



CITY OF VINCENT

AGENDA

Ordinary Council Meeting 6 February 2018

Time: 6pm
Location: Administration and Civic Centre
244 Vincent Street, Leederville

Len Kosova
Chief Executive Officer

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PROCEDURE FOR PUBLIC SPEAKING TIME

The City of Vincent Local Law Relating to Standing Orders prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

Questions or statements made at an Ordinary Council meeting can relate to matters that affect the City. Questions or statements made at a Special Meeting of the Council must only relate to the purpose for which the meeting has been called.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Public speaking time will be strictly limited to three (3) minutes per member of the public.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
6. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, he may ask the person speaking to promptly cease.
7. Questions/statements and any responses will be summarised and included in the Minutes of the Council meeting.
8. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be "*taken on notice*" and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
9. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

RECORDING AND WEBSTREAMING OF COUNCIL MEETINGS

- All Ordinary and Special Council Meetings are electronically recorded except when the Council resolves to go behind closed doors;
- All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 – Council Meetings – Recording and Web Streaming.
- Ordinary Meetings of Council and Council Briefings are streamed live on the internet in accordance with the City's Policy – 4.2.4 - Council Meetings Recording and Web Streaming. It is another way the City is striving for transparency and accountability in what we do.
- The live stream can be accessed from <http://webcast.vincent.wa.gov.au/video.php>
- Images of the public gallery are not included in the webcast, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns with the live streaming of meetings, please contact the City's Manager Governance and Risk on 08 9273 6538.

Order Of Business

1	Declaration of Opening / Acknowledgement of Country	7
2	Apologies / Members on Leave of Absence	7
3	(A) Public Question Time and Receiving of Public Statements	7
	(B) Response to Previous Public Questions Taken On Notice.....	7
4	Applications for Leave of Absence	7
5	The Receiving of Petitions, Deputations and Presentations	7
6	Confirmation of Minutes	7
7	Announcements by the Presiding Member (Without Discussion)	7
8	Declarations of Interest	7
9	Development Services	8
9.1	Adoption of the Fencing Amendment Local Law 2017 [ABSOLUTE MAJORITY DECISION REQUIRED].....	8
9.2	No. 2/17 (Lot: 7; D/P: 11538) Green Street, Mount Hawthorn - Change of Use from Shop to Unlisted Use (Massage Premises) [ABSOLUTE MAJORITY DECISION REQUIRED]	48
9.3	No. 22/60 (Lot: 22; S/P 16992) Smith Street, Highgate - Change of Use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) [ABSOLUTE MAJORITY DECISION REQUIRED]	61
9.4	No. 14 (Lot: 7; D/P: 2360) Florence Street, West Perth - Change of Use Single House to Unlisted Use (Short Term Dwelling) [ABSOLUTE MAJORITY DECISION REQUIRED]	80
9.5	No. 384 (Lot: 85; D/P: 1197) Lord Street, Highgate - Proposed Change of Use from Single House to Consulting Rooms	96
9.6	No. 51 (Lot: 801; D/P: 44852) Mary Street, Highgate - Proposed Three Storey Addition to Single House.....	112
9.7	Nos. 77 and 79 (Lots: 3 and 4; D/P: 7680) Anzac Road, Mount Hawthorn - Proposed Six Grouped Dwellings.....	134
9.8	No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth - Proposed Grouped Dwelling	177
9.9	No. 137 (Lot: 141; D/P: 1197) West Parade, Mount Lawley - Proposed Two Multiple Dwellings and Change of Use of Existing Single House to Grouped Dwelling	207
9.10	No. 7/565-567 (Lot: 7; STR: 21608) Beaufort Street Mount Lawley - Proposed Amendment to Conditions of Approval - Change of Use from Office to Recreational Facility and Office.....	237
10	Engineering.....	282
10.1	Safe Active Streets - Bike Boulevard Progress Report 4	282
11	Corporate Services.....	300
11.1	Authorisation of Expenditure for the Period 23 November 2017 to 5 January 2018	300
11.2	Investment Report as at 31 December 2017	326
11.3	Adoption of the Standing Orders Amendment Local Law 2017.....	336
11.4	Drainage Easement to benefit of Water Corporation - Robertson Park, 176 Fitzgerald Street, Perth.....	398
11.5	Variation of lease to include additional artists as joint lessees - Halvorsen Hall, Robertson Park, 176 Fitzgerald Street, Perth.....	405
11.6	Amendment to Terms of Reference - Audit Committee and Safer Vincent Crime Prevention Partnership [ABSOLUTE MAJORITY DECISION REQUIRED]	411

11.7	Financial Statements as at 31 December 2017	414
12	Community Engagement	506
12.1	Proposed Licence Agreement - Banks Reserve Pavilion	506
13	Chief Executive Officer	511
13.1	Information Bulletin	511
13.2	Appointments to CEO Performance Review Panel	684
13.3	LATE ITEM: Annual General Meeting of Electors held on 30 January 2018	686
14	Motions of Which Previous Notice Has Been Given.....	696
14.1	Notice of Motion - Higher Order Waste Management.....	696
15	Questions by Members of Which Due Notice Has Been Given (Without Discussion)	697
	Nil	
16	Representation on Committees and Public Bodies	697
17	Urgent Business	697
	Nil	
18	Confidential Items/Matters For Which The Meeting May Be Closed	697
	Nil	
19	Closure	697

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging".

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS**(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

[3.1](#) Response to a question from Mr Dudley Maier taken on notice at the Ordinary Council Meeting held on 12 December 2017.

4 APPLICATIONS FOR LEAVE OF ABSENCE**5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS****6 CONFIRMATION OF MINUTES**

Ordinary Meeting - 12 December 2017

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**8 DECLARATIONS OF INTEREST**

9 DEVELOPMENT SERVICES**9.1 ADOPTION OF THE FENCING AMENDMENT LOCAL LAW 2017**

TRIM Ref: D17/171721





Authors: Rob Sklarski, Special Project Officer
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Authoriser: John Corbellini, Director Development Services

Ward: Not Applicable

Precinct: Not Applicable

Attachments:

1. Attachment 1 - Fencing Amendment Local Law 2017 - version for government gazette [↓](#) 
2. Attachment 2 - Summary of Submission [↓](#) 
3. Attachment 3 - Fencing Amendment Local Law 2017 - with tracked changes [↓](#) 
4. Attachment 4 - Consolidated Fencing Local Law 2008 - with tracked changes [↓](#) 

RECOMMENDATION:

That Council:

1. **MAKES BY ABSOLUTE MAJORITY**, in accordance with section 3.12(4) of the *Local Government Act 1995*, the *City of Vincent Fencing Amendment Local Law 2017* included as Attachment 1;
2. **NOTES** the purpose and effect of the local law as:

Purpose

The purpose of the Fencing Amendment Local Law 2017 is to amend the Fencing Local Law 2008 in order to remove the need for dividing fences between 1.8 and 2.4 metres in height to be approved by the City where certain minimum standards are met, remove the front setback and truncations standards and requirements, modify the specifications for a 'sufficient fence', apply the residential 'sufficient fence' specification to all lots which contain residential development, increase the modified penalties for prescribed offences and introduce other minor amendments;

Effect

The effect of the Fencing Amendment Local Law 2017 is to set the minimum standards for fencing in the City of Vincent and set out where the City's approval is required; and

3. NOTES:

- 3.1. the minor amendments to the version of the Fencing Amendment Local Law 2017 that was advertised for public submission;
- 3.2. that Administration will publish the Fencing Amendment Local Law 2017 in the *Government Gazette* in accordance with s3.12(5) of the *Local Government Act 1995* noting that a copy will be sent to the Minister for Local Government; Heritage; Culture and the Arts;
- 3.3. that Administration will give local public notice, in accordance with s3.12(6) of the *Local Government Act 1995*; and

- 3.4. that following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer will be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

PURPOSE OF REPORT:

To consider the submissions received as a result of the public comment period on the proposed Fencing Amendment Local Law 2017 and the adoption of the proposed local law.

BACKGROUND:

At its Ordinary Council Meeting on 7 March 2017 (Item 9.3.5), Council resolved in part:

“That Council:

- Pursuant to section 3.16(4) of the Local Government Act 1995, DETERMINES BY ABSOLUTE MAJORITY that it considers that the following local laws should be amended for the reasons set out below and REQUIRES Administration, for each local law, to present a report back to Council by September 2017 to consider making amendments to those local laws, pursuant to section 3.12 of the Local Government Act 1995:*

<i>Local Law</i>	<i>Reason</i>
<i>Fencing Local Law 2008</i>	<i>To make minor amendments to ensure alignment with the City's Built Form Policy and Town Planning Scheme 2.</i>

...”

The City's Fencing Local Law 2008 primarily deals with two types of fences:

- Dividing fences, which are fences that separate two private properties; and
- Boundary fences, which are fences between a private property and a thoroughfare.

Fencing is also regulated through the State's *Planning and Development Act 2005*, *Planning and Development (Local Schemes) Regulation 2015* and the City's Town Planning Scheme No. 1 (TPS1). Dividing fences do not require development approval where they meet the requirements of the Fencing Local Law 2008. TPS2 also exempts boundary fences associated with a single house or grouped dwelling from the need for development approval where they meet all of the standards and requirements set by the City's local planning policies.

The City has recently amended its local planning policies as they relate to boundary fences, with the adoption of Policy No. 7.1.1 – Built Form (Built Form Policy) by Council on 13 December 2016. Any single house or grouped dwelling boundary fence that complies with the standards set out in the Built Form Policy are exempt from the need for development approval. All other boundary fences, such as for a multiple dwelling, mixed used or commercial development, still require a development approval from the City.

It is stated in both the TPS1 and the Fencing Local Law 2008 that in the case of any inconsistency between the TPS1 and Local Law, that TPS1 shall prevail. The Built Form Policy has been developed through the City's TPS1 and given this, the new policy provisions set by the Built Form Policy now prevail over the local law. It is therefore timely to review the City's Fencing Local Law 2008 to ensure consistency with the City's new Built Form Policy and to streamline the regulatory process so that only one application is required for a fence that does not meet the standards rather than the two currently required (i.e. a development application under TPS1 and an application under the Fencing Local Law 2008).

At its Ordinary Meeting held on 19 September 2017, Council considered amendments to the Fencing Local Law 2008 that:

- removed the need for dividing fences between 1.8 and 2.4 metres in height to be approved by the City where certain minimum standards are met;

- removed the front setback and truncations standards and requirements;
- modified the specifications for a 'sufficient fence';
- applied the residential 'sufficient fence' specification to all lots which contain residential development;
- increased the modified penalties for prescribed offences; and
- made other minor amendments.

Council resolved to advertise the City of Vincent Fencing Amendment Local Law 2017 for this purpose and advertise it for public comment.

DETAILS:

The Fencing Amendment Local Law 2017 amends the principal local law which is the Fencing Local Law 2008. The following is a summary of the effects of the changes that will result by means of adoption of the proposed Fencing Amendment Local Law 2017.

Boundary Fences and Truncations

Given that in the case of any inconsistency between TPS1 and the Fencing Local Law 2008, that TPS1 prevails, it is proposed to remove those standards covered by TPS1 from the Fencing Local Law 2008. This includes standards for boundary fences and visual truncations that are more thoroughly covered and regulated by the City's local planning policies through TPS1. The relevant standards set under the local law and TPS1 are inconsistent and create confusion for owners and applicants seeking to construct boundary fences. It is considered that the City's Built Form Policy and Local Planning Policy No. 2.2.6 – Truncations (Truncations Policy) adequately and more appropriately cover the boundary fences and sightline requirements and that it is not necessary for the local law to also set standards for these matters.

Approval for Dividing Fences

The Fencing Local Law 2008 specifically states under subclause 2.1(6) that a dividing fence over 1.8 metres in height requires the approval of the City. A large proportion of dividing fences currently being constructed include lattice above the solid portion of fence and are slightly above 1.8 metres in height. It is not considered necessary or reasonable for the City to require two consenting property owners to gain the approval of the City to construct a dividing fence that is above 1.8 metres, provided it is constructed in a structurally sound manner and the height is not excessive.

Administration considers that a 2.4 metre high fence would be completely appropriate in these circumstances and so it is proposed to amend the local law to only require approval for a dividing fence where it exceeds 2.4 metres in height. It is also proposed to amend the local law to allow different materials, including pre-used materials, to be used in construction of a dividing fence where two neighbours agree. This amendment is not proposed to apply to boundary fences, where it is recommended that the City's approval still be required for any front fence proposed to be constructed out of pre-used materials.

Specifications for Sufficient Fence

The review also found that the specifications for a sufficient fence require updating to align with the Built Form Policy. Currently commercial and industrial fencing, which is set at a lower standard than that of residential fencing in the local law, can be installed on lots with mixed use development, including residential apartments. It is proposed to amend the local law so that the lower commercial and industrial fencing do not apply to lots which contain any residential development whatsoever.

It is also proposed to clarify that a suitable fence must be 1.8 metres in height rather than a maximum of 1.8 metres in height. This will ensure that a neighbour cannot build a lower dividing fence and claim that it is suitable. Two neighbours will still be able to agree to a lower or higher fence without the need for the City's approval.

Minor changes are also proposed to the construction requirements for walls to cover double leaf walls and align pier height with brick courses.

Minor Amendments

It is also noted that the penalties for prescribed offences under the local law were last set in 2008 and also require updating to ensure the local law acts as a sufficient deterrent to constructing unauthorised fences.

Minor changes are also proposed to the objective of the local law to reflect the minimum standards for fencing set by the local law, rather than the overall regulation of fencing, which partly occurs under the local planning scheme. Further minor changes to the terminology, such as 'town planning scheme' becoming 'local planning scheme', are also proposed through the amendment.

CONSULTATION/ADVERTISING:

Public notice of the proposed City of Vincent Fencing Amendment Local Law 2017 was given in accordance with sections 3.12(3)(a) and (3a) of the *Local Government Act 1995*. Accordingly, advertisements were placed on the City's website, in *The West Australian* on 11 October 2017, *The Guardian Express* on 17 October 2017, and *The Perth Voice* on 14 October 2017 as well as posted on the City's notice boards and publicised on social media. In addition, letters were also sent to the Department of Local Government, Sport and Cultural Industries ("the Department"), the Minister for Local Government; Heritage; Culture and the Arts, and the Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement requesting feedback.

The submission period closed on 9 December 2017 with one submission being received from the Department.

The Department provided feedback with respect to the form of the Fencing Amendment Local Law 2017 which has resulted in Administration proposing minor amendments to the version of the local law that was advertised. The changes are administrative in nature and do not change the meaning or operation of the local law. A summary of the Department's submission is included in **Attachment 2**.

LEGAL/POLICY:

Section 3.12 of the *Local Government Act 1995* sets out the procedure for making a local law as follows:

"3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) The local government is to —*
 - (a) give Statewide public notice stating that —*
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*

- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
** Absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice.*
- (a) *stating the title of the local law; and*
- (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
- (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law."*

One of the key functions of the local law is to define a "sufficient fence" for the purposes of the *Dividing Fences Act 1961*. The City's definition of a "sufficient fence" also affects the application of the *Building Act 2011*.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council in amending the City's Fencing Local Law.

STRATEGIC IMPLICATIONS:

Plan for the Future – Strategic Plan 2013 – 2023 – Strategic Objectives:

"Objective 4.1: Provide good strategic decision-making, governance, leadership and professional management.

4.1.5 Focus on stakeholder needs, values, engagement and involvement."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

There are nominal costs associated with making the local law, including advertising and Gazettal which can be expended from the City's operating budget.

COMMENTS:

The structural changes recommended by the Department are minor in nature and largely relate to numbering and terminology changes in the local law to ensure consistency. These minor modifications have been made to the advertised local law consistent with the submission received. As a consequence of the various changes, a tracked changes version of the Fencing Amendment Local Law 2017 has been included as **Attachment 3** showing the changes made following advertising. A tracked changed version of the consolidated Fencing Local Law 2008 is also included as **Attachment 4**, which shows the changes that will result from the Fencing Amendment Local Law 2017 and includes the numbering and terminology modifications that have been recommended following advertising.

Since advertising, Administration has been made aware of an inconsistency between the advertised Fencing Amendment Local Law 2017, the Consolidated (as amended) Fencing Local Law, and the Purpose of the Amendment Local Law, presented to Council at its September 2017 meeting. This discrepancy is the result of a drafting error which resulted in the words "does not exceed 2400 millimetres in height and" appearing in clause 2.1 of the Consolidated Fencing Local Law but being omitted from clause 7 of the Fencing Amendment Local Law 2017. Administration has now corrected this error by inserting those words in to clause 7 of the Fencing Amendment Local Law 2017.

The insertion of the above-mentioned words has the effect of not allowing a dividing fence to be greater than 2400 millimetres unless given approval by a magistrate or the City. This is consistent with the stated and advertised purpose of the local law adopted and given public notice, which is (in part): *"to remove the need for dividing fences between 1.8 and 2.4 metres in height to be approved by the City where minimum standards are met"*. While this is a change from the advertised amendment local law, a local government is able to make a local law that "is not significantly different" to what was advertised, pursuant to s3.12(4) of the Act. Administration considers that this change does not render the local law "significantly different", particularly as this requirement was specifically stated in the advertised purpose of the amendment local law, and it is therefore recommending that the local law can be made without the need for readvertising.

The proposed Fencing Amendment Local Law 2017 aligns with the City's broader built form and development framework and will streamline the approval process for dividing and boundary fences in the City. A number of minor changes are recommended following advertising that will not make the local law significantly different from what was advertised. This accords with the requirements of Section 3.12(4) of the *Local Government Act 1995* and therefore it is recommended that the modified Fencing Amendment Local Law 2017 included as **Attachment 1** be adopted, noting that if this occurs the Amendment Local Law will then be published in the *Government Gazette* and sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

LOCAL GOVERNMENT ACT 1995*City of Vincent***Fencing Amendment Local Law 2017**

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on 7 February 2018 to make the following local law.

1. Citation

This local law may be cited as the *City of Vincent Fencing Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Fencing Local Law 2008* published in the *Government Gazette* on 15 April 2008 is referred to as the principal local law. The principal local law is amended.

4. Table of Contents

Delete the PART 2 of the table of contents and insert-

"

PART 2—FENCES*Division 1—Sufficient Fences*

2.1 Sufficient fence

Division 2—General

2.2 Relationship with other laws

2.3 Gates in fences

2.4 Depositing fencing material on public place

2.5 Alteration of ground levels

2.6 Maintenance of fences

2.8 Fences across right of way, public accessways or thoroughfares

2.9 General discretion of the local government

Division 3—Fencing Materials

2.10 Pre-used fencing materials

2.11 Barbed wire fences and spiked or jagged materials

2.12 Electrified and razor wire fences

2.13 Prohibited fencing materials

Division 4—Tennis Court Fencing

2.14 Tennis court fencing"

5. Clause 1.2 amended

Delete clause 1.2(1) and insert-

"(1) The objective of this local law is to establish the minimum requirements for fences within the district."

6. Clause 1.6 amended

In clause 1.6 —

- (a) delete the definition of "**Commercial lot**" and insert-
 " "**Commercial lot**" means a lot where a commercial use is or may be permitted under the local planning scheme, and is or will be the predominant use of the lot, and no residential use is a use of the lot; "
- (b) within the definition of "**front boundary**" delete "on more than one" and insert "on more than one";
- (c) delete the definition of "**Industrial lot**" and insert-
 " "**Industrial lot**" means a lot where an industrial use is or may be permitted under the local planning scheme and is or will be the predominant use of the lot, and no residential use is a use of the lot; "
- (d) insert in alphabetical order-
 " "**local planning scheme**" means a local planning scheme of the local government made under the *Planning and Development Act 2005*;"
- (e) within the definition of "**Residential lot**" delete "the predominant" and insert "a";
- (f) after the definition of "**thoroughfare**" delete "; and" and insert "."
- (g) delete the definition of "**Town planning scheme**".

7. Clause 2.1 amended

- (1) Delete clause 2.1(1) and insert –

"(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless –

- (a) in respect of a dividing fence –
 - (i) All the owners of land that the dividing fence separates agree in writing to the type of dividing fence that is to be erected and that fence does not exceed 2400 millimetres in height and is designed by a suitably qualified structural engineer and constructed in accordance with that design; or
 - (ii) The dividing fence is determined to be a sufficient fence, for the purposes of the *Dividing Fences Act 1961*, by a magistrates court, under the *Dividing Fences Act 1961*; or
 - (iii) The approval of the local government has been obtained for such a fence."

- (2) Delete clauses 2.1(5) and 2.1(6).

8. Clause 2.2 amended

Delete clause 2.2 and insert-

"2.2 Relationship with other laws

- (1) Nothing in this local law affects the need for compliance, in respect of a fence, with –
 - (a) any relevant provisions of a local planning scheme; and
 - (b) any relevant provisions that apply if a building permit is required for that fence under the *Building Act 2011* or *Building Regulations 2012*.

- (2) Where there is inconsistency between the standards and requirements of this local law and those specified in a local planning scheme, the standards and requirements of a local planning scheme shall prevail."

9. Clause 2.3 amended

In clause 2.3 delete "fence" and insert "boundary fence".

10. Clause 2.7 deleted

Delete clause 2.7.

11. Clause 2.10 amended

In clause 2.10 delete "fence" and insert "boundary fence".

12. Clause 6.1 amended

- (1) In clause 6.1(1) delete "\$250" and insert "\$500";
 (2) In clause 6.1(2) delete "\$250" and insert "\$500".

13. Schedule 1 amended

Delete *Schedule 1 – Prescribed Offences* and insert *Schedule 1 – Prescribed Offences* – as follows-

"

**SCHEDULE 1
 PRESCRIBED OFFENCES
 (clause 6.2)**

ITEM	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1	2.1(1)	Erect a fence which is not a sufficient fence	500
2	2.3(a)	Erect or maintain a gate in a boundary fence not opening into the lot	500
3	2.3(b)	Erect or maintain a gate in a boundary fence not sliding parallel and inside of fence	500
4	2.6(1)	Failure to maintain a fence in good condition/prevent fence becoming dangerous, dilapidated, unsightly	500
5	2.8	Erect or maintain a fence/obstruction temporary or permanent across a right-of-way, public access way or thoroughfare without approval	500
6	2.10(1)	Construct a boundary fence on a Residential, Commercial or Industrial lot from pre-used materials without written approval	500
7	2.11(1)	Erect a fence using barbed wire or material with spiked or jagged projections in fence construction without approval	500
8	2.12(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	500
9	2.13	Affix, or use, any broken glass in a fence	500
10	2.14(1)(a)	Erect a tennis court fence higher than 3600 millimetres without approval	500
11	2.14(1)(b)	Erect tennis court fence less than 900 millimetres from boundary	500
12	2.14 (1)(c)	Erect a link mesh fence higher than 3600 millimetres or not in accordance with manufacturer's specification without approval	500
13	3.3	Failure to comply with terms or conditions of approval	500

ITEM	CLAUSE No.	NATURE OF OFFENCE	MODIFIED PENALTY \$
14	5.1 (3)	Failure to comply with notice of breach	500

14. Schedule 2 amended

Delete *Schedule 2 – Specifications for a Sufficient Fence on a Residential Lot* and insert *Schedule 2 – Specifications for a Sufficient Fence on a Residential – as follows-*

"

SCHEDULE 2

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

Each of the following is a "sufficient fence" on a Residential lot:

- A. A fully enclosed timber boundary fence or dividing fence built in accordance with established construction techniques, and -
 - i) the height of the dividing fence to be 1800 millimetres except with respect to the front setback area;
 - ii) the height of the boundary fence to not exceed 1800 millimetres.
- B. A dividing fence constructed of corrugated fibre reinforced pressed cement or metal sheeting erected in accordance with the manufacturer's specifications and which satisfies the following specifications:
 - (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600 millimetres;
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
 - (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturer's instructions or established construction techniques; and
 - (d) the height of the dividing fence to be 1800 millimetres, except with respect to the front setback.
- C. A boundary fence or dividing fence constructed of brick, masonry, stone or concrete, which satisfies the following specifications:
 - (a) concrete footings with minimum dimensions of 225 millimetres x 150 millimetres for single leaf walls or 300mm x 300mm for double leaf walls;
 - (b) fences to be offset a minimum of 200 millimetres at maximum 3000 millimetres centres or 225 millimetres x 100 millimetres engaged piers to be provided at maximum 3,000 millimetres centres;
 - (c) expansion joints in accordance with the manufacturer's written instructions; and
 - (d) the height of the dividing fence to be 1,800 millimetres except with respect to the front setback area.
 - (e) The height of the boundary fence to not exceed 1800 millimetres.
- D. A composite dividing fence having an overall height of 1,800 millimetres, except with respect to the front setback area, which satisfies the following specifications for the brick component of the construction:

- (1) (a) brick piers of minimum 345 millimetres x 345 millimetres at 1,800 millimetres centres bonded to a minimum height base wall of 516 millimetres (6 courses);
- (b) each pier shall be reinforced with one 10 millimetre diameter galvanised reinforced starting rod 1,500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level;
- (c) the minimum ultimate strength of brickwork shall be 20 Megapascals. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (d) the ground under the footings is to be compacted to 6 blows per 300 millimetres and checked with a standard falling weight penetrometer; and
- (e) control joints in brickwork shall be provided with double piers at a maximum of 6000 millimetre centres; or
- (2) (a) brick piers of a minimum 345 millimetres x 345 millimetres x 2,700 millimetres centres bonded to the base; and
- (b) each pier shall be reinforced with two 10 millimetre diameter galvanised reinforced starting rods 1500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level."

15. Schedule 3 amended

- (1) In Schedule 3 clause A-
 - (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "no greater than 2400" and insert "1800";
- (2) In Schedule 3 clause B, delete "A fence" and insert "A dividing fence";
- (3) In Schedule 3 clause C-
 - (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "aluminium" and insert "metal";
 - (c) delete "but no greater than 2400 millimetres";

Dated:

The Common Seal of)
The City of Vincent was)
affixed in the presence of:)

Emma Cole
MAYOR

Len Kosova
CHIEF EXECUTIVE OFFICER

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received	Officer Technical Comment:
<p>Dividing Fences Act</p> <p>It is suggested that the reference to the <i>Dividing Fences Act 1961</i> be removed from the enacting provision as this reference is unnecessary. The Department has been advised that while the Dividing Fences Act refers to local laws, it does not provide any power to make local laws. Fencing local laws are made entirely under the powers conferred by the <i>Local Government Act 1995</i>.</p>	<p>The Department's suggested modifications are considered acceptable and will ensure that the correct legal references are provided in the amended Local Law.</p>
<p>Renumbering clauses</p> <p>Suggest removing all renumbering clauses. When State legislation is amended by Parliament, the remaining clauses are usually not renumbered. This avoids the need to update existing cross references which may end up inaccurate if the numbering has changed. While renumbering may be desirable in some circumstances, it is not legally necessary. The City has the option of retaining the current numbering in the principal local law.</p>	<p>The Department's suggested modifications are considered acceptable as they will ensure a logical flow of clauses, and make any future changes to the Local Law easier to implement.</p>
<p>Clause 17 – Schedule 1 amended</p> <p>Clause 17 deletes and inserts a new Schedule 1.</p> <p>The following amendments are suggested for the inserted Schedule 1:</p> <ul style="list-style-type: none"> a) Remove the reference to the "Local Government Act 1995". b) Insert a clause reference below the "PRESCRIBED OFFENCES" title as follows: <p style="text-align: center;">SCHEDULE 1 PRESCRIBED OFFENCES (Clause 6.2)</p> <ul style="list-style-type: none"> c) The City may like to consider inserting an item column to the left of the "Clause No." column. It is not required but will assist with referencing specific offences in the Schedule. d) In the "nature of offence" for clause 2.3(a), delete "fence" and insert "boundary fence". e) In the "nature of offence" for clause 2.3(b), delete "fence" and insert "boundary fence". f) In the "nature of offence" for clause 2.9(1), delete "dividing fence" and insert "boundary fence". g) The "modified penalty \$" for clause 5.1(3) is currently blank. The City may like to insert an amount to enable the City to apply a modified penalty to this offence. 	<p>The Department's suggested modifications are considered acceptable and will ensure that the correct legal references are provided in the amended Local Law.</p>

Summary of Submissions:

Comments Received	Officer Technical Comment:
<p>Clause 18 – Schedule 2 redrafting</p> <ul style="list-style-type: none"> a) Incorrect clause reference: in clause 18, delete “<i>Schedule 1</i>” and insert “<i>Schedule 2</i>”. b) It is recommended that paragraph A of Schedule 2 is re-drafted as follows: <p style="text-align: center;">SCHEDULE 2</p> <p>SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT</p> <p>Each of the following is a sufficient fence on a Residential Lot:</p> <ul style="list-style-type: none"> A. A fully enclosed timber boundary fence or dividing fence built in accordance with established construction techniques, and – <ul style="list-style-type: none"> i) the height of the dividing fence is to be 1800 millimetres except with respect to the front setback area; ii) the height of the boundary fence is not to exceed 1800 millimetres. c) In Part C of the inserted Schedule 2, delete “Fences” in paragraph (b) and insert “fences”. d) In Part C of the inserted Schedule 2, it is recommended that the second sentence in paragraph (d) should be moved to a new line and designated as paragraph “(e)”. The first sentence in paragraph (d) relates to dividing fences, whilst the second sentence relates to boundary fences. 	
<p>Minor edits</p> <ul style="list-style-type: none"> 1. Remove quotation marks from the definitions, definitions should be bold and italicised only. 2. In the enabling clause, delete the colon and insert a full stop. 3. Clause 6 to 16: delete the semicolon at the end of the clause and insert a full stop. 4. Clause 8: in the inserted clause 2.2(1)(b), place “Building Regulations 2012” in italics. <p>The City should insert the City’s common seal at the end of the local law and remove the sentence “***Insert common seal***”.</p>	<p>The Department’s suggested modifications are considered acceptable as they ensure that the text of the Local Law reads correctly in terms of grammar and punctuation from a legal drafting perspective.</p>

LOCAL GOVERNMENT ACT 1995**~~DIVIDING FENCES ACT 1961~~***City of Vincent*

Fencing Amendment Local Law 2017

Under the powers conferred by the *Local Government Act 1995*, ~~the Dividing Fences Act 1961~~ and by all other powers enabling it, the Council of the City of Vincent resolved on ~~<insert date>~~ 7 February 2018 to make the following local law:-

1. Citation

This local law may be cited as the *City of Vincent Fencing Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Fencing Local Law 2008* published in the *Government Gazette* on 15 April 2008 is referred to as the principal local law. The principal local law is amended.

4. Table of Contents

Delete the PART 2 of the table of contents and insert-

PART 2—FENCES*Division 1—Sufficient Fences*

2.1 Sufficient fence

Division 2—General

2.2 Relationship with other laws

2.3 Gates in fences

2.4 Depositing fencing material on public place

2.5 Alteration of ground levels

2.6 Maintenance of fences

2.~~87~~ Fences across right of way, public accessways or thoroughfares

2.~~98~~ General discretion of the local government

Division 3—Fencing Materials

2.~~109~~ Pre-used fencing materials

2.~~110~~ Barbed wire fences and spiked or jagged materials

2.~~124~~ Electrified and razor wire fences

2.~~132~~ Prohibited fencing materials

Division 4—Tennis Court Fencing

2.~~143~~ Tennis court fencing"

5. Clause 1.2 amended

Delete clause 1.2(1) and insert-

"(1) The objective of this local law is to establish the minimum requirements for fences within the district."

6. Clause 1.6 amended

In clause 1.6 —

- (a) delete the definition of "**Commercial lot**" and insert-
 " "**Commercial lot**" means a lot where a commercial use is or may be permitted under the local planning scheme, and is or will be the predominant use of the lot, and no residential use is a use of the lot; "
- (b) within the definition of "**front boundary**" delete "on more than one" and insert "on more than one";
- (c) delete the definition of "**Industrial lot**" and insert-
 " "**Industrial lot**" means a lot where an industrial use is or may be permitted under the local planning scheme and is or will be the predominant use of the lot, and no residential use is a use of the lot; "
- (d) insert in alphabetical order-
 " "**local planning scheme**" means a local planning scheme of the local government made under the *Planning and Development Act 2005*;"
- (e) within the definition of "**Residential lot**" delete "the predominant" and insert "a";
- (f) after the definition of "**thoroughfare**" delete "; and" and insert "."
- (fg) delete the definition of "**Town planning scheme**"

7. Clause 2.1 amended

- (1) Delete clause 2.1(1) and insert —

"(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless —

- (a) in respect of a dividing fence —
 - (i) All the owners of land that the dividing fence separates agree in writing to the type of dividing fence that is to be erected and that fence does not exceed 2400 millimetres in height and is designed by a suitably qualified structural engineer and constructed in accordance with that design; or
 - (ii) The dividing fence is determined to be a sufficient fence, for the purposes of the *Dividing Fences Act 1961*, by a magistrates court, under the *Dividing Fences Act 1961*; or
 - (iii) The approval of the local government has been obtained for such a fence."

- (2) Delete clauses 2.1(5) and 2.1(6).

8. Clause 2.2 amended

Delete clause 2.2 and insert-

"2.2 Relationship with other laws

- (1) Nothing in this local law affects the need for compliance, in respect of a fence, with —
 - (a) any relevant provisions of a local planning scheme; and

- (b) any relevant provisions that apply if a building permit is required for that fence under the *Building Act 2011* or *Building Regulations 2012*.
- (2) Where there is inconsistency between the standards and requirements of this local law and those specified in a local planning scheme, the standards and requirements of a local planning scheme shall prevail."

9. Clause 2.3 amended

In clause 2.3 delete "fence" and insert "boundary fence".

10. Clause 2.7 deleted

Delete clause 2.7.

~~11. Clause 2.8 renumbered~~

~~Renumber clause 2.8 as 2.7;~~

~~12. Clause 2.9 renumbered~~

~~Renumber clause 2.9 as 2.8;~~

~~13.11. Clause 2.10 amended~~

In clause 2.10 delete "fence" and insert "boundary fence".

~~14. Division 3 renumbered~~

~~Renumber clauses 2.10, 2.11, 2.12 and 2.13 as 2.9, 2.10, 2.11 and 2.12 respectively;~~

~~15. Division 4 renumbered~~

~~Renumber clause 2.14 as 2.13;~~

~~16.12. Clause 6.1 amended~~

(1) In clause 6.1(1) delete "\$250" and insert "\$500";

(2) In clause 6.1(2) delete "\$250" and insert "\$500".

~~17.13. Schedule 1 amended~~

Delete *Schedule 1 – Prescribed Offences* and insert *Schedule 1 – Prescribed Offences* – as follows-

"

SCHEDULE 1
Local Government Act 1995

PRESCRIBED OFFENCES
(clause 6.2)

ITEM	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
<u>1</u>	2.1(1)	Erect a fence which is not a sufficient fence	500
<u>2</u>	2.3(a)	Erect or maintain a gate in a <u>boundary</u> fence not opening into the lot	500
<u>3</u>	2.3(b)	Erect or maintain a gate in a <u>boundary</u> fence not sliding parallel and inside of fence	500
<u>4</u>	2.6(1)	Failure to maintain a fence in good condition/prevent fence becoming dangerous, dilapidated, unsightly	500

ITEM	CLAUSE No.	NATURE OF OFFENCE	MODIFIED PENALTY \$
<u>5</u>	<u>2.87</u>	Erect or maintain a fence/obstruction temporary or permanent across a right-of-way, public access way or thoroughfare without approval	500
<u>6</u>	<u>2.910(1)</u>	Construct a dividing-boundary fence on a Residential, Commercial or Industrial lot from pre-used materials without written approval	500
7	2.11(1)	Erect a fence using barbed wire or material with spiked or jagged projections in fence construction without approval	500
8	2.124(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	500
<u>9</u>	<u>2.132</u>	Affix, or use, any broken glass in a fence	500
<u>10</u>	<u>2.143(1)(a)</u>	Erect a tennis court fence higher than 3600 millimetres without approval	500
<u>11</u>	<u>2.143(1)(b)</u>	Erect tennis court fence less than 900 millimetres from boundary	500
<u>12</u>	<u>2.143(1)(c)</u>	Erect a link mesh fence higher than 3600 millimetres or not in accordance with manufacturer's specification without approval	500
<u>13</u>	3.3	Failure to comply with terms or conditions of approval	500
<u>14</u>	5.1 (3)	Failure to comply with notice of breach	<u>500</u>

18.14. Schedule 2 amended

Delete *Schedule 2 – Specifications for a Sufficient Fence on a Residential Lot* and insert *Schedule 24 – Specifications for a Sufficient Fence on a Residential – as follows-*

"

SCHEDULE 2

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

Each of the following is a "sufficient fence" on a Residential lot:

- A. A fully enclosed timber boundary fence or dividing fence built in accordance with established construction techniques, ~~and -~~
 - i) ~~The~~ height of the dividing fence to be 1800 millimetres except with respect to the front setback area;
 - ii) ~~The~~ height of the boundary fence to not exceed 1800 millimetres.
- B. A dividing fence constructed of corrugated fibre reinforced pressed cement or metal sheeting erected in accordance with the manufacturer's specifications and which satisfies the following specifications:
 - (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600 millimetres;
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
 - (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturer's instructions or established construction techniques; and
 - (d) the height of the dividing fence to be 1800 millimetres, except with respect to the front setback.

- C. A boundary fence or dividing fence constructed of brick, masonry, stone or concrete, which satisfies the following specifications:

- (a) ~~c~~Concrete footings with minimum dimensions of 225 millimetres x 150 millimetres for single leaf walls or 300mm x 300mm for double ~~leaf walls~~;
- (b) ~~f~~ences to be offset a minimum of 200 millimetres at maximum 3000 millimetres centres or 225 millimetres x 100 millimetres engaged piers to be provided at maximum 3,000 millimetres centres;
- (c) expansion joints in accordance with the manufacturer's written instructions; and
- (d) the height of the dividing fence to be 1,800 millimetres except with respect to the front setback area.

~~(d)~~(e) The height of the boundary fence to not exceed 1800 millimetres.

- D. A composite dividing fence having an overall height of 1,800 millimetres, except with respect to the front setback area, which satisfies the following specifications for the brick component of the construction:

- (1) (a) brick piers of minimum 345 millimetres x 345 millimetres at 1,800 millimetres centres bonded to a minimum height base wall of 516 millimetres (6 courses);
- (b) each pier shall be reinforced with one 10 millimetre diameter galvanised reinforced starting rod 1,500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level;
- (c) the minimum ultimate strength of brickwork shall be 20 Megapascals. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (d) the ground under the footings is to be compacted to 6 blows per 300 millimetres and checked with a standard falling weight penetrometer; and
- (e) control joints in brickwork shall be provided with double piers at a maximum of 6000 millimetre centres; or
- (2) (a) brick piers of a minimum 345 millimetres x 345 millimetres x 2,700 millimetres centres bonded to the base; and
- (b) each pier shall be reinforced with two 10 millimetre diameter galvanised reinforced starting rods 1500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level."

