non-sensitive nature, it is considered that the development enhances sustainability by providing local businesses and employment opportunities.

**Conclusion**

It is considered that the proposal meets all of the relevant Scheme and Council Policy objectives and provisions, as it will not have a detrimental impact on adjoining residential neighbours and streetscape. The proposal is considered to meet the peak parking demand on the basis of reduced opening days and hours and limit to the maximum number of patrons for the alfresco dining area. Accordingly, it is considered that the application should be conditionally approved.

**Attachments**

- 10.3.2 (a): Site Photographs
- 10.3.2 (b): Applicant's Cover Letter and Amended Development Plans
- 10.3.2 (c): Submissions

### 10.3.3 Canning Bridge Activity Centre Plan - Review of Operation

Location:	Canning Bridge Activity Centre
Ward:	Como Ward, Manning Ward, Moresby Ward
Applicant:	N/A
File Ref:	D-18-86755
Meeting Date:	28 August 2018
Author(s):	Elyse Maketic, Manager Strategic Planning
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 endorsement to undertake a formal review of the Canning Bridge Activity Centre Plan (CBACP). The report has been prepared in response to a Council resolution in May 2015 to review and update the CBACP after a year of operation. The process for the review of an Activity Centre Plan such as this is resource intensive and lengthy due to the complexity of the Plan, and requires a number of applications to have been considered and determined in order to adequately identify and address issues.

In light of this, and existing commitments for other major projects, it is recommended that the review process commence in February 2019. The review should consider; overlooking, access to direct sunlight, guidance on the application of discretion for non-residential uses, minimum requirements for landscaping in side and rear setback areas, sustainability rating requirements, the zoning of existing commercial on Ley Street and podium requirements.

#### Officer Recommendation

**Moved:** Mayor Sue Doherty

**Seconded:** Councillor Greg Milner

That Council endorse a formal review of the Canning Bridge Activity Centre Plan to commence in February 2019, which will focus on the following matters:

- a) Overlooking and the adequacy of the current setback requirements in the H4 and H8 zones in ensuring overlooking is considered and addressed in the design of buildings;
- b) Consideration of incorporating the principles of access to direct sunlight contained in the draft Apartment Design Guidelines (Western Australian Planning Commission, 2016) in the Activity Centre Plan requirements;
- c) Consideration of incorporating guidance on the following matters:
  - i) The application of discretion for non-residential uses, particularly when dealing with uses that are not listed as 'permitted' uses; and
  - ii) Minor additions and alterations to existing single houses and grouped dwellings;

- d) Consideration of incorporating requirements in the Open Space and Landscaping section to ensure that a minimum percentage of the side and rear setback area are landscaped;
- e) The reasonableness of sustainability rating requirements, particularly for smaller developments; and
- f) The zoning of the existing commercial area on Ley Street;
- g) Review podium requirements within the M10 and M15 areas, particularly the mandatory setback and height requirements having regard the function of the street; and
- h) Consider potential issues associated with parking management with a view to informing a parking management plan for the precinct.

#### **Amended Motion AND COUNCIL DECISION**

**Moved:** Councillor Colin Cala

**Seconded:** Councillor Glenn Cridland

That:

1. The preamble to the Officer's Recommendation be replaced with the following (in red):

That Council endorse a formal review of the Canning Bridge Activity Centre Plan to commence in ~~February 2019~~ September 2018, which will focus on the following matters with the budget being adjusted accordingly to facilitate the immediate commencement of this Review. The Review will focus on the following matters:

2. The text in sub clause h) be replaced with the following (in red):

h) Consider potential issues associated with parking management with a view to informing a parking management plan for the precinct including:

- i) minimum and maximum onsite parking requirements (including in particular the appropriateness of a minimum 0.75 bays per 1 bedroom apartment); and
- ii) provision of a required ratio of visitor parking to the number of dwelling units proposed, consistent with the requirements of the R-Codes (cl. 6.3.3 Parking / C3.1; and
- iii) parking management with a view to informing a parking management plan for the precinct.

**CARRIED (8/0)**

#### Reasons for the Amendment

The Officer's Report identifies the need to undertake a formal review following the Council resolution in May 2015 to review and update the Canning Bridge Activity Centre Plan after a year of operation. Because of the extent of other Planning issues within the City and the exercise being resource intensive, progress has been slow to begin the Review.

There have been at least eight significant issues that have been identified from the Applications that have been received to date; and with a number of new Applications that will need to be assessed in the coming months, it is imperative that the review process begin at once.



One of the issues that has concerned adjoining property owners particularly is the lack of a requirement for adequate minimum onsite parking including visitor parking. This will cause significant amenity, congestion and safety issues in the narrow streets in the Precinct once development begins in earnest and is inconsistent with the City's "vision for the future".

*A City of active places and beautiful spaces. A connected community with easily accessible, vibrant neighbourhoods and a unique, sustainable natural environment.*

The Amendment then became the Substantive.

#### **COUNCIL DECISION**

**Moved:** Mayor Sue Doherty

**Seconded:** Councillor Greg Milner

That Council endorse a formal review of the Canning Bridge Activity Centre Plan to commence in September 2018 with the budget being adjusted accordingly to facilitate the immediate commencement of this Review. The Review will focus on the following matters:

- a) Overlooking and the adequacy of the current setback requirements in the H4 and H8 zones in ensuring overlooking is considered and addressed in the design of buildings;
- b) Consideration of incorporating the principles of access to direct sunlight contained in the draft Apartment Design Guidelines(Western Australian Planning Commission, 2016) in the Activity Centre Plan requirements;
- c) Consideration of incorporating guidance on the following matters:
  - i) The application of discretion for non-residential uses, particularly when dealing with uses that are not listed as 'permitted' uses; and
  - ii) Minor additions and alterations to existing single houses and grouped dwellings;
- d) Consideration of incorporating requirements in the Open Space and Landscaping section to ensure that a minimum percentage of the side and rear setback area are landscaped;
- e) The reasonableness of sustainability rating requirements, particularly for smaller developments; and
- f) The zoning of the existing commercial area on Ley Street;
- g) Review podium requirements within the M10 and M15 areas, particularly the mandatory setback and height requirements having regard the function of the street; and
- h) Consider potential issues associated with parking including:
  - i) minimum and maximum onsite parking requirements (including in particular the appropriateness of a minimum 0.75 bays per 1 bedroom apartment); and
  - ii) provision of a required ratio of visitor parking to the number of dwelling units proposed, consistent with the requirements of the R-Codes (cl. 6.3.3 Parking / C3.1; and
  - iii) parking management with a view to informing a parking management plan for the precinct.

**CARRIED (8/0)**



### Background

The Canning Bridge Activity Centre Plan (CBACP) relates to land within an 800 metre radius of the Canning Bridge train station and includes land on both sides of the Canning Bridge within both the City of South Perth and City of Melville. This area is a district centre under the State governments activity centres hierarchy and the CBACP is intended to guide the development of land within this area.

The CBACP area is split into six quarters; Q1 – Kintail Quarter, Q2 – Ogilvie Quarter, Q3 – Cassie Quarter, Q4 – Davilak Quarter, Q5 – Mt Henry Quarter and Q6 – Station Quarter. The City of South Perth is mostly impacted by Quarters 3, 4, 5 and 6. Within these quarters are five zones, M15 (mixed use up to 15 storeys), M10 (mixed use up to 10 storeys), H8 (residential 6 to 8 storeys), H4 (residential up to 4 storeys) and Civic. Not all zones are present within each quarter.

The CBACP also includes design guidelines for the Plan area as a whole, as well as for each of the quarters. These guidelines are intended to encourage good quality, sustainable development and centre around the elements of Land Use, Form and Mass, Setbacks, Pedestrian Spines, Canning Highway, Heights, Landmark buildings, Facades, Adaptability, Site Cover, Sustainability, Street edges, Retaining walls, Fences, Public Art, Parking, Servicing, and Safety.

The design guidelines for the structure plan are set out in a similar form to what is encountered in the R-Codes; a table format with three columns:

- Element which provides a title for each element e.g. Land use, Form and Mass etc.;
- Desired Outcomes which represents the qualitative principles against which the decision maker can exercise their judgement to determine a proposal. These are based on the Guiding principles, Objectives and Goals of the Canning Bridge Structure Plan; and
- Requirements which are the quantitative criteria against which a development will be assessed.

The CBACP was prepared in conjunction with the City of Melville over a number of years and included extensive stakeholder consultation. The process commenced in 2010 with the preparation of the Canning Bridge Precinct Vision which was endorsed by both local governments in September 2010 and the Western Australian Planning Commission (WAPC) in July 2011. The preparation of the CBACP commenced following the release of this vision and was endorsed by the Council on 26 May 2015 and approved by the WAPC in April 2016. Both the visioning and Activity Centre Plan process included extensive public consultation.

An accompanying Scheme Amendment was required to enliven the Activity Centre Plan (Amendment No. 47). This amendment was initiated in November 2014, finalised by Council in May 2015 and gazetted in February 2017, at which time the CBACP became operational within the City. As part of the Council resolution on the finalisation of Amendment No. 47 in May 2015 Council resolved as follows:

*“(d) The adopted structure plan will be reviewed and updated after a year of operation to address any issues that may arise”*

The first development application within the area was received in March 2017 and to date the City has received 38 development applications in the area (11 DAP applications for multiple dwellings, 2 signage applications, 2 change of use applications and 23 applications for additions and alterations to single dwellings). Since June 2017 the implementation of the CBACP has been monitored with a view to identifying any issues. Notwithstanding for reasons outlined in the comment section of this report it has not been possible to update the plan to address these issues.

### Comment

A number of issues have become apparent since the Plan became operational. The process for the review of an Activity Centre Plan such as this is resource intensive and lengthy due to the complexity of the Plan. It also requires a number of applications to have been considered and determined in order to adequately identify and address issues.

As such it has not been possible to update the CBACP in the time since it became operational. The issues with the CBACP have been identified as a result of the assessment of, and outcomes associated with, applications received to date, as well as a high level review of the requirements of the plan. These issues relate to:

- Overlooking in the H4 and H8 zones;
- Access to direct sunlight for adjacent properties;
- Lack of guidance in the application of discretion for certain matters;
- Potential lack of landscaping in side and rear setback areas;
- The reasonableness of sustainability requirements for smaller developments;
- The zoning of existing commercial properties on Ley Street;
- Potential issues with mandatory podium requirements; and
- Potential issues associated with parking management.

Each of the abovementioned matters are explained in further detail below:

#### *Overlooking*

The adopted Activity Centre Plan does not include any provisions relating to overlooking. It was the intention that overlooking would be addressed through the side and rear lot boundary setback requirements for individual developments, however, significant community feedback has been received that overlooking is a key issue. Issues relating to overlooking have arisen due to the impact that new development has on existing single houses or grouped dwellings on adjacent lots in particular those that are unlikely to redevelop in the short to medium term. It is

recommended that a the plan be reviewed to consider the adequacy of the current setback requirements in the H4 and H8 zones in ensuring overlooking is considered and addressed in the design of buildings.

