

AGENDA.

Ordinary Council Meeting

28 July 2020

Notice of Meeting

Mayor and Councillors

The next Ordinary Council Meeting of the City of South Perth Council will be held on Tuesday 28 July 2020 as an eMeeting commencing at 6.00pm.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

24 July 2020

Acknowledgement of 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 and present.

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.

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Ordinary Council Meeting - Agenda

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Financial/Proximity/Impartiality Interest in Item 10.01 as the Local Planning Strategy affects the zoning or potential use of properties where persons or entities (that are closely associated or otherwise associated with him) either own the property, or have an estate or interest in the property. Those persons and entities include:
 - People who made donations to his election campaign last year
 - Not-for-profit entities that he has previously served on the board of
 - A not-for-profit entity where he presently serves on a sub-committee
 - Not-for-profit entities that he is the patron of; and
 - Not-for-profit entities that his wife is a committee member of.
- Councillor Carl Celedin – Financial and Proximity Interest in Item 10.0.1 as he lives in the area that is covered by this item.
- Councillor Mary Choy – Financial Interest in Item 10.0.1 as she has property interests and/or have closely associated persons with property interests in land in some of the Precincts subject of this item and these interests may be affected by the Officer Recommendations and/or Council decision.
- Councillor Glenn Cridland – Financial/Proximity/Impartiality Interest in Item 10.0.1 as his family home at 61 Thelma Street Como (and those of his adjacent neighbours) will potentially have a changed zoning as a result of passage of this item. The future zoning change may increase or decrease the value of his home. The Citywide changes that are likely to eventually flow from the developments that are built following adoption of the item will also affect the amenity of his home, his neighbours and a great many of the people he knows in the City.
- Councillor Stephen Russell – Proximity Interest in Item 10.0.1 as the LPS study area includes his primary residence and adjoining properties.
- Councillor Ken Manolas – Proximity/Financial Interests in Item 10.0.1 as he owns a residence at 28 Victoria Street South Perth, not in the Managed Growth Area Map. Under the current Town Planning Scheme No. 6 it has a dual zoning of R15/R50.

There is a recommendation proposed in the Draft (modified) local planning 4.1.2(a) for all dual codes to be reviewed with an intent to remove the lower coding, and as a result, there may be change in the zoning with the review from R15/R50 to R50. Secondly his residence at 28 Victoria Street is adjacent to an area of land currently zoned R15/30. In accordance to the Draft (modified) Local Planning Strategy Managed Growth Area is proposed to change to “Up to R50”. A definitive R code for this area of “Up to R50” will be determined once Town Planning Scheme No. 7 is progressed. His daughter owns a residence at 30 Victoria Street, South Perth, not in the Managed Growth Area map. Under the current Town Planning Scheme No. 6, it has a dual zoning R15/R50. There is a recommendation proposed in the Draft (modified) local planning strategy 4.1.2(a) for all dual codes to be reviewed with an intent to remove the lower coding, and as a result, there may be a change in the zoning with the review from R15/R50 to R50. Secondly his daughter’s residence at 30 Victoria Street is adjacent to an area of land currently zoned R15/R30 and in accordance to the Draft (modified) Local Planning Strategy Managed Growth Area is proposed to change to “Up to R50”. A definitive R code for this area of “Up to R50”, will be determined once Town Planning Scheme No.7 is progressed. His son owns a property at 23 Cygnus Parade, Waterford and is not in the Managed Growth Map area, however, a property adjacent to 23 Cygnus Parade, has an anomaly in R-Codes and is subject to review under action 4.1.2(c) of the Strategy.

In accordance with authority delegated by the Minister for Local Government on 23 July 2020, approval has been given by the Department of Local Government, Sport and Cultural Industries under section 5.69(3) of the *Local Government Act 1995* to allow Mayor Greg Milner and Councillors Carl Celedin, Mary Choy, Glenn Cridland, Stephen Russell and Ken Manolas to fully participate in the discussion and decision making relating to Item 10.0.1 Draft (Modified) Local Planning Strategy - Outcomes of Consultation and Recommendation. The approval is subject to the following conditions:

1. The approval is only valid for the 28 July 2020 Ordinary Council Meeting when agenda item 10.0.1 is considered;
2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department’s letter of approval to the abovementioned Councillors;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

The following interests have been received in relation to Item 15.1.1 CEO – Contract of Employment:

- Councillor André Brender-A-Brandis – Impartiality Interest as he has worked with the CEO for just under a couple of years.
- Chief Executive Officer, Mr Geoff Glass – Financial Interest as it relates to his contract of employment.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.2 PUBLIC QUESTION TIME: 28 JULY 2020

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 23 June 2020

Officer Recommendation

That the Minutes of the Ordinary Council Meeting held 23 June 2020 be taken as read and confirmed as a true and correct record.

7.1.2 Special Council Meeting Held: 7 July 2020

Officer Recommendation

That the Minutes of the Special Council Meeting held 7 July 2020 be taken as read and confirmed as a true and correct record.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 21 July 2020

Officers of the City presented background information and answered questions on Items to be considered at the 28 July 2020 Ordinary Council Meeting at the Council Agenda Briefing held 21 July 2020.

Attachments

7.2.1 (a): Council Agenda Briefing 21 July 2020 - Notes

7.2.2 Concept Briefings and Workshops

Officers of the City and/or Consultants provided Councillors with an overview of the following matters at Concept Briefings and Workshops:

Date	Subject
29 June 2020	Legal Matter Briefing – undeveloped portion of Manning Hub
23 July 2020	CEO Selection Committee Workshop – Meet Recruitment Consultant

Officer Recommendation

That Council notes the following Council Briefings/Workshops were held:

- 7.2.1 Council Agenda Briefing - 21 July 2020
- 7.2.2 Concept Briefings and Workshops

8. PRESENTATIONS

8.1 PETITIONS

8.1.1 Petition - Closure of Pedestrian Access Way - Yallambee Place and Koolunda Court

A petition was received 21 July 2020 from George Watts of 10 Yallambee Place, Karawara together with 10 unverified signatures in requesting the closure of a pedestrian access way.

The text of the petition reads:

'The City of South Perth to close the pedestrian access way (PAW) at the rear of the dwellings between Yallambee Place and Koolunda Court. The PAW to be subdivided and sold to adjacent landowners, who would absorb the land into their property. The agreement of the undersigned to this petition is subject to cost to the landowners.'

Officer Recommendation

That the petition received 21 July 2020 from George Watts of 10 Yallambee Place, Karawara, together with 10 unverified signatures in relation to the closure of a pedestrian access way be forwarded to the relevant Director for consideration.

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

8.2.1 Australasian Reporting Association Annual Awards

8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing held 21 July 2020.

8.4 COUNCIL DELEGATES REPORTS

8.5 CONFERENCE DELEGATES REPORTS

9. METHOD OF DEALING WITH AGENDA BUSINESS

10. REPORTS

This Item was deferred at the Ordinary Council Meeting held 24 September 2019 to allow a workshop to be held.

10.0 MATTERS REFERRED FROM PREVIOUS COUNCIL MEETINGS

10.0.1 Draft (Modified) Local Planning Strategy - Outcomes of Consultation and Recommendation

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-54237
Meeting Date:	28 July 2020
Author(s):	Aaron Augustson, Senior Strategic Urban Planner
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 Draft Local Planning Strategy (Strategy) and supporting information referred to in this report is available at southperth.wa.gov.au/development/planning-projects/local-planning-strategy

The Strategy was adopted by Council for the purpose of public consultation in September 2018 before being forwarded to the Western Australian Planning Commission (WAPC) for certification to proceed to consultation. This certification was provided in February 2019 and public consultation on the Strategy was carried out over a 90 day period between 12 March 2019 and 10 June 2019.

At the conclusion of the consultation period the City had received 282 responses including 201 feedback forms (190 online, 11 hard copy), 78 written responses (including emails) and two petitions signed by 46 and 29 parties (75 in total) and a pro-forma response signed by 42 parties.

Detailed analysis of the outcomes of the consultation are set out in the 'Local Planning Strategy Consultation Report' included at **Attachment (a)**. It was identified through the analysis of the responses received during the consultation that:

- There is general support for the approach of the Strategy across all of the key topic areas;
- There were a number of recurrent themes raised in the written responses, with the most recurrent raised in less than 10% of responses. There is therefore a diversity of opinions (both supportive and not supportive) on the approaches contained in the Strategy.

In all key topic areas, the majority of responses provided support or qualified support for the Strategy approach. The report identifies outcomes from the consultation that have been used to inform modifications to the Strategy. In September 2019, the Council considered a report on the outcomes of consultation relating to the Strategy. The Council resolved to defer determination of the Strategy until after the October 2019 Council elections. Since this time, further consideration of the recommended modifications to the Strategy has occurred.

Having regard to the outcomes of the consultation and upon further review of the Strategy, following Council's deferral of the Strategy in September 2019, a number of modifications are recommended. The modifications are outlined in **Attachment (b)** (Schedule of modifications). The modifications include changes to the 'managed growth strategy' and address matters relating to built-form transition, provision of accessible, adaptable and affordable housing, the provision of facilities of community need/benefit, parking management, the local bus network, urban forest, environmental design and place activation. A number of minor modifications to update, correct or clarify elements of the Strategy are also recommended.

Pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), the City of South Perth must now resolve to either support the local planning strategy without modifications, or support the local planning strategy with proposed modifications to address any relevant issues arising from the consultation. It is recommended that Council support the local planning strategy subject to the specified modifications.

Officer Recommendation

That Council:

- a. Pursuant to Part 3, clause 14(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 advises the Western Australian Planning Commission that it supports the City of South Perth Draft Local Planning Strategy, subject to the modifications set out in the Schedule of Modifications contained at **Attachment (b)**; and
- b. Authorises the Mayor and Chief Executive Officer to forward a copy of the modified City of South Perth Draft Local Planning Strategy, Schedule of Responses, Local Planning Strategy Consultation Report, all submissions and feedback forms, and all other relevant information to the Western Australian Planning Commission for consideration and endorsement.

Background

Resolution to prepare Local Planning Scheme No.7

At its meeting held 27 June 2017, Council considered a report of Review of Town Planning Scheme No. 6 (Scheme) and recommended to the 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 to commence preparation of a new Local Planning Scheme. A scheme review is a multi-staged process, the first stage of which is the preparation of a Local Planning Strategy, as required by regulation 11(1) of the Regulations.

Preparation of the draft Local Planning Strategy

The City prepared the Strategy from mid-2017 to mid-2018. The preparation of the Strategy was informed by:

- Background studies and analysis. This background analysis included data/information 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
 - Other (earlier) planning investigations previously undertaken by the City.
- Preliminary community engagement, which was informed by the preliminary background studies and research. 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 engagement activities are discussed in the 'Local Planning Strategy Consultation Report' (Consultation report or Consultation document) included at **Attachment (a)**.

Resolution to advertise the draft Local Planning Strategy & WAPC certification

At its meeting held 25 September 2018, Council resolved to publically advertise the Strategy. The Council resolution outlined that the consultation activities should be carried out over a period of at least 90 days and involve a wide range of consultation activities.

The modified Strategy was forwarded to the WAPC in October 2018 and received certification to commence advertising on 29 February 2019. A copy of the advertised Strategy (modified following WAPC certification) is available for download via: <https://southperth.wa.gov.au/development/planning-projects/local-planning-strategy>

Council decision in September 2019

Council considered the outcomes of the consultation on the draft Strategy at its meeting held 24 September 2019 (refer item 10.3.1). At this meeting, Council resolved to defer consideration of the draft Strategy for the following reasons:

1. *That the item relating to Draft (Modified) Local Planning Strategy – Outcomes of Consultation and Recommendation be referred to a future meeting of Council to allow a workshop to be held with the newly elected Council.*
2. *The matters raised in the Mayor's Alternative Motion form a basis for further discussions as part of the workshop.'*

Key matters as raised in the Alternative Motion from this meeting related to areas around Angelo Street and Canning Highway.

Councillor Workshops

Two workshops were held with Councillors during February 2020. The workshops provided background to the Strategy project and provided opportunity for elements of the Strategy to be interrogated in detail. A further Concept Briefing was held with Council in early March 2020 to provide a brief overview of the recommendations of this report.

Comment

Strategy Purpose

The purpose of the Strategy is to plan and manage population and activity growth over the next 10 to 15 years. The population of the City of South Perth is forecast to grow by approximately 10,200 people to 54,282 by 2031. To accommodate this growth, approximately 4,780 dwellings will need to be provided within the City of South Perth.

Further discussion relating to the City's forecast growth is included in the officers report to the Council meeting of 24 September 2019 (refer item 10.3.1).

Regulatory requirements

Pursuant to regulation 14 of the Planning and Development (Local Planning Schemes) Regulations 2015, following consultation on a local planning strategy, the local government is required to do the following:

'(1) After the expiry of the period within which submissions may be made in relation to a local planning strategy, the local government must review the strategy having regard to any submissions made.

(2) The local government may –

- (a) Support the local planning strategy without modification; or,*
- (b) Support the local planning strategy with proposed modifications to address issues raised in the submissions.'*

There is no ability under the Regulations for Council to not support the Strategy. The Council must consider what, if any, modifications to the Strategy are necessary to give regard to the outcomes of the consultation.

Formal consultation

Public consultation on the Strategy was carried out between 12 March 2019 and 10 June 2019 (90 days). City officers undertook a number of structured consultation activities to raise awareness of the project and to encourage as much informed feedback as possible. These consultation activities, including details of the communications actions undertaken are outlined in detail in the Consultation Report contained at **Attachment (a)**.