19.15 Schedule 3 amended

- (1) In Schedule 3 clause A-
 - (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "no greater than 2400" and insert "1800";
- (2) In Schedule 3 clause B, delete "A fence" and insert "A dividing fence";

- (3) In Schedule 3 clause C-
- (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "aluminium" and insert "metal";
 - (c) delete "but no greater than 2400 millimetres";

~~***Insert common seal***~~

Dated:

The Common Seal of _____)

The City of Vincent was)

affixed in the presence of: _____)

Emma Cole
MAYOR

Len Kosova
CHIEF EXECUTIVE OFFICER



CITY OF VINCENT

~~DIVIDING FENCES ACT 1961~~

LOCAL GOVERNMENT ACT 1995

FENCING LOCAL LAW 2008

TABLE OF CONTENTS

PART 1 - PRELIMINARY

1.1	Citation
1.2	Objective
1.3	Commencement
1.4	Repeal.....
1.5	Application
1.6	Interpretation
1.7	Fees and charges

PART 2 - FENCES**Division 1 - Sufficient Fences**

2.1	Sufficient fence
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Division 2 - General

2.2	<u>Relationship with other laws</u> Fences within front setback areas
2.3	Gates in fences
2.4	Depositing fencing material on public place
2.5	Alteration of ground levels
2.6	Maintenance of fences
2.7	<u>Fences and sightlines</u>
2.8	Fences across right of way, public accessways or thoroughfares
2.9	General discretion of the local government

Division 3 - Fencing Materials

2.10	Pre-used fencing materials
2.11	Barbed wire fences and spiked or jagged materials
2.12	Electrified and razor wire fences
2.13	Prohibited fencing materials

Division 4 - Tennis Court Fencing

2.14	Tennis court fencing
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PART 3 - APPROVALS

3.1	Application for approval
3.2	Decision on application for approval
3.3	Compliance with approval
3.4	Duration of approval

PART 4 - MISCELLANEOUS

- 4.1 False or misleading statement

PART 5 - NOTICES OF BREACHES

- 5.1 Notices of breaches.....

- 5.2 Limit on liability.....

PART 6 - OFFENCES

- 6.1 Offences and penalties.....

- 6.2 Modified penalties

- 6.3 Form of notices

PART 7 - OBJECTIONS AND REVIEW

- 7.1 Objections and review.....

SCHEDULE 1 - Modified Penalties**SCHEDULE 2 - Specifications for a sufficient fence on a Residential lot****SCHEDULE 3 - Specifications for a sufficient fence on a Commercial lot or an Industrial lot**

CITY OF VINCENT FENCING LOCAL LAW

LOCAL GOVERNMENT ACT 1995

~~DIVIDING FENCES ACT 1961~~

CITY OF VINCENT

FENCING LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on 12 February 2008 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Vincent Fencing Local Law 2008*.

1.2 Objective

- (1) The objective of this local law is to ~~provide for the regulation, control and management of~~ establish the minimum requirements for fences within the district.
- (2) The effect of this local law is to—
 - (a) regulate, manage and control fences; and
 - (b) establish the standard of a “*sufficient fence*” according to land use.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

The *City of Vincent Local Law Relating to Fences, Floodlights and Other External Lights* published in the *Government Gazette* on 27 July 1999 and as amended and published in the *Government Gazette* on 11 February 2000 is repealed on the day this local law comes into operation.

1.5 Application

This local law applies throughout the district.

CITY OF VINCENT FENCING LOCAL LAW

1.6 Interpretation

In this local law, unless the context requires otherwise-

“Act” means the *Local Government Act 1995*;

“applicant” means a person who makes an application for approval under this local law;

“AS” means an Australian Standard published by the Standards Association of Australia;

“authorised person” means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

“boundary fence” means a fence constructed on the boundary of a lot which abuts a thoroughfare;

“Building Surveyor” means a Building Surveyor of the local government;

“CEO” means the Chief Executive Officer of the local government;

“Commercial lot” means a lot where a commercial use is or may be permitted under the [City local planning scheme](#), and is or will be the predominant use of the lot, [and no residential use is a use of the lot](#);

“dangerous” in relation to any fence means:

- (a) an electrified fence other than a fence approved by the Local Government under this local law;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

“district” means the district of the local government;

“dividing fence” has the meaning given to it in and for the purposes of the *Dividing Fences Act 1961*;

“electrified fence” means a fence carrying or designed to carry an electric charge;

“fence” means any structure used or functioning as a barrier, irrespective of where it is located and includes any gate;

CITY OF VINCENT FENCING LOCAL LAW

“front boundary” means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare the boundary line between the lot and the primary thoroughfare;

“front fence” means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

“front setback area” means the area between the building line of a lot and the front boundary of that lot;

“height” in relation to a fence means the vertical distance between:

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

“Industrial lot” means a lot where an industrial use is or may be permitted under the [local City planning scheme](#) and is or will be the predominant use of the lot, [and no residential use is a use of the lot](#);

“local government” means the City of Vincent;

“local government property” means anything except a thoroughfare -

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the Act;

“local planning scheme” means [a local planning scheme of the local government made under the Planning and Development Act 2005](#);

“lot” has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

“notice of breach” is defined in clause 5.1;

“non-sacrificial graffiti protection” means a coating applied to a fence which is not removed in the process of removing graffiti;

“occupier” has the meaning given to it in the Act;

“owner” has the meaning given to it in the Act;

CITY OF VINCENT FENCING LOCAL LAW

“Residential lot” means a lot where a residential use is or may be permitted under the City planning scheme, and is or will be ~~the predominant a~~ use of the lot;

“retaining wall” means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

“Schedule” means a Schedule to this local law;

“sufficient fence” means a fence that satisfies clause 2.1 and includes a fence of the description and quality agreed upon by the owners of adjoining lots which does not fail to satisfy clause 2.1;

“thoroughfare” has the meaning given to it in the Act; ~~and.~~

~~“Town planning scheme” means a Town planning scheme of the local government made under the Planning and Development Act 2005.~~

1.7 Fees and charges

All fees and charges applicable under this local law shall be determined by the local government from time to time under and in accordance with sections 6.16 to 6.19 of the Act.

PART 2 - FENCES

Division 1 – Sufficient Fences

2.1 Sufficient fence

(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence ~~– unless –~~

~~(a) in respect of a dividing fence –~~

~~(i) All the owners of land that the dividing fence separates agree in writing to the type of dividing fence that is to be erected and that fence does not exceed 2400 millimetres in height and is designed by a suitably qualified structural engineer and constructed in accordance with that design; or~~

~~(ii) The dividing fence is determined to be a sufficient fence, for the purposes of the Dividing Fences Act 1961, by a magistrates court, under the Dividing Fences Act 1961; or~~

~~(iii) The approval of the local government has been obtained for such a fence.~~

CITY OF VINCENT FENCING LOCAL LAW

- (2) Pursuant to section 24 of the *Dividing Fences Act 1961* and subject to sub-clauses (3) and (4), a sufficient fence –
- (a) on a Residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2; and
 - (b) on a Commercial lot or Industrial lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3.
- (3) Where a fence is erected on or near the boundary between a Residential lot and a Commercial lot or Industrial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2.
- (4) Unless an authorised person determines otherwise, a sufficient fence on a boundary between lots other than those specified in sub-clauses (2) and (3) is a dividing fence constructed in accordance with the specifications and requirements of Schedule 2.
- ~~(5) Notwithstanding any other provisions in this local law, a dividing fence or boundary fence constructed of masonry, stone or concrete shall be a sufficient fence only if it is designed by a suitably qualified structural engineer and constructed in accordance with that design where –~~
- ~~(a) it is greater than 1800 millimetres in height; or~~
 - ~~(b) the Building Surveyor so requires.~~
- ~~(6) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800 millimetres in height unless the approval of the local government has been obtained to such a fence.~~

Division 2 - General**2.2 Relationship with other laws ~~Fences within front setback areas~~**

- ~~(1) Nothing in this local law affects the need for compliance, in respect of a fence, with –~~
- ~~(a) any relevant provisions of a local planning scheme; and~~
 - ~~(b) any relevant provisions that apply if a building permit is required for that fence under the *Building Act 2011* or *Building Regulations 2012*.~~
- ~~(1) A person shall not erect a fence within the front setback area, including along the side boundaries, unless the fence complies with the provisions of the City planning scheme.~~
- (2) Where there is inconsistency between the standards and requirements of this local law and those specified in a the City local planning scheme, the standards and requirements of a the City local planning scheme shall prevail.

2.3 Gates in fences

A person shall not erect or maintain a gate in a boundary fence which does not –

- (a) open into the lot; or
- (b) open by sliding parallel and on the inside of the fence, of which it forms part, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property unless the approval of the local government has been obtained.

2.5 Alteration of ground levels

- (1) A fence constructed of corrugated fibre reinforced pressed cement shall not have more than 150 millimetres difference in the ground levels on each side of the fence.
- (2) Where land has been filled or retained to a height of more than 500 millimetres above natural ground level at or within 1000 millimetres of a boundary of a lot, a person shall only erect a dividing fence that is a sufficient fence on the said fill or retaining wall if the person produces to the local government the written agreement of the owners of the adjoining lot.
- (3) A person shall not alter (whether by removing soil or bringing in fill of any kind) the natural ground level of land on or within 1000 millimetres of the boundary of a lot, by more than 500 millimetres without the approval of the local government.

2.6 Maintenance of fences

- (1) An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, unsightly or prejudicial to the amenity of the locality.
- (2) Where in the opinion of the local government or an authorised person, a fence is in a state of disrepair or is dangerous or is otherwise in breach of a provision of this local law, the local government or an authorised person may give a notice of breach under clause 5.1 to the owner of the lot on which the fence is erected.

CITY OF VINCENT FENCING LOCAL LAW

2.7 [deleted]**2.7 Fences and sightlines**

(1) ~~Where a front fence or a boundary fence is adjacent to a vehicle access point or a thoroughfare, the front fence or boundary fence is to have a sight line truncation or a reduction in height shall be provided at the property line to ensure adequate visibility, as follows –~~

~~(a) at an intersection of a driveway with a road or right-of-way a minimum sight line truncation of 1.5 metres x 1.5 metres, where achievable, or as a minimum a sight line truncation of 1.0 metre x 1.0 metre for low and medium peak vehicle movements, and a sight line truncation of 3.0 metres x 3.0 metres where achievable, for high peak vehicle movements;~~

~~(b) at an intersection of two roads a minimum sight line truncation of 3.0 metres x 3.0 metres.~~

~~A sight line truncation is not required on the entry side of a driveway where it is clearly defined as 'ENTRY ONLY' or where a driveway is not less than 6.0 metres wide, and where appropriate signage and line marking is provided.~~

~~(2) Sub-clause (1) does not apply to a fence of open construction that does not obscure the lines of vision of a motorist using a vehicle access point or thoroughfare.~~

~~(3) A person shall not erect or maintain a fence without the sightline or height reduction required under sub-clause (2).~~

2.8 Fences across rights-of-way, public access ways or thoroughfares

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.9 General discretion of the local government

(1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.

(2) In determining whether to grant its approval under sub-clause (1), the local government may consider whether the erection or retention of the fence would have an adverse effect on –

- (a) the safe or convenient use of any land;
- (b) the safety or convenience of any person; or
- (c) the visual amenity of the locality.

Division 3 - Fencing Materials**2.10 Pre-used fencing materials**

- (1) Notwithstanding clause 2.1, a person shall not construct a boundary fence on a Residential lot, a Commercial lot or an Industrial lot from pre-used materials without the approval of the local government.
- (2) Where the local government approves the use of pre-used materials in the construction of a boundary fence under sub-clause (1), that approval shall be conditional on the applicant painting or treating the pre-used material as stated- in or attached to the form of approval issued by the local government under clause 3.2.

2.11 Barbed wire fences and spiked or jagged materials

- (1) An owner or occupier of a Residential lot, a Commercial lot or an Industrial lot shall not erect, affix to or allow to remain on any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the approval of the local government has been obtained.
- (2) Where an approval has been obtained in accordance with sub-clause (1), that approval shall be taken to have been issued subject to a condition that the owner or occupier shall not erect, affix or allow to remain on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless such wire or materials are carried on posts set at an angle of 45 degrees into the lot, and unless the bottom row of wire or other materials is set back 150 millimetres from the face of the fence, is at least 2000 millimetres above ground level and the total height shall not exceed 2400 millimetres.

2.12 Electrified and razor wire fences

- (1) An owner or occupier of a lot shall not -
 - (a) construct or use an electrified fence on that lot without obtaining the approval of the local government; or
 - (b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government.
- (2) The local government shall not approve -an application for the purpose of sub-clause (1)(a) -
 - (a) in respect of a lot which is or which abuts a Residential lot;
 - (b) unless the fence complies with AS/NZS3016:1994; and
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.

- (3) The local government shall not approve an application for the purpose of sub-clause (1)(b) -
- (a) if the fence is within 3000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2000 millimetres or more than 2400 millimetres above the ground level.
- (4) An application for approval for the purpose of sub-clauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

2.13 Prohibited fencing materials

A person shall not affix or use broken glass in the construction of any fence.

Division 4 - Tennis Court Fencing

2.14 Tennis court fencing

- (1) A person shall not erect a fence around or partly around a tennis court on a lot unless –
- (a) the fence is not more than 3600 millimetres in height;
 - (b) the whole of the fence is at least 900 millimetres from the boundary between the lot on which the tennis court is located and the adjoining lot; and
 - (c) the fence is fabricated from 2.5 millimetre poly-vinyl chloride coated or galvanised wire 50 millimetre link mesh not more than 3600 millimetres in height, and is erected in accordance with the manufacturer's specifications.
- (2) A person shall not erect a fence around or partly around any tennis court other than in accordance with sub-clause (1) without the approval of the local government.
- (3) In determining any application for approval for the purpose of sub-clause (2), where the fence will be less than 900 millimetres from the boundary between the lot on which the tennis court is located and the adjoining lot, the local government shall invite the owner of the adjoining lot to make submissions on the proposal, and the local government shall have regard to any such submissions in making its decision under clause 3.2.

PART 3 - APPROVALS**3.1 Application for approval**

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with sub-clause (2).
- (2) An application for approval under this local law shall –
 - (a) be in the form determined by the local government;
 - (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with sub-clauses (2) and (3).

3.2 Decision on application for approval

- (1) The local government may –
 - (a) approve an application for approval unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for approval.
- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under sub-clause (1)(a).

CITY OF VINCENT FENCING LOCAL LAW

3.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner and occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

3.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law runs with the lot to which it relates and for the avoidance of doubt, it may be relied upon by any subsequent occupier or owner of the lot, and may be enforced against them by the local government.

PART 4 - MISCELLANEOUS**4.1 False or misleading statement**

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

PART 5 - NOTICES OF BREACH**5.1 Notices of breach**

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to that owner of that lot ('notice of breach').
- (2) The notice of breach shall –
 - (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state that the owner is required to remedy the breach within the time specified in the notice.
- (3) An owner given a notice of breach shall comply with the terms of the notice and remedy the breach within the time specified in the notice.

5.2 Limit on liability

An owner to whom a notice of breach has been given is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government arising from anything done while they are acting under clause 5.1(3).

PART 6 - OFFENCES

6.1 Offences and penalties

- (1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than ~~\$500~~^{\$250} and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than ~~\$500~~^{\$250} and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

6.2 Modified penalties

- (1) An offence against any provision of this local law is a prescribed offence described for the purposes of section 9.16 (1) of the Act.
- (2) The amount appearing in the final column of Schedule 1 directly opposite a prescribed offence in that Schedule is the modified penalty for that prescribed offence.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

CITY OF VINCENT FENCING LOCAL LAW

6.3 Form of notices

For the purposes of this local law –

- (a) the form of the infringement notice referred to in sections 9.16 and 9.17 of the Act is to be in or substantially in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the notice referred to in section 9.20 of the Act is to be in or substantially in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7 - OBJECTIONS AND REVIEW

7.1 Objections and review

When the local government makes a decision under clause 3.2, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

CITY OF VINCENT FENCING LOCAL LAW

SCHEDULE 1

PRESCRIBED OFFENCES

<u>Item</u>	<u>Clause No.</u>	<u>Nature Of Offence</u>	<u>Modified Penalty \$</u>
<u>1</u>	2.1 (1)	Erect a fence which is not a sufficient fence	<u>500250</u>
	2.2	Erect a fence within the front setback area which does not comply with the City Planning Scheme.	250
<u>2</u>	2.3(a)	Erect or maintain a gate in a <u>boundary</u> fence not opening into the lot	<u>500200</u>
<u>3</u>	2.3(b)	Erect or maintain a gate in a <u>boundary</u> fence not sliding parallel and inside of fence	<u>500200</u>
<u>4</u>	2.6 (1)	Failure to maintain a fence in good condition/prevent fence becoming dangerous, dilapidated, unsightly	<u>500250</u>
	2.7 (3)	Erect a fence without the required sight line truncation or height reduction	250
<u>5</u>	2.8	Erect or maintain a fence/obstruction temporary or permanent across a right-of-way, public access way or thoroughfare without approval	<u>500250</u>
<u>6</u>	2.10 (1)	Construct a <u>boundarydividing</u> fence on a Residential, Commercial or Industrial lot from pre-used materials without written approval	<u>500250</u>
<u>7</u>	2.11 (1)	Erect a fence using barbed wire or material with spiked or jagged projections in fence construction without approval	<u>500250</u>
<u>8</u>	2.12 (1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	<u>500250</u>
<u>9</u>	2.13	Affix, or use, any broken glass in a fence	<u>500250</u>
<u>10</u>	2.14 (1)(a)	Erect a tennis court fence higher than 3600 millimetres without approval	<u>500200</u>
<u>11</u>	2.14 (1)(b)	Erect tennis court fence less than 900 millimetres from boundary of adjoining lot without approval	<u>500200</u>
<u>12</u>	2.14 (1)(c)	Erect a link mesh fence higher than 3600 millimetres or not in accordance with manufacturer's specification without approval	<u>500250</u>
<u>13</u>	3.3	Failure to comply with terms or conditions of approval	<u>500250</u>
<u>14</u>	5.1 (3)	Failure to comply with notice of breach	<u>500250</u>

Clause 2.1 (2)(a)

SCHEDULE 2

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

Each of the following is a "sufficient fence" on a Residential lot:

- A. A fully enclosed timber boundary fence or dividing fence built in accordance with established construction techniques, and
 - i) ~~the height of the dividing fence shall not exceed to be~~ 1800 millimetres except with respect to the front setback area ~~for which there is no minimum height but which is subject to clause 2.2.~~
 - ii) the height of the boundary fence to not exceed 1800 millimetres.
- B. A dividing fence constructed of corrugated fibre reinforced pressed cement or steel metal sheeting erected in accordance with the manufacturer's specifications ~~or and~~ which satisfies the following specifications:
 - (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600 millimetres;
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
 - (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturer's instructions or established construction techniques; and
 - (d) the height of the dividing fence to be 1800 millimetres, except with respect to the front setback except with respect to the front setback area for which there is no minimum height but which is subject to clause 2.2.
- C. A boundary fence or dividing fence constructed of brick, masonry, stone or concrete, which satisfies the following specifications:
 - (a) cConcrete footings with minimum dimensions of minimum 225 millimetres x 150 millimetres for single leaf walls or 300mm x 300mm for double leaf walls concrete 15 Megapascals or 300 millimetres x 175 millimetres brick laid in cement mortar;
 - (b) ~~f~~Fences to be offset a minimum of 200 millimetres at maximum 3000 millimetres centres or 225 millimetres x 100 millimetres engaged piers to be provided at maximum 3,000 millimetres centres;
 - (c) expansion joints in accordance with the manufacturer's written instructions; and
 - (d) the height of the dividing fence shall not exceed to be 1,800 millimetres except with respect to the front setback area ~~for which there is no minimum height but which is subject to clause 2.2.~~
 - (d)(e) The height of the boundary fence to not exceed 1800 millimetres.

CITY OF VINCENT FENCING LOCAL LAW

D. A composite dividing fence having an overall height of ~~not exceeding~~ 1,800 millimetres, except with respect to the front setback area ~~for which there is no minimum height but which is subject to clause 2.2~~, which satisfies the following specifications for the brick component of the construction:

- (1)
 - (a) brick piers of minimum 345 millimetres x 345 millimetres at 1,800 millimetres centres bonded to a minimum height base wall of 5164 millimetres (6 courses);
 - (b) each pier shall be reinforced with one 10 millimetre diameter galvanised reinforced starting rod 1,500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level;
 - (c) the minimum ultimate strength of brickwork shall be 20 Megapascals. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
 - (d) the ground under the footings is to be compacted to 6 blows per 300 millimetres and checked with a standard falling weight penetrometer; and
 - (e) control joints in brickwork shall be provided with double piers at a maximum of 6000 millimetre centres; or
- (2)
 - (a) brick piers of a minimum 345 millimetres x 345 millimetres x 2,700 millimetres centres bonded to the base; and
 - (b) each pier shall be reinforced with two 10 millimetre diameter galvanised reinforced starting rods 1500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level.

CITY OF VINCENT FENCING LOCAL LAW

Clause 2.1 (2) (b)

SCHEDULE 3**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT OR INDUSTRIAL LOT**

Each of the following is a “*sufficient fence*” on a Commercial lot or Industrial lot:

- A. A dividing fence constructed of galvanised or PVC coated rail-less link mesh, chain mesh or steel mesh to a height of ~~1800 millimetres no greater than 2400 millimetres~~ all supported by galvanised iron posts of a minimum diameter of 30 millimetres spaced at no more than 3000 millimetres centres and sunk in the ground a minimum of 600 millimetres encased in concrete with a minimum diameter of 150 millimetres, except with respect to the front setback area.
- B. A dividing fence of fibre reinforced cement sheet constructed to the specifications referred to in Schedule 2, except with respect to the front setback area.
- C. A dividing fence constructed of ~~aluminium metal~~ sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800 millimetres ~~but no greater than 2400 millimetres~~.
- D. Fences of timber, brick, stone or concrete constructed to the specifications referred to in Schedule 2, except with respect to the front setback area.

Dated this 12th day of February 2008







The Common Seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of:

NICK CATANIA, JP, MAYOR

JOHN GIORGI, JP, CHIEF EXECUTIVE OFFICER

9.2	NO. 2/17 (LOT: 7; D/P: 11538) GREEN STREET, MOUNT HAWTHORN - CHANGE OF USE FROM SHOP TO UNLISTED USE (MESSAGE PREMISES)
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TRIM Ref: D17/162797
Author: Rana Murad, Senior Urban Planner
Authoriser: John Corbellini, Director Development Services
Ward: North
Precinct: 1 – Mount Hawthorn
Attachments:

1. Attachment 1 - Consultation and Location Plan  
2. Attachment 2 - Development Plans  
3. Attachment 3 - Determination Advice Notes  

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the development application for a Change of use from Shop to Unlisted Use (Message Premises) at Unit 2, 17 (Lot: 7; D/P: 11538) Green Street, Mount Hawthorn in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

1. Use of Premises

- 1.1. The development shall be used in accordance with the definition of 'Message Premises' as set out under the City's Policy No. 7.5.22 – Consulting Rooms;
- 1.2. A maximum of two consultants shall operate from the tenancy at any one time;
- 1.3. This approval for Unlisted Use (Message Premises) is for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to re-apply to and obtain approval from the City prior to the continuation of the use; and
- 1.4. The hours of operation for the 'Message Premises' shall be limited to 9:00am to 9:00pm Monday to Sunday and Closed Christmas Day, Good Friday and Anzac Day; and

2. Interactive Front

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Office' and 'Reception' areas of the development and Green Street and London Street during the hours of the development's operation to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited. Curtains, blinds and other internal or external treatments that obscure the view of the internal area from Green Street and London Street are not permitted to be used during the hours of the developments operation.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use from Shop to Unlisted Use (Message Premises) at No. 2/17 Green Street, Mount Hawthorn.

BACKGROUND:

Landowner:	S&S Prime Properties
Applicant:	Zhi Lan Lia
Date of Application:	24 August 2017
Zoning:	MRS: Urban TPS1: Zone: Local Centre TPS2: Zone: Local Centre

Built Form Area:	Mixed Use Area
Existing Land Use:	Non-Medical Consulting Rooms (Massage Therapy)
Proposed Use Class:	Unlisted Use (Massage Premises)
Lot Area:	647m ²
Right of Way (ROW):	Yes
Heritage List:	Not applicable

The subject site is located on the corner of Green Street and London Street, Mount Hawthorn. The subject site and the lots to the west are zoned Local Centre whilst the lots to the south are zoned Residential with a density code of R30. To the north of the subject site is the City of Stirling local government boundary. The subject site abuts London Street to the east with the adjacent properties being zoned Residential with a density code of R30/R40. A variety of commercial uses front Green Street including a small bar and various shop tenancies. A location plan is included as **Attachment 1**.

An initial application for a change of use from shop to Consulting Rooms (Non-Medical – Massage Therapy) was approved under delegated authority on 30 July 2015 for a 12 month period in accordance with Clause 5.4.2 in the City's Policy No. 7.5.22 – Consulting Rooms. The approval also limited the number of consulting rooms to two, required a cash-in-lieu contribution of \$12,063.60, and conditioned the following operating hours:

- 8:00am to 9:00pm Monday to Friday;
- 8:00am to 5:00pm Saturday;
- 11:00am to 5:00pm Sundays and public holidays; and
- Closed on Christmas Day, Good Friday and Anzac Day and other official WA public holidays.

A subsequent development application was lodged with and approved by the City under delegated authority on 15 September 2016, which amended the approval to remove the cash-in-lieu contribution condition however, did not remove the condition relating to the term of approval. The condition relating to a cash-in-lieu contribution was removed from the development approval as the applicant had paid the required amount of cash-in-lieu in full and has therefore, satisfied the condition.

Due to the 12 month time limit imposed on the initial approval an application was lodged on 24 August 2017 to enable the use to continue to operate. Since the development application was lodged the use has continued to operate with no complaints. The development plans are included as **Attachment 2**. As part of the assessment undertaken by Administration it was determined that the application has been operating in compliance with all of the conditions previously imposed by the City. The application is also seeking to amend the aforementioned operating hours to allow the business to operate from 9:00am to 9:00pm Monday to Sunday.

The original application was assessed as a consulting room under the City's Town Planning Scheme No. 1 (TPS1) which is considered as an "AA" use within the 'Local Centre' zone. On assessment of the current proposal it was identified that the use cannot reasonably be determined as falling within the definition of 'Consulting Rooms' in TPS 1 which is defined as:

"any building or part thereof used in the practice of a profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur, a chiropractor, a chiropodist, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments but does not include a hospital".

The business offers therapeutical massage services and as this does not relate to the investigation or treatment of physical or mental injuries or ailments, it is not considered to meet the definition of a 'Consulting Room' under TPS1. The City's Policy No. 7.5.22 – Consulting Rooms defines 'Massage Premises' as:

"premises that provide therapeutic massage services and do not allow sexual activity to take place, be arranged, or be a public venue for sexual encounters".

The use is considered to fall within this definition, which is an 'Unlisted Use' in TPS1.

The application proposes no physical changes to the building.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.5.22 – Consulting Rooms and the City's Policy No. 7.7.1 – Parking and Access (Parking and Access Policy). In each instance where the proposal requires the discretion of Council, the relevant planning elements are discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Hours of Operation		✓
Parking and Access	✓	
Bicycle Facilities	✓	

Detailed Assessment

The deemed-to-comply assessment of the elements that require the discretion of Council are as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
City of Vincent Town Planning Scheme No. 1 Permitted Use	Unlisted Use (Massage Premises)
Hours of Operation	
Deemed-to-Comply Standard	Proposal
City of Vincent Town Planning Scheme No. 1 The hours of operation for a Consulting Room shall be limited to the following: 8:00am – 9:00pm, Monday – Friday 8:00am – 5:00pm, Saturday 11:00am – 5:00pm, Sunday and Public Holidays CLOSED Christmas Day, Good Friday and Anzac Day.	The hours of operation being 9:00am to 9:00pm Monday to Sunday.

The above elements of the proposal do not meet the specified standards of the City's Policies and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

The application was advertised for a period of 14 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 15 September to 28 September 2016. The method of advertising included 17 letters being mailed to all owners and occupiers within close proximity to the subject site, as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation. The applicant was unable to have a newspaper advertisement published as they are currently overseas until late February. In order to progress the application, the requirement for a newspaper advertisement was waived in this instance and the radius of written correspondence was extended in order to compensate for the newspaper advertisement. At the end of the consultation period, no submissions were received.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;

- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.7.1 – Parking and Access; and
- Policy No. 7.5.22 – Consulting Rooms.

In accordance with Schedule 2 Clause 76(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Draft Local Planning Scheme No. 2 (Draft LPS2)

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No 2 (LPS2) is to be modified before final approval was to be granted. The schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard LPS2 should be given due regard as a seriously entertained planning proposal when determining this application.

Generally the modified version of LPS2 does not impact on the subject property. The proposal does not reasonably fall into any other definition under LPS 2 and will therefore, also be an Unlisted Use under LPS 2. In addition LPS2 includes new objectives for the Local Centre zone as follows:

Local Centre –

- (i) *To provide services for the immediate neighbourhoods which do not expand into or adversely impact on adjoining residential areas.*
- (ii) *To encourage high quality, pedestrian-friendly, street-orientated development.*

Delegation to Determine Applications:

This application is being referred to Council for determination as the application proposes an Unlisted Use which requires an Absolute Majority Decision of Council under TPS1.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Land Use

The subject site is zoned Local Centre which is the same for the properties in the immediate vicinity, and is not contemplated to change in Draft LPS2. The use cannot reasonably be determined as falling within the definition of 'Consulting Rooms' in TPS1 and is therefore considered an Unlisted Use. The use meets the requirements of the City's Policy No. 7.5.22 – Consulting Rooms with respect to accredited qualifications of employees. The use on the subject site has been in operation for approximately two years and during this time the City has not received any complaints regarding the use of the subject site.

The proposed use was previously granted approval for a period of 12 months in accordance with Clause 5.4.2 of Policy No. 7.5.22 – Consulting Rooms. However, given that the proposal is now considered a Massage Premises it is recommended that a 12 month approval be granted in order to ensure that the business is operating in accordance with the definition of Massage Premises included in the City Policy No. 7.5.22.

The proposal incorporates a maximum of two consulting rooms and is considered to be of a relatively small scale. The operations of the business are considered to provide services for the immediate neighbourhoods and the applicant has highlighted that the majority of customers are from the immediate locality. The proposal is considered to be compatible and complementary with other commercial uses in the locality.

The subject site is part of a mixed use development which incorporates commercial tenancies on the ground floor and residential units above. Furthermore, the subject site is adjacent to Residential zoned land which has been developed with predominantly single dwellings. Given that the subject site is on the corner of London Street and Green Street and adjoins a right of way to the south and commercial tenancies to the west, it is considered that there is adequate separation between the subject site and the surrounding Residential zoned properties. This is considered to reduce the potential impact of the proposal on the surrounding residents. It is also noted that since operating, the City has not received any complaints regarding the operations of the subject site nor were there any submissions received when the proposal was advertised for public comment. In light of this, it is considered that the land use is appropriate in this locality.

Hours of Operation

As part of this application the applicant is seeking an amendment to the currently approved operating hours to enable the business to operate from 9:00am to 9:00pm Monday to Sunday. The justification provided by the applicant for the proposed operating hours can be summarised as follows:

- The surrounding locality will not be greatly impacted by the proposed hours as the business is a significant distance from residential properties;
- The intersection of Green Street And London Street is surrounded with other Business's which act as a buffer to the subject site;
- There has been strong demand from customers to be able to come after work hours and on weekends;
- The extended hours of trade can be considered a service to the community as it allows more accessible hours for those in pain to get medical service where they may not otherwise be able to receive due to work commitments; and
- Customers are trying hard to maintain their jobs and are unwilling to ask for time off to attend an appointment.

The lots adjacent to the subject property incorporate a number of commercial uses including shops and a small bar. The small bar on the corner of Green Street and Dunedin Street operates until 10:00pm on Wednesday and Thursday, 12:00am on Friday and Saturday and 9:00pm on Sunday (closed on Monday and Tuesday). On the opposite side of Dunedin Street is a liquor store which operates until 8:00pm on Monday to Thursday, 9:00pm on Friday and Saturday and 7:00pm on Sunday. Therefore, it is considered that the proposed operating hours are generally in-keeping with the other businesses in the locality. Furthermore, the proposal is restricted to two consultants at any one time which is considered to ensure that the impact of the business is negligible in terms of scale and intensity.

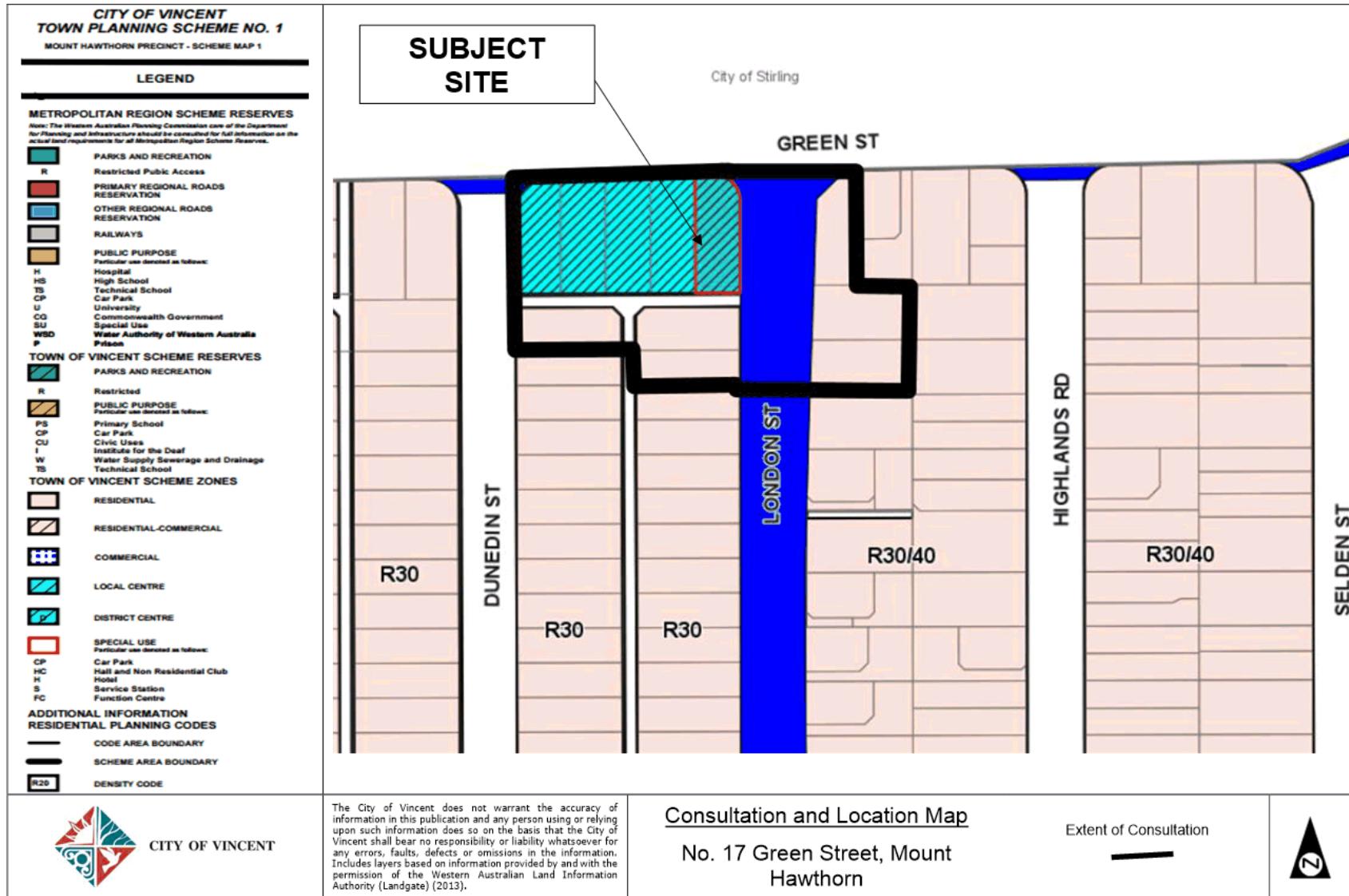
The subject tenancy is on the corner of London Street and Green Street and is therefore considered to be adequately separated from the surrounding Residential zoned land. The proposal incorporates a maximum of two consultants at any one time which is considered to be of a low scale and intensity. The operating hours are considered to be generally in keeping with the surrounding businesses. Given the number of consultants proposed, it is considered that the extended operating hours will not adversely impact on the locality and the nearby residential dwellings. Notwithstanding, it has been recommended that the approval be granted for a period of 12 months only. This allow the City to monitor the activities of the business and ensure that these extended trading hours are not adversely impacting on the surrounding landowners.