#### *Access to Direct Sunlight*

The adopted Activity Centre Plan does not include any provisions relating to overshadowing or access to direct sunlight for adjoining properties. Due to the majority of the lots within the Activity Plan area having an east-west orientation the impact of overshadowing and access to direct sunlight for adjoining properties to the south can be significant. The impact of shadowing is of particular concern for when it affects adjoining single houses or grouped dwellings that are unlikely to

redevelop in the short to medium term. It is recommended that consideration be given to incorporating the principles of access to direct sunlight contained in the draft Apartment Design Guidelines (WAPC, 2016) in the Activity Centre Plan requirements

*Guidance on the Application of discretion on certain matters*

Where discretion is to be applied to a proposed development within the Activity Plan area, such as with assessing land uses that are not listed as permitted, the determining body is to have regard to that relevant Desired Outcomes. For many elements within the Canning Bridge Activity Centre Plan the Desired Outcome does not provide sufficient guidance on whether the application of discretion is appropriate or not. This lack of guidance on the application of discretion can result in inconsistent application of discretion within the Activity Centre Plan area. Further investigation is required for all elements to determine if the existing Desired Outcome is sufficient or if a modified/expanded Desired Outcomes are required. Additionally investigation in to the application of discretion generally for provisions in the CBACP may be required. It is recommended that consideration be given to incorporating guidance in the Plan on the following matters:

- The application of discretion for non-residential uses, particularly when dealing with uses that are not listed as 'permitted' uses; and
- Minor additions and alterations to existing single houses and grouped dwellings.

*Landscaping in Side and Rear Setbacks*

The adopted Activity Centre Plan states that where a development is not proposed to all boundaries of the site, landscaping design shall be incorporated providing that such landscaping maintains openness and visibility into the development site. A consistent theme with proposed developments is that at grade parking is dominating the ground floor which is resulting in minimal landscaping or deep soil planting zones. Investigation is required as how best to ensure that landscaping is provided in the side and rear setbacks areas and that new developments are providing adequate space for deep soil planting zones to add to the urban tree canopy. It is recommended that consideration be given to incorporating requirements in the Open Space and Landscaping section to ensure that a minimum percentage of the side and rear setback area are landscaped.

*Reasonableness of Sustainability Requirements*

Element 11 of the Activity Centre Plan requires all development within the City of South Perth area of the plan to meet a minimum sustainability rating of 5 Star under the Green Building Council of Australia rating system. Certain sites in the M10 and M15 zones of the plan have bonus height available where a 6 Star Green Star rating is achieved. There are a limited number of buildings in Western Australia that are certified as achieving either 5 or 6 star rating. The majority of buildings that have achieved these ratings are also office buildings. The reasonableness of the criteria of the Activity Centre Plan relating to sustainability standards should be investigated to ensure such criteria are not unreasonably inhibiting the implementation of the plan. The City of Melville have reviewed this requirement and reduced the 6 star requirement to 5 star.

*Zoning of Commercial Properties on Ley Street*

There are a small number of properties on the southern side of Manning Road to the west of Ley Street that are current used for non-residential uses (offices, restaurant/café etc). Some of these properties were zoned 'Highway Commercial' prior to amendment 47; which applied the 'centre' zone to all properties under the Activity Centre Plan. These properties are now included in the 'Residential H8' zone. Element 1.5 lists on 'Corner Store', 'Recreation – Private' and 'Recreation – Public' as being 'preferred' uses in this zone. Further investigation will be required to determine whether, in the long term, these lots should be subject to a mixed use zoning, the suite of uses preferred under the 'Residential H8' zone is expanded, or whether the existing residential zoning continues to apply and the non-residential uses are removed as the redeveloped.

*Potential Issues with Mandatory Podium Requirements*

Various criteria of the Activity Centre Plan require certain sites to be developed with a 'podium' style of development. This includes criteria relating to reduced (in many cases nil) setbacks to street, side and rear boundaries. In the M10 and M15 zones, podiums to a minimum height of two storeys (7.0m) are mandated.

An investigation of these provisions is considered necessary to determine whether this form of development is appropriate throughout any or all of the M10 and M15 zones. Considerations that could inform such investigations could include:

- What impact podium development will have in the short-term, having regard to the transition between the existing prevailing single dwelling development in the area compared to the more intense development provided for under the Activity Centre Plan; and,
- Whether development with podiums should be limited to frontages to major roads and the 'linking pathways' under the Activity Centre Plan; and,
- Whether the form of podium encouraged, with nil side setbacks required, is an appropriate form for the areas of the Activity Centre Plan within the City of South Perth.

It is recommended that the above matters be considered as part of a formal review of the Plan.

*Potential Car Parking Management Issues*

The Car parking requirements in the CBACP are considered best practice requirements for a TOD Precinct. It would therefore be inconsistent with contemporary best planning practice to consider higher parking ratios in the Centre. In light of this and the fact that these requirements were recently approved by the WAPC, it is highly unlikely that higher rates of parking would be approved by the WAPC.

Notwithstanding the reduced rates of onsite parking could result in potential on street parking management issues as a result of car parking overspill onto the street until such time as behaviours change and private car trips and ownership reduces. These impacts are not yet fully known as no approved development applications have been constructed and there is presently no sound evidence base to demonstrate any real issues.

Whilst offsite parking management is not an issue that can be considered as part of the planning framework, it is appropriate to consider high level potential issues associated with parking management as part of this review. The findings of these investigations would inform more detailed investigations to be undertaken as part of the development of a parking management plan for the precinct. This parking management plan would consider potential strategies that could be enacted upon completion and occupation of development.

### ***Review Process***

Activity Centre Plans are approved for a duration of 10 years. Best practice requires a review every 5 years to ensure they remain relevant and responsive to the activity and population requirements of the Centre. The process for the review of an Activity Centre Plan is resource intensive and involves a number of necessary steps, some of which are statutory requirements of the Deemed Provisions. These include:

- Review of existing provisions and drafting of revised provisions with a view to addressing the matters identified above, along with any other matters that may arise as a result of the further application of the Plan;
- Internal review, including testing of the revised provisions;
- Preliminary consultation with City of Melville;
- Any necessary modifications as a result of the above;
- Council briefing on draft modifications;
- Council consent to advertise any draft modifications;
- Formal Public consultation in accordance with the Deemed Provisions.
- Consideration of submissions and any necessary modifications;
- Further Council briefing;
- Preparation of report for consideration by the Western Australian Planning Commission including, schedule of modifications, list of submissions and comment on submissions, and recommendation to Western Australian Planning Commission;
- Council consideration of outcomes of advertising and abovementioned report; and
- Forward report final recommendation to WAPC.

Due to the extent of the review, time and resources required to undertake a proper review and existing commitments for other major projects (Local Planning Strategy and South Perth Activity Centre Plan) it is recommended that the review process commence in February 2019. This will enable adequate time and resources to be directed towards the review.

### **Consultation**

There are no consultation requirements associated with this report. Once the review has been completed and a draft modified Activity Centre Plan prepared it will be presented to Council for consent to publically advertise the modifications in accordance with clause 34 of the Deemed Provisions.

### **Policy and Legislative Implications**

The statutory process for modifying activity centre plans is contained in Part 5 of the Deemed Provisions of the Planning and Development Regulations 2015.

**Financial Implications**

The review is considered core business and is accommodated within the City's 2018/19 operating budget.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Environment (Built and natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable buildings and land use

**Attachments**

Nil

### 10.3.4 Draft Local Planning Strategy - Endorsement for Public Consultation

Location:	N/A
Ward:	All
Applicant:	N/A
File Ref:	D-18-86756
Meeting Date:	28 August 2018
Author(s):	Aaron Augustson, Senior Strategic Planning Officer Elyse Maketic, Manager Strategic Planning
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

The City is in the process of reviewing its existing Town Planning Scheme No. 6 (the Scheme). The first step in this review is to prepare a Local Planning Strategy (Strategy) to guide the future preparation and implementation of the Scheme.

The Strategy forms the high level strategic document that guides local planning and development within the City over the next 10 to 15 years. The Strategy is a local interpretation of the State and regional planning policies that apply to the City and a draft of this document is included in this report at **Attachment (a)**.

The principles guiding the preparation of the Strategy are as follows:

- Accommodate a growing population while protecting and enhancing neighbourhoods with identified character and heritage.
- Support a network of connected, functional and sustainable activity centres.
- Align population growth with needed civic infrastructure.
- Improve all aspects of liveability within the City.

The Strategy document includes a series of 'strategies' based around key topic areas and a series of associated 'actions' to deliver on the strategies. The strategies and actions have been derived from;

- Detailed investigation of the regional, State and local planning context of the City;
- Investigation of the City's demographic profile, trends and forecasts; and,
- The outcomes of preliminary consultation undertaken in early 2018.

Should Council endorse the Strategy, it will first be forwarded to the Western Australian Planning Commission (WAPC) for review. Once the WAPC endorses the Strategy, the City will formally advertise the draft Strategy and Council will be required to consider and endorse any modifications thereafter.



**Officer Recommendation**

That Council:

1. Endorse the draft *City of South Perth Local Planning Strategy, 2018* for the purposes of public advertising in accordance with Regulation 13 of the *Planning and Development (Local Planning Schemes) Regulations*, as included at **Attachment (a)**;
2. Pursuant to Regulation 12(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, forward a copy of the draft *City of South Perth Local Planning Strategy, 2018*, included at attachment (a) to the Western Australian Planning Commission for its certification for the City to undertake public advertising; and
3. Upon receipt of the Western Australian Planning Commission certification that the draft *City of South Perth Local Planning Strategy, 2018* is suitable for public advertising, as soon as reasonably practicable advertise the draft Local Planning Strategy in accordance with Regulation 13 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of not less than 42 days.

**Alternative Motion AND COUNCIL DECISION**

**Moved:** Councillor Colin Cala

**Seconded:** Councillor Blake D'Souza

That Council defer the endorsement of the Draft City of South Perth Local Planning Strategy 2018 for the purposes of public advertising for a period sufficient to allow Councillors to workshop the draft proposals, but no later than the Ordinary Council Meeting of October 2018.

The function of the Workshop or Workshops will be to:

1. Provide Councillors the opportunity to discuss and better understand the rationale behind the draft proposals in their present form; and
2. Provide an informal forum that will allow Elected Members to suggest possible improvements in the presentation and content of the material before it is endorsed for advertising.

**CARRIED (8/0)**

**Reasons for the Amendment**

1. Whilst Councillors were provided with an additional week to read the Draft Proposals, there hasn't been an opportunity to discuss them in an informal environment with planning officers, where the rationale behind the planning recommendations can be explained more fully.
2. Councillors will feel more confident in endorsing a complex document that they understand better and believe is appropriate and consistent with the long term planning objectives and vision for the City.
3. The planning background, statistics and terminology of the Draft Strategy may be very confusing for the layman. Some of these issues have been identified in the recent deputations. With greater scrutiny of the Draft at this stage unnecessary confusion and anxiety by residents can be avoided when it is finally released for advertising.

## Background

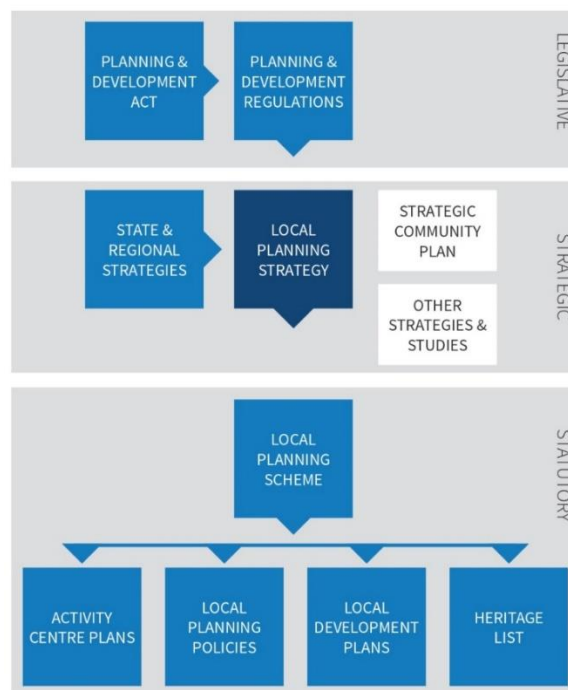
### *Review of Town Planning Scheme No. 6*

At its meeting of 27 June 2017, the Council considered a report of Review of Town Planning Scheme No. 6 (Scheme) and recommended to the Western Australian Planning Commission (WAPC) that the Scheme required review and that a new Scheme should be prepared (refer Item 10.3.4). The City received endorsement of this recommendation from the WAPC in October 2017 commence preparation of a new Local Planning Scheme (refer Item 10.3.4).