Communications and Engagement Reach

The consultation activities were designed to ensure as many stakeholders were aware and informed about the Strategy as possible. In total, the communications channels employed for the consultation (both the preliminary consultation and the formal consultation) were considered to reach approximately 42,000 people. Over 8,500 people received direct email communications (Peninsula Snapshot, eNews and eNewsletter) about the Strategy project. Detailed discussion of the communication and engagement activities associated with the project are included in the Consultation Report at **Attachment (a)**.

Feedback and Responses

Your Say South Perth was utilised to obtain feedback via an online feedback form. Stakeholders were also able to provide other written feedback (letters or emails), or complete hard-copies of the feedback form. A total of 282 responses were received:

- 201 feedback forms (190 online, 11 hard copy)
- 78 other written responses
- Two petitions signed by 46 and 29 parties (75 parties in total) and a pro-forma response signed by 42 parties (considered as three individual submissions).

Detailed discussion on how feedback was analysed is included in the officers report from September 2019 (refer item 10.3), included in the Consultation Report at **Attachment (a)**.

It is noted that a further petition in relation to the Strategy was received by Council at its meeting held 26 November 2019 (outside the consultation period). This petition was signed by 971 (unverified) parties and related to density codings, building height, traffic management/safety and specific commentary around potential development scenarios for the Angelo Street area.

Recurrent themes & Consultation Outcomes

Key topic area	Offered support or qualified support	Neutral or neither supportive /not supportive	Did not support	No feedback offered
Population and Housing (Managed Growth Strategy)	49.3%	13.1%	31.6%	6.0%
Population and Housing (Dual Density Codes)	37.6%	8.9%	27.0%	26.6%
Activity Centres and Employment	50.0%	9.9%	13.5%	26.6%
Transport and Access	51.1%	12.1%	17.0%	19.9%
Environment and Sustainability	51.8%	13.1%	9.9%	25.2%
Heritage, Character and Design	50.4%	14.2%	11.3%	24.1%
Public Open Space and Community Facilities	51.1%	14.2%	8.5%	26.2%
Tourism and Entertainment	46.8%	13.8%	11.3%	28.0%

There was general support for the approach of the Strategy across all of the key topic areas with a number of recurrent themes raised in the written responses. There was diversity of opinions (both supportive and not supportive) on a number of elements contained in the Strategy.

All written responses (feedback forms, written submissions, pro-forma responses and petitions) and the outcomes of the focus groups were analysed to identify any recurrent themes through consideration of two factors:

- The levels of support for each approach, including qualified support and suggested improvements; and

- The identified recurrent themes in each key topic area.

The above two factors were considered jointly, and resulted in the identification of 16 'consultation outcomes' aligned to key topic areas:

Consultation Outcomes

Population and housing

1. It is appropriate to plan for a growing population though if the extent of growth forecast eventuates, it will considerably change the City of South Perth.
2. The managed growth strategy is generally supported, with some consideration needed on built-form transition and identifying and respecting existing character.
3. A comprehensive review of the existing dual density coding system is supported.

Activity centres and employment

4. Opportunities for housing and employment are supported within the Bentley/Curtin Specialised Activity Centre.
5. Development in activity centres needs to ensure that appropriate services and activities (such as a supermarket) are provided.

Transport and access

6. Future planning should not rely on a heavy rail station at South Perth.
7. Traffic, congestion and parking is an existing concern that will be amplified by increased growth.
8. Existing public transport service levels and cycling infrastructure will need to be expanded and reviewed to remain effective into the future.

Environment and sustainability

9. Retaining mature trees and providing space for future trees is important and needs to be mandated or incentivised.
10. Greater consideration of environmental risks and environmental sustainability is needed.

Heritage, character and design

11. Density increases may result in a loss of amenity (loss of light access, privacy and design quality, etc.). The planning framework needs to ensure these impacts are appropriately managed.
12. Greater recognition and protection of character streetscapes and heritage places is need, particularly from the impacts of development.

Public open space and community facilities

13. Voluntary contributions that assist in accommodating growth and improving public infrastructure are supported.
14. Open space is highly valued and should be protected and sympathetically upgraded.

Tourism and entertainment

15. Short-term accommodation needs to be appropriately managed and located.
16. There is support for increased tourism, entertainment and temporary event uses in key activity centres and tourist destinations.

The consultation outcomes have been used to inform modifications to the draft Strategy.

Modifications to Strategy to address the 'Consultation Outcomes'

Pursuant to clause 14 of Part 3 of the Regulations, a local government, in considering a local planning strategy, must consider modifications to the Strategy to address the outcomes of the consultation. On the basis of the responses and the consultation outcomes identified in the Consultation Report at **Attachment (a)**, a number of modifications to the Strategy are recommended. These are set out below with the corresponding 'Consultation Outcome' noted in the heading (where applicable).

i. Managed Growth Area 5 (Canning Highway – Places 3, 4 & 5) – Consultation Outcome #2

13 responses (out of 282, 4.61%) raised concern about the potential loss of amenity in the areas along Hensman Street, Elizabeth Street and Milson Street, west of Canning Highway. The responses were concerned that land in this area could be subject to a future coding of R50. These responses were supplemented by two petitions (petitions #1 and #2) signed collectively by a total of 75 parties that requested the managed growth strategy in this location be modified. In the case of petition #1, this was to have the established R15 coding within the area remain. In the case of petition #2 this was to extend the managed growth area and recode land back to its former density of R25 as it was under the former Town Planning Scheme No. 5.

The boundary of managed growth area 5 (Canning Highway – Places 3, 4 & 5) aligns with the 'Canning Highway Residential Density and Built Form Study' (2016) that would inform a more detailed analysis of streetscape, character and built-form considerations, including built form transition, prior to any density coding change. Furthermore it recognised the considerable differences between built-form character of land nearby to Canning Highway (characterised as having a 'highway' or 'urban' built-form typology) and the lower density housing in the streets behind (characterised as having a 'suburban' typology).

In the absence of a more detailed analysis of character and the draft Strategy recommended a wide-breadth of possible codings; from the existing R15 to any code up to R50.

September 2019 recommendation

It was recommended that 4.1.1(g) of the draft Strategy be modified to limit investigations of codings in this area to 'up to R30'. It was also noted at the R25 code, a large majority of properties would be able to achieve subdivision into two lots or dwellings.

Recommended Strategy modification

In light of the feedback received during the consultation period, it is recommended that 4.1.1(g) be modified to limit the investigation of future density codings in the Elizabeth Street area to 'up to R25' for the following reasons:

- It recognises that the majority of future growth should be directed towards urban corridors (such as Canning Highway) and be more closely concentrated in areas closest to existing transport infrastructure
- The area(s) in question are considered to exhibit a considerable level of streetscape and character value

- In parts of the area in question there is already a prevailing character of subdivided land and Grouped Dwellings built at the equivalent to R20 or R25 (notwithstanding the existing R15 codings) and future development would be consistent with this character. This is particularly the case north of Elizabeth Street.

This modification is depicted in the maps below.

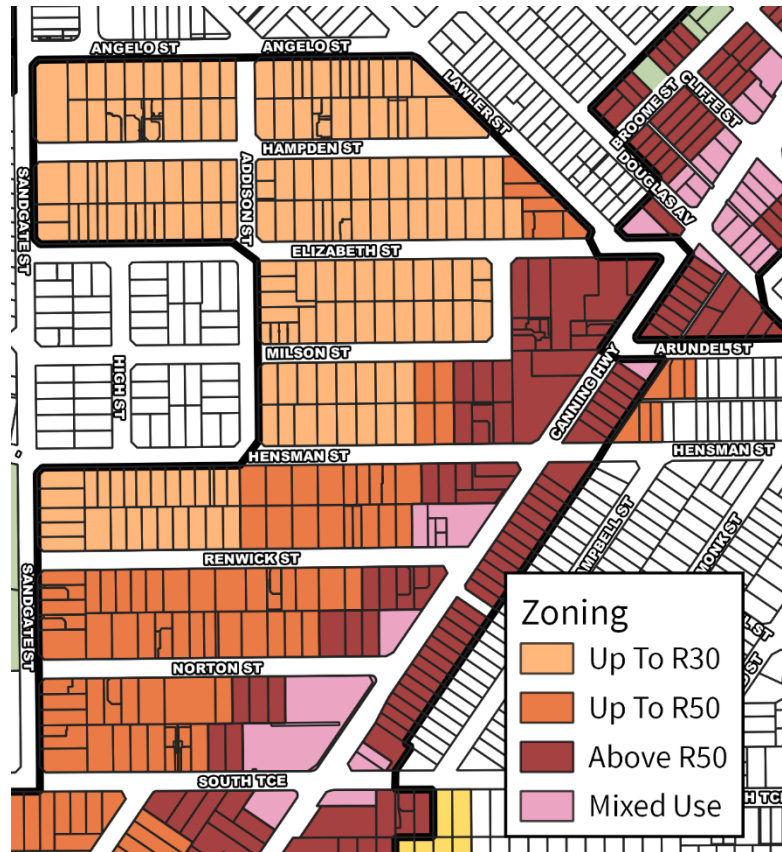


Figure 1a: Managed growth strategy Area 5 – Canning Highway Places 3, 4 & 5, as recommended to Council at its meeting of September 2019.

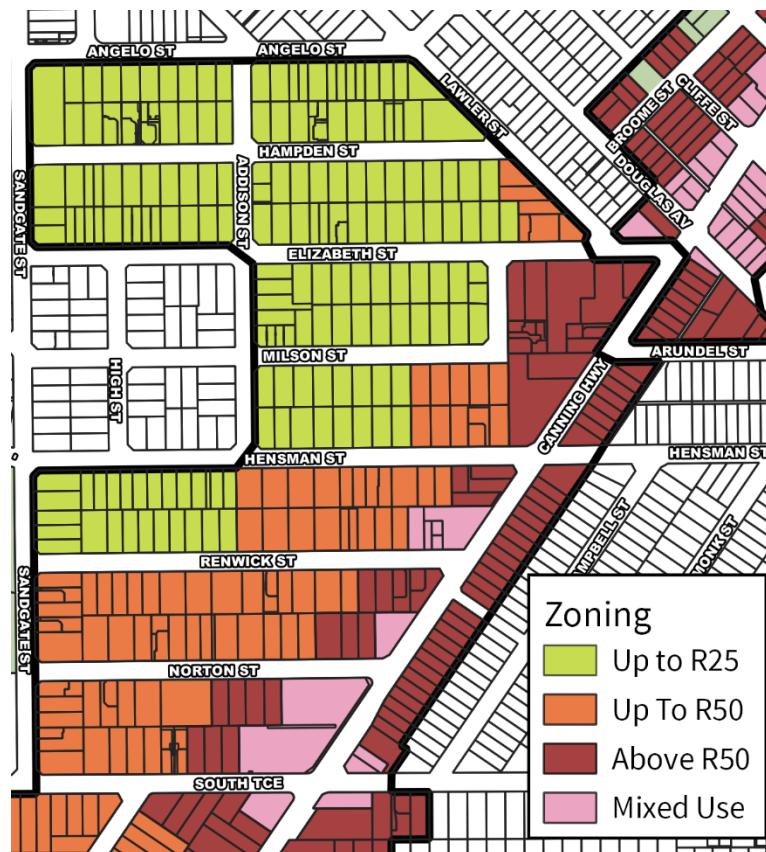


Figure 1b: Managed growth strategy Area 5 – Canning Highway Places 3, 4 & 5, as recommended to be modified.

ii. Managed Growth Area 9 (Angelo Street) – Consultation Outcome #2

A pro-forma submission signed by 42 parties was received objecting to the proposed increase in density codings for the land bound by Angelo Street, Forrest Street, Edinburgh Street and Rose Avenue, South Perth. Additionally, eight responses (out of 282, 2.84%) raised concern about the potential for higher density in the periphery of the centre and the potential for impacts from increased traffic and loss of streetscape character.

In further reviewing the characteristics of the Angelo Street Managed Growth Area, the following characteristics are evident:

- Single residential housing generally north of York Street and Victoria Street, and south-east of the centre along Waverley Street, Norfolk Street and Wattle Street exhibit good levels of residential character
- Land generally south and south-west of the centre consists predominately of existing apartment and townhouse developments of considerable age.

It is recommended the Strategy be modified to better reflect these characteristics. It is therefore recommended that the Strategy Map be modified to:

- Remove areas north of York Street and Victoria Street, and a number of single residential properties along Waverley Street, Norfolk Street and Wattle Street from the managed growth area
- To off-set the removal of some properties, indicate a future coding of 'above R50' for existing apartment and townhouse sites generally to south of the centre
- Apply a medium density ('up to R30') coding for properties on Angelo Street, between Norfolk Street and Sandgate Street to provide transition at the edge of the centre;

- Make minor adjustments to better reflect streetscape character in the street blocks west of Strickland Street/Rose Avenue.

This modification is depicted in the maps below.



Figure 2a: Managed growth strategy Area 9 - Angelo Street, as recommended to Council at its meeting of September 2019.



Figure 1b: Managed growth strategy Area 9 - Angelo Street, as recommended to be modified.

iii. Managed Growth Area 6 (Henley Street/Canavan Crescent Urban Corridor) – Consultation Outcome #2

The alternative resolution considered at the September 2019 Council meeting included modifications to the Strategy to limit density codings along this corridor to a maximum of R30. While this alternative was not adopted by Council, the resolution recommended using the alternative as a basis for future modifications/investigations.