Car Parking

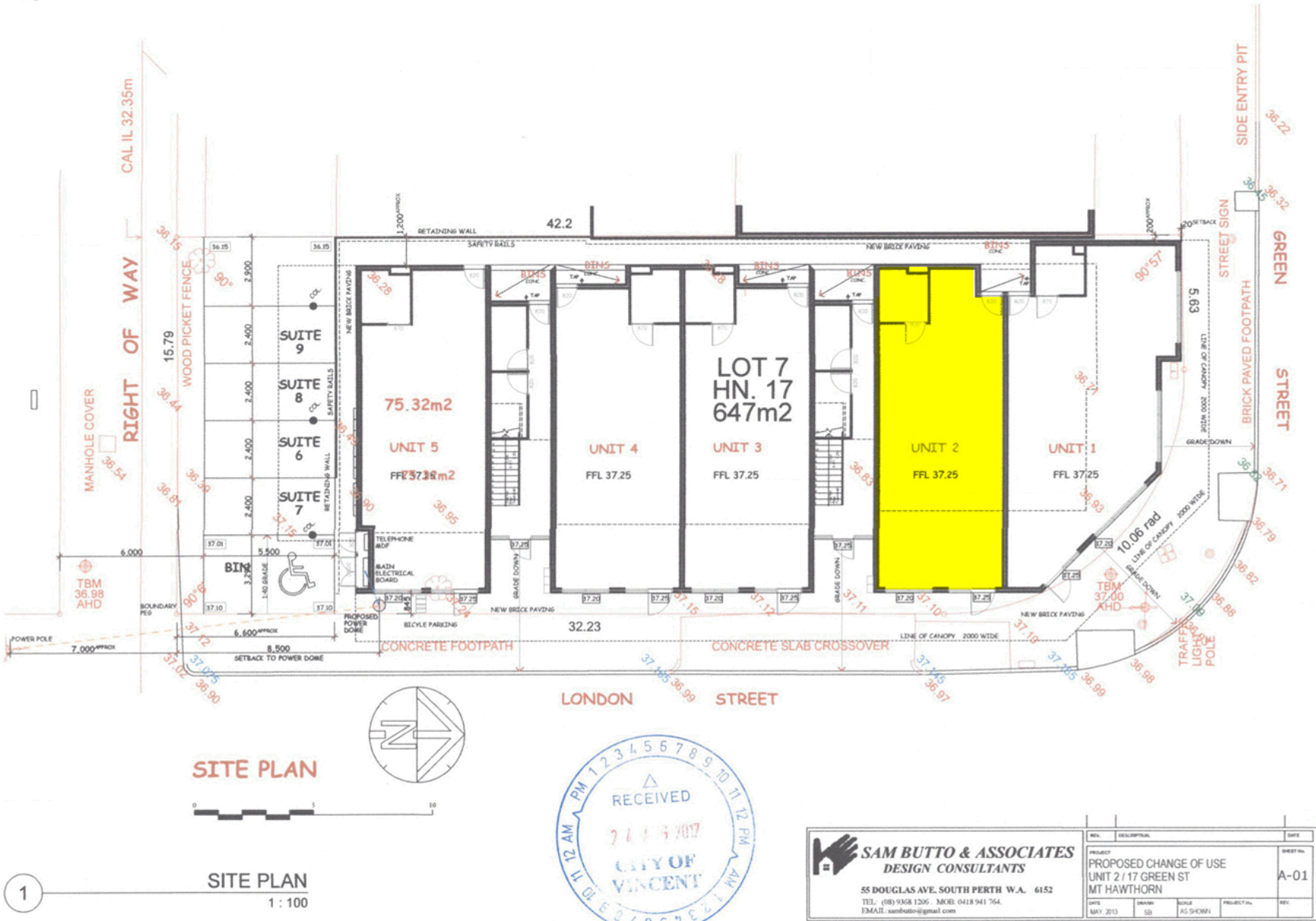
The initial application determined the car parking requirements in accordance with the City's Policy No. 7.7.1 – Parking and Access based on the use being a Consulting Room which requires three car parking bays per consulting room or consultant whichever is lesser. Given that the use is now being considered as a Massage premises, the City's Policy No. 7.7.1 does not include any specific car parking requirements. However, it is considered that the previous standard applied for the car parking is appropriate in this instance. The applicant has satisfied the requirements for car parking for the subject site as a cash-in-lieu contribution has been paid to the City.

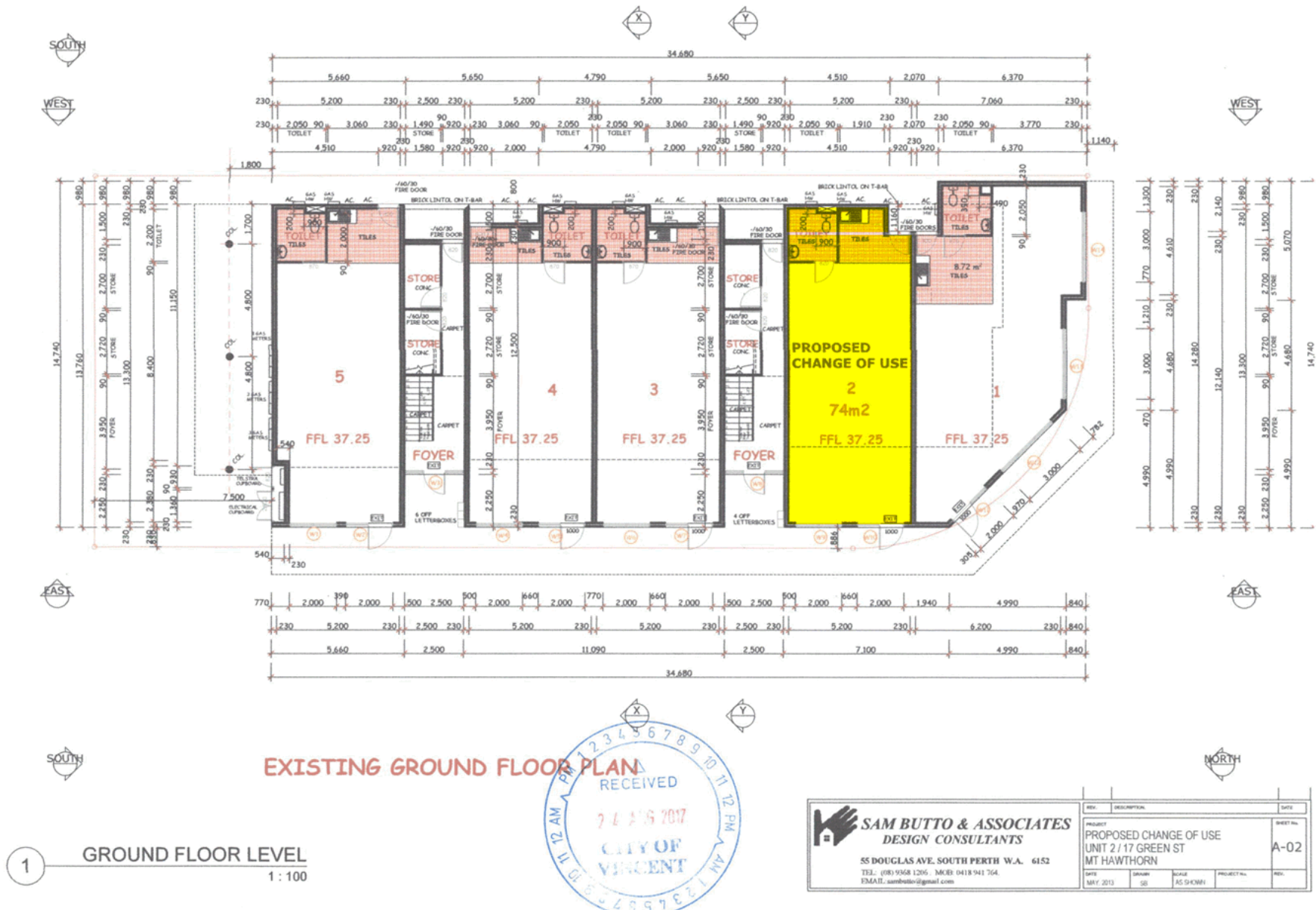
Conclusion

The proposal is considered to be an appropriate use in the locality given the existing commercial uses currently operating adjacent to the subject site such as a small bar and shop. Furthermore, the proposed operating hours align with some of the uses currently operating in the locality. The City did not receive any objections in the community consultation period nor has it received any complaints since the proposal has been in operation. It is recommended that to the application be approves subject to conditions.









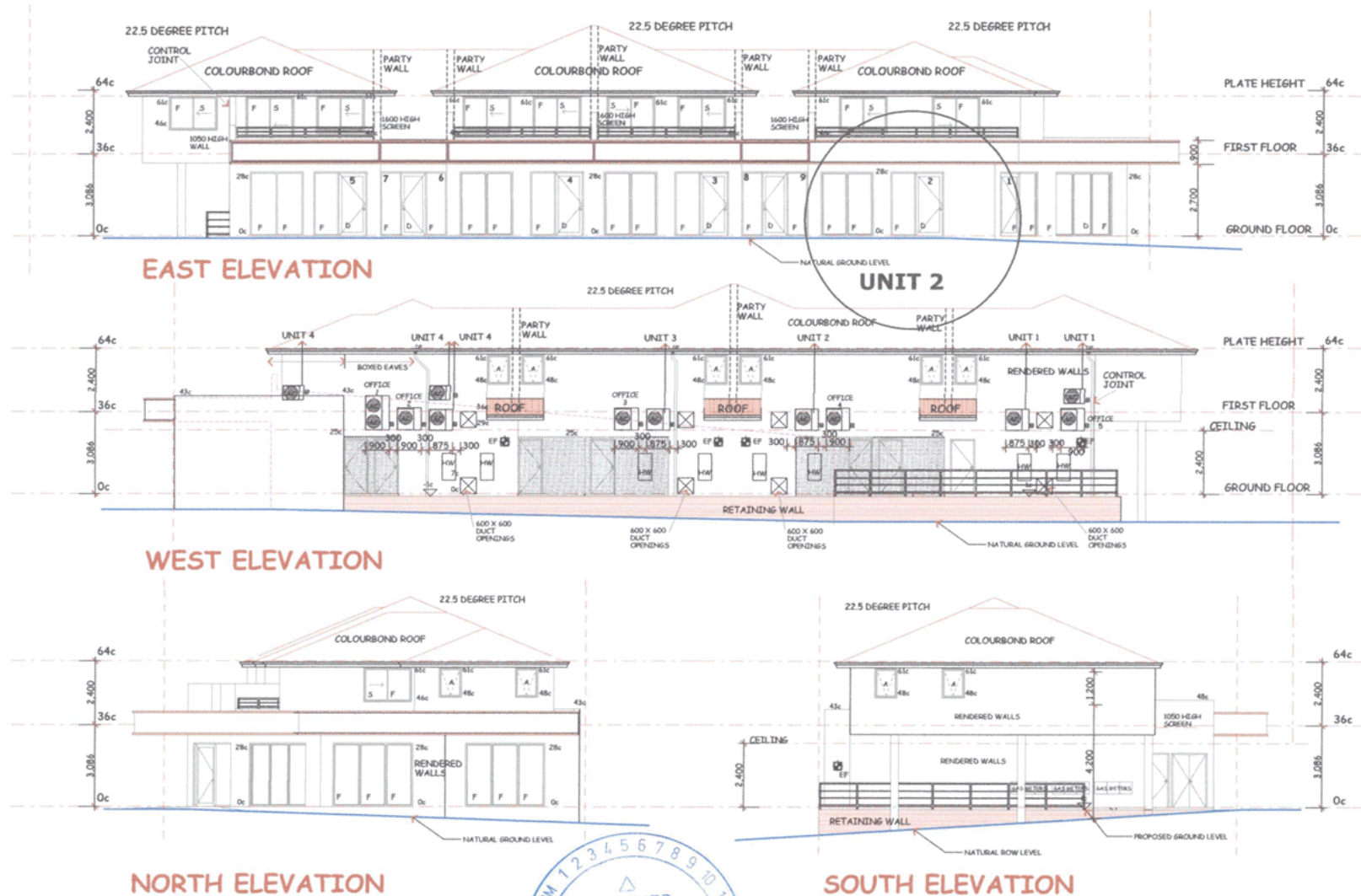


1 : 50



55 DOUGLAS AVE. SOUTH PERTH W.A. 6152
TEL: (08) 9368 1206. MOB: 0418 941 764.
EMAIL: sambutto@gmail.com

REV.	DESCRIPTION	DATE
PROJECT PROPOSED MESSAGE CLINIC UNIT 2 / 17 GREEN ST MT HAWTHORN		SHEET No. A-05
DATE JULY, 2015	DRAWN SR	SCALE AS SHOWN
PROJECT No.		REV.



1

ELEVATIONS
1 : 100



SAM BUTTO & ASSOCIATES DESIGN CONSULTANTS		DATE	
55 DOUGLAS AVE. SOUTH PERTH W.A. 6152		PROJECT	
TEL: (08) 9368 1296 MOB: 0418 941 764		PROPOSED CHANGE OF USE	
EMAIL: sambutto@gmail.com		UNIT 2 / 17 GREEN ST	
DATE	DRAWN	SCALE	PROJECT No.
MAY 2013	SB	AS SHOWN	
SHEET No.			REV.
A-03			

Determination Advice Notes:

1. Use and activity at the site shall comply with the Massage Premise Alternative Medicine Consulting Rooms definition under the City's Policy 7.5.22 as follows:

 'premises that provide therapeutic massage services and do not allow sexual activity to take place, be arranged, or be a public venue for sexual encounters.'
2. A separate application for approval will be required for any proposed change or addition of a different category of consulting rooms under the City's Policy No. 7.5.22 to that approved under this approval.
3. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Development Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

9.3 NO. 22/60 (LOT: 22; S/P 16992) SMITH STREET, HIGHGATE - CHANGE OF USE FROM GROUPED DWELLING TO UNLISTED USE (SHORT TERM DWELLING)

TRIM Ref: D17/163341






Authors: Stephanie Norgaard, Urban Planner
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 14 – Forrest

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Development Application Plans [↓](#) 
3. Attachment 3 - Management Plan and Code of Conduct [↓](#) 
4. Attachment 4 - Summary of Submissions [↓](#) 
5. Attachment 5 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the development application for a Change of Use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) at No. 22/60 (Lot: 22; S/P: 16992) Smith Street, Highgate, in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Use of Premises

- 1.1. The Short Term Dwelling shall accommodate a maximum of 4 guests at any one time;
- 1.2. The Short Term Dwelling shall operate in accordance with the Management Plan dated 25 July 2017 and the terms and conditions outlined in the Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the short term accommodation; and
- 1.3. The Short Term Dwelling shall operate with a mandatory minimum night stay period of 3 consecutive nights;

2. Car Parking

A minimum of one on-site parking bays shall be made available to guests at all time and be maintained to the satisfaction of the City;

3. Management Plan

- 3.1. The Management Plan and Code of Conduct shall be modified to include further information regarding parking management as outlined in City of Vincent Policy No. 7.4.5 – Temporary Accommodation, within 28 days of the date of this approval. The Use of the premises shall be carried out in accordance with the approved Management Plan and all requirements of the Management Plan shall be implemented to the satisfaction of the City;
- 3.2. 'The Handbook' contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the Short Term Dwelling; and

4. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) at Unit 22, 60 Smith Street, Highgate (the subject site).

BACKGROUND:

Landowner:	George Michael Jones		
Applicant:	George Michael Jones		
Date of Application:	25 July 2017		
Zoning:	MRS: Urban TPS1: Zone: Residential R-Code: R80 LPS2: Zone: Residential R-Code: R80		
Built Form Area:	Residential		
Existing Land Use:	Grouped Dwelling		
Proposed Use Class:	Unlisted (Short Term Dwelling)		
Lot Area:	2,280m ²		
Right of Way (ROW):	No		
Heritage List:	No		

The subject site is located on the corner of Smith Street and Broome Street, Highgate. The site comprises of 24 grouped dwellings (townhouses) set across two buildings, as shown in **Attachment 1**. The area surrounding the subject site is predominantly residential and is characterised by a mix of single houses, grouped dwellings and multiple dwellings.

Located adjacent to the subject site on the west side of Smith Street is a 12 storey multiple dwelling, a single house and a small office building. Single two storey houses are located opposite the subject site on the north side of Broome Street. The subject site is bound to the south-west by group dwellings and Brigatti Gardens to the south-east. The subject site and surrounding area are zoned Residential with a density coding of R80, with the exception of Brigatti Gardens which is reserved Parks and Recreation.

The subject site has been operating as a Short Term Dwelling without development approval from the City since circa 2014. The City received a complaint about the suspected unauthorised use of the subject site as temporary accommodation on the 25 May 2017. The complaint formed part of a broader submission on numerous suspected temporary accommodation venues throughout Highgate. The landowner proceeded to lodge an application for a change of use from Grouped Dwelling to Unlisted Use (Short Term Dwelling).

The subject site comprises of a two storey grouped dwelling with two bedrooms and one car bay. The application proposes for both of the bedrooms to be used for temporary accommodation. The proposal is compliant with the car parking requirements outlined in the City Policy No. 7.7.1 – Parking and Access. The development plans are included as **Attachment 2**.

The City's Policy No. 7.4.5 – Temporary Accommodation requires a Management Plan and Code of Conduct to be submitted as part of all applications for Short Term Accommodation. A Management Plan and Code of Conduct were submitted as part of the development application and are included in **Attachment 3**. The Management Plan provided with the application outlines that a maximum of four guests can be accommodated at the subject site at any one time. The guests are required to provide the landowner with details of the nature of their intended stay before a booking is accepted. The landowner meets all guests on site at the time of arrival and reviews the Code of Conduct. The occupants of Unit 19, 20, 21, 23 and 24 have been provided the landowner's telephone number should there be any complaints about noise and anti-social behaviour. The Management Plan and Code of Conduct are considered to generally meet the requirement set out in the City's Policy No. 7.4.5 – Temporary Accommodation.

The proposed Short Term Dwelling does not align with any Use Class Categories provided in the City's Town Planning Scheme No. 1 (TPS1). As such, the proposal has been assessed an 'Unlisted Use' under the TPS1. The City's Policy No. 7.4.5 – Temporary Accommodation does provide a list of potential unlisted uses including Short Term Dwelling, which is defined as follows:

'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'

The proposed development is considered to meet the definition of 'Short Term Dwelling' set out in the City's Policy No. 7.4.5 – Temporary Accommodation and has been assessed against the associated requirements.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City's TPS1, the City's Policy No. 7.4.5 – Temporary Accommodation and Policy No. 7.7.1 – Parking and Access. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Parking & Access	✓	
Management Plan		✓

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
Town Planning Scheme No. 1 "P" Use	Unlisted Use (Short Term Dwelling)
Car Parking	
Deemed-to-Comply Standard	Proposal
Policy No. 7.7.1 – Parking and Access 1 car bay required	1 car bay provided
Management Plan	
Deemed-to-Comply Standard	Proposal
Management Plan The Management Plan should detail any relevant parking restrictions and include a commitment to advising occupiers of the premise, verbally and in writing, of the negative impact that inappropriate car parking can have on permanent residents.	The Management Plan does not detail the parking restrictions applicable in the area and no commitment has been included to advise occupiers of the negative impact inappropriate car parking can have on surrounding neighbours.

The above elements of the proposal do not meet the specified standards set out in the City's Policies and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

The application was advertised for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 10 November 2017 until 2 December 2017. The method of consultation being a sign on site, a notice in the local newspaper 'The Voice', and 52 letters being mailed to all owners and occupiers as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

Two submissions were received, both of which objected to the proposal. The main concerns raised by the submissions are as follows:

- The presence of short stay accommodation will increase real estate prices and create social problems in the local community.

- This establishment has been operating without authorisation since June 2014 and continues to do so without any penalty.

No evidence has been provided to indicate that the proposed development has impacted on real estate prices or contributed to anti-social behaviour. A summary of the submissions received and Administration's response to each is contained in **Attachment 4**.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- Policy No. 7.7.1 – Parking and Access;
- Policy No. 7.4.5 – Temporary Accommodation; and
- Policy No. 4.1.5 – Community Consultation.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant has the right to apply to the State Administrative Tribunal for a review of Council's determination.

Draft Local Planning Scheme No. 2

On 8 December 2017, the Acting Minister for Planning announced that the City's Draft Local Planning Scheme No. 2 (LPS2) is to be modified before final approval was to be granted. The schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to the LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the modified version of LPS2 should be given due regard as a seriously entertained planning proposal when determining this application.

Generally the modified version of LPS2 does not impact on the subject property. The proposed development would fall within the 'Holiday Accommodation' land use under the LPS2, which is defined as the following:

'Means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot'.

Holiday Accommodation is an Unlisted Use within the LPS2 and would require consideration against the objectives of the Residential zone. Under the LPS2, the objectives of the Residential zone are as follows:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*
- To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*
- To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*

- vii. *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

Delegation to Determine Applications:

This matter is being referred to Council as the application proposes to an Unlisted Use, which requires an Absolute Majority Decision of Council.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Land Use

The proposed land use of a Short Term Dwelling is not specifically identified in the land use table in the TPS1 and cannot reasonably be determined as falling within the interpretation of one of the Use Class Categories of TPS1. The use is considered an 'Unlisted Use' under TPS1 and Council is required to consider if the use is consistent with the objectives and purposes of the Residential zone, following community consultation. There are no objectives for the Residential zone in TPS1, as such the proposal has been assessed against the objectives of the Residential zone that will be included LPS2. It should be noted that the proposed development would be considered as 'Holiday Accommodation' under the LPS2. Holiday Accommodation is still classified as an 'Unlisted Use' under the LPS2 and would also require consideration against the objectives of the Residential zone.

The subject site is located in the Residential zone with a residential coding of R80. The land surrounding the subject site is also zoned Residential with a residential coding of R80. The surrounding properties include a mix of residential uses, including single houses, grouped and multiple dwellings. The zoning of the subject and adjoining sites are not contemplated to change in the City's LPS2.

The proposal is considered to provide an alternative form of residential accommodation. No physical works are required and the proposal will maintain the current residential built form and intensity of the subject site. This alternative form of residential accommodation will service both the local and broader community. The proposal does not incorporate any signage and therefore, will not lead to a commercialisation of the property. Consequently the existing residential character of the area will be retained. The Short Term Dwelling is limited to four guests at any one time. This number of guests is consistent with the number of people that would typically be accommodated within a two-bedroom residential dwelling. As such, the proposal is not considered to increase the intensity of the use of the subject site.

It is noted that since 2014, the City has not received any complaints regarding the operations of the subject site other than the broader submission on numerous suspected unauthorised Short Term Dwellings. In light of this, it is considered that the proposal is being managed appropriately through the existing management plan and is of a scale compatible for the area and consistent with the objectives of the Residential zone.

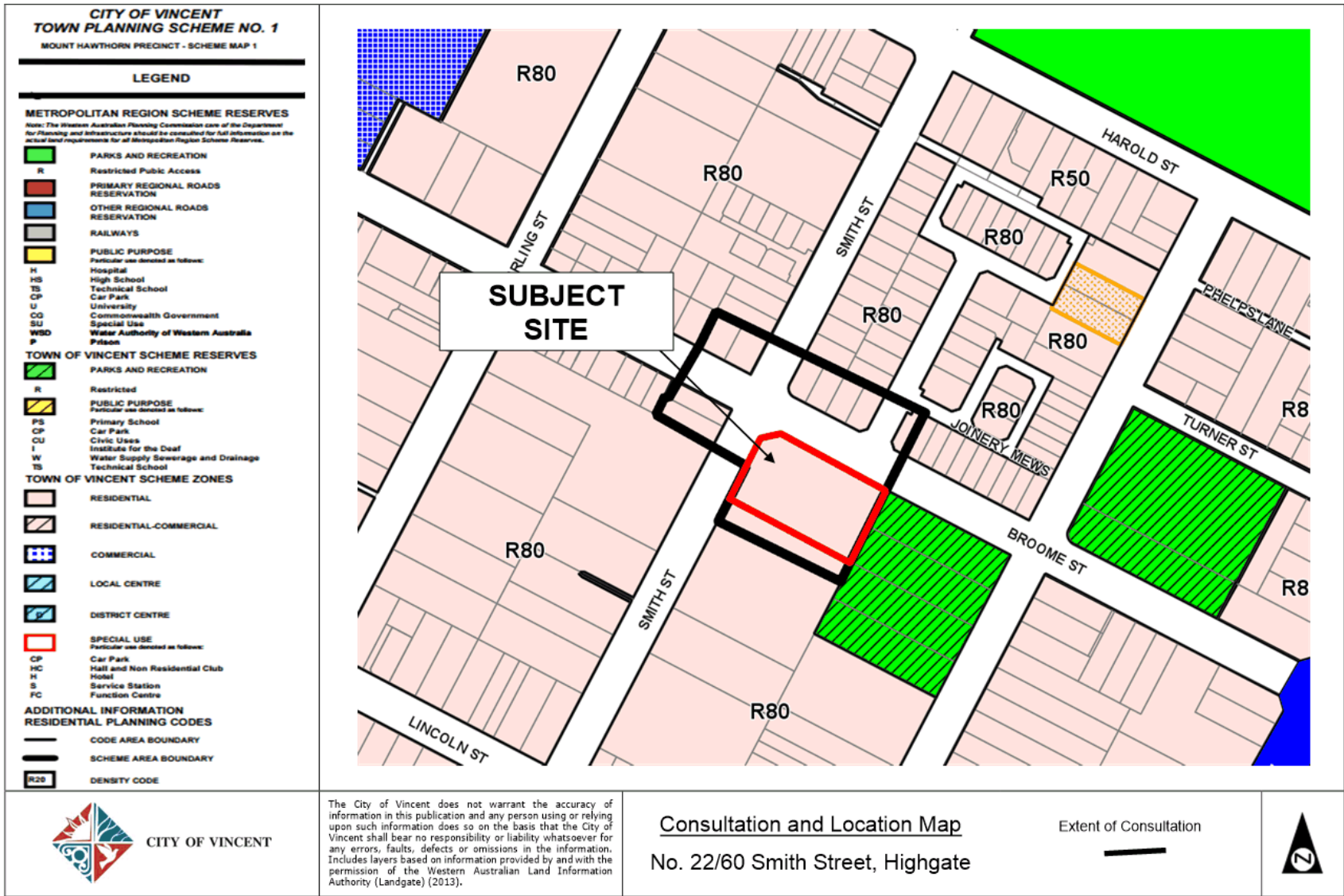
Management Plan

In accordance with the City's Policy No. 7.4.5 – Temporary Accommodation, a Management Plan and Code of Conduct has been provided as part of this application. The Management Plan outlines that a maximum of four guests can be accommodated at the subject site at any one time. The guests are required to provide the landowner with details of the nature of their intended stay before a booking is accepted. The landowner meets all guests on site at the time of arrival and together they review the Code of Conduct. The occupants of Unit 19, 20 21, 23, 24 have been provided the landowner's telephone number should there be any complaints about noise and anti-social behaviour.

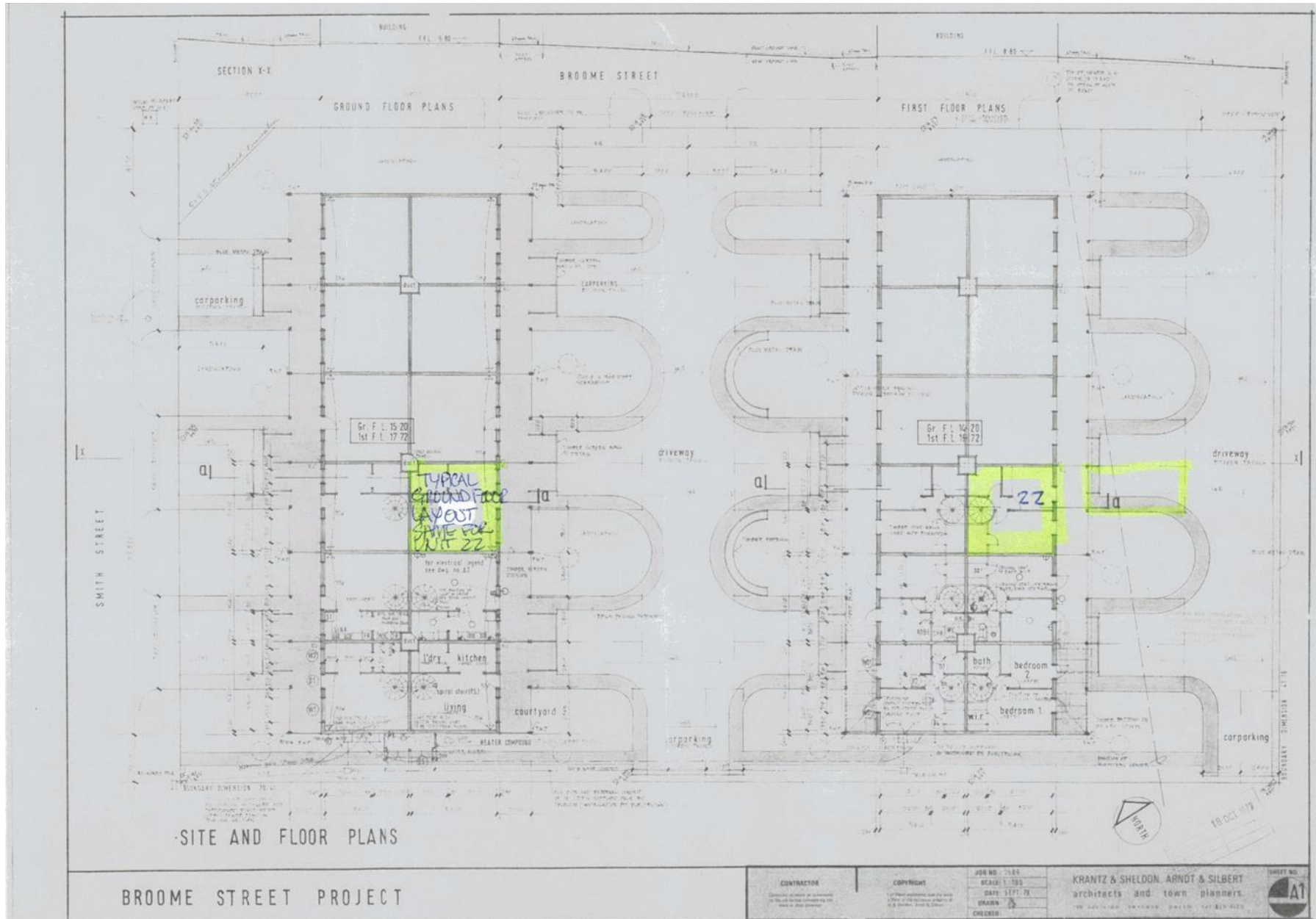
The Management Plan and Code of Conduct are considered to generally meet the requirement set out in the City's Policy No. 7.4.5 – Temporary Accommodation. The Management Plan does not detail the parking restrictions applicable in the area and no commitment has been included to advise occupiers of the negative impact inappropriate car parking can have on surrounding neighbours, as is required by the City's Policy No. 7.4.5 – Temporary Accommodation. In order to address this, a condition has been recommended requiring the Management Plan to be amended to incorporate this information and requirements for guest parking.

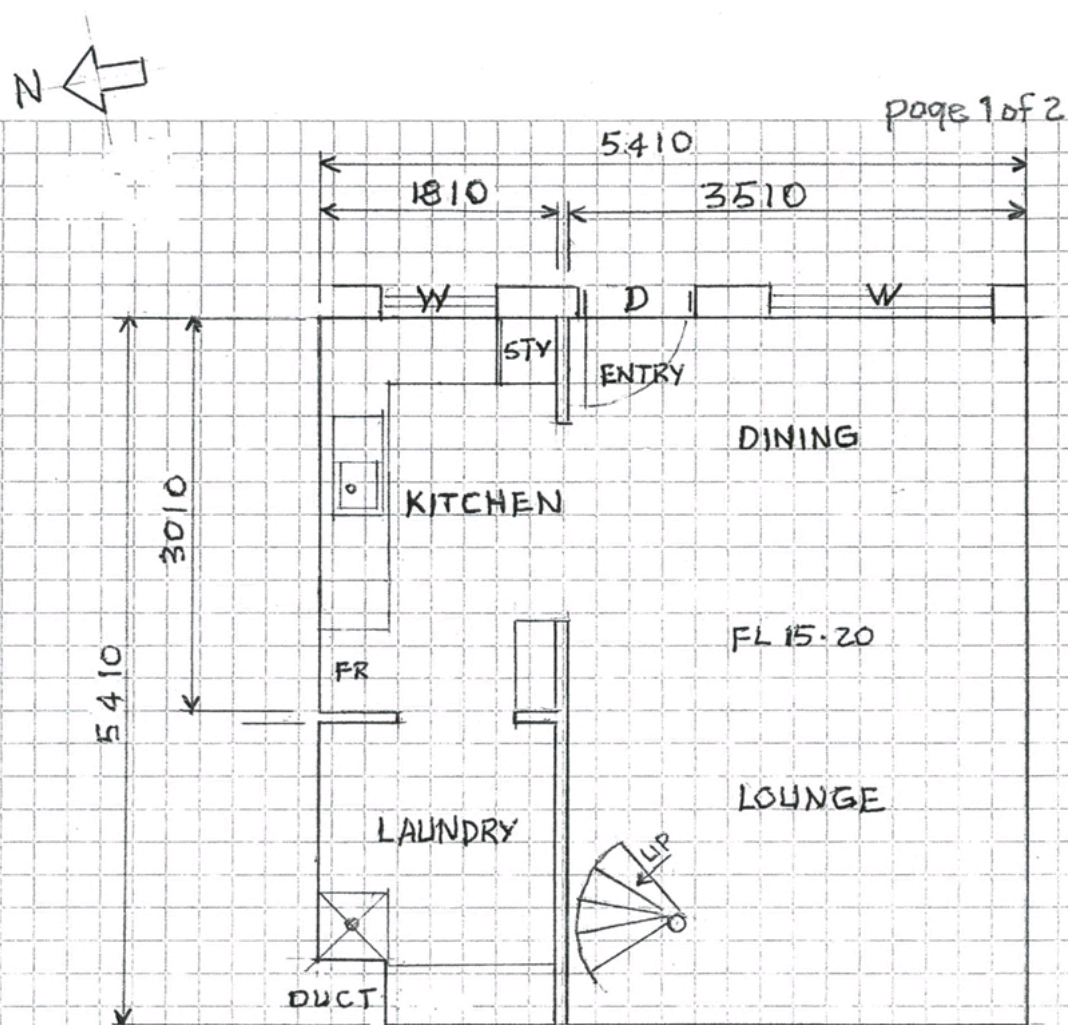
Conclusion

The proposed Short Term Dwelling is considered an appropriate use for the site and consistent with the objectives of the 'Residential' zone outlined in LPS2. The proposal offers an alternative form of accommodation at a low scale that is compatible for the area. The City is satisfied the proposal will be able to operate under the Management Plan and the Code of Conduct with minimal impact on the surrounding residential area. It is recommended that the proposal be approved subject to conditions.







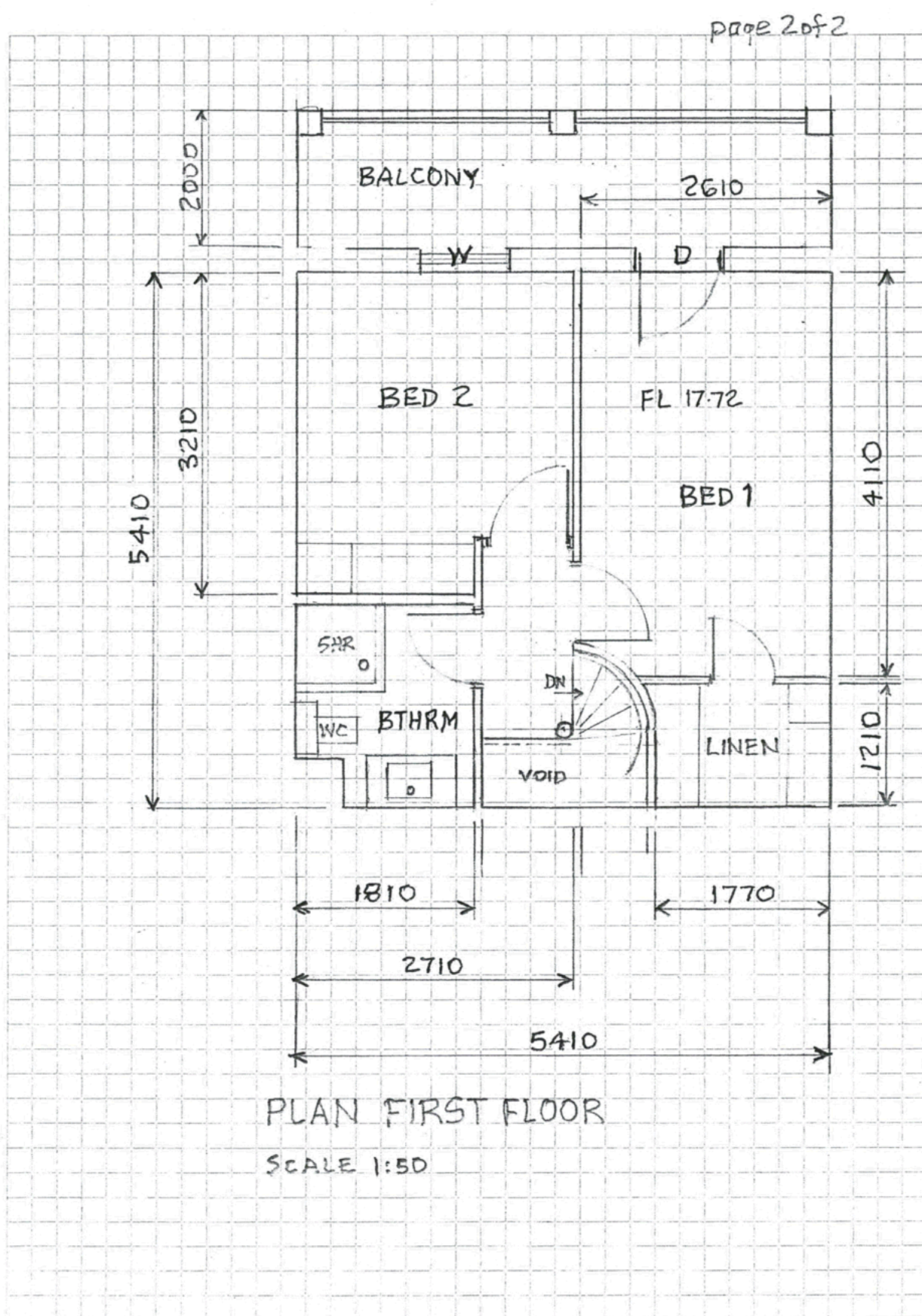


PLAN GROUND FLOOR

SCALE 1:50

UNIT 22
60 SMITH STREET
HIGHGATE

OWNER - George Jones
0437 590 135



Development Approval for short term accommodation.

Application to retrospectively approve change of use of :

Unit 22 60 Smith Street Highgate.

Management Plan

Guests - Property is listed on 2 Agent web sites namely Airbnb and Tripadvisor and it is through these sites I am contacted by potential guests who request a reservation. Once I know the number of guests (the maximum number is 4), their ages, where they are coming from, if they are male or female and a reason for visiting Perth the reservation request is accepted. I do have the right to refuse but have not yet had a reason to do so unless there has been a mix up with availability dates. All communication with the guest is done using the Agents' web site messaging system until 4-5 days before arrival date when I send an email which provides the door code for that particular stay and has the apartment handbook attached. The guests are asked to read the handbook thoroughly and contact me if they have any questions regarding any of the information provided. I also ask for an estimated arrival time so I can be present when they arrive. I meet all guests at the apartment and together we read through the handbook so I can be sure they understand all the house rules and I then give them a familiarisation tour of the apartment. Once I am satisfied the guests have no concerns and are comfortable, I leave them to it.

