

AGENDA.

Council Agenda Briefing

3 December 2024

Notice of Meeting

Mayor and Councillors

The next Council Agenda Briefing of the City of South Perth Council will be held on Tuesday 3 December 2024 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth commencing at 6.00pm.



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

29 November 2024

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.

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	5
2.	DISCLAIMER	5
3.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	5
4.	ATTENDANCE	5
	4.1 APOLOGIES	5
	4.2 APPROVED LEAVE OF ABSENCE	5
5.	DECLARATIONS OF INTEREST	5
6.	PUBLIC QUESTION TIME	5
7.	CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS	5
8.	PRESENTATIONS	5
	8.1 PETITIONS	5
	8.2 GIFTS / AWARDS PRESENTED TO COUNCIL	5
	8.3 DEPUTATIONS	5
9.	METHOD OF DEALING WITH AGENDA BUSINESS	5
10.	DRAFT REPORTS	6
	10.1 STRATEGIC DIRECTION 1: COMMUNITY	6
	10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan	6
	10.1.2 RFT 11/2024 - Provision of Minor Building Works	16
	10.1.3 Response to Notice of Motion - Public Art at the South Perth Foreshore	20
	10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)	30
	10.3.1 Local Heritage Survey Review	30
	10.3.2 Major Land Transaction - Collier Park Golf Course Submissions	52
	10.3.3 South Perth Activity Centre Plan - Community Benefit Contribution Framework Annual Review	57
	10.3.4 Proposed Six Multiple Dwellings - Lot 1 & 2 (No's. 32A & 32B) Thelma Street, Como	60
	10.3.5 Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 45, No. 197 Douglas Avenue, Kensington	69
	10.3.6 Response to Notice of Motion - Draft Payment In Lieu of Parking Plan	76
	10.3.7 Revocation of Local Planning Policy P350.09 - Significant Views	83

10.4 STRATEGIC DIRECTION 4: LEADERSHIP	87
10.4.1 City of South Perth Annual Report 2023/24	87
10.4.2 Proposed City of South Perth Dogs Local Law 2025	90
10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS	95
10.5.1 2023/24 Annual Financial Statements (External) Audit Information Systems Report	95
10.5.2 2023/24 City of South Perth Annual Financial Report	98
10.5.3 Quarterly Activity Report	101
10.5.4 Audit Register Progress Report - 1st Quarter Update	106
10.5.5 Policy Review - Infrastructure Services	109
11. APPLICATIONS FOR LEAVE OF ABSENCE	114
12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	114
13. QUESTIONS FROM MEMBERS	114
14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	114
15. MEETING CLOSED TO THE PUBLIC	114
16. CLOSURE	114

Council Agenda Briefing Meeting - Agenda

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. DISCLAIMER

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

4. ATTENDANCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

- Councillor Blake D'Souza for the period 1 December 2024 to 9 December 2024, inclusive.
- Councillor Glenn Cridland for the period 27 November 2024 to 13 December 2024, inclusive.

5. DECLARATIONS OF INTEREST

6. PUBLIC QUESTION TIME

This item will be dealt with at the Ordinary Council Meeting.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

This item will be dealt with at the Ordinary Council Meeting.

8. PRESENTATIONS

8.1 PETITIONS

This item will be dealt with at the Ordinary Council Meeting.

8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

This item will be dealt with at the Ordinary Council Meeting.

8.3 DEPUTATIONS

9. METHOD OF DEALING WITH AGENDA BUSINESS

This item will be dealt with at the Ordinary Council Meeting.

10. DRAFT REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

File Ref: D-24-44133
Author(s): Donna Shaw, Director Development and Community Services
Anita Amprimo, Director Infrastructure Services
Reporting Officer(s): Mike Bradford, Chief Executive Officer

Summary

The purpose of this report is to seek Council endorsement to progress two priority community recreation infrastructure projects. Specifically, these are investigating the development of indoor multi-sports courts at George Burnett Park and a full options assessment for Challenger Reserve.

Officer Recommendation

That Council requests the Chief Executive Officer to:

1. Investigate development of indoor multi-sports courts at George Burnett Park; and
2. Develop a full options assessment for Challenger Reserve which will include at least the following options:
 - (i) Maintain the existing facilities for existing users;
 - (ii) Enhance the existing facilities for existing users where there is currently, or in the near future, under capacity;
 - (iii) Replace the existing facilities with comparable, or enhanced (where there is higher future demand), facilities broadly consistent with the current site configuration; and
 - (iv) Co-located facilities to include existing and other potential users.

Background

The City recognises the need to provide contemporary community infrastructure to achieve the vision of creating an inclusive, safe, connected and engaged community, and has been reviewing demand for community infrastructure across the district.

In mid-2024, an ePetition was submitted to the Legislative Assembly seeking support for a 12-court indoor sporting and mixed-use community facility at a portion of 3 Baron Hay Court, Kensington (owned by the State Government), home to, and run by, Perth Basketball Association. The City had no objection to this proposal, and recognised that the only site that may be suitable for the development of indoor courts under the care and control of the City would likely be George Burnett Park.

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

At its meeting held 23 July 2024, Council resolved to recognise the chronic shortfall of indoor sporting facilities within the district and welcomed the support of the State Government and Federal Government to meet this urgent community need. The City wrote to the relevant Ministers providing the State Government with information relating to the shortfall of indoor sporting facilities within the district and signalling Council's support for a 12-court indoor sporting and mixed use community facility that will benefit the community of the City of South Perth.

On 8 November 2024, the State Government announced a \$2m investment to commence planning for a new indoor sporting facility in Perth's inner southern suburbs. The funding will go towards assessing various locations and design options for the facility, including the number of courts and other complementary features.

On 10 November 2024, the City of South Perth Residents Association Incorporated (COSPPRA) wrote to the City advising that COSPPRA had undertaken advocacy for indoor sporting facilities with the Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development.

With respect to strategic direction, the Community Recreation Facilities Plan 2019-2033 (CRFP) provides a framework that guides the planning, construction, maintenance, and operation of community recreation infrastructure essential to deliver the City's vision. The CRFP recommended the development of masterplans for both Challenger Reserve and the George Burnett Recreation Precinct. A masterplan is an over-arching, long term document to assist in the management of an area, often with a 10+ year timeframe.

Masterplans were developed for both George Burnett Recreation Precinct and Challenger Reserve. Ultimately these were not presented to Council for adoption as their development and concepts predated the Recreation and Aquatic Facility (RAF) project. The two masterplans would have needed to be modified to take account of the RAF if it had gone ahead. However, feedback from the community consultation and other work undertaken is still a relevant consideration in progressing development of these two sites.

The following details the preparation and recommended implementation contained in the draft Challenger Reserve and George Burnett Recreation Precinct Masterplans.

Challenger Reserve Masterplan (2022)

Challenger Reserve, which adjoins Sandon Park, is currently home to tennis, bowls and soccer clubs. It has a playground and cricket wicket and is also used by local residents for informal recreation purposes.

The CRFP recommended developing a masterplan to investigate co-location and amalgamation of facilities to incorporate:

- Critical upgrade of sports oval floodlights at Challenger Reserve;
- Demolition of Challenger Pavilion;
- Installation of synthetic cricket pitch and associated works to enable a relocation of South Perth Junior Cricket Club from Victoria Park to Challenger Reserve; and
- Redevelopment of multi-purpose community building to accommodate exclusive use and shared spaces for Manning Bowling Club, South Perth United Football Club, Manning Tennis Club and South Perth Junior Cricket Club.

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

Following stakeholder and community engagement in early 2020, the Challenger Reserve Masterplan was drafted and included both higher priority essential and lower priority staged discretionary works. Implementation of higher priority items was recommended to occur progressively over 20 years, which was estimated at approximately \$9.9m (as at 2022). A new multi-purpose sports facility was intended to be delivered by 2029. A copy of the Challenger Reserve Masterplan and Indicative Implementation Plan are contained as **Attachment (a)** and **Attachment (b)** respectively.

The City has since installed some sports oval floodlights and a synthetic cricket pitch at Challenger Reserve; and resurfaced the courts and installed new lighting at the Manning Tennis Club. Additionally, the City is planning to install additional sports oval floodlights at Challenger Reserve to complete the lighting upgrade project (scheduled in 2024/25); and convert one or more of the grass bowling greens to synthetic greens (future project subject to funding).

George Burnett Recreation Precinct Masterplan (2020)

George Burnett Leisure Centre is the City's only indoor leisure facility. Located at George Burnett Park in Karawara, it comprises a single sports hall (used for pickleball, basketball, badminton, indoor soccer and volleyball); two seminar rooms; meeting rooms; and a commercial kitchen. Behind the Centre is the park with a playground, barbecues, an outdoor skate park, and playing fields used by touch football, rugby league and cricket clubs.

The CRFP recommended developing a masterplan to investigate co-location and amalgamation of facilities to incorporate:

- Upgrade or repurpose of George Burnett Leisure Centre;
- Demolition of the former Manning Library building;
- Upgrade of George Burnett Pavilion to accommodate South Perth Rugby League Club, Southern Districts Touch Association and South Perth Cricket Club;
- Installation of a new synthetic cricket pitch at George Burnett Oval; and
- Removal of boundary fence at George Burnett Oval to enable greater use of space at the reserve if supported by the rugby league and touch football clubs.

The City has since commenced development of the Manning Bike Track, which is anticipated to be completed in late 2024.

The following design/works have also occurred that were not included in the masterplan following separate decisions of Council and available grant funding:

- Designs for the George Burnett Park All Genders Changerooms and Sportslighting Project;
- Refurbishment of the former Manning Library site on Manning Road for use as a new Community Centre and Dôme Café; and
- As part of the Canning Bridge to Curtin University Bike Link project, installation of a shared path for walking and riding will run parallel to Manning Road, from Goss Avenue to Gillon Street, where it joins the existing on-road bike lane on Walanna Drive.

A copy of the George Burnett Recreation Precinct Masterplan is contained as **Attachment (c)**.

Comment

Proposed Priority Community Infrastructure Projects

The Parks and Leisure Australia WA (PLAWA) ‘Western Australia Guidelines for Community Infrastructure’ (July 2020) publication provides recommendations for the rate of provision and means of considering future community facility needs.

The Guidelines highlight the extent of community infrastructure provision required within a developed or developing urban area and state “it is essential that opportunities to co-locate facilities or provide for shared use of infrastructure are explored.”

PLAWA advocates for the provision of community facilities that are determined across multiple criteria analysis for meeting economic, social and environmental objectives and achieve long-term flexibility and viability outcomes. The guidelines cover most community facilities and offer a population range at which point the need for a community facility is triggered. Duplication of provision or the development of facilities that can only be used for a single purpose with restricted access is not generally supported.

Notwithstanding the above, the City recognises the need to thoroughly consider and evaluate all the options for meeting club needs to enable informed decision making.

In accordance with demand based on industry guidelines, the City has determined the following as the two highest priority community infrastructure projects.

Project	Category	Detail	Proposal
Indoor multi-sports courts at George Burnett Park	Leisure Centre	Despite significant demand, the City does not have an indoor multi-sports courts facility. With only one indoor court available, the current offerings at George Burnett Leisure Centre are undersized, outdated and not fit-for-purpose.	Investigate development of indoor multi-sports courts at George Burnett Park.
New sports pavilion(s) at Challenger Reserve	Sports Spaces Sports Pavilions	There are separate buildings for the clubs using Challenger Reserve which will require renewal or some form of replacement.	Undertake detailed options assessment for renewal, upgrade or replacement of existing facilities.

Indoor Multi-Sports Courts – George Burnett Recreation Precinct

Proposal

The City seeks to investigate whether indoor multi-sports courts can be developed at George Burnett Park.

Specifically, the project would involve:

- Completing a Contaminated Site Investigation at George Burnett Park (as further detailed below).

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

- Identify potential sites at George Burnett Park that could accommodate redevelopment based on the findings of the Contaminated Site Investigation.
- Liaising with existing and potential users of the facility to determine existing and future needs, including space and storage requirements, display of memorabilia and management models.
- Develop a Business Case for indoor multi-sports courts facility.
- Contract Consultancy Services to develop Concept Plan.
- Entering into agreements with users of the facility prior to detailed design of multi-sports indoor courts.
- Contract Consultancy Services to develop detailed designs and contract documentation.
- Seek funding for multi-sports indoor courts facility.
- Build multi-sports indoor courts facility.

It is noted that many of the above actions would not proceed if the Contaminated Site Investigation determines that there is no suitable site for the development of multi-sports indoor courts.

Council approval would be required for various stages of the project, including the business case, concept and detailed design, funding and construction.

Site Assessment

The site was previously used as a landfill site and may be subject to contamination. Contamination can be present in the soil, groundwater and/or surface water of a site and may be present in the solid, liquid or gaseous phases (e.g. soil or groundwater contamination giving rise to contaminant vapours in soil pore spaces). Where substances are present at above background concentrations, further assessment of those substances is required to assess the risk of harm to human health, the environment and environmental values.

The assessment of site contamination would be in accordance with the requirements of the *Contaminated Sites Act 2003*. Action is required to assess contamination at sites classified as possibly contaminated – investigation required and to remediate or manage contamination at sites classified as contaminated – remediation required. In some circumstances, action may be required for sites classified contaminated – restricted use and remediated for restricted use. The City needs to determine the future land use (i.e. use for passive or active open space or for buildings) to determine the level of assessment and remediation, if required.

A preliminary site investigation (PSI) consists of a desktop study, a detailed site inspection and interviews with relevant personnel. A PSI may also include limited sampling and analysis, which is used to develop an initial conception site model. If contamination or sources of contamination (potential areas of concern) are identified, further detailed site investigation is necessary.

Following the PSI, the City may be in a position to determine whether indoor courts can be developed and proceed to concept designs and engagement with relevant stakeholders.

Options Assessment at Challenger Reserve

Proposal

The options assessment for Challenger Reserve would consider as a minimum:

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

- “Do nothing” as the baseline option (the minimal intervention to keep the facilities functioning and safe);
- Upgrade of existing facilities to improve the capacity to meet current and future demand;
- Replacement of existing facilities with a comparable configuration (single user facilities); and
- Replacement with one or more facilities to accommodate multiple users. Details of the advantages and disadvantages to co-location would be included in the options assessment.

Existing Facilities - Condition Rating

Condition rating is measured using a 1 to 5 rating scale. This scale ranges from 1, indicating very good condition, to 5, indicating very poor condition. A componentised condition assessment is conducted for each building, applying the 1 to 5 scale to each building component. This process results in an overall condition rating for each building.

The following table details the current condition rating and replacement value of buildings within the Challenger Reserve precinct.

User	Facility	Condition Rating	Replacement Value
Manning Bowling Club	Manning Memorial Bowling Club	3 (Fair – increasing defects with significant maintenance required)	\$3,181,360
Manning Bowling Club	Manning Bowling Green Keeper Workshop	1 (Very Good - new or like new, only planned maintenance required)	\$80,080
South Perth United Football Club	Challenger Pavilion	3 (Fair – increasing defects with significant maintenance required)	\$3,000,000
Manning Tennis Club	Manning Tennis Club Pavilion	2 (Good – some planned maintenance required)	\$1,500,000
Total			\$7,761,440

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

The total replacement value for these four buildings is approximately \$7.8m and based on the Long-Term Financial model, will require expenditure of \$3.8m over the next 10 years. This equates to approximately 49% of the replacement value of all four buildings. Given this context it is considered a prudent investment to investigate the replacement options further.

Replacement with Comparable Facilities

Specifically, the project would involve:

- Liaising with existing and potential users of the facilities to determine existing and future needs, including space and storage requirements, display of memorabilia and management models.
- Entering into agreements with users of the facilities.
- Develop a Business Plan for the new facilities.
- Contract Consultancy Services to develop concept and detailed construction designs (including undertaking community and stakeholder engagement).
- Seek external funding.
- Build new pavilions.

Council approval would be required for various stages of the project, including the business case, concept and detailed design, funding and construction.

Replacement with Co-Located Facility

Develop of a new multi-sports pavilion at Challenger Reserve would replace the existing soccer club pavilion and bowling club buildings. The size and siting of the new pavilion would be determined following consultation with existing and potential users of the facility.

Specifically, the project would involve:

- Liaising with existing and potential users of the facility to determine existing and future needs, including space and storage requirements, display of memorabilia and management models.
- Entering into agreements with users of the facility prior to detailed design of the new multi-purpose pavilion.
- Determine whether it is appropriate to include the tennis club building given its appropriate siting adjacent to the tennis courts, and the higher building condition rating (the City intends to seek updated feedback from the tennis club to inform future planning).
- Develop a Business Plan for a new multi-purpose pavilion.
- Contract Consultancy Services to review Concept Plan and develop detailed Building Designs (including undertaking community and stakeholder engagement)
- Seek funding for a new multi-purpose pavilion.
- Build a new multi-purpose pavilion.

Council approval would be required for various stages of the project, including the business case, concept and detailed design, funding and construction.

10.1.1 Major Community Recreation Infrastructure Projects - Challenger Reserve Masterplan and George Burnett Masterplan

Consolidation of some or all the buildings presents an opportunity to rationalise asset management. In addition to the above, the Challenger Reserve Concept Plan made potential provision for the South Perth Bridge Club within the proposed new multi-purpose facility. The South Perth Bridge Club is currently located in a building at 2 Brittain Street, Como, with a condition rating of 3 and replacement value of \$1.5m. The land is owned in freehold by the City, with relocation of the Club to the Challenger Reserve precinct presenting an opportunity to dispose of this asset.

Users and Lease Agreements

The following outlines the existing users, facilities and agreements at Challenger Reserve.

User	Members	Club Tenure Agreement
Manning Bowling Club	~760	Lease agreement that expires 1 August 2041
South Perth United Football Club	~460	Lease agreement that expires 1 September 2025 (plus a further 1 x 5 year renewal term)
Manning Tennis Club	~200	Lease agreement that expires 31 May 2025
South Perth Junior Cricket Club	~630	Annual seasonal permit arrangement

The City would engage with all existing and identified potential users are part of the options assessment and when formulating the concept plan to inform the future design of the building(s), to ensure spaces are fit for purpose and user needs are met as far as reasonably practicable.

Funding Sources

For projects to be considered eligible (and prioritised) for funding support through the State and Federal Governments, co-location is the preferred model. This is re-enforced in State Sporting Association plans and State Government strategic directions and funding opportunities.

There are three main entities that currently support the provision of community recreation facilities through their funding programs, namely:

- State Government – e.g. Department of Local Government, Sport and Cultural Industries;
- Federal Government – e.g. Department of Health and Aged Care; and
- Lotterywest.

The City would attempt to attract as much external funding as possible for the projects.

Business Cases

If Council provides endorsement for the City to progress further planning and/or investigations for the two community recreation infrastructure proposals, the City intends to oversee the development of respective business cases. The business cases would comprise the relevant information to assist with future decision-making on the proposals, such as: objectives, definition/scope, benefits, risks, costs, funding sources etc; and would be presented to Council for approval.

Consultation

An Elected Member Workshop was held on 26 November 2024 to discuss the proposed projects.

Future engagement on the projects will be focused on understanding community aspirations and stakeholder needs and where relevant for each project, include:

- External consultation with local sporting and community groups that lease a City community recreation facility;
- External consultation with relevant State Sporting Associations;
- Consultation with State and Federal Members of Parliament for funding advocacy;
- Consultation with the Department of Local Government, Sport and Cultural Industries and funding agencies; and
- Elected Member Workshops and updates via the bulletin as and when required.

Financial Implications

The City has estimated that \$88m expenditure is required over the next 10 years to maintain the desired levels of service required for existing buildings and sports spaces (\$66m on buildings and \$22m on sports spaces). The City's Long-Term Financial Plan (LTFP) has projected the 10-year expenditure on buildings at \$61.4m, which is less than the \$66m expenditure provided in the LTFP to maintain the service levels.

The LTFP makes little to no allowance for new facilities, rather, the \$61.4m provision is for capital expenditure (mainly renewals and limited upgrades only). The City has estimated that an additional approximately \$55m is required for new facilities (such as indoor multi-sports courts, implementation of various community recreation facility masterplans and other related projects).

With the exception of the \$5.5m provided by the Federal Government for sports lighting and all gender changeroom projects, no allowance is made in the LTFP for new facilities. Should Council endorse the Indoor multi-sports courts at George Burnett Park and new multi-sports pavilion at Challenger Reserve projects, these will be included in the LTFP in future.

