

MINUTES

Ordinary Council Meeting

26 October 2021

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 26 October 2021 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

29 October 2021

Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjuk 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 - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth at 6.00pm on Tuesday 26 October 2021.

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.00pm.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

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

Councillor Carl Celedin
Councillor Glenn Cridland
Councillor Blake D'Souza
Councillor André Brender-A-Brandis
Councillor Jennifer Nevard
Councillor Stephen Russell
Councillor Mary Choy
Councillor Ken Manolas

Officers

Chief Executive Officer
Director Corporate Services
Director Development and Community Services
Director Infrastructure Services
Manager Development Services
Manager Governance
Manager Finance
Governance Coordinator
Governance Officer

Mr Mike Bradford
Mr Garry Adams
Ms Vicki Lummer
Mr Mark Taylor
Ms Fiona Mullen
Ms Bernadine Tucker
Mr Abrie Lacock
Ms Toni Fry
Mr Morgan Hindle

Gallery

There were approximately 17 members of the public present.

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Impartiality Interest in Item 10.1.2 as ‘Many of the nominees are known to me personally’.
- Councillor Carl Celedin – Impartiality Interest in Item 10.1.2 as ‘I know many of the nominees personally’.
- Councillor Mary Choy – Impartiality Interest in item 10.1.2 as ‘some of the award nominees are known to me’.
- Councillor Glenn Cridland – Impartiality Interest in Item 10.1.2 as ‘I know some of the nominees’.
- Councillor Ken Manolas – Impartiality Interest in Item 10.1.2 as ‘I know some of the nominees’.
- Mayor Greg Milner – Impartiality Interest in Item 10.4.4 as ‘some of the applicants are known to me’.
- Councillor Carl Celedin – Impartiality Interest in Item 10.4.4 as ‘I know many of the applicants personally’.
- Councillor Mary Choy – Impartiality Interest in item 10.4.4 as ‘some of the committee nominees are known to me’.
- Councillor Glenn Cridland – Impartiality Interest in Item 10.4.4 as ‘I know some of the applicants’.
- Councillor Ken Manolas – Impartiality Interest in Item 10.4.4 as ‘I know some of the applicants’.
- Councillor Stephen Russell -Impartiality Interest in Item 10.4.4 as ‘one of the candidates for the property committee is known to me’.
- CEO Mike Bradford - Impartiality Interest in Item 10.4.4 as ‘some of the applicants are known to me.’
- Councillor Blake D’Souza -Financial Interest in Item 15.1.1 as ‘I own shares in Telstra’.
- Councillor Ken Manolas – Financial Interest in Item 15.1.1 as ‘I own more than \$10,000 in Telstra Shares’.

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Responses to previous public questions taken on notice can be found in the **Appendix** of these Minutes.

6.2 PUBLIC QUESTION TIME: 26 OCTOBER 2021

The Presiding Member opened Public Question Time at 6.05pm

Written questions were received prior to the meeting from:

- Dr Sarah Schladow of Garden Street, South Perth
- Mrs Cecilia Brooke of Garden Street, South Perth.

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

There being no further questions, the Presiding Member closed Public Question Time at 6.14pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 28 September 2021

1021/195

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That the Minutes of the Ordinary Council Meeting held 28 September 2021 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

7.1.2 Special Council Meeting Held: 18 October 2021

1021/196

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell

Seconded: Councillor Ken Manolas

That the Minutes of the Special Council Meeting held 18 October 2021 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

7.2 CONCEPT BRIEFINGS

7.2.1 Council Agenda Briefing - 19 October 2021

Officers of the City presented background information and answered questions on Items to be considered at the October Ordinary Council Meeting at the Council Agenda Briefing held 19 October 2021.

Attachments

7.2.1 (a): Briefing Notes

1021/197

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Blake D'Souza

Seconded: Councillor André Brender-A-Brandis

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

- 7.2.1 Council Agenda Briefing - 19 October 2021

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

8.1.1 Petition - Demolition of Property 170,167 and 169 and or Clearing of Land

A petition was received from Nick Barry of 168B Lockhart Street, Como together with seven verified signatures in accordance with Clause 6.9 of the City of South Perth Standing Orders Local Law 2007. The petition was requesting demolition of Property 170, 167 and 169 and or clearing of land.

The text of the petition reads:

'Derelict houses causing squatters and increase in crime posing a threat to my family and properties.'

1021/198

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Glenn Cridland
Seconded: Councillor Stephen Russell

That the petition received from Nick Barry of 168B Lockhart Street, Como together with seven verified signatures in accordance with Clause 6.9 of the City of South Perth Standing Orders Local Law 2007 in relation to the demolition of property 170,167 and 169 and or clearing of land be forwarded to the relevant Director for consideration.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.
Against: Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Deputations were heard at the Agenda Briefing held 19 October 2021.

9. METHOD OF DEALING WITH AGENDA BUSINESS

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

The Chief Executive Officer confirmed all the report items were discussed at the Council Agenda Briefing held 19 October 2021 with the exception of Item 10.4.5 Appointment of Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth and 12.1 Notice of Motion – Councillor Stephen Russell – Implementation of Publicly Accessible ‘Parking Cash-In-Lieu Register’ in Support of the Parking Reserve.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.3 Proposed Five Three-Storey Grouped Dwellings on Lot 5, No.65 Park Street, Como
- 10.4.4 Appointment of Community Members to City of South Perth Committees
- 15.1.1 Advertising License – Infrastructure (Telstra Smart City Payphones) within the road reserve of the City of South Perth

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

1021/199

COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That the Officer Recommendations in relation to the following Agenda Items be carried by exception resolution:

- 10.1.1 City of South Perth Youth Plan 2021-2025
- 10.1.2 City of South Perth Volunteer of the Year Awards Program - Assessment and Recommendations for 2021
- 10.1.3 Tender 8/2021 Provision of Security Services
- 10.3.1 Request to Dedicate Land as a Road in Waterford Triangle
- 10.3.2 Tender 07/2021 Provision of Garvey Street Park and Laneway Construction
- 10.4.1 Listing of Payments - September 2021
- 10.4.2 Monthly Financial Statements - September 2021
- 10.4.3 Draft Strategic Community Plan 2021-2031 - Request to Release for Public Feedback
- 10.4.5 Appointment of Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 City of South Perth Youth Plan 2021-2025

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth
File Ref:	D-21-78740
Meeting Date:	26 October 2021
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

The City's Strategic Community Plan 2020-2030 includes a range of strategies related to the provision of programs, services, projects, events and facilities for local youth.

The City does not currently have a specific youth-focused plan to provide strategic direction on how it should support local youth.

The City has recently developed an inaugural Youth Plan to address this issue and respond to the current and emerging needs of our youth.

The Youth Plan has been developed in partnership with the Youth Advisory Council of Western Australia (YACWA) and the South Perth Youth Network (SPYN).

1021/200

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council provides 'in principle' endorsement of the City of South Perth Youth Plan 2021-2025, as shown in **Attachment (a)** for the purposes of public advertising to invite community and stakeholder comment.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

Some of the current programs, services and facilities for youth include:

- South Perth Youth Network (SPYN)
- WA Youth Week programming
- South Perth Young Writer's Award
- Speak with Confidence Award
- Volunteering opportunities for youth
- Term and school holiday programs through the two libraries and George Burnett Leisure Centre
- Financial support through the Community Funding Program and KidSport Program and
- Access to a diverse range of recreational activities on local sporting reserves, community facilities and a skate park.

Whilst local youth currently have access to a number of programs, services and facilities, the City does not currently have a specific youth-focused plan to provide strategic direction on how it should support local youth now or into the future.

In 2020/21 the City engaged the Youth Advisory Council of Western Australia (YACWA) and the South Perth Youth Network (SPYN) to undertake a youth plan project, which led to the development of its inaugural Youth Plan shown in **Attachment (a)**.

The Youth Plan is intended to respond to the current and emerging needs of our youth who live, study, work, volunteer or spend time in our community. For the purposes of the City's Youth Plan, youth are defined as those aged 10 to 25 years; which translates to 21.7% of the City's population.

Comment

The Youth Plan is intended to guide the City's decisions on the kind of community programs, services, events, projects and facilities that should be considered for local youth now and into the future. This includes youth who reside, work, volunteer, study and/or recreate in the City.

The Youth Plan is comprised of 22 actions within four strategic focus areas, namely:

1. Youth Programs and Events
2. Youth Places and Facilities
3. Youth Communication
4. Youth Development

The Youth Plan outlines the proposed actions; the City's level of involvement (Planner, Supporter, Partner, Coordinator and/or Provider); and the recommended timeframe over a five-year period. Measuring the success of the actions will vary according to the project, program or service development identified. All actions will be measured using a range of tools and methods i.e. both qualitative and quantitative data.

Following the proposed community and stakeholder consultation period for the draft Youth Plan, it will be reviewed and re-presented to Council for final endorsement. The final Youth Plan will then be graphically designed and communicated to the community and associated stakeholders through the City's usual communication channels (website, social media, Peninsula Magazine etc.).

Consultation

The Youth Plan has been developed through an extensive consultation process, which is detailed below:

- An online survey with youth aged 10 to 25 and parents and caregivers;
- Hard copy surveys available from the Civic Centre and the South Perth and Manning libraries;
- Intercept surveys, carried out by Youth Plan Ambassadors at City events; and
- Question and answer tool on 'Your Say' South Perth, the City's online engagement platform, where participants could ask questions about the project

A total of 306 surveys were completed, which provided an effective level of consultation to develop the proposed Actions.

Information about the Youth Plan project, including the opportunity to participate, was provided to the community through multiple communication mediums, including Peninsula Magazine, the City's website, the City's Facebook and Instagram pages, Peninsula Snapshot and Peninsula Snapshot Newsletter and Club Spirit Newsletter. All relevant feedback gathered during the above consultation processes has been incorporated into the draft Youth Plan. The Stakeholder Engagement Overview Report is shown as **Attachment (b)**.

Policy and Legislative Implications

Nil.

Financial Implications

The Youth Plan is intended to be delivered over a period of five financial years from 2021 to 2025 inclusive. Funds required for the Youth Plan will be sought using a combination of City funds, external funding and/or contributions from external stakeholders, and will be requested as part of the annual operational budget process for assessment by Council.

There are 22 actions within the Youth Plan. Of these, the majority (16 actions or 73%) will be delivered using existing staffing resources, namely the City's Community Development Officer (Youth and Children). No additional City staff resources are being sought to implement the Youth Plan. It is estimated that City officers will spend approximately 12 hours per week (624 hours per annum) implementing the actions. Only six actions (27%) will require some professional external consultation/participation. The City's 2021/22 Budget includes an allocation of \$10,000 to implement new initiatives in the Youth Plan.

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: 1.1 Culture and community
Strategy: 1.1.1 Develop and facilitate services and programs to respond to changing community needs and priorities

Attachments

10.1.1 (a): City of South Perth - Draft Youth Plan 2021-25
10.1.1 (b): City of South Perth - Draft Youth Plan 2021-25 - Stakeholder Engagement Overview Report

Mayor Greg Milner and Councillors Carl Celedin, Mary Choy, Glenn Cridland and Ken Manolas disclosed an impartiality Interest in Item 10.1.2.

10.1.2 City of South Perth Volunteer of the Year Awards Program - Assessment and Recommendations for 2021

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-78741
Meeting Date:	26 October 2021
Author(s):	Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.1 Culture & Community

Summary

This report seeks Council's approval of the eligible nominations submitted for the 2021 City of South Perth Volunteer of the Year Awards Program.

1021/201

Officer Recommendation and COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council approves the Award recipients for the City of South Perth Volunteer of the Year Award Program for 2021, as shown in **Confidential Attachment (a)** in the following categories:

- a. Volunteer of the Year – Adult (over 25 years);
- b. Volunteer of the Year - Youth (18-25 years); and
- c. Volunteer of the Year - Junior (under 18 years).