The handbook - This is the document I rely on to ensure a safe and pleasant stay for my guests. Details of the apartment, amenities that can be found in the area and public transport is provided and it also addresses what is expected of them staying in a residential complex. It contains a code of conduct and lays down rules regarding car parking, noise control and visitor behaviour. The handbook is considered part of the management plan and should be consulted for details not contained herein.

Complaints management – The owners of unit 19, 20 21, 23, 24 will be notified that unit 22 is being used as a short term rental. Because of the layout of the complex (4 rows of 6 units) these 5 units are the only ones likely to be impacted by any noise or anti-social behaviour allegedly coming from my guests. I will provide them with my phone number and instruct them to immediately contact me if they believe any form of nuisance is coming from my unit. I will attend within 20 minutes. In the interests of complete disclosure, the Annual General Meeting (scheduled for late September 2017) will be informed of the use of unit 22 as a short term rental.

[REDACTED]



THE HANDBOOK

UNIT 22, 61 BROOME STREET,
HIGHGATE, WA, 6003

OWNER: George Jones +61 437 590 135
(george.jones@iinet.net.au)



Directions

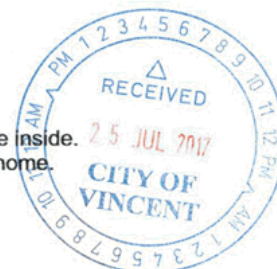
Parkside Apartment is situated in the inner Perth suburb of Highgate, the street address is as above. It is 10km from the Perth Domestic Airport and travel should take approximately 15-20 minutes and is 16.5km from the International Airport and travel should take approximately 25 minutes.

Please note ! The address of 61 Broome Street will not come up in a web search eg Google maps. Although the number 61 is on the letterboxes out the front, that address is only used by Australia Post. The way to locate the apartment is to search for number 38 Broome Street, the driveway into my apartment is DIRECTLY opposite number 38, next to the park.

The apartment is keyless and has a digital door lock (see photo). To open the door, touch the upper section of the lock with the back of your hand (see photo). 2 numbers will appear. Touch these numbers in numerical order, touch the 4 numbers in your **keycode** in the sequence you have been given, touch the star symbol and the door will unlock. In the unlikely event that it does not open, take hold of the handle and pull it gently toward you and hold while repeating the sequence. Once inside, close the door and it will lock. To unlock from the inside, touch the key symbol on the lock or turn the bar lever anticlockwise. To lock the door when you are leaving the apartment, pull the door firmly closed and when a small symbol that looks like a house appears, you know the door is locked.



The screen security door has no key to lock from the outside but can be locked from the inside. To ensure your security, guests are urged to lock the security door whenever they are home.



NOTE: HIT Ctrl + click on link to view any hyperlink in this document

Things to Do in Perth

There are many activities (particularly outdoor) to participate in whilst in Perth.

<http://www.lonelyplanet.com/australia/western-australia/perth/things-to-do?page=2>

Transport

To order a taxi, telephone 13 13 30. Alternatively, the bus-stop to the City is located on Beaufort Street (**insert map**). All buses travelling south go into the City. If you need to know more specific details for making your way around Perth, telephone Transperth on 13 62 13 - they are very helpful.

Bus and train timetables can be viewed here:

<http://www.transperth.wa.gov.au/Journey-Planner/Stops-Near-You/mode/timetable/location/11799>

Timetable information can also be obtained by telephoning 13 62 13.

Travel Card

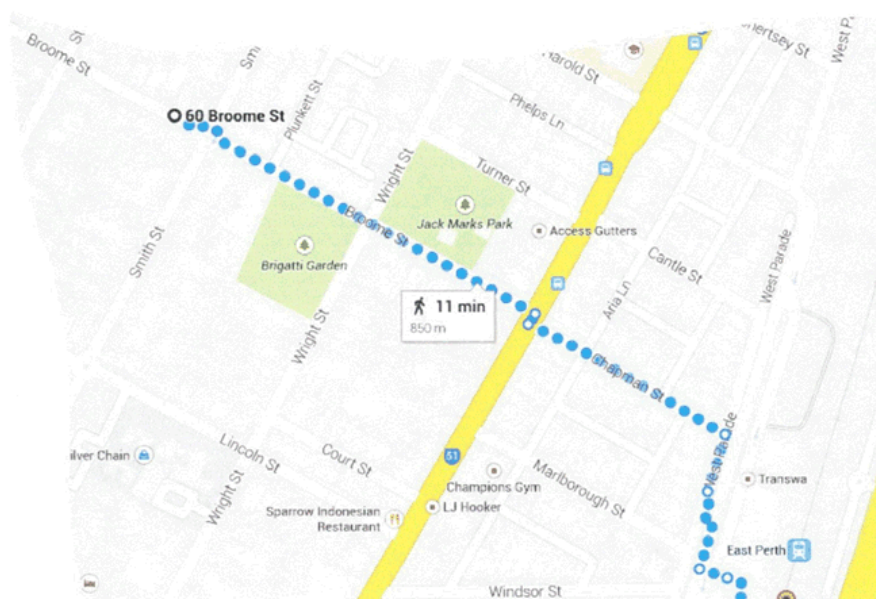
If you would like to purchase a Smartrider card to travel on public transport regularly, telephone 13 62 13 or visit: <http://www.transperth.wa.gov.au/TicketsandFares/SmartRider/GettingStarted.aspx>

Buses run approximately every 7 minutes down Beaufort Street during the day. They will take you to the Perth CBD.

There is a CAT (central area transit) bus service in the Perth CBD and in Fremantle.

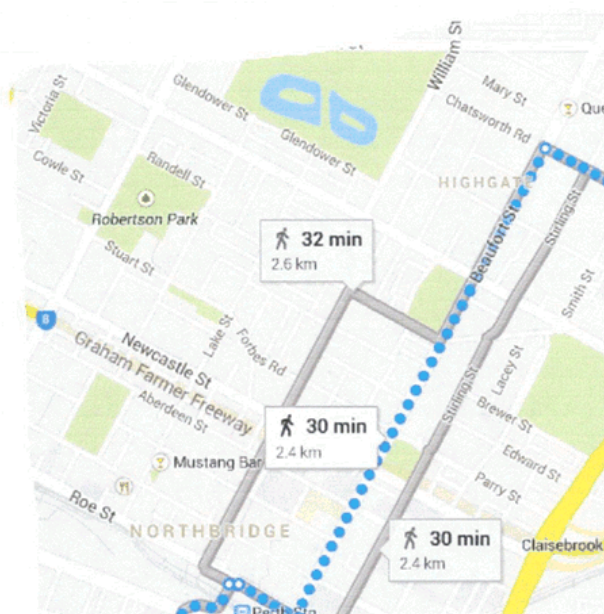
There is no charge for travel on these services.

East Perth train station is approx. 850 metres away, which will take around 11 mins to walk. Catch the train going to Perth which will take you to Perth CBD. This line is also the Fremantle line so if you stay on the train it will go all the way to Fremantle, a journey of approx. 30 minutes from Perth. This is also the train you catch to visit Watertown Brand Outlet Centre at 840 Wellington Street (get off at City West station) where you will find brand direct outlets and speciality stores with all the latest fashion, homewares and accessories. For more upmarket shopping, get off at Claremont Station for Claremont Quarter, Perth's premier up-market suburban retail destination <http://www.claremontquarter.com.au/>



If you wish to walk to Perth city allow yourself 30 minutes, the distance is approximately 2.5 km. Beaufort and Stirling Streets are the shortest route but William Street is a more interesting walk as it takes you through Northbridge which is Perth's largest dining and entertainment precinct.



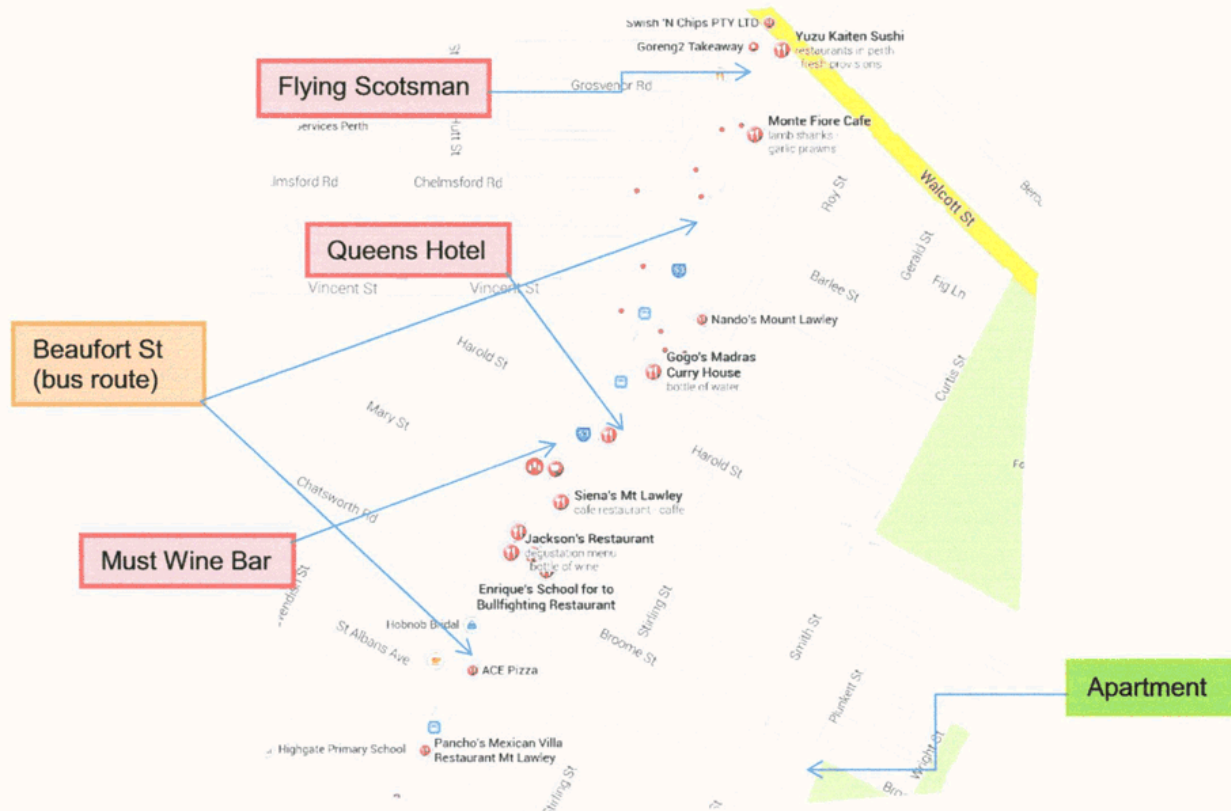


Restaurants/Hotels

There are many restaurants in Beaufort Street, Highgate and Mount Lawley, only some of which are noted on the map. There are also a few hotels and bars. Originally built in 1889, The Queens Hotel underwent extensive renovations in 1986. "The Queens, contemporary pub with timeless style, where food, friendly staff and great beer come together as one". The Flying Scotsman in Mount Lawley is a trendy local where you'll find a generous offering of local and imported beers, including boutique beers such as St. Arnou and Beez Neez. There's also an extensive selection of pub food including burgers, steaks, pizzas, salads and share platters. The Must Wine Bar is an award winning Bistro and Bar which won "Best Contemporary Australian Restaurant" in 2013.

The closest supermarket is on the corner of Beaufort and Grosvenor, opposite the Flying Scotsman.





Perth beaches

The apartment is approximately 30 minutes by car from our world renowned Indian Ocean beaches which are a must visit, particularly during the warmer months November to March. Please be careful and swim only between the red and yellow flags where lifesavers patrol.

House rules regarding beach visits

Before leaving the beach please shower at the public facilities and vigorously shake towels and clothes (don't forget your pockets!) so no sand is brought into the apartment when returning. Towels supplied with the apartment shall **not** to be taken to the beach, you will need to provide your own beach towels. Items that require laundering after a trip to the beach should be done at a laundromat to prevent sand from contaminating the apartment washer and dryer. Thank you for your understanding.

Maintenance

Please contact me should you have any maintenance issues or any questions relating to the apartment.

DVD Player

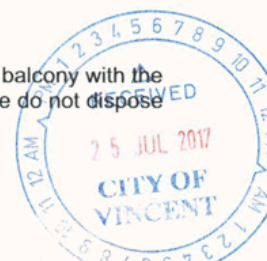
Instructions for DVD player are on the TV cabinet.

Air conditioners

When the air conditioners are in heating mode, there is a delay of a few minutes after turning on before warm air is discharged so please be patient with them. Please remember to turn off each time you leave the apartment.

Smoking

Smoking is not permitted inside the apartment however I'm happy for you to smoke on the balcony with the door closed, or outside the apartment on the ground floor. **Ashtrays are provided.** Please do not dispose of your cigarette butts in the garden.



Washing Machine & Dryer

The dryer is a condenser dryer which is piped into the laundry sink so you do not need to empty the water reservoir.

Cleaning

If your stay is for a long period of time and you require the apartment to be cleaned, please contact me on 0437 590 135. Charges will apply.

Garbage disposal

Garbage shall be disposed of in the bins in the enclosure at the front of the building during stay and at check out. Please sort and put recyclables in the yellow top bins.

There is a supply of garbage bags in the pantry.

Linen

Additional sheets, towels, bath mats and flannels are stored in the bedroom cupboards. There is also a blanket for each bed should you need it, also in the bedroom cupboard.

Wifi

Landline broadband is available. The network and password login details will be on a note inside the apartment. Please try to limit your usage to emails and social media and keep downloads to a minimum.

Code of conduct

Parkside Apartment is located within a residential complex. Occupiers of other apartments are permanent residents, either owner/occupiers or tenants and are entitled to live without disturbance by or interference from neighbours. I am confident my guests understand this and will make every endeavour to abide by house rules, particularly with regard to noise control, parking only where allowed and making any visitors they may invite aware of the rules.

Car parking

Guests at Parkside Apartment are allocated 1 free car parking bay. It is directly in front of the apartment and is marked with the number 22. Please do not park in any other onsite bay or on the grassed street verge. If parking on the street, make yourself aware of time and location restrictions as stated on signs and please obey the restrictions.

Visitors

If you are planning on casually meeting a group of friends during your stay in Perth, please arrange to do so at a venue other than the apartment. Guests are not permitted to entertain visitors in the apartment but this policy may be relaxed for small celebrations. Prior approval from the owner must be obtained if guests wish to celebrate a special occasion at the apartment. It is the guests responsibility to ensure visitors are familiar with the house rules.

Noise control

Please remember the apartment is in a residential complex so with the comfort of residents in mind, please keep your noise level to a minimum, particularly at night. If you are arriving or departing early morning or late evening, please be aware residents may be sleeping so keep your movements and conversations as quiet as possible.

In an emergency

In the event of a life threatening emergency, the way to contact police, fire brigade and ambulance in Perth is to telephone 000 (triple zero). When police attendance is required regarding a disturbance or anti-social behaviour call 131 444.

Arrival and Departure

Access to the apartment is available after 2.00pm on the day of arrival. This may be varied for special circumstance by agreement with the owner. Departure is expected before 10.00am but again this may be varied by agreement.

On the day of your departure, please leave the apartment in a generally clean and tidy condition to ensure you are not charged a cleaning fee.

I truly hope you enjoy your time in Western Australia - and particularly at Parkside Apartment.



Summary of Submissions:

The table below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Officer Technical Comment:
<u>Land Use</u> This establishment has been operating without authorisation since June 2014 and continues to do so without any penalty. Submitter suggests that if this business is to be approved that it should be subject to a 12 month ban on operating as a warning to others. Simply giving a retrospective approval without any penalty will only encourage others to follow this example. Concerns raised regarding short term dwellings having a direct impact on the property values and the rental market.	 The applicant was charged a retrospective development application fee, which is three times normal development application fee. This is considered to incorporate the standard fee and a penalty for commencing development prior to the approval of the City first being obtained. This is not a relevant planning consideration.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Determination Advice Notes:

1. This approval relates to a change of use from Grouped Dwelling to Unlisted Use (Short Term Dwelling) as defined in the City's Policy No. 7.4.5 as the following:

'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'
2. A separate application for approval will be required for any proposed change or addition of a different category of Temporary Accommodation under the City's Policy No. 7.4.5 to that approved under this approval.
3. This is a development approval issued under the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
6. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the Short Term Dwelling under Policy No. 3.9.3 – Parking Permits. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

9.4 NO. 14 (LOT: 7; D/P: 2360) FLORENCE STREET, WEST PERTH - CHANGE OF USE SINGLE HOUSE TO UNLISTED USE (SHORT TERM DWELLING)

TRIM Ref: D17/165433

Authors: Stephanie Norgaard, Urban Planner
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 5 – Cleaver

Attachments:

1. Attachment 1 - Consultation and Location Map [!\[\]\(17413706fd4997a1a4bdf85c6864eee1_img.jpg\)](#) [!\[\]\(f419710cbe076aa30a9c6c031b5cbe84_img.jpg\)](#)
2. Attachment 2 - Development Application Plans [!\[\]\(2726020a4107bdc9042b257034f90eb3_img.jpg\)](#) [!\[\]\(9459655bf14a84f4d775e8d814cca8c9_img.jpg\)](#)
3. Attachment 3 - Management Plan and Code of Conduct [!\[\]\(de47dbdca34225b222a4a87ac0e499b3_img.jpg\)](#) [!\[\]\(96827f7759894bde432c5e841bd43777_img.jpg\)](#)
4. Attachment 4 - Determination Advice Notes [!\[\]\(46898af31bdfd38a75dd0386dabdb5e3_img.jpg\)](#) [!\[\]\(f1325477ded7decc1b3808bb20496aaf_img.jpg\)](#)

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the development application for Change of Use from Single House to Unlisted Use (Short Term Dwelling) at No. 14 (Lot: 7; D/P: 2360) Florence Street, West Perth, in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Use of Premises

- 1.1. The Short Term Dwelling shall accommodate a maximum of 5 guests at any one time; and
- 1.2. The Short Term Dwelling shall operate with a mandatory minimum night stay period of 2 consecutive nights;

2. Car Parking

- 2.1. A minimum of two on-site parking bays shall be made available to guests at all time and be maintained to the satisfaction of the City; and
- 2.2. A Parking Management Plan shall be submitted to and approved by the City within 28 days of the date of this approval detailing the location of the two parking bays and how the tandem car parking bays proposed on site will be managed, to the satisfaction of the City. Parking shall be managed in accordance with the approved Parking Management Plan;

3. Management Plan

- 3.1. The Management Plan and Code of Conduct shall be modified to detail updated complaints management procedures and security procedures in accordance with the requirements of the City's Policy No. 7.6.1 – Temporary Accommodation, within 28 days of the date of this approval. The Use of the premises shall be carried out in accordance with the approved Management Plan and all requirements of the Management Plan shall be implemented to the satisfaction of the City;
- 3.2. The 'House Rule for Guests and Visitors' contained in the approved Management Plan shall be provided to guests of the Short Term Dwelling at the time of check-in and displayed in a prominent location within the entrance area of the Short Term Dwelling; and

4. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use from Single House to Unlisted Use (Short Term Dwelling) at 14 Florence Street, West Perth (the subject site).

BACKGROUND:

Landowner:	Charber Pty Ltd
Applicant:	Charber Pty Ltd
Date of Application:	21 June 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R-Code: R50 LPS2: Zone: Residential R-Code: R50
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Unlisted Use (Short Term Dwelling)
Lot Area:	1,020m ²
Right of Way (ROW):	Yes
Heritage List:	Municipal Heritage List Category B

The subject site is located at No. 14 Florence Street, West Perth. The subject site encompasses a single house located fronting Florence Street and a light industry warehouse located at the rear of the property. The single house is the portion of the subject site relevant to this application, as shown in **Attachment 1**. The rear warehouse is listed on the City's non-conforming use register. The landowner has recently lodged a separate application for development approval for the rear portion of the subject site which seeks to demolish the warehouse and construct three grouped dwellings.

The subject site is located in the Residential zone with a residential density code of R50. The land surrounding the subject site is zoned Residential with a residential density code of R50 (north and west) and R80 (east and south). The area surrounding the subject site is predominantly characterised by residential development. The subject site adjoins single residential houses to the north and south. The area to the east and west of the subject site includes single houses and multiple dwellings, with the exception of the light industry warehouse located on the rear of the subject site and the lot directly adjoining to the east.

The City received a complaint in May 2017 about a suspected temporary accommodation at the subject site. The complaint related to the unauthorised use of the subject site impacting the availability of onsite parking within the area. The City investigated the matter in June 2017 and the landowner subsequently proceeded to lodge an application for a change of use from Single House to Unlisted Use (Short Term Dwelling).

The subject site is listed on the City's Municipal Heritage List Category B and comprises of a four bedroom Single House. This application proposes to change the use from Single House to an Unlisted Use (Short Term Dwelling) with three of the bedrooms to be used for accommodating guests and the fourth bedroom being allocated for the use by the keeper who will be responsible for the upkeep and management of the Short Term Dwelling. The applicant's development plans are included as **Attachment 2**. The application outlines that a maximum of five guests will be accommodated at the subject site at any one time in addition to the keeper.

The proposed Short Term Dwelling does not align with any Use Class Categories provided in the City's Town Planning Scheme No. 1 (TPS1). As such, the proposal has been assessed an 'Unlisted Use' under the TPS 1. The City's Policy No. 7.4.5 – Temporary Accommodation does provide a list of potential unlisted uses including Short Term Dwelling, which is defined as follows:

'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'

The proposed development is considered to meet the definition of 'Short Term Dwelling' set out in the City's Policy No. 7.4.5 – Temporary Accommodation and has been assessed against the associated requirements. The Policy requires a Management Plan and Code of Conduct to be submitted as part of all applications for Short Term Accommodation. A Management Plan and Code of Conduct were submitted as part of the development application and are included in **Attachment 3**.

The subject site has been operating as a Short Term Dwelling without development approval from the City since June 2016. A plaque displaying 'City Home Stay' and the mobile numbers of the landowner is located on the front door of the subject site. The neighbours of the adjoining properties have also been provided the mobile phone number of the landowner should any complaints occur about noise and anti-social behaviour. A copy of the Code of Conduct is also provided at the subject site.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City's TPS1, the City's Policy No. 7.4.5 – Temporary Accommodation, Policy No. 7.6.1 – Heritage Management – Development Guidelines and Policy No. 7.7.1 – Parking and Access. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Parking & Access	✓	
Management Plan		✓

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
Town Planning Scheme No. 1 "P" Use	Unlisted Use (Short Term Dwelling)
Management Plan	
Deemed-to-Comply Standard	Proposal
Management Plan The Management Plan should detail any relevant parking restrictions and include a commitment to advising occupiers of the premise, verbally and in writing, of the negative impact that inappropriate car parking can have on permanent residents.	The Management Plan does not detail the parking restrictions applicable in the area and no commitment has been included to advise occupiers of the negative impact inappropriate car parking can have on surrounding neighbours.

The above elements of the proposal do not meet the specified standards set out in the City's Policies and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Consultation was undertaken for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 21 November 2017 until 11 December 2017. The method of consultation being a sign on site, a notice in the local newspaper 'The Voice', and 107 letters being mailed to all owners and occupiers as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

No submissions were received during the advertising period.

Heritage

The subject site is listed on the City's Municipal Heritage Inventory Management Category B. The heritage classification of the subject site does not required referral to the State Heritage Office.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *City of Vincent Town Planning Scheme No. 1;*
- *State Planning Policy 3.1 – Residential Design Codes;*
- *Policy No. 4.1.5 – Community Consultation;*
- *Policy No. 7.6.1 – Heritage Management – Development Guidelines;*
- *Policy No. 7.7.1 – Parking and Access; and*
- *Policy No. 7.4.5 – Temporary Accommodation.*

In accordance with Schedule 2 Clause76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Draft Local Planning Scheme No. 2

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No 2 (LPS2) is to be modified before final approval was to be granted. The schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the modified version of LPS2 should be given due regard as a seriously entertained planning proposal when determining this application.

Generally the modified version of LPS2 does not impact on the subject property. The proposed development would fall within the 'Holiday House' land use under the LPS2, which is defined as the following:

'Means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.'

A Holiday House is an Unlisted Use within the LPS2 and would require consideration against the objectives of the Residential. Under the LPS2, the objectives of the Residential zone are as follows:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*
- To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*
- To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*

- vii. *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

Delegation to Determine Applications:

This matter is being referred to Council as the application proposes to an Unlisted Use, which requires an Absolute Majority Decision of Council.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Land Use

The proposed land use of a Short Term Dwelling is not identified in the land use table in the TPS1 and cannot reasonably be determined as falling within the interpretation of one of the other Use Class Categories of TPS1. The use is considered an 'Unlisted Use' under TPS1 and Council is required to consider if the use is consistent with the objectives and purposes of the Residential zone, following community consultation. There are no objectives for the Residential zone in TPS1 and so the proposal has been assessed against the objectives of the Residential zone that will be included LPS2. It should be noted that under LPS2, the development would fall within the 'Holiday House' land use, which is an Unlisted Use in the LPS2 and would also require consideration against the objectives of the Residential zone.

The subject site is located in the Residential zone with a residential density coding of R50. The land within the immediate area is zoned Residential with a residential coding of R50, with the exception of select pockets that have a density coding of zoned R80 (including the property immediately to the east). The zoning of the subject site and surrounding area is not proposed to change in LPS2. The subject site is also listed on the City's Municipal Heritage Inventory as a Management Category B.

The properties surrounding the subject site predominantly comprise of single detached houses with some multiple dwellings. This proposal requires no physical works and will maintain the current heritage character of the subject site. The proposal does not incorporate any signage and will not lead to a commercialisation of the property. Therefore, the proposal is considered to maintain the existing residential character of the area.

The Short Term Dwelling is limited to five guests at any one time. This number of guests is consistent with the number of people that would typically be accommodated within a three-bedroom residential dwelling. As such, the proposal is not considered to increase the intensity of the use of the subject site. In light of this, it is considered that the proposal is of a scale that is compatible with the area and consistent with the objectives of the Residential zone.

Car Parking

This development application was triggered by a complaint received by the City. The original complaint related to the impact of the temporary accommodation use has on the availability of on-street car parking. The on-street parking located on Florence Street is time limited to 3 hours between 8:30am – 5:30pm weekdays. The proposal complies with the car parking requirements of the City's Policy No. 7.7.1 – Parking and Access, which requires one car bay to be provided for the Short Term Dwelling. Two bays are currently provided in a tandem arrangement on the existing paved area in front of the dwelling. This area is screened by mature landscaping and vegetation and is considered an appropriate location for the car parking. In order to appropriately manage this parking arrangement a condition has been recommended requiring a parking management plan to be developed for the use.

It is noted that a development application has been lodged with the City proposing to redevelop the rear warehouse into three grouped dwellings. Should this application be approved, the subject site will be able to provide an additional two onsite car bays in the existing rear access way, as shown on the development plans.

Management Plan

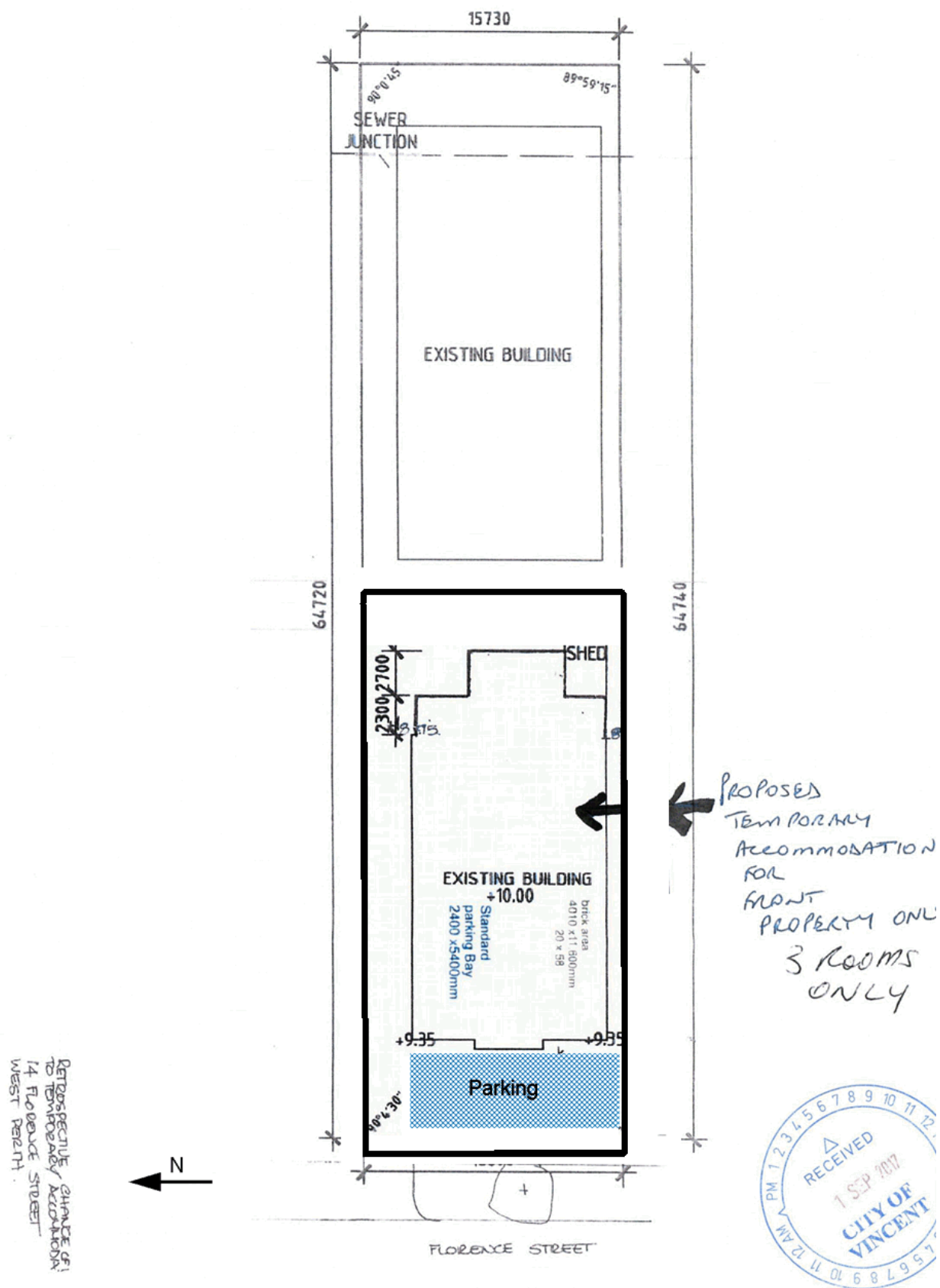
In accordance with the City's Policy No. 7.4.5 – Temporary Accommodation, a Management Plan and Code of Conduct has been provided as part of this application. The Management Plan outlines that a maximum of five guests and 1 employee can be accommodated at the subject site at any one time. The landowner's telephone number is present on the plaque of the front door and has been provided to the neighbouring properties. The provided Management Plan and Code of Conduct outline the procedures for dealing with anti-social behaviour and are considered to generally meet the requirement set out in the City's Policy No. 7.4.5 – Temporary Accommodation. The Management Plan does not detail the parking restrictions applicable in the area and no commitment has been included to advise occupiers of the negative impact inappropriate car parking can have on surrounding neighbours, as is required by the City's Policy No. 7.4.5 – Temporary Accommodation. In order to address this, a condition has been recommended requiring the Management Plan to be amended to incorporate the Parking Management Plan, which will include these requirements.

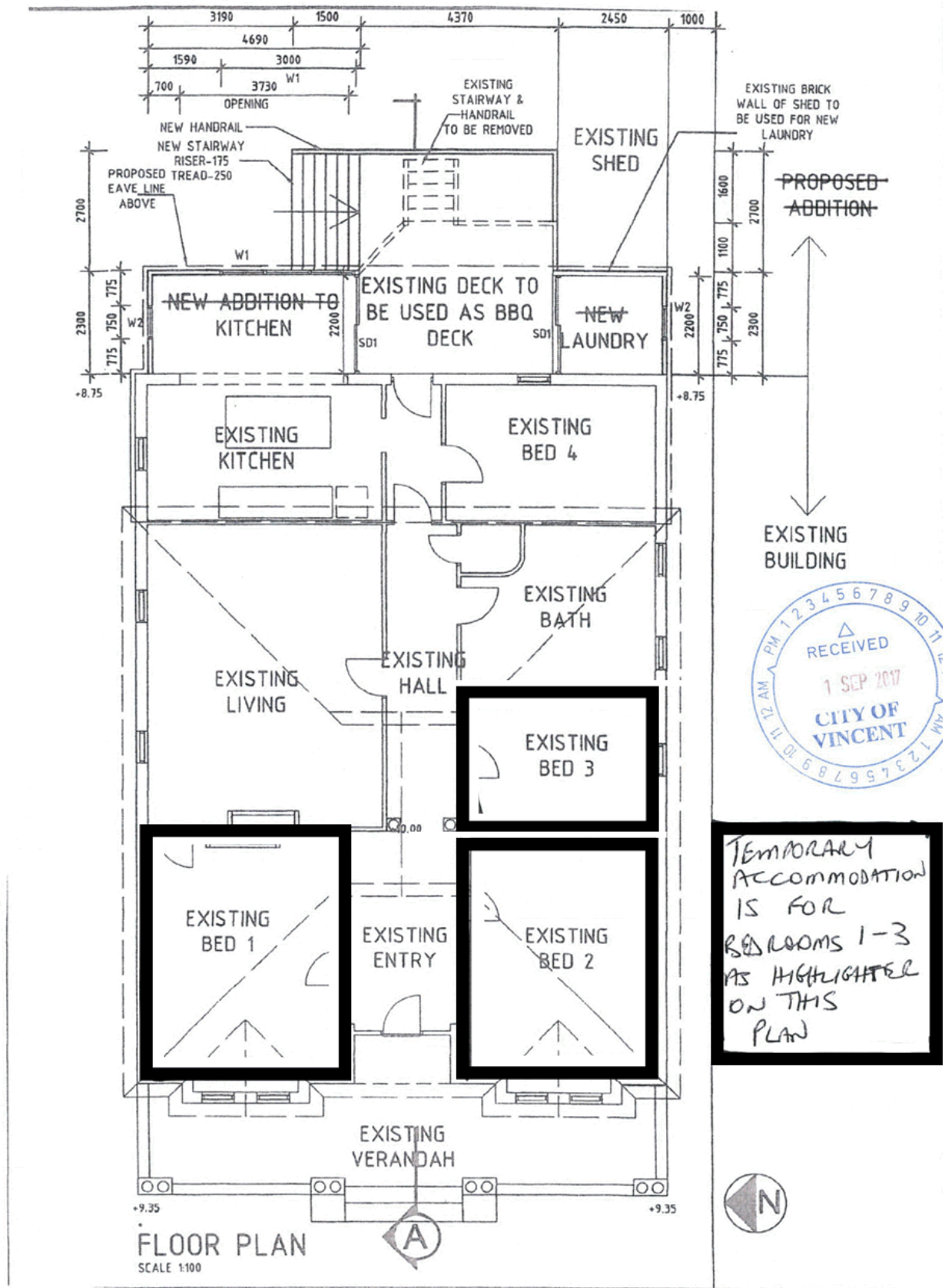
Conclusion

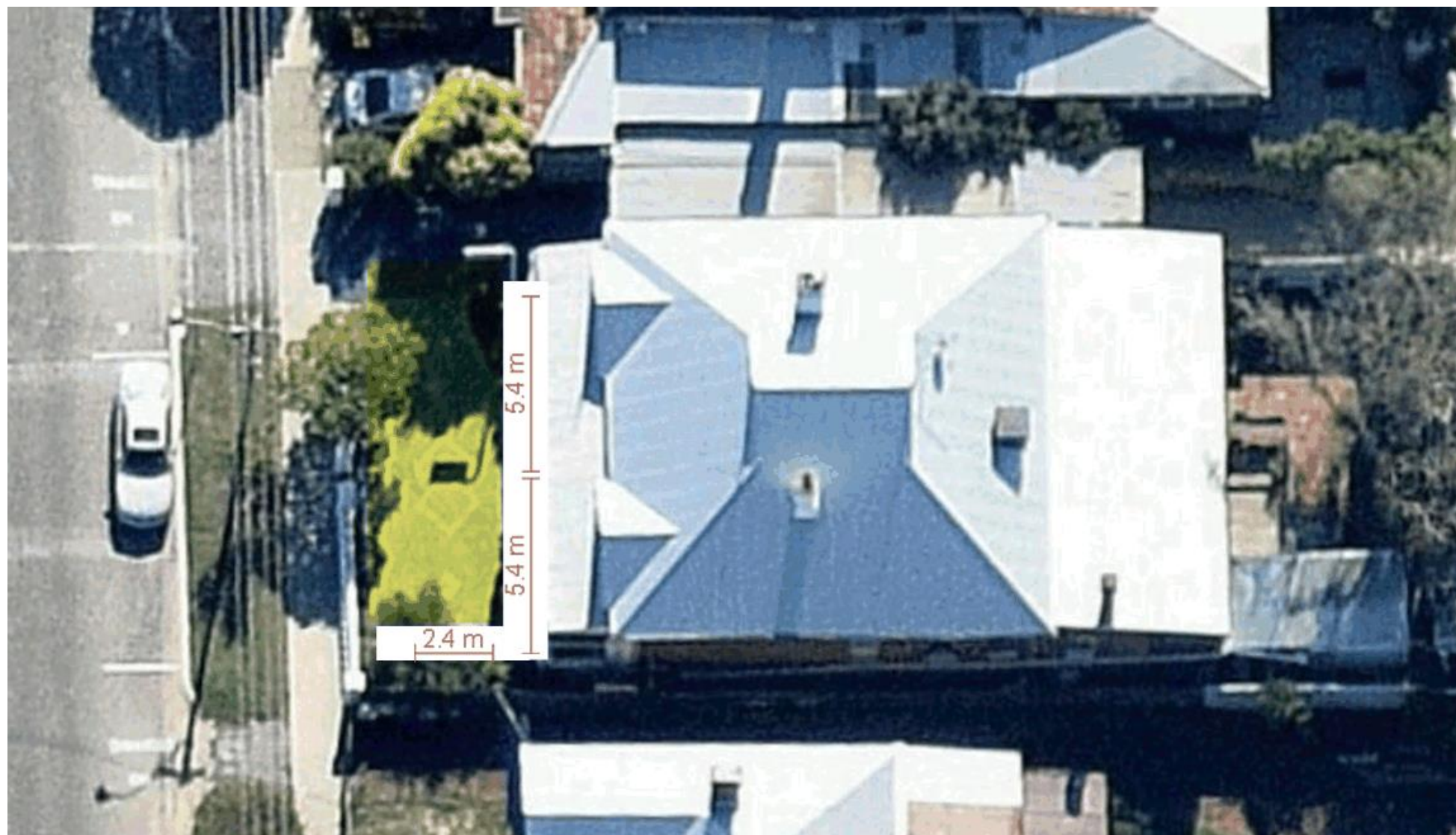
The proposed Short Term Dwelling is considered to be consistent with use permissibility and objectives of the 'Residential' zone outlined in LPS2. The proposal offers an alternative form of accommodation at a low scale that is compatible for the area. The proposal is compliant with the required car parking bays outlined in the City's Policy No. 7.7.1 – Parking and Access and it is considered that the proposal will be able to operate under the Management Plan and the Code of Conduct with minimal impact on the surrounding residential area, subject to a detailed parking management plan being developed for the site. It is recommended that the proposal be approved subject to conditions.