The Community Facilities Reserve in the 2024/25 adopted Annual Budget provides \$19,267,496 which would be available for the projects.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Medium
Mitigation and actions	Funding through subsequent budget processes and appropriate feasibility and planning to ensure community infrastructure is delivered.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

Strategic Direction: Community
 Aspiration: Our diverse community is inclusive, safe, connected and engaged
 Outcome: 1.2 Community infrastructure
 Strategy: 1.2.1 Maintain, plan, develop and facilitate community infrastructure to respond to community needs and priorities

Attachments

- 10.1.1 (a): Challenger Reserve Concept Plan (2022)
- 10.1.1 (b): Challenger Reserve Indicative Implementation Plan
- 10.1.1 (c): George Burnett Recreation Precinct Masterplan (2020)

10.1.2 RFT 11/2024 - Provision of Minor Building Works

File Reference: D-24-45907
Author(s): Con Angelidis, Manager Waste, Fleet & Facilities
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

This report considers submissions received from the advertising of Tender 11/2024 for the Provision of Minor Building Works.

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

Officer Recommendation

That Council:

1. Accepts the tenders submitted by AE Hoskin Building Services, West to West Carpentry Services PTY LTD and Oban Group for the Provision of Minor Building Works in accordance with Tender Number 11/2024 for the period of supply up to five years inclusive;
2. Accepts the estimated tender price included in **Confidential Attachment (a)**;
3. Notes that the tender price will be included in the Ordinary Council Meeting Minutes; and
4. Authorises the Chief Executive Officer to execute the contract with AE Hoskin Building Services, West to West Carpentry Services PTY LTD and Oban Group for the Provision of Minor Building Works.

Background

A Request for Tender (RFT) 11/2024 for the Provision of Minor Building Works was advertised in The West Australian on 12 October 2024 and closed at 2pm on 12 November 2024.

Tenders were invited as a Schedule of Rates.

The contract is for the period three years. The Contract includes one option to extend the contract for an additional two years exercisable at the sole discretion of the City.

Comment

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

TABLE A – Tender Submissions

Tender Submissions
AE Hoskin Building Services
Futureproof Building Services PTY LTD
Lake Maintenance
Oban Group
Programmed Property Services
Quantum Building Services
Reliable Asset Maintenance
Reva Commercial PTY LTD
Trayd Australia PTY LTD
West to West Carpentry Services 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. Relevant Experience	20%
2. Key Personnel, Skills & Resources	20%
3. Demonstrated Understanding	20%
4. Quality Management System	20%
5. Valued Resource Management	20%
Total	100%

Based on the assessment of all submissions received for Tender 11/2024 Provision of Minor Building Works, it is recommended that the tender submission from AE Hoskin Building Services, West to West Carpentry Services PTY LTD and Oban Group 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 Council Policies also apply:

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

Financial Implications

The full cost of the annual works is included in the 2024/25 operational and capital budgets. The costs for the subsequent years will be sought in the future City operational and capital budgets for the life of the contract.

Key Risks and Considerations

Risk Event Outcome	<p>Business Interruption</p> <p>Incorporates the impact of events which impinge upon the City's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p> <p>Project Time</p> <p>This relates to any project exceeding the project deadline. Ranging from exceeding the deadline by up to 10% to 30% and over.</p>
Risk rating	Medium
Mitigation and actions	Approval of the report at the December OCM.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and engaged
Outcome:	1.2 Community infrastructure
Strategy:	1.2.1 Maintain, plan, develop and facilitate community infrastructure to respond to community needs and priorities

Attachments

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

10.1.3 Response to Notice of Motion - Public Art at the South Perth Foreshore

File Ref: D-24-32288
Author(s): Patrick Quigley, Manager Community, Culture and Recreation
Donna Shaw, Director Development and Community Services
Reporting Officer(s): Mike Bradford, Chief Executive Officer

Summary

This report presents the City's findings with respect to Councillor Nic Coveney's Notice of Motion regarding the installation of temporary and permanent artwork and/or signage to attract tourists to the South Perth foreshore and surrounding precincts.

Officer Recommendation

That Council:

1. Notes the City is planning a range of additional projects and initiatives on the South Perth Foreshore during 2024/25 to further enhance local tourism opportunities, including:
 - Seasonal/temporary public artwork and/or pop-up cultural activation (see **Attachment (a)** as conceptual examples e.g. giant photo frames, giant hammocks, giant swings, giant deck chairs, artistic chairs and pods);
 - Community events (Carols at Sunset, Southside Summer Fringe World Event, and Sounds in the Park Community Concert); and
 - Partnership programs (Perth Festival partnership event, and weekly Parkrun sessions).
2. Approves an additional allocation of \$15,000 to the Cultural Development – Public Art Commissions and Activations account in the 2024/25 annual budget for seasonal/temporary public art and/or pop-up activations on the South Perth Foreshore.

Absolute Majority for Recommendation 2.

Background

Previous Council Decision

In response to a Notice of Motion from Councillor Nic Coveney, at its meeting held 23 July 2024, Council resolved to request the Chief Executive Officer prepare a report to Council by no later than the 10 December 2024 Ordinary Council Meeting with respect to the installation of temporary and permanent artwork and/or signage to attract tourists to the South Perth Foreshore and surrounding precincts, noting the opportunities as set out in the reasons.

The reasons for the Notice of Motion were as follows:

“Background

1. *Architectural Digest is an international design magazine founded in 1920, which carries influence around the world. On 26 June 2024, Architectural Digest published an article titled “the 17 most beautiful skylines in the world”. The Perth CBD skyline was ranked at number 6, beating the likes of well-known skylines such as Sydney, Singapore, and Toronto.*
2. *The best views of the Perth CBD skyline are, at least in my opinion as a proud South Perth resident, from the South Perth foreshore.*
3. *However, the South Foreshore is not included in the top attractions in Perth on Trip Advisor, the world’s largest travel platform which has over a billion reviews. Instead, the top attractions on Trip Advisor are to places like Kings Park, the Perth Mint, the Bell Tower, and Elizabeth Quay.*
4. *Similarly, on the official Australia tourism website, the South Perth foreshore is not included in the suggested three-day itinerary, which focuses on Kings Park, beaches, the Swan Valley, Fremantle, and Rottneest.*
5. *So the question then becomes, do we want to attract more people, both residents and non-residents to the South Perth foreshore and the nearby precincts, and if so, how can that be achieved? The answer to the first question is yes, and the answer to the second question, is through engaging public art.*

Analysis of Relevant Plans

6. *The Public Art Masterplan 2022-25 (“PAM”) states: “The City recognises the role that public art can play to assist in achieving its vision through place activation; creating community pride; strengthening connections between people; providing landmarks that make places and help people to find their way; and enhancing access and understanding of the natural environment, local history and heritage.”*
7. *The PAM refers to the connection between the public art and the directions of the South Perth’s Strategic Community Plan. In this regard:*
 - (a) *In relation to the economy, the PAM states: “...a major economic opportunity for the City is developing tourism on the South Perth peninsula by leveraging key existing attractions including the Perth Zoo and the South Perth Foreshore. Cultural attractions are a developing part of the City’s offer for tourists in these areas, and there are real opportunities for well-coordinated and promoted public art to make a key contribution...”*
 - (b) *In relation to the community, the PAM states: “Our community told us that public art successfully delivered outcomes that helped community to feel a sense of belonging and pride in places in the City... Public art remains more accessible to our community than many other cultural experiences usually accessed in museums, galleries, theatres and concert halls. Because of its placement in the public realm, public art complements and encourages a range of recreational activities and adds enriching cultural dimensions to outdoor experiences and an active lifestyle.”*
 - (c) *In relation to the environmental, the PAM states: “Our community told us that a key benefit provided by public art was adding interest and improving the appearance of the City’s public areas...”*

10.1.3 Response to Notice of Motion - Public Art at the South Perth Foreshore

8. *There are five city-wide initiatives listed in PAM, the first being to “create”...”active places and beautiful spaces through public art...”*
9. *The deliverables for the “create” initiative highlighted in the preceding paragraph are:*
 - (a) *“Commission and facilitate the delivery of new works of public art that will develop and enhance the City’s collection of public art and enhance cultural dimensions of the public realm.”*
 - (b) *“Create and pursue opportunity to leverage enduring and temporary public art attractions in the City for cultural tourism in support of the local economy.”*
10. *The opportunities & initiatives in South Perth specifically, as set out in PAM are to:*
 - (a) *“Establish and develop a regular public art festival / event in partnership with others for the South Perth Foreshore/Sir James Mitchell Park to enhance the dynamism and seasonal offer of South Perth as a cultural destination with a developing local/national/ international profile”; and*
 - (b) *“Investigate options and opportunities to provide low-impact infrastructure along the South Perth Foreshore to support dynamic public art, community events and other activations.”*
11. *In relation to the South Perth Activity Centre Precinct specifically, the PAM says:*
 - (a) *“The South Perth Activity Centre Plan identifies a cultural and commercial heart for the precinct centred around Mends Street, key attractions such as the Perth Zoo, Minderup and Windsor Park, and key existing transport linkages serviced by the Ferry and bus services on Labouchere and Mill Point Road...”*
 - (b) *Mill Point and the South Perth foreshore is also a location much used recreationally for cycling, walking and a range of water sports... Correspondingly, public art associated with private development and in public open spaces will be prominent features and important amenities for this precinct and represent a real opportunity for the future of the City and its community of residents, businesses and community.”*
12. *Please refer to Annexure B for a full analysis of the relevant plans, including the South Perth’s Strategic Community Plan 2021-2031, Corporate Business Plan 24/25-27/28, Culture Plan 2023-28, Economic Development Plan September 2023, and South Perth Foreshore and Management Plan 2015.*

Opportunities Introduction

13. *There has been rapid economic development at Elizabeth Quay, including tourism. There is a ferry which runs from Elizabeth Quay to the Mends Street jetty. It is currently the only ferry route along the Swan River. The Mends Street jetty is at Minderup, which is at the bottom of the Mends Street precinct, and on the foreshore where there are breathtaking views of the Perth CBD skyline, which has just been internationally recognized as one of the best globally. Local residents want activation of our foreshore and precincts. Herein lies a raft of opportunities with art.*

“Instagrammable” art piece

14. *There are plenty of examples of successful artworks which have become international attractions and are of cultural significance to their location of residence. For example:*
- (a) *The Hollywood sign attracts close to 50 million visitors annually, stimulating local businesses and creating job opportunities.*
 - (b) *The Chicago Cloud Gate attracts around 5 million visitors annual, with that tourism boost representing an additional \$1.5 billion annually for the City's economy.*
 - (c) *The "iamsterdam" letters were so popular in its previous location it was moved from that space as it could not handle the demand.*
 - (d) *The Table Mountain photo frame in Cape Town, with the mountain seeing 1.7 million visitors in December 2023 and January 2024 alone.*
15. *Looking closer to home, we have a recent case study of the Brisbane letters on the banks of the Brisbane River.*
- (a) *The iconic sign was originally made from plywood by the local Mend's Shed groups for the G20 Leaders Summit. It was replicated with stronger material to withstand Queensland weather. The project cost \$300,000 and was jointly funded by the Queensland State Government and the Brisbane City Council.*
 - (b) *The Brisbane Lord Mayor described the Brisbane sign as "the people's sign" and that because it is built for a long asset life, when you factor in cost against the advertising from it, it is proportionately cheap. He said the sign drew tens of thousands of people during the G20 to take the opportunity to take a photograph with the sign, and that both locals and visitors enjoyed it. He said visitors getting out on social media and sending pictures of themselves in front of the sign across the globe was good for Brisbane. It was designed by Brisbane and Queensland organisations. The letters were decorated by community groups. Soft flooring and lighting surround the sign.*
16. *The artwork could be a "South Perth" sign or similar, a photo frame you can stand in, something iconic to the Swan River (such as a black swan) or an animal consistent with the existing zoo animals nearby... or something else. Noting the intent is to seek submissions for the artwork, and then make a determination, it is too early to determine the what the winning submission may look like.*
17. *Done properly, this artwork with the Perth CBD skyline in the background could be as synonymous with WA as taking quokka selfie, Kings Park, Fremantle, and Cottesloe Beach.*

Sculptures by the River

18. *The other opportunity is an art pop-up event along the foreshore, akin to Sculptures by the Sea at Cottesloe and Bondi and Sculptures by the River at Northshore in Brisbane. These pop-up events celebrate artists via a walkthrough along the beach / river.*
19. *The Cottesloe event draws approximately 220,000 visitors across 18 days. This would increase foot traffic to the nearby Mends Street and Angelo Street precincts. It may also incentivize the state government to consider re-activating the Coode Street ferry which previously operated, either on a full time or temporary basis during the pop-up, to go between the jetties of Mends Street, Coode Street, and Elizabeth Quay.*

Fountains on Swan

20. *Art is not limited to the physical form. Examples of renowned international art which uses a combination of water, sound and light includes:*
- (a) The Spectra light and water show at Marina Bay Sands in Singapore;*
 - (b) The Dubai Fountain light and water show at Dubai; and*
 - (c) The Bellagio Fountains water show at the Bellagio in Las Vegas.*
21. *Those shows are free and run at regular intervals in the evenings, drawing significant crowds year-round to the area and the surrounding precincts.*
22. *A further opportunity for South Perth is to explore something similar with the relevant stakeholders, and so long as this does not impede any ferry network*
23. *Clearly this particular opportunity (at least at the scale of the examples provided above) would require overwhelming financial support from external stakeholders like the State Government and so the City's role in this regard would be limited to advocacy.*

Conclusion

24. *Art which is culturally relevant, "instagrammable", has the backdrop of the Perth CBD skyline, and does not impede views and noise for apartment residents nearby, presents an opportunity to build community pride, activate the South Perth foreshore and surrounding precincts, improve amenity for residents, and support the local economy.*
25. *Noting the ideas discussed herein invariably promote tourism within and to WA, there are grounds for state grant funding. Similarly, the City of South Perth has a public artwork reserve for such purposes. Alternatively, council can consider during budget discussions for 25/26.*
26. *Please refer to Annexure A for examples of iconic art."*

Comment

Activation of local public places and spaces (including for community members, visitors and tourists) aligns with various strategies and actions within the City's Strategic Community Plan and associated plans.

There are a diverse range of existing artworks, infrastructure/facilities, activations and events on the South Perth Foreshore that assists with enhancing local tourism opportunities. Subject to available funding, there are further opportunities to expand on the existing offerings.

In relation to each proposal outlined in the Notice of Motion, the City has addressed each of these below.

Artworks

The Public Art Masterplan 2022-25 provide a basis for a considered approach to the acquisition and management of the City's current and future public art assets. Part One of the Plan provides a summary of the public art opportunities and initiatives identified within each precinct across the City. One of the deliverables is to commission annual/seasonal temporary public art and/or other arts/cultural attractions within the South Perth Activity Centre and South Perth Foreshore.

This is considered to align with the intent of the Notice of Motion, and as such, to implement this action, the City will soon be seeking expressions of interest (EOI) to facilitate a seasonal/temporary public artwork/community activation project on the South Perth Foreshore (see **Attachment (a)** as conceptual examples).

The Public Art Masterplan also includes a deliverable for the allocation of municipal funds (or cash-in-lieu from the Public Art Reserve) to deliver public art for the South Perth Foreshore, although this is listed as a 'moderate' priority. This is mainly due to the South Perth Foreshore already containing numerous artworks and/or artistically designed infrastructure including:

- Large numbat and frilled neck lizard canopies.
- Meerkat sculptures titled '*Mends Street Mob*' by Artist, Mikaela Castledine.
- Emu sculptures titled '*Promenading Emus*' by Artist, Russell Sheridan.
- RAC Sculpture titled '*R/evolve*' by Artist, Tony Jones.
- Bronzed feather sculptures titled '*Resonance*' by Artist, Amanda Shelsher.

The City's Public Art Reserve has a current balance of \$403,766; however, these funds are aimed to be used to implement various public art projects around the City (instead of expending all the funds on a single iconic artwork), in accordance with the Public Art Masterplan deliverables.

Alternatively, if Council decides that the City should commission an additional iconic public artwork on the South Perth Foreshore, then sufficient budget funds estimated at \$500,000 would need to be sought and allocated in the budget. Some or all the required project funds could be sought from the Public Art Reserve; and should be considered against the City's other Public Art Masterplan deliverables and other capital works priority areas.

Signage

Signage is not considered public art, so it is an ineligible item for funding through the City's Public Art Reserve, as outlined in Policy P101 Public Art & Art Collections (P101) and Local Planning Policy - Developer Contributions for Public Art and Public Art Spaces (LPP).

Should Council seek to install large iconic signage on the South Perth Foreshore, the City recommends project funds be considered as part of the annual budget setting process for further consideration against the City's other capital works priorities.

Infrastructure and Facilities

- Mindeerup redevelopment (connecting South Perth with Elizabeth Quay).
- Millers Pool redevelopment.
- Black Swan Habitat (Djirda Miya Island).
- Public open space/parklands that provide scenic destinations for tourists to participate in leisure activities, picnics, etc.
- Dual use path network.
- Playgrounds.
- Boardwalks.
- Observation Deck.

Additionally, the City is planning the installation of new foreshore infrastructure in the future to improve amenity and enhance park usage, including new public toilets and a playground (Coode Street node); river wall project; and living stream project (Hurlingham Street end).

Activations

There are a number of foreshore activations facilitated (or supported) by the City such as:

- Mindeerup Light and Audio Show – showcasing the six Noongar seasons that members of the local community, tourists and visitors can view on a nightly basis. The show is titled ‘Fire and Water Dreaming’ (Karl Kep Ngoornd-iny) and was developed by First Nations Artist Yondée Shane Hansen with art coordination from Art+.
- ‘Discover South Perth’, which is a free mobile app that enables self-guided walking tours along the foreshore for community members, tourists and visitors to learn more about local history, artworks and local landmarks, including the Old Mill, Mindeerup, and Millers Pool.
- Weekly Parkrun Sessions (planned to commence in late 2024/early 2025).
- Pop-up activations (giant deckchairs, and outdoor volleyball nets).
- Artwalk trail comprising local artworks is available on the City’s website, which is targeted at local residents, tourists and visitors.

Additionally, the City undertakes an annual EOI process to invite submissions for temporary activations on the foreshore and other parks within the district. Some of the existing foreshore activations include:

- Aquatic recreation operations (e.g. short-term hire of surf cats, jet skis, kayaks, stand-up paddle boards, wakeboarding, tubing, water skiing, knee boarding, water bikes, foiling, sea plane tours).
- Food trucks (South Perth StrEATS).
- Pop-up food and beverage operations (e.g. Acai Corner; coffee, soft serve ice-creams).

Events

There are several foreshore events held on an ongoing basis, including:

- City facilitated events (e.g. South Perth Sounds Concerts, Carols at Sunset).
- City partnered events (e.g. Fringe World/Southside Summer event and Perth Festival).
- Externally facilitated events (e.g. concerts and festivals facilitated by private operators, community groups and commercial organisations).

Fountain

An artist-commissioned artwork that incorporates a sound, light and water display would be considered eligible under P101 and LPP. However, this type of project would likely require a multi-million-dollar budget allocation and the City’s Public Art Reserve only has \$403,766 available, which is insufficient to commission a meaningful fountain installation.

Examples of water fountain installations and the associated costs are listed below:

- Bellagio Fountain, Las Vegas (mentioned as an example in Notice of Motion) - \$40m.
- Dubai Fountain, Dubai, United Arab Emirates (mentioned as an example in the Notice of Motion) - \$218m.
- BHP Water Park, Elizabeth Quay - \$13m (\$10m contribution by BHP Billiton).

'Sculptures by the River' Event

The annual Sculptures by the Sea event is facilitated by an incorporated Association (Sculpture by the Sea Inc) at an annual cost of approx. \$7m, with some of the required funding provided by the local governments in which the events are held. A pop-up event similar to the 'Sculptures by the Sea' would be eligible to be funded from the City's Public Art Reserve, or via the municipal budget, if approved by Council.

'Instagrammable' Installations

As is the previous case for signage, a prescriptive 'Instagrammable' installation would also not be an eligible spend under P101 and LPP, unless the artist brief was broad enough to allow a practising artist to design a bespoke installation.

Beautification of Utilities Infrastructure

There are various examples of small-scale artworks on services buildings, that obscure and even beautify infrastructure that would otherwise be plain or unsightly. At Sir James Mitchell Park (south of the Mindeerup precinct), an artwork titled 'A Quiet Walk' by Artist Rick Vermey was installed around the electrical switchboard compound. Across the district and beyond, there are other examples of smaller works on bus stops and services boxes. This is an eligible spend under Policy P101, though would require input from the owner of the infrastructure (where the infrastructure was not owned by the City).