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

In December each year International Volunteer Day is celebrated around the world to recognise the important role that volunteers play in building healthy and vibrant communities.

Local governments are encouraged to acknowledge and reward those individuals who volunteer their time and expertise in their communities.

The City facilitates a combined 'Thank a Volunteer and Stakeholder Function' in December each year to acknowledge and celebrate the contributions of volunteers who service our community and of our stakeholders. As part of this event, the City of South Perth Volunteer of the Year Awards are presented to recognise outstanding individual volunteering contributions in the community.

There are three Volunteer of the Year Award categories, as follows:

1. *Adult Volunteer of the Year Award*

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged over 25 years.

2. *Youth Volunteer of the Year Award*

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged between 18 and 25 years.

3. *Junior Volunteer of the Year Award*

This Award is open to individuals who reside or volunteer within the City of South Perth and are aged under 18 years.

Nominations were assessed by a panel comprising the City's Manager Community, Culture and Recreation, Community Development Coordinator and Community Development Officer; against three selection criteria, namely:

1. The level of involvement of the volunteer;
2. The significance of the volunteering contribution to the local community; and
3. The inspiring impact of the volunteering activity to enhance community life.

Presentation of the Awards will be made at the City's combined 'Thank a Volunteer and Stakeholder Function' event on 2 December 2021. The winner of each category will be recognised with a certificate and trophy. All other eligible nominees will receive a certificate and public acknowledgement of their volunteering contributions at the event.

Comment

This year the City received a total of 59 nominations comprising:

- 41 x Adult Volunteer of the Year nominations;
- 3 x Youth Volunteer of the Year nominations; and
- 15 x Junior Volunteer of the Year nominations

A summary of the nominations; the City's assessment scores; and recommended award recipients is attached as **Confidential Attachment (a)**.

The assessment panel found that the standard of nominations this year was exceptionally high and there were a number of outstanding individuals who scored very strongly. All eligible nominations were considered meritorious, as they demonstrated the variety of ways that volunteers make significant contributions to the local community. For this reason, a letter will be sent to all nominees to thank them for their outstanding volunteering contributions and inviting them to attend the event being held in December 2021.

Consultation

The City commenced promotion of the Volunteer of the Year Award Program in August 2021. Emails were sent to community groups, sporting clubs, schools and volunteer organisations listed in the City's Community Information Directory. The Award Program was also advertised in the City Update and on the City's website. Nominations closed on 30 September 2021.

Policy and Legislative Implications

This report relates to Policy P104 Community Awards, whereby the City recognises the important contribution that local individuals make to society.

Financial Implications

Funds are allocated in the City's 2021/22 Operating Budget for costs associated with the Volunteer of the Year Award Program.

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:	1.1 Culture and community
Strategy:	1.1.5 Foster volunteerism to build social capital in the community

Attachments

10.1.2 (a): City of South Perth Volunteer of the Year Awards Program 2021 - Assessment and Recommendations (*Confidential*)

10.1.3 Tender 8/2021 Provision of Security Services

Location:	Not Applicable
Ward:	All
Applicant:	Not Applicable
File Reference:	D-21-78742
Meeting Date:	26 October 2021
Author(s):	Shirley King Ching, Building and Assets Coordinator
Reporting Officer(s):	Mark Taylor, Director Infrastructure Services
Strategic Direction:	Community: A diverse, connected, safe and engaged community
Council Strategy:	1.3 Community Safety & Health

Summary

This report considers submissions received from the advertising of Tender 8/2021 for the Provision of Security Services.

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

1021/202

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council:

1. Accepts the tender submitted by MCW Corporation Pty Ltd trading as Perth Security Services, for the Provision of Security Services in accordance with Tender Number 8/2021 for the period of supply up to five years inclusive.
2. Accepts the tender price of \$560,000 plus GST included in **Confidential Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

A Request for Tender 8/2021 for the Provision of Security Services was advertised in The West Australian on 24 July 2021 and closed at 2:00 pm (AWST) on 17 August 2021.

Tenders were invited as a Schedule of Rates Contract.

The RFT is for the Provision of Security Services. The security services required include facilities operational requirements under the Program Delivery business unit and community events requirements under the Community, Cultural and Recreation (CCR) business unit.

Facilities security services include conducting random patrol checks; responding to alarm call outs; opening and locking up of public toilets; providing staff escorts, random patrols, and static security guards.

Events security services include providing crowd control services, static and roaming security guards. Events security services may include COVID marshal services as required.

The contract is for the period of two years with option to extend a further three years at the sole discretion of the City.

Comment

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

TABLE A – Tender Submissions

Tender Submissions
1. Global Protection Security Pty Ltd
2. La Fortuna Pty Ltd t/a Australian Guards and Patrols (AGP)
3. M.A Services Group Pty Ltd
4. Major Security Services-Construction & Security
5. MCW Corporation Pty Ltd t/a Perth Security Services
6. Wilson Security Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Company Profile and Relevant Experience	30%
2. Key Personnel, Skills & Resources'	30%
3. Demonstrated understanding and capacity to respond to City's security requirements on time	20%
4. Work Management and Reporting System	20%
Total	100%

Based on the assessment of all submissions received for Tender 8/2021 Provision of Security Services, it is recommended that the tender submission from MCW Corporation Pty Ltd trading as Perth Security Services be accepted by Council as the most advantageous.

More detailed information about the 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*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act 1995* - tenders for providing goods or services:

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulation 11 of the Local Government (Functions and General) Regulations 1996 - when tenders have to be publicly invited:

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

The following City Policies also apply:

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

Financial Implications

An estimate of the security services required is included in the 2021/22 budget and provisions will be made in future budgets for the life of the contract, with the expenditure subject to annual Council budget approval.

The contract will include an annual performance review of the Contractor by the City. Additionally, provision of security services for the City will be subject to any changes to the COVID-19 pandemic situation in Western Australia, which may include temporary modification, postponement and/or cancellation of security services in response to state government COVID-19 directives e.g. lockdowns etc.

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: 1.3 Community safety and health
Strategy: 1.3.1 Facilitate and foster a healthy, connected, and safe community

Attachments

10.1.3 (a): RFT 8 2021- Provision of Security Services Recommendation Report (*Confidential*)

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Request to Dedicate Land as a Road in Waterford Triangle

Location:	Not Applicable
Ward:	Manning Ward
Applicant:	Not Applicable
File Ref:	D-21-78743
Meeting Date:	26 October 2021
Author(s):	Jessica Birbeck, Senior Strategic Planning Officer
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.1 Connected & Accessible City

Summary

In March 2020 Amendment 59 (Rezoning of properties within Waterford Triangle) to Town Planning Scheme 6 (TPS6) was gazetted.

The amendment restricts vehicle access to properties fronting Manning Road on the basis that a future laneway would be created over an existing public open space reserve, known as Garvey Street reserve. The City has a management order over the reserve for 'Public Recreation'.

Construction of the laneway has been included in the 2021/22 capital works budget and is due to be completed by December 2021.

In order for the laneway to act as the gazetted frontage to lots, it must be dedicated as a road.

This report recommends the City request that the Minister for Lands, pursuant to the *Land Administration Act 1997* (the Act), dedicate the laneway as a public road.

1021/203

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That the Council:

1. Pursuant to Regulation 8 of the Land Administration Regulations 1998 requests the Minister for Lands to dedicate a suitable area of land for the purpose of a public road to facilitate the use of the laneway.
2. Agree to indemnify the Minister for Lands against any claims for compensation pursuant to clause 56(4) of the *Land Administration Act 1997*.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

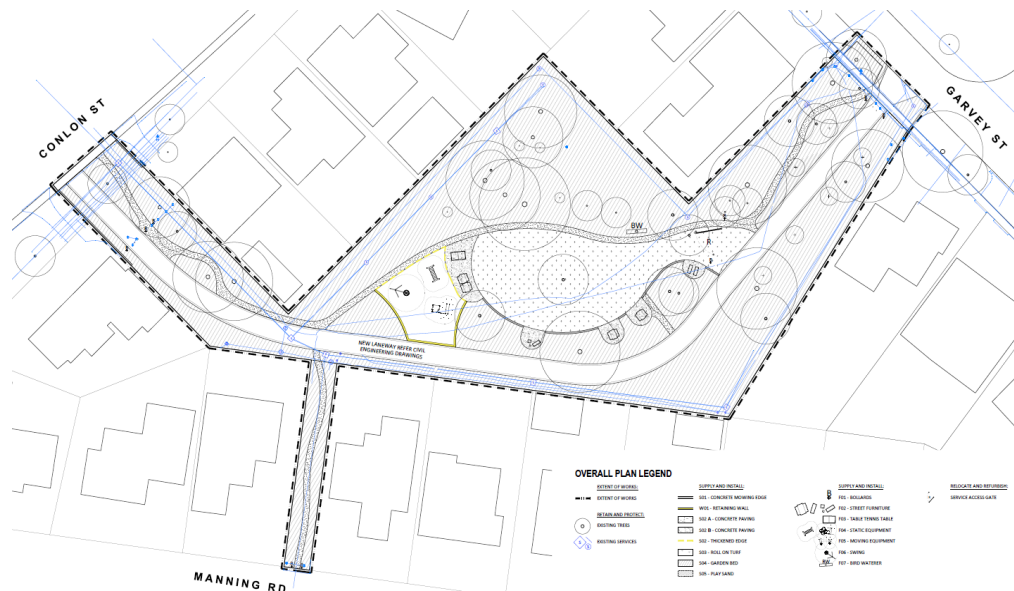
BackgroundAmendment 59 and Waterford Triangle Local Development Plan

Amendment 59 to TPS6 was gazetted in March 2020. The amendment was premised on the construction of a laneway through Garvey Street reserve and to incrementally remove direct access to Manning Road.

The amendment introduced a number of new development requirements for land within the area known as Waterford Triangle. Clause 6.6(2)(c) of TPS6 prohibits direct vehicle access to Manning Road for lots 39-48 and 2-4 Manning Road, as well as Lots 1 and 49 Garvey Street, Manning (the lots). These properties are depicted on the map below (highlighted red);

Garvey Street reserve laneway

The City is progressing construction of a one-way laneway through Garvey Street reserve between Conlon Street and Garvey Street. Refer to landscape drawing below. The laneway will provide direct vehicle access for lots 41-45 Manning Road, Waterford, hence the laneway will enable the removal of direct vehicular access to Manning Road. Subject properties are still required to maintain pedestrian access and an open, inviting frontage to Manning Road.



Manning Road is identified as a Regional Road and an important transport corridor. Removal of direct vehicle access to lots with frontage to Manning Road will improve traffic safety and capacity along the corridor.

Construction of the laneway has been included in the 2021/22 capital works budget and is due to be completed by December 2021. The construction of the laneway will be accompanied by other works to improve the amenity of Garvey Street reserve including new irrigation, grass and vegetation. Further upgrades are scheduled for the 2022/23 financial year that includes upgrades to play equipment and new park furniture.

Comment

Request to Minister for Lands

Clause 56(1) of the Act states as follows:

*'(1) If in the district of a local government —
 (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or
 ...
 and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.'*

If the laneway is not gazetted as a public road (or equivalent) then Manning Road forms the only legal frontage to lots 41-45 Manning Road, Waterford. Despite the provisions of TPS6, the City (or another decision maker) would be compelled to allow vehicle access directly from Manning Road if no alternative access is available.

Consultation

There is no public consultation associated with this report. The adoption of Amendment 59 and the Waterford Triangle Local Development Plan were subject to significant public consultation.

It is noted that landowners nearby to the proposed laneway were advised of the upgrades to Garvey Street reserve in May 2021.

Policy and Legislative Implications

Upon receiving the request from the City, the Minister for Lands may;

- (a) Approve the request; or
- (b) Direct the local government to reconsider the request and modify the request in any manner; or
- (c) Refuse to accept the request.