14 Florence St
West Perth WA 6005

6 July 2017

To whom it may concern

Re: Application for retrospective change of use of 14 Florence St West Perth to Temporary Accommodation

We are submitting an application for retrospective Development Approval for Temporary accommodation for our property at 14 Florence St., West Perth.

The history of the property – it is a municipal heritage listed house built by the late Charles Sheridan, my grandfather, a local personality - the street was named after him – that being Sheridan Lane. The house is extremely elegant and has memorabilia from the period – a serious fire on the property nearly 4 yrs ago was so extensive that the roof rafters and ceiling were removed and the house was rewired and repainted. In summary it is a brand new 100yr old house which has proven to be a wonderful cultural experience for the guests that we have had. Also the house has been included in the Vincent Heritage Calendar organised by Amanda Fox.

Proposed hours and days of operation - 24 hrs a day, 7 days a week.

Maximum no of employees at any one time: 1

Maximum number of expected customers: 5

Management Plan:

Our Process when clients arrive:

Usually someone is there to meet and greet the clients but if staff are not there, they will receive the following information:

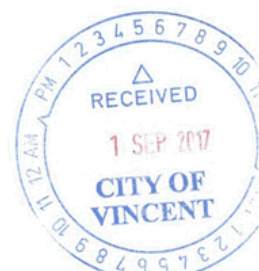
There is a lockbox on the verandah with a key to client's room and front door, food available and contact details in case of an emergency or a need to contact the management. There is a sign on the front door with phone numbers as well.

"Any problems call me any time [REDACTED]"

Control of Noise:

Clients are told of a restriction of noise after 10pm and before 7am as these are the normal neighbourhood noise restrictions – outside these hours is considered noise pollution.

Try to solve the problem amicably by talking to the person who is playing the music. They may not realise that this is creating a nuisance or is too loud. If the person continues unabated then and a guest experiences anything that they feel needs reporting, we encourage them to text and/or phone us on the numbers above. If they cannot get in touch or the problem becomes more of a Police issue then they are to report this to the police on 13 1444.



Complaints Management Procedure:

Although we have never had a registered complaint, there is a plaque on the front door of our building 'City Home Stay' stating the mobile numbers of the owner and the person who cleans and looks after the house. The next-door neighbours also have the phone numbers of these people as the owner has been in the area for many years and they are their friends.

Security of Guests, Residents and Visitors:

All rooms are lockable, all windows and doors have security screens or similar and there is a hard-wired fire alarm in the house. All guests/ residents have keys to their rooms as well as the security screens and front & back door keys.

Code of conduct:

House Rules and Code of Conduct - attached as a separate document

Car Parking

- a) Guests and Visitors are to comply with local council parking regulations and other requirements set out below and show consideration to neighbours and other resident's vehicles;
- b) Parking arrangements at the Property: Vehicles may be parked either in front of house, or on the street in front as long as the access of other vehicles coming to and from the property is not impeded.
- c) Most of the guests do not have cars and rely on the public transport which is only 300 metres walk.

Public Transport

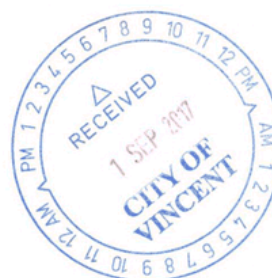
Walk 300 metres to either Charles St, Vincent St or Newcastle St— can catch buses anywhere from those locations.

Photos of the property are attached as well as reviews from stayz website

I await your decision for my application for temporary accommodation of 14 Florence St.

Sincerely

[Redacted Signature]



City Home Stay - House Rules for Guests and Visitors

House Rules are provided at the Property to ensure that Guests and Visitors know and comply with the specific Rules governing their permission to enter and occupy the Property.

1) General requirements

- a) Guest and Visitors must comply with all House Rules, By-Laws and instructions from the Manager during their stay;
- b) Guests must notify the Manager of any disputes or complaints from neighbours as soon as is practicable.

2) Noise and Anti-Social Behaviour

- a) Guests and Visitors must not create noise which is offensive to occupiers of neighbouring properties especially between 10pm - 8am and during arrival and departure at any time throughout the occupancy;
- b) Offensive noise is prohibited and may result in termination of permission to occupy the Property, eviction, loss of rental paid and extra charges for security and other expenses which may be charged
- c) Guests and Visitors must not engage in anti-social behaviour and must minimise their impact upon the residential amenity of neighbours and local community.

3) Visitors

- a) Guests are responsible for ensuring the limits set on Visitor numbers is complied with at all times;
- b) Guests are responsible for ensuring that Visitors comply with these House Rules.
- c) The maximum number of Guests permitted at a Property must not exceed a maximum of 2 adults per bedroom

4) Gatherings or functions

- a) The Property is not a "party house" and any such activities are strictly prohibited; and
- b) Any gathering, celebration or entertainment permitted at a Property must not conflict with residential amenity and must comply with all the other requirements.

5) Car Parking

- a) Guests and Visitors are to comply with parking regulations on the street (ie 3hr limit during business hours and no parking on verge) and other requirements set out below and show consideration to neighbours and other vehicles;
- b) Parking arrangements at the Property: Vehicles may be parked either in front of house or on the street in front, as long as the access of other vehicles coming to and from the property is not impeded. Vehicles can also be parked in the area down the driveway and to the left of the back driveway.



6) Garbage and recycling

- a) Guests and Visitors are to dispose of garbage and recycling in accordance with the usual practice at the Property (as set out below) in the allocated bins, and excess rubbish must not be left in public or common areas;
- b) Garbage and recycling arrangements: all household garbage is to be put in the bin outside. Rubbish that will not fit in the bin is to be securely bagged and left alongside the bins.

7) Security

Whenever you are absent from the Property, close all windows and doors to maintain security and prevent rain and water damage

8) Smoking

Smoking is not permitted indoors.

9) Pets

Pets are not permitted at this property.

10) Damages and breakages

Damages and breakages must be reported to the Phil or Nola.

11) On departure arrangements

Please see the owner/manager prior to your departure to make arrangements regarding keys, security, dish washing, rubbish, etc.

12) Emergency Contact

In the event of an emergency relating to the Property, please ring the phone numbers on the front door bell of the main house or telephone [REDACTED]

13) Compliance

- a) Breach of these House Rules is a breach of the Terms and Conditions of occupancy.
- b) The Owner and Manager reserve the right to terminate permission to occupy and to evict from the Property, Guests or Visitors who refuse to follow these House Rules or who cause a nuisance.











Determination Advice Notes:

1. This approval relates to a change of use from Single House to Unlisted Use (Short Term Dwelling) as defined in the City's Policy No. 7.4.5 as the following:

'Short Term Dwelling means the provision of temporary accommodation, lodging or boarding within a residential dwelling for a maximum of six (6) persons, inclusive of the keeper if they reside at the dwelling, for a continuous period of less than six (6) months within any twelve month period.'
2. A separate application for approval will be required for any proposed change or addition of a different category of Temporary Accommodation under the City's Policy No. 7.4.5 to that approved under this approval.
3. This is a development approval issued under the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
6. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the Short Term Dwelling under Policy No. 3.9.3 – Parking Permits. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.

9.5 NO. 384 (LOT: 85; D/P: 1197) LORD STREET, HIGHGATE - PROPOSED CHANGE OF USE FROM SINGLE HOUSE TO CONSULTING ROOMS

TRIM Ref: D17/166766
Authors: Stephanie Norgaard, Urban Planner
 Rana Murad, Senior Urban Planner
Authoriser: John Corbellini, Director Development Services
Ward: South
Precinct: 15 – Banks
Attachments:

1. Attachment 1- Consultation and Location Map  
2. Attachment 2 - Development Application Plans  
3. Attachment 3 - Summary of Submissions  
4. Attachment 4 - Determination Advice Notes  

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the development application for Change of Use from Single House to Consulting Rooms at No. 384 (Lot: 85; D/P: 1197) Lord Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes contained in Attachment 4:

1. Use of Premises

- 1.1. The use of the development subject to this approval shall only be for the purposes of 'Consulting Rooms', as defined by the City of Vincent Town Planning Scheme No. 1 and shall operate in accordance with the definition of 'Medical Consulting Rooms' as set out in the City of Vincent's Policy No. 7.5.22 Consulting Rooms;
- 1.2. Prior to the use or occupation of the development and within 28 days of leasing or subleasing any part of the subject site thereafter, the landowner is to provide the City with copies of the certifications of that lessor's or their consultant's qualifications that aligns with the definition of 'Consulting Rooms' under the City of Vincent's Town Planning Scheme No. 1;
- 1.3. A maximum of three consultants and consulting rooms shall operate from the tenancy at any one time, in accordance with the approved plans;
- 1.4. The hours of operation for the 'Consulting Rooms' shall be limited to the following times:
 - 8:00am – 9:00pm, Monday – Friday;
 - 8:00am – 5:00pm, Saturday;
 - 11:00am – 5:00pm, Sunday and Public Holidays; and
 - CLOSED Christmas Day, Good Friday and Anzac Day;
- 1.5. The development shall operate as one practice and no part of the development shall operate independently from another part. The 'Lab' area shall only service patients of the consultants operating from this development;
- 1.6. All patient visits shall be by appointment only;

2. Car Parking

- 2.1. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to occupation or use of the development;

- 2.2. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City;
- 2.3. The proposed crossover is limited to a width of 5.0 metres and is subject to a separate crossover application to be approved by the City. The 5.0 metre wide crossover shall be positioned and constructed with approved materials in accordance with the City's Standard Crossover Specifications; and
- 2.4. A Parking Management Plan shall be submitted to and approved by the City use or occupation of the development detailing how staff and customer parking will be managed on site such that parking bays are always available for customers and parking associate with the development does not impact on the surrounding residential area. Parking associated with the development shall be managed in accordance with the approved Parking Management Plan;

3. Landscaping

- 3.1. No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;
- 3.2. A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
 - 3.2.1. The location and type of existing and proposed trees and plants;
 - 3.2.2. Areas to be irrigated or reticulated; and
 - 3.2.3. On-site provision of canopy cover equivalent to no less than 30 percent of the site area at maturity; and
- 3.3. All works shown in the approved detailed landscape and reticulation plans as identified in Condition 3.2. above shall be undertaken to the City's satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

4. Waste Management

- 4.1. A Waste Management Plan shall be submitted to and approved by the City prior to the use or occupation of the development detailing a bin store to accommodate the City's specified bin requirement and the form and timing of waste collection, to the satisfaction of the City;
- 4.2. Waste management for the development shall comply with the approved Waste Management Plan to the satisfaction of the City;

5. External Fixtures

- 5.1. All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and be screened from view from the street, and surrounding properties to the satisfaction of the City; and
- 5.2. The existing unit located on the southern façade shall be adequately screened from Cantle Street to the satisfaction of the City;

6. Active Frontage

The development shall maintain an active and interactive relationship and uninterrupted views between the 'Reception' and 'Consult 1' areas and Lord Street and 'Consult 2' and 'W' areas and Cantle Street during the hours of the development's operation to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited. Curtains, blinds and other internal or external treatments that obscure the view of these areas from Lord Street and Cantle Street are not permitted to be used during the hours of the developments operation; and

7. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for a change of use from Single House to Consulting Rooms at No. 384 Lord Street, Highgate (the subject site).

BACKGROUND:

Landowner:	Antonio Napolitano
Applicant:	Antonio Napolitano
Date of Application:	27 October 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R-Code: R60 LPS2: Zone: Residential R-Code: R100
Built Form Area:	Transit Corridor
Existing Land Use:	Single House
Proposed Use Class:	Consulting Rooms
Lot Area:	556m ²
Right of Way (ROW):	Aria Lane (dedicated laneway)
Heritage List:	No

The subject site is located on the corner of Lord Street and Cantle Street within the suburb of Highgate. The site is currently occupied by a single house, as shown in the location map included as **Attachment 1**. The subject site is located fronting Lord Street, which is a 'District Distributor A' road under the Main Roads' Road Hierarchy. The subject site has a secondary frontage to Cantle Street, which is screened by an existing 1.8 metres boundary fence, and backs on to Aria Lane.

The subject site and the surrounding area are zoned Residential with a density code of R60 under the City's Town Planning Scheme No. 1 (TPS1). The City's draft Local Planning Scheme No. 2 (LPS2) retains the Residential zoning of the property but increases the density code to R100. Further, the subject site is located in the 'Transit Corridor' built form area under the City's Policy No. 7.1.1 – Built Form.

The subject site directly adjoins a Child Care Centre to the north on Lord Street and a right of way to the east. A Consulting Room (Podiatric Surgeon) is located immediately opposite on the western side of Lord Street and grouped dwellings are located on the south side of Cantle Street. The broader section of Lord Street located in Highgate is characterised by a mix of residential, educational and commercial uses.

The development proposes to change to the land use of the subject site from Single House to Consulting Rooms, with the future medical tenants of the Consulting Rooms subject to the site being marketed for lease following the determination of the change of use application.

The proposal is consistent with the definition for 'Consulting Rooms' as outlined in the City's Policy No. 7.5.22 – Consulting Rooms, which is defined at the following:

'Consulting Rooms' means any building or part thereof used in the practice of a profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur, a chiropractor, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments but does not include a hospital.'

This application proposes to reuse the existing single house and outbuilding on the subject site and undertake the following modifications:

- Internal fit out providing three consulting rooms, six onsite car bays and six onsite bicycle bays.
- Two of the consulting rooms are proposed to be located in the existing single house and one of the consulting rooms is proposed to be located in the existing outbuilding located at the rear of the property (adjoining the lane way).
- Minor modifications to the façade of the existing outbuilding.
- Landscaping included eight new trees along the portion of the lot fronting Lord and Cantle streets.
- Alteration to existing crossover on Cantle Street.
- Operating hours:
 - 8:00am – 9:00pm, Monday – Friday
 - 8:00am – 5:00pm, Saturday
 - 11:00am – 5:00pm, Sunday and Public Holidays
 - CLOSED Christmas Day, Good Friday and Anzac Day.

The applicant's development plans are included as **Attachment 2**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form, the City's Policy No. 7.5.22 – Consulting Rooms and the City's Policy No. 7.7.1 – Parking and Access. In each instance where the proposal requires the discretion of Council, the relevant planning elements are discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Hours of Operation	✓	
Parking and Access	✓	
Bicycle Facilities		✓
Landscaping		✓

Detailed Assessment

The deemed-to-comply assessment of the elements that require the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
City of Vincent Town Planning Scheme No. 1	
Permitted Use	"SA" Use – Consulting Rooms

Bicycle Facilities	
Deemed-to-Comply Standard	Proposal
Policy No. 7.7.1 Parking and Access	
<u>Bicycle Parking</u>	<u>Bicycle Parking</u>
Two Class 1 or 2 facilities	Nil Class 1 or 2 facilities
Four Class 3 facilities	Six Class 3 facilities
Landscaping	
Deemed-to-Comply Standard	Proposal
Policy No. 7.1.1 – Built Form	
80% of open air car parks to be provided as canopy cover	8% canopy cover proposed within the car park
1.5m landscaping strip to be provided around the perimeter of all open air car parks	0.5m landscaping strip provided on north boundary, 1.065m landscaping strip proposed on east boundary and 0.5m landscaping strip proposed on west boundary.

The above elements of the proposal do not meet the specified standards of the City's Policies and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

The application was advertised for a period of 21 days in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015, from 21 November 2017 to 11 December 2017. The method of advertising included a sign on site, a notice in the newspaper (Guardian Express), and 16 letters being mailed to all owners and occupiers within close proximity to the subject site, as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

At the conclusion of the consultation period, a total of three submissions were received by the City, all of which objected to the proposal. The key issues raised through the submissions were:

- The proposal will intensify the use of the site and increase the demand for on-street car parking on Cantle Street; and
- A commercial premise should not be operating within a Residential zone.

In response to the above, the applicant has provided the following statement:

'Our proposal to convert the existing buildings into medical consulting rooms, we believe, is in line with Council's vision to provide jobs and support sustainable infill development in the surrounding area. Our proposed design, meets all Council policies, is similar to several other supported building uses in the immediate area and being of such a small footprint, that it will have minimal impact on our residential neighbours, all of whom are separated from the property with significant margin. With the child care centre next door being approved to expand, the limited residential amenity that we have enjoyed is set to diminish further.'

A schedule of submissions including Administration's response is provided as **Attachment 3**. It is noted that the departures from the deemed-to-comply requirements of the City's Policy No. 7.1.1 – Built Form for landscaping was omitted in error from the community consultation material.

Department of Planning, Lands and Heritage

It is noted that the subject site is located abutting Lord Street, which is reserved as an Other Regional Road under the Metropolitan Regional Scheme (MRS) and classified as a Category 2 Road as per The *Planning and Development Act 2005* Instrument of Delegation DEL2017/02 (Instrument of Delegations). The Instrument of Delegations specifies that referral to the Department of Planning, Lands and Heritage is not required for Category 2 applications that do not encroach on the road reserve and do not seek to change the current function of the road reserve. This application meets these requirements and therefore was not referred to the Department of Planning, Lands and Heritage.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- Policy No. 7.1.1 – Built Form;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.5.22 – Consulting Rooms; and
- Policy No. 7.7.1 – Parking and Access.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Draft Local Planning Scheme No. 2

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No 2 (LPS2) is to be modified before final approval was to be granted. The schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard LPS2 should be given due regard as a seriously entertained planning proposal when determining this application.

Generally the modified version of LPS2 does not impact on the subject property. The proposal will be classified as 'Medical Centre' under LPS2 which is an 'A' use in the Residential zone. The LPS2 includes the following new objectives for the Residential zone:

- i. *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- ii. *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- iii. *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- iv. *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling.*
- v. *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas.*
- vi. *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles.*
- vii. *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

Delegation to Determine Applications:

This application is being referred to Council for determination as the proposal contemplates a 'SA' land use and a written objection was received during the community submission period.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Land Use

A Consulting Room is a 'SA' within the Residential zone under TPS1. A 'SA' use is permitted subject to Council exercising its discretion. The proposal's scale, location and impact are the key factors to consider when assessing the appropriateness of the use within the Residential zone.

The surrounding context of the subject site comprises of a mixture of land uses including a Child Care Centre, Consulting Room, Grouped Dwellings and Single Houses. The subject site is bound by Lord Street, Cantle Street, Aria Lane and the existing Child Care Centre, which adequately buffers the subject site from the surrounding residential dwellings.

Similarly, the proposal will retain and re-use the existing single house and outbuilding on the subject site, meaning there will be limited impacts on the existing character of the area and streetscape. The only external works to the existing buildings on site relate to the building façade of the outbuilding. The proposed changes to the outbuilding involve replacing the existing awning and door and introducing a new window. The application also proposes to remove the existing 1.8 metres fence located on the Cantle Street frontage. These modifications are considered minor in nature and will improve the existing outlook to Cantle Street.

The proposal incorporates a maximum of three consultants and three consulting rooms which will be located in the existing single house and outbuilding. Parking for customers is provided on site and the proposal is considered to be a low scale operation that is compatible with the Residential zoning and mixed use context of the area. Should development approval be granted, a condition has been recommended to limit the number of consultants and consulting rooms to three. This will ensure that the business will remain to be low scale and therefore, have a negligible impact on the surrounding area.

Draft LPS2 sets out objectives to guide development within the Residential zone. The proposal I will reuse and retain and existing buildings on site, provide adequate parking and is considered to be compatible with the surrounding residential area and consistent with the relevant objectives of the Residential zone set out in LPS2.

Parking

Policy No. 7.7.1 – Parking and Access requires the proposal to provide two Class 1 or 2 bicycle facilities and four Class 3 bicycle facilities. The proposal has provided six Class 3 bicycle facilities comprising of three bicycle racks in the car parking area. The provision of six Class 3 bicycle facilities is considered appropriate as the bicycle racks are located in a relatively secure location close to the rear entrance of the building and can adequately service the demand of both staff and patients.

A number of submission raised concerns with the impact the development will have on car parking in the area. The development provides six car parking bays for the three consultants proposed, which meets the standards of the City's Parking and Access Policy No. 7.7.1. However, given the Residential zoning of the area it is recommended that Parking Management Plan be developed and implemented for the site to ensure that the parking bays are managed appropriately for both staff and customers and that the development does not impact on parking in Cantle Street.

Landscaping

The proposal does not meet all the deemed-to-comply requirements for landscaping under the City's Policy No. 7.1.1. The departures to the deemed-to-comply requirements relate to canopy cover and landscaping strips within the car park area. The introduction of additional landscaping within the car park area would inhibit the ability for the proposal to meet the car parking requirements and vehicle manoeuvring requirements. It is highlighted that the proposal is compliant with the City's requirements for deep soil zone, soft landscaping coverage and shade trees within the car park. As a result, it is considered that the site has ample opportunity to provide increased canopy coverage and high quality landscaping across the site that compensate for the removal of the existing trees on site as a result of the new car park and the lack of proposed canopy coverage of this car park. Given this it is recommended that any approval include a condition requiring a landscaping plan to be developed by a suitably qualified landscape architect that demonstrates 30 percent canopy coverage of the site at maturity, in accordance with the City's Policy No. 7.1.1 – Built Form.

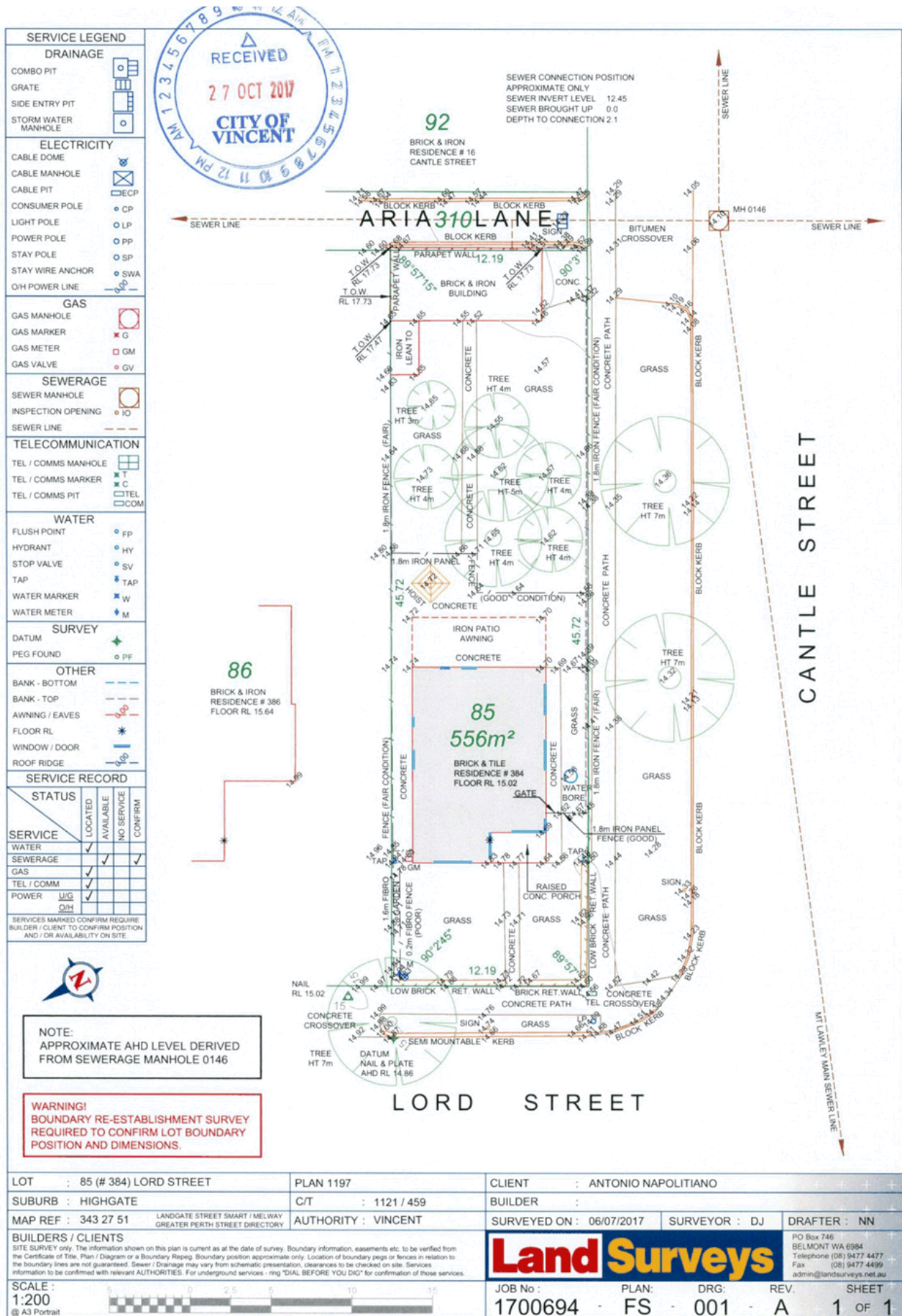
Conclusion

The proposed Consulting Room is considered to be an appropriate use in the locality given the existing non-residential uses currently operating adjacent to the subject site, including the adjoining child care centre and opposite consulting room. The proposal will maintain the existing building on the subject site, meaning there will be limited impacts on the existing character of the area and streetscape.

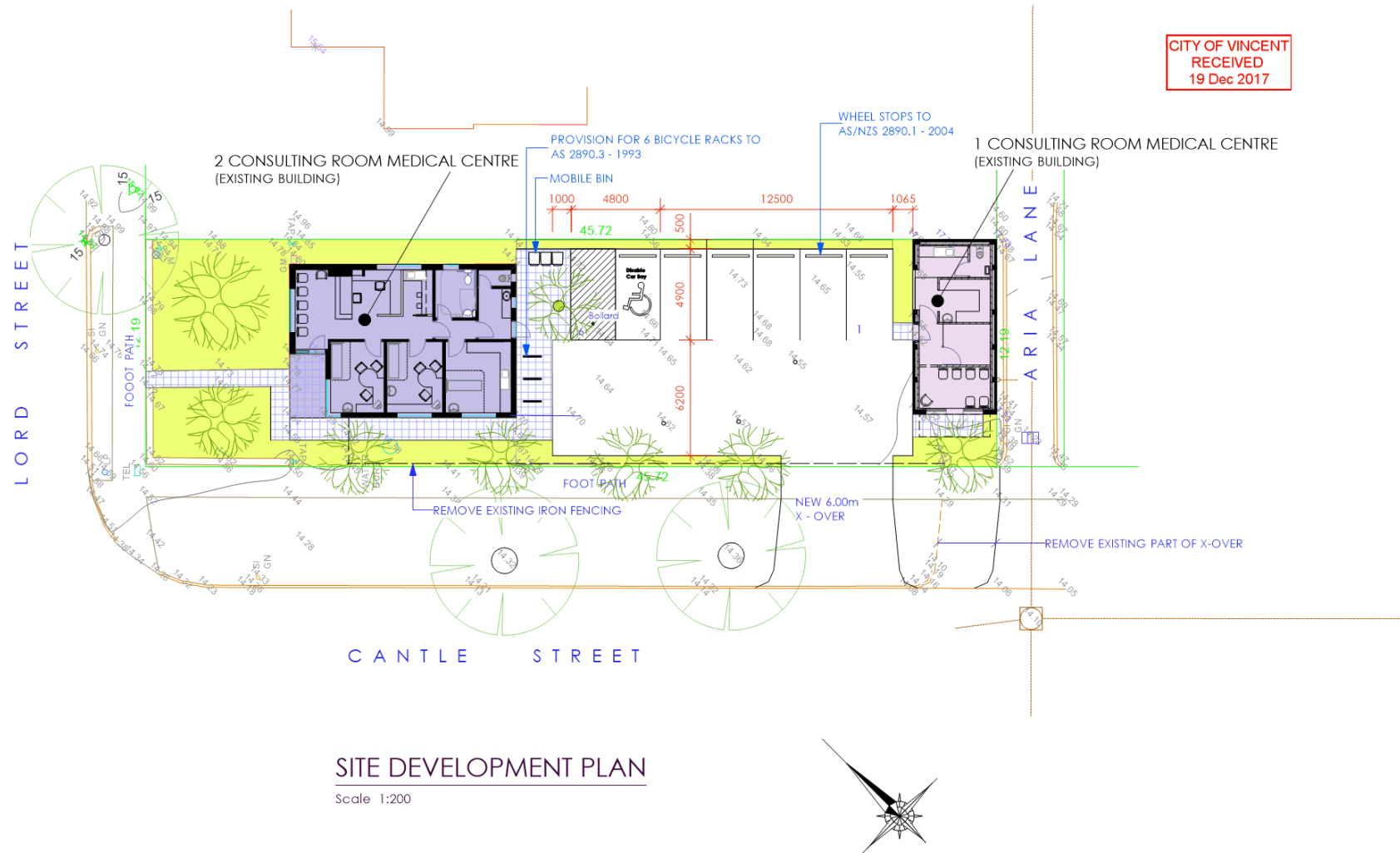
The issues raised through community consultation primarily relate the potential scale of the proposal and impact the development will have on car parking in the area. The proposal is compliant with the car parking requirements of City Policy 7.7.1 – Parking and Access and it is considered that the impact of the development can be appropriately managed through conditions of approval. This includes a condition limiting the use to a maximum of three medical practitioners, a requirement for a parking management plan to ensure bays are available for customers and a requirement for the site to be landscaped appropriate such that the development does not lead to a reduction in landscape amenity of the subject site or for the area. In light of this, it is recommended that the proposal is approved subject to conditions.



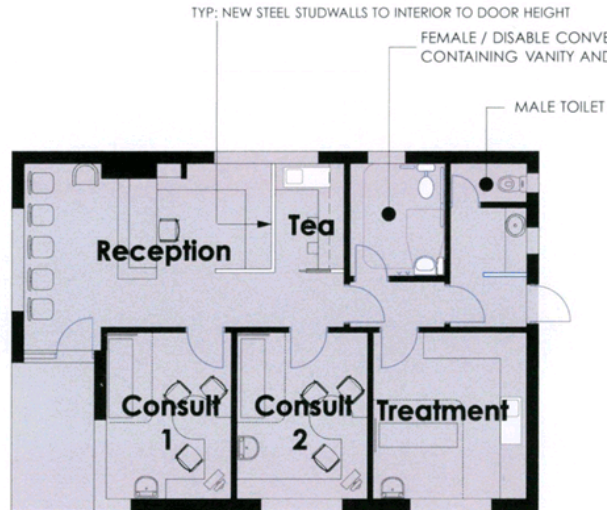




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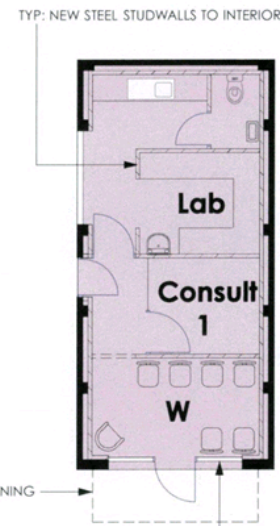


MEDICAL CONSULTING ROOMS A NAPOLITANO Lot 85 (No 384) LORD STREET HIGHGATE		Optim Pty Ltd Unit 142, 3 Homelea Court RIVERVALE 6103	
Drawn	19/12/17	Checked	db
Scale	As Shown	Project No.	A.02(b)
Mobile	040 8836 210	email	dba@inet.net.au



2 CONSULTING ROOM MEDICAL CENTRE

Scale 1:100



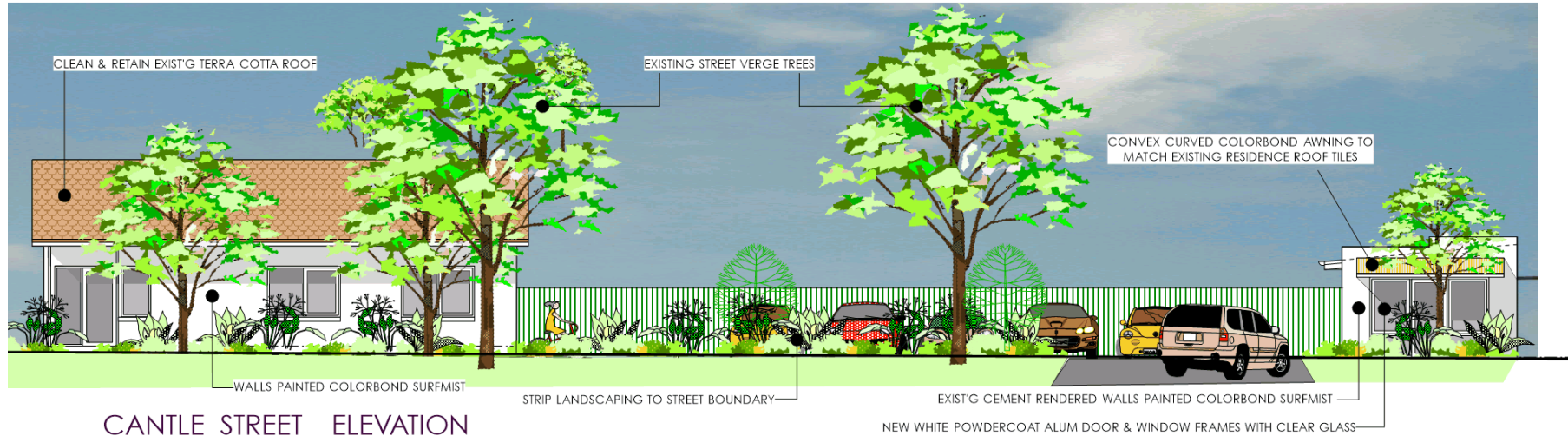
1 CONSULTING ROOM MEDICAL CENTRE

Scale 1:100

NEW COMMERCIAL DOOR AND WINDOW FRAME
TO REPLACE EXISTING HINGED DOORS



MEDICAL CONSULTING ROOMS for A NAPOLITANO Lot 85 (No 384) LORD STREET HIGHGATE		Optim Pty Ltd Unit 142, 3 Homelike Court RIVERVALE, 6103 Mobile: 040 8836 210 email: dha@optim.net.au	
Date: _____ Drawn: _____ As Shown	Date: _____ Drawn: _____ As Shown	Date: _____ Drawn: _____ As Shown	Date: _____ Drawn: _____ As Shown



CANTLE STREET ELEVATION

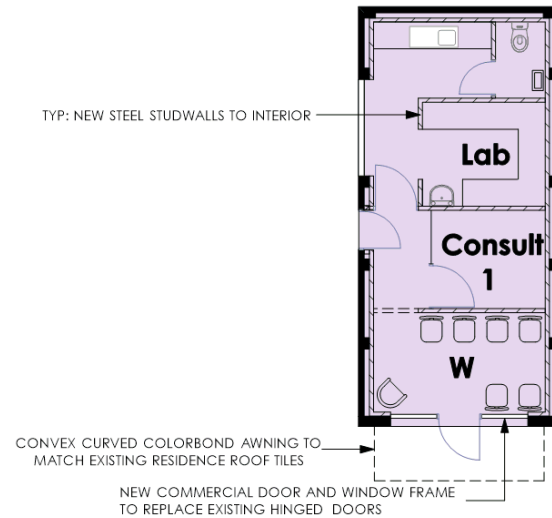
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CITY OF VINCENT
RECEIVED
15 Jan 2018



2 CONSULTING ROOM MEDICAL CENTRE

Scale 1:100



1 CONSULTING ROOM MEDICAL CENTRE

Scale 1:100

MEDICAL CONSULTING ROOMS A NAPOLITANO 85 LORD STREET HIGHGATE		Optim Pty Ltd Unit 142, 3 Homelea Court RIVERVALE 3103 Mobile 040 8836 210 email dba@inet.net.au	
As Shown	A.03(b)		

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Support:	Officer Technical Comment:
No comments received.	
Comments Received in Objection:	Officer Technical Comment:
<p><u>Land Use</u></p> <p>As the owner of the house directly opposite the proposed development I believe that I will be significantly impacted by the introduction of commercial premises in a street which is currently completely residential. No mention is made of the type of consulting rooms. I would really like to know the nature of the consulting to be done here as depending on this I might have further issues.</p> <p>I object to the proposal in respect to the site of the development. I do not believe that the site of the medical centre is appropriate for the street and locality.</p>	<p>The surrounding context of the subject site comprises of a mixture of land uses including a Child Care Centre, Consulting Room, Grouped Dwellings and Single Houses. The proposal is considered to be appropriate with the existing mixed-use character of the subject site. Similarly, the proposal will retain the existing façade single house, which will maintain the existing streetscape and character of the area.</p>
<p><u>Car Parking</u></p> <p>Traffic controls over current building/renovation sites nearby are non-existent and pose public risk and public damage.</p> <p>Current uncontrolled parking often makes driving dangerous due to congestion and visibility - adding more traffic to a practice will make the situation severe.</p> <p>Proposed parking spaces are insufficient to satisfy practice staff and even one patient each. The overflow will further disrupt Cantle Street; The potential for afterhours anti-social behaviour around a medical practice (possible for robbery) will add to noise from alarms. I have two teenage kids both studying full time. Currently late night disruptions are already an increasing problem, and neither rangers nor police are available to attend. I feel that I would be forced to move.</p>	<p>All approved works will be subject to complying with City's requirements during the construction phase. The City will charge an infrastructure protection bond which will be deducted should any damage be caused during the public realm.</p> <p>The development provides six car parking bays which is compliant with the City's Policy No. 7.7.1 - Parking and Access.</p> <p>The potential for the subject site to be victim to a robbery is not a relevant planning concern.</p>
<p><u>Hours of Operation</u></p> <p>The hours of operation especially in respect weekend opening hours are a serious concern. I believe those hours of operation will impact on the amenity of home owners in Cantle Street.</p>	<p>The hours of operation are consistent with the requirements of the City's Policy No. 7.5.22 – Consulting Rooms.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Determination Advice Notes:

1. In relation to condition 1, a Consulting Room is defined as:
"any building or part thereof used in the practice of a profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur, a chiropractor, a chiropodist, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments but does not include a hospital."
2. The proponent to engage an appropriately qualified contractor for medical waste collection and disposal.
3. Any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.
4. Any new fencing on the Lord Street and Cantle Street frontage will require development approval from the City.
5. An Infrastructure Protection Bond together with a non- refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
6. All car parking bays shall be dimensioned on the Building Permit application working drawings and all car parking facilities shall meet or exceed the minimum specifications of AS2890.
7. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and Right of Way levels to the satisfaction of the City.
8. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
9. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
10. The 5metre wide crossover to lot is subject to a separate crossover application to be approved by the City. The 5 metre wide crossover shall be positioned and constructed with approved materials in accordance with the City's Standard Crossover Specifications.
11. Prior to the first occupation of the development, redundant or "blind" crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense.
12. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
13. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

9.6 NO. 51 (LOT: 801; D/P: 44852) MARY STREET, HIGHGATE - PROPOSED THREE STOREY ADDITION TO SINGLE HOUSE

TRIM Ref: D17/162628





Authors: Stephanie Norgaard, Urban Planner
Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 12 – Hyde Park

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Development Application Plans [↓](#) 
3. Attachment 3 - Applicant's Justification [↓](#) 
4. Attachment 4 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the development application for the proposed Additions to a Single House at No. 51 (Lot: 801; D/P: 44852) Mary Street, Highgate in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination notes in Attachment 4:

1. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

2. External Fixtures

All external fixtures and building plant, including air condition units, piping ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings to the satisfaction of the City;

3. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

4. Schedule of External Finishes

Prior to the commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

5. Verge Trees

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

6. Right of Way

An area 1 metre in width adjacent to the Right of Way shall be sealed drained and graded to match into the level of the existing Right of Way;

7. Privacy

Screening to the eastern and western side of the balconies on level one and level two shall be installed in accordance with State Planning Policy 3.1: Residential Design Codes, to prevent overlooking into the active habitable spaces and outdoor living areas of the property to the east prior to the use or occupation of the development; and

8. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for a rear three-storey addition to a single house at No. 51 Mary Street, Highgate (the subject site).