Consultation

Public Arts Advisory Group

The City's Public Art Advisory Group was established in 2015. Its function is to provide independent and expert advice regarding the arts-focused actions in the Cultural Plan; the City's strategic approach to public art; on City commissions and acquisitions for the City's collection; and to review and make recommendations to the City on developer public art proposals.

The Notice of Motion was considered by the Group at its 8 August 2024 meeting and the following advice was provided:

- *Funds currently available in the public art reserve (\$403,766) are insufficient to implement a project to a scale which would be considered 'iconic' in accordance with the NoM. Such a work would likely be in excess of \$400,000 and as such, additional funding would be required;*
- *Engaging a public art consultant to create a brief that prospective artists could respond to is recommended, with professional, practicing artists invited to respond to the brief;*
- *Community engagement as the design development for the artwork progresses is recommended, however, the group cautioned against a community poll/naming opportunity; and*

10.1.3 Response to Notice of Motion - Public Art at the South Perth Foreshore

- *The City should work with an artist to create an artwork that is specific and connected to the South Perth foreshore and initiated as a piece of art, rather than create signage that is produced for commercial purposes or a branding exercise.*

Policy and Legislative Implications

The following are relevant to this report:

- City of South Perth Public Places and Local Government Property Local Law 2011
- Swan and Canning Rivers Management Regulations 2007
- City of South Perth Policy (P101) ‘Public Art & Art Collections’
- City of South Perth Policy (P609) ‘Management of City Property’
- City of South Perth Public Art Masterplan
- City of South Perth Local Planning Policy - Developer Contributions for Public Art and Public Art Spaces

Financial Implications

There is \$15,000 available in the City’s 2024/25 Budget for the planned seasonal/temporary public art and/or pop-up activations on the South Perth Foreshore.

To further facilitate the Notice of Motion, it is recommended that Council consider an additional \$15,000 allocation in the mid-year budget review to provide more seasonal/temporary public artwork/community activations.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Medium
Mitigation and actions	Ensure communication with the Public Arts Advisory Group and the community for any future public art proposal(s).

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and engaged
Outcome:	1.1 Culture and community
Strategy:	1.1.2 Develop, facilitate and/or support opportunities for inclusive and cohesive social, cultural and healthy activity in the City

Attachments

10.1.3 (a):	Seasonal Temporary Public Artwork and Pop-up Cultural Activation Conceptual Examples
-------------	--

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

Debate on Item 10.3.1 Local Heritage Survey Review was adjourned to the December Ordinary Council Meeting at the Ordinary Council Meeting held 27 August 2024. Prior to the adjournment at the meeting held 28 May 2024, the Item was moved by Councillor Jennifer Nevard and seconded by Councillor Blake D'Souza.

10.3.1 Local Heritage Survey Review

File Ref: D-24-35599
Author(s): Donna Shaw, Director Development and Community Services
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

At its meeting held 28 May 2024 and 27 August 2024, Council considered a report recommending endorsement of the draft Local Heritage Survey (LHS) and proposed Place Records for advertising.

Council resolved to adjourn debate on the Item to the 10 December 2024 Ordinary Council Meeting to consider whether an independent external consultant should be engaged to assess the properties included in the LHS, particularly those with a Category of Significance 1 and 2. The matter is therefore being re-presented to Council for its consideration.

Officer Recommendation

That Council advertises the draft Local Heritage Survey 2024 at **Attachment (a)** and proposed Place Records at **Attachment (b)**.

Background

At its meeting held 28 May 2024, Council considered a report recommending advertising of the draft Local Heritage Survey (LHS) and proposed Place Records. Council resolved to adjourn debate on the item to the 27 August 2024 Ordinary Council Meeting following informal engagement between Elected Members and the community and requested a further workshop on the matter.

At its meeting held 27 August 2024, Council re-considered the item and resolved to adjourn debate on the matter to the 10 December 2024 Ordinary Council Meeting. The reason was to consider whether an independent heritage consultant should be engaged to assess the properties included in the LHS, particularly those places proposed with a classification of 1 and 2.

At the Ordinary Council Meeting of 24 September 2024, Council considered a Notice of Motion submitted by Councillor André Brender-A-Brandis to request the Chief Executive Officer to appoint an independent heritage consultant to review the public nominations received on the draft LHS during the initial call for nominations, and to amend the 2024/25 budget to include an allocation of \$80,000 for an independent heritage consultant to review and assess the public nominations received on the LHS. This motion was lost.

10.3.1 Local Heritage Survey Review

This report re-presents the draft LHS as presented to Council at its 27 August 2024 Ordinary Meeting.

Local Heritage Survey Review

The *Heritage Act 2018* requires local governments to prepare a Local Heritage Survey (LHS) (previously known as a Local Heritage Inventory) to identify and record places that are, or that might become, of cultural heritage significance.

The LHS assists the City in making decisions that impact heritage places and supports the creation of a heritage list or heritage areas, which provide for statutory protection of places under the local planning scheme.

There are three types of updates and reviews to an LHS:

- Administrative updates: minor corrections and addition of file notes or other information for future consideration;
- Place-specific reviews: addition or more substantial amendment of a heritage assessment relating to an individual place; and
- General review: open process inviting community participation to produce a new version or edition of the LHS.

The City's LHS was last reviewed in 2018. The Heritage Council's 'Guidelines for Local Heritage Surveys' recommends general reviews occur every five to eight years for local governments with ongoing urban development or coinciding with the major review of a strategic community plan or local planning strategy.

The City commenced a review of the LHS in January 2024. Consistent with the Guidelines, the scope of this review included:

- Reviewing the LHS to identify any changes to existing places;
- Reviewing and updating the Thematic History; and
- Undertaking a public request for nominations for:
 - New places to be added to the LHS; and
 - Modifications to existing places in the LHS.

The draft LHS is contained within **Attachment (a)**.

Comment

General Updates to LHS

As part of the review, the following general modifications have been made to the draft LHS:

- Update to the significance classification to align with the 'Guidelines for Local Heritage Surveys' by replacing letters (A-D) with numerals (1-4);
- Update of photographs of each place record;
- Places now demolished included in a separate appendix;
- Correction of factual and grammatical errors;
- Update of the physical descriptions for those places developed since the last review;
- Reference to Aboriginal Heritage sites and places recognised under the *Aboriginal Heritage Act 1972*; and

10.3.1 Local Heritage Survey Review

- Revised formatting to meet the Guidelines, which includes identifying the values for each place record in a separate table.

In addition, where a request to update a place record is supported, the updated text has been included.

Proposed modifications to Thematic History

As part of the review, the following general modifications have been made to the Thematic History:

- Inclusion of an Acknowledgement to Country;
- Updated information on the original 1994 LHS and subsequent reviews;
- Deletion of acknowledgements;
- Updated State Planning Framework references;
- Update of the LHS review process methodology;
- Updated category of significance classification to align with the Guidelines for Local Heritage Surveys;
- Updated thematic history to include the period since the last review including the global COVID-19 pandemic and updates to the City's planning framework; and
- Inclusion of additional information and images in the following sections:
 - Minor grammatical amendments;
 - 5.3 - Aboriginal history (before European settlement) – include additional historic information;
 - 5.4 - renamed 1829-1849 'Sporadic Development' to 'Swan River Colony';
 - 5.7 - 1919–1945 Rapid Growth Followed by War – additional population information;
 - 5.8 - 1946 – 1979 Post-War Stability – additional information on State Government housing; and
 - 5.9 - 1980 – 2024 Future Directions – additional information on State Government housing, activity centre development and COVID-19 pandemic.

Consultation

Call for Nominations

The City invited public nominations for new places to be included in the LHS and modifications to existing places for a period of 21 days, between 6 February 2024 to 27 February 2024.

The invitation was advertised on the City's YourSay page, through Social Media posts, the City's 'My Snapshot' email', and through community notice boards at the Civic Centre and South Perth and Manning Libraries.

Landowners of existing places in the LHS were also advised in writing of the call for nominations and requests for updates to existing places.

Prior to the nomination period commencing, the City also offered to meet and provide an overview of the LHS review process to heritage specific interest groups such as the South Perth Historical Society, the Art Deco Society and the National Trust. One meeting was requested and held with the South Perth Historical Society on Thursday 1 February 2024.

10.3.1 Local Heritage Survey Review

Landowners of new places nominated through this process have been advised that their place had been nominated, whether or not it is recommended by Officers to be included in the LHS, and details of the consultation period where they can provide comment.

Nominees were also advised of the outcome of the assessment process and procedural processes that will occur prior to final adoption.

Advertising

Whilst there is no statutory timeframe prescribed for advertising an LHS, should Council resolve to advertise the draft LHS and proposed Place Records, the City intends to advertise for a 28 day period.

Elected Member Workshops

A workshop was held on 6 December 2023 on the local heritage framework, including the LHS.

Following consideration at the 28 May 2024 Ordinary Council Meeting, a workshop was held on 2 July 2024 to further explain the draft LHS, and future processes in respect to advertising and adoption.

Comments

Classification of Significance

The Guidelines for Local Heritage Surveys provide the following classification of significance:

Level of Significance to the local area	Classification	Description
Exceptional	Category 1	Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category 2	Very important to the heritage of the locality.
Some/moderate	Category 3	Contributes to the heritage of the locality.
Little	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution.

Following adoption of the LHS post advertising, places with a classification of significance of Category 1 or 2 will be recommended for inclusion in the Heritage List, which is afforded statutory protection. Those places with a category of 3 or 4 will not be recommended for inclusion in the Heritage List, however, will remain in the LHS.

Nominations

The City received a total of 49 nominations or requests to amend place records. The table below provides a summary of the nomination requests:

Type of Nomination	Number Received (gross)
Requests for updated information to existing places	5 requests
Requests to change the Category of Significance of an existing place	5 requests (4 places)
New places nominated for inclusion in LHS	39 nominations (33 places)
Total	49

New Places Proposed for Inclusion in LHS

Of the 33 new place nominations, a summary of the 15 places proposed for inclusion in the LHS is detailed below:

No.	Address	Nominee consulted with landowners	Proposed Classification
1.	Nos. 6 - 18 and 7 - 13 Hobbs Avenue, Como	Yes, all consulted.	3
2.	No. 7 Courthope Street, Kensington	No consultation	3
3.	Nos. 29 (Lot 1), 31, 35, 37, 39, 41, 43, 45, 47, 51, 57, 59, 61, 36, 40, 42, 44, 46, 48, 50, 52, 56, 58, 60 Hovia Terrace, Kensington	No consultation	4
4.	No. 83 King George Street, Kensington	No consultation	4
5.	Moresby Street Hall, No. 211 Douglas Avenue, Kensington	No consultation	2
6.	No. 44 Angelo Street, South Perth	No consultation	3
7.	No. 39 Anstey Street, South Perth	No consultation	4
8.	Ridgeway, No. 19 Glyde Street, South Perth	No consultation	3
9.	Nos. 23-25 Labouchere Road, South Perth	No consultation	4
10.	No. 9 Onslow Street, South Perth	No consultation	3
11.	No. 2 Parker Street, South Perth	No consultation	2

12.	Nos. 5, 7, 9 Queen Street, South Perth	No consultation	3
13.	No. 38 Ridge Street, South Perth	No consultation	3
14.	No. 15 River View Street, South Perth	No consultation	3
15.	No. 16 River View Street, South Perth	No consultation	4

Most places proposed for inclusion are residential dwellings and located within South Perth. Two places are recommended as Category 2, being No. 2 Parker Street, South Perth and Moresby Street Hall, Kensington. Both these places are considered to have high levels of cultural heritage significance and be excellent examples of their type. Remaining residences are proposed to have a category of Significance of 3 or 4.

The City received nominations for two streetscapes, along Hobbs Avenue in Como and Hovia Terrace in Kensington. The residences on Hobbs Avenue are good examples of inter-war Californian Bungalows, with six on the northern side built by the same builder. On Hovia Terrace six residences also shared the same builder. The streetscape along Hovia Terrace exemplifies the transition from timber constructed homes of the early 20th Century, to brick and tile homes which became a required building material during the inter-war period.

The draft place records for places proposed for inclusion in the LHS are contained within **Attachment (b)**.

The below table provides a detailed list of the above places nominated for inclusion in the LHS. It summarises reasons provided for nominating the place and the number of nominations received for the place. It also identifies whether it was a third-party nomination and whether the landowner has provided support. Most nominations were received by third parties without landowner support. The Officer recommendation includes the proposed category of significance and information from each places' statement of significance.

Place	Summary of Nomination	Officer Recommendation
1. California Bungalow Group, Nos. 6, 8, 10, 12, 14, 16, 18, and Nos. 7, 9, 11, 13 Hobbs Avenue Como	<ul style="list-style-type: none"> • 1 third party nomination. • The application is supported by owners of Nos. 7, 8, 9, 14 Hobbs Avenue. The nominee has not consulted with remaining landowners. • This section of houses appears to be the only intact group of houses from the early period of Como. • They demonstrate the architectural form of the suburb in its early development. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 3. • The place has aesthetic value as a largely intact streetscape developed during the inter-war period in the inter-war Californian Bungalow style and for its avenue of mature trees and regular setbacks to the street. • The place has historic value for its association with the establishment and development of Como in the interwar period for residential development, and its association with W. Wainwright Brown & Co Ltd, who was responsible for the

		development of Nos. 8, 10, 12, 14, 16, 18 Hobbs Avenue, Como.
2. Residence, No. 7 Courthope Street, Kensington	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Important as an example of California Bungalow design of this style and era in Kensington (1920s to 1940s). • Kensington currently has no housing stock listed in the LHS and is currently underrepresented in terms of heritage as a suburb. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 3. • The place has a high degree of aesthetic value as an example of the inter-war California Bungalow architectural style. • The place has historic value for its association with the establishment and development of Kensington in the inter-war period for residential development, and its association with the development of South Perth in the early 20th century as a suburb for professional people and their families. • The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.
3. Residences, Nos. 29 (Lot 1), 31, 35, 37, 39, 41, 43, 45, 47, 51, 57, 59, 61, 36, 40, 42, 44, 46, 48, 50, 52, 56, 58, 60 Hovia Terrace, Kensington	<ul style="list-style-type: none"> • 2 third party nominations were received for: Nos. 37-52 and 29-43 Hovia Terrace, Kensington; and those residences on Hovia Terrace between First Avenue and Third Avenue, Kensington. • The nominees have not consulted with the landowner. • Typical Federation homes providing an interesting streetscape. • The section of Hovia Terrace nominated represents a reasonably intact streetscape from the early 20th century, of suburban houses built soon after the suburb of Kensington was created. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 4. • The place has aesthetic value as a largely intact streetscape developed in the inter-war Weatherboard Dwelling, inter-war California Bungalow and Post-War Bungalow styles, and for its avenue of mature trees and regular setbacks to the street. • The place has historic value for its association with the establishment and development of Kensington in the inter-war period for residential development and its association with W.T Chamberlain who was responsible for the development of Nos. 56, 58, 60, 43, 45, 47 Hovia Terrace, Kensington.

	<ul style="list-style-type: none"> • Several jarrah weatherboard homes presenting a reasonably consistent facade are extant in the street - both sides - forming a harmonious and attractive streetscape. 	
4. Residence, No. 83 King George Street, Kensington	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • This is an excellent example of a well-maintained inter-war California Bungalow. • This house is important to the story of the City of South Perth as it shows a change in the housing style from more Federation to California Bungalow style. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 4. • The place has a high degree of aesthetic value as a demonstration of the inter-war California Bungalow architectural style. • The place has historic value for its association with the establishment and development of Kensington in the inter-war period for residential development.
5. Community Hall, Moresby Street Hall, Kensington	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Hall is significant as a purpose-built hall for the Scouts in the late 1950/early 1960's. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 2. • The place is currently part of a precinct that includes the Moresby Street shops, neighbouring two-storey flats and several residences on Douglas Avenue proposed for inclusion on the State Register of Heritage Places. • The place has aesthetic value as an example of post war austerity vernacular design executed in fibrous cement clad walls with louvre windows and the original internal room layout. • The place contributes to the aesthetic values of the setting being located within a well maintained park featuring playground, mature trees, and shrubs within a largely built-up residential area. • The place has historic value as a purpose built Scout Hall enjoyed

		<p>from 1962 when the suburb was undergoing rapid change and through its association with Mr Bill Gleeson whose activities have been significant as a former Elected Member of the City of South Perth and assistance in overseeing the Hall.</p> <ul style="list-style-type: none"> The place has social value as the venue for recreational and social gatherings in the City since 1962.
6. Residence, No. 44 Angelo Street, South Perth	<ul style="list-style-type: none"> 4 third party nominations. The nominees have not consulted with the landowner. Place is important to the story of the City of South Perth as Talbot Hobbs and others were significant architects in Perth responsible for civic and residential buildings that reflect the architectural trends and building styles of the time. This type of design and building craftsmanship should be acknowledged and considered a very important part of our modern urban built community. 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 3. The place was assessed for the State Register in 2023. The place has a high degree of aesthetic value as a demonstration of a dwelling in the inter-war Old English architectural style. The place has historic value for its association with the expansion of the South Perth area, particularly the period of growth in the inter-war years. The place is a representation of life in the post-depression years, where predominantly wealthy Anglo-Saxon homeowners, sought to display their respectability. The place is associated with prominent Western Australian Architects Hobbs, Forbes and Partners, established in 1905 by Joseph Talbot Hobbs, EH Dean-Smith and WJ Waldie Forbes and Major Hugh Annan Corbet the third Deputy Master of The Perth Mint, and a Major and Military Censor for the Australia Army Intelligence Corp during World War I.
7. Residence, No. 39 Anstey	<ul style="list-style-type: none"> 1 third party nomination. 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 4.