The Henley Street/Canavan Crescent urban corridor, is well served by public transport and consists of lower-density residential dwellings in 1-2 storey forms. Most dwellings are large, while some sites have been subdivided into 2-3 properties. A coding of R30 would enable most properties in the area to be subdivided into three lots. The resulting density would assist in supporting the existing public transport accessibility present along this urban corridor.

It is recommended the Managed Growth Strategy be modified to limit future coding along the Henley Street/Canavan Crescent Urban corridor to a maximum of R30.

iv. Character studies to precede density changes – Consultation Outcome #12

As outlined above, the managed growth strategy is proposed to be modified in a number of ways to clarify the extent and distribution of growth throughout various areas.

It is noted that community consultation raised concern with the potential loss of character and streetscape values in various managed growth areas. This was particularly the case within managed growth area 5 (Canning Highway Places 3, 4 & 5) and area 9 (Angelo Street Neighbourhood Centre).

To recognise character and streetscape characteristics it is necessary to appropriately manage the built form transition between higher density and any established, lower density areas with a relatively cohesive character. The need to ensure future codings are underpinned by analysis of potential character and streetscape impacts should be reinforced. As such an additional action is recommended to be added under the strategy relating to the managed growth (strategy 4.1.1) as follows:

*‘(n) Prior to the implementation of any actions that result in a change to density coding’s, an analysis of streetscape and character is undertaken in each area to determine the appropriateness of any future density coding.’
Delivery timeframe: Short’*

v. Modifications to align boundaries to street boundaries in various areas and minor modifications to coding distributions - Consultation Outcome #2

18 responses (out of 282, 6.38%) raised comments about managed growth area boundaries running along lot boundaries, rather than along street or open space boundaries. The responses suggested that using side and rear boundaries would provide insufficient built-form transition and a potential loss of privacy and solar access. The boundaries of the managed growth areas are proposed to be adjusted to align to streets and/or public open space.

In most instances, this means the managed growth area is extended. However in these instances, the extension covers an area that has an existing coding that is similar to the potential coding outlined on the managed growth area map. Further minor modifications to the distribution of potential future codings in the managed growth strategy map are recommended in a number of locations. Maps setting out these adjustments are included in **Attachment (b)** of this report.

Boundary adjustments apply in the following locations:

Managed Growth Area 11 (Welwyn Neighbourhood Centre)

- Extended to include all properties west of Marsh Avenue between Henning Crescent and Griffin Crescent.

Managed Growth Area 10 (Preston Street Neighbourhood Centre)

- Extended north to include all properties within the area bound by Comer Street, Coode Street, Gardner Street and Labouchere Road.

Managed Growth Area 5 (Canning Highway Places 3, 4 & 5)

- Extended west to include all properties within the area bound by Comer Street, Hazel Street, South Terrace, McDonald Street, Eric Street and Coode Street.
- Extended east to include all those properties within the area bound by Ryrie Avenue, Throssell Street, Thelma Street, Axford Street, Barker Avenue, Talbot Avenue, Alston Avenue and Canning Highway.
- Exclude all those properties zoned 'Up to R20' east of Throssell Street between Hobbs Avenue and South Terrace.

Managed Growth Area 4 (Canning Highway Places 1 & 2)

- Extended to include all properties east of Darling Street between Brandon Street and Salisbury Avenue.

vi. Built-form transition between codes – Consultation Outcome #2

It is important to provide appropriate transition between density codes for locations such as Angelo Street and Preston Street, codes will either be 'up to R50' or 'above R50'. The intent of this arrangement is to allow more detailed investigations to occur in the future, working within a framework of clearly defined maximum or minimum codes. While this arrangement allows for a wide variety of codes to apply, it is recognised that an appropriate built form transition between codes will be necessary in all instances.

A further action is recommended to be added to strategy 4.1.1 (managed growth strategy) as follows:

'(m) Ensure an appropriately managed built-form transition is provided between high/medium density and lower density areas to address the potential impacts of increased density on existing buildings/streetscapes. Delivery timeframe: Short-Medium'

vii. Dual density coding system – Consultation Outcome #3

The most common responses received relating to dual density identified a lack of support for the existing dual density system (15 responses out of 282, 5.32%). This was supplemented by a further three responses (out of 282, 1.06%) indicating that the ‘existing dual density is not achieving expected outcomes’ and ‘dual density is too hard to meet/too subjective’. Furthermore, the second most recurrent comment expressed relating to this matter was ‘supportive of dual density initiatives’ (five responses out of 282, 1.77%).

The responses clearly do not support the use of dual density codings. The existing dual density coding system is complex to interpret, diminishes certainty, and in some instances provides inequitable outcomes. It is therefore recommended, as supported by the responses, to remove dual density, where appropriate. It is however noted that removal of dual density in some areas may not result in the best planning outcome and therefore each dual density area needs to be assessed on a case-by-case basis.

It is therefore recommended that action 4.1.2(a) remain and that the words ‘*with the intent to remove dual density codings where appropriate*’ shall be added.

viii. Supermarket floor space – Consultation Outcome #5

A key finding of the ‘Activity Centres Review (2017)’, described in Part 2, section 5.2.5 (Non-residential growth in activity centres and urban corridors) was that there is currently an under-supply of supermarket floor space in the City, but particularly north-west of Canning Highway.

To reinforce the need to ensure that the planning framework provides for a range of essential supermarket services to support the growing population of South Perth, it recommended strategy 4.2.4 (under activity centres and employment) include an additional action as follows:

‘(d) Investigate opportunities/locations for the provision of additional supermarket floor space generally north/west of Canning Highway. Ensure a new local planning scheme enables the development of this floor space at the locations identified.

Delivery timeframe: Short-Medium’

ix. Parking management – Consultation Outcome #7

The ‘South Perth Station Precinct Parking Management Action Plan’ was prepared in March 2017. However, many of the managed growth areas are not subject to an adopted parking management plan. Parking and parking management was raised in responses throughout the consultation period and was a central discussion point during the focus groups. In order to ensure parking management is an integral consideration within each managed growth area, and in recognition of feedback received, a further action is recommended to be added to strategy 4.3.3 (under Transport and access) as follows:

‘(c) Develop and/or review Parking Management Plans (or equivalent) for each of the managed growth strategy areas outlined in strategy 4.1.1 as necessary.’

Delivery timeframe: On-going’

x. Bus network – Consultation Outcome #8

A well-considered consultation outcome for the transport and access key topic area was that ‘existing public transport service levels and cycling infrastructure will need to be expanded and reviewed to remain effective into the future’. This was further reflected in a wide range of responses such as, ‘existing infrastructure cannot support increased density’ (18 responses out of 282, 6.38%). This comment provided an indication that improved transport access is a necessary component of increased population and activity. Some respondents felt there were finite limits to transport and access within the City, including transport infrastructure providing limits on future development.

The Strategy outlines actions relating to improving heavy rail, ferry and cycling accessibility, but does not include an action specifically relating to the bus network.

There is currently no service directly connecting the South Perth Activity Centre with the Bentley/Curtin Specialised Activity Centre, Canning Bridge Activity Centre or nearby centres in other local governments such as Booragoon or UWA/QEII. It is important that the City’s public transport network, and specifically the bus network, directly and efficiently serve key activity centres and urban corridors. As such, it is recommended that strategy 4.3.4 (under Transport and access) include an additional action as follows:

*‘(f) Advocate for an expansion/review of the bus network to more directly and efficiently connect prominent activity centres.
Delivery timeframe: On-going’*

xi. Urban Forest Strategy and tree retention – Consultation Outcome #9

Since the preparation of the Strategy, the City has adopted the Urban Forest Strategy (2018-2023) (‘UFS’). Action 4.4.1(a) under the key topic area of Environment and Sustainability is recommended to be modified to include reference to the adopted UFS and reflect the two recommendations of the UFS relevant to tree retention on private land, being:

- Achieving a 25% increase in the number of trees on the ‘Significant Tree Register’
- Ensuring private development contributes towards the goal of planting 7,500 trees within the City.

A number of responses also raised concern with reference to protection of ‘significant’ trees, rather than ‘mature’ trees. The City maintains a ‘significant tree register’. This Register identifies and protects trees of high value/significance in terms of historical value, great age, being a remnant native species or sentimental value. Strategies 4.4.1(a) and 4.1.2(a) both refer to the protection of ‘significant trees’. However the associated actions describe situations that would apply to mature trees (of appropriate species).

It is therefore recommended strategy 4.4.1(a) and 4.1.2(a) be modified to use the word ‘mature’ in lieu of significant to address these responses.

xii. Environmental considerations – Consultation Outcome #10

Consultation outcome #10 identifies the need for greater consideration of environmental risks and sustainability in future planning. An additional strategy and action is recommended to be added to key topic area 4.4 (Environment and sustainability) as follows:

‘Strategy: 4.4.4 Integrate waste management considerations into the planning framework.

Action: Develop a waste management local planning policy that reflects the principles of any adopted waste and resources management plan of the City and outlines how waste should be managed in new development.

Delivery timeframe: Medium’

The City received advice from the Department of Biodiversity, Conservation and Attractions identifying that the draft Strategy should consider matters such as water sensitive urban design principles and protection of waterways, consistent with a number of state planning policies and guidelines. To address this, it is recommended existing action 4.4.3 (under Environment and sustainability) be modified as follows:

‘Develop appropriate provisions through the Scheme and/ or policies to ensure development allows for the impact of flood risk, high water tables and bushfire risk. Adopt provisions that consider/promote water-sensitive urban design principles, the protection of water resources, waterways and foreshore areas.’

xiii. Heritage compatibility – Consultation Outcome #12

Concern about the impact of new development adjacent to heritage places was a recurring comment expressed during the consultation; ‘more preservation of heritage from large developments, particularly in activity centres’ (eight responses out of 282, 2.84%) was a recurrent response.

It is proposed to modify P313 relating to Heritage Listings ensure that P313 identifies (where it currently does not) a framework for the assessment of impact from new developments on adjacent heritage places in terms of scale, materials, separation and landscaping. An additional action, aligned to strategy 4.5.2 (under Heritage, character and design), is recommended to be added as follows:

‘(d) Review P313 – Local Heritage Listings to ensure new development adjacent to heritage places considers the relationship between each place in terms of scale, materials, separation and landscaping.’

Delivery timeframe: Short’

xiv. Economic development and place planning – Consultation Outcome #16

Consultation outcome #16 outlines that ‘there is support for increased tourism, entertainment and temporary event uses in key activity centres and tourist destinations’. Nine responses (out of 282, 3.19%) received during the consultation period were in support of ‘increased tourism, entertainment, and temporary events’. Responses cited there was a lack of vibrancy, particularly in the evenings, and that more small bars, cafes and food trucks would improve this situation (three responses out of 282, 1.06%).

The strategies contained in section 4.7 (Tourism and entertainment) set out a number of responses that were intended to address these matters. However none of the actions provide a specific tool that would allow the implementation of increased tourism, entertainment and event uses within each location. To address this, it is recommended the following additional action be added to strategy 4.7.1;

*'(c) Develop 'Place Plans' (or equivalent) for each of the activity centres (as applicable) that considers the design and functioning of public spaces and economic development opportunities.
Delivery timeframe: Medium-Long'*

Modifications not aligned to consultation outcomes

xv. Facilities of community benefit/need

There were a number of responses that raised the need to provide land uses for community benefit/need that are of a scale to adequately service the growing population (seven responses across a range of land uses such as aged-care, schools and community facilities, 2.48%). Five responses (out of 282, 1.77%) also raised support for an aquatic facility.

Responses were supplemented by very specific feedback typically from or on behalf of the facility owner/operator about the inflexibility within the Scheme to consider and determine such proposals. This includes facilities such as aged-care facilities, educational establishments (including private schools), hospitals, kindergartens and child day-care facilities. It is in the wider community's interest that these proposals are provided for and due consideration is given to such proposals by the City. This approach:

- Allows the City to consider proposals that are of community/civic benefit and in doing so to be flexible and robust in decision its making
- Aligns with a performance based approach to development and land use assessment that is emerging within the local and State planning frameworks.

It is recommended strategy 4.2.4 (under Activity centres and employment) include an additional action as follows:

*'(e) Include provisions in the next local planning scheme to provide a framework for the consideration of proposals involving facilities of community and civic benefit/need, including but not limited to aged care facilities, hospitals, cultural facilities and child day-care centres/kindergartens.'
Delivery timeframe: Short'*

xvi. Diverse and affordable housing and accommodation

Recently, the City has progressed a number of amendments to the Scheme that provide for a diverse range of accommodation, specifically student and aged-person accommodation/care. This includes amendment 60 relating to land within the Waterford Triangle and amendment 45 relating to the 'Southcare' site. These amendments were, in part, because the Scheme did not allow the consideration of the land use in the particular location. In that respect, the underlying nature of land use remains similar to typical residential dwellings; albeit that the built-form and intensity of the use differs.

It is recommended the Strategy be modified to specify that, in any new local planning scheme, the City should take a more performance-based rather than prescriptive approach to the assessment and consideration of uses involving diverse accommodation types. This action aligns with strategy 4.1.2 which outlines that future planning of the City should promote housing choice and opportunities for populations to 'age in place'.

It is recommended that strategy 4.1.2 (under Population and housing) include an additional action as follows:

'(e) Include provisions in the next local planning scheme that provide a framework for the consideration of proposals involving a range of accommodation types, such as student, aged and independent living accommodation.'

Delivery timeframe: Short'

xvii. Minor modifications

A number of other minor modifications to strategies and actions are also recommended. These modifications are set out in **Attachment (b)** and seek to clarify the purpose and intent of some of the strategies and actions, address inconsistencies and update reference to the planning framework that have occurred since the Strategy was first prepared.