Based on advice from officers of the Department of Lands, such requests usually take 3-6 months to be considered. Should construction of the roadway/laneway be completed before the request is resolved, the City may need to consider restricting access to the laneway.

Additionally, the City may consider restricting access to the laneway until such time as development occurs on at least one of lots, 41-45 Manning Road, Waterford.

Financial Implications

Pursuant to clause 56(2) of the Act, the City is to provide the Minister with a plan or survey to describe the dimensions of the proposed road. A licensed surveyor is required to undertake preparation of the plan.

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:	3.1 Connected and accessible City
Strategy:	3.1.1 Facilitate a safe, efficient, and reliable transport network

Attachments

Nil.

10.3.2 Tender 07/2021 Provision of Garvey Street Park and Laneway Construction

Location: Garvey Street Reserve, Waterford
Ward: Manning Ward
Applicant: Not Applicable
File Reference: D-21-78744
Meeting Date: 26 October 2021
Author(s): Lewis Wise, Infrastructure Projects 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 07/2021 for the Provision of Garvey Street Park and Laneway Construction.

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.

1021/204

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Carl Celedin

That Council:

1. Accepts the tender submitted by Environmental Industries Pty Ltd for the Provision of Garvey Street Park and Laneway Construction in accordance with Tender Number 07/2021 for the period of supply up to 30 June 2022 inclusive;
2. Accepts the tender price of \$428,566.47 excluding GST included in **Confidential Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

A Request for Tender (RFT) 07/2021 for the Provision of Garvey Street Park and Laneway Construction was advertised in The West Australian on 7 August 2021 and closed at 2.00pm on 31 August 2021.

The RFT is for the Provision of Garvey Street Park and Laneway Construction. Tenders were invited as a Lump Sum Contract. The contract is for the period up to 30 June 2022.

Garvey Park is located in what is known as the 'Waterford Triangle' and is currently in very poor condition. The Waterford Triangle is an area of low-density housing bounded by Manning Road, Conlon, and McKay Streets in the suburb of Waterford. The area is under pressure to accommodate higher density housing due to its location close to Curtin University and the Manning Road transport corridor.

The Minister for Planning approved Amendments No. 59 and 60 (Waterford Triangle) in early 2020. The amendments increase zoning of the Waterford Triangle.

To enable development of the dwellings in the precinct that front Manning Road, an access road is required as per the Waterford Triangle Local Development Plan 2020.

Upgrades to Garvey Park are recommended in the Waterford Triangle Urban Design Plan 2010, to increase the amenity of the area. Proposed upgrades have been developed in consultation with the local community.

Comment

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

TABLE A – Tender Submissions

Tender Submissions
1. Civcon Civil Project Management Pty Ltd
2. Environmental Industries Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Company Experience and Past Performance undertaking works in a similar environment	40
2. Methodology and suitability of works program	30
3. Company Profile, Resources and skills and experience of key personnel	30
Total	100%

Based on the assessment of all submissions received for Tender 07/2021 Provision of Garvey Street Park and Laneway Construction, it is recommended that the tender submission from Environmental Industries Pty Ltd be accepted by Council.

More detailed information about the 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*.

Policy and Legislative Implications

Section 3.57 of the *Local Government Act 1995* - tenders for providing goods or services:

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulation 11 of the Local Government (Functions and General) Regulations 1996 - when tenders have to be publicly invited:

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

The following City Policies also apply:

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

Financial Implications

The full cost of the works is included in the 2021/22 Capital Works budget. Funding for this project has been made possible by a grant from the Federal Government's Local Roads and Community Infrastructure (LRCI) Program.

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:	3.3 Enhanced environment and open spaces
Strategy:	3.3.3 Improve the amenity value and sustainable use of our streetscapes, public open spaces, and foreshores

Attachments

10.3.2 (a): RFT 7 2021 - Provision of Garvey St Park & Laneway Construction
(Confidential)

10.3.3 Proposed Five Three-Storey Grouped Dwellings on Lot 5, No. 65 Park Street, Como

Location:	Como
Ward:	Moresby Ward
Applicant:	Element
File Reference:	D-21-78745
DA Lodgement Date:	22 July 2021
Meeting Date:	26 October 2021
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 five three-storey grouped dwellings on Lot 5, No. 65 Park Street, Como.

This item is referred to Council as the building height exceeds 9.0m and therefore falls outside of the delegation to officers. The building height of the proposed development complies with the maximum height prescribed by the Canning Bridge Activity Centre Plan.

For the reasons outlined in the report, it is recommended that the application be approved subject conditions.

Officer Recommendation

Moved: Councillor Carl Celedin

Seconded: Mayor Greg Milner

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 five three-storey grouped dwellings on Lot 5, No. 65 Park 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, revised plans shall be submitted, to the satisfaction of the City that incorporate the following:
 - (i) Provision of a 1.0m x 1.0m truncation at the driveway entry on the northern side of the driveway.
3. Prior to submission of a building permit application, a detailed landscape plan is to be submitted, to the satisfaction of the City that incorporates the following:

- (i) plant selection and species grouping with similar water demands;
 - (i) advanced plant selection in the street setback of Units 2 to 4 that will provide sufficient screening to the bin enclosures;
 - (ii) use of permeable paving; and
 - (iii) tree selection for greater canopy screening and growth around balconies within constrained spaces.
4. Prior to the submission of a building permit application, a tree protection zone (TPZ) shall be indicated on the plans and implemented during construction until occupancy stage, to protect the trees on site identified for retention as well as the verge tree at all times, to the satisfaction of the City.
5. 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.
6. 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.
7. Prior to the submission of a building permit application, the applicant is to submit a final material, colours and finishes schedule to the satisfaction of the City. Prior to occupation of the dwellings, the endorsed material and finishes schedule shall be implemented into the building design and maintained thereafter, to the satisfaction of the City.
8. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved in writing by the City. The approved Plan shall be implemented and adhered to at all times during the construction stage, to the satisfaction of the City.
9. Prior to the submission of a building permit application, a Section 70A notification shall be placed on the Certificate of Title of the subject lot. The notification is to state as follows:

'This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.'
10. Prior to the submission of a building permit application, details of the proposed lighting to pathways and car parking areas shall be provided, to the satisfaction of the City.
11. 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 total contribution value of development (maximum \$500,000 contribution) shall be submitted and approved in writing by the City. The approved public art concept shall be to the satisfaction of the City.
12. Prior to the occupation of the development, the applicant is required to pay a sum as detailed on a tax invoice at the time of construction, that will be issued by the City for the cost of line marking and signage to Dalmatia

- Place for limitation of parking relating to waste collection, to the satisfaction of the City.
13. Prior to occupation of the dwelling, all vegetation, structures, ground coverings and treatments within the Council verge area, aside from the crossover(s), are to be modified or reinstated to meet the provisions of the City's Verge Street Landscape Guidelines, to the satisfaction of the City.
 14. Prior to occupation of the dwellings, landscaping areas shall be installed in accordance with an approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City.
 15. The vertical garden on the northern side of the property shall be maintained at all times to the satisfaction of the City.
 16. Prior to occupation of the dwellings, the approved public art shall be implemented and maintained thereafter, to the satisfaction of the City.
 17. Prior to occupation of the dwelling, all visual privacy protection devices to Major Openings and/or Outdoor Active Habitable Spaces shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The structure(s) shall be installed and remain in place permanently, to the satisfaction of the City.
 18. Prior to occupation of the dwellings, 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.
 19. No street tree shall be removed, pruned or disturbed in any way, without prior approval from the City.
 20. The existing crossover shall be removed and the verge and kerbing shall be reinstated to the satisfaction of the City.
 21. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.
 22. Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust and shall be adequately drained, to the satisfaction of the City.
 23. All grouped dwellings shall be provided with a mechanical dryer prior to the occupancy or use of the development.
 24. Any external clothes drying areas shall be screened from view from all streets or any other public place.

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

1021/205

Amendment

Moved: Councillor Stephen Russell

Seconded: Councillor André Brender-A-Brandis

a. That the Officer Recommendation 2 be amended as follows:

“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) Provision of a truncation and / or reduced wall height in accordance with State Planning Policy 7.3 Volume 2 Element 3.8 “Vehicle Access” Acceptable Outcome A 3.8.7, at the driveway entry on the northern and southern sides of the driveway”

b. All other items remain unchanged.

Reasons for Change

The reasons for change are as follows:

1. Under the Integrated Transport Plan (ITP) the Canning Bridge Activity Centre (CBAC), for which this application sits within, is noted as being walkscore “car dominant” as pedestrian footpaths are on one side of the street only. Park Street is such a street with no footpath on the Western side directly servicing the proposed development. The ITP further notes that an action item is to ensure all streets within the CBAC are provided with footpaths on both sides to encourage walking within the precinct. It is likely that a future footpath on the Western side of Park street will be a continuation of an existing footpath which runs adjacent to property boundaries.
2. To this effect, as a pedestrian footpath is to be provided on the Western side of Park Street and likely to run adjacent to property boundaries, then it is considered in the interest of future pedestrian safety that the full requirements of the R-Codes in relation to sight lines at vehicle access points be implemented. The proposed condition of a 1.0m x 1.0m truncation does not satisfy the R-Codes in this respect.

The amendment was put and declared CARRIED (6/3) and formed part of the substantive motion.

For: Councillors André Brender-A-Brandis, Carl Celedin, Glenn Cridland, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Mayor Greg Milner and Councillors Mary Choy, Blake D’Souza.

1021/206**Amended substantive motion AND COUNCIL DECISION****Moved:** Councillor Carl Celedin**Seconded:** Mayor Greg Milner

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 five three-storey grouped dwellings on Lot 5, No. 65 Park 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, revised plans shall be submitted, to the satisfaction of the City that incorporate the following:
 - (i) Provision of a truncation and / or reduced wall height in accordance with State Planning Policy 7.3 Volume 2 Element 3.8 “Vehicle Access” Acceptable Outcome A 3.8.7, at the driveway entry on the northern and southern sides of the driveway.
3. Prior to submission of a building permit application, a detailed landscape plan is to be submitted, to the satisfaction of the City that incorporates the following:
 - (i) plant selection and species grouping with similar water demands;
 - (i) advanced plant selection in the street setback of Units 2 to 4 that will provide sufficient screening to the bin enclosures;
 - (ii) use of permeable paving; and
 - (iii) tree selection for greater canopy screening and growth around balconies within constrained spaces.
4. Prior to the submission of a building permit application, a tree protection zone (TPZ) shall be indicated on the plans and implemented during construction until occupancy stage, to protect the trees on site identified for retention as well as the verge tree at all times, to the satisfaction of the City.
5. 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.
6. 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.
7. Prior to the submission of a building permit application, the applicant is to submit a final material, colours and finishes schedule to the satisfaction of the City. Prior to occupation of the dwellings, the endorsed material and finishes schedule shall be implemented into the building design and maintained thereafter, to the satisfaction of the City.
8. Prior to the submission of a building permit application, a Construction Management Plan must be submitted to, and approved in writing by the

- City. The approved Plan shall be implemented and adhered to at all times during the construction stage, to the satisfaction of the City.
9. Prior to the submission of a building permit application, a Section 70A notification shall be placed on the Certificate of Title of the subject lot. The notification is to state as follows:
‘This lot is in the vicinity of a transport corridor and is affected, or may in the future be affected, by road and rail transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.’
 10. Prior to the submission of a building permit application, details of the proposed lighting to pathways and car parking areas shall be provided, to the satisfaction of the City.
 11. 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 total contribution value of development (maximum \$500,000 contribution) shall be submitted and approved in writing by the City. The approved public art concept shall be to the satisfaction of the City.
 12. Prior to the occupation of the development, the applicant is required to pay a sum as detailed on a tax invoice at the time of construction, that will be issued by the City for the cost of line marking and signage to Dalmatia Place for limitation of parking relating to waste collection, to the satisfaction of the City.
 13. Prior to occupation of the dwelling, all vegetation, structures, ground coverings and treatments within the Council verge area, aside from the crossover(s), are to be modified or reinstated to meet the provisions of the City’s Verge Street Landscape Guidelines, to the satisfaction of the City.
 14. Prior to occupation of the dwellings, landscaping areas shall be installed in accordance with an approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the City.
 15. The vertical garden on the northern side of the property shall be maintained at all times to the satisfaction of the City.
 16. Prior to occupation of the dwellings, the approved public art shall be implemented and maintained thereafter, to the satisfaction of the City.
 17. Prior to occupation of the dwelling, all visual privacy protection devices to Major Openings and/or Outdoor Active Habitable Spaces shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The structure(s) shall be installed and remain in place permanently, to the satisfaction of the City.
 18. Prior to occupation of the dwellings, 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.