The Scheme was first gazetted on 29 April 2003 and at the time of Council resolving to prepare a new Scheme, 40 amendments to the current scheme had been made over the intervening years. Changes in the planning regime at the State level, subsequent amendments to the legislative framework, and introduction of new state strategies and policies over the last 15 years have all contributed to the need for the preparation of a new scheme and a comprehensive review of the City's local planning framework.

A scheme review is a multi-staged process, the first stage of which is the preparation of a Local Planning Strategy (Strategy), as required by Regulation 11(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

The Local Planning Strategy (Strategy) is a fundamental part of the City's Local Planning Framework. The diagram below provides the broad hierarchy of this framework:



The Strategy sets the strategic direction for planning and development in the City over the next 10 to 15 years. It provides the strategic basis for the preparation of, and implementation and amendments to the new Scheme. The content of the Strategy is governed by Regulation 11(2) of the Regulations and the WAPC's Local Planning Manual. The City has prepared the draft Strategy in accordance with the aforementioned documents.

Contemporary best planning practice requires planning documents, such as Local Planning Strategies, to be informed by a sound and robust evidence base. This evidence base provides the rationale for the Strategy. It is compiled from a range of different data sources including:

- Regional planning strategies, policies and guidelines of the State Government;
- Detailed data that identifies population and economic trends, with some data compiled into comprehensive forecasts;
- Planning investigations previously undertaken by the City; and,
- The outcomes of preliminary community consultation, undertaken earlier in 2018.

#### Preliminary consultation

Prior to the preparation of the draft Strategy, the City undertook preliminary community engagement. The purpose of this engagement was to identify the community's attitudes towards the planning challenges the City faces over the next 10 to 15 years.

The preliminary consultation involved the following tasks;

- A online survey completed by 172 community members asking a series of qualitative questions covering all of the topic areas of the draft Strategy; and,
- Four community workshops and two Elected Member workshops held throughout February attended by 103 stakeholders (of which 28 were common across multiple workshops) where the key attitudes towards each of the Strategy topic areas were discussed and explored in detail.

The outcomes of the preliminary consultation were documented and analysed by the City's engagement consultant, Consult WG. A report analysing the key attitudes explored during the preliminary consultation is contained at **Attachment (b)** of this report.

The results of the preliminary consultation are outlined below:

Key topic area	Key attitudes identified
Population and Housing	Increase density levels thoughtfully and with consideration given to current residential character.
	Investigate medium density options rather than high density.
	Explore affordable housing options.
	Ensure zonings encourage housing diversity across the City.
Activity Centres, Employment, Tourism and Entertainment	Identify the development potential of the Canning Highway movement corridor and nodal development opportunities.
	Support smaller businesses especially hospitality, entertainment and retail sectors.
	Focus on activity centres, especially for increased density, mixed use and retail opportunities to ensure this is distributed appropriately across the City.
Community facilities, sustainability	Retain current public open space areas.
	Increase waste and recycling programs.

and public open space	Identify opportunities for renewable energy options for large development applications.
	Identify activity centres and open space areas that could be used for new community facilities.
	Identify opportunities for community facilities including investigation of the potential for a recreation centre with pool/gym.
Transport and Access	Investigate improvements to address traffic congestion.
	Progress planning for the South Perth and Canning Bridge Station precincts.
	Investigate additional freeway access opportunities.
	Investigate an increased ferry network servicing Perth Water.
	Explore potential improvements for alternative transport options such as walking and bike paths, rail, bus, ferry, electric vehicles and charging points.
Heritage and urban design	Instigate strong design considerations for new development and ensure protection of heritage sites.

The outcomes of the preliminary consultation have helped guide the preparation of the Strategy.

#### Comment

#### Purpose of the Local Planning Strategy

The planning challenges facing the City over the next 10 to 15 years are significant and there is a need to develop a high-level strategic plan to manage these challenges.

The primary purpose of the draft Strategy is to provide rationale for the development of a new Local Planning Scheme. The Strategy also:

- Is a high-level direction for the future planning of the City, responding to State Government policy and growth trends/patterns;
- Identifies the key planning challenges facing the City over the next 10 to 15 years;
- Provides a broad plan for accommodating population and activity growth; and,
- Identifies elements of the City's planning framework that require detailed investigation.

The Strategy plays a key role in delivering the shared 'vision for the future' as set out in the City's Strategic Community Plan 2017-2027, (SCP) being:

***A City of active places and beautiful spaces. A connected community with easily accessible, vibrant neighbourhoods and a unique, sustainable natural environment.***

It is a key part in delivering Strategy 3.2(A) of the Strategic Community Plan, which is to 'develop a local planning framework to meet current and future community

*needs and legislative requirements*’, and will also contribute to the delivery of various other strategies within the SCP.

It is not the purpose of the Strategy to provide detailed planning provisions for individual areas (for example, activity centres and urban corridors), or individual elements of the planning framework. The Strategy aims to set a broad framework in which detailed investigations can be undertaken in a coordinated manner.

The formulation of this Strategy needs to, and has, considered all the factors influencing and impacting upon the future development of the City. State Government strategies and policies provide important guidance to guide strategies that are then refined based on other local factors and evidence, such as population and economic demographic information, trends, and forecasts. These two pieces of information provide an outline of what we need to plan for and high level guidance as to how that planning should occur (where infill should be located, the role and accessibility of public open space and future priorities for transport). It is also important that the key implications identified through researching these factors are appropriately balanced. Greatest weight should be given to data that is robustly researched and locally grounded and less weight given the ‘generic’ standards, and guidelines.

The Strategy is divided into two parts:

- **Part 1:** The Strategy which includes the Vision and Principles, Objectives, a summary of the major characteristics and issues relevant to the future planning and development the local area. It also incorporates the strategies and actions required to implement the Strategy; and,
- **Part 2:** the background information and analysis which provides the evidence base and rationale for the strategies contained in Part 1.

The Strategy is included at **Attachment (a)**

#### **Summary of Part 2 - Key implications Opportunities and Constraints on Development**

Through the background analysis a number of key implications have been identified. This analysis considered a broad range of information and data derived from:

- State, regional and local planning strategies, policies and guidelines;
- A local profile compiled of detailed data that identifies population and economic trends, with some data compiled into comprehensive forecasts. These forecasts, are based on a wide range of data sources including:
  - Statistical information available through the census;
  - Historical migration rates, death and birth rates and family, housing and age-structures; and,
  - Development data, such as building approvals and construction rates.
 The forecasts are based on a ‘bottom-up’ approach, where the assumptions (above) are made for small census areas (usually a few street blocks). The sum of these forecasts then forms an overall forecast for the City of South Perth. This approach provides the City with the most flexible and robust model for projecting growth that can be updated and realigned over time.
- Planning investigations previously undertaken by the City; and,
- The outcomes of preliminary community consultation, undertaken earlier in 2018.

The key planning implications facing the City of South Perth over the coming decades are not unique to the City and similar to other inner urban locations around

Australia, and are primarily driven by population growth, and the need to manage and respond to this.

In 2015 Australia's population was approximately 23 million and the Australian Bureau of Statistics predicts this to increase to around 35.9 million by 2050. Australia is one of the most urbanised countries in the world and Australians increasingly seek to live in cities.

In the past, the Perth metropolitan region has been able to accommodate a growing population by sprawling outwards and through lower density infill. Perth and Peel as a metropolitan region now stretches over 150km north to south and continuing with this approach to growth is not sustainable.

In response to this, successive State governments have released spatial plans seeking to accommodate a greater proportion of growth through urban infill. The current spatial strategy, Perth and Peel @3.5million, and the accompanying sub-regional planning frameworks, provides a plan for the growth of Perth out to approximately 2050. These documents provide a comprehensive strategic plan for the consolidation of growth in the Perth metropolitan region.

Perth and Peel @3.5million anticipates approximately 800,000 new dwellings in Perth by 2050, of which around 380,000 will be in existing urban areas. The majority of these (approximately 213,000) are predicted to be accommodated within the Central Sub-Region; an area comprising the 19 most inner-city local governments including the City of South Perth.

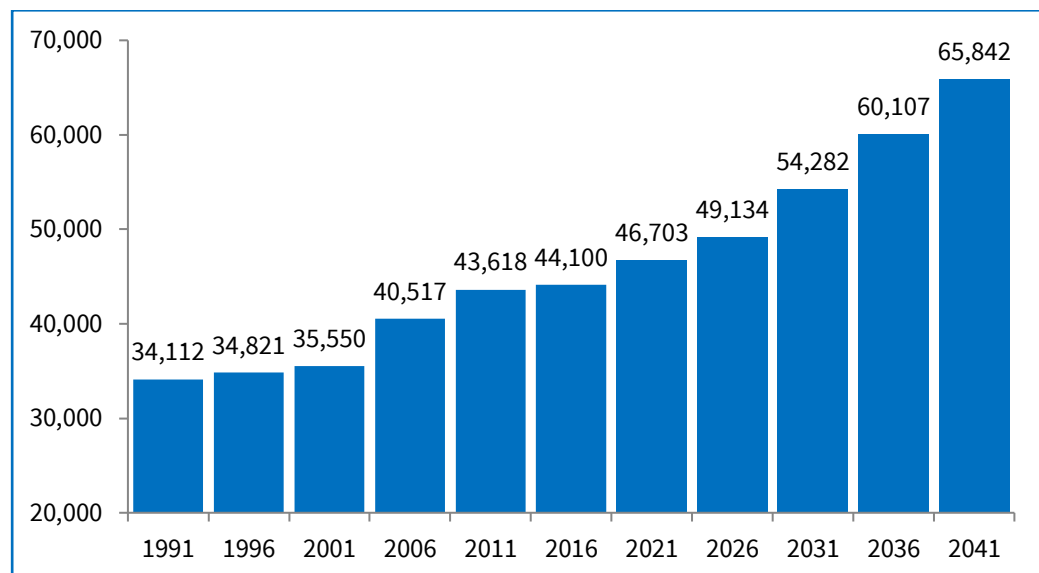
Despite this, the majority of Perth's growth will still occur in outer metropolitan areas. In order to responsibly manage growth, the whole of the metropolitan area will need to accommodate more population and activity.

The Central Sub-Regional Planning Framework and Perth & Peel @3.5million expect the majority of infill growth to be contained within 'activity centres', 'urban corridors' and 'station precincts'. Those expected growth areas relevant to the City are described as follows:

- **Activity centres:** Focal points well served by transport infrastructure that provide areas for commercial and social activity together with residential population.
- **Urban corridors:** Areas adjacent to transport infrastructure, typically high-frequency bus routes that provide links between activity centres.

Recognising, planning for and implementing strategies that accommodate growth ensure that growth can be shaped and managed appropriately. The City's population is forecast to grow by an additional 21,742 people to a total of around 65,800 people between 2016 and 2041. This population growth will result in increased demand for housing, employment opportunities and access to infrastructure of all kinds (social, open space, transport).