Consultation outcomes without recommended modifications

While a number of modifications based on community consultation outcomes and responses to the draft Strategy are recommended, a number of 'Consultation Outcomes' have not resulted in any modifications. The reasons for this are set out in the table below:

Consultation Outcome	Officer comment
(1) It is appropriate to plan for a growing population though if the extent of growth forecast eventuates, it will considerably change the City of South Perth.	The series of modifications recommended as part of this report along with the existing strategies and actions, particularly those relating to the managed growth strategy, are intended to collectively address this consultation outcome.
(4) Opportunities for housing and employment are supported within the Bentley/Curtin Specialised Activity Centre.	Strategy 4.1.1(e) already identifies that planning for the Bentley/Curtin Specialised Activity Centre should be progressed and include a mix of employment and housing opportunities.
(6) Future planning should not rely on a heavy rail station at South Perth.	The future planning of the City, including the planning for the South Perth Activity Centre, is not dependent upon the realisation of a heavy rail station at South Perth. While responses raised a degree of objection to this proposal, the potential for a station will improve access to and from the South Perth Activity Centre and is recommended to remain as an action in the draft Strategy. This indicates the City remains open to the provision of a station by the State government in the future.

(11) Density increases may result in a loss of amenity (loss of light access, privacy and design quality, etc.). The planning framework needs to ensure these impacts are appropriately managed.	Officers originally recommended the development of a local 'medium density' design policy to ensure these matters are appropriately addressed. Since September 2019, the State government has taken considerable steps towards the preparation of a 'Medium Density' design policy that will address the concerns raised in the consultation outcome. The need for the City to consider preparation of such a policy is therefore unnecessary.
(13) Voluntary contributions that assist in accommodating growth and improving public infrastructure are supported.	Existing strategy 4.6.2 outlines the approach to voluntary contributions for new community infrastructure and where such criteria should apply. No modification to this strategy is considered necessary.
(14) Open space is highly valued and should be protected and sympathetically upgraded.	The existing strategies of the 'Community facilities and public open space' key topic area (4.6) are already considered to address this outcome and seek to protect and sympathetically upgrade existing open space, in line with adopted plans (such as the South Perth Foreshore Strategy and Management Plan).
(15) Short-term accommodation needs to be appropriately managed and located.	Existing strategy 4.7.2 is considered to address this outcome without the need for modification.

Consultation

There has been extensive preliminary and formal consultation undertaken to inform the preparation of the Strategy since 2017. The preliminary consultation activities helped identify a strategy framework, that was then refined taking into account broader planning considerations to develop the Draft Strategy. Formal consultation has in turn assisted in identifying key elements of the Strategy that required further modification based on community feedback, with the current version seeking endorsement of Council.

In accordance with regulation 13 of the Regulations, formal consultation on the Strategy was carried out between 12 March 2019 and 10 June 2019 (90 days). City officers undertook a number of structured consultation activities to raise awareness of the project and to encourage feedback.

Pursuant to regulation 14(3)(b) of the Regulations, the City is required to submit a schedule of submissions/responses to the WAPC. The 'Local Planning Strategy Consultation Report' document contained in this report at **Attachment (a)** includes a summary of the responses received during the comment period and a detailed analysis of this feedback.

Policy and Legislative Implications

The requirement process, preparation and content of a local planning 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 in context of the WAPC's Local Planning Manual that provides guidance on the preparation and content of a local planning strategy.

Any future scheme amendment that does not align with an endorsed Strategy will be considered a 'complex' amendment, and will require additional steps with an extended period of public consultation in comparison to a 'basic' or 'standard' amendment.

The statutory stages for the preparation of a local planning strategy are set out below, together with a date for each stage. The stages which have been completed are shown shaded:

September 2018	Strategy prepared and endorsed by Council for the purpose of advertising.
Late 2018	Strategy forwarded to WAPC for certification for advertising.
February 2019	Certification to advertise Strategy received from WAPC.
March-June 2019	Strategy consultation undertaken (90 days)
July 2020	Strategy considered by Council and submitted to WAPC.
Late 2020/Early 2021	Strategy endorsed by WAPC.

Regulation 14(2) states that:

'The local government may –

- (a) Support the local planning strategy without modification; or*
- (b) Support the local planning strategy with proposed modifications to address issues raised in submissions.'*

The Regulations provide Council with the ability to support the draft Strategy either as advertised, or with modifications. There is no ability under the Regulations for Council to refuse to support the draft Strategy. Following the Council resolution, the draft Strategy is required to be forwarded to the WAPC for endorsement. The WAPC may:

- (a) Endorse the Strategy without modification;
- (b) Endorse the Strategy with some or all of the modifications proposed by the local government; or,
- (c) Require the local government to modify the Strategy in the manner specified by the Commission before the Strategy is resubmitted to the Commission for endorsement; or,
- (d) Refuse to endorse the Strategy.

Once endorsed by the WAPC, the Strategy becomes part of the City's planning framework.

Financial Implications

The preparation, advertising and submission of the Strategy is included in the 2019/2020 operational budget. The Strategy provides the high-level direction for the future development of the City's planning framework; namely the preparation and implementation of a new Local Planning Scheme. Preparation of this framework will have future financial implications for the City in that it will require the preparation of a number of further informing and enabling planning examinations.

Strategic Implications

The Strategy will ensure that the future development and growth within the City is appropriately managed and aligned to the City's Strategic Community Plan 2017-2027. An adopted Strategy will be periodically reviewed to ensure it remains up to date and aligned to the Strategic Community Plan.

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Develop a local planning framework to meet current and future community needs and legislative requirements.

Attachments

10.0.1 (a):	Local Planning Strategy Consultation Report
10.0.1 (b):	Schedule of modifications

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 2020/21 Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant Program Application

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53512
Meeting Date:	28 July 2020
Author(s):	Jessica Fordham, Club Development Officer
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.2 Community Infrastructure

Summary

Each year the Department of Local Government, Sport and Cultural Industries (DLGSC) calls for applications via its Community Sport and Recreation Facilities Fund (CSRFF) to invite eligible community groups and local governments to apply for funding to assist with sport and recreation infrastructure projects.

CSRFF applications must initially be presented to the relevant local government for its assessment to provide project ratings and prioritised rankings (in the case of multiple applications); and to request its in-principle support for the proposed project/s, including the financial contribution requested by the application under the CSRFF program.

One application is presented for the current round of the CSRFF Small Grants Program for 2020/21 namely:

1. Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project (external application).

Officer Recommendation

That Council approves the City submitting a funding application to the Department of Local Government, Sport and Cultural Industries via its Community Sporting and Recreation Facilities Fund – Small Grants Program 2020/21, for Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project; together with comments from the Officer report and the following ranking and ratings:

Applicant	Project	Ranking	Rating
Manning Tennis Club	Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project	1	A

Background

The Department of Local Government, Sport and Cultural Industries (DLGSC) annually invites applications for financial assistance to assist community groups and local governments to develop sustainable infrastructure for sport and recreation under its Community, Sport and Recreation Facilities Fund (CSRFF).

In June 2020, the State Government announced a fast-track of \$12 million in funding applications for community sport and recreation projects to expedite the projects and support Western Australia's economy as part of the COVID-19 recovery.

Applications for CSRFF Annual and Forward Planning grants of up to \$2 million was brought forward one month earlier. The grants will allow local not-for-profit sport, recreation or community groups and local governments to develop basic, sustainable infrastructure to increase participation in sport and recreation, while supporting the economy and creating jobs. Examples of the projects that will be considered include new playing surfaces, floodlighting, and upgrades to change rooms and ablutions and improvements to clubrooms.

Small grants will be brought forward four to six weeks and Annual and Forward Planning grants will be expedited by three months. Successful projects will be announced in late 2020, allowing them to commence sooner than would have otherwise been possible. Additionally, the July 2020 Small Grants round (for grants up to \$300,000) was also brought forward one month. This will allow the successful applicants to be announced in October 2020.

The CSRFF program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well designed and well utilised facilities. Priority is given to projects that lead to facility sharing and rationalisation. Three CSRFF categories are offered (see table below for details).

Grant Category	Total Project Costs Range	Standard DLGSC Contribution	Frequency
Small Grants	\$7,500 - \$300,000	\$2,500 - \$100,000	Bi-Annual
Annual Grants	\$300,001 - \$500,000	\$100,000 - \$166,666	Annual
Forward Planning Grants	\$500,001 +	\$166,666 - \$2,000,000	Annual

The maximum grant awarded by DLGSC will be no greater than one-third of the project up to a maximum of \$2 million. The CSRFF grant must be matched by the applicant's own cash contribution equivalent to one third of the total project costs, with any remaining funds being sourced by the applicant. In some cases, funds provided by DLGSC do not equate to one-third of the project costs and the applicants are advised that they are expected to fund any shortfall. The local government is not obliged to contribute funding to the project. As stated in the CSRFF guidelines, small grants for this round must be claimed in the financial year following the date of approval. Therefore, grant applications in this round must be claimed by 15 June 2021.

CSRFF applications must initially be presented to the relevant local government for its assessment to provide project ratings and prioritised rankings (in the case of multiple applications); and to request its in-principle support for the proposed project/s, including the financial contribution requested by the application under the CSRFF program.

Comment

One project is being proposed by the City for the 2020/21 CSRFF Small Grants. The estimated project cost, grant and City contribution are as follows:

1. Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project

CSRFF Grant Sought	\$50,587 (ex GST)
City's Contribution	\$0 (ex GST)
Club's Contribution	\$101,176 (ex GST)
Estimated Total Project Cost	\$151,763 (ex GST)

CSRFF Assessment Guidelines

Under the CSRFF guidelines, applications must initially be presented to the relevant local government to review and request its in-principle support of the project, including the financial contribution required by the applicant under the CSRFF program. For this reason, a panel consisting of the Manager Community, Culture and Recreation; Recreation Development Coordinator; and Club Development Officer assessed and ranked the application against the criteria in the table set out below by DLGSC.

A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work required
F	Not recommended

The results are summarised in the table below:

2020/21 CSRFF Small Grants

Applicant	Project	Ranking	Rating	Club Contribution	City's Contribution	Total Project Cost
Manning Tennis Club	Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project	1	A	\$101,176	\$0	\$151,753
			Totals	\$101,176	\$0	\$151,753

City Assessment of CSRFF Application for Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project

The Manning Tennis Club is located on Crown Land, being Lot 300 on Plan 45674, vested with the City for parks and recreation purposes. The Club is currently in its 16th year of a 21 year peppercorn lease with the City and is hoping to renew its tenure at the site in the near future.

The project will involve supplying and installing new LED lighting for 10 tennis courts to comply with the required Australian Standard. The LED lights will be more energy efficient and safer to undertake future maintenance. Currently none of the Club's tennis court lights meet the requirement for tennis competitions; and only two tennis courts meet the requirement for recreational tennis. By upgrading the lights it will assist the Club to build on their successful membership growth in participation over the last 12 months. The Club is affiliated with Tennis West and has a membership of 167, which is an increase from 120 members in 2018/19. This is in addition to social and casual hirers.

The project also includes resurfacing four of the Plexipave acrylic hard courts at the Club to eliminate cracks and avoid more costly deterioration.

Based on the Manning Tennis Club's membership growth and financial statements, evidence suggests that the Club is currently financially sustainable. The Manning Tennis Club's net income as at 22 June 2020 is \$13,364 with current net assets totalling \$454,590.

In summary, the City recommends that the Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project receive a '1' ranking; and an 'A' rating for the CSRFF program as the Club has:

- Made every effort to consult with City Officers and DLGSC and submit an application that meets the needs of the wider community;
- Submitted a thorough, well planned application;
- Shown good signs of growth and increased participation; and
- Demonstrated it is a sustainable Club and is a good tenant of the City.

Consultation

The City advertised the CSRFF funding round by email notification to local clubs. The one external application was submitted to the City by the Manning Tennis Club for its Floodlighting Upgrade and Court Resurfacing Project.

Policy and Legislative Implications

- Policy P106 Use of City Reserves and Facilities
- Policy P110 Support of Community and Sporting Groups
- Policy P609 Management of City Property

Financial Implications

The total cost of the project is estimated at \$151,753 for 2020/21.

The City's 2020/21 Budget does not include an allocation towards the Manning Tennis Club Floodlighting Upgrade and Court Resurfacing Project. If this project is successful in attracting external funding from the State government via the CSRFF Program, the Club will be required to contribute the balance of project funds. The Club has advised the City that it would be willing to contribute the two-thirds financial contribution as required.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Community Infrastructure
Strategy:	Plan for and promote the development of recreation and aquatic facilities to service community needs.

Attachments

Nil

10.1.2 Aboriginal Reference Group Elected Member Representation

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53513
Meeting Date:	28 July 2020
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

This report is to appoint a new member to the Aboriginal Reference Group following the resignation of Councillor Carl Celedin.

Officer Recommendation

That Council appoints Councillor Samantha Bradder to the Aboriginal Reference Group for the period 28 July 2020 to 16 October 2021.

Background

At the Special Council Meeting held 22 October 2019, Council resolved as follows:

“That Council appoints Councillor Carl Celedin and Councillor Ken Manolas to the Aboriginal Reference Group for the period 22 October 2019 to 16 October 2021.”

Councillor Carl Celedin subsequently resigned via email to Mayor Greg Milner dated 14 July 2020 and requested that Councillor Samantha Bradder be nominated following consultation with her.

Comment

The aim of the Aboriginal Reference Group (ARG) is to provide a mechanism for discussion on issues deemed relevant to the City of South Perth and the local Aboriginal/Torres Strait Islander community, such as the development of a Reconciliation Action Plan.