19. No street tree shall be removed, pruned or disturbed in any way, without prior approval from the City.
20. The existing crossover shall be removed and the verge and kerbing shall be reinstated to the satisfaction of the City.
21. All fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti and/or be decorated in such a way to reduce the effect of blank facades, in accordance with Requirements 15.1 and 16.1 of the Canning Bridge Activity Centre Plan.
22. Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust and shall be adequately drained, to the satisfaction of the City.
23. All grouped dwellings shall be provided with a mechanical dryer prior to the occupancy or use of the development.
24. Any external clothes drying areas shall be screened from view from all streets or any other public place.

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

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Development Site Details

The development site details are as follows:

Zoning	Centre Canning Bridge Activity Centre Plan Quarter: Davilak (Q4)
Density coding	H8 – Residential 6-8 storeys
Lot area	842 sqm
Building Height Limit	Six storey building height limit (Maximum of 20m)
Development potential	Multiple Dwelling, Grouped Dwelling, Single House, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Corner Store, Recreation - Private, Recreation – Public, Residential Building, Home Occupation, Home Office

(a) **Background**

At its Meeting held 23 March 2021 (Item 10.3.1) Council refused an application for development approval on the subject site for seven three-storey grouped dwellings. The proposal was not supported due to various design elements, resulting in an inactive and inert public domain experience which could result in an unfavourable precedent being set.

An amended proposal for five grouped dwellings was presented to the Canning Bridge Design Review Panel (DRP) at a pre-lodgement meeting in June 2021 at which time the DRP concluded that the proposed development was well articulated and appropriate to the locality.

In July 2021 the City received an application for a new proposal of five three-storey grouped dwellings at Lot 5, No. 65 Park Street, Como incorporating suggested improvements from the DRP. The submitted plans were subsequently reviewed by the DRP in August 2021 at which time the DRP provided their support subject to a minor change to the plans. Amended plans were received by the City on 10 September 2021 which addressed the DRP comments as well as amendments requested by the City's officers.

The site is located within the Canning Bridge Activity Centre Plan (CBACP) in the Davilak Quarter (Q4) and is zoned H8 (Residential Development up to 6-8 storeys). The CBACP, was initially approved by the Western Australian Planning Commission (WAPC) in April 2016 and was later amended (and that amendment endorsed by the WAPC on 22 September 2020) to introduce Parts 3 and 4 of the R-Codes Volume 2 and other built form changes to Q3, Q4 and Q5 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) **Description of the Proposal**

The site has a frontage to Park Street to the east and Dalmatia Place to the south, adjoins single storey grouped dwellings to the north and a single storey single house to the west as seen in **Figure 1** below:



Figure 1: Aerial image of the subject site.

(c) Description of the Proposal

The application proposes five three-storey grouped dwellings on the site. The development plans are provided at **Attachment (a)**. Two of the grouped dwellings contain three bedrooms and three grouped dwellings contain four bedrooms, with each of the dwellings including balconies and a double garage with access via a common driveway from Park Street. The development is further described in the applicant's justification at **Attachment (b)**. Once developed, the land use will remain as grouped dwellings due to the inclusion of the common property driveway. The site photographs show the relationship of the site with the surrounding built environment at **Attachment (c)**.

The following components of the proposed development require discretionary assessment against Town Planning Scheme No. 6 (TPS6), the Canning Bridge Activity Centre Plan (CBACP), the R-Codes Volume 2 and Council Policy requirements.

TPS6 Variations**(i) Finished Floor Levels - Maximum**Canning Bridge Activity Centre Plan**(ii) Street setbacks****(iii) Side and rear setbacks****(iv) Open Space and landscaping****(v) Parking (specifically, Sight Lines associated with the Vehicle Access – R-Codes Volume 2 Element Objectives 3.8)**

The proposal complies with TPS6 and the CBACP and meets Parts 3 and 4 of the R-Codes Volume 2 and relevant Council policies except for the discretionary aspects identified above, which are discussed below:

(d) Finished Floor Levels – Maximum

Element	Desired Outcome	Proposed
Clause 6.10 of TPS6 'Maximum Floor Levels'	Maximum floor level up to 100mm above the natural ground level	Maximum floor level between 450mm and 600mm above the natural ground level

The variations are considered to address the Scheme provisions relating to maximum floor levels and are supported for the following reasons:

- The entries to each of the units have a finished floor level of up to 1.6m lower than the garage entries at the rear resulting in limited fill being required on the northern side of the lot thereby, reducing visual impact when viewed from the neighbouring property;
- The shadow cast from the development will project to the street frontage and will therefore not impact any adjoining properties; and

- The proposed floor levels at the entry points to the units are provided at less than 100mm above the level at the street providing a flat transition to the front entries of the units from Dalmatia Place resulting in a visually balanced streetscape.

(e) **Street Setbacks**

Element	Desired Outcome	Proposed
Park Street minimum street setback	Min. 4m	Min. 2.9m
Dalmatia Place minimum street setback	Min. 4m	Min. 0.63m (ground floor)

The variations are considered to address the relevant Desired Outcomes of CBACP and are supported for the following reasons:

- The proposed setback variations incorporate an articulated façade with varied setbacks to both streets, staggering the building footprint to ensure that the façade does not appear too dominant when viewed at a human scale perspective at the street level;
- Balconies address both Park Street and Dalmatia Place and provide for visual connection between the dwelling and streetscape;
- The street setback areas are capable of being provided with quality landscaping with inclusion of deep soil areas that are able to sustain healthy tree growth, which in-turn contributes to an existing tree canopy along Park Street; and
- The variations are not considered to adversely alter the character of the streetscape taking into consideration that none of the dwellings on Dalmatia Place have been developed under the CBACP.

(f) **Side & Rear Setbacks**

Element	Desired Outcome	Proposed
Northern (rear) lot boundary setback	Min. 4m	Min. 1.5m
Western (side) lot boundary setback	Min. 4m	Min. 0.95m

The variations are considered to address the relevant Desired Outcomes of the CBACP as follows:

Rear northern lot boundary setback

The northern lot boundary setback variations relate to the elevated open balconies rather than solid walls, noting that the building's main walls are compliant with the required setback. The proposed rear setback variation is considered to meet the desired outcomes of the CBACP and is supported for the following reasons:

- The balconies are split between the first and second floors providing articulation by also incorporating varied setbacks between 1.5m and up to 2.5m thereby minimising scale and bulk to the adjoining property and at the same time providing a sense of separation between each tenancy;
- The proposed setback is considered adequate in enabling access to the south-western prevailing winds, adequate ventilation to the subject site and northern adjoining lot; and
- The inclusion of screening to the balconies with an oblique view towards the common driveway of the adjoining property ensures that visual privacy is protected to the northern property, whilst also optimising access to the northern aspect with the inclusion of adjustable louvred roofing to the balconies.

Side western lot boundary setback

The subject site shares approximately 7.5m of its boundary with the western lot resulting in a small portion of the building encroaching the 4.0m setback, the majority of which includes an open balcony and driveway. The proposed side setback variation is considered to meet the desired outcomes of the CBACP and is supported for the following reasons:

- The walls impinging on the required setback space do not contribute to a sense of confinement or intrusion to the western adjoining lot, given the nearest part of the building to the west is approximately 15m away and only a 7.5m portion of Lot 5 abuts the adjoining property;
- The building will not impact on access to winter sun to the adjoining dwelling, as the variation is located on the western side; and
- The western side of Unit 5 is well articulated on each level with there being no major openings or elevated outdoor living areas overlooking onto private spaces to the west due to window size and privacy screening to prevent overlooking.

(g) **Open Space and Landscaping**

Element	Requirement	Provided
Provision of Open Space	Minimum of 30%	27%

The proposed variation meets the desired outcome of this element for the following reasons:

- The calculation of open space does not incorporate rear elevated courtyards as these elevated areas are not specifically defined as open space in the related definition. These areas do however contribute to useable open space for the resident's enjoyment, comfort and sense of security;
- The site's proximity to the Coolidge Reserve and Neil McDougall Park provides additional recreation options for use by the residents; and

- The open areas visible from the street incorporate quality landscaping (inclusive of deep soil areas), thereby contributing to the overall leafy nature of the CBACP area. In addition, the DRP supported the proposed landscaping.

(h) Parking (Vehicle Access – Sight lines)

Element	Requirement	Provided
Provision of Sight Lines at Driveway Entry	1.5m x 1.5m	0.5m x 0.5m

The proposed variation meets the desired outcome of this element for the following reasons:

- There are no pedestrian footpaths located to this side of Park Street, thereby minimising any conflicts between vehicles exiting the property and pedestrians; and
- All vehicles will be leaving in a forward gear therefore greater visibility will be achieved providing enhanced pedestrian safety.

Where no pedestrian footpaths are present, City officers generally accept a 1.0m x 1.0m truncation to allow for visibility. A condition has been included to address this requirement.

(i) State Planning Policy 5.4 'Road and Rail Noise'

Due to the site's proximity to Canning Highway, the applicant provided a Noise Management Plan prepared by Herring Storer Acoustics dated July 2021. The report identified that the noise levels received at the development were within the limits prescribed by State Planning Policy 5.4 and advised that a Quiet House Design was not required. The report also identified that a Notification on the Title was not required, however this advice is not based on forecasted levels exceeding the policy's outdoor noise target. Appendix 5 of SPP5.4 Guidelines identifies that Notifications on Title are required as a condition of development approval, this has been included accordingly.

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

In considering an application for development approval, 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, subject to the recommended conditions.

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

In considering an application for development approval the local government is to have due regard to the matters listed in clause 67 of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. An assessment of the proposal against clause 67 is considered through the planning assessment above.

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

Consultation

(a) Design Preview Panel Comments

The application was presented to the City's DRP in June 2021 and the proponent has implemented a range of amendments in response to this feedback. A copy of the DRP minutes from the meeting as well as applicant responses to feedback, can be found at **Attachment (d)**. The DRP were supportive of the overall design elements of the application which features a townhouse typology which is a valuable contribution to dwelling diversity and is supported by the DRP. Upon review of the plans submitted with the application in August 2021, the DRP were satisfied with the design responses to the feedback however advised their support was contingent on the inclusion of a strip window within the ground storey storeroom of Unit 1 facing Park Street to provide natural light whilst also providing the impression of occupied space. The amended plans have addressed the 10 principles of design in State Planning Policy 7.0 in a satisfactory manner, as the requested amendment was provided in response to the City's request for further information.

(b) Neighbour Consultation

Neighbour Consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Advertising of Planning Proposals'. All affected individual property owners, occupiers and/or strata bodies along Park Street and Dalmatia Place were invited to inspect the plans and to submit comments during a minimum 14-day period.

During the advertising period a total of 53 consultation notices were sent and two submissions were received, providing comments on the proposal. The applicant's response to those submissions is provided at **Attachment (e)**. The comment of the submitters, together with an officer response is summarised below.