BACKGROUND:

Landowner:	Robert Paul Gray and Margaret Jane Gray		
Applicant:	Officer Woods Architects		
Date of Application:	29 September 2017		
Zoning:	MRS: Urban TPS1: Zone: Residential R-Code: R50 LPS2: Zone: Residential R-Code: R50		
Built Form Area:	Residential		
Existing Land Use:	Single House		
Proposed Use Class:	Single House		
Lot Area:	413m ²		
Right of Way (ROW):	Yes, sealed and privately owned by the City		
Heritage List:	No		

The subject site is located on the southern side of Mary Street, Highgate. The site is adjoined by a three-storey single house to the east and two-storey multiple dwellings to the west. The Sacred Height Church and Primary School is located to the east, on the opposite side of Mary Street. The site abuts a 3 metre wide right of way (ROW) to the south. The area to the south of the ROW comprises of single storey single houses. A location plan is included as **Attachment 1**.

The southern side of Mary Street (including the subject site) is characterised by narrow 10 metre wide lots with a natural north to south slope. The subject site spot levels vary from 28.81 (north) and 24.61 (south), creating a 4.2 metre level difference. As a result, the development on the southern side of Mary Street is generally characterised by two to three-storey development with two to three storey boundary walls. The existing three-storey developments present as either one or two stories to Mary Street.

The subject site has an existing 6.9 metre boundary wall to the east and a 5.5 metre boundary wall to the west. No. 49 Mary Street (adjoining to the east) comprises of a three-storey single house with an 8.3 metre high parapet wall adjoining the subject site and an overall building height of 10.4 metres. The multiple dwellings adjoining to the west are setback 1.5 metres with the exception of a 2.8 metre portion of the building on the upper level, which has a nil boundary setback. The multiple dwellings have a wall height of 7.9 metres and a top of pitched roof height of 9.7 metres.

The subject site and surrounding area is zoned Residential with a density code of R50. This is not contemplated to change under Draft Local Planning Scheme No. 2 (LPS2). The subject site is located within the 'Residential' built form area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy), and has been assessed against the applicable standards and requirements of the policy.

The City received a development application seeking approval for the construction of a three-storey rear addition to the Single House at the subject site. An assessment of the initial application was undertaken which identified a number of elements where the proposal did not meet the deemed-to-comply standard of

State Planning Policy 3.1: Residential Design Codes (R-Codes) and the City's Built Form Policy, including lot boundary setbacks, visual privacy and building height. The City liaised with the applicant to progress the application, including the submission of amended plans.

The applicant's development plans are included as **Attachment 2** and the applicant's justification for the proposed departures from the deemed-to-comply standards is included in **Attachment 3**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes (R-Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Street Setback	✓	
Front Fence	✓	
Lot Boundary Setbacks		✓
Building Height		✓
Open Space	✓	
Landscaping	✓	
Outdoor Living Areas	✓	
Visual Privacy		✓
Parking	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Street Surveillance	✓	
Stormwater Management	✓	

Detailed Assessment

The deemed-to-comply assessment of the elements that require the discretion of Council is as follows:

Lot Boundary Setback	
Deemed-to-Comply Standard	Proposal
Clause 5.3 of Built Form Policy and 5.1.3 of the R-Codes	
<u>Western Boundary</u>	<u>Western Boundary</u>
Level One: 1.2m Level Two: 1.5m	Level One: 1m Level Two: 1m
<u>Boundary Walls</u>	<u>Eastern Boundary</u>
Maximum height of 3.5m and average height of 3m for two-thirds (23.6m) of the lot behind the front setback line, unless the wall abuts an existing or simultaneously constructed wall of similar or greater dimensions.	Eastern wall abutting an existing boundary wall. Proposed eastern wall protrudes 1.7m higher and 3m further than existing boundary wall. Maximum height of 9.9m and average height of 7.3m on the eastern boundary.

	<u>Western Boundary</u> The application proposes a boundary wall to the dwelling and garage. Dwelling: Maximum height of 9.9m and average height of 9.55m to the parapet wall. Garage: Average height of 3.3m.
Building Height	
Deemed-to-Comply Standard	Proposal
Clause 5.6 of Built Form Policy Two storeys with a maximum height of 7m to top of external wall (concealed roof)	Three storeys proposed with a maximum height of 9.9m to top of external wall (concealed roof)
Visual Privacy	
Deemed-to-Comply Standard	Proposal
Clause 5.4.1 of the R-Codes Visual Privacy Unenclosed outdoor active habitable spaces setback 7.5m.	<u>East</u> Nil setback from balconies located on level one and two. <u>West</u> 1m setback from balconies located on level one and level two.

The above elements of the proposal does not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

The application was advertised for a period of 14 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 9 November 2017 until 22 November 2017. The method of consultation being written notifications (11 letters) being mailed to all owners and occupiers as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation.

No submissions were received by the City at the conclusion of the community consultation period. However, it is noted that the landowner of No. 49 Mary Street provided a letter in support of the proposed departures from the deemed-to-comply as part of the development application.

Design Advisory Committee (DAC):

Referred to DAC: Yes

The proposal was referred to the Chair of the DAC for comment on 6 December 2017. The Chair provided the following comments on the proposal:

- The proposed design to the South extends past the existing neighbouring properties located West and East of 51 Mary Street.
- The proposed design has decks on the ground level (upper ground from rear ground level) and the first floor level (two levels up from Southern ground level) the proposed decks extend beyond the building boundaries of the existing neighbouring properties.
- The decks (on both levels) are fully framed by a solid wall to the east and an open steel structure to the east, the latter steel structure, its detail adjoining No. 49 Mary Street is partially screened on ground floor level (full height), however, the first floor deck has a steel balustrade height and is open above that level to the pergola structure above. This detail of the deck and screen to the east together with the southern projection of the design (beyond No. 49 Mary Street) needs to be reconsidered due to the impact on the amenity of No. 49 Mary Street in relation to privacy.

The comments of the DAC are noted, however the landowner of No. 49 Mary Street has provided a letter in support of the proposal, including the visual privacy variation proposed, and has requested this area be left open to reduce the bulk of the wall.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Draft Local Planning Scheme No. 2 (LPS 2)

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No. 2 (LPS2) is to be modified before final approval was to be granted. The Schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to the LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the modified version of LPS2 should be given due regard as a seriously entertained planning proposal when determining this application. The modifications required do not impact on the subject property.

Delegation to Determine Applications:

This matter is being referred to Council 1' as the development is three storeys in height and is classified as a 'Category 1' in Council's Delegated Authority Register.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment"

1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:**Building Height**

The application proposes a three-storey building height to the rear of the lot with a maximum height of 9.9 metres (concealed roof) in lieu of the deemed-to-comply standard of two-storey building height with a maximum height of 7 metres (concealed roof) set under the City's Built Form Policy.

The residential development on Mary Street is characterised by two to three-storey development which presents a single or two storey façade to Mary Street. The lots on the southern side of Mary Street, including the subject site are impacted by a significant level change from north to south (approximately 4.2 metres), which has facilitated three-storey development to the rear, that presents as one to two-storey dwellings to the street.

The proposal relates to a rear addition only and will maintain the front section of the existing dwelling, which currently presents as a single storey to Mary Street. The proposed rear addition is setback 12.4 metres from the primary street and maintains the existing single storey façade to Mary Street. A small portion of the rear addition (1.3 metres) protrudes higher than the existing roof of the retained portion of dwelling. The visibility of the rear addition from Mary Street is mitigated by the existing façade of the development as well as the significant canopy cover provided by the existing verge trees located along Mary Street. The proposal is considered to responded to the existing streetscape character of Mary Street by preserving the existing dwelling and maintaining the existing streetscape.

The proposal will result is 44 percent overshadowing to the adjoining lot to the east (No. 49 Mary Street), which complies with the deemed-to-comply requirements of the R-Codes. It is noted that the majority of No. 49 Mary Street's outdoor living area is currently overshadowed by the existing three-storey development on that lot (No. 49 Mary Street). The proposal will increase the overshadowing of No. 49 Mary Street by 4.5 square metres which is not considered to have a significant impact on the amenity of No. 49 Mary Street. It is noted the proposal does not impact any views of significance and that the owner of No. 49 Mary Street endorsed the proposal.

It is acknowledged that there are existing developments along Mary Street which are up to three-storeys in height. The proposal is considered to maintain the existing streetscape through the significant setback of the rear addition and the retention of the single storey presentation to Mary Street. The three-storey building height is consistent with the style of development within the immediate area, which comprises of numerous three-storey development of a similar scale and form. Based on this, the proposed three-storey height is considered to meet the design principles of the R-Codes and Built Form Policy.

Lot Boundary Setback and Walls on Boundary

East

The eastern boundary has been designed to consider the immediate locality and respond to the neighbouring context. The subject site abuts a three-storey single house to the east, which contains a three-storey boundary wall with a pitched roof. The proposed east boundary wall is of a similar scale and dimension to the existing boundary wall, however the proposed wall will protrude 1.7 metres above the height of the existing boundary wall and 3.0 metres further back than the length of the existing boundary wall. The additional wall height (top of concealed roof) is less than the roof height of the adjoining property (top of pitched roof) and is therefore not considered to impact the adjoining property in terms of building bulk. Further, the portion of the proposed boundary wall that protrudes past the adjoining boundary wall comprises of open balustrades, which introduces a contrasting material and reduces the bulk of the façade.

West

The proposal provides a boundary wall with a maximum height of 9.9 metres and average height of 9.55 metres in lieu of the deemed-to-comply standard set by the R-Codes of 3.5 metres maximum and 3 metres average. The proposal also presents an 8.8 metre section of wall which is setback 1 metre in lieu of the deemed-to-comply requirement of 1.2m (level one) and 1.5 metres (level two). The applicant has proposed contrasting materials and finishes to the west external wall of the dwelling which assists in mitigating the impact of building bulk on the adjoining properties. The proposal provides for glass blocks on the lower level of the boundary wall and redbrick on the upper levels. A portion of the western wall is stepped-in 1 metre off the boundary which reduces the appearance of bulk on the adjoining property. This provides adequate ventilation and sunlight to the adjoining property to the west. The proposal responds to the natural features of the site and requires minimal excavation or fill.

The proposal is considered to be consistent with the neighbourhood context and streetscape of Mary Street and the design is not considered to overwhelm or dominate the adjoining development. Based on this, the proposed departure from the deemed-to-comply requirements for lot boundary setbacks is considered to meet the design principles of the R-Codes and Built Form Policy.

Visual Privacy

The proposal does not meet the deemed-to-comply standards of Clause 5.4.1 of the R-Codes, which requires a 7.5 metres setback for outdoor living areas (balconies). The subject site is a long and narrow lot with a 10 metre frontage. This significantly constrains the ability for 7.5 metre setback to be accommodated to meet the deemed-to-comply standards of the R-Codes.

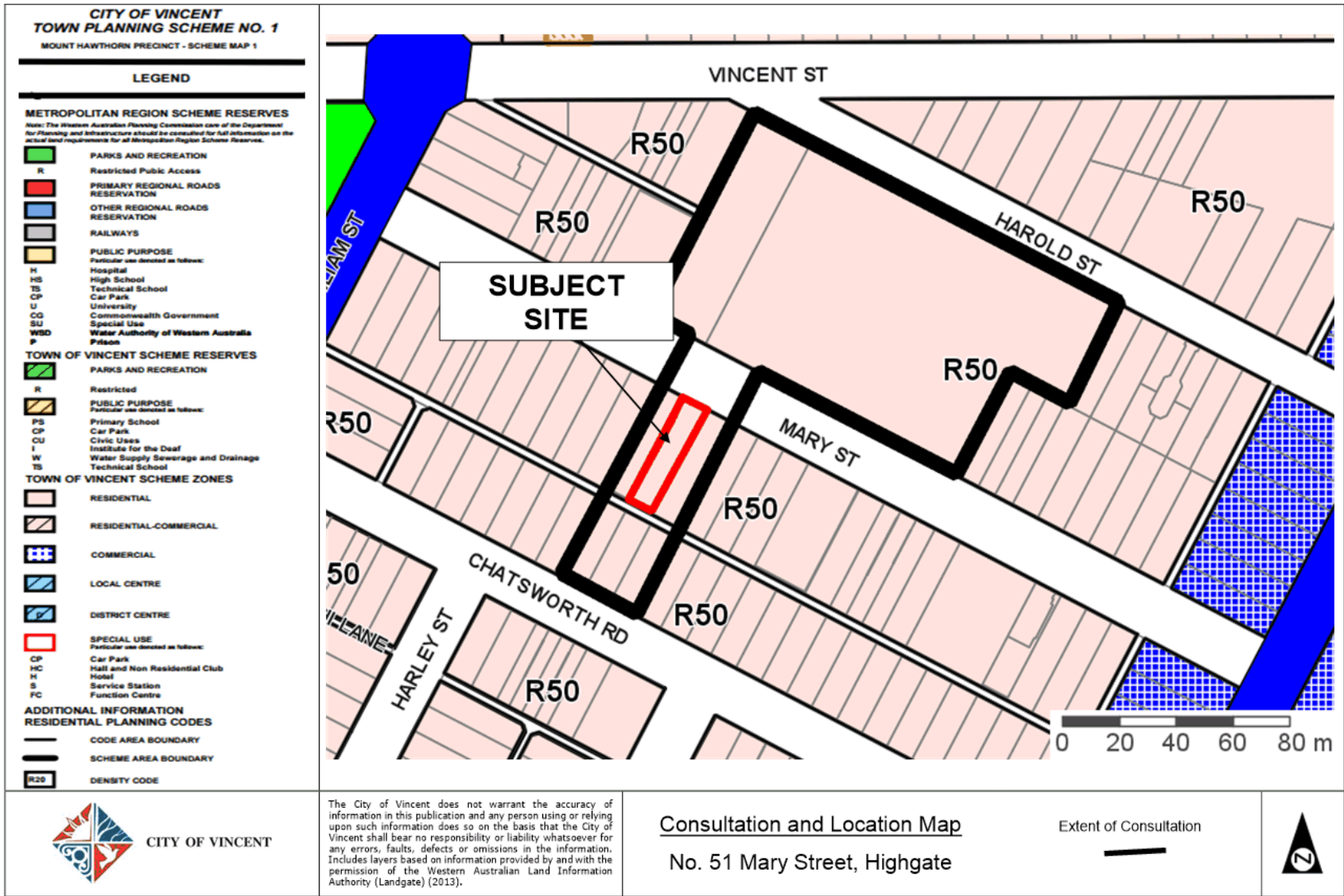
The proposal will result in a 1 metre setback to the level one and level two balconies to the west and a nil setback to the level one and level two balconies to the east. The proposal has been designed to minimise the extent of overlooking with the balconies orientated to the rear of the subject site and the sides of the balconies being screened.

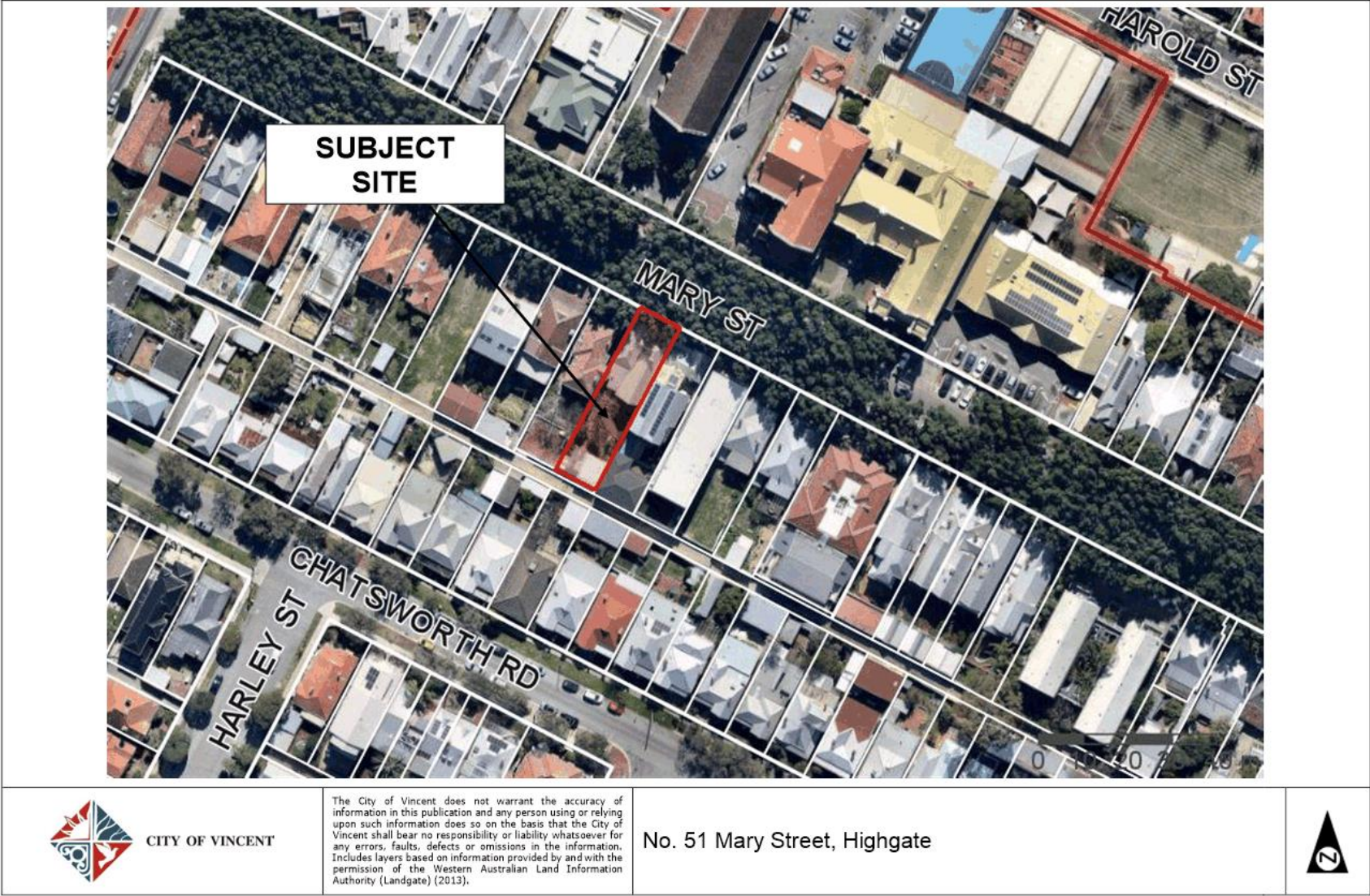
The area impacted by the overlooking comprises of the backyard and roof of the garage of the adjoining property to the east and the extended backyard of the adjoining property to the west. It is noted that the overlooking on the first and second level relate to the same general area and the proposal will not increase the current level of overlooking facilitated by the existing balcony of the two-storey dwelling on site.

Given the above, in conjunction with there being no objection from the adjoining owners or occupiers, the departure from the deemed-to-comply is considered appropriate within the site context.

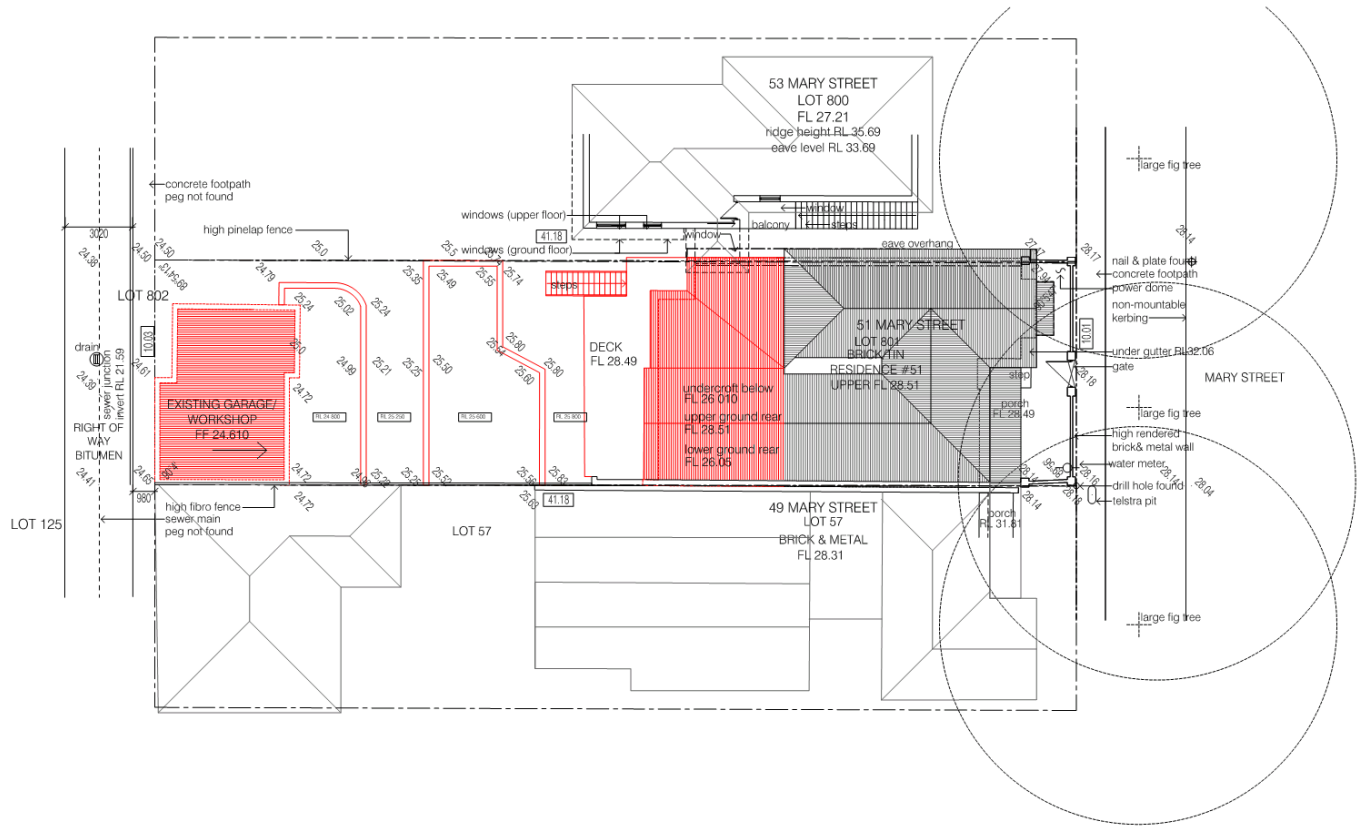
Conclusion

The proposal requires Council to exercise its discretion in relation to the building height, lot boundary setbacks and visual privacy. Given the context of the site, the proposed departures from the deemed-to-comply requirements are considered to provide minimal impact on the surrounding properties and the streetscape and meet the design principles of the R-Codes and the Built Form Policy. In light of the above, it is recommended that the application be approved subject to conditions.





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RECEIVED
22 Jan 2018



EXISTING SITE/ROOF PLAN

lines in red indicate extent of demolition

Revision	Issued	Date		
B	Revised DA	22.01.2018		
R	Revised DA	22.11.2017		

Use figured dimensions at all times. Do not scale or measure off drawings. All dimensions and levels to be checked on site by the Contractor prior to commencing. If discrepancies are found notify the Architect and seek direction prior to proceeding.

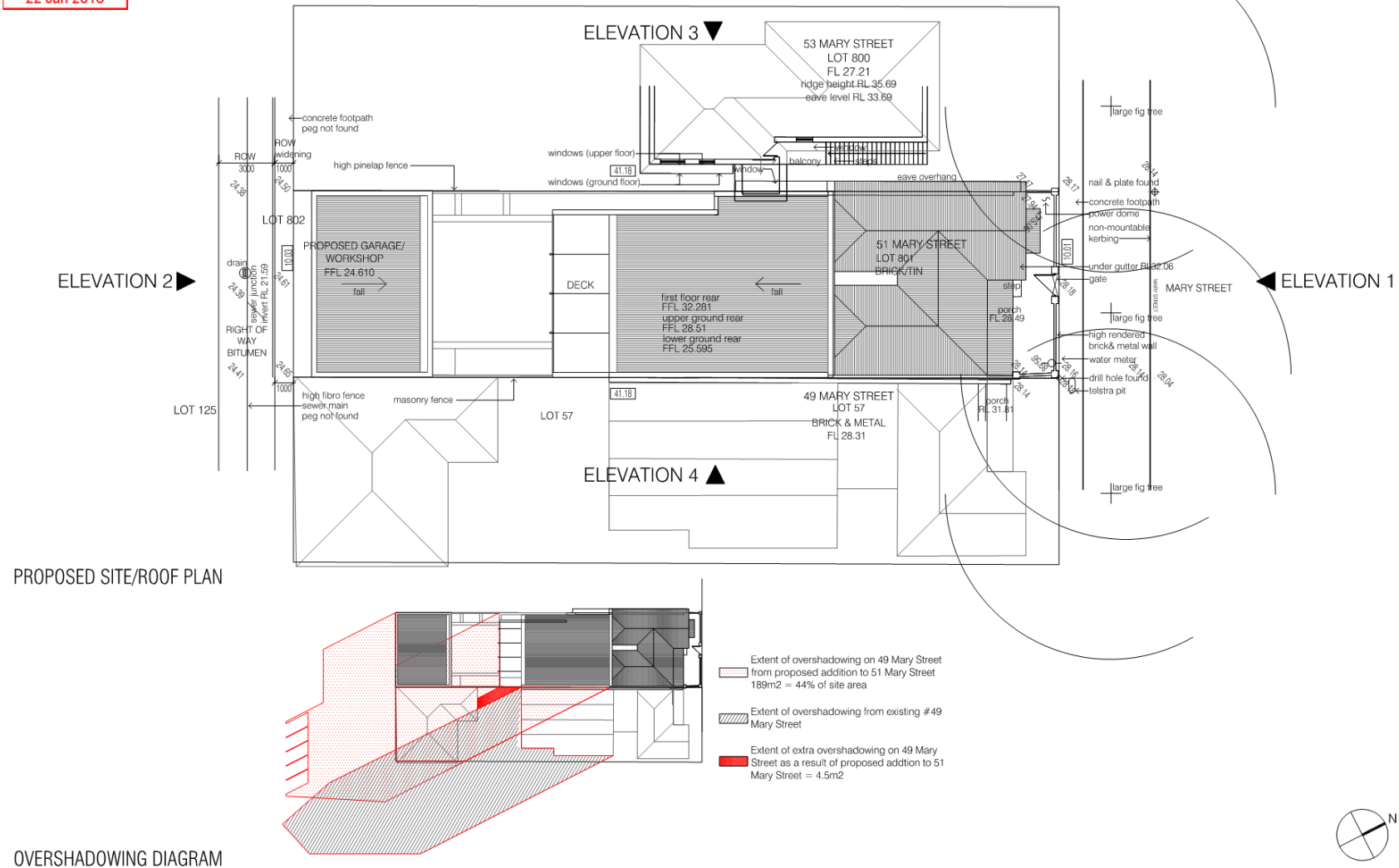
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25/45 Pakenham Street Fremantle WA 6160
t: 6365 8069 f: 93355428

PROJECT	MARY STREET, HIGHGATE
DATE	
PROJECT NAME	SITE/ROOF PLAN EXISTING
PROJECT NUMBER	OW_177
PROJECT DATE	1 : 200 AT A3 22.11.17

CITY OF VINCENT
RECEIVED
22 Jan 2018



Revision	Issued	Date		
D	Revised DA	22.01.2018		
D	Revised DA	14.12.2017		
R	Revised DA	22.11.2017		

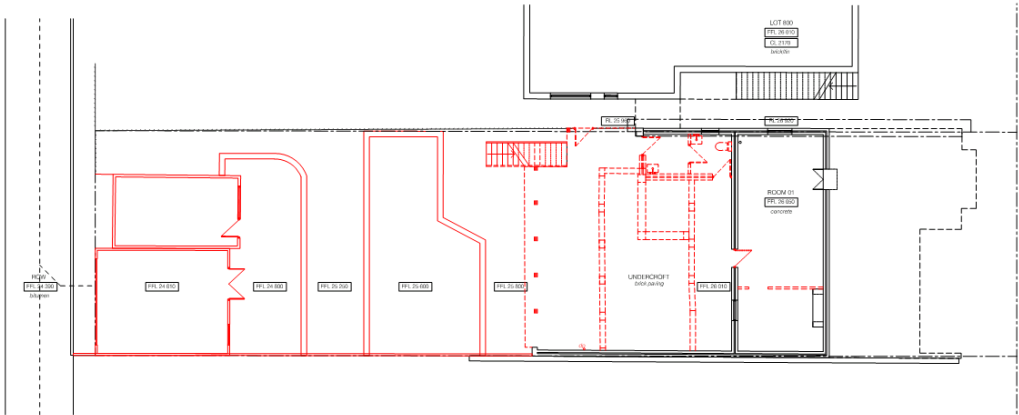
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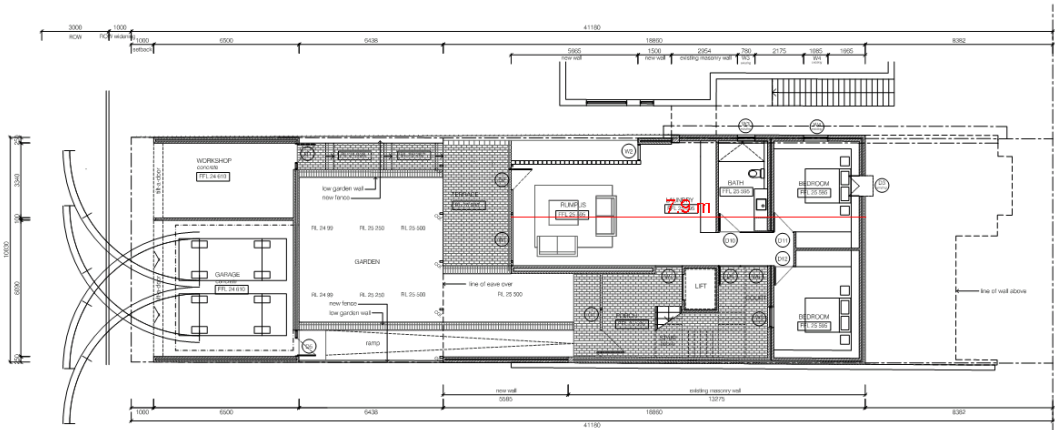
OW
25/45 Pakenham Street Fremantle WA 6160
t: 6365 8069 f: 9335428

PROJECT	MARY STREET, HIGHGATE
TITLE	SITE/ROOF PLAN PROPOSED
PROJECT NUMBER	OW_177
DATE	1:200 AT A2 22.01.18
DESIGNED BY	
CHECKED BY	

CITY OF VINCENT
RECEIVED
22 Jan 2018



EXISTING LOWER GROUND FLOOR PLAN



PROPOSED LOWER GROUND FLOOR PLAN

lines in red indicate extent of demolition



Revision	Issued	Date		
C	Revised DA	22.01.2018		
R	Revised FLS	22.11.2017		

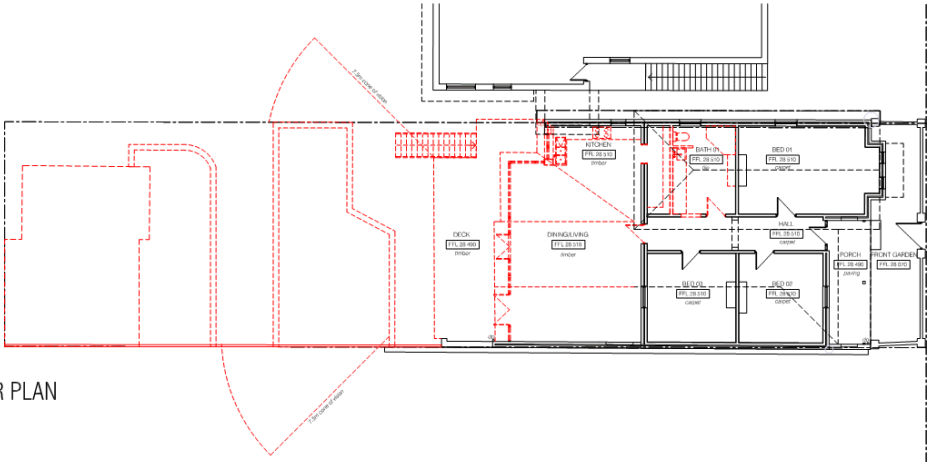
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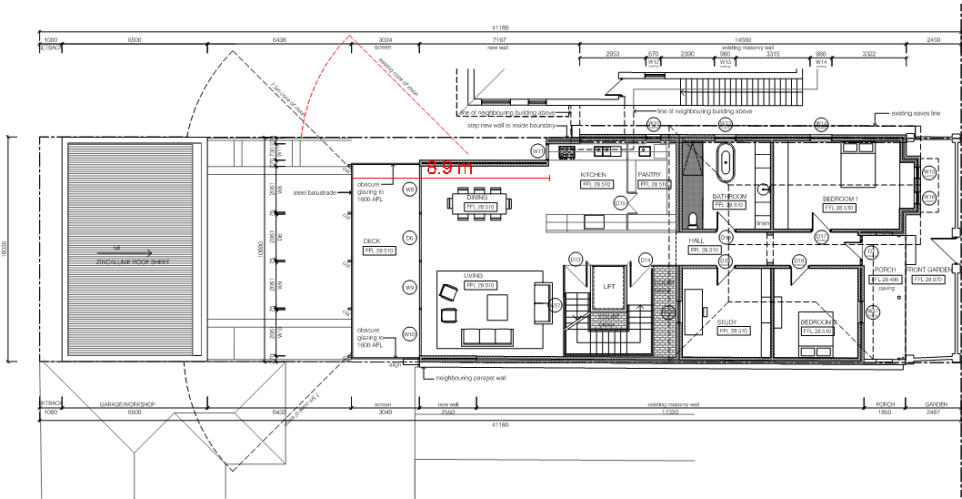


PROJECT	MARY STREET, HIGHGATE
PROJECT NAME	LOWER GROUND FLOOR PLAN
PROJECT NUMBER	OW_177
SCALE	1 : 200 AT A3
DATE	22.01.18

CITY OF VINCENT
RECEIVED
22 Jan 2018



EXISTING UPPER GROUND FLOOR PLAN



PROPOSED UPPER GROUND FLOOR PLAN

lines in red indicate extent of demolition

Revision	Issued	Date
D	Revised DA	22.01.2018
C	Revised DA	14.12.2017
B	Revised DA	17.11.2017

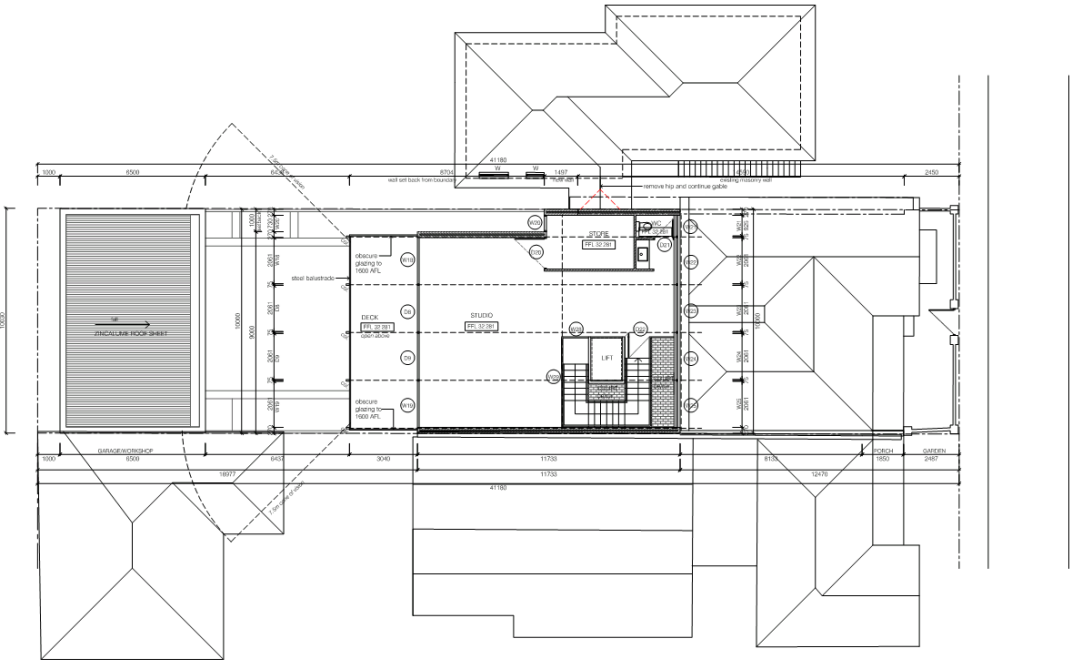
Use figured dimensions at all times. Do not scale or measure of drawings. All dimensions and levels to be checked on site by the Contractor prior to commencing. If discrepancies are found notify the Architect and seek direction prior to proceeding.