The ARG meets bi-monthly and meetings are generally held in the months of February, April, June, August, October and December on the first Monday of the month. The next meeting is scheduled to be held 3 August 2020.

The Terms of Reference make provision for up to two Elected Member representatives.

No additional fees or allowances are paid to representatives on the Aboriginal Reference Group.

Consultation

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

Nil.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Community
Aspiration:	A diverse, connected, safe and engaged community
Outcome:	Culture and Community
Strategy:	Develop and facilitate events, services and programs to respond to changing community needs and priorities

Attachments

Nil

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Adoption of Scheme Amendment No. 64 - Modification of Clause 4.3(1)(p)

Location:	Not Applicable
Ward:	Como Ward, Manning Ward, and Moresby Ward
Applicant:	Not Applicable
File Ref:	D-20-53514
Meeting Date:	28 July 2020
Author(s):	Matthew Andrews, Strategic 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

In February 2020 Council endorsed modifications to the Canning Bridge Activity Centre Plan (CBACP). A number of these modifications referred to criteria of the Residential Design Codes (R-Codes).

Town Planning Scheme No. 6 (the Scheme) contains a provision at clause 4.3(1)(p) that makes the effect of the R-Codes in the CBACP area ambiguous in the context of the Council's endorsed modifications.

It is recommended Council adopt an amendment to the Scheme that clarifies the effect of the R-Codes for land within the CBACP area.

Officer Recommendation

That Council

1. Resolve pursuant to Section 75 of the *Planning and Development Act 2005* to adopt the proposed Scheme Amendment No. 64 to Town Planning Scheme No. 6 as follows:

Delete clause 4.3(1)(p) of the Scheme and replace it with the following text:

'In the Canning Bridge Activity Centre, the R-Codes do not apply except to the extent specified in the Canning Bridge Activity Centre Plan and in respect to provisions of the R-Codes relating to:

(i) Utilities and facilities.

(ii) Sightlines at vehicle access points and street corners.'
2. Pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolve that the amendment is a basic amendment as it will make the Scheme consistent with State Planning Policy.
3. Pursuant to Regulation 58 of the Planning and Development (Local Planning Schemes) Regulations 2015, authorise the Mayor and CEO to sign and affix the Common Seal to the amendment documents contained at **Attachment (a)** of this report and submit the proposed amendment to the Western Australian Planning Commission for determination.

Background

In April 2015 the Canning Bridge Activity Centre Plan (CBACP) was formally adopted by the Western Australian Planning Commission (WAPC).

In order for the City to give effect to the CBACP, an amendment was required to Town Planning Scheme No. 6 (the Scheme). Scheme Amendment No. 47, gazetted in February 2017, introduced the following provision to TPS6:

*'For any dwellings within the Canning Bridge Activity Centre, the **applicable development requirements are contained within the Canning Bridge Activity Centre Plan and provisions of the R-Codes do not apply**, other than provisions relating to:*

- (i) Utilities and Facilities; and*
- (ii) sight lines at vehicle access points and street corners.'*

[Emphasis added]

In February 2020, Council adopted a number of modifications to the CBACP. The modifications were referred to the Department of Planning, Lands and Heritage (DPLH) for assessment and are yet to be determined.

A number of the proposed modifications refer to the need to comply with the criteria of the R-Codes; namely provisions in Volume 2 – Apartments, of the Residential Design Codes (the R-Codes). This includes compliance with matters such as setbacks, overshadowing, visual privacy and deep soil areas.

Comment

Scheme Amendment No. 64 (the proposed amendment) proposes to modify clause 4.3(1)(p) of the Scheme in order to make it clear that, where described within the CBACP, the provisions of the R-Codes apply to the assessment of development. It is recommended the wording of 4.3(1)(p) be amended to the following:

'In the Canning Bridge Activity Centre, the R-Codes do not apply except to the extent specified in the Canning Bridge Activity Centre Plan and in respect to provisions of the R-Codes relating to:

- (i) Utilities and facilities.*
- (ii) Sightlines at vehicle access points and street corners.'*

The amendment removes any ambiguity relating to the effect of the R-Codes within the CBACP area.

Consultation

The proposed amendment results in the Scheme being more closely aligned to State Planning Policy (the R-Codes in this instance). For the purpose of clause 35 of the Regulations, the amendment is considered to be a 'basic' amendment. Basic amendments do not require advertising under the Regulations.

This amendment will give power to a previous decision of Council to adopt modifications to the CBACP that were extensively advertised. Advertising of the CBACP modifications included:

10.3.1 Adoption of Scheme Amendment No. 64 - Modification of Clause 4.3(1)(p)

- Preliminary engagement on modifications to the CBACP including a community survey, information and feedback sessions and the Stakeholder Reference Group (February 2019 – May 2019)
- Initiation of the modifications to the CBACP by Council (Ordinary Council meeting September 2019)
- Formal advertising period for the proposed modifications (October 2019 – November 2019)
- Adoption of the modifications to the CBACP by Council (Council meeting February 2020).

Policy and Legislative Implications

The statutory process for basic scheme amendments is set out in Part 5, Divisions 5 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Financial Implications

There will be costs associated with the gazettal of the amendment. These costs are included in the 2020/2021 budget.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Sustainable built form
Strategy:	Develop a local planning framework to meet current and future community needs and legislative requirements.

Attachments

10.3.1 (a): Amendment Documents - Scheme Amendment No. 64

10.3.2 Proposed Two Grouped Dwellings in a Four-Storey Building with Roof Terraces on Lot 1, No. 11A Cale Street, Como

Location:	Lot 1, No. 11A Cale Street, Como
Ward:	Como Ward
Applicant:	Ross McDonald
File Reference:	D-20-53517
DA Lodgement Date:	1 April 2020
Meeting Date:	28 July 2020
Author(s):	Heidi Miragliotta, Urban Planner
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 two Grouped Dwellings on Lot 1, No. 11A Cale Street, Como.

This item is referred to Council as the building height is outside of the delegation to officers, being greater than 9.0 metres in height. The building height of the proposed Development complies with the maximum height prescribed by the Canning Bridge Activity Centre Plan.

It is considered that the proposed development achieves compliance with all of the discretionary considerations and does not pose any adverse amenity impacts to the future occupants, neighbouring properties or the locality.

It is recommended that the application be approved, subject to conditions.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for planning approval for two grouped dwellings in a four-storey building with roof terraces on Lot 1, No.11A Cale Street, Como **be approved** subject to:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City.
3. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City.
4. Prior to the submission of a building permit application, details of the surface of the boundary wall(s) to the storerooms not visible from the street, on the southern side of the lot shall be provided. The finish of the boundary wall is to be compatible with the external walls of the neighbour's dwelling, to the satisfaction of the City.

5. Prior to the submission of a building permit application, an Amended/Detailed Landscaping Plan for the development site and the street verge, consisting of Hardscape and Softscape (Planting) Plans, must be submitted to, and approved in writing by, the City of South Perth.
6. Prior to the submission of a building permit application, revised plans shall be submitted, to the satisfaction of the City that incorporate the following:
 - i. The width of the crossover from Cale Street being reduced by 0.5m on the western side. This is to create a separation distance of 1.0 metre between the proposed crossover and existing verge tree.
 - ii. A 1.5m portion of the solid northern and western boundary fencing adjacent to the right of way, being replaced by visually permeable fencing to ensure that vehicle sight lines are provided on either side of the right of way.
7. Prior to the submission of an occupancy permit application, the Western Power Sub Station shall be relocated to the cost of the developer.
8. Prior to the submission of an occupancy permit application, landscaped areas shall be installed in accordance with the approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City.
9. Prior to the submission of a building permit application, a Public Art Concept for the subject development or alternatively a contribution to Public Art within the vicinity of the development, to the value of 1.0% of the construction value (maximum \$500,000 contribution) must be submitted to and approved by the City of South Perth.
10. Prior to the submission of an occupancy permit application, the approved Public Art Concept shall be implemented and maintained thereafter, to the satisfaction of the City.
11. Prior to the submission of an occupancy permit application, the owner/applicant shall remove existing crossovers and kerbing shall be reinstated to the, satisfaction of the City (Director of Infrastructure Services).
12. External clothes drying facilities shall be screened from view from all streets or any other public place.
13. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.
14. No street tree shall be removed, pruned or disturbed in any way, without prior approval from the City.
15. Prior to the submission of a building permit application, a tree protection zone shall be indicated on the plans and implemented during construction to protect the verge tree at all times, to the satisfaction of the City.

16. The development shall be designed so as to discourage vandalism by use of materials such as non-sacrificial paint or architectural features to discourage inappropriate activity, in accordance with Requirement 9.5 of the Canning Bridge Activity Centre Plan, and to the satisfaction of the City.
17. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan, to the satisfaction of the City.
18. The height of any wall, fence or other structure, shall be no higher than 0.75 metres within 1.5 metres of where any driveway meets any public street or right of way, to the satisfaction of the City.

Note: City officers will include relevant advice notes in the determination notice.

Comment

(a) Background

In April 2020, the City received an application for two Grouped Dwellings in a four-storey building with roof terraces on Lot 1, No. 11A Cale Street, Como (the site).

The site is located within the Canning Bridge Activity Centre Plan (CBACP) in the Cassey Quarter (Q3) and the H4 CBACP Zone (Residential Development up to 4 Storeys). The CBACP, was approved by the Western Australian Planning Commission in April 2016, in accordance with Schedule 2 clause 43(1) of the Planning and Development Regulations 2009. The City is to have due regard to the CBACP when considering this application for development approval.

(b) Existing Development on the Subject Site

The existing development on the site currently features a Single Residential Dwelling.

(c) Description of the Surrounding Locality

The site has a frontage to Cale Street to the north, residential dwellings to the east and south and a privately owned right of way (ROW) to the west, as seen in **Figure 1** below:



Figure 1: Aerial photograph of the subject site (2020).

(d) **Description of the Proposal**

The proposal involves the demolition of the existing single dwelling and the construction of two Grouped Dwellings in a four-storey building plus roof terraces, as depicted in the submitted plans at **Attachment (a)**. Site photographs show the relationship of the site with the surrounding built environment at **Attachment (b)**. The planning assessment of the proposed development, including the amount of discretion requested, is contained in **Attachment (c)**.

The following components of the proposed development require discretion under the Scheme, CBACP and Council Policy requirements:

- (i) Street Setbacks
- (ii) Side and Rear Setbacks (including boundary wall)
- (iii) Open Space and Landscaping (Fencing)
- (iv) Maximum ground / floor levels
- (v) Facades (Balcony Depth/Area)

The proposal is considered to satisfactorily meet the relevant requirements of the Scheme and the CBACP.

(e) **Street Setbacks**

The proposed development seeks variations along Cale Street and the existing ROW.

North (Cale Street)

The proposed street setback variations are considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The height and scale of the building conforms to the existing streetscape character and does not affect the amenity of the locality;
- The minor variations to Cale Street (minimum setback of 3.0 metres) does not create a 'break' in active frontages, as the current frontages are single houses with a minimum 3 metre setback and 6 metre average setback to Cale Street;

- The balconies which are the element seeking a variation to the setback, provide articulations between walls and the varying setbacks reduce the impact of bulk as viewed from Cale Street; and
- Outdoor living areas are visible from Cale Street with visually permeable fencing or clear balcony balustrading providing greater surveillance and connectivity with the street, which is a key element of the CBACP.

West (ROW)

The proposed right of way setback variations are considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The balconies and major openings on all levels facing the adjoining right of way provide street surveillance; and
- The balconies provide a break in the façade and reduce the impact of building bulk as viewed from the right of way.

(f) Side and Rear Setbacks

The proposed side and rear setback variations are considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- Continuity of frontage at ground level will be maintained as the proposed setback variations are located to the side and rear of the property and will not detract from the existing streetscape given they are located on the ground floor.
- The proposed ground floor variations to the entry hall and the storerooms will not affect the tower elements of future development on adjacent properties in regard to access to sunlight, ventilation and view corridors as these structure are at ground level; and
- The proposed variations to the eastern side on the first, second and third floors are adjacent to a single house on the adjoining lot which is currently subject to extensive renovations. It is unlikely that a future tower development will occur on this lot in the short or medium term.

(g) Open Space and Landscaping (Fencing)

The proposed fencing variation is considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The solid portion of street fencing in excess of 1.2 metres high provides some screening to the north western corner of the outdoor living area to the western grouped dwelling and screening to the area between the entry gate and the entry hall of the eastern grouped dwelling and contributes to landscaping within the street setback area. The remaining section of the fence is visually permeable;
- The 0.5 metre variation does not obstruct views from the street and outdoor living areas, and still provides adequate street surveillance; and
- The proposed fencing provides for an open landscaping area for capable use occupiers of the dwellings thereby providing street surveillance.

(h) Maximum Ground and Floor Levels

The proposed ground level fill variation is considered to meet the discretionary provisions of TPS6 and are supported for the following reasons:

- The raised ground level poses no visual privacy impacts as the adjoining properties will be screened by the required dividing fence; and
- The portion of the development site located adjacent to the southern lot boundary will be approximately 0.51m higher than the existing ground level. This minor level difference is seen to result in no adverse impact on the adjoining properties in terms of visual and overshadowing impact.

(i) Facades (Balcony Depth/Area)

The proposal is seeking balcony depth and area variations from the requirements (facades) of the CBACP.