Street, South Perth	<ul style="list-style-type: none"> The nominee has not consulted with the landowner. The house is representative of many of the very early wooden bungalows that used to be common in South Perth. 	<ul style="list-style-type: none"> The place has historic value for its association with the expansion of the South Perth area, particularly the period of growth in the inter-war years. The place is representative of a modestly detailed Weatherboard Dwelling developed following WW1.
8. Residence, Ridgeway No. 19 Glyde Street, South Perth	<ul style="list-style-type: none"> 1 third party nomination. The nominee has not consulted with the landowner. An excellent example of early modernist architectural design. Simple design to reflect inter war housing period. 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 3. The place has a high degree of aesthetic value as a demonstration of the inter-war Art Deco style. The place has historic value for its association with the expansion of the South Perth area, in particular the period of growth in the inter-war years and development of South Perth in the early 20th century as a suburb for professional people and their families. The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.
9. Residence, Nos. 23 - 25 Labouchere Road, South Perth	<ul style="list-style-type: none"> 1 third party nomination. The nominee has not consulted with the landowner. Remaining inter-war and Federation houses forming an edge to the Zoo & Police Station heritage area. 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 4. The place has aesthetic value providing examples of both the Federation Bungalow and inter-war California Bungalow architectural styles. The place has historic value as the only two remaining houses developed opposite the Mends Street Heritage Precinct which includes the Perth Zoo, Police Station (fmr) and Lawn Bowls Club and for its association with the development of South Perth in the early 20th century as a

		<p>suburb for professional people and their families.</p> <ul style="list-style-type: none"> The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.
<p>10. Residence, No. 9 Onslow Street, South Perth</p>	<ul style="list-style-type: none"> 1 third party nomination. The nominee has not consulted with the landowner. There are not many original English/Tudor revival style houses remaining in South Perth, especially two storey. This house has quite a unique design especially with the roof pitch, chimney and beams exposed on the exterior (common in 1920s), it really stands out on the street. 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 3. The place has a high degree of aesthetic value as an example of the inter-war Old English architectural style. The place has historic value for its association with the expansion of the South Perth area, in particular the period of growth in the inter-war years, and development of South Perth in the early 20th century as a suburb for professional people and their families and for its association with Western Australian Architect J.H.O Hargrave. The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century. The place is a representation of life in the post-depression years, where predominantly wealthy Anglo-Saxon homeowners, sought to display their respectability.
<p>11. Residence, No. 2 Parker Street, South Perth</p>	<ul style="list-style-type: none"> 4 third party nominations. The nominee has not consulted with the landowner. The place is significant given its historical social connections, architecture, uniqueness, and the last 	<ul style="list-style-type: none"> Recommended for LHS inclusion with Category of Significance 2. The place has a high degree of aesthetic value as an example of a Federation Bungalow with Queen Anne elements. The place has historic value for its association with the expansion of the South Perth

	<p>remaining house on the hill.</p> <ul style="list-style-type: none"> • Reflects the era of this lovely community. • It's rarity as a building in its almost original layout amidst many modern high-rise buildings. The recollections and possibility to further document the history of South Perth through descendants of the original owner. • Built by a Perth Magistrate for his family who made his fortune during the 1890s gold rush and he and his family were integral to life in South Perth in the 1920s. • It was once owned and/or lived in by Michael James Calanchini, Under Secretary for Mines, who was prominent in South Perth society - friend of the Gibbs family, President of the Golf Club, tennis club. • A connection with a former Mayor of South Perth. In the 1980, occupants included the musicians from the pop groups the Triffids and Crowded House. 	<p>Peninsula in the 20th Century, and development of South Perth in the early 20th century as a suburb for professional people and their families, and</p> <ul style="list-style-type: none"> • The place has historic value for its association with Francis Edward Walsh, a public official in Western Australia the early 1900's and with Martyn P. Casey a guitarist of international renown. • The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.
<p>12. Triplex, Nos. 5, 7, 9 Queen Street, South Perth</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • A rare example of late 20th century brutalist domestic architecture. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 3. • The place has aesthetic value as an example of the Late 20th Century Brutalist architectural style within a Perth context. • The place has historic value for its association with architect Rodney David Mollett, Member of the Order of Australia (2014) and for its association with higher density residential

		development in South Perth during the 1960s and 1970s.
13. Residence, No. 38 Ridge Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • This place is important as there are only a few remaining Art Deco examples of buildings / residences in the City of South Perth including Blue Waters, John Bosco Chapel, St Columbas Church, Cygnet Theatre and The Como. • This residence lends itself to that period of history, appears to be in sound condition and is important building stock as other examples of this type may have been demolished over the years. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 3. • The place has a high degree of aesthetic value as an example of the inter-war Art Deco architectural style. • The place has historic value for its association with the expansion of the South Perth area, in particular the period of growth in the inter-war years and for development of South Perth in the early 20th century as a suburb for professional people and their families. • The place has historic value for its association with prominent Western Australian architectural firm Powell, Cameron & Chisholm, trading today as Cameron Chisholm Nicol. • The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.
14. Residence, No. 15 River View Street Como	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • A rare example of the Californian Bungalow style. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 3. • The place has a high degree of aesthetic value as an example of the inter-war California Bungalow architectural style. • The place has historic value for its association with the expansion of the South Perth area, in particular the period of growth in the inter-war years and for its association with the development of South Perth in the early 20th century as a suburb for professional people and their families. • The place has social value as an example of the type of

		accommodation built for professional people and their families in the early 20th century.
15. Residence, No. 16 River View Street South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • This is a good example of housing built in the late 1920's in South Perth. The bricks are patterned rather than flat which makes it stand out in the street in terms of design. Their texture is a real feature of the house. 	<ul style="list-style-type: none"> • Recommended for LHS inclusion with Category of Significance 4. • The place has a high degree of aesthetic value as an example of the Federation Bungalow architectural style. • The place has historic value for its association with the expansion of the South Perth area, in particular the period of growth in the inter-war years and for development of South Perth in the early 20th century as a suburb for professional men and their families. • The place has social value as an example of the type of accommodation built for professional people and their families in the early 20th century.

Amendments to Existing Place Records

The table below provides a summary of requests to amend existing place records. This includes requests to update information, and requests to alter the category of significance.

Place	Summary of Request	Officer recommendation
1. Como Hotel, No. 241 Canning Highway, South Perth	<ul style="list-style-type: none"> • 2 third party requests to alter classification of Significance from 3 to 2. • The nominees have not consulted with the landowner. • The existing classification does not provide protection to this place. • The heritage significance of the Como Hotel was formally identified in 1994 in the inventory of Significant Buildings of the 1930's in Western Australia compiled by Yvonne Geneve for the National Estate Grants Programme and members of this 	<ul style="list-style-type: none"> • Place has been included in the LHS since 2000. • The place has aesthetic value, historic value, and social value. • It is located at a landmark location and is representative of South Perth's commercial past. • Request is supported as the Como Hotel is one of only two hotels included in the LHS that offer continuous operation. The other being the

	<p>society were responsible for carrying out a heritage assessment of the building in April 2001 that led to subsequent classification of the place by the National Trust of Australia (WA).</p>	<p>Windsor Hotel which has a category of Significance 1.</p>
<p>2. South Perth Post Office (fmr), No. 103 Mill Point Road, South Perth</p>	<ul style="list-style-type: none"> • 1 third party request to alter classification of Significance from 2 to 1. • The nominee has not consulted with the landowner. • This brings it into line with adjacent contemporary buildings in the Mends Street Precinct listed as Category A. • Since it was listed, the building has ceased to trade as a Post Office and is privately owned. • Its historic importance to South Perth remains unchanged. • The building has undergone changes internally but appears the same externally, apart from the garden. This external appearance is important to retain the redbrick buildings of the Mends Street Precinct. • The Post Office will have had items of significant historical interest pass over its counter from South Perth residents - such as May Gibbs' art and literary works, Bernard Woodward's correspondence about the WA Museum, Ernest Le Souef's correspondence about the Zoo - and much more. 	<ul style="list-style-type: none"> • Place has been included in the LHS since 2000 and is on the City's Heritage List. • The place is part of the Civic Heart redevelopment and is being modified to accommodate a shop. • The request is supported as the place has a good level of visual authenticity and heritage value. The amended category of significance better aligns with remaining civic and institutional places in immediate area including the Police Station (1), Road Board building (1), Mechanics Institute (1), Perth Zoo (1), and the Windsor Hotel (1).
<p>3. Mends Street Historic Precinct, South Perth</p>	<ul style="list-style-type: none"> • 1 third party request to alter classification of significance from 3 to 1. • The nominee has not consulted with the landowner. • Management Category C should be upgraded to A to preserve the history of the area within the high-rise buildings that have 	<ul style="list-style-type: none"> • Place has been included in the LHS since 2018. • Request is supported as places within this precinct are individually recognised with high levels of significance: Perth Zoo (1), Police Station (1), South Road Board (1), Mechanics

	<p>been built and are under construction.</p> <ul style="list-style-type: none"> • The Village Green (Windsor Park) should be added. • The area could extend to include the Mends Street Jetty and the shops along Mends Street. 	<p>Institute (1), the Windsor Hotel (1), Windsor Park and South Perth Bowling Club (2) and Shops on Mends Street (2).</p> <ul style="list-style-type: none"> • Furthermore, this is a landmark location which represents South Perth's civic and commercial past. • When considered collectively, the importance of this precinct should be reflected with a higher category of significance.
4. Office, No. 252 Mill Point Road, South Perth	<ul style="list-style-type: none"> • 1 owner request to alter classification of significance from 3 to 4. • Does not believe that the building has significant heritage value as only the facade of the two front rooms remains of the original building. • Argues that should the front verandah come down, they do not believe Main Roads would allow a reinstatement due to the traffic lights now installed. 	<ul style="list-style-type: none"> • Place has been included in the LHS since 2018 and is not on the heritage list. • The request is not supported as the place has demonstrable aesthetic, historic and social value. • The original fabric appears generally intact to the street, and the rear two storey addition, whilst of no cultural heritage significance, is not obtrusive, and does not detract from the overall heritage value of the place.
5. Royal Perth Golf Course, No. 61 Labouchere Rd, South Perth	<ul style="list-style-type: none"> • 1 owner request. • Requested minor place record corrections. 	<ul style="list-style-type: none"> • Request is supported.
6. Wesley College, No. 40 Coode Street, South Perth	<ul style="list-style-type: none"> • 1 owner request. • Requested minor place record corrections. 	<ul style="list-style-type: none"> • Request is supported.
7. Cygnet Theatre,	<ul style="list-style-type: none"> • 1 owner request. • Requested inclusion of updated place record information to 	<ul style="list-style-type: none"> • Request is supported.

Preston Street, Como	<ul style="list-style-type: none"> reflect detailed site investigation by owners' heritage consultant. Advised place is to revert to original name 'Como Theatre'. 	
8. Como Beach and Jetty, Kwinana Freeway	<ul style="list-style-type: none"> 1 owner request. Requested inclusion of updated place record information to reflect detailed site investigation by owners' heritage consultant. 	<ul style="list-style-type: none"> Request is supported.
9. Clontarf, No. 295 Manning Road, Manning	<ul style="list-style-type: none"> 1 owner request. Requested minor place record corrections. 	<ul style="list-style-type: none"> Request is supported.

Places not Recommended for Inclusion

The nominations included 18 places that are not recommended for inclusion. This is based on a small number of nominations not being made on the cultural heritage merit of the place. Other nominations were for places already in the LHS. For the remaining nominations, supporting cultural heritage information could not be located. It is considered that these may be considered as part of a future review.

Place	Reasons for nomination (as summarised)	Officer recommendation
1. Pine Tree at Mackie Street Reserve, Kensington	<ul style="list-style-type: none"> 1 third party nomination. The nominee has not consulted with the landowner. A pine tree at Mackie Street Reserve has seen many generations of kids enjoy the cool shade. 	<ul style="list-style-type: none"> No information to support the cultural heritage significance of the tree and place were located within the local history collection. Consider further investigation as part of the next LHS review.
2. Salters Landing (fmr), Salter Point Spit area West	<ul style="list-style-type: none"> 1 third party nomination. The nominee has not consulted with the landowner. This place is significant as it tells of former commercial activity associated with logging on the Canning River. Evidence includes remnant jetty pylons in the Canning River. 	<ul style="list-style-type: none"> Information to confirm historical activity and cultural heritage of place could not be located within the City's local history collection. Consider further investigation as part of the next LHS review.

<p>3. Undeveloped lot at No. 42 Angelo Street</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Garden attached to dwelling at No. 44 Angelo Street nominated for LHS. • There appear to be large mature trees on the property, not sure of condition. 	<ul style="list-style-type: none"> • Lot was sold to MS Society in 2022/23 and has development approval for residential development. • 44 Angelo Street has been nominated by other residents, and the information contained in this nomination will be amalgamated with the others. • There is little evidence of any cultural heritage associated with the garden at 42 Angelo Street and therefore it is not recommended for inclusion on the LHS.
<p>4. Civic Heart Development, South Perth</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Original use was beautiful apartment, the current development is a horrible high-rise. • Shows how useless our planning system is. 	<ul style="list-style-type: none"> • Nomination was not made on the cultural heritage merit of the place. • No further action is recommended.
<p>5. Royal Perth Golf Club, No. 61 Labouchere Road, South Perth</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • The 16 or so Jarrah trees are important legacies of the original bushland. • The 4 or 5 Tuart trees, the best one being that near the 8th tee, are indicative of sub-surface limestone. 	<ul style="list-style-type: none"> • The place is in the LHS as Place No. 50. • The Statement of Significance identifying the golf course to have aesthetic value as a well maintained landscaped parkland with mature trees adjacent to a river landscape which together form a pleasing environment and is a landmark in the streetscape. • Limited information could be located to identify cultural heritage significance of the trees.

<p>6. Cygnet Theatre, Preston Street, Como</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Theatre is a landmark for Como. • Does not support reverting the name of the theatre from the Cygnet Theatre to the Como Theatre. 	<ul style="list-style-type: none"> • The place is in the LHS as Place No. 10 and on the Heritage List and the State Register of Heritage Places. • The owners have renovated the place and returned it to its original name, the Como Theatre, which is featured around the top of the curved wall in bas relief Art Deco style lettering. • Reverting to its original name is reflective of retaining the original heritage values of the site and is supported.
<p>7. Residence, Summerhill (fmr), No. 181 Coode Street, South Perth</p>	<ul style="list-style-type: none"> • Nominated by landowner. • One of the few heritage homes left in the suburb, beautifully sited on the hill representing our rich history. • Built by Horace Costello (designer and builder) for his family. 	<ul style="list-style-type: none"> • The place is in the LHS as Place No. 3. • No further action is recommended.
<p>8. Kensington Primary School, No. 73 Banksia Street</p>	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • The place has aesthetic value as a good, largely intact demonstration of the inter-war and Post War International style as applied to a school building and executed in brick and tile. Internal details that remain from the original construction are likely to reflect this style. • The place has historic value for its association with the establishment of Kensington in the inter-war years. • The place has social value for the many members of the community who have attended the place as students, staff or through association with friends and 	<ul style="list-style-type: none"> • The place is in the LHS as Place No. 15. • No further action is recommended.

	family. The place is listed on the inHerit database (no. 2648) and appears on the LHI as Category C currently and unlisted.	
9. Residence, No. 20 Ridge Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • An example of a large South Perth Californian Bungalow style residence. 	<ul style="list-style-type: none"> • The place is in the LHS as Place No. 74. • No further action is recommended.
10. Residence, No. 24 McDonald Street, Como	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Remaining inter-war Art-Deco residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
11. Residence, No. 137 Coode Street, Como	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Rare example of an inter-war Spanish influenced Art-Deco residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
12. Residence, No. 1 Wattle Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. Rare example of Californian Bungalow style residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
13. Residence, No. 102 Hensman Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Example of Californian Bungalow style residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
14. Residence, No. 20 Karoo Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Example of an altered Bungalow style residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.

15. Residence, No. 23 Karoo Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Example of a large South Perth Californian Bungalow style. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
16. Residence, No. 24 Elizabeth Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Rare example of an inter-war Spanish influenced Art-deco residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
17. Residence, No. 146 Hensman Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Example of an altered Bungalow style residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.
18. Residence, No. 5 Hampden Street, South Perth	<ul style="list-style-type: none"> • 1 third party nomination. • The nominee has not consulted with the landowner. • Example of an altered Bungalow style residence. 	<ul style="list-style-type: none"> • Limited information to confirm cultural heritage significance available. • Consider further investigation as part of the next LHS review.

Policy and Legislative Implications

The *Heritage Act 2018* requires that a local government must prepare a survey of places in its district that in its opinion are, or may become, of cultural heritage significance. The LHS must be prepared, reviewed and updated in accordance with the Guidelines for Local Heritage Surveys.

After preparing a local heritage survey, or reviewing and updating, a LHS, a local government must –

- provide the Council with a copy of the local heritage survey; and
- make the local heritage survey available to the public.

This LHS review is consistent with the Guidelines for Local Heritage Surveys which recommends a general review every five to eight years.

Financial Implications

The City may require input from an independent qualified heritage consultant should an objection be received to the places proposed for inclusion in the LHS during the advertising period.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	The City has prepared the LHS in accordance with the Guidelines for Local Heritage Surveys.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Environment (Built and Natural)
- Aspiration: Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
- 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

Attachments

- 10.3.1 (a): Draft Local Heritage Survey
- 10.3.1 (b): Local Heritage Survey - New places

10.3.2 Major Land Transaction - Collier Park Golf Course Submissions

File Ref: D-24-44511
Author(s): Garry Adams, Director Corporate Services
Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services
Mike Bradford, Chief Executive Officer

Summary

The purpose of this report is for Council to consider the submissions on the Major Land Transaction Business Plan for the development of facilities at Collier Park Golf Course pursuant to Section 3.59 of the *Local Government Act 1995*, (the Act) and for Council to consider proceeding with the transaction.

Officer Recommendation

That Council:

1. Acknowledges and considers the submissions received in response to the Collier Park Golf Course Major Land Transaction Business Plan.
2. Agrees to proceed with the transaction and authorises the Chief Executive Officer to finalise negotiations with regard to the Lease, Controller and Development Agreements.
3. Notes that the Lease will be advertised in accordance with section 3.58 of the *Local Government Act 1995* with any submissions being presented to Council for consideration.

Absolute Majority Required

Background

At its meeting held 12 December 2023, Council resolved:

That Council:

1. *Approves Clublinks Management Pty Ltd as the preferred Tenderer in accordance with Tender Number RFT 8/2023.*
2. *Authorises the Chief Executive Officer to negotiate with Clublinks Management Pty Ltd to finalise the Course Controller Agreement and Lease agreement.*
3. *Before the City enters into the Course Controller Agreement and Lease, authorises the Chief Executive Officer:*
 - a. *if, and when required, to prepare and advertise a business plan in accordance with section 3.59 of the Local Government Act 1995 in relation to any major land transaction and/or major trading undertaking contemplated by the Course Controller Agreement and Lease; and*
 - b. *to advertise the Lease in accordance with section 3.58 of the Local Government Act 1995.*

The following has since occurred:

- Clublinks Management Pty Ltd and the City have signed an interim agreement whilst negotiations continue to finalise the new Lease, Course Controller Agreement and Development Agreement.
- As part of the 2024/25 Budget process Council has approved the funding mechanism to fund the proposed development via a WATC funding facility.
- The project governance arrangements have been established with a project steering group comprising Clublinks staff, City staff and project consultants having met several times.
- Architects have commenced stage one of design works with several concepts being considered by the steering group.
- At its meeting held 27 August 2024, Council further resolved:
*That Council approves the advertising of the Major Land Transaction Business Plan at **Attachment (a)** for the development of facilities at Collier Park Golf Course, pursuant to Section 3.59 of the Local Government Act 1995.*
- The Major Land Transaction Business Plan was advertised in accordance with section 3.59 of the Act with the closing date of 11 October 2024. At the time of closing, there were five submissions received. Responses to the issues raised in these submissions are contained in **Attachment (b)**.

After advertising the Business Plan, a number of site investigations and due diligence activities have taken place. These include geotechnical studies, services surveys and discussions with utility providers.

Discussions have taken place with Water Corporation regarding the impact of their easement on the proposed redevelopment of the driving range, with the outcome being that there are significant building restrictions around this easement. This has resulted in the entire development being shifted north.

As a result of shifting the building north, maintaining the layout as proposed in the initial submission has become unviable without the removal of two pine trees which the City considers to be important. To this extent, the City has stipulated that retaining all trees on site is a priority. This has resulted in several design iterations of the proposed concept. In addition, rather than including a designated space for Golf WA, the new designs provide for a hireable multi-use community space and a small business commercial space with co-working office spaces. These revised design concepts were presented to Council at a briefing held 18 November 2024 and received positive feedback.

The appointed cost consultant has now provided a revised cost estimate of \$19.8m. This amount is inclusive of escalation from October 2023 when the submission was received and projected escalation (which has slowed somewhat), until the proposed construction tender date in mid 2025. It also includes a driving range netting solution that allows the driving range to continue full operation during the construction phase, which has a positive impact on revenue.

The City's financial model has been updated with current capital forecasts, interest rates, inflation rates, employee costs, other operating costs and revenue increases. This analysis shows that under current assumptions, the projected revenue is calculated at \$392m, the net return from all sources is \$116m and the Net Present Value of all cash flows over 21 years is \$25.7m. The updated financial model, therefore, shows no significant impact on the overall financial outcome over the life of the agreement. Given that the model is based on conservative, revenue estimates, there remains significant upside.

Further work is continuing on the designs and potential value engineering solutions to finalise the cost estimates and ensure that the project remains within the newly established cost parameters. It should be noted that the exact cost cannot be known until construction tender responses are received. A decision of Council will be required prior to proceeding with the construction tender.

Comment

Major Land Transaction Business Plan

Section 3.59 of *the Local Government Act 1995* (the Act) requires that before a local government enters into a major land transaction, the local government is to prepare a Business Plan, advertise it seeking public comment, and before proceeding Council is to consider any submissions received. A copy of the Business Plan is contained as **Attachment (a)**.

It is open to Council to:

1. Proceed with the development as proposed in the Business Plan; or
2. Not proceed with the development as proposed in the Business Plan.

It is recommended Council authorise the CEO to proceed with the Major Land Transaction as proposed in the Business Plan.

Development Agreement

A draft Development Agreement has been prepared and is currently being finalised. Council was briefed on the concept plans and the key terms of the Development Agreement at a briefing held 18 November 2024.

Process

Should Council resolve to proceed with the transaction, the City will continue its negotiations with Clublinks to finalise the Development Agreement, the Course Controller Agreement and the Lease. The City will advertise the lease agreement in accordance with section 3.58 of the Act with any submissions presented to Council.