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PROJECT	MARY STREET, HIGHGATE
DESCRIPTION	UPPER GROUND FLOOR PLAN
PROJECT NUMBER	OW_177
SCALE	1 : 200 AT A3
DATE	22.01.18

CITY OF VINCENT
RECEIVED
22 Jan 2018



PROPOSED FIRST FLOOR PLAN

lines in red indicate extent of demolition



Revision	Issued	Date		
D	Revised DA	22.01.2018		
C	Revised DA	14.12.2017		
B	Revised F.B.	27.11.2017		

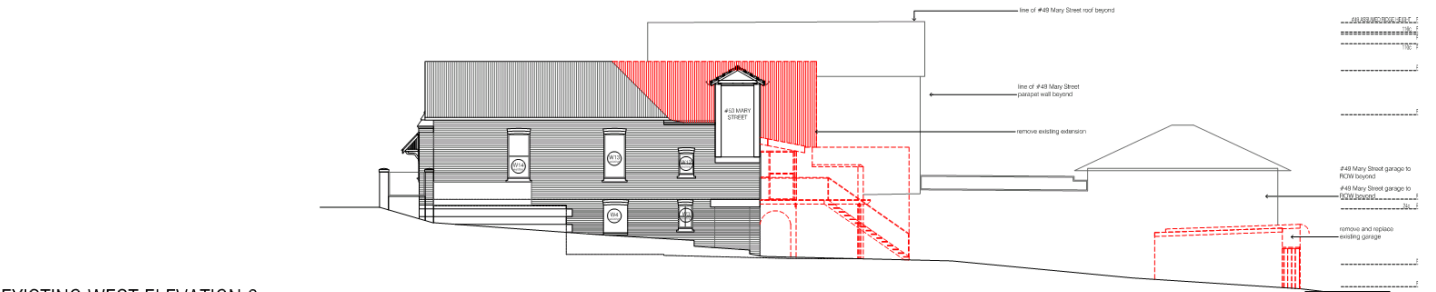
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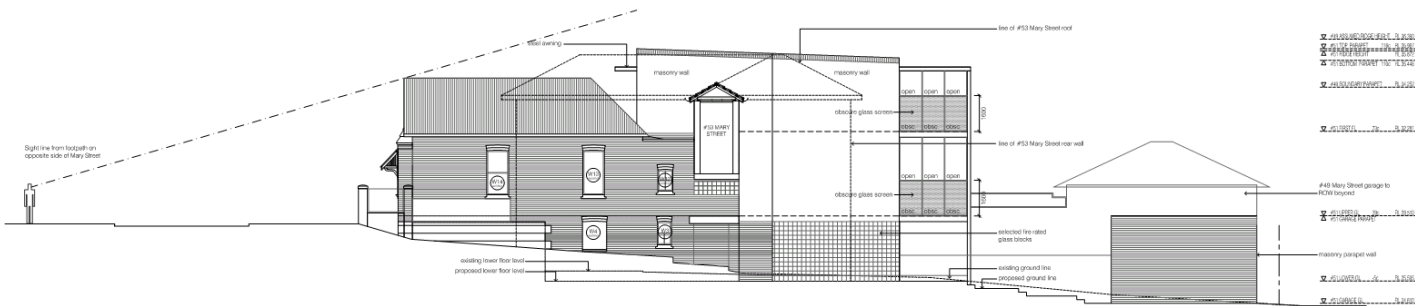


PROJECT	MARY STREET, HIGHGATE
DATE	FIRST FLOOR PLAN
PROJECT NUMBER	OW_177
SCALE	1 : 200 AT A3
DATE	22.01.18

CITY OF VINCENT
RECEIVED
22 Jan 2018



EXISTING WEST ELEVATION 3



PROPOSED WEST ELEVATION 3

lines in red indicate extent of demolition

Revision	Issued	Date		
D	Revised DA	22.01.2018		
C	Revised DA	14.12.2017		
B	Revised DA	22.11.2017		

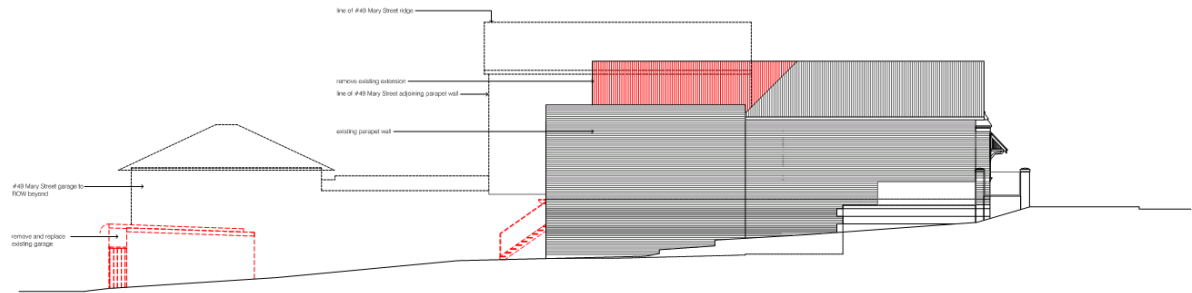
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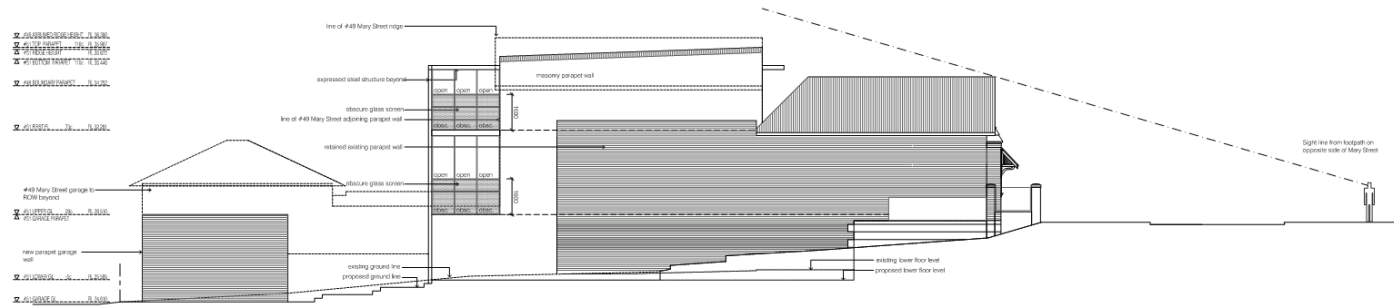


PROJECT	MARY STREET, HIGHGATE
LEVEL	ELEVATION 3
PROJECT NUMBER	OW_177
SCALE	1 : 200 AT A3
DATE	22.01.18

CITY OF VINCENT
RECEIVED
22 Jan 2018



EXISTING EAST ELEVATION 4



PROPOSED EAST ELEVATION 4

lines in red indicate extent of demolition

Revision	Issued	Date			
D	Revised DA	22.01.2018			
C	Revised DA	14.12.2017			
R	Revised DA	17.11.2017			

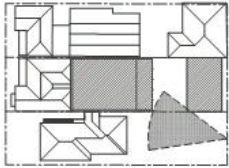
Use figured dimensions at all times. Do not scale or measure off drawings. All dimensions and levels to be checked on site by the Contractor prior to commencing. If discrepancies are found notify the Architect and seek direction prior to proceeding.

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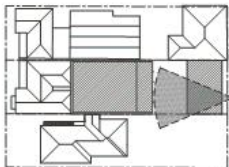


PROJECT NAME		MARY STREET, HIGHGATE	
DRAWING		ELEVATION 4	
PROJECT NUMBER	OW_177	SCALE	1 : 200 AT A3
DATE	22.01.18	DATE	22.01.18

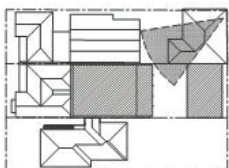
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View from Western Neighbour



View From Laneway



View From Eastern Neighbour

51 Mary Street Highgate

22.01.2018

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City of Vincent

27th September 2017

Project 177 51 Mary Street Highgate

001

Dear Planning Officer,

PROPOSED ADDITIONS AND ALTERATIONS TO DWELLING: 51 MARY STREET, HIGHGATE

I am writing in support of drawings submitted today for proposed additions and alterations to a single residential dwelling at 51 Mary Street, Highgate. The proposed project will retain the character house fronting Mary Street, remove existing, dated rear additions and construct a new masonry, steel and glass addition to the rear of the property, with a steel framed and metal clad roof, well detailed using good quality, resilient materials for a coherent, elegant outcome. The proposal accommodates the pre-existing ground levels of the site, and carefully preserves the visual character of the existing streetscape, while providing an updated, functional dwelling which meets modern needs and future requirements for occupants without the need for major modifications.

Due to the unusual nature of the site on Mary Street, which falls one level between Mary Street and the Right of Way to the rear (southern) side, as well as the existing pattern of development on Mary Street, which predominantly sits outside height and setback policy provisions, the proposed additions and alterations seek departure from some of the deemed to comply policy provisions. We therefore apply for the proposal to be assessed against the relevant Design Principles and objectives of the Local Planning Scheme and Built Form Policy, and submit the following justification.

Lot Boundary Setback

The proposed additions have walls built up to two lot boundaries, behind the street setback. The existing house, and the existing addition (to be removed) are built from boundary to boundary for the full extent of the built form, and the proposed additions seek to continue this existing character. This will make the side setbacks consistent with the predominant streetscape character, and will not be to the detriment of the amenity of adjoining properties, as the increase in overshadowing and overlooking is minimal. On the eastern side boundary, the proposed wall abuts an existing wall of similar dimension, and the proposed development is supported by the Owners of No 49 Mary Street (see attached letter). Furthermore, this character of development, with building built to side boundaries, is the predominant pattern and majority character of development on the south side of Mary Street, with adjoining houses numbers 37,45,47,49,55,57,59 and 61 all built to two boundaries with walls higher than 3.5m.

Building Height

The proposed building's height is not consistent with the building heights provided in Policy 7.1.1, which limits the number of storeys to two. This is a direct result of the significant slope of the site, which falls 3.6m, (over one storey) from Mary Street to the right of way.

The proposed building height meets the design principles and local housing objectives of Policy 7.1.1, as it responds and contributes to the streetscape character, does not overwhelm or dominate existing development and considers the building bulk and scale character of the existing streetscape. It considers and responds to the natural features of the site and requires minimal excavation or fill. The elevations show that the proposed maximum height is in the middle of the lot, reducing its impact, and, while three storeys, is only 1.3m higher than the ridge line of the existing single storey house. We have also shown the sight line from a person standing on the footpath on the opposite side of Mary Street, which illustrates the addition cannot be seen from this point. As outlined above (Lot Boundary Setback) the building height is complimentary to existing developments. Buildings on numbers 57, 55, 53, 49, 47, 31, 29, 27, 25, 21, 15 and 9a Mary Street are comparable heights to the proposed development and all present a three storey face to the southern, lower side of the lots.

OFFICER WOODS ARCHITECTS28 Henderson Street | Fremantle WA 6160 | www.officerwoods.com.auT +61(0)863658069 | F +61(0)893355428 | Eow@officerwoods.com.au**Visual Privacy**

We acknowledge that the cones of vision from the rear deck extend into the neighbouring property to the east and west. The eastern neighbour supports the proposal as the cone of vision looks predominantly over their garage roof and improves the privacy of their outdoor area from the existing condition, where the cone of vision from the current deck overlooks the outdoor area rather than garage roof (see attached letter). On the western side, in accordance with the Design Principles of the RDCodes, there is no direct overlooking of any active habitable spaces or outdoor living areas of the adjacent dwelling. The cone of vision overlooks a heavily vegetated area at the rear of the property. Given the significantly greater portion of that property which is not proposed to be overlooked, we believe the proposed deck should be supported.

In conclusion, it is important to note that the existing character dwellings and their subsequent additions over the last century along the south side of Mary Street do not currently meet the side setbacks, building heights or visual privacy provisions in the deemed to comply provisions of the RDCodes or City of Vincent Built Form Policy 7.1.1. They are, however, rare and valuable historical houses that contribute positively to the streetscape and character of the locality. We believe, therefore, that the particular circumstances of this property and locality are unique enough to justify that variations should be supported. The disposition of the lot and house are unusual, following an historical rather than new pattern of row-house development, and therefore we believe that variation to the generic provisions of the RD codes and Policy 7.1.1 are justified.

We hope that you will consider this application favourably. If you require any clarification or further information, please don't hesitate to contact us on 6365 8069.

Kind Regards,

Jennie Officer
Architect



49 Mary Street
Highgate WA 6003

Planning Department
City of Vincent
PO Box 82
Leederville WA 6902
22nd September

Dear Planning Department

My name is Lindsay Turner we own and live at 49 Mary Street, Highgate.

We have viewed the plans for proposed additions and alterations at 51 Mary Street, next door to our house.

We fully support the proposed additions and alterations and believe they will have a positive impact on the street and neighborhood. We understand the variations sought, including reduced setbacks, height and visual privacy. We have no problem with any of the variations sought and confirm that none of them will have a detrimental impact on our amenity.

We hope the City will support the application for development, which we think will improve 51 Mary Street in a sensitive, neighbourly manner.

Kind Regards



Lindsay Turner



Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. With reference to Condition 1 the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
3. With reference to Condition 3, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
4. A security bond shall be lodged with the City by the applicant, prior to the issue of a building permit. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Bulwer Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
5. The Right of Way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The Right of Way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the Right of Way condition has deteriorated, the applicant/developer shall make good the surface to the full satisfaction of the City.
6. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

9.7 NOS. 77 AND 79 (LOTS: 3 AND 4; D/P: 7680) ANZAC ROAD, MOUNT HAWTHORN - PROPOSED SIX GROUPED DWELLINGS

TRIM Ref: D17/159822









Author: Rana Murad, Senior Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 1 – Mount Hawthorn

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Subdivision Approval [↓](#) 
3. Attachment 3 - Previously Refused Plan and Perspectives [↓](#) 
4. Attachment 4 - Proposed Development Plans [↓](#) 
5. Attachment 5 - Proposed Development Perspectives [↓](#) 
6. Attachment 6 - Schedule of Submissions [↓](#) 
7. Attachment 7 - Schedule of Submissions and Applicant's Responses [↓](#) 
8. Attachment 8 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the development application for Six Grouped Dwellings at Nos. 77 and 79 (Lots: 3 and 4; D/P: 7680) Anzac Road, Mount Hawthorn in accordance with the plans shown in Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 8:

1. Amalgamation

Lots 3 and 4 shall be amalgamated into one lot on a certificate of Title or be subdivided consistent with this development approval to the satisfaction of the City prior to the occupation or use of the development;

2. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

3. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City;

4. Waste Management

4.1. A Waste Management Plan shall be submitted to and approved by the City prior to commencement of the development detailing a bin store to accommodate the City's specified bin requirement and the form and timing of waste collection; and

4.2. Waste management for the development shall thereafter comply with the approved Waste Management Plan;

5. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23 – Construction and include traffic and parking management requirements during construction. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

6. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

7. Schedule of External Finishes

Prior to the commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

8. Acoustic Report

8.1. An Acoustic Report, in accordance with the City's Policy No. 7.5.21 – Sound Attenuation and State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning, shall be lodged with and approved by the City prior to the commencement of the development; and

8.2. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development, to the satisfaction of the City prior to the use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

9. Visual Privacy

The proposed balconies of units 3 and 6 are to be screened to the eastern and western elevations in accordance Visual Privacy deemed-to-comply standards of State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development to the satisfaction of the City;

10. Verge Trees

No verge trees shall be removed without prior written approval from the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

11. Clothes Drying Facility

All external clothes drying areas shall be adequately screened in accordance with the Residential Design Codes prior to the use or occupation of the development and shall be completed to the satisfaction of the City;

12. Landscape and Reticulation Plan

12.1. A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated; and

- The provision of 14 per cent of the site area as deep soil zones and 30 per cent canopy cover at maturity;

12.2. All works shown in the plans as identified in condition 12.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

13. Car Parking and Access

13.1. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to occupancy or use of the development;

13.2. Vehicle and pedestrian access points are required to match into existing footpath levels; and

13.3. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;

14. Right of Way Widening

14.1. A 0.5 metre right of way setback to any buildings and structures is to be maintained at all times to enable future right of way widening; and

14.2. The 0.5 metre right of way setback area referred to in condition 14.1 above, is to be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision; and

15. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for six Grouped Dwellings at Nos. 77 and 79 Anzac Road, Mount Hawthorn (subject site).

BACKGROUND:

Landowner:	P J Haselhurst
Applicant:	Built Form
Date of Application:	11 July 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R Code: R30 TPS2: Zone: Residential R Code: R30
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Grouped Dwelling
Lot Area:	1,654m ²
Right of Way (ROW):	Yes, the ROW is on the southern side of the subject property and is 5 metres in width. The ROW is owned by the Council with right access it.
Heritage List:	No

The subject site is bound by Anzac Road to the north and a right of way (ROW) to the south. The site adjoins Residential zoned land with a density code of R30 on the east and west. A location plan is included as **Attachment 1**. The subject sites has a combined lot frontage of 27.4 metres to Anzac Road. The site topography falls to the rear of the lot towards the ROW. A single storey residential dwelling is currently located on each individual lots with access being provided from Anzac Road.

The subject site is zoned Residential with a density code of R30 and this is not contemplated to change under draft Local Planning Scheme No. 2 (LPS 2). Subject to the City's Local Planning Policy No. 7.1.1 – Built Form, the site has been identified in the Residential Area and has been assessed against the applicable standards and requirements of the policy.

A subdivision application was conditionally approved on 22 December 2015 for the subject site by the Western Australian Planning Commission for the creation of six lots, two lots fronting onto the Anzac Road frontage and four lots to the ROW. The conditionally approved plan of subdivision is included as **Attachment 2**. Whilst conditional subdivision approval has been obtained the lots have yet to be created and titles have not yet been issued. This application proposes development consistent with the lot configuration proposed by the conditionally approved subdivision. A condition requiring the amalgamation of the two lots has been recommended to cover a situation where that the applicant/landowner does not pursue the subdivision.

At its Ordinary Council Meeting held of 13 December 2016, Council refused an application for six grouped dwellings at the subject site due for the following reasons:

- “1. The outdoor living area is in the front setback area;
2. The building setback and boundary walls;
3. Street setback;
4. The impact on the streetscape and perceived bulk of the continuous rendered elements; and
5. The bulk of the development as a result of the height and boundary walls.”

The development plans refused by Council at its meeting of 13 December 2016 are included as **Attachment 3**.

The proposal is for a six grouped dwelling development, with two of the six units fronting Anzac Road (Units 1 and 2) and the remaining four units fronting and accessed via the ROW (Units 3-6). The dwellings are two storeys in height and each include a double garage. The car bays to Units 1 and 2 are accessed via a single crossover from Anzac Road. The development plans are provided as **Attachment 4** and the perspectives of the proposal are included as **Attachment 5**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form and the State Government's State Planning Policy 3.1: Residential Design Codes (R-Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Density/Plot Ratio	✓	
Street Setback		✓
Lot Boundary Setbacks/Boundary Walls		✓
Outdoor Living Areas		✓
Front Fence		✓
Building Height		✓
Open Space	✓	
Landscaping	✓	
Privacy		✓
Parking & Access	✓	
Solar Access	✓	
Site Works/Retaining Walls		✓
Essential Facilities	✓	

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
External Fixtures		✓
Surveillance	✓	

Detailed Assessment

The Deemed-to-Comply assessment of the elements that require the discretion of Council is as follows:

Street Setback	
Deemed-to-Comply Standard	Proposal
Policy No. 7.1.1 – Built Form	
Average of the five adjoining properties: 8.4m	4.5m
Lot Boundary Setbacks / Boundary Walls	
Deemed-to-Comply Standard	Proposal
Clause 5.1.3 of the Residential Design Codes (R-Codes)	
<u>Eastern Boundary</u>	<u>Eastern Boundary</u>
Unit 6 (ground floor bed 1) setback 2.4m	Unit 6 (ground floor bed 1) setback 1.9m
<u>Western Boundary</u>	<u>Western Boundary</u>
Unit 1 (ground floor dine to store) setback 3.0m	Unit 1 (ground floor dine to store) setback 1.6m
Walls Built on Boundary – Policy No. 7.1.1 – Built Form	
<u>Western Boundary</u>	<u>Western Boundary</u>
Average height: 3.0m	Average height: 3.1m
Outdoor Living Area	
Deemed-to-Comply Standard	Proposal
Clause 5.3.1 of the R-Codes	
Behind the street setback area.	Unit 1 and 2: outdoor living area within the front setback area
Front Fences	
Deemed-to-Comply Standard	Proposal
Clause 5.10 of Policy No. 7.1.1	
400mm width of piers.	500mm wide piers to two piers to accommodate for the letter boxes
Building Height	
Deemed-to-Comply Standard	Proposal
Clause 5.6 of Policy No. 7.1.1 – Built Form	
Top of external wall (roof above): 6.0m	Unit 1: 6.9m top of external wall (roof above) Unit 2: 6.6m top of external wall (roof above)

Privacy	
Deemed-to-Comply Standard	Proposal
Clause 5.4.1 of the R-Codes Cone of vision setback to lot boundary for balcony = 7.5m; or Provided with permanent screening to restrict views within the cone of vision	Unit 3: 2.7m – western elevation Unit 6: 2.7m – eastern elevation
Site Works	
Deemed-to-Comply Standard	Proposal
Clause 5.3.7 of the R-Codes Excavation or filling not more than 0.5m	0.6m of fill
External Fixtures	
Deemed-to-Comply Standard	Proposal
Clause 5.25 of Policy 7.1.1 External fixtures are not to be visible from the street and surrounding properties	Meter boxes can be seen from primary street

The above elements of the proposal do not meet the specified Deemed-to-Comply standards and are discussed in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, for a period of 14 days commencing on 16 November 2017 and concluding on 29 November 2017. Community consultation was undertaken by means of written notifications being sent to surrounding landowners, as show in **Attachment 1** and a notice on the City's website. At the conclusion of the community consultation period, seven submissions were received by the City comprising of three objections, two support letters and two raising concerns.

The main issues raised as part of the consultation relate to:

- The impact of the reduced street setback on the primary street;
- Excessive traffic impacts on the right of way as a result of the additional dwellings; and
- Concerns have been raised regarding potential loss of privacy.

A summary of the submissions and Administration's responses is included as **Attachment 6**. The applicant has also provided responses to the submissions received and this is included as **Attachment 7**.

Design Advisory Committee (DAC):

Referred to DAC: Yes

The application was referred to the DAC for comments on one occasion. The DAC's comments were sought regarding the presentation of the proposal to the primary street and rear ROW. The DAC's comments can be summarised as follows:

- The greater variety and texture of materials are an improvement from the previous plans and are more sympathetic to the streetscape;
- The use of recycled brick is supported;
- The shift in material/articulation to break down the mass balances the impact of the blank wall;
- The fence design with piers is supported but more refinement is needed. Keep the fence piers simple;
- The fencing returns do not comply with the City's policy (perpendicular) and include excessive bulk;
- Consider reducing the height of the letterboxes to reduce the mass;
- Reconsider the location of the utilities (locate meter boxes to be in a less visually obtrusive but accessible side location);

- Reconsider the upper floor treatment of the blank walls with the potential to introduce some openings; and
- Consider planting a tree at the end of the driveway near the bin store as a focal point.

Subsequently to this, the applicant provided modified plans to address the comments provided by the DAC. The modified plans included:

- Amendments to the front fence to reduce the bulk by incorporating picket style fencing above a lower lighter colour wall, with fence piers of the same design;
- Reduced the height of the fencing returns to align with the lower wall proposed;
- Relocated the metre boxes and the letter boxes so that they are incorporated into this revised lower front wall;
- Reduced the blank rendered walls fronting the central driveway on the two front dwellings by wrapping the balcony balustrade around on the upper floors to reduce the bulk of the blank walls; and
- Proposed the planting of a tree at the end of the driveway to screen the bin store area.

The plans provided are considered to address the concerns raised and Administration was satisfied with the proposed amendments. As a result no further referrals to the DAC were undertaken.

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- City of Vincent Town Planning Scheme No. 1;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

The existing single houses are not on the City's Heritage List and do not require development approval from the City for their demolition given the exemption provisions included in the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant has the right to apply to the State Administrative Tribunal for a review of Council's determination.

It is noted that the landscaping of the Built Form Policy requires the approval of the Western Australian Planning Commission (WAPC) and as a result the assessment will only have 'due regard' to these provisions.

Draft Local Planning Scheme No. 2 (Draft LPS 2)

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No 2 (LPS2) is to be modified before final approval was to be granted. The Schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to the LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the LPS2 should be given due regard as part of the determination of this application. Proposed LPS2 and the modifications required do not impact on the subject property.

Delegation to Determine Applications:

This matter is being referred to Council as the proposal is for development classified 'Category 2' as the development incorporates six grouped dwellings.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment"

1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Streetscape

The application proposes a primary street setback of 4.5 metres in lieu of the deemed-to-comply standard set by the Built Form Policy of 8.4 metres. The subject site is located along a portion of Anzac Road which consists of a tree lined streetscape. The proposal now incorporates a range of materials and finishes including red face brick, weatherboard cladding and elements of render. The incorporation of the red face brick and weatherboard cladding is considered to reinterpret the existing development style which currently exists in the streetscape whilst the render is considered to add an element of contemporary architecture to the design which is also included in some of the designs on Anzac Road and the wider locality. Given this, the design is now considered to be sympathetic to the area and will preserve and enhance the visual character of the existing streetscape.

The inclusion of the aforementioned materials are also considered to reduce the impact of building bulk and scale of the overall development on the streetscape. The inclusion of these materials contributes to the perception of appropriate massing of the buildings and thus, present an acceptable scale to the streetscape. The positioning of windows and balconies on the upper floor of units 1 and 2 ensures that there is minimal area of the façade which is left blank.

The reduced street setback does not compromise the proposals ability to accommodate for landscaping which is capable of facilitating four trees to contribute to canopy cover to mitigate potential impacts on the streetscape.

The upper floors of units 1 and 2 include open balconies which overlook Anzac Road. The outdoor living areas of units 1 and 2 are located within the front setback area of the subject site and as a result a front fence is proposed to distinguish these outdoor living areas from the public realm. The outdoor living areas of both of the units can be directly accessed from the living rooms of each unit and given the northern frontage of the subject site, are open to the winter sun and are capable of attaining adequate sun light and ventilation.

The front fence now incorporates a simpler form with a lower white rendered wall and 400mm piers proposed with dark grey infill slates above. There are four 500mm piers proposed where the fence returns from the front boundary into the subject site. These piers have been included to accommodate three letter boxes on each side to provide for the six units proposed on site. The revised design of the front fence is now considered complement the existing front fences within the locality. This is considered to ensure that the visual character of the streetscape is not compromised.

Lot Boundary Setbacks/ Boundary Walls

Eastern Boundary

The first floor of unit 6 proposes a 1.91 metres setback to the eastern lot boundary in lieu of the required 2.4 metres. This wall does not include any major openings and therefore, will not result in any overlooking into the adjoining property. The proposal incorporates a range of materials and finishes which is considered to reduce the perception of building bulk on the adjoining landowners. The orientation of the subject site ensures that the shadow cast on 21 June 2017 falls onto the site itself and onto the ROW.

Western Boundary

The ground floor of unit 1 proposes a 1.6 metres setback to the western lot boundary in lieu of the required 3 metres. The majority of this wall does not incorporate any major opening with the exception of one opening to the kitchen. This window has a sill height of 1 metre and a top of window height of 2 metres and therefore 0.2 metres of the opening will protrude above the fence line. This is considered to have a negligible impact on the adjoining landowner in terms of loss of privacy.

The wall on the western boundary is articulated and broken up to provide of a drying court. As a result this wall is not continuous and is considered to reduce the perception of building bulk on the adjoining landowners. The proposed landscaping at the ground level will also assist in reducing the impact of the development on the neighbouring property and will provide a sense of open space between buildings.

The proposed boundary walls on the western elevation of the subject site exceed the average permitted height by 0.1 metres. The proposed development has been designed to consider the immediate locality and respond to the neighbouring context, with the plans depicting contrasting materials and finishes to the external walls of the dwelling which assist in mitigating the impact of building bulk on the adjoining properties.

The proposed boundary walls are not adjacent to any outdoor living areas or major openings of the adjoining properties and are not considered to have an impact in terms of bulk. The proposed boundary walls will not result in overshadowing onto the adjoining properties as the orientation of the subject site will allow for the shadow to be cast onto the right of way. The design allows the habitable areas of the dwelling, including the open space and the designated outdoor living area, to be fully open to direct sun and ventilation. Given the above the setbacks to the western boundary are considered to meet the design principles of the R-Codes.

Building Height and Site Works

Units 1 and 2 incorporate a maximum wall height of 6.9 metres and 6.6 metres respectively in lieu of the maximum 6 metres permitted under the City's Built Form Policy. The 6.6 metres high wall of unit 2 is on the eastern elevation which faces towards the common property and therefore, will not be readily visible from the primary street and will not compromise on the overall character of the locality.

The proposal does not result in any overlooking into the adjacent properties and due to the orientation of the site, the shadow cast on 21 June 2017, will fall onto the subject site itself and onto the right of way. The proposal meets the deemed-to-comply standard of Clauses 5.4.1 and 5.4.2 of the R-Codes relating to visual privacy and overshadowing respectively.

The proposal has incorporated a range of materials and finishes including red brick, weatherboard cladding and rendered panels. This is considered to ensure that the development is in keeping with the character of the locality and is complimentary to the existing developments.

The development proposes fill and associated retaining to a maximum height of 600mm in lieu of 500mm, which results from a proportion of cut and fill works for a section of the site to account for the current slope on the property. The proposed site works are considered to be minor in nature and are principally located towards the middle of the property and minimise any potential impact to the adjoining properties.

Landscaping

The proposal complies with the requirements of the R-Codes relating to landscaping. The total deep soil zones provided equates to 14 percent of the site area. Although this is a departure from the deemed-to-comply provisions of the City's Built Form Policy, which requires 15 percent of the site area to be landscaped, it is considered that this area will be sufficient in reducing the impact of the development on the surrounding area.

In isolation, each lot (not including the common property) has been provided with 15 percent landscaping. These areas are capable of accommodating trees which, at maturity, will provide canopy cover and provide an increase urban air quality and a sense of open space between the units.

A detailed landscaping plan has not been submitted as part of this application however, a condition requiring a detailed landscaping plan to be lodged and approved by the City has been recommended. This will ensure that the landscaping provided.

External Fixtures

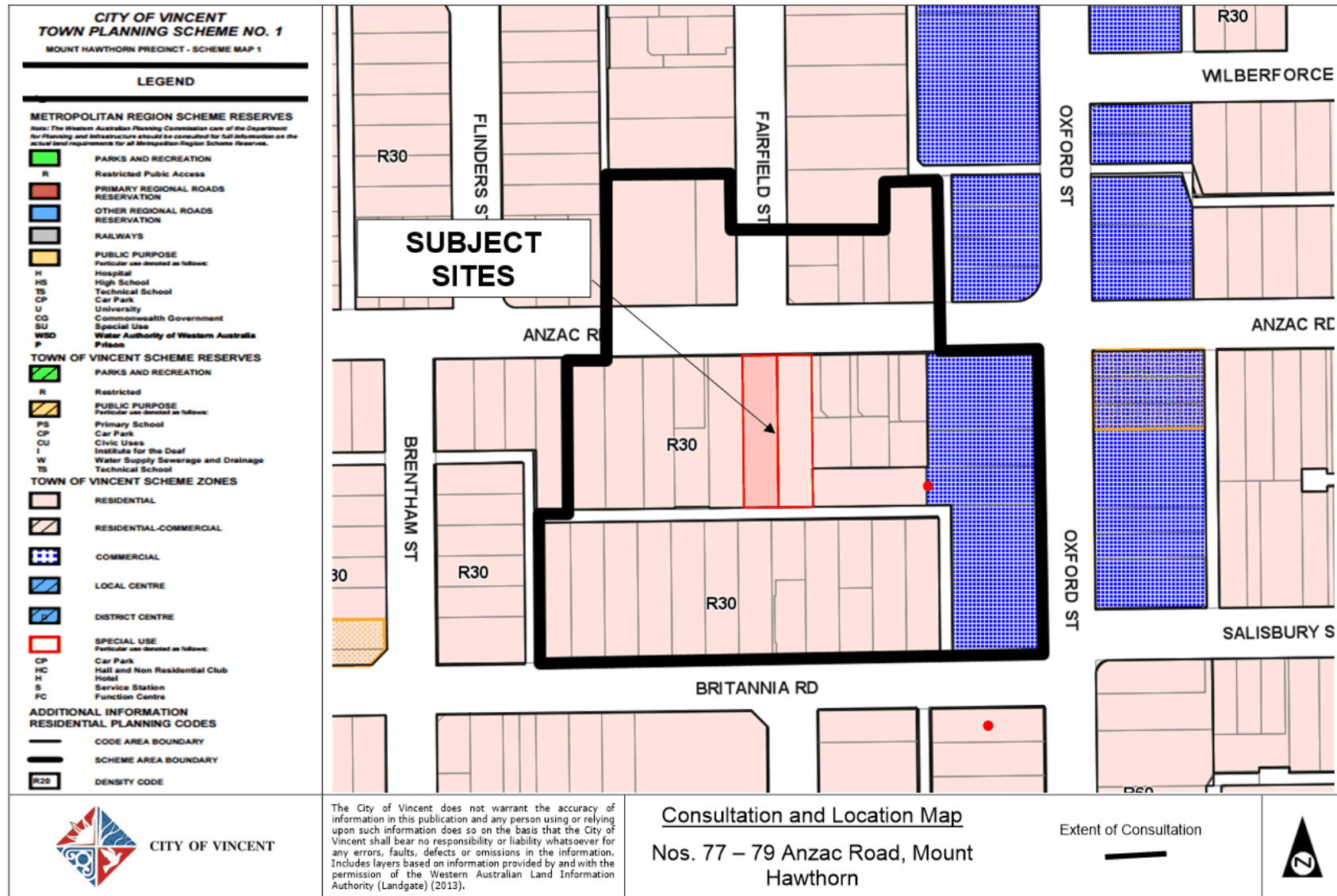
The proposal incorporates a number of metre boxes to service the proposed units. Two of which are located on the front fence in each corner of the subject site. The remainder of the meter boxes have been located on the fence fronting onto the common property of the proposal. All metre boxes are located perpendicular to the street and therefore, cannot be readily seen from the street. Furthermore, the impact of the side of the meter boxes is considered to be significantly less than that of the face of the meter boxes. The verge on the north western corner of the subject site has an existing mature tree which is not proposed to be relocated or removed as part of this application. This tree is considered to provide some screening of the meter box. It is considered that the meter boxes cannot be readily seen from the street and therefore, will not have a detrimental impact on the overall streetscape.

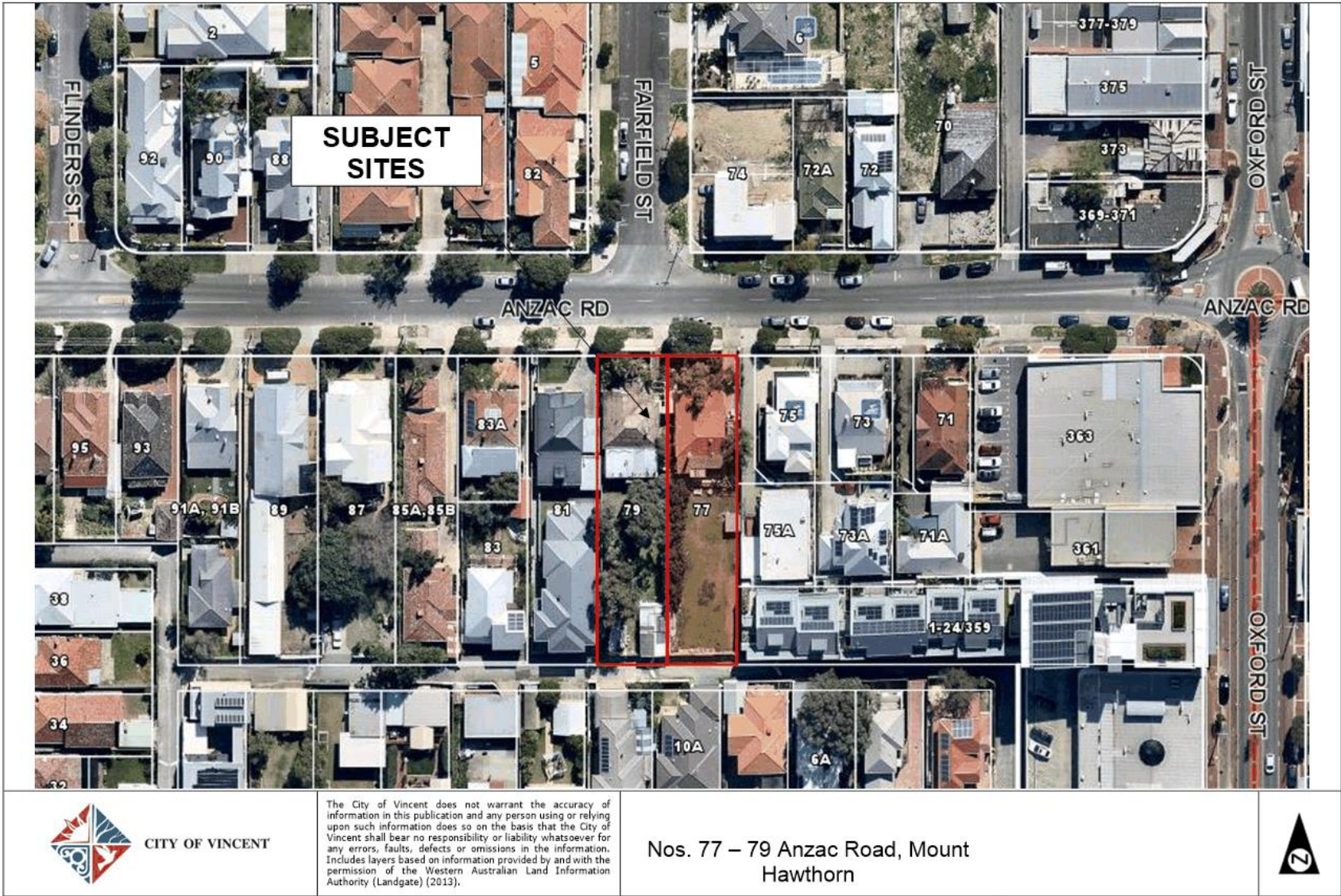
Privacy

The cone of vision setback of the proposed balconies of units 3 and 6 will marginally fall into the adjoining properties to the east and west and may impact on the adjoining landowners. Given the potential for direct overlooking, a condition is recommended to ensure the proposed balconies are screened to satisfy the visual privacy requirements of the Residential Design Codes.