*Estimated residential population – City of South Perth (1991-2041)*

It is important that the City develop plans to best accommodate this growth and respond to forecasts. Not responding to growth patterns and trajectory will result in bad planning outcomes because growth will still happen regardless and in an unplanned way. This has significant implications for planning for housing and infrastructure (community, open space, roads for example).

There are a number of key implications identified as a result of the background analysis. These are grouped into key focus areas for the purposes of Part 1, and are summarised as follows:

#### *Population and housing*

- In order to responsibly manage growth, the City needs to accommodate a growing population in line with population forecasts and state spatial planning strategies. The City has a responsibility to plan for new dwellings within and around its existing activity centres to support and improve the ongoing viability, functionality and sustainability of each centre as well as along urban corridors.
- The City's population is expected to grow by over 10,182 people by 2031 (from 2016) and will increasingly consist of people aged over 70, young children in family households and a large demographic of young adults aged 25-29. Providing a framework to accommodate this growth, by providing new dwellings appropriate to the City's demographics, is a key implication for the City.
- There is significant variation in relative levels of disadvantage between the various suburbs/neighbourhoods within the City. This will need to be considered when planning for future housing typologies and affordability.

#### *Activity and employment*

- To reflect State policy, growth in activity, employment and population is best guided towards activity centres and urban corridors.
- The majority of non-residential floor space within the City consists of 'office' and 'service' floor space. Diversification of this floor space can promote more diverse employment opportunities.



*Transport and access*

- Public transport and active transport modes are increasingly used as a mode of travel to work and the City is planning to expand its bicycle network.
- Growth in population and activity should be focused around existing transport infrastructure and consider emerging transport modes, such as cycling and the use of ride-shares platforms.

*Environment and sustainability*

- The extent of tree canopy cover on private land has fallen considerably over the last three decades.
- State policy encourages new development that limit the consumption of environmental resources as much as possible.
- The City needs to ensure new development is not adversely impacted by environmental factors such as sea-level rise, flood risk and high water tables.

*Heritage, character and design*

- Design quality and how development responds to matters such as crime prevention, the quality of public spaces and the management of urban systems (such as water management) are important considerations in assessing planning proposals. The City's planning framework needs to embed these considerations in its decision making.
- There is a need for the City to appropriately distinguish between areas of heritage and character.

*Public open space and community facilities*

- The City has limited resources to provide new community facilities and public open spaces so it must ensure that, as population grows, its planning system leverages new development to help provide new civic infrastructure.
- Wherever possible the development of 'community hubs' comprising multi-use/shared facilities, services and public open space should be encouraged as a focal point for community activity to leverage resource sharing.

*Tourism and entertainment*

- The City has more tourists visiting for 'educational' reasons than the State average and could leverage this advantage.
- There are also a number of significant tourism sites within the City. There are opportunities for the City to build on this advantage by making it easier for short-term accommodation uses to occur in appropriate locations.

The above key implications have informed the Principles, Objectives, Strategies and Actions of Part 1.

### Summary of Part 1 – Principles, Objectives, Key Strategies and Actions

Part 1 of the Strategy outlines a series of ‘strategies’, ‘actions’ and ‘key implications’, which should be interpreted as follows:

- **Key implication:** A key issue, trend or outcome identified through the investigations made in part 2 of the Strategy;
- **Strategy:** The strategy identified to address the implication; and,
- **Action:** Activities to address the Strategy.

The Strategy has been formed based on detailed, evidence-based planning outcomes that seek to align the City’s future planning framework with the requirements and strategic direction of the State government. It is divided into seven (7) key focus areas:

- Population and housing;
- Activity centres and employment;
- Transport and access;
- Environment and sustainability;
- Heritage, character and design;
- Public open space and community facilities; and,
- Tourism and entertainment.

These key focus areas have been derived from:

- Strategic directions of the Strategic Community Plan;
- A review and analysis of the City’s local profile (demographic, economic and environmental profile and trends), and the existing regional context; and
- Preliminary consultation undertaken with the City’s community.

### Principles and Objectives of the Local Planning Strategy

In order to ensure each strategy and action works together, four principles have been developed. These principles seek to guide all of the outcomes of the Strategy and have been informed by the strategic directions of the SCP and the key implications identified in part 2. The Strategy also has a number of objectives.

These are guided by the principles, as well as the key findings implications, opportunities and constraints from the background analysis contained in Part 2. The principles and objectives of the Strategy, along with the corresponding strategic direction from the SCP are outlined below:

Strategic Community Plan Strategic Directions, Aspiration	Local Planning Strategy Principles	Objectives
Environment (built and natural): Sustainable urban neighbourhoods.	Accommodate a growing population while protecting and enhancing neighbourhoods with identified character and heritage.	Provide for additional housing in a consolidated urban form in line with State government policy direction.
		Ensure housing is provided for people of all ages, family structures and incomes.
		Retain and enhance areas of authentic character, heritage or those with a distinct sense of place while recognising the need for population growth.

	Improve all aspects of liveability within the City.	Activate the public realm and create green, useable and enjoyable public spaces that reflect our demographic profile.
		Create an urban environment that encourages healthy, active living.
		Ensure new development is forward-thinking and achieves best-practice environmental outcomes.
	Align population growth with needed civic infrastructure.	Improve accessibility throughout the City by providing residents and visitors with a range of transport options, focusing on walking and cycling networks.
		Integrate planning for population growth with upgrades to transport, education, recreation and other vital community infrastructure.
		Ensure that new development contributes to the provision of new infrastructure.
Economy: A thriving City activated by innovation, attractions and opportunities.	Support a network of connected, functional and sustainable activity centres.	Reinforce the South Perth Activity Centre as the primary activity centre within the City.
		Support the ongoing function and viability of activity centres by accommodating appropriate population and activity growth opportunities.
		Support the realisation of the potential for the Bentley/Curtin Specialised Activity Centre to be a centre of employment, education, innovation and housing.

### Key strategies

The Strategies and actions are separated into the following key focus areas, as follows;

- Population and housing;
- Activity Centres and employment;
- Transport and access;
- Environment and sustainability;
- Heritage, character and design;
- Public open space and community facilities; and,
- Tourism and entertainment.

This section describes the rationale for the key strategies outlined in Part 1, as well as a summary of the actions to achieve each strategy.

*4.1.1 Provide opportunities for higher intensity residential and mixed use development in a consolidated form by adopting a 'managed growth strategy' that ensures the majority of future growth is accommodated within and around activity centres and along urban corridors.*

This strategy is aligned to the principle to 'accommodate a growing population while protecting and enhancing neighbourhoods with identified character and heritage'.

A central purpose of this strategy is to outline how a growing population will be accommodated. It is important for the City to have a clear strategy to accommodate a growing population for the following reasons:

- Ensure the growth occurs in a coordinated way and not ad hoc or decided by authority other than the City of South Perth;
- To ensure growth demand is recognised and planned for properly;
- To ensure housing growth strengthens existing local communities and economies; and,
- To coordinate growth with other plans for social, environment, transport and economic infrastructure.

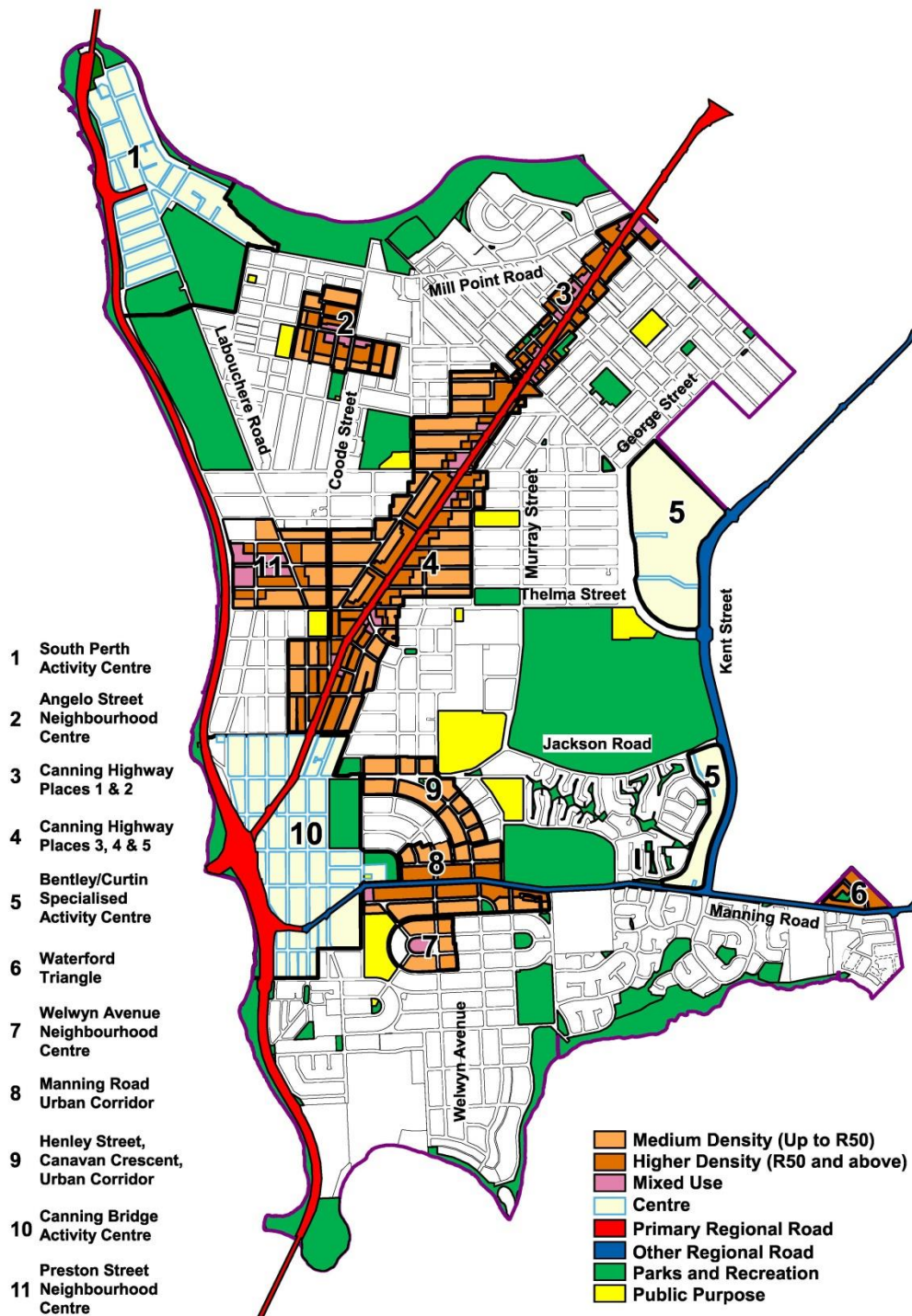
As outlined earlier in this report, the Central Sub-Regional Planning Framework directs population and activity growth towards activity centres, urban corridors and station precincts and under this document the City of South Perth has been allocated a dwelling target of 8,300 new dwellings by 2050. It should be noted that this amount is not based on detailed planning investigations and does not align with forecast growth in the City.

Forecast modelling prepared for the City projects that the number of dwellings within the City is likely to increase by approximately 4,784 by 2031 and by 9,891 by 2041. This projection is based on assumptions including rates of residential development, migration trends and trends in births and deaths. All of these assumptions are considered at a local level, which provides for the most robust forecast.