Consultation

Following Council's 27 August 2024 resolution, the Major Land Transaction Business Plan was advertised for public comment for a period of six weeks between 29 August 2024 and 11 October 2024 in the following manner:

- On the City's website;
- Copies of the Business Plan were made available at the City's Civic Centre, South Perth Library and Manning Library;
- Via the City's social media channels; and
- A copy of the notice was provided in the West Australian Newspaper (State-wide advertising).

At the close of public consultation period, five submissions were received. A schedule of submissions on the Business Plan is contained at **Attachment (b)** together with responses by City Officers. The submissions received do not require any amendments to the Business Plan.

Policy and Legislative Implications

Section 3.59 of the Act requires the City to prepare a Major Land Transaction Business Plan before it enters into a major land transaction and/or major trading undertaking. Regulations 8 and 8A of the *Local Government (Functions and General) Regulations 1996*, provide the amount prescribed for the purposes of a major land transaction and/or major trading undertaking.

Financial Implications

Continuing with the design process and implementation of the driving range netting is included within the current year budget. There are no further financial implications until Council is required to approve execution of the final agreements.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p> <p>Reputational Damage</p> <p>Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.</p>
	<p>Risk rating</p> <p>Medium</p>
	<p>Mitigation and actions</p> <p>This report deals with the legislative requirements of this transaction. The City will continue to meet its legislative obligations in all future decisions regarding the transaction and seek legal advice where necessary.</p>

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and engaged
Outcome:	1.2 Community infrastructure
Strategy:	1.2.1 Maintain, plan, develop and facilitate community infrastructure to respond to community needs and priorities

Attachments

10.3.2 (a):	Major Land Transaction Business Plan
10.3.2(b):	BusinesSubmissions Collier Park Golf Course Business Plan

10.3.3 South Perth Activity Centre Plan - Community Benefit Contribution Framework Annual Review

File Ref: D-24-45998
Author(s): Donna Shaw, Director Development and Community Services
Reporting Officer(s): Mike Bradford, Chief Executive Officer

Summary

This report is for Council to note the annual review of the South Perth Activity Centre Plan - Community Benefit Contribution Framework.

Officer Recommendation

That Council note the annual review of the South Perth Activity Centre Plan - Community Benefit Contribution Framework.

Background

The South Perth Activity Centre Plan (ACP) was endorsed by the Western Australian Planning Commission (WAPC) in December 2021. The ACP includes a Community Benefit Contribution Framework which, along with development requirements contained within Local Planning Scheme No.7 (LPS 7), make provision for a monetary or in-kind contribution to be made to the City to enable additional building height and/or plot ratio above prescribed primary limits to be approved.

Where a community benefit contribution is to be paid to the City in accordance with LPS 7 the amount payable shall be in accordance with whichever of the following formula that yields the greatest contribution amount:

- (a) $(3\% \times \text{total contract sum}) \times (\text{number of storeys above the Primary standard} \div \text{total number of storeys})$; or
- (b) $(3\% \times \text{total contract sum}) \times (\text{m}^2 \text{ of plot ratio area above the Primary standard} \div \text{m}^2 \text{ of total plot ratio area})$.

LPS 7 also requires the City to publish an annual statement in accordance with the ACP, that provides information about expenditure of the community benefit contribution. As the manner and form of the statement is not prescribed, this report is considered to meet the requirements of publishing an annual statement.

As part of the monitoring and review of the ACP, an annual review of the Community Benefit Contribution Project List is also recommended to be undertaken to ensure that the document is current, and all listed projects are accurately valued. The review is to identify projects that have been completed and should be removed from the Project List; and projects that have been partially completed and therefore need to be updated in the Project List.

It is noted that the ACP provides for a more comprehensive review of the entire Community Benefit Contribution Framework to occur on a five yearly basis (due 2026). The City intends to commence scoping of the review of the ACP in 2025, including the Community Benefit Contribution Framework.

Comment

Since approval of the ACP in December 2021, one community benefit contribution has been received which is reportable as part of the annual review and requires the Community Benefit Contribution project list to be updated as detailed below.

Civic Heart

Condition 14 of the Minister for Planning's decision to grant development approval on 3 January 2020 required a Leasing Strategy and Management Plan for the on-going operation of ground floor commercial tenancy T5 (and one nominated car bay) as community benefit space, to be submitted to and approved in writing by the City.

The City determined that due to the costs of utilising the tenancy and the lack of need for the facility, it was not justified and identified the Mends Street (South) – Local Streetscape Upgrade within the South Perth ACP Community Benefits Contribution Framework Project List as an alternative. The developer agreed to contribute \$153,308 ex. GST to this project, which reflects the cost of providing the commercial tenancy to the City for a proposed 10 year period.

Condition 14 was formally amended by the Minister on 9 August 2023 to the effect that Condition 14 no longer required the leasing of ground floor commercial tenancy T5 (and one nominated car bay) as a community benefit space in accordance with the contract, but as amended, required the Lot 688 owner/applicant to undertake community benefit works in the form of upgrades to the Mends Street verge adjacent to the site to a maximum contribution value of \$153,308 ex GST.

These works were undertaken and completed to the satisfaction of the City in 2024, thereby satisfying the term of Condition 14 in relation to community benefit.

Future Contributions

In relation to project valuations, the purpose of the estimated project costs is to ensure that a range of costed projects are included in the Community Benefit Contribution project list and to assist with prioritisation for delivery once funds are received. There are no changes proposed to the scope of any projects in the project list. Therefore, review of the estimated costs is not considered necessary as part of the annual review.

As experienced in 2023, market conditions have continued to result in construction cost escalations. As part of the evaluation process to select projects for delivery (should further community benefits contributions be received), a more detailed valuation would need to be undertaken by the City. This would align with the 'value for money' assessment undertaken in accordance with the Community Benefit Contribution Framework.

Given the City intends to scope the review of the ACP and associated Community Benefit Contribution Framework in 2025, deletion of the completed Mends Street (South) – Local Streetscape Upgrade project can occur in this review.

Consultation

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

As noted in the report, as part of the evaluation process to select a project for delivery (should further community benefit contributions be received), a detailed project valuation would be undertaken. This would address current market conditions as part of detailed planning for the delivery of the infrastructure project.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	Undertake annual reviews of the South Perth Activity Centre Plan Community Benefit Contribution Framework.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
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

Attachments

Nil

10.3.4 Proposed Six Multiple Dwellings - Lot 1 & 2 (No's. 32A & 32B) Thelma Street, Como

Location:	Lots 1 & 2 (32A & 32B) Thelma Street, Como
Ward:	Como Ward
Applicant:	Apex Planning
File Reference:	D-24-44508
DA Lodgement Date:	4 November 2024
Author(s):	Fiona Mullen, Manager Development Services
Reporting Officer(s):	Donna Shaw, Director Development and Community Services

Summary

The purpose of this report is to consider an application for development approval for Six Multiple Dwellings on Lots 1 & 2 (32A & 32B) Thelma Street, Como.

The item is referred to Council as the proposed building height falls outside the delegation to Officers.

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

Officer Recommendation

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for Six Multiple Dwellings on Lots 1 & 2, (No's. 32A & 32B) Thelma Street, Como **be approved** subject to the following conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein.
2. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.
3. The height of any wall, fence, vegetation or other structure, shall be no higher than 0.75m within 1.5m of where any driveway meets any public street or right of way, to the satisfaction of the City of South Perth.
4. External fixtures, including but not limited to, air conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street to the satisfaction of the City of South Perth.
5. Prior to occupation or use of the development, the proposed driveway shall be constructed with brick paving or concrete and suitably drained to the satisfaction of the City of South Perth.
6. Prior to occupation or use of the development, all vehicle crossings are required to be upgraded, designed, and constructed to the satisfaction of the City of South Perth.

7. Prior to the occupation of the development, any redundant crossovers shall be removed and the verge and kerbing reinstated, at the expense of the applicant to the satisfaction of the City of South Perth.
8. Prior to or in conjunction with 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 of South Perth. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.
9. The recommendations provided in the Sustainable Design Report (NatHERS Report) prepared by Modus Compliance on 27 June 2024, are to be installed and implemented prior to occupation or use of the development and remain in operation for the lifetime of the development to the satisfaction of the City of South Perth.
10. All street trees in the verge adjacent to the lot will be required by the City to be protected by a tree protection zone (TPZ) to Australian Standards during the works. The City requires that mulch is provided around the base of each tree within the TPZ and watered regularly for the duration of the works.
11. Prior to or in conjunction with the submission of a building permit application, or demolition permit application, whichever is earlier, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The Construction Management Plan must address the following issues, where applicable:
 - (i) Public safety and amenity;
 - (ii) Site plan and security;
 - (iii) Contact details of essential site personnel, construction period and operating hours;
 - (iv) Community information, consultation and complaints management plan;
 - (v) Noise, vibration, air and dust management;
 - (vi) Dilapidation reports of nearby properties;
 - (vii) Traffic, access and parking management;
 - (viii) Waste management and materials re-use;
 - (ix) Earthworks, excavation, land retention/piling methods and associated matters;
 - (x) Stormwater and sediment control;
 - (xi) Street tree management and protection;
 - (xii) Removal of onsite effluent disposal system and stormwater management system; and
 - (xiii) Asbestos removal.

The Construction Management Plan must be implemented and adhered to at all times, to the satisfaction of the City of South Perth.

12. Any external clothes drying areas shall be screened from view from all streets or any other public place.
13. The approved Waste Management Plan prepared by Dalcorp Advisory dated 21 June 2024 shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
14. Prior to the submission of an occupancy permit application, written certification shall be submitted to and approved in writing by the City of South Perth, demonstrating that all noise attenuation measures, identified in the Acoustic Report prepared by Gabriels Hearne Farrell Architectural Acoustics dated 26 August 2024 – Rev A have been implemented or installed. Such noise measures shall remain in place in perpetuity.
15. Prior to the submission of a building permit application, details of the proposed lighting to pathways, communal areas and car parking areas shall be provided to the satisfaction of the City of South Perth. External lighting shall comply with the requirements of Australian Standard 4282 – Control of Obtrusive Effects of Outdoor Lighting to the satisfaction of the City of South Perth.
16. Prior to occupation of the development, way-finding signage to be provided denoting the location of visitor car parking shall be implemented to the satisfaction of the City of South Perth.
17. Prior to or in conjunction with the submission of a building permit application, a detailed landscape plan demonstrating long-term viability of planting is to be submitted and approved in writing by the City of South Perth to address the following:
 - (i) Hard and soft landscaping areas;
 - (ii) The size (both height and pot size) and number of new trees and plants to be planted;
 - (iii) The location of any lawn areas to be established;
 - (iv) Reticulation details; and
 - (v) Details of any proposed verge landscaping and planting of street trees. The proposed bin pad to be relocated away from existing street trees.

Prior to occupation or use of the development, landscaping is to be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of South Perth.

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

Applicant	Apex Planning
Landowner	M & C & P Scutti

Development Site Details

The development site details are as follows:

Zoning	Residential
Density coding	R40
Lot area	809m ²
Building height limit	Two Storeys

Comment

(a) Background

In August 2024, the City received an application for Six Multiple Dwellings on Lots 1 and 2, No's. 32A and 32B Thelma Street, Como.

The site is zoned Residential R40 under Local Planning Scheme No.7 (LPS 7).

(b) Description of the Surrounding Locality

The site has a frontage to Thelma Street to the south, located adjacent to a two-storey residential building to the west, a three-storey Multiple Dwelling to the north and Single Houses and two storey Grouped Dwellings to the east and opposite the subject site to the south, Como Primary School as seen in **Figure 1** below:



Figure 1: Aerial image of the subject site

(c) Description of the Proposal

The proposal involves the demolition of the single storey duplex and the construction of Six Multiple Dwellings and associated carport and stores to the rear on the site. Vehicular access is provided to the site from the two existing crossovers on either side of the lot, as depicted in the submitted plans at **Attachment (a)**.

(d) Land Use

Multiple Dwellings are classified as a 'P' (Permitted) land use in LPS 7.

(e) Residential Design Codes

The proposed development is required to be assessed against the Residential Design Codes Volume 1 (the R-Codes). The R-Codes include 'deemed-to-comply' Criteria (prefixed by "C") and Design Principles (prefixed by "P"). Applications not complying with the deemed-to-comply criteria can be assessed against relevant design principles. The subject proposal complies with all relevant deemed-to-comply provisions of the R-Codes with the exception of those detailed in the table below.

R-Code Provision	Comment
Building Height	
	The R-Codes permit a maximum height of 8.0m (concealed roof) and two storeys. The proposed development has a height of 10.2m and three storeys. The associated design principles are addressed below.
P3.2.1 Building height, bulk and scale is appropriate for the existing and/or desired future streetscape and local character of the area and nearby development.	<p>The development exceeds all setback requirements, providing for a compact design which allows for high levels of open space surrounding the building on all sides.</p> <p>The significant open space surrounding the building is adequate to offset any additional building bulk resulting from the additional building height.</p> <p>It is noted that whilst the adjoining properties are a maximum height of two storeys, there is an existing three-storey multiple dwelling building to the rear of the subject site. In this context, the proposal is generally consistent with existing built form outcomes in the immediate locality.</p>
<p>P3.2.2 Building height is considerate of the impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves, and where appropriate maintains:</p> <ol style="list-style-type: none"> i. adequate solar access into indoor and outdoor active habitable space and solar collectors; and ii. access to views of significance. 	<p>The substantial building separation achieved through the generous setbacks to adjoining properties assists to maintain view corridors, allows for natural ventilation between properties, and direct sunlight/ ambient daylight penetration.</p> <p>The north-south orientation of the site results in mid-day overshadowing being cast to Thelma Street, therefore not impacting on adjoining properties.</p> <p>As the site is located at a peak in the local topography, the development is not considered to obstruct any existing view corridors to views of significance.</p>

Access	
The proposal provides for two accessways in lieu of the one permitted. The associated design principles are addressed below.	
<p>P3.7.1 Access for each development site is to:</p> <ul style="list-style-type: none"> i. balance pedestrian and cyclist safety while providing safe vehicle access; ii. minimise the extent of impervious surfaces; iii. provide legible access; and iv. include high quality landscaping features. 	<p>The proposed development provides for separate pedestrian and vehicular access points, minimising conflict between different users.</p> <p>The crossovers proposed are the minimum required width, noting that if a single crossover were proposed, it would need to facilitate vehicles passing each other, resulting in a similar overall extent of impervious surface within the street setback area.</p> <p>The pedestrian entry point is highly legible, emphasised by the building design, and the site meets all landscaping requirements.</p>
<p>P3.7.2 Vehicle access is designed and located to:</p> <ul style="list-style-type: none"> i. minimise the number and width of vehicle access points and the impact on the streetscape; ii. provide access to the street with the lowest volume of traffic; and iii. accommodate sloping sites and retaining walls. 	<p>Separating the driveways into two single width driveways rather than a single, double width driveway enables opportunity for landscaping to provide relief between driveways. It also avoids large expanses of hardstand which can have a substantial impact on streetscape amenity, particularly in a residential context.</p> <p>The driveways provide access from the only available street and satisfactorily navigate the slope of the site.</p>

(f) City of South Perth Design Review Panel Comments

Prior to lodgement of the development application, the proposal was presented to the City's Design Review Panel (DRP) at their meeting held in June 2024. The proposal was favourably received by the DRP with only further information required in relation to landscaping and sustainability. A landscape plan and Nationwide House Energy Rating Scheme (NatHERS) report were subsequently submitted in support of the development application. As the proposal has not been materially amended by this additional information, the application was not required to be reconsidered by the DRP.

(g) Consultation

Consultation has been undertaken for this proposal to the extent and in the manner required by the Regulations and Local Planning Policy – Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 5 September 2024 and 19 September 2024 in the following manner:

- A total of 41 letters were sent to owners and occupiers of properties within the vicinity; and
- A copy of the application was made available for review on the City's website.

At the close of the consultation period, three submissions were received as contained as **Attachment (d)**. Details of the submissions are provided in the table below, in addition to the Officer's comments:

Matter	Comment
<p><u>Height</u></p> <p>This property is zoned to a maximum of two storeys. A three-storey building will have an increased negative impact on the neighbouring properties. It will impact natural light and ventilation for surrounding residences.</p>	<p>The proposed building height has been considered on its merits. The proposed lot boundary setbacks to the sides and rear at 4.0m and 12.0m respectively are compliant with the R-Codes.</p> <p>The applicant has provided a landscaping plan prepared by a landscape consultant which details landscaped areas around the proposed building as well as providing trees.</p> <p>The north-south orientation of the lot will mean that at the winter solstice the proposed shadow will fall over the subject lot and the street.</p>
<p><u>Streetscape</u></p> <p>The proposed building is not in keeping with the period and architecture of existing street facing buildings adjacent and opposite, with 30- 36 Thelma Street built across the 1940-50s, and Como Primary School developed from 1916.</p>	<p>The R-Codes do not prescribe materiality and there are no specific design requirements relating to architectural styles related to this site.</p> <p>The proposed building is setback from the street in accordance with the R-Codes at 4.0m and with an articulated street frontage comprising good materiality in terms of render and brick work together with landscaped street frontage.</p>
<p><u>Car Parking</u></p> <p>This location has no suitable street parking, and one car bay per unit plus one visitor bay seems grossly inadequate for six units. This proposal should be rejected and re-designed within the allowable limits of the zoning rules.</p>	<p>The proposed car parking provided of a minimum of one car bay per dwelling and one visitor car bay and accessed by two different driveways is compliant with the provisions of the R-Codes.</p>

Policy and Legislative Implications

In accordance with the Regulations, the Local Government may determine an application for development approval by:

- (a) granting development approval with no conditions; or
- (b) granting development approval with conditions; or
- (c) refusing to grant development approval.

Financial Implications

This determination has some financial implications, to the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

Key Risks and Considerations

Risk Event Outcome	<p>Reputational Damage</p> <p>Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to sustained and co-ordinated adverse comment in the media.</p>
Risk rating	Low
Mitigation and actions	Risk acceptable with adequate controls, managed by routine procedures and monitoring.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
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

Conclusion

The development has been designed having due regard to the design principles, notwithstanding the additional storey proposed to the two storeys permitted and additional vehicle access, and meets the relevant R-Codes objectives and provisions. It is considered the proposal will not detrimental impact adjoining residential neighbours and streetscape.

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

Attachments

- 10.3.4 (a): Development Plans
- 10.3.4 (b): Development Reports
- 10.3.4 (c): DRP Minutes
- 10.3.4 (d): Submissions

10.3.5 Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 45, No. 197 Douglas Avenue, Kensington

Location: Lot 45, No.197 Douglas Avenue, Kensington 6151
 Ward: Moresby Ward
 Applicant: Sarah Giraud-Morel
 File Reference: D-24-44997
 DA Lodgement Date: 26 September 2024
 Author(s): Fiona Mullen, Manager Development Services
 Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Single House to Unhosted Short-Term Rental Accommodation on Lot 45, 197 Douglas Avenue, Kensington.

The item is referred to Council as the proposed land use falls outside of the delegation to Officers.

For the reasons outlined in this report, it is recommended that the application be approved subject to a condition.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7, the application for development approval for a Change of Use from a Single House to Unhosted Short -Term Rental Accommodation on Lot 45, 197 Douglas Avenue, Kensington **be approved** subject to the following condition:

1. The Management Plan shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.

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

Applicant	Sarah Giraud-Morel
Landowner	Edouard Giraud-Morel and Sarah Giraud-Morel

Development Site Details

The development site details are as follows:

Zoning	Residential
Density coding	R15
Lot area	612m ²

Comment

(a) Background

In September 2024, the City received an application for a Change of Use from a Single House to Holiday House on Lot 45, No. 197 Douglas Avenue, Kensington.

The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) were amended and took effect on 19 September 2024. The change introduced 'Unhosted Short-Term Rental Accommodation' (Unhosted STRA) as a land use in the Deemed Provisions which automatically applies to local planning schemes. The land use term 'Holiday Accommodation' is therefore substituted with this term.

(b) Description of the Surrounding Locality

The existing development is a Single House with primary street access from Douglas Avenue, and secondary access from the rear right-of-way.

The site is located within 400m of Curtin University and 200m from Moresby Street Local Centre.

The site has frontage to Douglas Avenue to the north-east and is surrounded by primarily low-density residential development as seen in **Figure 1** below:



Figure 1: Aerial image of subject site.

(c) Description of the Proposal

The applicant is seeking a Change of Use from a Single House to Unhosted STRA.