Submitters' Comments	Officer's Responses
Noise/Amenity There are five elevated rear courtyards that face onto residents of 63 Park Street and the noise from these areas will not be able to be mitigated.	Further setbacks to the balconies on Lots 2 to 4 were provided on amended plans in order to improve amenity of the adjoining property. The comments are NOTED .
Privacy - First floor bathroom window will overlook my side and back garden to the north-west. - Second floor living room, dining room and bathroom	The bathroom and living room windows are not major openings and therefore do not result in overlooking under the R Codes.

overlooking my side and back garden to the north-west.	Additionally, the dining room window is angled to face the street and will also not result in overlooking. The comments are NOT UPHELD.
Traffic and Street Parking - This end of Park Street is a busy thoroughfare for traffic. The on-street car bays are already full all of the time (day and night). Where, potentially, are the 21 additional residents going to park their cars? - Concern in relation to loss of on-street parking in Dalmatia Place. - The road width is very narrow in Dalmatia Place and there is already limited hour parking and with visitors to the development and the residents of the development, this will significantly add to the problem of on-street parking impacting on existing access points in this street. - I would like some comfort that property parking from Dalmatia Place is not physically possible and should be preventable by some level of fencing around the perimeter of the development. - General parking for workers of the development should be prevented along Dalmatia Place.	The on-site parking requirement for the development is compliant with the Canning Bridge Activity Centre Plan. This comment is NOT UPHELD. On-street parking will be available in Dalmatia Place except during the times required for bin collection. On-street parking is not a consideration for this development as there are no requirements to provide visitor car parking for five grouped dwellings. The comments are NOT UPHELD. Landscaping treatments in the street setback area of Dalmatia Place will ensure that residents and visitors cannot park in front yards. Perimeter fencing is not required. The comment is NOTED. A construction management plan will be required as a condition of approval so that parking by workers will not impact on the Dalmatia Place roadway and existing residents. The comment is NOTED.
Scale and Bulk - The size and scale is large and overbearing in comparison to all the surrounding small single-storey units of this end of Park Street and Dalmatia Place.	The development is compliant with the building height required under the Canning Bridge Activity Centre Plan and there are no requirements to replicate the existing dwellings at single storey within this precinct.

	The comment is NOT UPHELD .
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(c) Asset and Design

The City's Assets and Design business unit was invited to comment on issues relating to car parking, refuse truck movement summary and crossover design arising from the proposal. This business unit raised no objection to the proposal subject to relevant conditions and advice notes.

(d) Urban Design

The City's Urban Design business unit was invited to comment on issues relating to landscape design arising from the proposal.

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

(e) Waste Services

The City's Waste Services business unit was invited to comment on issues relating to waste collection from the proposal.

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

(e) Environmental Health Services

The City's Environmental Health Services business unit was invited to comment on the development which included a review of an Acoustic Report addressing State Planning Policy 5.4 'Road and Rail Noise'.

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

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 if the applicant were to appeal a decision, or specific conditions of approval, 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:	3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs

Sustainability Implications

Noting the favourable orientation of the lot, the officers observe that the proposed outdoor living areas have access to winter sun. Hence, the proposed development is seen to achieve an outcome that has regard to the sustainable design principles.

Conclusion

It is considered that the proposal meets all the relevant Scheme, Activity Centre Plan, R-Codes and/or Council Policy objectives and provisions. Where discretions are sought, these are considered to be supportable for the reasons set out in this report. The proposal is considered to improve the amenity of the site and will not have any significant impact on adjoining residential properties.

The proposed grouped dwellings are within the 6-Storey Building Height Limit for the property and are consistent with the framework outlined in the Canning Bridge Activity Centre Plan (CBACP). The number of dwellings has been decreased from the previously proposed seven (7) grouped dwellings to five (5) grouped dwellings. The development is supported against the discretionary provisions under the CBACP and proposes a well-resolved design that respects the streetscape and the amenity of adjoining properties. Accordingly, it is considered that the application should be approved subject to conditions.

Attachments

- 10.3.3 (a):** Development Plans
- 10.3.3 (b):** Applicant's Justification and Reports
- 10.3.3 (c):** Site Photos
- 10.3.3 (d):** Design Review Panel Minutes
- 10.3.3 (e):** Applicant's Response to Submissions

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - September 2021

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-78746
Meeting Date:	26 October 2021
Author(s):	Abrie Lacock, Manager Finance
Reporting Officer(s):	Garry Adams, 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 September and 30 September 2021 for information. During the reporting period, the City made the following payments:

EFT Payments to Creditors	(494)	\$6,592,156.27
Cheque Payment to Creditors	(4)	\$1,271.25
Total Monthly Payments to Creditors	(498)	\$6,593,427.52
EFT Payments to Non-Creditors	(81)	\$125,217.66
Cheque Payments to Non-Creditors	(10)	\$9,676.33
Total EFT & Cheque Payments	(589)	\$6,728,321.51
Credit Card Payments	(6)	\$21,395.42
Total Payments	(595)	\$6,749,716.93

1021/207

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council receives the Listing of Payments for the month of September 2021 as detailed in **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. In accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the CEO is to be prepared each month and presented to the Council at the next Ordinary Meeting of the Council after the list is prepared.

Comment

The payment listing for August 2021 is included at **Attachment (a)**.

The attached report includes a “Description” for each payment. City 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

Regulations 12 and 13(1) of the Local Government (Financial Management) Regulations 1996. Policy P602 Authority to Make Payments from the Municipal and Trust Funds.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.4.1 (a): Listing of Payments September 2021

10.4.2 Monthly Financial Statements - September 2021

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-78747
Meeting Date:	26 October 2021
Author(s):	Abrie Lacock, Manager Finance
Reporting Officer(s):	Garry Adams, 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.

1021/208

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Carl Celedin

That Council notes the Financial Statements and report for the month ended 30 September 2021.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

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 2021/22 budget adopted by Council on 22 June 2021, determined the variance analysis for significant amounts of \$10,000 or 10% for the financial year. Each Financial Management Report contains only the Original Budget. A Revised (adjusted) Budget has not been presented as no budget adjustments have been presented to Council for approval.

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.

COVID-19 declared a pandemic on 11 March 2020 by the World Health Organisation, continues to cause havoc on the global health scene with a significant impact on world economic activities. A double-dip recession is possible as COVID lockdowns damage the Australian economy. In the Eastern States the economic impact will be larger than in previous lockdowns. In framing the Annual Budget 2021/22, the City considered the current economic environment and the impact of COVID-19. As Western Australia remains at risk the State Government extended the emergency period and it is now 30 March 2020 to 22 October 2021, with significant interstate travel restrictions remaining in place.

Actual income from operating activities for September year-to-date (YTD) is \$63.17m in comparison to budget of \$63.23m, unfavourable to budget by 0.09% or \$59k. Actual expenditure from operating activities for September is \$18.87m in comparison to budget of \$19.39m, favourable to budget by 2.69% or \$521k. The September Net Operating Position of \$44.30m was \$462k favourable in comparison to budget.

Actual Capital Revenue YTD is \$137k in comparison to the budget of \$206k. Actual Capital Expenditure YTD is \$1.28m in comparison to the budget of \$1.30m. As described during the Budget deliberations, the estimation of Capital projects that may carry-forward from one year to the next is challenging as it is dependent on estimating the completion of work by 30 June by a contractor. As in previous years, there may a number of Capital projects that may require a Budget adjustment.

Cash and Cash Equivalents amounted \$76.92m Traditionally the September cash balance is higher following the rates being issued and payments being received during September. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

The record low interest rates in Australia are impacting the City's investment returns, with banks offering average interest rates of 0.29% for investments under 12 months. 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. At the end of September 2021 the City held 30.03% 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 regulation 34 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:	4.3 Good governance
Strategy:	4.3.1 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 Draft Strategic Community Plan 2021-2031 - Request to Release for Public Feedback

Location: Not Applicable
Ward: Not Applicable
Applicant: Not Applicable
File Ref: D-21-78748
Meeting Date: 26 October 2021
Author(s): Danielle Cattalini, Manager Stakeholder and Customer Relations
Charlotte Carlish, Stakeholder Engagement Coordinator
Reporting Officer(s): Garry Adams, Director Corporate Services
Strategic Direction: Leadership: A visionary and influential local government
Council Strategy: 4.3 Good Governance

Summary

The purpose of this report is to provide an overview of the major review of the City's Strategic Community Plan (SCP) 2020-2030 and gain Council's approval to release the draft Strategic Community Plan 2021-2031 Review for public feedback.

Once further public feedback on the review is received, the final draft Strategic Community Plan 2021-2031 will be prepared for further consideration by Council.

1021/209

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That Council:

1. Notes the Major Review of the City of South Perth Strategic Community Plan 2020-2030 Stakeholder and Community Engagement Report May 2021.
2. Approves the release of the draft City of South Perth Strategic Community Plan 2021-2031 Review for public feedback.
3. Notes that once feedback is received, a further report will be prepared for Council requesting consideration of the finalised document.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

The State Government's Integrated Planning and Reporting Framework (IPRF) aims to ensure integration of community priorities with strategic planning for Council, as well as implementation of the strategies that have been set from these priorities. This framework stems from the *Local Government Act 1995* (the Act), with s5.56(1) stating that a local government is to have a "plan for the future", and s5.56(2) stating that the plans are to be made "in accordance with any regulations made about planning for the future".

The Local Government (Administration) Regulations 1996 further prescribe these plans to be a Strategic Community Plan (SCP) and Corporate Business Plan (CBP) in Division 3. 19C and 19DA. It is within the framework and guidelines that we find the detailed requirements of such plans.

As per the IPRF Framework, all local governments are required to develop a 10 year SCP. It is a requirement of the Act that the City undertake a minor review (desktop) every two years, with a major review every four years.

The City's first SCP (2013-2023) was formulated through the Our Vision Ahead process, which documented the community's priorities, aspirations and vision for the City and helped create a shared vision. This plan was endorsed at the December 2012 Ordinary Council Meeting and a minor review was completed to produce the 2015-2025 SCP and was endorsed at the July 2015 Special Council Meeting.

A major review of the 2015-2025 SCP was completed during 2017/18 through the Vision 2027 stakeholder and community engagement project, producing the 2017-2027 SCP and was endorsed at the September 2017 Ordinary Council Meeting. A minor review was then completed during 2019/20, producing the 2020-2030 SCP and was endorsed by Council at its meeting held 26 May 2020. At that same meeting, Council also endorsed to commence a major review of the SCP.

Comment

A SCP is the starting point of the IPRF. It is a long term, overarching strategy document that outlines the community's aspirations and priorities for the future and sets out the key strategies required to achieve these.

Once the SCP is endorsed by Council, a CBP will be revised and will articulate how and when activities will be undertaken to deliver on the community vision as articulated in the SCP. The CBP outlines in detail the projects, services, actions, operations and performance measurements required to ensure delivery of the SCP.

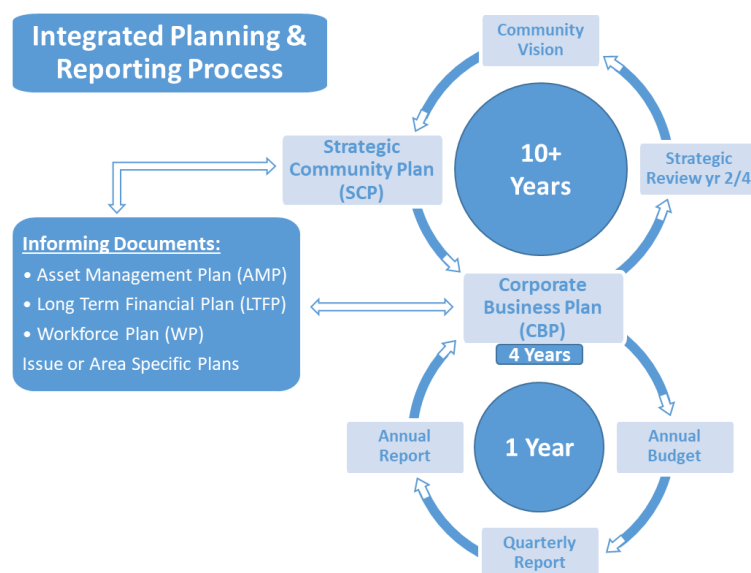
The IPRF is the overarching framework that encompasses both the SCP and CBP and the suite of strategic and operational informing documents that the City is required by legislation to prepare with the involvement of the community.