2016	2021	2026	2031	Additional (2016-2031)	Additional (2016-2041)
<b>Census data</b>	<b>Projected</b>				
20,286	21,755	22,822	25,070	+4,784	+9,891

*Historic and forecast total dwellings (City of South Perth) 2016-2041.*

The 'managed growth strategy' will ensure the City has a framework in place to accommodate a growing population in line with forecast growth while also strengthening existing activity centres. This strategy also directs dwelling growth towards areas with higher levels of connectivity and infrastructure (such as roads, railways and public transport). Distributing growth to these locations will help the City and State government adequately plan for infrastructure upgrades, such as transport infrastructure and community facilities. The below figure depicts the areas identified in the 'managed growth strategy':



Based on the below projections, it is expected that approximately 4,849 dwellings could be accommodated (between 2016 and 2031) within the following locations:

Type	Managed Growth Area	Additional dwellings 2016-2031 (percentage of total additional)
Activity Centres	South Perth Activity Centre	1,283 (26.5%)
	Canning Bridge Activity Centre	1,133 (23.4%)
	Bentley/Curtin Specialised Activity Centre	744 (15.3%)
	Angelo Street Neighbourhood Centre	359 (7.4%)
	Preston Street Neighbourhood Centre	222 (4.6%)
	Welwyn Avenue Neighbourhood Centre	78 (1.6%)
Urban Corridors	Canning Highway Urban Corridor	457 (9.4%)
	Manning Road Urban Corridor	226 (4.7%)
	Henley Street Canavan Crescent Urban Corridor	197 (4.1%)
	Waterford Triangle	150 (3.1%)
<b>Total additional</b>		<b>+4,849 (approx.)</b>

The above 'additional dwellings' figures have been calculated based on a number of factors, including;

- Detailed forecast modelling undertaken as part of detailed planning studies, such as for the land subject to the Canning Bridge Activity Centre Plan. These figures are underpinned by the most robust evidence base of all of the above figures as the planning framework is already established; or,
- Where the above is not available:
  - Growth projections based on known development standards contained in the City's planning scheme, or,
  - Estimations of the number of dwellings needed to achieve a certain level of dwelling density, based on the guidance contained in State planning policies. These policies set 'desirable' dwelling density targets in order to support the viability of activity centres and transport infrastructure.

The figures outlined should be considered as one possible outcome of the managed growth strategy and actual rates of additional dwellings may vary once detailed forecast modelling is undertaken for each area. The managed growth strategy allows for a greater number of dwellings (+4,849 dwellings) to be developed within the City by 2031 compared to the overall dwelling forecast (+4,784) for the City; a difference of 65 dwellings. This occurs for two reasons:

- The dwelling forecast is a 'constrained' forecast in that it can only factor in relatively known planning outcomes at the time the model is prepared. For instance, this includes an estimation of the development potential available to land under the Canning Bridge Activity Centre Plan; and,



- The additional growth in the 'managed growth areas' includes assumptions based on expectations under policies of the State government, which are not currently considered in the forecast as they serve only to provide a direction for future growth in each area.

Ultimately, this demonstrates that the managed growth strategy will be able to accommodate the majority if not all of the dwelling growth expected in the City, while also remaining consistent with policies of the State government.

*Reasons for adopting this strategy*

There are a number of reasons the City should adopt the managed growth strategy;

- It contains the extent of new development to specific areas well connected to public transport, so that existing heritage and character streetscapes remain, as much as possible, undisturbed. It is recognised that the character of some of the 'managed growth' areas may change over time. This strategy may also assist with protecting the City's urban tree canopy.
- It results in more intense development in certain locations that increase the viability of transport, economic and social infrastructure;
- It allows the development of a diverse range of housing choices. More intense development is likely to yield a greater proportion of smaller dwellings.
- It reduces the reliance the City has on natural resources, particularly reliance on private motor vehicles as more people are located closer to jobs, entertainment, natural spaces and social places.

In order to implement this strategy, the Strategy identifies the following actions are to be undertaken:

- Adopt and implement an activity centre plan for South Perth ;
- Progress planning for the areas of the Bentley/Curtin Specialised Activity Centre located within the City of South Perth;
- Adopt scheme provisions that provide for medium/high density development along the Canning Highway Urban Corridor;
- Undertake planning investigations for the land 200m either side of Manning Road and adjacent to the urban corridor identified along Henley Street and Canavan Crescent;
- Progress scheme amendments for the Waterford Triangle area;
- Prepare centre plans to guide future development within and around the Angelo Street, Preston Street and Welwyn Avenue neighbourhood centres.

*4.1.2 Support actions that promote a diversity of housing choice, including housing accessibility and affordability measures, as well as opportunities for existing populations to 'age in place'.*

Analysis of the City's demographic and physical profile identified that there are a number of areas whereby the City could incentivise development to address key housing need deficiencies. These deficiencies include;



- An underrepresentation of smaller one and two bedroom dwellings;
- The need to plan for an ageing population, but also an increase in the number of family households within the City; and,
- A substantial fall in the City's urban tree canopy over the last few decades.

It was also identified that the City's Town Planning Scheme No. 6 has limited controls on development that could help address these key issues. The actions associated with this strategy include reviewing the existing 'split density code' system (which applies to a number of properties throughout the City) to align the assessment criteria for these split codes with the measures that address the key implications above. It also includes actions to ensure the City's activity centre plans account for these implications.

*4.2.1 Ensure each of the City's activity centres achieve an appropriate mix of activity, employment, recreational, civic and cultural, and entertainment uses as well as increased levels of residential population to support the ongoing viability and function of each centre. The planning framework should ensure sufficient non-residential floor space, to meet forecast demand, can be provided in each centre.*

As population grows, the City will need to accommodate more non-residential floor space for new businesses and community activities. *State Planning Policy 4.2 – Activity Centres for Perth and Peel* sets out a hierarchy of activity centres. New development is to be facilitated in these centres at an intensity that reflects the centres' role and function, place in the hierarchy and location within the inner metropolitan area; including providing certain levels of residential dwellings to support the ongoing function, viability and sustainability of each Centre.

This strategy specifies that decisions relating to land use, employment and population should be investigated in detail on a centre-by-centre basis, where likely demand is predicted and appropriately accommodated.

The actions associated with strategy 4.2.1 outline that the City adopt, implement and monitor activity centre plans or otherwise progress planning for each activity centre/urban corridor that ensures the City's planning framework provides opportunities for new non-residential floor space to meet demand.

*4.2.2 Support long-term planning for the Bentley/Curtin Specialised Activity Centre with a focus of providing opportunities for employment in learning and technology industries.*

The Bentley/Curtin Specialised Activity Centre covers a vast area and is divided between the City of South Perth and the Town of Victoria Park, while also adjoining the edge of the City of Canning. The centre is provided with high levels of transport accessibility and is a major employer. The centre includes the Curtin University campus, the area known as 'Technology Park', the Waterford Plaza shopping centre, land used by the Department of Agriculture and a series of other institutional and mixed use sites.

This strategy supports the long term planning of this location as a major employment and learning hub, supported by a residential population. There are unique opportunities present at this centre, for employment, housing (including diverse housing, such as student accommodation) and environmental sustainability that can be leveraged. The actions associated with this strategy include progressing a detailed, evidence-based activity centre plan for the specialised centre.

*4.3.1 Align transport strategies with strategies to manage the City's growing population.*

*4.3.4 Achieve a progressive increase in the mode-share of active transport (walking, bicycle, public transport) options over other transport modes as a means of reducing pressure on the road network.*

These strategies are aligned to the principle to 'align population growth with needed civic infrastructure'.

The City of South Perth is an inner-city local government with relatively good levels of private vehicle and public transport accessibility. However some areas of the City are better served than others and as the City and the Perth metropolitan region grow, the City will need to consider more alternative transport options to residents and visitors. Developing a comprehensive transport, access and parking plan for the City and surrounds will ensure the increased pressure on the movement network that comes with a growing population is managed as best as possible.

The key action associated with this strategy is to prepare and adopt a 'Transport, Access and Parking Strategy' in the short-medium term.

*4.4.1 Achieve an increase in the City's tree canopy cover on private land.*

The extent of tree canopy cover on private land has fallen considerably over the last three decades. This has largely been offset by planting and growth of tree canopy on public land (reserves, street verges etc).

This strategy and the associated action requires the City to review its current policies ensure, as much as reasonable, the retention, maintenance and enhancement of the urban tree canopy on private land into the future. This action is supported by the 'managed growth strategy' which concentrates the majority of growth in key locations. This enables some single-residential areas to remain at their existing density, thereby encouraging greater amounts of open space, landscaping and tree growth.

*4.5.2 Ensure the City's planning framework clearly separates areas considered to be of heritage significance and those with a good sense of place or streetscape character.*

The City is expected to accommodate a growing population and growing levels of activity. This will result in increased development pressure in areas of identified character and heritage significance. With this growth comes an expectation that new developments will achieve high levels of design quality befitting the character of each neighbourhood.

An important aspect of managing population growth is ensuring adequate protections are in place for identified heritage and character. This strategy includes actions to;

- Review the City's Municipal Heritage Inventory;
- Complete a review of the City's Heritage List; and,
- Adopt local planning policies for any identified heritage area.

so that the future development of places or areas identified as having heritage or character values are appropriately accounted for in planning for population growth.

*4.6.1 Incentivise new development to make voluntary community benefit contributions that improve local amenity.*

The City has a large amount of public open space; with many active and passive areas for recreation. It is important that public spaces reflect the needs of a growing population and changing demographic profile.

This growth requires improvement in the quality and availability of community facilities, streetscapes and open space. The City has limited resources to provide new community facilities and public open spaces so it must ensure that, as population grows, its planning system leverages new development to help provide new civic infrastructure.

This strategy has associated actions to ensure the South Perth Activity Centre Plan (and other appropriate plans) include measures that deliver any identified community facilities/benefits. This could include forming partnerships with private institutions to provide infrastructure, or in the form of voluntary agreements to provide contributions for the City to provide such infrastructure.

### Next steps

The following steps are applicable to the further progression of the draft Strategy;

August 2018	Draft Local Planning Strategy prepared and considered by Council for the purpose of proceeding to public advertising.
Late 2018	Draft Strategy forwarded to WAPC for certification for the purpose of public advertising.
Estimated - Late 2018	Public advertising of draft Strategy.
Estimated - Early 2019	Consideration of outcomes of public advertising and final adoption of draft Strategy by Council.
Estimated - Mid 2019	Estimated timeframe for approval of the Strategy by the WAPC.

### Consultation

Should Council endorse the draft Strategy for the purpose of public advertising, the certification of the Western Australian Planning Commission will be required prior to the commencement of any public advertising. The WAPC may direct the City to modify the draft Strategy prior to advertising commencing. Advertising will be undertaken in accordance with Regulation 13 of the Regulations and will include the following:

- Developing supporting documentation (available electronically and in hard copy) to explain key components of the Strategy, including FAQs, summary documents and explanatory notes;
- Inviting feedback on the draft Strategy via the City's online engagement platform (Your Say South Perth);
- Advertising the draft Strategy in local newspapers and publications (both online and hard-copy) including the Southern Gazette, e-news, Peninsula Magazine and social media;
- Emails to established database for planning projects
- Media communications to promote the project and opportunities to provide feedback; and,
- Community drop in sessions to enable stakeholders to ask detailed questions of City staff.

Regulation 13(1) of the Regulations also requires the City to consult with each public authority and adjoining local governments likely to be affected by the draft Strategy.