The applicant has submitted a Management Plan in support of the proposal. Details of the proposal are as follows:

- Maximum of six guests;
- Check-in time is from 3pm and check-out is before 10am;

10.3.5 **Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 45, No. 197 Douglas Avenue, Kensington**

- Complaints management and 24/7 support is handled by a short-term rental accommodation management company operating Australia wide;
- Guests register with the management company upon booking – stored within their secure platform;
- Guests screened as per respective booking website process;
- Monthly gardener visits ensuring landscaping is maintained;
- Extensive property inspection every six months;
- Guest guide provided to applicant within premises;
- Code of conduct provided to guests;
- No loud noise between 10:00pm and 8:00am;
- No parties are permitted;
- No additional guests without approval;
- No pets are permitted without approval;
- No smoking; and
- No gatherings or functions.

The development plans submitted as part of this application and Management Plan for the development are contained in **Attachment (a)**.

(d) Land Use

Holiday House is currently a 'D' (Discretionary) use in the Residential zone under Local Planning Scheme No. 7 (LPS 7) which means that the use is not permitted unless the local government has exercised its discretion by granting development approval. Whilst land use permissibility is yet to be assigned to Unhosted STRA as an amendment to LPS7 is first required, the City is treating the use as a 'D' use consistent with the previous land use definition, although it is noted that advertising was undertaken by the City given potential impacts to neighbouring properties.

(e) Short Term Accommodation Policy

Local Planning Policy P350.18 – Short Term Accommodation (Policy) was adopted by Council at its meeting held 27 March 2018 and seeks to facilitate the provision of self-contained visitor accommodation for short term occupancy and guide decision making in respect to the appropriateness of various forms of tourist accommodation facilities, as determined by the locality, the appropriateness of facilities and scale of the proposal.

The proposal complies with the City's Local Planning Policy P350.18 – Short Term Accommodation.

(f) Western Australian Planning Commission Position Statement: Planning for Tourism and Short-Term Accommodation (Statement)

The intent of the Statement is to:

- Guide the appropriate location and management of tourism and short-term rental accommodation land uses through the planning framework.
- Facilitate acceptable development of new and evolving tourism opportunities.
- Provide a high-level of amenity in tourism areas; and

10.3.5 **Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 45, No. 197 Douglas Avenue, Kensington**

- Deliver quality land use planning outcomes.

In accordance with clause 67(2)(e) of the Deemed Provisions of the Regulations, due regard must be given to the Statement when assessing a development application. The proposal is considered to satisfactorily address all relevant considerations outlined in the Statement.

(g) Compatibility and Amenity

Clause 67(2)(m) and Clause 67(2)(n) of the Deemed Provisions requires the local government to have regard to the compatibility of the proposal with its setting as well as amenity considerations (including environmental, character and social impacts).

The proposed Unhosted STRA is compatible with the wider character and amenity of the area as the proposed use and operation is minor in scale and intensity, hosting a maximum of six guests which is consistent with the expected number of persons within a four-bedroom dwelling.

A Management Plan has been provided, including details of property management support, mitigating potential issues surrounding check-in and out, noise and parking. Further, parties are prohibited. This will result in the dwelling not being used beyond the reasonable expectations of a low-density residential area.

Additionally, the use will be required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997.

The proposed development is considered satisfactory in this respect subject to compliance with the submitted Management Plan, which has been recommended as a condition.

(h) Carparking

Clause 67(2)(s) of the Deemed Provisions requires the local government to have regard to the arrangements for the manoeuvring and parking of vehicles.

In relation to on-site parking, two parking bays are provided at the front of the dwelling with an additional parking space available at the rear of the dwelling through the right-of-way access.

Adequate parking exists on site in relation to both the existing and proposed Unhosted STRA.

(i) Proposed Amendments to the Planning and Development (Local Planning Schemes) Regulations 2015 and Short-Term Rental Accommodation Act 2024

On 18 September 2024 the State Government released amendments to the Regulations relating to Short-Term Rental Accommodation (STRA).

Whilst Unhosted STRA is exempt from the requirement to obtain development approval if the property is not used as an Unhosted STRA for no more than 90 nights in a relevant 12-month period, the applicant seeks approval for an unlimited number of nights in a 12-month period and development approval is therefore required.

Under the *Short-Term Rental Accommodation Act 2024*, all providers of STRA within Western Australia, both hosted and un-hosted, will be required to register their property by 1 January 2025.

(j) **Consultation**

Consultation has been undertaken for this proposal to the extent and in the manner required by the Regulations and Local Planning Policy - Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 24 October 2024 and 7 November 2024 in the following manner:

- A total of 12 letters were sent to owners and occupiers of nearby properties; and
- A copy of the application was made available for review on the City’s website.

At the close of the consultation period, one submission was received which is contained as **Attachment (b)**.

Matters raised in the submission are provided in the table below, in addition to the City’s comments:

Matter	Comment
<p><u>Noise</u></p> <p>Changing the use will detract from the quiet nature of the residential area.</p>	<p>The submitted Management Plan outlines the times in which noise is to be limited and states that parties are not permitted. The use will be required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997.</p> <p>Should noise issues arise, the City can undertake noise monitoring to ensure compliance with the Management Plan.</p>
<p><u>Safety and Anti-social Behaviour</u></p> <p>The short-term nature of guests will result in a loss of safety and security for neighbouring properties.</p>	<p>The applicant has submitted a Management Plan detailing how complaints will be actioned and that all guests will be screened during the booking process, to flag undesirable guests and discourages any anti-social behaviour. A 24/7 phone line will be available for all issues at any time if they arise.</p> <p>Criminal and anti-social activity should be reported to the Western Australian Police.</p>
<p><u>Neighbourhood Character</u></p> <p>The short-term nature of guests will result in a loss of character and social cohesion in the area.</p>	<p>Whilst it is acknowledged that the submitter seeks longer-term residents, Unhosted STRA is a use that can be considered within the Residential zone and as such, the City is required to consider the application.</p>

Policy and Legislative Implications

In accordance with the Regulations, the local government may determine an application for development approval by:

- (a) granting development approval with no conditions; or
- (b) granting development approval with conditions; or
- (c) refusing to grant development approval.

Financial Implications

This determination has some financial implications, to the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

Key Risks and Considerations

Risk Event Outcome	<p>Reputational Damage</p> <p>Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.</p>
Risk rating	Low
Mitigation and actions	Risk acceptable with adequate controls, managed by routine procedures and monitoring.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Environment (Built and Natural)
- Aspiration: Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
- 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

Conclusion

One objection was received during the consultation period and the City acknowledges the preference from the submitter for longer term occupancy of the unit and that the land use, if not managed appropriately, has the potential to result in adverse impacts to nearby residents. Notwithstanding, the proposal is a land use that can be considered within the Residential zone.

The proposal is small in scale and is consistent with the City's Local Planning Policy P350.18 – Short Term Accommodation. Therefore, the proposal is unlikely to result in adverse impacts to adjoining properties if managed appropriately in accordance with the submitted Management Plan, which has been recommended as a condition of approval.

Attachments

- 10.3.5 (a): Development Plan and Management Plan
- 10.3.5 (b): Submission

10.3.6 Response to Notice of Motion - Draft Payment In Lieu of Parking Plan

File Ref: D-24-44527
Author(s): Donna Shaw, Director Development and Community Services
Reporting Officer(s): Mike Bradford, Chief Executive Officer

Summary

This report presents a draft Payment in Lieu of Parking Plan for the purposes of advertising in response to a previous resolution of Council following a Notice of Motion from Councillor Bronwyn Waugh.

Officer Recommendation

That Council receives the Parking Strategy Actions – November 2024 as contained as **Attachment (a)** and the draft Payment in Lieu of Parking Plan as contained in **Attachment (b)**.

Background

At its meeting held 31 October 2023, Council resolved to approve the draft Payment in Lieu of Parking Plan (Plan), which was created in response to State Government planning reforms introducing amendments to car parking provisions for non-residential development, including the requirement for a Plan to enable local governments to continue to apply cash in lieu of parking provisions.

In response to a Notice of Motion from Councillor Bronwyn Waugh, at its meeting held 22 October 2024, Council resolved as follows:

“That Council:

1. *Acknowledges the deficiency in parking within the City of South Perth.*
2. *Requests the CEO present, by the December 2024 Ordinary Council Meeting:*
 - a. *A report to Council on the actions taken by the City pursuant to the current Parking Strategy and Parking Management Action Plan over the past two years and actions it intends to undertake in furtherance of the recommendations included within the Parking Strategy over the coming two years.*
 - b. *An amended Payment in Lieu of Parking Plan that provides for:*
 - i. *Where appropriate, locational specific criteria and characteristics for different precincts, such as South Perth, Canning Bridge, and Manning;*
 - ii. *Where appropriate, redirection of funds toward strategies for encouraging mode shift; or*
 - iii. *Such other application of funds as determined by Council.”*

This report presents the response to the above resolution and a draft Plan.

Comment

Parking Strategy and Parking Management Action Plan

Parking Strategy

The Parking Strategy provides a long-term plan for the provision and management of parking within the City and was endorsed by Council at its meeting held 24 May 2016.

A copy of the actions undertaken as part of the Parking Strategy are contained in **Attachment (a)**. In addition:

- In 2023, the City constructed parallel parking bays at Forrest Street and York Street following contributions that are part of a Child Care Premises development approval.
- In 2024, angled car parking bays were also constructed along Duckett Drive to address demand.
- The City has reinstated 27 car parking bays on South Perth Esplanade following the end of the Intellibus driverless and electric vehicle trial.
- The City engaged students from Curtin University to review parking data/restrictions across the City.

In the next two years, the City intends to construct ACROD bays in the Richardson Reserve Car Park and on Hensman Street outside the bowling club for access and inclusion.

Parking Management Action Plan

The Parking Management Action Plan (PMAP) for the South Perth Station Precinct Parking Control Areas (PCA1) was adopted by Council in October 2017 and extends the work previously completed for the South Perth Parking Strategy. The aim of the PMAP is to complete a detailed analysis of parking within PCA1 and provide recommendations for implementation of effective parking management. The document does not contain actions, rather, guiding principles regarding parking management and a recommendation for an annual review of the plan aligned with any statutory review of parking pricing.

The key recommendations of the PMAP for PCA1 are as follows:

- Consider the existing parking supply as part of an integrated system.
- Changes in parking will be implemented throughout the year, using the PMAP as a baseline document.
- Manage demand to promote parking for specific users and land use types.
- Demand-responsive parking.
- Parking wayfinding to maximise the effectiveness of the parking system.
- Complete annual reviews of the PMAP, alongside the City's statutory parking charges review.

The following actions have been undertaken since adoption of the PMAP:

- The City and the Perth Zoo agreed to develop a parking agreement to encourage Zoo employees to park back in the sections of Angelo and Onslow Streets surrounding the Zoo.
- 4 hour parking 9.00am-4.00pm Monday - Friday restrictions were implemented and enforced for Hopetoun, Clarence and York Streets.

10.3.6 Response to Notice of Motion - Draft Payment In Lieu of Parking Plan

- Changing 24 hour parking on South Perth Esplanade to 8.00am-6.00pm Monday – Sunday; implemented and enforced. This has since changed to 8.00am-10.00pm Monday – Sunday due to the parking demand.
- Council resolved to approve a private car park on the corner of Harper Terrace and South Perth Esplanade, although this was never constructed by the developer.
- Conversion of the grassed area of Melville Parade North for contractors to park.
- Council resolved to approve concessions for an additional hour free parking for City of South Perth ratepayers in various locations within PCA1.

In June 2017, Council resolved to prepare an Activity Centre Plan (ACP) pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, and State Planning Policy 4.2 - Activity Centres for Perth and Peel for the area aligned with the South Perth Peninsula Place + Design Report (May 2017), which includes PCA1. The appendices to the ACP included a Transport and Movement Analysis to inform preparation of the ACP.

The ACP was approved on 21 December 2021, which included non-residential parking in accordance with rates specified in former Town Planning Scheme No. 6 and encouraged a car share scheme. With the exception of ACR1 (Civic Site – Lot 688 (No. 1) Mends Street, South Perth), car parking ratios were removed from Local Planning Scheme No.7 by the Minister for Planning.

To understand current parking conditions (particularly following recently completed developments) identify issues, and propose improvements, the City is currently undertaking a Parking Strategy project, including the South Perth Activity Centre, including:

- Review of existing internal plans and strategies.
- Data collection of existing parking spaces, occupancy rates, durations, turnover rates and demographics.
- Supply analysis – Inventory of existing parking facilities and spaces, incl. evaluation the number and types of parking spaces available (e.g., on-street, off-street, public, private).
- Demand analysis – Assess the current and projected demand for parking based on factors like land use, population and economic activities.
- Utilisation analysis – Analyse how parking spaces are used, including peak times, frequency of use, and patterns of occupancy.
- Comparative analysis – Compare the studied precincts' parking situation with similar areas to identify best practices and potential solutions.
- Review of restrictions.
- Paid parking.
- Resident permits.
- Alternative forms of transport.
- Community education.
- Infrastructure to support mode-shift.
- Projection of future parking demand.

10.3.6 Response to Notice of Motion - Draft Payment In Lieu of Parking Plan

- High-quality report with findings and recommendations for parking improvement management proposing strategies to optimize parking management, such as 2P/4P parking changes, pricing adjustments, policy changes, or the addition of new parking facilities and action plan with indicative timeframes for implementation.

This is expected to be completed in the following 12 months, with budget allocations sought for recommendations where required.

Payment in Lieu of Parking Plan

The following addresses the specific requirements of the resolution.

Locational Specific Criteria

The Plan must be consistent with the Manner and Form template (template) approved by the Western Australian Planning Commission (WAPC). The template does not include a section for prescribing locational specific criteria as detailed in the Council resolution.

The template does provide for maps for specific parking areas, with such maps required to include:

- The maps need to clearly identify the area or areas to which the Plan applies;
- Where the Plan applies to multiple areas an overall context map showing the individual areas should be provided;
- A map of each individual area should also be provided clearly identifying all the properties which are in the Plan area; and
- The individual area maps should include annotations or a numbered legend identifying the location and items of parking and other transport infrastructure covered in the Plan.

The City has prepared a draft Plan that includes separate map areas for the South Perth ACP, Canning Bridge ACP areas and the suburb of Manning, consistent with the resolution of Council. A copy of the draft Plan is contained in **Attachment (b)**.

In respect to the requirement to identify the location of infrastructure items, the infrastructure items included in the approved Plan include:

- At-grade on-street car parking bay;
- Technology to increase efficiency and turnover of bays;
- Electric charging facilities;
- Footpath infrastructure, including new connections and upgrades;
- Street lighting;
- Provision of, or upgrades to, bicycle networks;
- Shade trees; and
- CCTV.

As required by the template, these items have been detailed on the plans for each area, however, insufficient time was provided in the timeframe required to prepare this report to adequately scope the appropriateness of the locations of infrastructure. The City has provided generic locations where infrastructure could be provided and should the draft Plan be approved, would review the specific locations if and when funds are collected to provide for the infrastructure.

Funds for Strategies for Encouraging Mode Shift

The template requires the Plan to include the purposes for which payment-in-lieu of parking will be applied. The template does not include a section on how funds will be redirected to encourage mode shift as detailed in the Council resolution and this has therefore not been included in the draft Plan. In any instance, all infrastructure items included in the Plan with the exception of at-grade on-street car parking bays facilitate mode shift. Actual expenditure of funds is determined by Council as detailed below.

Other Application of Funds as Determined by Council

The template does not include a section on application or prioritisation of expenditure of funds, and this has therefore not been included in the draft Plan. In accordance with clause 771(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), money collected under the Plan must be applied for public car parking infrastructure, other transport infrastructure or ancillary or incidental purposes as detailed in the Plan.

The infrastructure items included in the Plan are capital works. Monies collected under the Plan are required to be held in a Reserve for this purpose. As such, Council determines how and where funds will be spent, as it determines the capital works program through the annual budget setting process.

Reserve Accounts

Clause 771(1) of the Regulations requires a local government to establish and maintain a Reserve Account for money collected under the Plan. The account is to be established under the provisions of the *Local Government Act 1995*, Section 6.11 and operated in accordance with the Local Government (Financial Management) Regulations 1996.

Clause 771(3) of the Regulations requires interest earned on monies held in the Reserve Account must be applied for the purposes set out in the Plan.

The existing Parking Facility Reserve could be repurposed for the balance of the district not specifically identified in the Plan, however, new reserve accounts would be required to be created for specific locations in the Plan (i.e. South Perth, Canning Bridge and Manning). Should Council proceed to advertise the draft Plan, this would be required to occur following advertising when approving the draft Plan.

Provisions about car parking in the Regulations do not apply to developments to which the Residential Design Codes apply. For non-residential development where the imposition of a payment in lieu of parking condition can be imposed, it can only be imposed where the parking space shortfall for the development is at least two. If the draft Plan is created for multiple specific areas, the City reiterates that it is unlikely that sufficient funds would be collected within each area to cover the cost of the provision of infrastructure, and the funds would then need to be returned. For this reason, it is recommended that Council does not proceed to advertise the draft Plan, as the approved Plan is fit for purpose.

Clause 771(5),(6) and (7) outline specific requirements for the treatment of money held in the Reserve Account when the Plan expires. Clause 771(5) requires that any unexpended money and interest on that money must be repaid to the relevant payer, or retained by the local government following reasonable steps to find the relevant paying in accordance with the Regulations.

Consultation

In accordance with Schedule 2, Part 9A, cl.77K of the Regulations:

“(1) If the local government resolves to prepare or adopt a payment in lieu of parking plan the local government must, unless the Commission otherwise agrees, advertise the proposed plan as follows:

- (a) publish in accordance with clause 87 the proposed plan and a notice giving details of –*
 - (i) how the proposed plan is made available to the public in accordance with clause 87; and*
 - (ii) the manner and form in which submissions may be made; and*
 - (iii) the period for making submissions and the last day of that period;*
- (b) give notice of the proposed plan in any other way, and carry out any other consultation, that the local government considers appropriate.”*

The period for making submissions must not be less than 21 days.

Policy and Legislative Implications

- *Local Government Act 1995*
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Government (Financial Management) Regulations 1996

Financial Implications

\$209,590 is contained within the 2024/25 adopted budget – Parking Facilities Reserve which is intended to be used for the review and implementation of the Parking Strategy.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Medium
Mitigation and actions	Adoption of payment in lieu of parking plan following advertising in accordance with the Regulations.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
Outcome:	3.1 Connected and accessible City
Strategy:	3.1.2 Develop and implement integrated transport and infrastructure plans that consider improved parking management systems and encourage alternative forms of transport

Attachments

10.3.6 (a):	Parking Strategy Action Status - November 2024
10.3.6 (b):	Payment in Lieu of Parking Plan - Amendment - November 2024

10.3.7 Revocation of Local Planning Policy P350.09 - Significant Views

File Ref: D-24-45842
Author(s): Donna Shaw, Director Development and Community Services
Reporting Officer(s): Mike Bradford, Chief Executive Officer

Summary

This report proposes the revocation of local planning policy - P350.09 – Significant Views for various reasons, including modification to information requirements since the Policy was initially adopted by Council and guidance from recent State Administrative Tribunal decisions on the issue.

Officer Recommendation

That Council, in accordance with the provisions of Schedule 2, Clause 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, revokes P350.09 – Significant Views.

Background

Local Planning Policies (LPP) are used to assist local governments in making planning decisions under the local planning scheme by outlining acceptable development standards and establishing clear expectations to applicants on how decision-makers are likely to exercise discretion.

P350.09 – Significant Views (P350.09) was adopted by Council at its meeting held 25 November 2008 and seeks to give balanced consideration to the reasonable expectations of both existing residents and applicants proposing new development with respect to a significant view. A copy of this policy is contained at **Attachment (a)**.

For the purpose of the Policy, the term ‘significant view’ means a panorama or a narrower vista seen from a given vantage point, not obtainable from the majority of residential properties within the City. Examples of a ‘significant view’ include views of the Perth City skyline, the Swan or Canning River, suburban townscape, parkland or treescape.

The Policy does not apply to any residential development in former Precinct 13 - Salter Point under former Town Planning Scheme No.6 assigned a building height limit of 3.0m, 3.5m or 6.5m. Views in this location are considered under ASR 12 – Salter Point Escarpment, where discretion is sought for building height under the Residential Design Codes (R-Codes) and the permitted building projection within Local Planning Policy – Salter Point Escarpment.

Comment

With the exception of heritage-protected places, as of 1 July 2024, determinations for single houses in Western Australia and the exercise of discretions under the R-Codes has become vested in local government CEOs or officers authorised by CEOs, to the exclusion of Councils, as enabled by section 257C of the *Planning and Development Act 2005* and regulations.