Informing plans include the:

- Asset Management Plans (AMP)
- Workforce Plan (WP)
- Long Term Financial Plan (LTFP).

Ideally, the first year of the LTFP informs the Annual Budget adoption, with financial reporting monthly to Council and quarterly reporting of progress against the CBP. The Annual Report then provides both commentary and financial information to describe the annual progress relating to the CBP in response to the SCP.

The diagram below shows how all of the elements of the IPRF fit together to deliver and report on Council priorities which are informed by the community vision and aspirations.



This report is a summary of the major review of the 2020-2030 SCP and seeks endorsement to release the draft 2021-2031 SCP for public feedback. The various sections of this report detail the stages completed for the major review and outline the suggested changes to the SCP.

2021 Major Review

Following the completion of the 2020 minor review and in response to the May 2020 Ordinary Council Meeting decision for a major review of the SCP to commence during the first quarter of 2020/21, a major review of the SCP was initiated in late 2020.

IPR community engagement targets

The State Government's IPRF specifies targets required to meet the advisory standard. The community engagement targets for the SCP major review are at least 500 community members (or 10%) involved and at least two documented mechanisms (different types of engagement activities). The City of South Perth exceeded these targets, with the results from the 2021 major review detailed in the table below:

Engagement Activity	Attendee Count	Activity Detail	Documented Mechanism Count
Online Survey	567	Online survey completion	1

Intercept Interviews	136*	In-person completion of online survey (*included in 567 above)	1
Face-to-face Community Workshop	31	In-person workshop with invited community members	1
Business Breakfast Forum	52	Forum with business owners	1
Youth Movie Night	86	Movie night and workshop with youth	1
Online Workshop	10	Online workshop with community	1
Totals	746*		6

To review the SCP, the City took a staged approach:

Stage One: Elected Member Workshops

Australian Venture Consultants facilitated three workshops with elected members during September and October 2020. The purpose of the workshops was to review, discuss and prioritise the strategies within the SCP 2020-2030 to inform the stakeholder and community engagement process. The outcomes from the elected member workshops were then compared to the feedback received during the engagement process to inform unified changes to the SCP.

Stage Two: Stakeholder and Community Engagement

The City embarked on this major review of the 2020-2030 SCP through the *Picture Your Future City of South Perth* engagement project. The engagement activities provided stakeholders and the community with the opportunity to have their say about the City's priorities and future for the next 10 years.

The City conducted extensive engagement with key stakeholders and the wider community to give them the opportunity to have input into the review. As part of the engagement program, the City contracted consultants Research Solutions to review and analyse the stakeholder engagement activities.

The objective of the engagement was to determine stakeholder and community aspirations and to prioritise the outcomes and strategies within each of the four broad categories which form the strategic directions within the SCP: Community, Economy, Environment (Built and Natural) and Leadership.

An extensive communications plan ran alongside the engagement to reach a broad range of stakeholders and community members.

The *Picture Your Future City of South Perth* project was due to launch on Monday 1 February 2021 but was delayed to Monday 15 February 2021 due to a COVID-19 lockdown.

The engagement program comprised:

Activity	Date
Survey	Monday 15 February to Monday 15 March 2021
Intercept interviews at Manning Farmers Market	Saturday 20 February 2021
Face-to-face community workshop at South Perth Civic Centre	Wednesday 24 February 2021
Business breakfast forum at South Perth Community Hall	Thursday 4 March 2021
Youth movie night at South Perth Community Hall	Friday 5 March 2021
Intercept interviews at Mindeerup/Mends Street	Saturday 6 March 2021
Online community workshop	Wednesday 10 March 2021
Intercept interviews at Manning Farmers Market	Saturday 13 March 2021

Survey results

567 surveys were received in total, 560 online and seven in hard copy, of which 90.1% (511) were from residents of the City of South Perth and 7.4% (42) were business owners.

Engagement activity attendance numbers

Event	No of attendees
Face-to-face community workshop at South Perth Civic Centre	31
Business breakfast forum at South Perth Community Hall	52
Youth movie night at South Perth Community Hall	86
Online community workshop	10

Engagement outcomes

Participants were asked to provide three words that they would use to describe the City of South Perth and the keys words given were beautiful, convenient, friendly, green, safe, vibrant, clean, river and community.

Participants were then asked to prioritise the existing priorities in each strategic direction and to add any others that they felt would help the City achieve its aspiration for each strategic direction.

Finally, participants were asked the three most important things that they thought the City could do over the next 10 years and responses were:

Responses	Percent
Improve the safety of the area including lighting	15.8%
More regular community events / attractions / free community events	12.4%
Better public transport / free CAT service	12.0%
Improve traffic management; e.g. reduce traffic / slow traffic / improve traffic flow, etc	11.6%
Plant more trees / suburban forest / more appropriate trees - street trees, shade, trim them regularly	10.8%
Less high rise/ limit the height to no more than 6-10 storeys / keep control of high-rise	10.3%
Support small business / commercial enterprises / encourage new / more diverse, etc	10.3%

A report from Research Solutions detailing the outcomes of the engagement can be found at **Attachment (b)** and the City's Engagement Overview Report is at **Attachment (c)**.

Stage Four: Final Strategic Community Plan presented to Council for adoption

All feedback from the draft 2021-2031 SCP stakeholder and community feedback period will be considered and reflected in the final SCP 2021-2031 accordingly. The revised draft will then be presented to Council for consideration and final adoption at the December 2021 Ordinary Council Meeting.

The adopted 2021-2031 SCP strategies will then be updated in the City's CBP 2020-2024, which is to be presented to Council in early 2022. These changes will also flow through to the applicable informing plans and reporting documents, including the quarterly progress reports and annual report.

Consultation

It is intended that the draft SCP Review Document at **Attachment (a)** be released for stakeholder and community feedback as per the recommendation in this report for a period of three weeks.

In order to maximise participation, the opportunity to provide feedback on the draft SCP will be communicated broadly, including online, on Council noticeboards and in the City's libraries.

Policy and Legislative Implications

Local Government Act 1995

Local Government (Administration) Regulations 1996

Financial Implications

The major review required an annual budget allocation to enable the appropriate level of community engagement required to satisfy meeting the advisory standards set out in the DLGSC's IPR Framework and Guidelines.

An amount of \$50,000 was included in the organisational planning 2020/21 budget to cover the major review requirements, specifically relating to consultants for various workshop facilitation, advertisement costs, printing costs and data analysis. It is envisioned that the bulk of the work will be completed in house therefore utilising existing salary budgets.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

- | | |
|-------------|---|
| 10.4.3 (a): | City of South Perth Draft Strategic Community Plan 2021 - 2031 Review |
| 10.4.3 (b): | Research Solutions Stakeholder Engagement Report Final - May 2021 |
| 10.4.3 (c): | SCP Review - Engagement Overview Report |

10.4.4 Appointment of Community Members to City of South Perth Committees

This Item was considering during 15.1 Matters for which the Meeting may be closed on page 66.

10.4.5 Appointment of Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-78829
Meeting Date:	26 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report is to appoint a deputy delegate to the Local Emergency Management Committee for Canning/South Perth

1021/210

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Carl Celedin

That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor Carl Celedin as the City's Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth for the period 18 October 2021 to 21 October 2023.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

At its Special Council meeting held Monday 18 October 2021, Council appointed Councillor Mary Choy as the City's delegate to the Local Emergency Management Committee (LEMC).

Following the Special Council meeting, Councillor Carl Celedin nominated for the position of deputy delegate for the LEMC.

Comment

Under section 38 of the *Emergency Management Act 2005*, a local government is required to establish a LEMC for the local government's district.

Appointment of Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth

The City of Canning and the City of South Perth share the management of the LEMC for its districts, which is co-chaired by two local government delegates and includes representation from organisations and agencies that play a key role in emergency management, namely Police, Fire and Emergency Services, Department for Communities, State Emergency Services and others.

Due to the nature of this Committee it is important to have representation from a City of South Perth delegate and deputy delegate.

Consultation

Nil.

Policy and Legislative Implications

Emergency Management Act 2005

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

10.4.5 (a): Terms of Reference - City of South Perth - Local Emergency Management Committee

11. APPLICATIONS FOR LEAVE OF ABSENCE

- Councillor Carl Celedin for the period 27 October 2021 to 15 November 2021 inclusive.

1021/211

MOTION TO APPROVE LEAVE OF ABSENCE APPLICATION AND COUNCIL DECISION

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Blake D'Souza

That Council approve the Leave of Absence application received from Councillor Carl Celedin for the period 27 October 2021 to 15 November 2021 inclusive.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 NOTICE OF MOTION - COUNCILLOR STEPHEN RUSSELL - IMPLEMENTATION OF PUBLICLY ACCESSIBLE 'PARKING CASH-IN-LIEU REGISTER' IN SUPPORT OF THE PARKING RESERVE

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-79089
Meeting Date:	26 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

Councillor Stephen Russell has submitted the following Notice of Motion.

Notice of Motion Recommendation

I move that the CEO:

1. Develop a vehicle parking cash-in-lieu register or other similar instrument that shall as a minimum detail the following for each applicable development:
 - a. The City's Development Application (DA) reference number,
 - b. Where applicable, the Development Assessment Panel's (DAP) file number,
 - c. The DA address,
 - d. The DA planning approval date,
 - e. Where applicable, the date that the cash-in-lieu of parking condition became active,
 - f. The parking shortfall number,
 - g. The cash-in-lieu funds,
 - h. Where funds have been expended, the details of the where, the how and the sum of the cash-in-lieu funds that were expended to satisfy the condition,
 - i. The sum of any additional City funds expended to support the cash-in-lieu funds.
2. The register noted in (1) shall be inclusive of all current and previous DA's, since the creation of the parking reserve, where a cash-in-lieu condition is or was applicable.
3. The register noted in (1) shall be visible to the public via the Development Applications webpage as a separate linked stand-alone webpage.

4. The period for the update of the register as noted in (1) shall be at the discretion of the City but shall not exceed 6 months.
5. Items (1), (2) and (3) shall be implemented by end of March 2022.

Reasons for the Motion:

As background, the latest parking cash-in-lieu provisions are outlined in Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 Part 9A “Provisions about car parking”. All cash-in-lieu funds should be held within the Parking Reserve.

The reasons for the motion are as follows:

1. In accordance with the 2021/2022 budget the Parking Reserve has an opening balance of \$249,916. This is considered a considerable sum of proceeds from developments and therefore the community should be able to understand its makeup via a parking cash-in-lieu register. Unfortunately, there is no single source register that the community can publicly refer to make this understanding.
2. It is considered that the community as a minimum would wish to understand for each applicable approved DA the elements as noted in item (1). Critical to the community’s understanding is the where, how & sum of the funds expended by the City to alleviate the parking shortfall per development. Only then can the community have a transparent method to ensure that the cash-in-lieu provision are being effectively used to genuinely alleviate parking demand.
3. It is considered a natural fit that this register be easily visible to the community via the City’s website within the “Development” section.
4. The requirement of the City to implement a Payment in Lieu of Parking Plan does not negate the requirement of this register, as this register is to specifically aid the public interest.

Comment

An officer’s report addressing the Notice of Motion will form part of the November Council Agenda Briefing Agenda to allow Councillors to make an informed decision.

Attachments

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Responses to questions from members taken on notice at the Ordinary Council Meeting held 28 September 2021 can be found in the **Appendix** of these Minutes.

13.2 QUESTIONS FROM MEMBERS

- Councillor Stephen Russell
- Councillor Mary Choy
- Councillor Glenn Cridland
- Councillor Blake D'Souza
- Councillor Carl Celedin

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

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

Nil.