Five of the six proposed balconies do not meet the requirements of clause 9.4 in relation to area and none of the proposed balconies meet the requirements of clause 9.4 in relation to depth. The variations are considered to meet the desired outcomes of the CBACP and are supported for the following reasons:

- The Design Review Panel (DRP) were generally supportive of the streetscape presentation of the development and the balconies were likened to that of Juliet balconies rather than functional balconies;
- The main function of the balconies are to provide articulation to the facades of the development and additional sunlight and ventilation. They are not intended to be utilised as areas of active open space;
- The balconies are to be utilised as extensions of the adjoining living areas with their finished floor levels to match that of the adjoining living areas. The matching of the finished floor levels was a requirement of the DRP. The plans indicate that this has been achieved; and
- Each dwelling has a roof terrace and an outdoor terrace at ground level which provides primary outdoor living areas. The balconies are to be used in conjunction with these.

(j) Seriously Entertained Planning Proposals

In February 2020 the Council adopted a series of modifications to the CBACP. These modifications are still under review by DPLH. The modifications would be considered seriously entertained, but given the lack of imminency and certainty over their adoption, only some weight has been afforded in determining this application.

The review introduces some elements that are not currently considered in the CBACP including modifications to solar access, visual privacy and deep soil areas. Some of the modifications, such as those relating to setbacks, building height and visitor parking are unlikely to affect this development.

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

(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 the Scheme, 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 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.

It is considered that the proposal satisfies the relevant matters of clause 67.

Consultation**(m) Design Review Panel Comments**

The proposal was referred to the Canning Bridge Design Review Panel (DRP) as a pre-lodgement item in February 2020. A summary of the DRP comments are contained in **Attachment (d)**.

The applicant has amended the plans accordingly to address these comments. The amended plans have satisfied the suggested improvements through modifications to the design.

(n) 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 standard consultation method, individual property owners, occupiers and/or strata bodies were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period, 30 consultation notices were sent, and two submissions were received against the proposal. Amended plans were received by the City as a result of the submissions and the affected adjoining landowners were sent additional consultation notices. No additional feedback was received. The main concerns of the submissions are outlined below:

Submitters' Comments	Officer's Responses
<p>Setback of the eastern elevation There is concern that the reduced setback will result in a loss of solar access to the adjoining property to the east.</p>	<p>The CBACP currently does not provide specific overshadowing controls however in February 2020, Council adopted a series of modifications to the CBACP. These modifications are still under review by DPLH. Solar access is one of the elements subject of the review and as such the assessment will have due regard to this element.</p> <p>The shadow cast from the proposed development is based on the shadow cast at midday on 21 June from north to south. Hence the shadow will not have an impact on the adjoining property to the east.</p>
<p>Visual Privacy There is concern that the incursion of the balconies on all levels will promote overlooking onto the adjoining properties to the north and east.</p>	<p>The CBACP currently does not provide specific visual privacy controls however in February 2020, Council adopted a series of modifications to the CBACP. These modifications are still under review by DPLH. Visual Privacy is one of the elements subject of the review and as such the assessment will have due regard to this element.</p> <p>The property to the north is across the road from the proposed development and approximately 25 metres from the balconies fronting Cale Street.</p> <p>The applicant subsequently amended the plans to address the neighbours' concerns by incorporating additional planter boxes into the eastern edges of balconies in order to discourage overlooking from the balconies onto the adjoining property to the east.</p>

(o) **Internal Referrals**

Infrastructure Services

The City's Engineering Technical Officer was invited to comment on issues relating to car parking and vehicle movements arising from the proposal.

Accordingly, planning conditions and advice notes are recommended to address issues raised by this officer.

City Environment

The application was referred to the City's Streetscapes Coordinator as one of the two verge trees will have a setback of less than 3.0m to the proposed crossover.

A tree protection zone is recommended to protect the street trees during construction of the development.

10.3.2 Proposed Two Grouped Dwellings in a Four-Storey Building with Roof Terraces on Lot 1, No. 11A Cale Street, Como

Accordingly, planning conditions and advice notes are recommended to address issues raised by this officer.

Environmental Health

The application was referred to the City's Environmental Health and Waste officers for comment. Comments have been received regarding noise and laundry facilities.

Accordingly, planning conditions and advice notes are recommended to address issues raised by these officers.

Street Addressing

The City Projects Officer, Development Services provided comments with respect to the street numbering along Cale Street.

Accordingly, planning conditions and advice notes are recommended to address issues raised by this 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, to the extent that if the applicant were to appeal a decision, or specific conditions of an approval granted, the City may need to seek representation (either internal or external) at the State Administrative Tribunal.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	3.2 Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable building and land use

Sustainability Implications

Noting the favourable orientation of the lot, officers observe that the proposed outdoor living areas and indoor living areas are located on the northern side of the building to obtain winter sun. Hence the proposed development is seen to achieve an outcome that has regard to sustainable design principles.

Conclusion

The proposal is considered to satisfactorily meet the relevant requirements of the Scheme and the CBACP and is consistent with the objectives of the CBACP which promotes the creation of a vibrant and rejuvenated area with housing catering to multiple users. The application adequately addresses the setback variations as well as consideration of solar access, which are further supported by the City's Design Review Panel. Accordingly, it is recommended that the application should be conditionally approved.

Attachments

- 10.3.2 (a):** Development Plans
- 10.3.2 (b):** Site Photographs
- 10.3.2 (c):** Planning Assessment
- 10.3.2 (d):** Summary of Design Review Panel Comments

10.3.3 Proposed Single-Storey Single House and Ancillary Dwelling at Lot 2, No. 9A Unwin Crescent, Salter Point

Location:	Salter Point
Ward:	Manning Ward
Applicant:	Arklen Developments Pty Ltd
File Reference:	D-20-53521
DA Lodgement Date:	14 April 2020
Meeting Date:	28 July 2020
Author(s):	Val Gillum, Urban Planner
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 single-storey single house and ancillary dwelling on Lot 2, No. 9A Unwin Crescent, Salter Point.

This item is referred to Council as the application proposes variations to Council Policy P306 Development of Properties Abutting River Way with regard to setbacks to River Way, and therefore falls outside of the delegation to officers.

It is considered that the proposed development achieves compliance with all of the discretionary considerations and does not pose any adverse amenity impacts to the future occupants, neighbouring properties or the locality.

It is recommended that the application be approved, subject to conditions.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, this application for development approval for a single-storey single house and ancillary dwelling **be approved** subject to:

1. The development shall be in accordance with the approved plans unless otherwise authorised by the City.
2. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Crossings Application" that confirms the design is to the satisfaction of the City.
3. Prior to the submission of a building permit application, the applicant must be in receipt of an approved "Stormwater Drainage Application" that confirms the design is to the satisfaction of the City.
4. Prior to occupancy of the development, the surface of the garage boundary wall to the eastern boundary and the ancillary dwelling boundary wall to the western boundary, shall be finished in a clean material to the same standard as the rest of the development, to the satisfaction of the City.

5. Prior to occupancy of the development, the surface of the boundary wall to the en-suite and master bedroom, on the eastern side of the lot shall be painted and rendered to match the external walls of the neighbour's dwelling as indicated on the approved plans, unless the owner(s) of the adjoining property consent to another finish and their written agreement for the selected finish is supplied to the City, to the satisfaction of the City.
6. Prior to occupancy of the development, a minimum of one tree not less than 3.0 metres in height at the time of planting and of a species approved by the City shall be planted within the street setback area as indicated on the approved plans. The tree/s shall be maintained in good condition thereafter.
7. External clothes drying facilities shall be provided for each dwelling, and shall be screened from view from all streets or any other public place.
8. External fixtures, such as air-conditioning infrastructure, shall be integrated into the design of the building so as to not be visually obtrusive when viewed from the street and to protect the visual amenity of residents in neighbouring properties, to the satisfaction of the City.
9. The height of any wall, fence or other structure, 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.

Note: City officers will include relevant advice notes in the determination notice.

(a) Background

In April 2020, the City received an application for a single-storey single house and ancillary dwelling on Lot 2, No. 9A Unwin Crescent, Salter Point.

(b) Description of the Surrounding Locality

The site has a frontage to Unwin Crescent to the north and River Way to the South, located adjacent two two-storey single houses to the east and a vacant lot to the west, and is surrounded by residential developments, as seen in Site Photos at **Attachment (b)** and in **Figure 1** below:



Figure 1: Aerial photograph of the subject site (2019).

(c) **Description of the Proposal**

The application proposes a single-storey single dwelling with an ancillary dwelling on the subject site, as depicted in the submitted plans at **Attachment (a)**. The site photographs show the relationship of the site with the surrounding built environment at **Attachment (b)**.

The following components of the proposed development requires discretionary assessment against the City of South Perth Town Planning Scheme No. 6 (Scheme; TPS6) the Residential Design Codes of WA 2019 Volume 1 (R-Codes) and/or Council Policy requirements:

- (i) Street Setbacks to River Way (Policy P306);
- (ii) Lot boundary setback; and
- (iii) Boundary walls.

The proposal is considered to meet the relevant Design Principles or discretionary criteria of the Scheme, R-Codes and relevant Council policies.

(d) **Street Setbacks to River Way –Policy P306 Development of Properties Abutting River Way**

The development proposes street setback variations to the building and the garage along River Way of 5.1 metres to the ancillary dwelling in lieu of 6.0 metres and 3.0 metres to the garage in lieu of 4.5 metres, and are considered to satisfy the objectives of Policy P306 for the following reasons:

- The setbacks proposed to River Way are consistent with setbacks of similar structures along River Way. Moreover, the established River Way streetscape includes structures at ground level with reduced setbacks along the northern and southern sides of River Way at No's 17A & 17B Unwin Crescent, and No's 22, 26 & 30 River Way;

Additionally the applicant has provided aerial images which identify setback variations along River Way in proximity to the site which can be seen at **Attachment (c)**;

- In addition to the above, providing articulation at the street frontage by achieving a further 2.1 metre setback to the ancillary dwelling; this allows for an area of off-street parking to be provided for use by the resident of the ancillary dwelling;
- There are no front fences proposed, which assists in reducing building bulk and scale, and ensures there is adequate surveillance from major openings to the street; and
- The setbacks proposed will enhance the character of the River Way streetscape, particularly as there are no fences proposed to this frontage.

(e) Lot Boundary Setbacks

The proposal is seeking a setback variation (Dining Room to Alfresco Wall (West)) from the deemed to comply provisions of R-Codes. The variation is considered compliant with design principles 5.1.3 P3.1 and P3.2 for the following reasons:

- Given the adjoining property to the west is vacant, a minor 0.168m setback variation will have no imposing building bulk impact on the adjoining property, particularly as there are varying roof heights and the open alfresco area will reduce any perceived scale and bulk when viewed from the adjoining property;
- Due to the north/south orientation of the lot, the shadow falls towards the street and is consistent with the deemed-to-comply provisions of the R-Codes; and
- The proposed setback meets with visual privacy requirements as the finished floor levels are not elevated above 0.5 metres from natural ground level.

(f) Boundary Wall

Variations are sought for boundary walls along the east and west side of the lot. The variations are considered compliant with design principles 5.1.3 P3.2 and clause 2 of Council Policy P350.2.

Master Bedroom Boundary Wall (east side)

The master bedroom boundary wall is considered to meet relevant design principles for the following reasons:

- The proposed boundary wall is single-storey and is not considered to have a significant building bulk impact. Additionally, it is not located alongside an existing outdoor living area;
- The eastern adjoining properties are not impacted by overshadowing (as per the R-Codes) due to the orientation of the site;
- The dwellings at No. 29 River Way and No. 11 Unwin Crescent are sufficiently setback from the proposed boundary wall to allow for sufficient ventilation with no major openings being affected from direct sun access;
- There are no visual privacy concerns as there are no major openings being proposed on the boundary wall;

- The boundary wall is setback sufficiently from the street which allows both adjoining properties sufficient outlook from their front gardens.

Garage Boundary Wall (east side)

The garage boundary wall is considered to meet relevant design principles for the following reasons:

- The garage boundary wall partly abuts the neighbouring property's garage boundary wall and where the proposed garage wall sits forward of that adjoining property's boundary wall there is a double width driveway access. Therefore there will be no impacts by way of scale and bulk from living areas of that dwelling;
- The two eastern adjoining properties will not be impacted by overshadowing (as per the R-Codes) as only properties to the south are affected; and
- The outlook from the front yard will not be impacted as windows and balconies that face River Way of the affected properties are sufficient setback from the boundary wall by a double width access driveway to their respective garage.

Ancillary Dwelling Boundary Wall (west side)

The ancillary dwelling boundary wall is considered to meet relevant design principles for the following reasons:

- The setting back of this boundary wall by 2.1m further than the garage boundary wall on the eastern side will ameliorate the bulk and scale where viewed from River Way;
- The ancillary dwelling boundary wall sits adjacent a vacant lot and the design of that lot is not yet known, therefore scale and bulk is not a concern as this will be accommodated for with the new development application proposal for that lot. As noted above, a single-storey building would not have a significant building bulk impact;
- The western adjoining property will not be impacted by overshadowing (as per the R-Codes) as only properties to the south are affected; and
- The design of the dwelling on the vacant lot to the west is not yet known, however the affected property also has its primary street to Unwin Crescent and is likely to include a garage in the same general area as the ancillary dwelling, therefore it is unlikely to result in any significant concerns in relation to outlook from their front yard.

Effect of boundary walls on both side boundaries:

- The garage and ancillary dwelling boundary walls are articulated by 2.1 metres thereby providing relief and in turn limiting the impact of building bulk where viewed from the streetscape of River Way; and
- Neither of the adjoining properties will be impacted in terms of the walls located on both side boundaries as the impacts are isolated to their respective side boundaries as outlined above.

(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.

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

(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. It is considered that the proposal satisfies the relevant matters of clause 67.