Upon conclusion of the public advertising, Council will consider all submissions received and make a recommendation to either:

- Support the strategy without modification; or,
- Support the strategy subject to modification.

The Strategy will then be submitted to the WAPC for final approval. It is estimated that Council will consider final adoption of the Strategy in early 2019.

#### **Policy and Legislative Implications**

The requirement for, process for the preparation of, and content of the Strategy is governed by Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Strategy has been prepared in accordance with these requirements and the content of the WAPC's Local Planning Manual

Any future scheme amendments that do not align with an endorsed Strategy will be considered a 'complex' amendment, which require additional steps and an extended period of public consultation.

#### **Financial Implications**

The preparation of the draft Strategy is included in the 2018/2019 operational budget.

#### **Strategic Implications**

This report is aligned to the Council's [Strategic Community Plan 2017-2027](#). For further information, refer to the 'comment' section of this report.

#### **Attachments**

- 10.3.4 (a): Draft Local Planning Strategy - August 2018
- 10.3.4 (b): Consultation and survey responses report

## 10.4 STRATEGIC DIRECTION 4: LEADERSHIP

### 10.4.1 Listing of Payments - July 2018

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-18-86758
Meeting Date:	28 August 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

This report presents to Council a list of accounts paid under delegated authority (Delegation DC602) between 1 July 2018 and 31 July 2018 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(419)	\$5,672,031.91
Cheque Payment to Creditors	(10)	\$57,098.13
<b>Total Monthly Payments to Creditors</b>	<b>(429)</b>	<b>\$5,729,130.04</b>
Cheque Payments to Non-Creditors	(58)	\$55,203.01
<b>Total EFT &amp; Cheque Payments</b>	<b>(487)</b>	<b>\$5,784,333.05</b>
<b>Credit Card Payments (July 2018)</b>	<b>(7)</b>	<b>\$8,904.56</b>
<b>Total June Payments</b>	<b>(494)</b>	<b>\$5,793,237.61</b>

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That the Council receive the Listing of Payments for the month of July 2018 as detailed in **Attachment (a)**.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

#### 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.
- **Credit Card Payments**  
Credit Card Payments are not processed in Authority as a Creditor Payment or Non-Creditor Payment per above. The direct debiting of the bank account results in Credit Card Payment being excluded from the Payment Listing provided. For July 2018, Credit Card Payments total \$8,904.56.

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.

With the new financial year it is proposed to customise the Listing of Payments to conform to the relevant statutory requirements. Effective from July 2018 the Listing of Payments Attachment has been modified from prior periods monthly reporting and do not include the Description column. System limitations sometimes result in ambiguous or unclear descriptions being created when preparing this report. It is possible for the description disclosure to also contain narrative errors when processing Purchase Orders. Removing the *Description column* mitigates the risk of error, ambiguity or even confidentiality with regard to contracts and agreements. Retaining the other columns (*Reference No, Date, Creditor, Payee and Amount*) complies with *Local Government (Financial Management) Regulations*. Efficiencies are achieved in removing the Description column, as this removes the time consuming rework required monthly to attempt to correct all vendor payment descriptions.

**Consttation**

Nil.

**Policy and Legislative Implications**

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

**Financial Implications**

The payment of authorised amounts is within existing budget provisions.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Empower effective and quality decision-making and governance

**Attachments**

**10.4.1 (a):** Listing of Payments - July 2018



## 10.4.2 Monthly Financial Statements - July 2018

Location: City of South Perth  
Ward: Not Applicable  
Applicant: Council  
File Ref: D-18-86759  
Meeting Date: 28 August 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 AND COUNCIL DECISION

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That the Council note the Financial Statements and Report for the month ended 31 July 2018 in accordance with Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

### 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 2018/19 Budget, adopted on 26 June 2018, adopts a variance analysis for significant amount of \$10,000 or 10% for the 2018/19 financial year.

The attachment Financial Management Reports provides similar information to those provided in previous years, with less duplication (than 30 June 2017 and prior years). Each Financial Management Report contains the Original Budget and the Annual Budget, allowing a quick comparison between the adopted Budget and any Budget Adjustments approved by Council.

### 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 July is \$44.554m in comparison to budget of \$44.939m. Expenditure from Operating Activities for July is \$4.163m in comparison to budget of \$5.465m. The July Operating Net Position was \$0.917m favourable with lower actual expenditure than budget of \$1.302m offset by lower revenue of \$0.385m than planned. The Operating results for the first month represent a slow commencement of expenditure and activity engagement at the start of the year, along with the reversal of the prior year's-end accruals in July, and lagging vendor invoices yet to be received.

In terms of the Capital Summary, actual Capital Revenue for the year to date is \$0.021m in comparison to the budget of \$0.023m. Actual Capital Expenditure for the year to date is \$0.186m in comparison to the budget of \$1.153m. Capital expenditure for July is lagging, representing a timing difference.

Cash and Investments balance is \$51.69m, traditionally July Cash has a lower balance, following the annual cycle of expenditure payments from the prior year, and is prior to the rates collection for the 2018/2019 year.

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 46.2% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments, Attachment 10.6.1 (h), illustrates the percentage invested in each of the Non-Fossil Fuel institutions and the Short Term Credit Rating provided by Standard & Poors (S&P) for each of the institutions.

### 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 matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Empower effective and quality decision-making and governance

### Attachments

10.4.2 (a):	Statement of Financial Position - July 2018
10.4.2 (b):	Statement of Change in Equity - July 2018
10.4.2 (c):	Statement of Financial Activity - July 2018
10.4.2 (d):	Statement of Operating Revenue & Expenditure - July 2018
10.4.2 (e):	Capital Summary - July 2018

**10.4.2 Monthly Financial Statements - July 2018**

- 10.4.2 (f):** Significant Variance Analysis By Business Unit Operating Revenue - July 2018
- 10.4.2 (g):** Statement of All Council Funds - July 2018
- 10.4.2 (h):** Summary of Cash Investments - July 2018
- 10.4.2 (i):** Statement of Major Debtor Categories - July 2018

## 10.7 MATTERS REFERRED FROM COMMITTEE MEETINGS

### 10.7.1 Property Committee - 9 August 2018

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-18-86760
Meeting Date:	28 August 2018
Author(s):	Sharron Kent, Governance Officer
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

#### Summary

This report provides the recommendations from the Property Committee meeting held on 9 August 2018 for Council's consideration. The Minutes of which can be found at **Attachment (a)** and **Confidential Attachment (b)**.

#### Committee Recommendations

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council adopt the following recommendations of the Property Committee meeting held on 9 August 2018:

##### 6.1 **Confidential** Item – Angelo Street, South Perth

As per the **confidential** report [**Confidential Attachment (b)**].

##### 6.2 **Former Manning Library**

That the Committee recommends to the Council that it proceed with Option 4 of this report.

##### 6.3 **Burch Street Carpark**

That the Committee recommends to the Council that the CEO be requested to initiate a study of options for the Burch Street carpark land and present the outcome to a future meeting of the Committee.

##### 6.4 **Boatshed Cafe Expansion**

That the Committee recommends to the Council that it receive and note the report.

##### 6.5 **Reserve 33804 Proposed Millers Pool Restaurant / Cafe**

That the Committee recommends to the Council that the CEO be authorised to:

- Take the necessary steps to excise a portion of Reserve 33804, for the purpose of the development and operation of a permanent café / restaurant; and
- Seek indicative proposals from potential developers of a café/restaurant at the site; and
- Secure a lease of the excised land to the City (with the power to sublease), for the purpose of a permanent café / restaurant.

**AMENDED MOTION**

**Moved:** Councillor Ken Manolas

**Seconded:** Councillor Greg Milner

That Item 10.1.1 *Property Committee - 9 August 2018* Committee Recommendation 6.5 *Reserve 33804 Proposed Millers Pool Restaurant / Café*, be amended as follows (in red):

That the Committee recommends to the Council that the CEO be authorised to:

- a) Take the necessary steps to excise a portion of Reserve 33804, for the purpose of the development and operation of a permanent café/restaurant, **the footprint of the building to be no more than 400m<sup>2</sup>**; and
- b) Seek indicative proposals from potential developers of a café/restaurant at the site; and
- c) Secure a lease of the excised land to the City (with the power to sublease), for the purpose of a permanent café/restaurant.

**LOST (2/6)**

**COUNCIL DECISION**

**Moved:** Councillor Travis Burrows

**Seconded:** Councillor Glenn Cridland

That Council adopt the following recommendations of the Property Committee meeting held on 9 August 2018:

**6.1 Confidential Item – Angelo Street, South Perth**

As per the **confidential** report [**Confidential Attachment (b)**].

**6.2 Former Manning Library**

That the Committee recommends to the Council that it proceed with Option 4 of this report.

**6.3 Burch Street Carpark**

That the Committee recommends to the Council that the CEO be requested to initiate a study of options for the Burch Street carpark land and present the outcome to a future meeting of the Committee.

**6.4 Boatshed Cafe Expansion**

That the Committee recommends to the Council that it receive and note the report.

**6.5 Reserve 33804 Proposed Millers Pool Restaurant / Cafe**

That the Committee recommends to the Council that the CEO be authorised to:

- a) Take the necessary steps to excise a portion of Reserve 33804, for the purpose of the development and operation of a permanent café / restaurant; and
- b) Seek indicative proposals from potential developers of a café/restaurant at the site; and
- c) Secure a lease of the excised land to the City (with the power to sublease), for the purpose of a permanent café / restaurant.

**CARRIED (6/2)**

**Background**

The Property Committee meeting was held on 9 August 2018 with the following Items listed for consideration on the Agenda:

- **Confidential** Item – Angelo Street, South Perth
- Former Manning Library
- Burch Street Carpark
- Boatshed Cafe Expansion
- Reserve 33804 Proposed Millers Pool Restaurant / Cafe

**Comment**

The Property Committee considered the following Items on 9 August 2018:

6.1 **Confidential** Item – Angelo Street, South Perth

As per the **confidential** report.

6.2 Former Manning Library

This report provides an update regarding the proposed lease of the former Manning Library, and seeks guidance from the Committee as to a preferred way forward.

6.3 Burch Street Carpark

This report summarises the situation regarding the Burch Street carpark, which provides parking for South Perth Hospital as well as for the Ernest Johnson Reserve.

6.4 Boatshed Cafe Expansion

This report provides an update regarding the proposed expansion of the Boatshed Café.

Reserve 33804 Proposed Millers Pool Restaurant / Cafe

This report considers the City's proposal to develop a portion of Reserve 33804 for the purpose of a permanent café / restaurant, to be known as Millers Pool Café.

**Consultation**

These reports were prepared in consultation with Mr Ray Davis, the City's Property Consultant and non-voting member of the Property Committee.

**Policy and Legislative Implications**

The Property Committee meetings are held under the prescribed requirements of the *Local Government (Administration) Regulations 1996*.

**Financial Implications**

Nil.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Good governance
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Empower effective and quality decision-making and governance

**Attachments**

**15.1.1 (a):** 9 August 2018 - Minutes

**15.1.1 (b):** 9 August 2018 - Confidential Minutes (*Confidential*)



## 11. APPLICATIONS FOR A LEAVE OF ABSENCE

Councillor Glenn Cridland applied for a Leave of Absence for the period 23-30 September 2018, inclusive.

### **MOTION TO APPROVE LEAVE OF ABSENCE APPLICATION AND COUNCIL DECISION**

**Moved:** Mayor Sue Doherty

**Seconded:** Councillor Ken Manolas

That Council approve the Leave of Absence application received from Councillor Glenn Cridland for the period 23-30 September 2018, inclusive.