15. MEETING CLOSED TO THE PUBLIC

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

1021/212

Officer Recommendation AND COUNCIL DECISION

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

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

- Item 10.4.4 Appointment of Community Members to City of South Perth Committees
- Item 15.1.1 Advertising Licence - Infrastructure (Telstra Smart City Payphones) within the road reserve of the City of South Perth

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

The meeting was closed to members of the public at 6.57pm.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Mayor Greg Milner, Councillors Carl Celedin, Mary Choy, Glenn Cridland, Ken Manolas, Stephen Russell and CEO Mike Bradford disclosed an Impartiality Interest in Item 10.4.4.

10.4.4 Appointment of Community Members to City of South Perth Committees

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-78749
Meeting Date:	26 October 2021
Author(s):	Mike Bradford, Chief Executive Officer
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Summary

This report seeks Council's endorsement of the recommended independent members for the City of South Perth Audit, Risk and Governance and Property Committees.

Alternative Motion

Moved: Councillor Ken Manolas

Seconded: Councillor Mary Choy

1. That Council endorses applicants one and two as the recommended independent Members for the Audit, Risk and Governance Committee as per **Confidential Attachment (a)** for the period 18 October 2021 to 21 October 2023 with reimbursement of expenses up to \$3,000 per annum per independent member.
2. That Council endorses the two recommended independent Members for the Property Committee as per **Confidential Attachment (b)** for the period 18 October 2021 to 21 October 2023 with reimbursement of expenses up to \$3,000 per annum per independent member.

Reasons for Change

Applicant number two has a proven track record of adding value to the Audit Risk and Governance Committee.

LOST (4/5)

For: Mayor Greg Milner and Councillors Blake D'Souza, Mary Choy, Ken Manolas

Against: Councillors André Brender-A-Brandis, Carl Celedin, Glenn Cridland, Jennifer Nevard, Stephen Russell.

During the debate, Councillor Stephen Russell foreshadowed the following motion.

1021/213

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell

Seconded: Councillor Carl Celedin

1. That Council endorses the two recommended independent Members for the Audit, Risk and Governance Committee as per **Confidential Attachment (a)** for the period 18 October 2021 to 21 October 2023 with reimbursement of expenses up to \$3,000 per annum per independent member.
2. That Council endorses the two recommended independent Members for the Property Committee as per **Confidential Attachment (b)** for the period 18 October 2021 to 21 October 2023 with reimbursement of expenses up to \$3,000 per annum per independent member.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

Background

In line with Local Government Elections, nominations were called for specialist independent members for the City's Audit, Risk and Governance and Property Committees. On 19 July 2021 a letter was posted to the current members of the Committees advising that their current membership was due to expire and encouraged them to reapply.

An advertisement calling for Expressions of Interest was placed in the Southern Gazette on 12 August 2021 and 19 August 2021 as well as the City's website and noticeboards.

Comment

At the close of nomination, six nominations were received for the Audit, Risk and Governance Committee and five nominations were received for the Property Committee.

The CEO and the Manager Governance shortlisted the nominations and the CEO, Tony Brown Executive Manager Governance & Organisational Services at WALGA and the Director Corporate Services interviewed the nominees for the Audit, Risk and Governance Committee.

The Audit, Risk and Governance Committee interviews focussed on the following:

- Senior business and/or financial management experience;
- Understanding of reporting and compliance requirements;
- Understanding of internal and external audit; and
- Understanding of enterprise risk management

Shortlisted candidates were interviewed and were scored as per the **Confidential Attachment (a)**. A full list of the applications can be found in **Confidential Attachment (c)**.

The Property Committee nominations were assessed against the following:

- Experience managing property portfolios;
- Experience in property acquisitions, dispositions and investments; and
- Understanding of Property Law

Confidential Attachment (b) contains the scoring matrix for the Property Committee nominations. A full list of the applications can be found in **Confidential Attachment (d)**.

It is therefore recommended that Council approve the nominees who achieved the highest scores as listed in **Confidential Attachment (a)** and **Confidential Attachment (b)** to the relevant Committee.

Consultation

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

The external members will be reimbursed for expenses up to \$3,000 per annum.

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:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance through quality decision-making

Attachments

- | | |
|-------------|--|
| 10.4.4 (a): | Audit, Risk & Governance Committee Evaluation Matrix
(Confidential) |
| 10.4.4 (b): | Property Committee Evaluation Matrix (Confidential) |
| 10.4.4 (c): | Audit Risk and Governance Committee Nominees (Confidential) |
| 10.4.4 (d): | Property Committee Nominations (Confidential) |

Councillors Blake D'Souza and Ken Manolas disclosed a Financial Interest in Item 15.1.1 and accordingly left the meeting at 7.23pm.

15.1.1 Advertising Licence - Infrastructure (Telstra Smart City Payphones) within the road reserve of the City of South Perth

*This item is considered **confidential** in accordance with section 5.23(2)(c) and (e)(ii) of the Local Government Act 1995 as it contains information relating to "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government"*

Location:	City of South Perth
Ward:	All
Applicant:	JCDecaux Street Furniture Pty Ltd
File Ref:	D-21-78755
Meeting Date:	26 October 2021
Author(s):	Bernadine Tucker, Manager Governance
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

1021/214

Officer Recommendation AND COUNCIL DECISION

Moved: Councillor Stephen Russell
Seconded: Councillor André Brender-A-Brandis

That Council approves the Officer Recommendation as contained within the body of this report.

CARRIED BY ABSOLUTE MAJORITY (7/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Jennifer Nevard, Stephen Russell.
Against: Nil.

Councillors Blake D'Souza and Ken Manolas returned to the meeting at 7.28pm.

1021/215

Officer Recommendation AND COUNCIL DECISION

Moved: André Brender-A-Brandis

Seconded: Councillor Carl Celedin

That the meeting be reopened to the public.

CARRIED (9/0)

For: Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Jennifer Nevard, Stephen Russell.

Against: Nil.

The meeting was reopened to the public at 7.29pm.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 7.29pm.

APPENDIX

6.1 Responses to previous public questions taken on notice: 28 September 2021

1. Ms Vicki Redden, South Perth Peninsula Action Group Received: 28 September 2021 (received at the meeting)	Responses provided by: Warren Giddens – Manager Strategic Planning
<i>[Preamble]</i> <i>At the Agenda Briefing last week Councillor Choy asked the question if there would be any damage done by deferring the Integrated Transport Plan tonight. From the response she received we understood Mr Giddens to say something along the lines of that it would not cause damage, nothing would change and all it would do is give people more time to read it.</i>	
1. Is this correct and are councillors of the opinion that nothing can be changed in the ITP?	The ITP provides a framework for endorsing adopted strategies. Its bi-annual monitoring will allow for further refinement as strategies require amendments. Hence, nothing of a significant nature would change as a result of deferment. The community submissions received on the ITP were holistically considered and addressed as part of the Plan's revision. The revised document therefore is reflective of community sentiment.

6.2 PUBLIC QUESTION TIME: 26 October 2021

1. Dr Sarah Schladow, 3/20 Garden Street, South Perth Received: 25 October 2021	Responses provided by: Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> At the Ordinary Council Meeting held 24 August 2021, Council resolved to defer: ‘consideration of transferring funds of \$1.02 million from the Community and Facilities Reserve to [RAF] budget (to a total budget of \$1.42 million), to complete Concept and Schematic design for the [RAF] until: a) The City submits a formal funding proposal to the State Government for the RAF as soon as practicable. b) A report is presented to Council by December 2021 on the progress of any funding commitments from the State Government and other parties’. (Minutes pp64ff) So it was surprising to see the City advertise last week for tenders for the provision of Recreation and Aquatic Facility Project Management (West Australian, Sat 23 Oct 2021)	
1. Residents have understood that, if the requisite State Government funding was not forthcoming, the RAF may well not proceed. Residents have also understood that \$400,000 was allotted to preparatory work (incl preparation of tender documentation) in 20/21 budget. But as it is still a relatively moot point as to whether the RAF is going ahead or not why is the City not a bit more circumspect. You don’t have to spend the money that is in the budget if it is not determined that it is going ahead. So why has the City not waited for State Government to acknowledge and approve its funding before spending any further part of ratepayers’ funds & staff time on this process?	The City has a contract in place for RAF project management services. A new procurement process is required to ensure compliance with our Procurement Policy. Council has approved work that requires project management support, including the formal funding proposal to the State and the request for information process for a Naming Rights partner. The project management tender is a schedule of rates contract which means that any work carried out under that contract is in accordance with existing approvals and budgets and dependent on existing and future decisions of Council regarding funding the RAF.

2. Has anyone in administration been given any mandate - or, at least, been led to assume - by any Councillor/s that the RAF will proceed, even if no State funding grant is approved?	No. The decision to proceed or not to proceed with the RAF will be made by the Council.
<i>[Preamble]</i> An issue with the business case because ratepayers and residents don't seem to have been provided with particularly 'useful'/relevant/transparent information on potential future public costs associated with the RAF which does not seem to provide best and worst case scenarios of income and funding. Our concerns refer specifically to the following, particularly should the RAF not make the projected profits: • the effect of RAF on future rates -the potential additional cost in rates if it does not make the projected profits either with State funding grant and or without such grant. • the potential cost for ratepayers and residents to attend and use the RAF. A lot of people are saying our rates are paying for it and seem to be under the impression it will be free for ratepayers, or at a very nominal cost.	
3. So can you please provide the information on the additional costs in rates with the State funding grant or without the State funding grant and also the potential cost for rate payers and residents to attend the RAF and also where can such information be found as part of the revenue projections and shortfalls, please? Because they are not obvious in the business case.	There is no information available because the business case demonstrates the RAF will make a profit. If the business case forecast otherwise then the project would not be recommended to Council for approval. These matters are still being determined by the City in regard to use of the RAF by ratepayers however it is not expected that it will be free for ratepayers. Ultimately that will be a decision of Council.

2. Mrs Cecilia Brooke, 8/20 Garden Street, South Perth Received: 25 October 2021	Responses provided by: Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> At the Ordinary Council Meeting of 24 August of this year Council determined to defer consideration of transferring additional funding from the Community and Facilities Reserve to the Recreation and Aquatic Facility budget to complete Concept and Schematic design for the Recreation and Aquatic Facility until: - The City submits a formal funding proposal to the State Government for the RAF as soon as practicable. - A report is presented to Council by December 2021 on the progress of any funding commitments from the State Government and other parties.	
1. Why then would the City be placing an advertisement in the Local Government Tenders section of the West Australian on Saturday 24 October titled “Provision of Recreation and Aquatic Facility Project Management,” before the outcome of these actions and the determination of Council on this item in December.	The City has a contract in place for RAF project management services. A new procurement process is required to ensure compliance with our Procurement Policy. Council has approved work that requires project management support, including the formal funding proposal to the State and the request for information process for a Naming Rights partner. The project management tender is a schedule of rates contract which means that any work carried out under that contract is in accordance with existing approvals and budgets and dependent on existing and future decisions of Council regarding funding the RAF.
2. Is this advertisement pre-empting any decision of Council?	No.
3. And were the Mayor and Councillors made aware of the City’s intention to advertise for this consultancy?	Yes, at a Councillor Concept Briefing.

13.1 QUESTIONS FROM MEMBERS Taken on notice OCM 28 September 2021

Councillor Stephen Russell	Responses to question provided by: Vicki Lummer – Director Development and Community Services
1. Is it fair to say then that there is no auditable mechanism to track a cash in lieu to a development and the carpark shortfall for such?	Cash in lieu payments are trackable through the DA approval. So that if it is a condition of approval then it would be trackable in that manner and then of course if the actual development is constructed then you could assume that the cash in lieu payment has been paid. So it is trackable and publicly trackable in terms of those items.