Consultation

(i) **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 standard consultation method, individual property owners, occupiers and/or strata bodies at Nos. 9 and 11 Unwin Crescent and No. 29 River Way were invited to inspect the proposal and to submit comments during a minimum 14-day period.

During the advertising period, a total of four consultation notices were sent and one submission was received objecting to the proposal with regard to the original setbacks proposed from River Way of 1.5 metres. Following submission of amended plans, the objector reviewed the amended proposal and advised they were satisfied with the changes.

(j) **Infrastructure Engineering Services**

Infrastructure Engineering Services were invited to comment in regard to the proposed access off River Way. Officers advised they have no concerns with the access for this proposal.

Policy and Legislative Implications

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

Financial Implications

This determination may have some financial implications, to the extent that if the applicant were to appeal a decision, or specific conditions of an approval granted, the City may need to seek representation (either internal or external) at the State Administrative Tribunal.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	3.2 Sustainable built form
Strategy:	Promote and facilitate contemporary sustainable buildings and land use

Sustainability Implications

Noting the favourable orientation of the lot, officers observed that indoor living areas are accessible to the winter sun and the outdoor living areas are accessible to the prevailing summer breezes from the south-west. 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 and/or Council Policy objectives and provisions. In particular, where the proposal requires the exercise of discretion to be considered, that being the River Way street setback and lot boundary setbacks, the proposal is considered to satisfy the relevant considerations and is supported. In addition, the proposal will not have a detrimental impact on the streetscape or on adjoining residential neighbours. Accordingly, it is recommended that the application should be conditionally approved.

Attachments

10.3.3 (a):	Development Plans
10.3.3 (b):	Site Photos
10.3.3 (c):	Aerial images north and south side of River Way

10.3.4 Department of Transport's Long-Term Cycle Network

Location:	Not Applicable
Ward:	All
Applicant:	Not Applicable
File Ref:	D-20-53522
Meeting Date:	28 July 2020
Author(s):	Rodney Markotis, Engineering Technical Officer
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.1 Connected & Accessible City

Summary

The purpose of this report is to inform Council about a recent minor update to the Long-term Cycle Network (LTCN) plan as it relates to the City of South Perth.

The Department of Transport requires the draft LTCN be endorsed by Council to enable the City to be eligible for WA Bicycle Network grants.

The current LTCN for the City has previously been approved by Council as part of the endorsement of the Joint Bicycle Plan.

Officer Recommendation

That Council adopts the Department of Transport's Long-Term Cycle Network plan as it relates to the City of South Perth as contained in **Attachment (b)**.

Background

In 2016 the State's Transport Portfolio released the Cycling Network Plan as part of its long-term transport strategy – Transport @ 3.5M.

The Department of Transport (DoT) is currently working with 33 local government authorities in the Perth and Peel regions to agree on bicycle routes that link parks, schools, community facilities and transport services, to make bike riding a safe, convenient, and viable option.

The aim of the Long-Term Cycle Network (LTCN) project is to develop an aspirational blueprint to ensure state and local governments work together towards the delivery of one continuous bicycle network and provide additional transport options, recreational opportunities and support for tourism and commercial activity – creating a bicycle network catering for all ages and abilities.

This long-term network had been agreed between the DoT and local governments, and the network was subject to a review by Main Roads WA and the Public Transport Authority (PTA) / Metronet teams in relation to any routes within, or crossing, State-controlled assets.

The vision is for a network of safe and attractive bicycle routes to:

- provide continuous routes along major corridors;
- establish links between strategic, secondary, district, specialised activity centres and public transport services; and

- provide connections to schools, education sites and local centres.

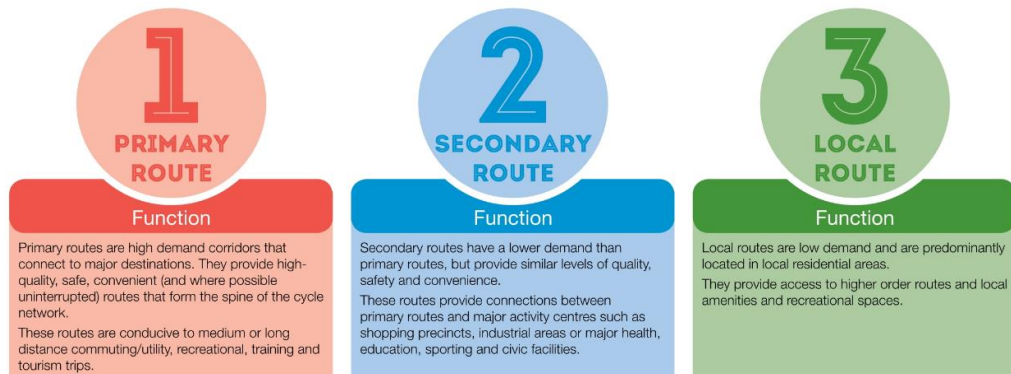
The aspirational long-term bicycle network identified within the Plan was based on a robust methodology of connecting all key activity centres. However, the Plan was developed by DoT in-house with little consultation with local governments due to the time constraints to deliver the project.

During 2017-2018, DoT was successful in receiving funding across a two year period to deliver the LTCN project. This involved detailed engagement with 33 local governments across Perth and Peel to agree a long-term aspirational bicycle network for the region that supports and addresses local and regional bicycle connections.

The LTCN project started in July 2018 and was to be completed by June 2020.

DoT and local government officers have worked together to identify LTCN routes and categories, using a new simplified three tier route hierarchy of Primary Routes, Secondary Route and Local Routes.

The categorisation of routes has been based on the function of a given route within the network:



Following DoT and local government officers agreeing on an aspirational draft LTCN, the network was reviewed by Main Roads and PTA / Metronet teams. This process has ensured that these state agencies are aware of the aspirational LTCN routes proposed and have made comments to assist in shaping the network in relation to their State-controlled assets. All three routes receive the same amount of funding, and therefore a local route will receive the same funding amount as a primary route as the funding is based on the increase of level of service and not the route alone.

Comment

An endorsed aspirational LTCN across the Perth and Peel region can assist in leveraging additional funding for bicycle infrastructure:

- It can assist the City with applications for DoT Western Australia Bicycle Network (WABN) grant funding and obtaining further funds for projects along routes listed in the LTCN;
- It can assist State Government in any discussions / applications regarding Federal funding for bike riding (infrastructure / programs / campaigns);
- It can also assist the DoT to leverage additional funding for bicycle infrastructure – including funding made available to local governments via the WABN Grants Program administered by the DoT.

An endorsed LTCN across the Perth and Peel region will also assist with planning of the bicycle network and routes:

- It will assist State agencies (Main Roads / PTA / Metronet) with infrastructure planning and delivery.
- It will assist local governments with network planning, cross boundary connectivity and bicycle route prioritization.

The proposed amendments to the LTCN relevant to the City of South Perth are as follows and noted on **Attachment (b)**:

1. The proposed route will now follow Mill Point Road from the Narrows Bridge to Judd Street, rather than along the Kwinana Freeway;
2. The Primary route along the eastern side of Kwinana Freeway changed to a Secondary route;
3. Removal of the Manning Road overpass / underpass in the vicinity of the new Freeway on-ramp;
4. A minor section of the Primary route along the Eastern side of Kwinana Freeway South of Manning Road changed to a Local route; and
5. Removal of the Secondary route along a minor section of the Aquinas Bay Foreshore adjacent to Aquinas College.

None of these changes are considered to impact adversely on the City's overall bike networks.

Consultation

The DoT will be updating their guidance for local governments in relation to developing local bicycle plans. It is expected that the new guidance will require local governments to annually review their endorsed LTCN as part of the process of developing / updating their bicycle plan. The City would be routinely doing this anyway as part of the reviews of the adopted Bicycle Plan.

As part of the process to develop or update a local bicycle plan, local governments typically conduct public consultation to enable the community to assist in shaping the Plan. The City does not believe this is necessary due to the minor changes to the LTCN locally.

Local governments typically review local bicycle plans on a five year renewal basis and as part of the bike plan review local governments and the DoT can work together to modify their endorsed LTCN:

- New routes can be added to reflect land use changes / new development; and
- Existing routes can be realigned to an existing bicycle route if details are known that may exclude a route from being considered in the future to accommodate bicycle infrastructure (engineering constraints / land tenure issues / etc.).

Policy and Legislative Implications

Development and implementation of the endorsed LTCN will be aligned with City Policy P503 Cycling Infrastructure and the City of South Perth and the Town of Victoria Park Bicycle Plan (August 2018).

Financial Implications

The DoT require the draft LTCN to be endorsed by Council for the City to be eligible for WABN grant funding.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable urban neighbourhoods
Outcome:	Connected and accessible City
Strategy:	Facilitate a safe, efficient and reliable transport network

Attachments

10.3.4 (a):	Existing LTCN
10.3.4 (b):	Proposed LTCN

10.3.5 Tender 8/2020 Repairs to River Walls

Location:	Canning and Swan River Foreshores
Ward:	Not Applicable
Applicant:	Not Applicable
File Reference:	D-20-53525
Meeting Date:	28 July 2020
Author(s):	Geoff Colgan, Parks Operations Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.3 Enhanced Environment & Open Spaces

Summary

This report considers submissions received from the advertising of Tender 8/2020 for Repairs to Riverwalls.

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

That Council:

1. Accepts the tender submitted by MMM WA Pty Ltd for Repairs of River Walls in accordance with Tender 8/2020 for the period of three years with the option of one further year at the City's discretion;
2. Accepts the tender price included in **Confidential Attachment (a)**; and
3. Notes that tender price will be included in the Ordinary Council Meeting Minutes.

Background

A Request for Tender (RFT) 8/2020 for Repairs to River Walls was advertised in the West Australian Newspaper on 2 May 2020 and closed at 4.00pm on 21 May 2020.

Tenders were invited as a Schedule of Rates. The contract is for a period of three years with the option of an additional one year at the City's absolute discretion.

The City is seeking an experienced contractor to undertake repairs to the City's river walls. The contract facilitates minor river wall repairs and construction works along the City's Canning and Swan River foreshores. There is approximately 4.5km of river wall within the City, which has an asset replacement value of \$20.4M. The contracted works may include but are not limited to the following:

- Maintenance and repair to precast concrete river walls;
- Construction of limestone block walls;
- Maintenance and repairs to existing limestone block walls;
- Construction of Geotextile Sand Container toe protection;
- Construction and repairs to rock revetments; and
- Maintenance of sand beaches.

River foreshore repairs are often required following seasonal storm events or after extreme tidal movements. Work may be urgent where access and / or community safety is impacted. Contract works may include additional minor maintenance activities as directed by the Principal.

Comment

At the close of the tender advertising period four submissions had been received, refer Table A below:

TABLE A – Tender Submission

Tender Submission
Advantearing Civil Engineers
Enviro Infrastructure Pty Ltd
Keslake Group Pty Ltd (Isuzu)
MMM WA Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Relevant Experience	40%
2. Key personnel, skills & resources	20%
3. Demonstrated Understanding	30%
4. Plant & Equipment	10%
Total	100%

Based on the assessment of all submissions received for Tender 8/2020 Repairs to River Walls, it is recommended that the tender submission from MMM WA Pty Ltd be accepted by Council.

Detailed information about the tender assessment process can be found in the Recommendation Report – **Confidential Attachment (a)**.

Consultation

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

Policy and Legislative Implications

Section 3.57 of the Act requires a local government to call tenders when the expected value is likely to exceed \$250,000. 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; and
- Policy P607 -Tenders and Expressions of Interest

Financial Implications

The 2020/21 budget includes an allocation to fund the forecasted work required. Future works, during the term of the contract, will be allocated budgets as part of the annual process, subject to approval by Council.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction: Environment (Built and Natural)
Aspiration: Sustainable urban neighbourhoods.
Outcome: Enhanced environment and open spaces
Strategy: Facilitate effective management of the Swan and Canning River foreshore

Attachments

10.3.5 (a): Recommendation Report (*Confidential*)

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - June 2020

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-55087
Meeting Date:	28 July 2020
Author(s):	Abrie Lacock, Acting Director Corporate Services
Reporting Officer(s):	Abrie Lacock, Acting 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 between 1 June 2020 and 30 June 2020 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(573)	\$7,227,589.41
Cheque Payment to Creditors	(7)	\$31,162.83
Total Monthly Payments to Creditors	(580)	\$7,258,752.24
EFT Payments to Non-Creditors	(43)	\$68,212.38
Cheque Payments to Non-Creditors	(23)	\$176,557.63
Total EFT & Cheque Payments	(646)	\$7,503,522.25
Credit Card Payments	(5)	\$7,554.80
Total Payments	(651)	\$7,511,077.05

Officer Recommendation

That Council receives the Listing of Payments for the month of June 2020 as detailed in **Attachment (a)**.

Background

Regulation 11 of the Local Government (Financial Management) Regulations 1996 requires the development of procedures to ensure the approval and authorisation of accounts for payment. These controls are documented in Policy P605 - Purchasing and Invoice Approval and Delegation DM605 sets the authorised purchasing approval limits.

After an invoice has been matched to a correct Goods Receipt Note in the financial system, 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 for June 2020 is included at **Attachment (a)**.

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.

In accordance with the Council resolution on 26 March 2019, the attached report includes a "Description" for each payment. Officers provide a public disclaimer in that the information contained within the "Description" is unlikely to accurately describe the full nature of each payment. In addition, officers have used best endeavours to redact (in black) information of a private or confidential nature.

The report records payments classified as:

- **Creditor Payments**

These include payments by both cheque and EFT to regular suppliers with whom the City transacts business. The reference number represent a batch number of each payment.