10.3.7 Revocation of Local Planning Policy P350.09 - Significant Views

For applicable single house proposals, the CEO or authorised officer are now responsible for the determination of any applications which have the potential to adversely affect existing views of neighbouring and nearby properties, following assessment in accordance with the R-Codes.

The R-Codes consider views via the design element of building height, with the relevant design principle ensuring that building height does not have an adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains access to views of significance. For multiple dwelling proposals, the R-Codes provides for applicants to submit a local context plan, including details of views to and from the site, which is then considered as part of the design review process.

The State Administrative Tribunal (SAT) has considered the matter of views of significance in Warden and Town of Mosman Park (WASAT 88), Ionic Projects Pty Ltd and City of Melville (WASAT 133) and Attree and City of Melville (WASAT 35). The key findings from these cases are as follows:

- What is an acceptable or unacceptable impact is a matter of fact, degree and expert assessment.
- Assessment of views should consider whether water or skyline views are available and to what extent the view is already obstructed.
- Modelling should be provided to demonstrate the impact on views, including the room from which the view is seen.
- It is not a requirement to have a specialist view expert provide evidence on required aspects, rather, the qualitative assessment of views can be undertaken by planners.
- Views from habitable rooms and a standing position should be protected to a greater degree than those from bedrooms or a seated position.
- Developments which cause significant discontinuation of an existing panoramic view are likely to be unacceptable.
- ‘Maintenance of access to views’ does not mean that no degree of impact on views can be tolerated.

P350.09 is suitable for revocation for the following reasons:

- The Policy provides information requirements (i.e. applicant shall submit plans/ photographs demonstrating the impact on significant views). The introduction of the deemed provisions to the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) now provides for accompanying materials, which includes plans showing the existing and proposed ground levels, a report or any specialist studies or any other plan or information the local government reasonably requires (such as modelling views of significance). Details of local context are submitted for multiple dwelling proposals. An LPP is therefore not required to guide information requirements.

10.3.7 Revocation of Local Planning Policy P350.09 - Significant Views

- The Policy provides that the City will assess the proposal against the objectives of the Policy, which is to balance consideration to the reasonable expectations of both existing residents and applicants. The City is required to do this as part of its discretionary assessment against the requirements of the design principles of the R-Codes. This allows for innovative design responses that may be more context and site responsive and as such, prescribing elements of the building which may be varied in an LPP is also not required. Where a deemed-to-comply provision is not met, the R-codes provides that applicant should provide sufficient justification to demonstrate how they have met or exceeded the requirements of the relevant design principle(s) when this pathway is pursued.
- With respect to retention of development entitlements, an LPP is not required to prescribe that a reduction in residential density or building height will not be required to retain views, as these are ‘as of right’ in the deemed-to-comply criteria of the R-Codes.

Consultation

In accordance with the Regulations, consultation on the revocation of an LPP is not required.

Policy and Legislative Implications

In accordance with the Regulations, an LPP may be revoked:

- ‘(a) by a subsequent local planning policy that;*
- (i) is prepared in accordance with this Part; and*
 - (ii) expressly revokes the local planning policy; or*
- (b) by a notice of revocation:*
- (i) prepared by the local government; and;*
 - (ii) published by the local government in accordance with clause 87.’*

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	Should Council resolve to revoke the Policy, the City will comply with the requirements of the Regulations.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
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

Attachments

10.3.7 (a):	Policy P350.09 Significant Views
-------------	----------------------------------

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 City of South Perth Annual Report 2023/24

File Ref: D-24-44510
Author(s): Danielle Cattalini, Manager Customer, Communications and Engagement
Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report recommends that Council accept the 2023/24 Annual Report and endorses the Electors' General Meeting to be held Tuesday 4 February 2025.

Officer Recommendation

That Council:

1. Accepts the City of South Perth Annual Report for the year 2023/24 as shown at **Attachment (a)**; and
2. Endorses the Electors' General Meeting to be held Tuesday 4 February 2025.

Absolute Majority Required

Background

Each year Council is required to accept the City of South Perth Annual Report. Once accepted by Council, the Annual Report is to be published on the City's website within 14 days and presented to an Electors' General Meeting within 56 days of Council accepting the report.

Comment

The City of South Perth Annual Report 2023/24 provides a comprehensive account of the City's activities throughout the financial year and highlights the City's progress towards the strategic objectives in the City's Strategic Community Plan 2021 – 2031. The Annual Report also contains information on the City's achievements and challenges and key targets for the year ahead.

The Annual Financial Statements will also be presented as a separate report for Council's adoption as recommended by the Audit, Risk and Governance Committee.

During June 2022, a first tranche of amendments to the Local Government (Financial Management) Regulations 1996 (Finance Regulations) and Local Government (Audit) Regulations 1996 (Audit Regulations) came into effect. The amendment removed, amongst other things, the requirement for local governments to include financial ratios in the annual financial reports and as such for the auditor to audit and/or attest the ratios. The State Government have designed a new Local Government Financial Index (LGFI) with four ratios, it will replace the previous Financial Health Indicator (FHI) used on the MyCouncil website.

A two-year trial of the LGFI has been endorsed by the Minister for Local Government. Local governments will receive more information from the Department of Local Government, Sport and Cultural Industries in due course including their draft LGFI workbooks and instructions on how to review, amend and verify the data for their LGFI scores. Once verified these scores will be published on the MyCouncil website.

Like the 2022/23 Financial Year and for information purposes, the (old) ratios for the 2023/24 Financial Year as calculated by the City are included in the table below. These ratios, together, provide for an estimated overall Financial Health indicator Score of 87 (2022/23 – 90), which compares very favourably against the benchmark figure of 70. The last two years results are mainly attributed to operating surpluses as opposed to the preceding years operating losses.

Ratio Name	Benchmark Ratio	High Ratio	2023/24	2022/23
Current	1.00	1.50	2.17	2.05
Asset Consumption	0.50	0.75	0.75	0.75
Asset Renewal Funding	0.75	1.10	0.98	0.92
Asset Sustainability	0.90	1.20	0.78	1.03
Debt Service Cover	2.00	5.00	4.67	3.87
Operating Surplus	0.01	0.15	0.05	0.04
Own Source Revenue	0.40	0.90	1.02	1.00

Once the Annual Report and Annual Financial Statements are accepted by Council it is proposed to hold the Electors' General Meeting on Tuesday 4 February 2025.

Consultation

There is no legislative requirement for the City to consult on the Annual Report, however, the *Local Government Act 1995* requires the Annual Report to be made available to members of the public prior to the Electors' General Meeting.

Policy and Legislative Implications

Section 5.53 of the *Local Government Act 1995* requires a local government to prepare an Annual Report for each financial year.

Section 5.54 of the *Local Government Act 1995* requires the Annual Report to be accepted by the local government no later than 31 December after that financial year.

Section 5.27 of the *Local Government Act 1995* requires an Electors' General Meeting to be held once every financial year on a day selected by the local government but not more than 56 days after the local government accepts the annual report.

Financial Implications

The costs associated with the Annual Report and holding the Electors' General Meeting are contained within the City's 2024/25 operating budget.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	Compliance with the legislative requirements for Annual Reports under the <i>Local Government Act 1995</i> .

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.1 (a): Annual Report 2023/24

10.4.2 Proposed City of South Perth Dogs Local Law 2025

File Ref: D-24-40505
Author(s): Toni Fry, Manager Governance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report considers the current provisions of the City of South Perth Dogs Local Law 2016, which was adopted in 2016 to reflect the *Dog Act 1976* and Dog Regulations 2013 at that time.

Following review, significant new inclusions are proposed; therefore, it is considered appropriate that the existing Dogs Local Law 2016 be repealed and a new Dogs Local Law be created.

The **purpose** of the proposed dogs local law is to make provisions about the confinement of dogs, control the number of dogs that can be kept on premises in the district, the impounding of dogs, regulate kennel establishments, and to require removal of dog excreta.

The **effect** of the proposed dogs local law is to extend the controls over dogs which exist under the *Dog Act 1976* and Dog Regulations 2013.

Officer Recommendation

That Council:

1. In accordance with s3.12(3)(a)(b) of the *Local Government Act 1995*, give local public notice stating that:
 - a) it proposes to make a Dogs Local Law 2025, and a summary of its purpose and effect;
 - b) copies of the proposed local law may be inspected at the City offices; and
 - c) submissions about the proposed local law may be made to the City within a period of not less than six weeks after the statutory public notice is given.
2. Note that the results of the public submission will be presented to Council for consideration.

Background

The City of South Perth (the City) is required under Section 3.16 of the *Local Government Act 1995* to review its local laws every eight years. The City of South Perth Dogs Local Law 2016 (2016 Local Law) was Gazetted on 13 January 2017 replacing the *City of South Perth Dogs Local Law 2011* and was developed taking into consideration significant changes which had occurred to the *Dog Act 1976* (the Act) and the introduction of the Dog Regulations 2013 (the Regulations). Changes to the Act in 2013 and the establishment of the Regulations realigned many areas previously dealt with under a local law to being dealt with by the Act and Regulations.

In 2016, following legislative changes it was considered by the City that the requirements of the local law were limited to the confinement and fencing of dogs, the maximum number of dogs that can be kept on a property without approval and a requirement to remove dog excreta.

The City has recently reviewed the 2016 Local Law with the objectives to ensure that it complies with legislation and provides the City with the ability to adequately manage dogs in the district in accordance with the expectations of the community and the power available to the City.

Comment

Section 51 of the Act provides local governments with the power to make local laws on specific matter which include, but is not limited to:

- providing for the registration of dogs;
- specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;
- requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;
- providing for the detention, maintenance, care and release or disposal of dogs seized; and
- providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.

In reviewing the 2016 Dog Local Law, City Officers reviewed the WALGA model local law for dogs and will expand the City's local law to provide the City with additional powers as reflected in the WALGA model, therefore providing all stakeholders with further clarification of the City's requirements and providing the City with powers as available.

The proposed City of South Perth Dogs Local Law 2025 is at **Attachment (a)** and a description of the key inclusions are set out below:

a) Impounding of Dogs

The City operates the Animal Care Facility which acts as a dog management facility in accordance with the Act. The facility, which opened on 17 December 2014, detains dogs impounded within the City boundaries as well as those impounded on behalf of six other metropolitan local governments. The provisions for the seizure and impounding of dogs are covered under the Act. Supplementary information regarding charges and costs, attendance of a pound keeper at the pound and the release of impounded dog information has been incorporated into Part 2 of the proposed Dogs Local Law 2025, providing further clarification of the City's requirements for all stakeholders.

b) Requirements and Limitations on the keeping of dogs

Part 3 of the proposed Dogs Local Law 2025 details the limitation on the number of dogs which may be kept on any premises and the way dogs are to be confined on a premises.

10.4.2 Proposed City of South Perth Dogs Local Law 2025

c) Approved Kennel Establishments

Part 4 of the proposed Dogs Local Law 2025 sets out the provisions that relate to an approved kennel establishment (kennel), including approval requirements, fees, period of licence, variation or cancellation of the licence, transfer, notification and inspection of the kennel. The City's Local Planning Scheme No 7 includes the provision for animal establishments which includes a premises used for the breeding, boarding, training or caring of animals for commercial purposes. It is therefore appropriate that the City's local law sets out the requirements for any such establishment within the district.

d) Offence to excrete

Part 5 of the proposed Dogs Local Law 2025 details where it is an offence for a dog to excrete.

e) Enforcement

Part 6 of the proposed Dogs Local Law 2025 sets out the provisions that relate to measures including modified penalties and infringement notices. Modified penalty infringement notices in the proposed Dogs Local Law 2025 includes three offences that have modified penalties ranging from the equivalent of 50 to 200 penalty units. Penalty Units are prescribed in the City of South Perth Local Law relating to Penalty Units; on 1 June 2024 one penalty unit is \$13.00. In accordance with the *Local Government Act 1995*, unless otherwise prescribed by regulation, the modified penalty that a local law may prescribe for an offence is not to exceed 10% of the maximum fine (\$5,000) that could be imposed for that offence by a court.

Within the proposed Dogs Local Law 2025, infringement notices have been specified for offences where the modified penalty adequately reflects the seriousness of the offence. Infringement notices are an important part of the City's enforcement and compliance regime, in that they enable the City to address minor compliance issues without causing the expense and delay of formal court proceedings.

Considerations

Due to the new inclusions, it is considered appropriate that the existing Dogs Local Law 2016 be repealed and a new Dogs Local Law 2025 be created. Section 51 of the Act provides that a local government may make local laws about dogs using the process set out in section 3.12 of the *Local Government Act 1995*.

In accordance with s3.12(3)(a)(b) of the *Local Government Act 1995*, the City is to give local public notice stating that:

- It proposes to make a Dogs Local Law 2025, and a summary of its purpose and effect;
- Copies of the proposed local law may be inspected at the City offices;
- Submissions about the proposed local law may be made to the City within a period of not less than six weeks after the statutory public notice is given;
- Provide a copy to the Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development; and
- Note that the results of the public submissions will be presented to Council for consideration.

Consultation

To commence the local law-making process, it is necessary for the City to give local public notice of its intent to make the proposed Local Law and invite submissions for a period of no less than six weeks after the notice is given. As this invitation for submissions commences over the Christmas Period (mid-December to mid-January), the consultation period will be extended to 13 February 2025, thereby providing further time for engagement.

Policy and Legislative Implications

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

Section 51 of the *Dog Act 1976* provides local governments with the power to make local laws related to specific matters pertaining to the management of dogs in the district.

Financial Implications

The costs associated with the statutory advertising of the proposed Local Law is contained within the adopted 2024/25 Annual Budget.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	Following the requirements of S3.12 of the <i>Local Government Act 1995</i> .

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.2 (a):	Proposed City of South Perth Dogs Local Law 2025
-------------	--

10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.5.1 2023/24 Annual Financial Statements (External) Audit Information Systems Report

File Ref: D-24-45162
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report tables the 2023/24 Annual Financial Statements Final Audit Information Systems Audit report from the Office of the Auditor General (OAG), referred to as a Management Letter. Like prior years the 2023/24 Annual Financial Statements Audit included an Information Systems Audit. The Information Systems Audit Management letter includes 14 findings, risk ratings, recommendations, and management comments.

It is recommended that all the findings are accepted and added to the City's Audit Register, with commentary on progress of resolution to be reported at each Audit, Risk and Governance Committee Meeting.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf

Seconded: Mr Warwick Gately

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

1. Notes and accepts the Information Systems Audit Management Letter **Confidential Attachment (a)**; and
2. Includes the findings of the Final Audit Management Letter Information Systems Audit in the Audit Register.

CARRIED (4/0)

For: Mayor Greg Milner, Councillor Jennifer Nevard, Mr Warwick Gately and Ms Shona Zulsdorf.

Against: Nil.

Background

The External Audit, also known as an Audit of the Annual Financial Report is conducted separately from Internal Audit. External Audit focuses on providing an objective independent opinion of the financial statements prepared by the City. In forming that opinion, testing is undertaken of internal controls, systems and procedures that form the basis of the balances that make up the Annual Financial Report.

The *Local Government Amendment (Auditing) Act 2017* made legislative changes to the *Local Government Act 1995* to provide for the auditing of local governments by the Office of the Auditor General (OAG).

The changes also allow for the OAG to undertake various types of audits including Information System Audits. These audits are conducted at a sample of State or Local Government entities. The Information Systems Audit focuses on the computer environments to determine if these effectively support the confidentiality, integrity and availability of information they hold.

Following on from the last six years, the OAG performed the City of South Perth 2023/24 Annual Financial Statements external audit. The external audit occurs in two steps, the first being an Interim Audit which typically tests controls around transactions, with the final stage being the Audit work to attest the balances and notes that comprise the Annual Financial Statements.

The 2023/24 Information Systems Audit was the fifth such audit, with the first being conducted by the OAG for the financial year 2018/19 which included 19 findings.

A second Information Systems Audit was conducted in 2019/20, and it identified 23 findings (14 of which were a replication of previously identified findings).

The 2021/22 Information Systems Audit identified 22 findings of which eight were replicated from previous audits. The 2022/23 Information Systems Audit identified 20 findings of which 18 were replicated from the previous audits.

Good progress has been made and the 2023/24 Information Systems Audit identified 14 findings of which 9 were replicated from the previous audits. No findings have been rated as significant and all findings are confirmed to have no impact on the audit opinion.

With reference to the Information Systems Audit, it is therefore recommended that the existing open replicated findings be closed and replaced with the 2023/24 findings.

All Audit recommendations are recorded in the Audit Register. Progress will be monitored by management, this Committee and Council.

Comment

The Final Audit was conducted in October 2024, with the Information Systems Audit Management Letter **Confidential Attachment (a)** being issued. It includes 14 findings, risk ratings, recommendations, and management comments. This report is presented for the Committee's consideration.

Officers recommend all findings are included in the Audit Register.

The WA Auditor General undertakes Information Systems Audits at selected Local and State Government agencies. Findings are presented to Parliament in the summary report. The results of the City's audit will be incorporated into the summary report presented to Parliament. A copy of this report will be made available when issued.

It should be noted that whilst a number of findings have remained outstanding across audit years, there has been a large amount of work undertaken to address these however, due to supplier issues and internal resourcing issues, some of these remain work in progress. The City will continue to work through all findings in priority order, within its resourcing constraints.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995 and Regulations.

Financial Implications

The fee for finalising the External Audit for the 2023/24 Annual Financial Statements is estimated at around \$104,500 (excl GST). An amount of \$73,000 was included in the budget, however a budget adjustment of \$31,500 will be required at midyear review.

The cost of City Officers' ongoing effort to undertake the improvements and report on progress has not been estimated.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Compliance with the <i>Local Government Act 1995</i> .

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.4 Maintain a culture of continuous improvement

Attachments

10.5.1 (a):	Final Audit Informations Systems Management Letter <i>(Confidential)</i>
--------------------	---

10.5.2 2023/24 City of South Perth Annual Financial Report

File Ref: D-24-45164
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report tables the 2023/24 Annual Financial Report, the Independent Auditor's Report and the Office of the Auditor General Exit Brief.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf
Seconded: Mr Warwick Gately

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

1. Adopt the Annual Financial Report shown at **Attachment (a)**;
2. Accepts the Independent Auditor's Report on the 2023/24 Annual Financial Report presented by the WA Auditor General shown at **Attachment (b)**; and
3. Accepts the WA Auditor General Annual Financial Audit Exit Brief shown at **Confidential Attachment (c)**.

CARRIED (4/0)

For: Mayor Greg Milner, Councillor Jennifer Nevard, Mr Warwick Gately and Ms Shona Zulsdorf.

Against: Nil.

Background

The Department of Local Government, Sport and Cultural Industries (DLGSCI) Operational Guidelines Number 9 – Audit in Local Government, describe that the CEO is responsible to ensure the external audit report and Annual Financial Report is provided to the Audit, Risk and Governance Committee (ARGC) for review. This is the sixth year that the City's external audit has been conducted by the WA Auditor General (OAG). The City of South Perth was one of the first Councils where the WA Auditor General conducted the external audit as part of the completed staged transition for all local governments to be audited by the OAG.

The 2023/24 Annual Financial Report shown at **Attachment (a)** provides the community with an open and accountable insight into how the City has performed against the adopted Annual Budget 2023/24 as the short term plan informed by the vision and strategic objectives outlined in the City's Strategic Community Plan 2021-2031.

Included in **Attachment (b)** is the Independent Auditor's Report on the 30 June 2024 Annual Financial Report. The WA Auditor General has presented their findings in the Annual Financial Audit Exit Brief which is provided at **Confidential Attachment (c)**.

Comment

The Annual Financial Audit Exit Brief **Confidential Attachment (c)** at Part 3 is titled “Issues Identified during the Audit” and under the heading Reporting and Financial Control Issues there are no findings. It also describes and includes a summary of the Information Systems Control Issues, from the Information Systems audit performed as part of the Annual Financial Audit. Details are reported to the Committee in a separate report forming part of the agenda for this meeting.

Part 4 of the Exit Brief describes audit outcomes relating to risks identified during audit planning. This section confirms that all risks identified were adequately tested and mitigated, issues identified have been included in Part 3 as detailed above.

The Annual Financial Audit Exit Brief confirms at Part 5, that the City treated the disposal of Collier Park Village correctly in its accounts.