Councillor Glenn Cridland	Response to question 1 provided by: CEO - Mike Bradford Response to question 2 provided by: Fiona Mullen – Manager Development Services
<i>I am advised, or told rather by the neighbours that the City has said that the derelict properties are owned by foreign nationals in Asia and that for COVID 19 reasons they are unable to come and clean up their properties or demolish them. I was not obviously present for any of these conversations.</i> <i>CEO Mike Bradford: Could I just clarify Councillor Cridland that you are referring to two properties, 167 and 170 are we dealing with two properties or one?</i> <i>Director Development and Community Services Vicki Lummer: We are dealing with two properties, but they are not in the same ownership is my understanding.</i> <i>Councillor Glenn Cridland: To assist, the neighbours told me that they were told one was Singaporean and one was Malaysian owned</i>	
1. Has the City received any correspondence from the Federal member Steve Irons about the matter?	The City has not received any correspondence.
<i>I might move on from Roberts Street to another derelict property to the one in Thelma Street. I understand that there has been a petition of a form which has been sent through to the City.</i>	
2. Are you aware of that?	I can confirm that the City has not received a petition in relation to the derelict property in Thelma Street.

13.2 QUESTIONS FROM MEMBERS OCM 26 October 2021

Councillor Stephen Russell	Response to questions 1 and 2 provided by: Fiona Mullen – Manager Development Services Responses to questions 3,4,5,6,7 and 8 provided by: Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> My question relates to the demolition application of Memorial Church of Saint Martin in the Field and Durbridge Hall located at 50 Dyson Street Kensington.	
1. Could the City please advise why the City did not bring this application to Council for determination as I would have thought that the significant community response to this application would meet the exception conditions of point 2 (d) and point 5 of delegation DC690 Town Planning Scheme 6?	<i>Fiona Mullen – Manager Development Services:</i> The application is yet to be determined. It is likely to be brought to Council in December. <i>Councillor Stephen Russell:</i> No. I think the application was rejected for demolition, it goes to that application. <i>Fiona Mullen – Manager Development Services:</i> So you are asking about the application for the demolition of the church? <i>Councillor Stephen Russell:</i> Yes <i>Fiona Mullen – Manager Development Services:</i> That has not yet been determined.
2. As a follow on question, could the City advise if a decision to or otherwise reclassify the heritage listing of St. Martin in the field from B to C will come before Council for determination?	That will come to Council in December.

[Preamble]

With regards to Djirda Miya (Black Swan Habitat) could the City please advise the following:

3. What parts of the asset, both wholly of or a component of, does the DBCA currently have ownership of? Specifically does the DBCA currently have full ownership of the island and the waters between the island and the foreshore?	<i>Under the Swan and Canning Rivers Management Act (2006)</i> , the Swan River Trust (SRT) is vested with the care, control and management of the River Reserve, which includes the island and the waters in between. Because the SRT is an advisory body, it is supported by the Department of Biodiversity, Conservation and Attractions (DBCA) for operational and management responsibilities.
4. Is the DBCA currently responsible for the maintenance, in both fiscal and execution terms, insurances and other operating costs of their ownership component of the habitat?	Yes.
5. Is it correct that the City's boundary does not currently encompass the island and therefore the City is not currently responsible for its operating costs?	Yes that is correct.
6. If the DBCA were to gift their ownership component to the City would the acceptance of such a gift require Council approval? If Council approval is not required for the gifting, please clarify the mechanism, both consensual and non-consensual, which would result in the City taking ownership of the DBCA's component?	The DBCA is unable to transfer ownership of the island to the City, however they could consensually lease it.
7. Who could consensually lease it to us?	The DBCA.
8. If there were mechanisms that allowed the transfer of DBCA ownership to the City without Council approval, which I believe is not the case now. Would the City still unilaterally take on this ownership without Council consent?	The approvals required to support such an agreement would depend on the nature of the agreement.

Councillor Mary Choy	Response to question 1 provided by: CEO Mike Bradford and Mark Taylor – Director Infrastructure Services Response to question 2 provided by Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> I understand from Mill Point ward residents, mainly in the Peninsula precinct area but also the Hurlingham precinct that hooning is still an issue	
1. Is the City administration in a position to provide Council with any updates in respect of this please?	<i>CEO Mike Bradford:</i> Over the last 12 months the City has had reports of hooning at various points in time and has worked with the local community in terms of the local Police and others to look at what can be done. It would seem that in recent weeks we have seen more reports of hooning. We continue to work with stakeholders in the area, particularly the Police as it is largely a Police matter and the City is having some discussions around what other measures we can do in terms of the responsibilities we have and I will ask Director Taylor to address those specifically. <i>Mark Taylor – Director Infrastructure Services:</i> The other point I will make on that is that we have been in discussions with our local member too regarding that. We have had an opportunity to meet with our local member at another event and we were able to raise this with him. He is fully aware of what is going because he has been lobbied by constituents as well. The City is looking at a number of possibilities for trying to address this issue. It is not easy to do. Obviously we have some residents who are quite upset about this and understandably so. However as Mr Bradford has pointed out, a lot of this is to do with the Police. I personally have noticed that the Police have been down there in the last week or so, pulling over cars that have been exiting the freeway at the Mill Point exit, talking to them and then proceeding to the carpark. I just happened to be down there that night and noticed that. Obviously there has been some response from Police in regard to that.

	So, the City is looking at a number of options that we can potentially implement. We do not want to be too draconian about this because this will also impact on residents trying to do their normal business. However we are not really in a position to outline too much yet. We will soon, as obviously there will be budget implications.
2. Just wondering if Council could receive an update on the parking management system and where we are at with that please?	We are working with the parking provider to work a solution whereby Council will be able to benefit ratepayers with parking. It is not an easy solution but it is one that we are told is feasible. We will be having another meeting soon to work this out then we will be briefing Council on the outcome.

Councillor Glenn Cridland	Response to question 1 provided by: Bernadine Tucker – Manager Governance Response to question 2 provided by: Fiona Mullen – Manager Development Services and CEO Mike Bradford Response to question 3 provided by: CEO Mike Bradford Response to question 4 provided by: Fiona Mullen – Manager Development Services Response to question 5 provided by: Fiona Mullen – Manager Development Services Response to question 6 provided by Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> <i>My question relates to the petition tonight which is 8.1.1, which was a petition received from Mr Nick Barry of 168B Lockhart Street. It was a little bit difficult to understand what the petition was about and I have not seen it because it refers to demolition of property 170, 167 and 169.</i>	
1. Does that petition relate to those Robert Street derelict properties that I have been bringing up in Council the last four meetings?	We think it is but I can try and get some more information for you Councillor in relation that.
2. In respect to those Robert Street properties, I did have a brief chat with the CEO a couple of weeks ago. I was wondering, whether or not notices had been issued to the owners of those Robert Street properties requiring them to demolish or clean up the properties yet and if they had been issued, are they demolition notices or clean up notices?	<i>Fiona Mullen – Manager Development Services:</i> Notices are actually due to be issued tomorrow on one property in Robert Street. These are in effect, securing the property and cleaning the property but not demolition orders. <i>CEO Mike Bradford:</i> Just in terms of the other properties that are the subject of that petition, the property at 167 is the one we are referring to, we were discussing. There is the neighbouring property and then there is another property which is actually a block of flats that is occupied. So it is not clear what the petition is actually referring to.

	<i>Fiona Mullen – Manager Development Services:</i> My apologies, it is actually 170 Robert Street that the notices have been issued for.
3. Given that there are two derelict properties which have broken windows and doors and are unoccupied and with rubbish thrown around and graffiti over them. Why only issue a notice on one property and not on the other?	My understanding is that one property we were well aware of the conditions and the second property has deteriorated in more recent times. We will be using the template we have developed for the first to deal with the second.
4. How long do they have to remedy the situation?	They have 30 days in which to remedy the situation and if action is not taken in that time then the City can then take action.
5. Has the demolition notice or application been put in for 68 Thelma Street?	A demolition permit has been issued in regard to the Thelma Street property.
<i>[Preamble]</i> <i>The corner of Hensman and Sandgate Street which is quite close to us here, is next to the Como Bowls Club. Not occupied at the moment by any particular sports facility.</i>	
6. Has there been any consideration by the City or any contact with residents in relation to creating an enclosed dog exercise area and whether it is similar to Olives Reserve or something else?	Taken on Notice.

Councillor Blake D'Souza	Response provided by: Mark Taylor – Director Infrastructure Services
<i>[Preamble]</i> <i>The Council owned verges along Manning Road especially between Elderfield Avenue and Welwyn Avenue are looking quite unkempt.</i>	
1. When was the last time these were maintained and is there any plans for the City to conduct upkeep on those in the near term?	We received a letter today from Linda Deutsch which noted similar comments. It is a bit early for me to provide a response. I need to meet with Mr Atwell about that to respond to you appropriately. However we do maintain those verges and I do note we have had a wet winter with periods of sun and then more rain so it has been a little bit difficult to maintain these verges. I will take it on notice and provide a response.

Councillor Stephen Russell	Response to question 1 provided by: Fiona Mullen – Manager Development Services Response to question 2 and 3 provided by: Bernadine Tucker – Manager Governance
<i>[Preamble]</i> <i>This question to relates to a City response to my question last month in regards to policy P350.05 which is trees on development sights and street verges where the City stated and I quote “the city does not have a tree cash in lieu register to support the policy. While the objective of this clause is sound, planners consider it more appropriate and productive to work with owners and developers to plant trees within the boundary of their sites.</i>	
1. Could the City please explain what mandate they have to prioritise its method over a Council approved policy which endeavours to preserve existing stock of large trees?	Taken on notice.
2. Could the City please provide an update on the status of the proposed verge trees swing policy?	That was put through as part of the local law amendment and that was adopted by Council and then it went through and it has been gazetted. So that is currently in place.
3. I understood that was to be supported by policy as a way for residents to understand how they were to register to street tree swing. Is there no plan to have a policy then?	My apologies there is a policy in development and I have been working closely with Mr Atwell in the infrastructure directorate in relation to that.

Councillor Carl Celedin	Response provided by: Mark Taylor – Director Infrastructure Services
1. Just curious on an update on the Rivers Regional Council, specifically what has been achieved in the past 2 years, and an update on where we are with the State Government and the rejection of our waste management plan?	I can provide a brief summary tonight because it is a long period of time that you have asked for. We had our most recent meeting last week at the Shire of Serpentine-Jarrahdale and there is one more meeting to go which will be at our fair City. The last meeting of the Council is scheduled for later this year and then it will transition to a regional subsidiary as per the agreed plan. In terms of working with the State Government, myself and two officers from the Infrastructure Services met with representatives of DWER last week. We had quite a candid discussion about transitioning to the new State strategy of FOGO. There is still a fair bit of work to do on that because obviously the City has entered into long term contracts with a provider to the waste to energy facility. I thought DWER were quite open to our concerns and discussions about potential transitions to FOGO if necessary. However these are early stages and will require quite a bit more discussion with the State. Obviously the City's position is that we have to honour our contracts and our contracts are for 10 years, so breaking a contract will come at a cost to the City and ratepayers so we need to be very clear on that with the State. So there is a bit more work to do on that.

Councillor Mary Choy	Response provided by: Bernadine Tucker – Manager Governance
<i>[Preamble]</i> <i>Following on from Councillor Cridland's question on the enclosed dog park in the City. I understand from my previous discussions on this with City officers, on behalf of residents who have also raised such a request for such an area in the City, that a review of dog exercise areas was going to be undertaken this year.</i>	
1. I was just wondering if this is still the case?	Yes we still intend to conduct the review. There is a lot of work that goes into the pre-review process in relation to that because then it needs to go out to the community for consultation. So, there is a significant amount of work involved in reviewing all the City's dog parks and what is appropriate and what might need changing but that is intended to be undertaken or started this year.

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These Minutes were confirmed at the Ordinary Council Meeting held: Tuesday 23 November
2021

Signed _____ / /2021
Presiding Member at the meeting at which the Minutes were confirmed