**CARRIED (8/0)**

## 12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 12.1 COUNCILLOR MOTION - REMOVAL OF PARKING RESTRICTION SIGNS IN CLARENCE & YORK STREETS (CR KEN MANOLAS)

At the Council Agenda Briefing held 21 August 2018 Councillor Ken Manolas gave notice that at the 28 August 2018 Ordinary Council Meeting he would move the following Motion.

### **MOTION AND COUNCIL DECISION**

**Moved:** Councillor Ken Manolas

**Seconded:** Mayor Sue Doherty

That the parking restriction signs recently installed in York, Clarence, Hopetoun, Stirling and Scott streets be removed and replacement with 4P 8am-6pm Monday to Friday.

**CARRIED (8/0)**

#### Reasons for the Motion

I have had approximately 10 phone calls and emails relating to this the installation of the 2 hour parking restrictions in Clarence Street and York Street.

The parking restrictions apply every day of the week including Saturday and Sunday. Most commuter parking occurs on weekdays. Residents friends visiting can easily stay for more than 2 hours and they should not have the concern of a parking infringement notice. Two hour parking restrictions on a residential street like this is not feasible, two hour parking is for commercial areas not residential areas.

Many of the units in Clarence Street have on-site parking for only one vehicle and many of the units need more than one car bay and the remaining cars are parked on the street.

Before parking restrictions are implemented in these streets there should be community consultation to discuss the restrictions proposed. Why are we as a council once again adopting measures that the residents have not asked for or wanted. No one discussed 2 hour parking restrictions. Approximately 2 years ago

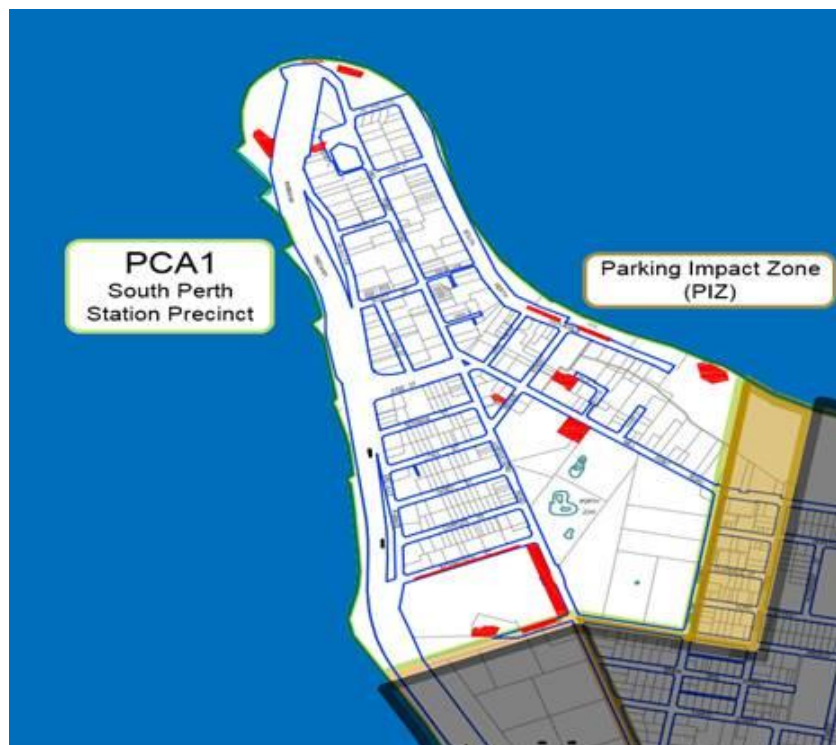
there was community consultation and I understand that residents wanted more parking bays for the residents not restrictions of 2 hours.

I have included the second part of the motion as Stirling and Scott Streets have 4P 8 am to 6pm Monday to Sunday including public holidays and this should be reviewed to 4P Monday to Friday 8am to 6pm.

#### CEO Comment

Council adopted its Parking Strategy in May 2016. The strategy outlined a detailed parking framework for the next 15 years to assist in achieving the City's goals in relation to travel demand management and sustainable transport, to ensure the existing road network amenity is maintained and improved. Additionally, it contained 22 recommendations for review and implementation, including the development of Parking Management Plans for 14 Parking Control Areas (PCA) within the City.

In October 2017, Council adopted a Parking Management Action Plan for "Parking Control Area No. 1" (PCA1), which is effectively the South Perth Station Precinct (see map below). It is important to note that Clarence, York and Hopetoun Streets, while not within PCA1, are in close proximity and therefore included in a supplementary "Parking Impact Zone" (PIZ). The changes to parking arrangements within the South Perth Station Precinct were presented to Council at Budget Briefings and adopted as part of the 2018/2019 budget at the June Ordinary Council Meeting.



The rationale for identifying these streets within the PIZ is that while they are residential and of lower density by nature they experience parking demands from PCA1. As PCA1 moves further towards a paid parking / time restricted zone, in response to further densification, the resultant impacts on the PIZ are also expected to increase as the streets accommodate parking overflows and / or external demand based on free and unrestricted time stay supply being available.

To counter this external demand City Officers, with the goal of prioritising parking supply for local residents and their visitors, nominated on-street parking be restricted to 2P between 8am – 6pm Monday to Sunday within the PIZ. While the 4P controls have now also been rolled out throughout PCA1, the reasoning behind the 2P proposal on the effected streets was that the 4P might not be sufficient in dissuading external usage from very local sources, be they Zoo employees, Zoo visitors or other local employees who would be attracted to parking on these streets while also having the capacity to move their vehicles around on a four hourly basis thus still adversely impacting on local residents.

A letter box drop was undertaken by the City's Rangers advising residents and businesses within the zone that new parking restrictions were to be implemented. Information was also uploaded on the City's social media and website regarding the new restrictions. Approximately 1,800 letters were sent out in relation to the proposed changes within PCA1 and PIZ. In response to date, 12 submissions not in support of the changes within the PCA have been received by the City. In addition 23 submissions have been received from residents within the PIZ advising they do not support the proposed 2P parking control. This feedback rate confirms that overall the impact of the changes is low however, the level of response within the PIZ along with the point that it is not actually part of the PCA are both factors leading to the proposed amendment to parking controls in Hopetoun, York and Clarence Streets.

Under the City's Parking Local Law 2017 it is an offence to park a vehicle on a public street for greater than 24 hours. This law highlights that the use of public on street parking is not an acceptable solution for owners or renters of dwellings who choose to own more vehicles than their residence can accommodate. In this environment use of the 4P parking control has proven effective in other areas of the City in prioritising on street parking for residents and their visitors over external parking demands. Streets around Curtin University, Canning Bridge Station, Canning Highway, as well as local streets such as Karoo, Riverview and Onslow (south) have all benefited from this restriction being implemented previously. These restrictions were put in place in response to requests from local residents.

The impacts are lessened on residents and visitors to such an extent that a person wishing to park on street at 2pm on a given day can then remain in that bay until 12pm the next day (22 hours in total) before the restrictions are contravened. This arrangement is effectively only two hours less than any normal vehicle can park on street without breaking the 24 hour maximum stipulated in the local law. Contrary to this, external parking demand based around commuter, construction and student parking is directly impacted by the implementation of the 4P restrictions as they are in place and enforceable over an average 8 hour working day.

Removing parking restrictions altogether will have the impact of parking supply that cannot be guaranteed for local residents or their visitors. As a result, the complete removal of parking controls is not recommended. Instead, a relaxing of controls to 4P 8am – 6pm Monday-Friday is recommended. The City will continue to monitor the changes and work with local residents to ensure effective parking controls within PCA1 and the PIZ.

*Recommendation*

In response to adverse feedback received from residents within York, Clarence and Hopetoun Streets about recently installed 2P parking controls the City recommends replacement of the current 2P 8am – 6pm Monday to Sunday control with 4P 8am – 6pm Monday-Friday parking restriction.

### **13. QUESTIONS FROM MEMBERS**

#### **13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE**

Nil.

#### **13.2 QUESTIONS FROM MEMBERS – 28 AUGUST 2018**

Councillor Glenn Cridland asked questions relating to a previously disused (residential) crossover (on the commercial Como Hotel site).

The questions and responses can be found in the **Appendix** of these Minutes.

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

Nil.

### **15. MEETING CLOSED TO THE PUBLIC**

#### **15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil.

#### **15.2 PUBLIC READING OF RESOLUTIONS THAT MAYBE MADE PUBLIC**

Nil.

### **16. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.12pm.

## RECORD OF VOTING

### **6.2 Extension of Public Question Time**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **7.1.1 Ordinary Council Meeting Held: 31/07/2018**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **7.1.2 Property Committee Meeting Held: 9/08/2018**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **7.1.3 Property Committee Meeting Held: 27/08/2018**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **7.2.1 South Perth Station Precinct Reference Group Concept Briefing - 12 April 2018**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **7.2.3 Draft Local Planning Strategy Concept Briefing - 6 August 2018**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **10.1.1 Tender 7/2018 Supply and Delivery of Precast Stormwater Drainage Pipes and Auxiliary Products.**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **10.1.2 Tender 8/2018 Provision of Truck Mounted Sweeping Services**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

### **10.1.3 City of South Perth - Draft Cultural Plan 2019-2023**

For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows



- 10.3.1 Proposed Two Storey Single House Plus Semi Basement Parking on Lot 804 (No. 2) Salter Point Parade, Salter Point.**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.3.2 Proposed Amendment to Approved Cafe/Restaurant on Lot 2 (No. 51-57) George Street, Kensington**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.3.3 (Amended Motion) Canning Bridge Activity Centre Plan - Review of Operation**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.3.3 (Substantive Motion) Canning Bridge Activity Centre Plan - Review of Operation**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.3.4 (Alternative Motion) Draft Local Planning Strategy - Endorsement for Public Consultation**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.4.1 Listing of Payments - July 2018**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.4.2 Monthly Financial Statements - July 2018**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.7.1 (Amended Motion) Property Committee - 9 August 2018**
- For: Councillor Ken Manolas; Councillor Blake D'Souza
- Against: Mayor Sue Doherty; Councillor Colin Cala; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- 10.7.1 (Substantive Motion) Property Committee - 9 August 2018**
- For: Mayor Sue Doherty; Councillor Colin Cala; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows
- Against: Councillor Ken Manolas; Councillor Blake D'Souza
- 12.1 Councillor Motion - Removal of Parking Restriction Signs in Clarence & York Streets (Cr Ken Manolas)**
- For: Mayor Sue Doherty; Councillor Ken Manolas; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall; Councillor Greg Milner; Councillor Travis Burrows