Part 6 refers to an “Information Systems Maturity Model.” As part of the information systems audit a Capability Maturity Assessment is performed. The capability maturity model is a way of assessing how well developed and capable the established IT controls are. The current Assessment shows that the City’s maturity across a number of areas has improved over the past year.

Part 7 of the Exit Brief describes unadjusted errors and misstatements and confirms that there are no unadjusted errors or misstatements. The WA Auditor General has once again issued an unqualified opinion in the Independent Auditor’s Report.

Parts 8, 9 and 10 deals with the audit fee, grant acquittals and next year’s audit respectively.

Officers recommend that the ARGC receive the presentation by officers from the Office of the Auditor General and note the 2023/24 Annual Financial Report including the audit opinion and the Annual Financial Audit Exit Brief.

The ARGC may make recommendations to Council, with Council required to accept the Annual Report, including the Annual Financial Report, for presentation to the annual Electors’ General Meeting.

The Annual Financial Report and Independent Auditor’s Report are complete. There may be minor layout and textual amendments (presentation amendments) to the Annual Financial Report prior to it being presented to the Electors’ General Meeting in February 2025.

Consultation

Nil.

Policy and Legislative Implications

Section 5.53(1) of the *Local Government Act 1995* requires a local government to prepare an annual report for each financial year. Section 5.53(2) of the *Local Government Act 1995* specifies that the Annual Report is to contain the financial report and auditor’s statement for that financial year.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	Annual Financial Report provided in compliance with the requirements of the <i>Local Government Act 1995</i> .

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.4 Maintain a culture of continuous improvement

Attachments

10.5.2 (a):	2023/24 City of South Perth Annual Financial Report
10.5.2 (b):	2023/24 Audit Opinion
10.5.2 (c):	Annual Financial Audit Exit Brief (<i>Confidential</i>)

10.5.3 Quarterly Activity Report

File Ref: D-24-45170
Author(s): Toni Fry, Manager Governance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report outlines recent activities undertaken by the City of South Perth relating to Risk Management, Business Continuity and Workplace Health and Safety and an overview of the activities planned.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf
Seconded: Mr Warwick Gately

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

1. Notes the details of the Quarterly Activity Report as contained in the body of the report;
2. Notes the one Corporate Operational Risk being escalated as contained within the report; and
3. Endorses the Strategic Risk Register as contained in **Confidential Attachment (a)**.

CARRIED (4/0)

For: Mayor Greg Milner, Councillor Jennifer Nevard, Mr Warwick Gately and Ms Shona Zulsdorf.

Against: Nil.

Background

The Council is responsible for the strategic direction of the City. The City's Audit, Risk and Governance Committee (ARGC) is a Committee of Council in accordance with the *Local Government Act 1995* (the Act) and is responsible for providing guidance, assistance and oversight to the Council, in relation to matters which include the City's compliance with Regulation 17 of the Local Government (Audit) Regulations 1996 (the audit regulations).

The responsibility of the Chief Executive Officer (CEO) in relation to Regulation 17 of the audit regulations includes reviewing the appropriateness and effectiveness of the City's systems and procedures in relation to:

- a) risk management;
- b) internal control; and
- c) legislative compliance.

This activity report will provide an update on the City's Risk Management, Business Continuity and Workplace Health and Safety activities undertaken for the previous quarter and identifies proposed activities for the upcoming quarter.

Information contained in this report will assist the ARGC in fulfilling their responsibilities as they relate to Regulation 17 of the audit regulations.

Comment

1) Strategic Risk Register

The Strategic Risk Register (register) has been developed in consultation with the City's Elected Members and external members of the ARGC. The register was last endorsed by the ARGC at its meeting held 10 September 2024.

The register, as contained in **Confidential Attachment (a)**, has been reviewed by the Executive Management Team with one amendment in terminology related to Risk 7 - Work Health and Safety and the City's proposed Industrial Agreement. This amendment is identified in red text within the register which is presented to the ARGC for endorsement.

2) Operational Risk Register

In accordance with the requirements of the Risk Management Framework 2024 all Corporate Operational risks with a residual risk rating of High or Extreme are presented to the ARGC for review and noting. The Internal Risk Management Committee (IRMC) met on 3 October 2024 at which time the Operational Risk Register was reviewed and subsequently presented to the Executive Management Team on 21 October 2024 for endorsement.

Due to the recent improvement in availability of contractors and the impact on City activities, Operational Risk 5.0 Dependency on Contractors to Deliver Key Projects/Services was reassessed from a high residual risk level to a moderate risk level.

Subsequently one risk remains on the operational risk register with a residual risk rating at high or above as detailed below:

Corp Risk 1.2 Physical security of City Officers and Assets

Outcome: Health/Injury

Due to hostile incidents which have occurred at City facilities, the residual likelihood of this risk event occurring remains as possible, with the risk rating remaining as high.

Controls

Established corporate policies, management practices, procedures and strategies including:

- Communications on 'increased alert level' provided via email.
- Audio communication on CCTV at Waste Kiosk (completed) and thermographic camera to be installed at Recycling Centre 'battery storage area.'
- External provider engaged for building security.
- Additional security cameras installed at Animal Care Facility, George Burnett Leisure Centre and Civic Centre Customer Service.

- Swipe card access to staff administration areas.
- Training and awareness sessions provided.
- Additional exit door installed in Development Services meeting room.
- Operations and Recycling Centre – main entry gates closed to the public outside business hours.
- Personal duress alarm for Animal Care Facility Officers working alone.
- Cashless operations at the Civic Centre.
- Security gate and fencing installed at the Civic Centre staff carpark.
- Security screens on all windows at Animal Care Facility and Rangers Office.

Further actions/comments

- Develop and review policies and management practices to address security access.
- Further rollout/renew/upgrade of CCTV at all City buildings.
- Physical review of security at the Animal Care Facility, Rangers Office and Operations Centre reception area currently in progress.
- Civic and Administration reception desk – glass barrier to be installed.
- Review of National Terrorism Threat Level.

3) Business Continuity

A Business Continuity Management Framework (BCMF) has been developed and was presented and noted at the 12 September 2023 ARGC Meeting. City Officers have been working towards developing a process implementation plan, which is expected to be rolled out across the City's business units in early 2025. A report on this progress will be provided at the March 2025 ARGC meeting.

4) ISO 45001 Work Health and Safety

- The Executive Management Team, Work Health and Safety - Safety Management System meeting was held in July 2024 at which time the WHS Annual Target and Objectives for 2023/24 were reviewed and finalised with the Annual Target and Objectives adopted for 2024/25.

An internal WHS ISO45001 audit was conducted in August 2024 to cover Civic Centre and GBLC activities.

- Training was held in July for the Leadership Team on menopause-friendly work practices, as part of the City becoming accredited towards being a Menopause Friendly Workplace.
- First Aid training was held in July 2024 for 24 employees.
- Incident investigation training for HR representatives, Coordinators, Supervisors, and Team Leaders was held in August 2024.

- R U OK? Day presenter from the Happiness Co was engaged to present at the 'All of Staff' meeting held on the national R U OK? Day, to talk about how to identify individual behaviours' of those who may be struggling as well as how to engage and ask the right questions to support them.

5) Planned Activities

The following activities are planned (subject to the availability of organisational officers) for the remainder of the 2024/25 financial year:

System/Procedure	Activity	Expected Outcome
Risk Management	Operational risks to be reviewed on a quarterly basis.	The City's Corporate Operational Risk register to be as current as reasonably practicable.
Risk Management	Development of further fraud and corruption training.	Increased knowledge within the City's business units in order to further protect resources and information and safeguard the integrity and reputation of the City.
Business Continuity	Rollout of updated business continuity plans in accordance with the requirements of the Business Continuity Management Framework.	The City's Business Continuity Plans to be as current as reasonably practicable.
Risk Management	Management Practice M695 Risk Management.	Sound risk management practices and procedures to be further integrated into the City's strategic and operational planning process and day to day business practices.
Risk Management	Provide training program for identified officers.	Provide support and guidance to officers ensuring they have familiarity with the City's risk management practices.
Workplace Health and Safety	Continue to implement the annual Targets & Objectives.	Targets are on track to be achieved for 2024/25.

Consultation

Nil.

Policy and Legislative Implications

- Reg 17 (1) (a) (b) and (c) of the Local Government (Audit) Regulations 1996
 - 17. CEO to review certain systems and procedures
 - (1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –
 - (a) risk management;
 - (b) internal control; and
 - (c) Legislative compliance.
- *Work Health and Safety Act 2020*

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation</p>
Risk rating	Low
Mitigation and actions	Continuous review and improvement in relation to all Risk Management, Business Continuity and Workplace Health and Safety activities.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Leadership
- Aspiration: A local government that is receptive and proactive in meeting the needs of our community
- Outcome: 4.3 Good governance
- Strategy: 4.3.4 Maintain a culture of continuous improvement

Attachments

- 10.5.3 (a): Strategic Risk Register (*Confidential*)

10.5.4 Audit Register Progress Report - 1st Quarter Update

File Ref: D-24-45173
Author(s): Toni Fry, Manager Governance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report provides an update on the progress of actions included in the Audit Register. The Audit Register includes all open audit findings that have previously been accepted by the Audit, Risk and Governance Committee and Council.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf
Seconded: Mr Warwick Gately

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

1. Notes the progress recorded against each item within the Audit Register in **Confidential Attachment (a)**; and
2. Approves the findings marked as Complete (100%) in the Audit Register, to be registered as closed and no longer reported to the Committee.

CARRIED (4/0)

For: Mayor Greg Milner, Councillor Jennifer Nevard, Mr Warwick Gately and Ms Shona Zulsdorf.

Against: Nil.

Background

The confidential Audit Register as contained in **Confidential Attachment (a)** lists internal and external audit findings and describes the progress of implementing improvements and the percentage completion. This report is prepared for noting the progress and completion of findings since the last meeting.

Comment

The Audit Register contained in **Confidential Attachment (a)** presents audit outcomes by 'Finding' numbers. Any given Finding may have more than one 'Recommendation' and associated 'Agreed Management Action.'

Only when all Agreed Management Actions related to a Finding are marked as 100% complete, will the report be presented to the Audit, Risk and Governance Committee (ARGC), with a recommendation that the Finding be closed.

The Audit Register has been formatted to ensure clarity as detailed below:

1. Where a Finding has more than one Agreed Management Action, it is represented with double lines around that entire Finding.

10.5.4 Audit Register Progress Report – 1st Quarter Update

2. Updates in relation to each Finding are displayed in chronological order i.e. latest update appears at the bottom of each Finding.
3. Each Finding that is to be closed (i.e. 100% complete for all Agreed Management Actions) is represented by a purple ‘Closed Tally’ column on the right and numbered.
4. All Findings that are being recommended for closure by the ARGC are filtered to the end of the register.

The ARGC is requested to recommend that Council note the progress and officer comments. In addition, it is recommended all Findings marked as complete (100%) in the Audit Register be registered as closed. All closed items will not form part of the Audit Register report for future meetings.

It is requested to note the Audit Register in **Confidential Attachment (a)**.

Internal Auditor

The City recently invited expressions of interest from qualified and experienced auditors to undertake all aspects of the preparation and execution of a revised Strategic Internal Audit Plan for the period 2024-2027.

The Request for Quotation was released via WALGA Vendorpanel on Friday 23 August 2024 to the following organisations:

1. Australian Audit Pty Ltd
2. KPMG
3. Moore Australia (WA) Pty Ltd
4. Paxon Business and Financial Services Pty Ltd
5. RSM Australia
6. Stantons International Audit and Consulting Pty Ltd
7. William Buck Consulting (WA) Pty Ltd

At the close of submissions on Wednesday 11 September 2024 the following organisations had responded:

1. Australian Audit Pty Ltd
2. Moore Australia (WA) Pty Ltd
3. Paxon Business and Financial Services Pty Ltd
4. Stantons International Audit and Consulting Pty Ltd
5. William Buck Consulting (WA) Pty Ltd

The evaluation panel made up of the Director Corporate Services, Manager Finance Services and Manager Governance assessed each submission. Given the stringent evaluation process, it was evident that Willam Buck Consulting (WA) Pty Ltd stood out as the highest rated across the criteria. Additionally, their submission also presented competitive pricing whilst ensuring compliance with the requirements outlined.

It was therefore recommended Willam Buck Consulting (WA) Pty Ltd be selected as the preferred supplier to supply the Provision of Internal Audit Services for the City of South Perth for three years from the date of acceptance.

Consultation

Nil.

Policy and Legislative Implications

The Internal Audit function is considered a business improvement process that will assist in compliance with Regulation 5 of the Local Government (Financial Management) Regulation 1996 (CEO’s duties as to financial management) and Regulation 17 of the Local Government (Audit) Regulations 1996 (CEO to review certain systems and procedures).

Financial Implications

The Internal Audit function has a budget of \$40,000 for the 2024/25 financial year, and it is anticipated that a budget of a similar amount is to be adopted for future years. Officers’ effort to undertake the improvements and report on progress has not been estimated.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Medium
Mitigation and actions	Quarterly reporting of progress on the Audit Register to the ARGC and Council. In the report, Officer comments on actions taken and progressive completion of Actions are noted. Actions which are 100% complete are closed out and reported to the ARGC. There is no future reported on closed out actions.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Leadership
- Aspiration: A local government that is receptive and proactive in meeting the needs of our community
- Outcome: 4.3 Good governance
- Strategy: 4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

- 10.5.4 (a): Audit Register Report (*Confidential*)

10.5.5 Policy Review - Infrastructure Services

File Ref: D-24-45175
Author(s): Anita Amprimo, Director Infrastructure Services
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

The Terms of Reference of the Audit, Risk and Governance Committee include responsibility for reviewing the City's policies. A number of policies are now presented for the consideration of the Committee and referral to Council for adoption.

Officer Recommendation AND COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf
Seconded: Mr Warwick Gately

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

1. Adopts the following revised policies with amendments as shown in **Attachment (a)**:

P202	Energy Conservation
P203	Ground Water Management
P204	Chemical Use
P210	Street Verges
P211	Water Sensitive Urban Design
P212	Waste Management
P357	Right of Way (ROW) Maintenance and Development
P510	Traffic Management
P648	Motor Vehicle
P688	Asset Management

CARRIED (4/0)

For: Mayor Greg Milner, Councillor Jennifer Nevard, Mr Warwick Gately and Ms Shona Zulsdorf.

Against: Nil.

Background

In line with contemporary organisational models, the policy framework aligns policies to the City's Strategic Directions as contained in the Community Strategic Plan 2021-2031.

City Officers have been reviewing policies on a progressive basis during the 2024 calendar year. Each policy has been considered by the custodian business unit having the relevant technical expertise in relation to the policy content and subsequently by the Executive Management Team (EMT) representing each of the City's Directorates.

The review centres on the continuing relevance of the policy and the need to update it in light of any change in the legislative or operating environment. The review may identify a need to revise the policy, revoke the policy or that no change is needed.

10.5.5 Policy Review - Infrastructure Services

This review was conducted on the policies that are vested with the Infrastructure Services Directorate. During this review, there were no new policies drafted for consideration and none were recommended to be revoked.

Amended Policies

The policies listed below and at **Attachment (a)** are recommended with amendments as shown by track changes in each document.

A small summary explaining the amendments has been provided in the table below:

P202 Energy Conservation

At both a local and state level, there has been an increase in demand to develop new initiatives for the conservation of energy. These initiatives include the installation of charging stations for electronic vehicles and a bike enclosure with charging stations for e-bikes and e-scooters at the Civic Centre. This policy has been updated to encourage and promote sustainable transportation and the implementation of clean energy infrastructure upgrades in addition to the preexisting directives.

The business unit vested with responsibility for ensuring the compliance of this policy has been reassigned to Waste, Fleet and Facilities, as they have the ability to provide a holistic approach to implementing the directives outlined in the policy statement.

P203 Ground Water Management

Following the successful sale of Collier Park Retirement Village to Amana Living on 27 June 2024, references to the City's responsibility for ground water maintenance of the property has been removed from the policy.

The policy has also been updated to identify the need for a Dewatering Management Plan when considering development applications that incorporate basement construction. This is in line with legislative requirements.

P204 Chemical Use

The original version of this policy did include a provision that required both employees and external parties acting on behalf of the City to consider the safety implications for the community and environment. This has now been updated to include a comprehensive list of requirements.

This includes:

- Following manufacturers labels.
- State regulated guidelines.
- Available signage.
- Personal protective equipment.
- Storage directions.

The inclusion of these provisions ensures that all requirements are accounted for when City employees and external parties acting on behalf of the City encounter chemicals as part of their operational responsibilities.

P210 Street Verges- Vegetation

The title of this policy has been updated to reflect the City's commitment to the development and retention of green and leafy streetscapes within the City. Whilst the preference is for verge treatments to consist of sustainable gardens and/or lawn, the policy has expanded its consideration of other treatments to include concrete paving upon application to the City. Synthetic turf is now explicitly excluded as a verge treatment.

Unapproved treatments will be liable to compliance which may result in the request for removal.

P211 Water Sensitive Urban Design

The objectives of Water Sensitive Urban Design have been included within the policy to clearly identify the purpose of the policy.

This includes:

- Meeting the water needs of Perth's population and economic growth.
- Utilisation of contemporary and adaptive water management.
- Exceeding national standards in water efficiency.

In addition to the inclusion of the purpose of the policy, legislative and document references have been updated.

P212 Waste Management

The content has been amended to reflect the Draft Waste Policy terminology and to align this policy with the content within the Waste Local Planning Policy.

Multiple and grouped dwelling developments consisting of five dwellings or more will be assessed by the City for the number of bins to be supplied to the property. The provision of reduced bin services at a multi-unit complex resulting in a reduced service charge has been removed.

P357 Right of Way (ROW) Maintenance and Development

In instances where there is a request to improve a privately owned ROW is received, the City will only fund the upgrade if the public has unrestricted access and the appropriate Minister has dedicated the portion of land as road. This is to ensure that the funding allocated to the improvement of the City's infrastructure is benefiting the wider community, rather than individual owners.

The title of the Minister has been noted as the 'appropriate Minister' to facilitate instances where portfolios change and facilitate continued compliance with the policy.

P510 Traffic Management

In an effort to ensure that this policy captures the relevant considerations, the inclusion of State and Federal criteria in identifying traffic calming/management methods has been included.

P648 Motor Vehicles

As part of the City's objective to implement energy conservation processes, this policy has been amended to reflect the processes introduced as part of that initiative.

References to the Green Vehicle Guide have been removed from the policy as this document is no longer available.

As the provisions of the Mayoral vehicle are already outlined under the provisions of Category 1 vehicles, it is proposed that the reference to the assigned vehicle for the Mayor be removed. This information is duplicated within the policy.

In an effort to facilitate flexibility in the allocation of vehicles, the policy has been amended to allow any position the ability to elect to have a vehicle from a lower category.

The City aims to ensure that the light fleet vehicles procured for the City cause the least environmental damage possible. In some instances, procuring an internal combustible engine power vehicle will be necessary due to the requirements of the vehicle. It is for this reason that the requirement to consider a four-cylinder vehicle in the first instance has been included.

P688 Asset Management

The responsibility of both the Council and the Chief Executive Officer has been outlined in this policy to clearly define the individual responsibilities in the asset management process.

Before the City can undertake any major works, renewals, improvements or create an asset, the City must first consider the need for the asset based on the following principles:

- 'Whole of life' cost of the asset.
- Options to renew the asset.
- Whether it forms part of a financial strategy.
- Origin and sustainability of funding sources.
- Non-asset owning solutions to meet objectives.

The inclusion of the principle of considering non-asset ownership to meet service delivery objectives ensures that the City adopts a sustainable and financially responsible approach to providing and maintaining assets for the ongoing benefit of the community.

Consultation

Nil.

Policy and Legislative Implications

The reviewed policies are consistent with the *Local Government Act 1995*, relevant legislation and guidelines and other City documents.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	Review of all City policies on a regular basis.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Leadership
- Aspiration: A local government that is receptive and proactive in meeting the needs of our community
- Outcome: 4.3 Good governance
- Strategy: 4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

- 10.5.5 (a): Amended Policies

11. APPLICATIONS FOR LEAVE OF ABSENCE

This item will be dealt with at the Ordinary Council Meeting.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS FROM MEMBERS

This item will be dealt with at the Ordinary Council Meeting.

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

This item will be dealt with at the Ordinary Council Meeting.

15. MEETING CLOSED TO THE PUBLIC

Nil.

16. CLOSURE