- **Non Creditor Payments**

These one-off payments that include both cheque and EFT are made to individuals / suppliers who are not listed as regular suppliers. The reference number represent a batch number of each payment.

- **Credit Card Payments**

Credit card payments are now processed in the Technology One Finance System as a creditor payment and treated as an EFT payment when the bank account is direct debited at the beginning of the following month.

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 directly debited from the City's bank account in accordance with the agreed fee schedules under the contract for provision of banking services.

Consultation

Nil.

Policy and Legislative Implications

Regulation 11 of the Local Government (Financial Management) Regulations 1996.
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 2020-2030](#):

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

Attachments

10.4.1 (a): Listing of Payments June 2020

10.4.2 Monthly Financial Statements - June 2020 (Interim)

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53526
Meeting Date:	28 July 2020
Author(s):	Abrie Lacock, Acting Director Corporate Services
Reporting Officer(s):	Abrie Lacock, Acting Director Corporate Services
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report. The commencement of new accounting software (1System Project) on 1 July 2019, required all reports to be recreated. Report refinement is an ongoing task. The 30 June 2020 marked the first financial year end in the new system for the City.

Officer Recommendation

That Council notes the Financial Statements and report for the month ended 30 June 2020. The June reports are interim, in that the year-end accounting transactions and reconciliations are still to be undertaken.

Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 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 2019/20 budget adopted by Council on 25 June 2019, determined the variance analysis for significant amounts of \$10,000 or 10% for the financial year. Each Financial Management Report contains the Original Budget and Revised (Adjusted) Budget, allowing comparison between the adopted budget and any budget adjustments approved by Council.

It should be noted that these statements are interim, in that the year-end accounting transactions and reconciliations are still to be undertaken. The final annual financial statements form part of the Annual Report. These financial statements are Audited by the WA Auditor General and presented at the Annual Meeting of Electors held each year.

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 1996. 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.

Commencement with the new accounting software (1System Project) on 1 July 2019 has created some challenges as the budget was based on the Chart of Accounts within Authority, the old financial system. These budgets were loaded and reported within the Chart of Accounts in the Technology One CiAnywhere Finance System (1System Project). This results in some of the Budgets vs Actuals appearing in the reports slightly differently, report refinement is an ongoing task. This does not affect the overall budget for each business unit, rather the detailed lines within. These budget adjustments (with nil effect) along with other budget review adjustments, was approved by Council at the Ordinary Council Meeting held 25 February 2020. The Budget Review entries have been processed, phasing was also revised during this process. In certain instances the reallocation of actual expenditure was also required, review and reallocation where appropriate is an ongoing task.

On March 11 2020, the World Health Organisation declared COVID-19 a pandemic, first and foremost a global health crisis, followed by a world economic crisis. Council adopted a range of measures to support the community at its Special Council Meeting held 21 April 2020, as well as those contained within the Annual Budget 2020/21, adopted 7 July 2020. In terms of the 2019/20 financial impact, the City has been able to manage its response, adjusting efforts accordingly and delivering a better than initially anticipated financial outcome, compared to the early days of the COVID-19 crisis.

The budget adjustment resulting from the COVID-19 measures 1 April 2020 to 30 June 2020 adopted by Council at its Special Meeting held 21 April 2020 has been processed. The impact of COVID-19 is evident in the Revenue variances in Operating Revenue, however less than originally anticipated. This impact is lessened by the early receipt of the Financial Assistance Grants from the State and a better than anticipated result for Collier Park Golf Course (these results are Interim as well).

Interim actual income from operating activities for June year-to-date (YTD) is \$58.37m in comparison to budget of \$57.98m, favourable to budget by 0.007% or \$392k. Interim actual expenditure from operating activities for June is \$61.63m in comparison to budget of \$61.22m, over budget by 0.007% or \$409k. The Interim June Net Operating Position of \$3.25m was \$17k unfavourable in comparison to budget. As part of the year end finalisation depreciation will be recalculated, being the first year end in 1System, Technology One advised that the City process depreciation up to the 29 June 2020 only. Once the capitalisation process is complete, depreciation will be calculated up to 30 June 2020. This will result in one day's extra depreciation charges during the year end finalisation process.

The interim results are also inclusive of some preliminary adjustments that would usually only have been processed as part of the preparations of the final end of year accounts. Examples are employee leave provision adjustments, the allocation of the current portion of long term loan liabilities and some accruals. The improved timing of these adjustments, another benefit of the new accounting software (1System), will result in less variance between the interim and final end of year accounts.

Interim actual Capital Revenue YTD is \$2.11m in comparison to the budget of \$3.05m. Interim Actual Capital Expenditure YTD is \$12.46m in comparison to the budget of \$16.30m. The June reports are interim, year-end accounting finalisation transactions and reconciliations are still to be undertaken.

The Interim Cash and Investments balance is \$45.00m. This balance was reducing more noticeably as the end of the financial year approaches because the greater part of cash collection of rates revenue occurs at the beginning of the financial year and project spending peak toward the end of the financial year. COVID-19 had an impact on the Cash and Investments balance although at this stage less than had been anticipated. Consistent with previous monthly reports, Cash and Investment balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

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 Investment of Surplus Funds being met. Currently the City holds 15.40% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments illustrates the percentage invested in each of the non-fossil fuel institutions and the short term credit rating provided by Standard & Poors for each of the institutions.

Consultation

Nil.

Policy and Legislative Implications

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act 1995* and regulations 34 and 35 of the Local Government (Financial Management) Regulations 1996.

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 2020-2030](#):

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

Attachments

- 10.4.2 (a): Statement of Financial Position
- 10.4.2 (b): Statement of Change in Equity
- 10.4.2 (c): Statement of Financial Activity
- 10.4.2 (d): Operating Revenue & Expenditure
- 10.4.2 (e): Significant Variance Analysis
- 10.4.2 (f): Capital Revenue & Expenditure
- 10.4.2 (g): Statement of Council Funds
- 10.4.2 (h): Summary of Cash Investments
- 10.4.2 (i): Statement of Major Debtor Categories

10.4.3 City of South Perth Public Places and Local Government Property Local Law Review

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53527
Meeting Date:	28 July 2020
Author(s):	Christine Lovett, Senior 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

In accordance with the *Local Government Act 1995*, local governments are required to review their local laws within a period of eight years. The City of South Perth Public Places and Local Government Property Local Law 2011 was last reviewed in 2012 and now requires a review.

Officer Recommendation

That Council gives Statewide and local public notice stating that it proposes to amend the City of South Perth Public Places and Local Government Property Local Law 2011.

Background

At the Ordinary Council meeting held 15 October 2019, Council endorsed the City commencing the process of reviewing the City of South Perth Public Places and Local Government Property Local Law 2011. On 14 November 2019, the City gave Statewide and local public notice that it proposed to amend the local law. The submission period for public consultation closed on 3 January 2020 and no submissions were received at that time. A short time later, it was identified that further minor amendments may be needed. Therefore, it was decided to recommence the local law making process and re-invite submissions from the public. However, due to the pandemic, this process has been deliberately delayed. The City believes it is now appropriate to recommence the local law process.

It has since been determined that the other minor amendments were not necessary and that following advice given by the Department of Local Government, Sport and Cultural Industries on another local law, it was decided that the renumbering of clauses as proposed to the 15 October 2019 Council Meeting was not necessary. Therefore, it is proposed that the City of South Perth Public Places and Local Government Property Local Law 2011 be amended to correct references to the *Health Act 1911*.

Reasons for the amendment

The City of South Perth Public Places and Local Government Property Local Law (Local Law) was Gazetted on 18 October 2011. The Local Law deals with the use of property under the City's care, control and management such as reserves, libraries, halls etc.

Not long after Gazettal, the Delegated Legislation Committee wrote to the City advising that clause 4.7 of the Local Law needed to be deleted as it was invalid on the grounds of unreasonableness. A small typographical error was also identified that needed amending.

In December 2011, the City gave the Delegated Legislation Committee a written undertaking to make the amendments as advised. In March 2012 the City resolved to make the changes and an amendment local law was gazetted on 13 April 2012.

In 2016, an amendment was proposed to the Local Law to regulate the operation of drones from City property. However, Council resolved in November 2016 not to progress with the amendment as drones are generally governed by Federal Government legislation and the Civil Aviation Safety Authority.

Apart from the proposed amendment, no reviews of the Local Law have been undertaken. In accordance with section 3.16 of the *Local Government Act 1995* (the Act), local governments are required, within a period of eight years, to review their local laws to determine whether or not it considers the local law should be repealed or amended.

Comment

In accordance with the Act, a review was recently completed that identified amendments to the local law were necessary. Some definitions contained within the local law require amendment due to the introduction of the *Public Health Act 2016*. Therefore, amendments are necessary to remove reference to the *Health Act 1911* and to replace them with the relevant sections of the Public Health Act.

The proposed changes include:

- Updating the definitions of ‘district’ and ‘eating house’ with the correct reference to the Public Health Act;
- Removing the definition ‘Health Act’;
- Inserting a definition of ‘Public Health Act’;
- Inserting the definition of ‘local government property’ in the correct alphabetical order within the definitions.

The proposed changes bring the Local Law into compliance with the *Local Government Act 1995* and the *Public Health Act 2016*.

The purpose and effect of the proposed local law are as follows:

Purpose: to make amendments to the City of South Perth Public Places and Local Government Property Local Law 2011 which regulates the care, control and management of property of and under the care, control and management of the City.

Effect: Some City of South Perth property is set aside for particular uses, some activities are allowed only under a permit or under a determination, and others are restricted or prohibited. The amendments will ensure the City of South Perth Public Places and Local Government Property Local Law 2011 is consistent with the *Public Health Act 2016*.

Consultation

To commence the local law making process, it is necessary for the City to give Statewide and local public notice of its intent to amend the City of South Perth Public Places and Local Government Property Local Law 2011 and invite submissions for a period of no less than six weeks after the notice is given.

Policy and Legislative Implications

Section 3.12 of the *Local Government Act 1995* prescribes the process for the making of an amendment local law.

Financial Implications

The cost associated with amending the local law is already contained within the approved Governance budget.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

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

Attachments

10.4.3 (a): City of South Perth Public Places and Local Government Property Amendment Local Law 2020

10.4.4 Policy Review

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53528
Meeting Date:	28 July 2020
Author(s):	Pele McDonald, Manager Human Resources
Reporting Officer(s):	Geoff Glass, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

The City has a statutory obligation under the *Local Government Act 1995* to review its policies each financial year. Three Human Resources policies have been reviewed and are presented to Council for endorsement.

Officer Recommendation

That Council adopts:

1. Amended Policy P625 Equal Employment Opportunity as contained in **Attachment (a)**;
2. Amended Policy P629 Occupational Safety and Health as contained in **Attachment (b)**; and
3. New Policy P637 Employee Separation Payments as contained in **Attachment (c)**.

Background

In line with contemporary organisational models, the policy framework aligns policies and delegations to the City's Strategic Directions. During the review process, policies are considered by the custodian business unit having the relevant technical expertise in relation to the policy content and subsequently by the Executive Management Team (EMT) representing each of the City's Directorates.

A policy review centres on the continuing relevance of the policy and the need to update it in light of any change in the legislative or operating environment. The policy review may identify a need to revise the policy or it may determine that no change is needed. Minor changes usually consist of minor typographical or grammatical corrections or revisions due to minor legislative amendments. Major change will consist of significant revision to the content of the policy due to changes in the operational environment or because of more substantial legislative change.

Due to the global health pandemic affecting Australia from March 2020, the review of Policy P625 Equal Employment Opportunity, Policy P629 Occupational Safety and Health, and Policy P637 Employee Separations were delayed.

Comment

Policy P625 Equal Employment Opportunity received minor edits only to correctly refer to the *Equal Employment Opportunity Act 1984*, and to workers of the City. Minor grammatical changes were also made. This amended policy is contained in **Attachment (a)**.

Policy P629 Occupational Safety and Health has been amended in line with the *Occupational Safety and Health Act 1984*, and the City's current practices. The changes to this policy can be found at **Attachment (b)**.

Policy P637 Employee Separation Payments is a new policy and covers the City's requirements in accordance with the *Local Government Act 1995* and complements the current long standing Employee Separation Payments Management Practice. This policy can be found at **Attachment (c)**.

Consultation

Nil.

Policy and Legislative Implications

Part 5, Division 4 of the *Local Government Act 1995*.

Part 4, Local Government (Administration) Regulations 1996.

Section 7A, *Salaries and Allowances Act 1975*.

Financial Implications

Nil.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2020-2030](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Continue to build a high performance leadership culture to deliver community priorities

Attachments

10.4.4 (a): Amended Policy P625 Equal Employment Opportunity

10.4.4 (b): Amended Policy P629 Occupational Safety and Health

10.4.4 (c): New Policy P637 Employee Separation Payments

11. APPLICATIONS FOR LEAVE OF ABSENCE

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13. QUESTIONS FROM MEMBERS

13.2 QUESTIONS FROM MEMBERS: 28 JULY 2020

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

15. MEETING CLOSED TO THE PUBLIC

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

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Officer Recommendation

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

- Item 15.1.1 CEO – Contract of Employment

15.1.1 CEO - Contract of Employment

*This item is considered **confidential** in accordance with section 5.23(2)(a) of the Local Government Act 1995 as it contains information relating to "a matter affecting an employee or employees"*

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-20-53529
Meeting Date:	28 July 2020
Author(s):	Pele McDonald, Manager Human Resources
Reporting Officer(s):	Pele McDonald, Manager Human Resources
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

16. CLOSURE