## APPENDIX

### 6.2 PUBLIC QUESTION TIME: 28 AUGUST 2018

Mark Paskos of Hartington Way, Carine      Received: 27 August 2018	
1. When can the public and Council expect to see the completed RAR for the proposed development at 31 Labouchere Road?	<p><i>Response provided by Vicki Lummer, Director Development &amp; Community Services</i></p> <p>The Responsible Authority Report (RAR) for the proposed development at 31 Labouchere Road is currently due on 5 October 2018. However this date may be extended if necessary. Once published on the DAP website the report will be available for the public to view. The City will advise all submitters of the DAP meeting date when details are confirmed.</p>
<p><i>[Preamble]</i> The June 2018 payments listing showed a payment to Place Laboratory for ~\$77,000 for attendance at DRP meetings. I questioned this payment with the City, because DRP payments are only \$600 per meeting. I have since been advised that the DRP payments amounted to \$1200 with most of the remainder for the Connect South project.</p>	
2. Will the risk and audit sub-committee review the production of these reports so that they provide more meaningful payment descriptions for better expenditure oversight?	<p><i>Response provided by Colin Cameron, Director Corporate Services</i></p> <p>A revised Listing of Payments Report has been prepared to conform to the relevant statutory requirements from July 2018 Reports.</p> <p>The previous Listing of Payments Report result in ambiguous or unclear descriptions due to system limitations, as well the user description entered was intended for internal purposes, rather than a full description for external purposes. The observation noted is the result of this system limitation, resulting in the ambiguous disclosure and this does not amount to an expenditure oversight as noted. Removing the Description column mitigates the risk of ambiguity or even confidentiality in regard to contracts and agreements. The listing includes the payment; Reference Number, Transaction Date, Payee and Amount, in compliance with Local Government (Financial Management) Regulations.</p> <p>The Listing Payments Report is prepared for Council on a Monthly basis, is the appropriate forum for the oversight of payments. The Audit, Risk and Governance Committee meet quarterly and make recommendations to Council on Policy, Controls and Risk.</p>

<p>3. Who provided the annual forecast dwelling information to ID The Population Experts for purposes of their population estimates to 2041, that have been used in the draft Local Planning Strategy?</p>	<p><i>Response provided by Vicki Lummer, Director Development &amp; Community Services</i></p> <p>The dwelling forecasts, as with the population forecasts, are prepared by Profile ID. These forecasts are informed by the most up to date census information provided by the Australian Bureau of Statistics and are built on a ‘bottom up’ model that analyses each small area of 1000 people or less within the City, to project growth (population and dwelling), and future demographics based upon:</p> <ul style="list-style-type: none"> <li>• Migration inward and outward over time and between local governments;</li> <li>• Mortality rates, births and the cyclical nature of households (for example the transition over time from family households to ‘empty-nester’ households); and</li> <li>• Development data, including previous dwelling constructions in the area, approved development applications, approved and/or endorsed precinct level plans and likely future incremental growth based on current zoning. All of the development information is provided by the planning department and relates to plans and/or developments that have been approved or endorsed.</li> </ul>
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*[Preamble] Theoretically, under ideal conditions, access roads have two-way capacity for 3,000 vehicles per day under liveable neighbourhoods. On traffic management, the City's website states that with very few exceptions, the imposition of additional controls is not undertaken without the completion of a Local Area Study. Three exceptions are two longstanding traffic calming devices in Norton Street west, in January this year left-in, left out at Canning Hwy and approved left-in, right-out at two crossovers to a not yet built Dan Murphy's liquor barn. The City recently did a traffic count on Norton Street.*

1. What was/is the justification for these exceptional additional traffic controls in Norton Street in the context of existing traffic (please provide the count) and expected traffic post a much larger liquor outlet at the eastern end?

*Response provided by Mark Taylor, Director Infrastructure Services*

This question was Taken on Notice as it requires further research.

*[Preamble] A resident told the State Administrative Tribunal on 11 May 2018: A previously disused (residential) crossover (on the commercial Como Hotel site) has been opened without City approval. An email from the City dated 3 April 2018 stated that the City required the owner to either return the entry point to its original state or to make retrospective application for its use by 20 April 2018. Lawyer Steven Halls replied: It is so far an allegation that it was done without approval and is not relevant.*

2. Has the owner complied, and if not, what does the City intend to do about it?

*Response provided by Vicki Lummer, Director Development & Community Services*

The City issued the owners of Lot 888 (No.243 Canning Highway) South Perth a Direction Notice under the Planning Development Act 2005 in June this year to remove the unapproved access way that provides access to parking bays on the Como Hotel site. The Direction Notice has not been complied with and the City is now considering the next course of legal action.

3. Does the City intend to make a responsive submission to the Liquor Commission before the deadline of 7 September 2018?

*Response provided by Bernadine Tucker, Manager Governance*

The Directions Notice relating to the unapproved access is a separate matter and is being dealt with under the Planning and Development Act 2005 and does not form part of the City's submission to the Liquor Commission. The Liquor Commission is considering submissions relating to traffic issues only and the City intends to provide a response before the deadline.

*[Preamble] Community consultation informing the Draft Local Planning Strategy included four public workshops and an excellent qualitative survey, providing for written answers in preference to tick box responses. The Consultants collated much data and produced a well-balanced, approximately 40 page report in April 2018 that synthesized “key community attitudes”. Part 2 of the Draft Local Planning Strategy under Section 1.2, page 34 states that “... some of these key (community) attitudes... conflict with the principles of the Strategy.”*

1. Can you please specify which “key community attitudes” have been considered to “conflict with the Strategy”, as it exists in its current form?

*Response provided by Vicki Lummer, Director Development & Community Services*

To clarify the Strategy on Page 34 under section 2.0 of Part 2 states the following *“This Strategy aims to implement the key attitudes of the community where possible through the various strategies and actions contained in Part 1. For some of these key attitudes the City only has an advocacy role, or to an extent, the attitude may conflict with other outcomes identified in this Strategy or the principles of the Strategy. The key attitudes of the community are part of a number of elements that have contributed to the development of this Strategy.”*

The purpose of this statement is to ensure that there is an understanding that key community attitudes are not the sole informing factor for the Strategy. There will be a balance with other requirements for the Strategy including addressing state policy. For example the key community attitude of investigating medium density options rather than high density is not always consistent with existing built form or state policy requirements that encourage higher density within activity centres and along urban corridors.

*[Preamble] The West Australian State Government sets out the requirements and processes for Local Planning Strategies in “The Local Planning Manual - Section 2.6.4”. It states there are a number of stages at which it may be appropriate to engage and consult with the community and in Part d says the Local Authority may: “Call for comments on a draft strategy. This can be undertaken prior to formal submission of the strategy to the Commission for certification, which is a prerequisite to formal advertisement. This would not obviate the need for formal advertising of the strategy following Commission endorsement but would provide for community comments and thoughts to be captured and changes made before it is submitted to the Commission.”*

2. Does the City intend to call for additional community comment prior to formal submission to reduce the need for changes once the Draft Local Planning Strategy is formally advertised? ([https://www.planning.wa.gov.au/dop\\_pub\\_pdf/Local\\_Planning\\_Manual.pdf](https://www.planning.wa.gov.au/dop_pub_pdf/Local_Planning_Manual.pdf))

*Response provided by Vicki Lummer, Director Development & Community Services*

The Local Planning Manual suggests four different methods for undertaking preliminary consultation on a Strategy. The City has employed three of these four methods during the preliminary consultation to help inform the development of the draft Strategy. This consultation provided a forum for discussion and feedback on the key issues. Community consultation at any stage in the process is one factor of a number that helps to shape the content of a Strategy and must be considered and balanced alongside other informing factors such as state policy and the local profile. As preliminary consultation has already occurred to help inform the development of the Strategy it is now considered appropriate to proceed to formal public advertising for an extended period of time (at least 42 days) to allow for informed feedback. This is considered the most appropriate, open and transparent way to seek feedback now the draft Strategy has been prepared.



## Craig Dermer of Mill Point Road, South Perth Received late 28 August 2018

*[Preamble] At the August Agenda meeting, In response to a question concerning density Rcodes from Councillor DeSouza, the responding officer stated that the Local Planning Strategy was in fact requesting ‘permission’ to research density needs and locations.*

*BUT - the Draft South Perth ACP already contains Officers Density numbers and development areas.*

*SO - Since the Strategy is supposed to guide AC planning – and Community consultation is an integral part of all Planning -*

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| 1. How would the officers justify the release of the Draft AC Plan for comment before the LPS comment period is finalised and all valid community input has been integrated? | Questions Taken on Notice – responses will be provided to Mr Dermer and included in the September Agenda. |
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*[Preamble] The Forecast.ID site states how you have provided them with the future dwelling estimates, and they show a list of the buildings for which DAs have been received for the Station Precinct. Some of the buildings on the original list have dropped away because the developer could simply not sell enough, and many are still speculative.*

*The Officers’ excess population estimates over the WAPC estimates alone represent over 30 Aurelias.*

*At this point Council carried a Motion to extend Public Question Time.*

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| 2. Since the developers forecast list has recently changed - will the assumptions used in the LPS and ACP also change? | Questions Taken on Notice – responses will be provided to Mr Dermer and included in the September Agenda. |
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*[Preamble] In late 2016 we paid ~\$50,000 in subscription fees to a company called ID Consulting Pty Ltd to get so called “independent” data and consulting. ID Consulting, or an affiliated company, has used your developers’ wish list to provide population estimates back to you.*

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| 3. If this is a part of what you call the independent modelling, how do you explain how it is More Robust and superior than the WAPC’s method? | Questions Taken on Notice – responses will be provided to Mr Dermer and included in the September Agenda. |
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**Vicki Redden of Mill Point Road, South Perth Received late 28 August 2018**

*[Preamble] Given the history of planning in South Perth, we justifiably have great difficulty accepting your vastly different population growth figures on blind faith. You say your 'robust modelling' is far better than what the WAPC experts have provided, but we still know nothing about it. We have asked numerous times for details on the modelling, the assumptions, the source of these population numbers, but it continues to be a secret. We have very serious concerns about the secrecy and why it is being hidden from the Reference Group AND the councillors AND the community*

1. In light of the Council's principles of respectful, open and accountable conduct, why are you so concerned with releasing this information?	Questions Taken on Notice – responses will be provided to Ms Redden and included in the September Agenda.
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*[Preamble] We checked with our colleagues over at Nedlands and the real issue they faced is that their draft local planning scheme is inconsistent with their local planning strategy - and that is why the WAPC called it in.*

2. Will the CoSP's new planning schemes and activity centres be based on exactly the same population and housing figures that will be in our approved Local Planning Strategy?	Questions Taken on Notice – responses will be provided to Ms Redden and included in the September Agenda.
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3. At what point in the process will the councillors and the community have access to the WA Planning Commission assessment of the City of South Perth Draft Local Planning Strategy?	Questions Taken on Notice – responses will be provided to Ms Redden and included in the September Agenda.
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### 13.2 QUESTIONS FROM MEMBERS: 28 AUGUST 2018

Councillor Glenn Cridland (Como Ward)	
<i>In relation to a previously disused (residential) crossover (on the commercial Como Hotel site) as raised by Carol in her Deputation this evening.</i>	
1. What is the next step that can be taken now that ALH have not complied with the City's Direction to close the unapproved entry to the Como Hotel in South Terrace?	<i>Response was provided by Stevan Rodic, Manager Planning Services</i> The next course of action is to commence prosecution for failure to comply with the Direction. The Direction Notice was issued in June 2018 and ALH group had a period of time to comply with that Direction. That time has now passed and we are now looking at the next course of legal action, which will be prosecution in the courts.
2. Were Councillors previously informed of the Direction given by the City to ALH to close it and of the company's failure to comply with that Direction?	This question was Taken on Notice. The response will be made available in the September 2018 Agenda.
3. Is it the City's normal practise to prosecute landholders who fail to comply with Directions issued by the City?	This question was Taken on Notice. The response will be made available in the September 2018 Agenda.
4. If it is normally the case that we would prosecute someone who refuses to comply with the Direction why hasn't the landholder yet been prosecuted in this matter?	This question was Taken on Notice. The response will be made available in the September 2018 Agenda.

## DISCLAIMER

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

These Minutes were confirmed at the Ordinary Council Meeting held Tuesday 25 September 2018.

Signed: \_\_\_\_\_

Presiding Member at the meeting at which the Minutes were confirmed