Conclusion

The proposal requires Council to exercise its discretion in relation to the proposed development. For the reasons outlined in the body of the report, the departures from the deemed-to-comply standards of the City's Built Form Policy and the R-Codes are considered to address the Local Housing Objectives and Design Principles respectively. The proposal incorporates a range of materials and finishes which are considered to be a reinterpretation of the existing streetscape. Furthermore, the external appearance of the proposal and the materiality incorporated are considered to significantly reduce the perception of building bulk. In light of this, it is recommended that the application be approved subject to conditions.







Your Ref : 7.2015.46.1 PR10281
 Enquiries : Catherine Beamish (Ph 6551 9424)

Chief Executive Officer
 City of Vincent
 P O Box 82
 LEEDERVILLE WA 6902

CITY OF VINCENT	
File Ref	Folio
Action Officer	
RECEIVED 04 JAN 2016	
CEO	
CORP SERV	
COMM SERV	
PLAN SERV	
TECH SERV	
REPORT -	REPLY - ACTION - NOTE - PSM

Approval Subject To Condition(s) Survey-Strata Plan

Application No : 921-15

Planning and Development Act 2005

Applicant	: Giudice Surveys P O Box 3526 SUCCESS WA 6964
Owner	: Peter James Haselhurst P O Box 713 CLAREMONT WA 6910
Application Receipt	: 31 July 2015

Lot Number	: 3 & 4
Diagram / Plan	: Diagram 7680
Location	: -
C/T Volume/Folio	: 1005/26, 1492/876
Street Address	: Anzac Road, Mount Hawthorn
Local Government	: City of Vincent

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a survey-strata plan in accordance with the plan date-stamped 31 July 2015 once the condition(s) set out have been fulfilled.

This decision is valid for four years from the date of this advice, which includes the lodgement of the survey-strata plan within this period.

The survey-strata plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 22 December 2019 or this approval no longer will remain valid.

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
 Tel: (08) 6551 9000; Fax: (08) 6551 9001; Infoline: 1800 626 477
 e-mail: corporate@planning.wa.gov.au; web address <http://www.planning.wa.gov.au>
 ABN 35 482 341 493



Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Survey-strata plan

The survey-strata plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the survey-strata plan. A copy of the survey-strata plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a survey-strata plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the survey-strata plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the survey-strata plan.

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ABN 35 482 341 493



If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the survey-strata plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITIONS:

1. The plan of subdivision is to be modified so that:
 - (i) no lot is less than 260m² in area;
 - (ii) the central shared driveway from Anzac Road is shown as common property;
 - (iii) the common property driveway is extended east and west to reach proposed lots 3 and 6 by way of a 0.5m leg of common property area;
 - (iv) proposed lots 4 and 5 include a Pedestrian and Services Easement in favour of proposed lots 3 and 6 respectively, of 0.5m across the extent of their northern boundaries;
 - (v) proposed lots 1 and 2 include a 1.0m wide Vehicle and Pedestrian Easement in favour of proposed lots 1, 2, 3, 4, 5 and 6 along the northernmost 6.0m of their boundary which abuts the central common property driveway.

(Local Government)
2. All dwelling(s) being constructed to plate height prior to the submission of the diagram or plan of survey (deposited plan). (Local Government)



3. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a) lots can accommodate their intended development; and
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.

(Local Government)
4. Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the local government. (Local Government)
5. The right-of-way adjoining proposed lots 3, 4, 5, and 6 being widened 0.5 metres by the landowner/applicant transferring the land required to the Crown free of cost for the purpose of widening the right of way. (Local Government)
6. The section of right-of-way widened in accordance with this approval, is to be constructed and drained at the full cost of the landowner/applicant. (Local Government)
7. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
8. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
9. Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)
10. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey-strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)

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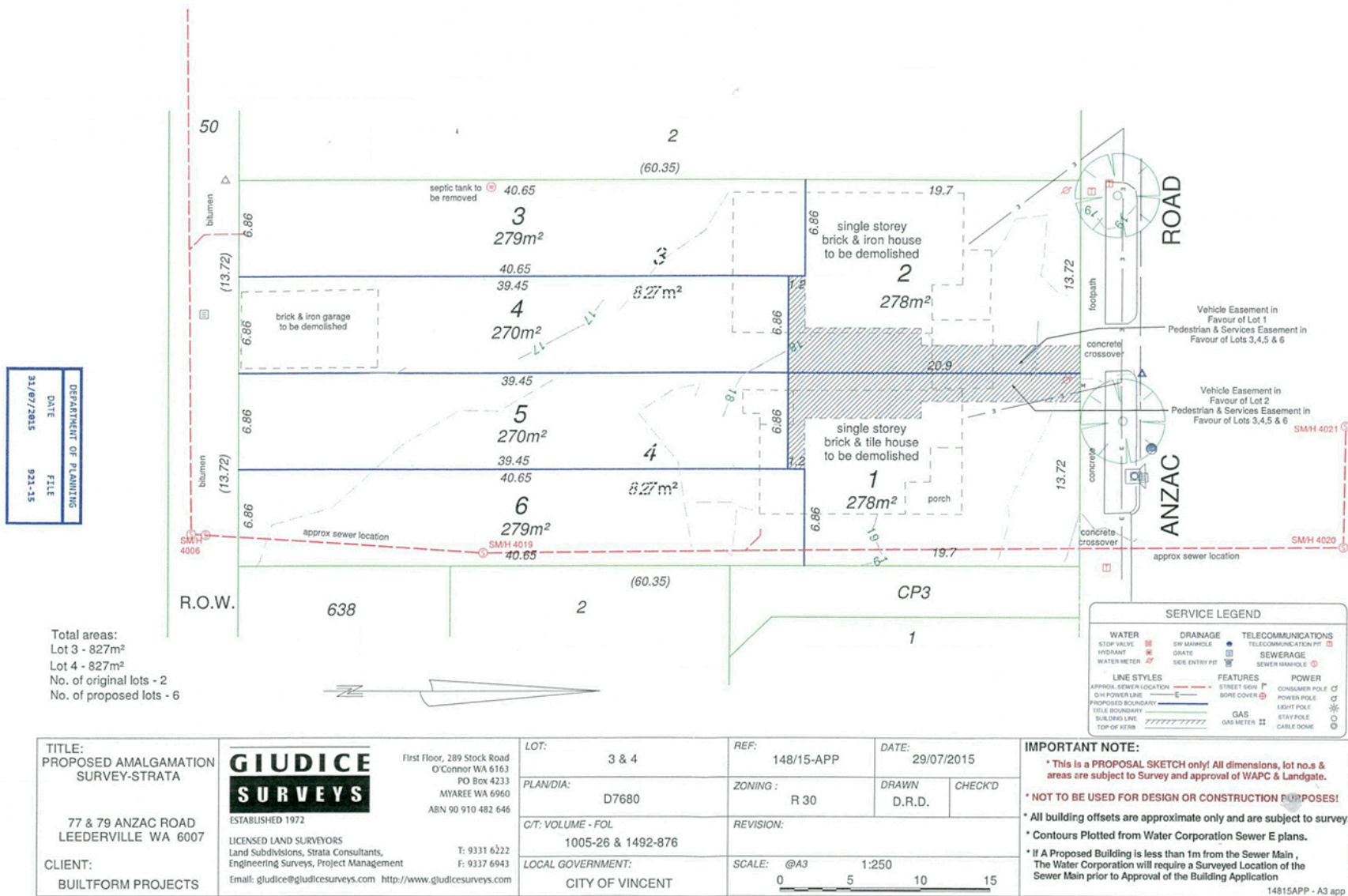
11. The transfer of land for the purpose of electricity supply infrastructure to be shown on the diagram or plan of survey (deposited plan) as a reserve and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without payment of compensation. (Western Power)

ADVICE

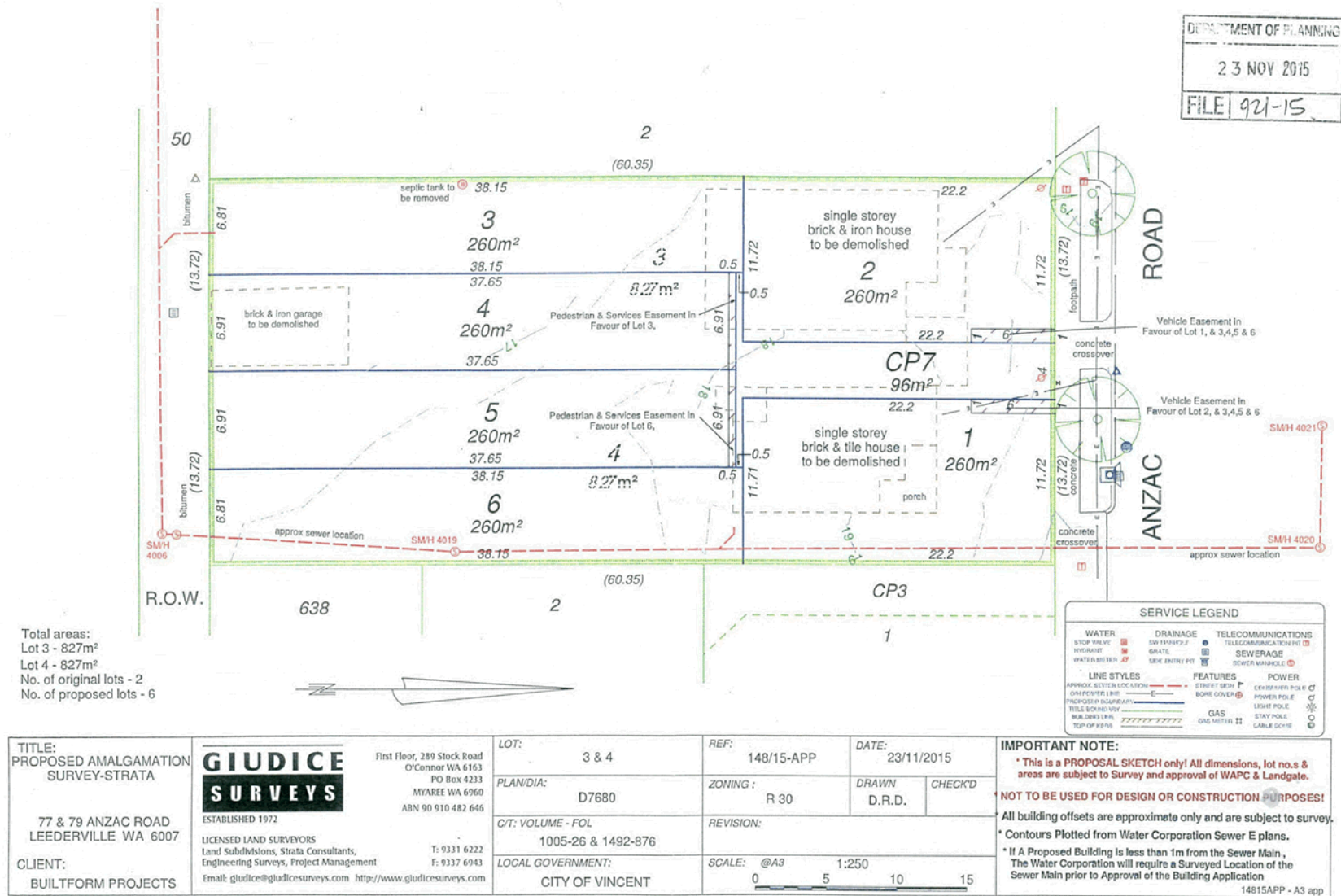
1. In regard to Condition 1, the required modifications are reflected on the 'concept plan' by Giudice Surveys date-stamped 23 November 2015 (attached).
2. In regard to Condition/s 7, 8 and 9, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.
3. In regard to Condition 10, Western Power provides only one underground point of electricity supply per freehold lot.
4. The City of Vincent advise that the subdivision falls within a low point in the right-of-way and flooding reports have been received during severe weather events, and suggest that levels should be considered in this regard.

A handwritten signature in black ink, appearing to read "Kerrine Blenkinsop".

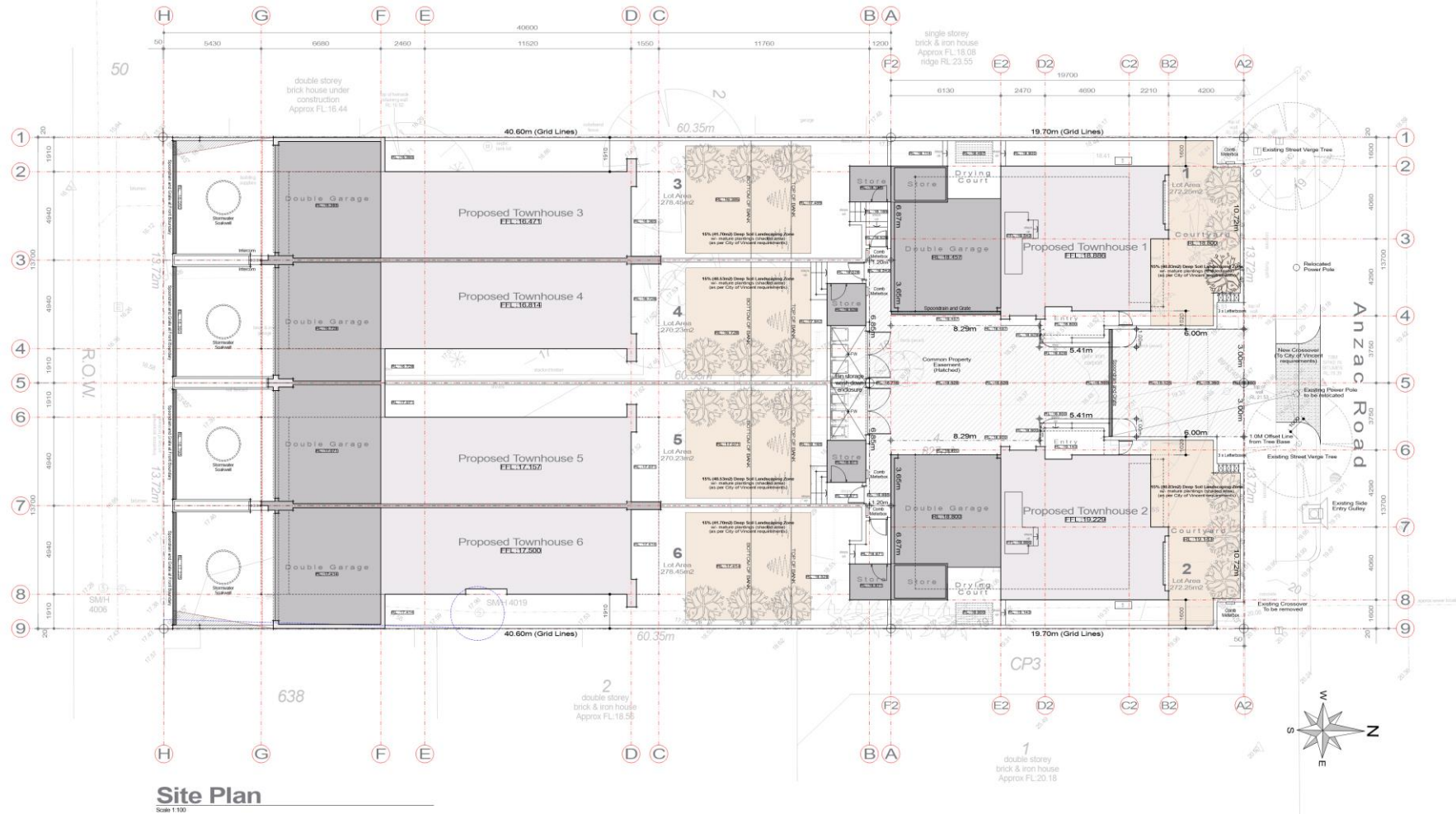
Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
22 December 2015

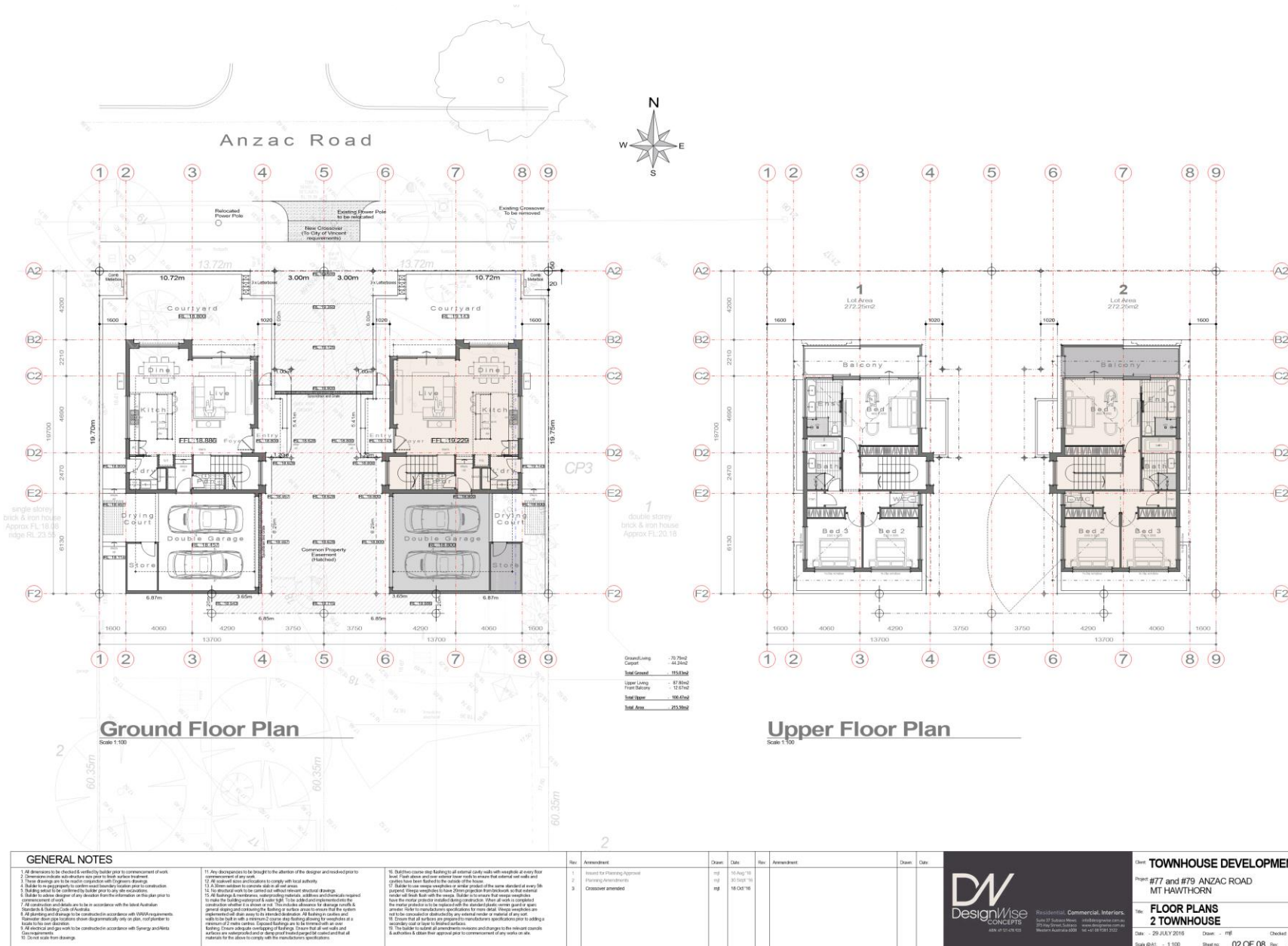


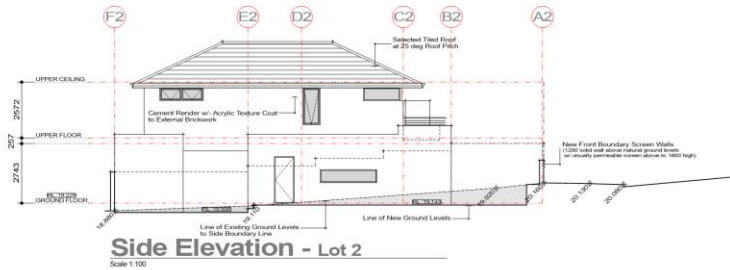
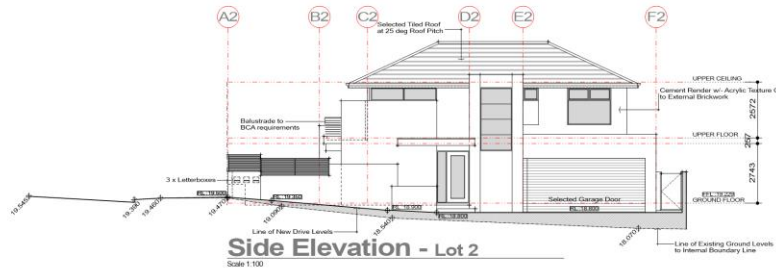
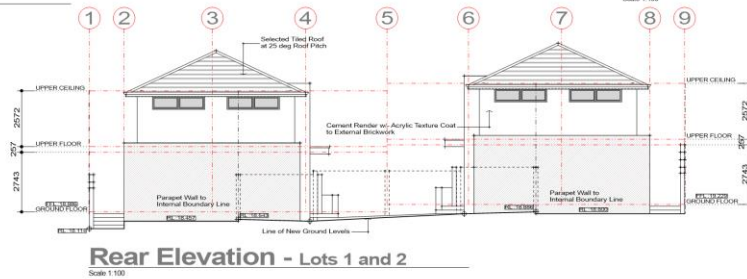
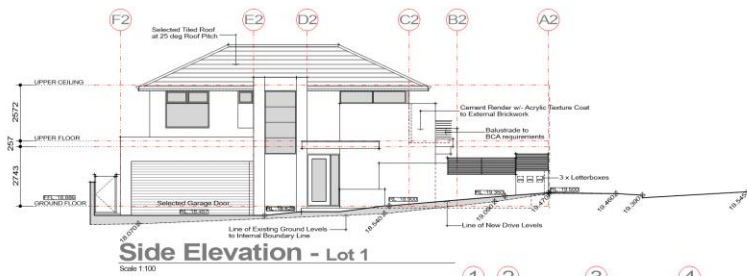
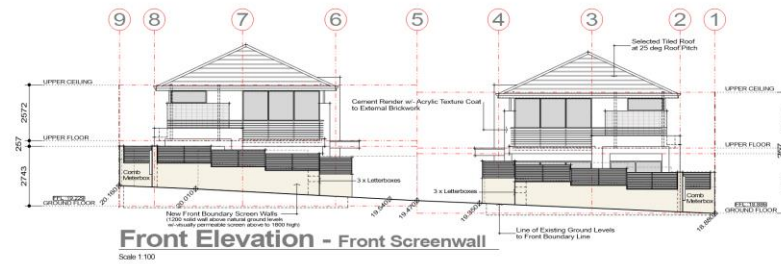
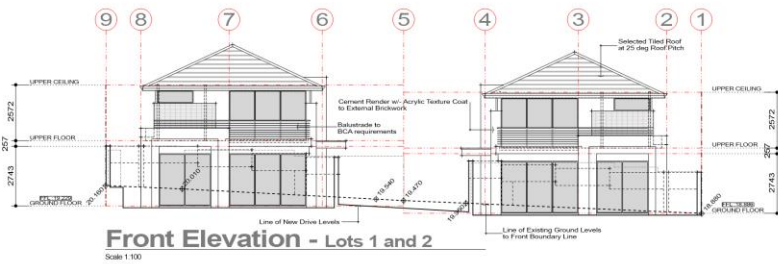
ATTACHMENT 1

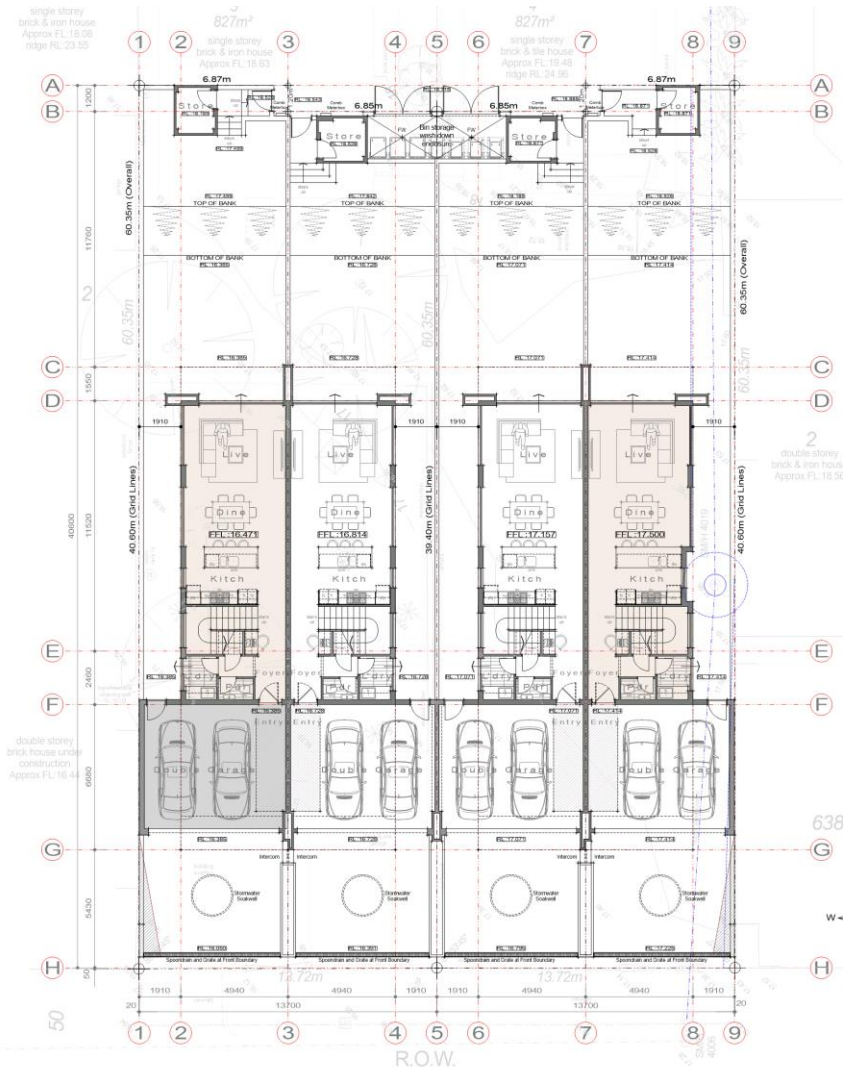


ATTACHMENT 2

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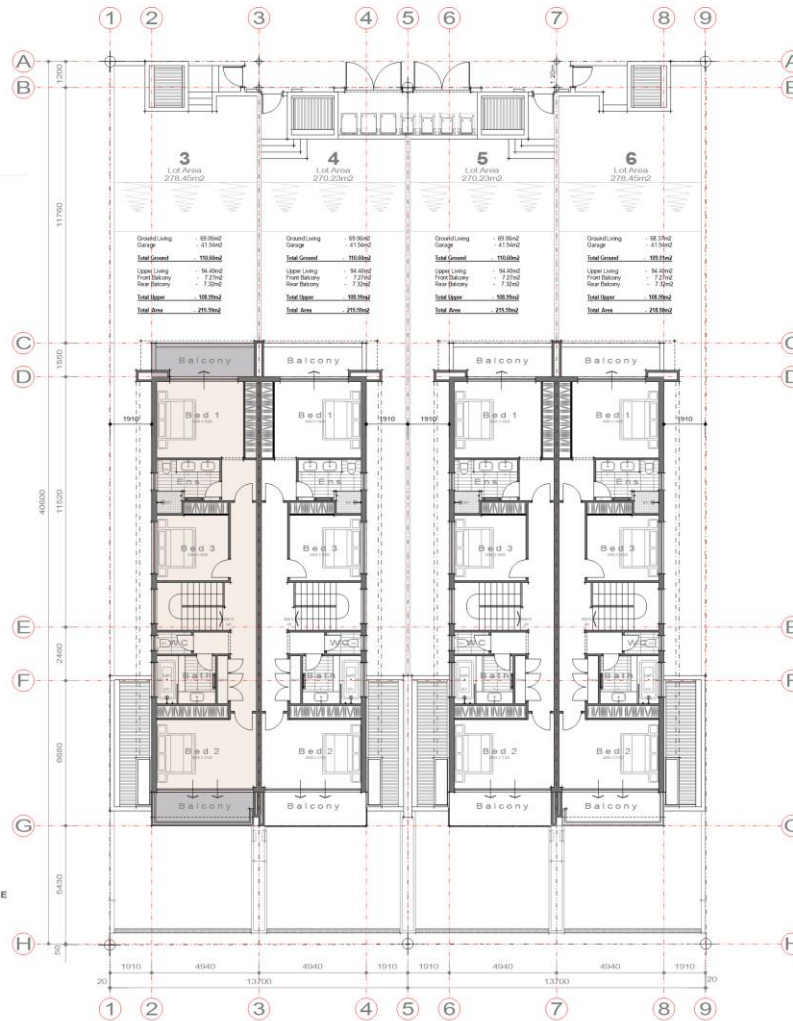


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Ground Floor Plan

Scale 1:100



Upper Floor Plan

Scale 1: 100

GENERAL NOTES										Rev	Amendment	Draw	Date	Rev	Amendment	Draw	Date
1. All dimensions are the architect's authority unless given to commencement of work.										1	1	1	16/04/16	1	1	1	16/04/16
2. Commence construction with structure and site prior to earth foundation work.										2	2	2	16/04/16	2	2	2	16/04/16
3. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
4. Building work to be completed before any other work.																	
5. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
6. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
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9. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
10. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
11. Any discrepancies to be brought to the attention of the designer and resolved prior to commencement of any work.										1	1	1	16/04/16	1	1	1	16/04/16
12. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.										2	2	2	16/04/16	2	2	2	16/04/16
13. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
14. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	
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20. Where the architect has indicated a specific construction method, it is to be followed unless otherwise stated.																	

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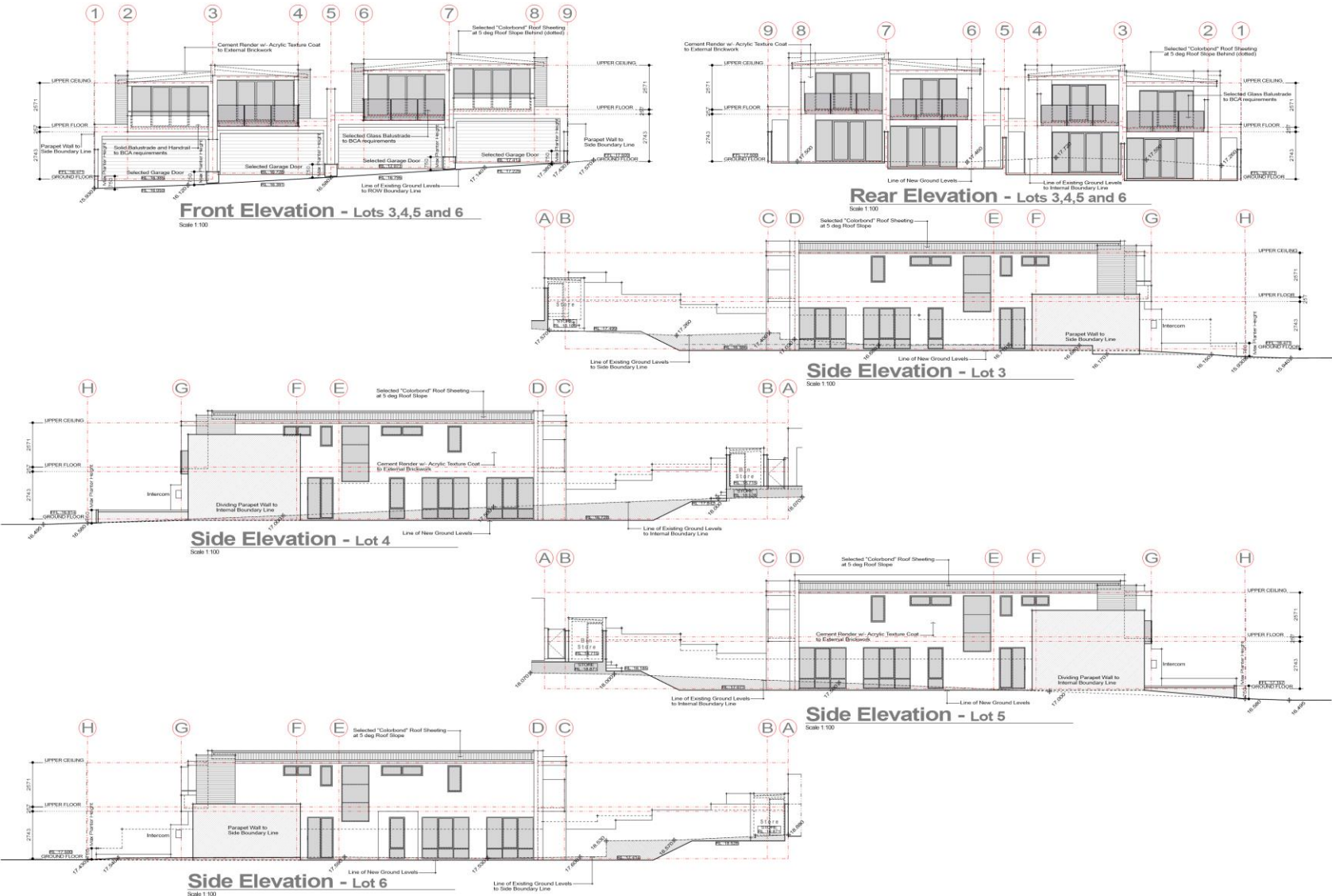
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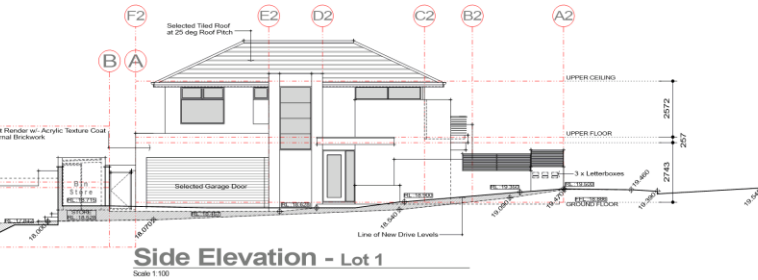
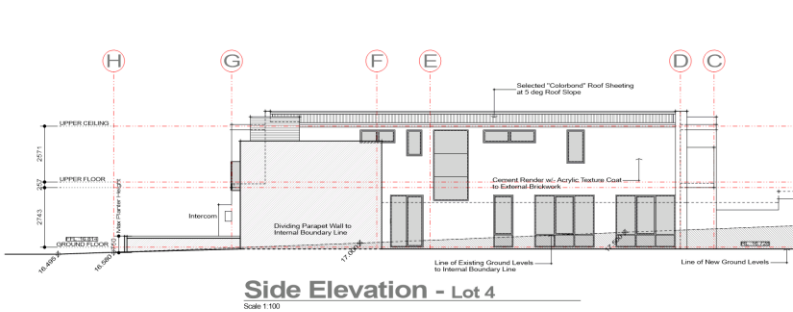
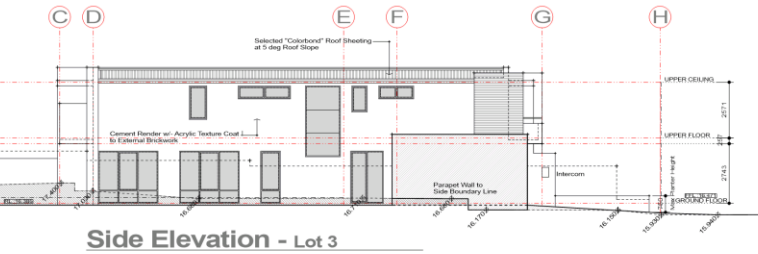
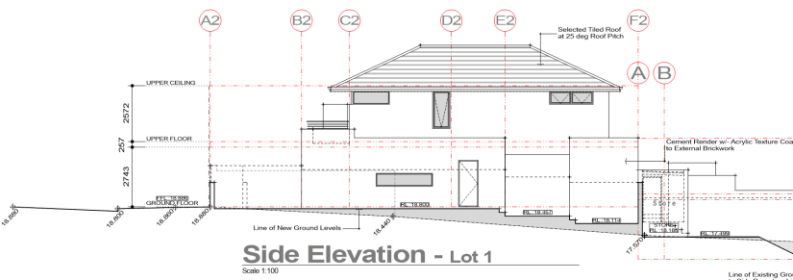
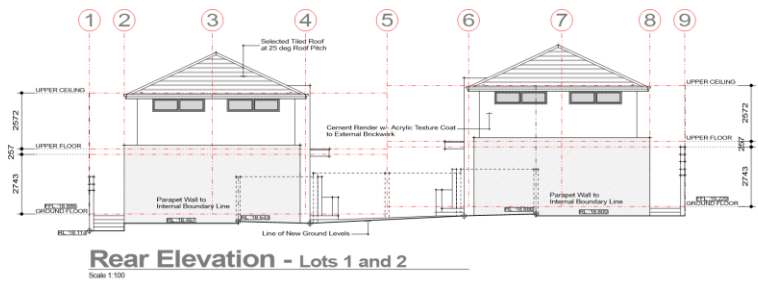
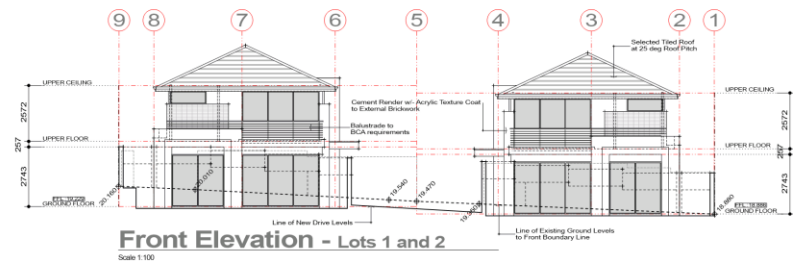
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16/04/16

2</



GENERAL NOTES		Rev	Amendment	Drawn	Date	Rev	Amendment	Drawn	Date
1. All dimensions to be checked by builder prior to commencement of work. 2. Dimensions include site location and are to be taken from the centre of the lot. 3. All dimensions are to be taken from the centre of the lot. 4. All dimensions are to be taken from the centre of the lot. 5. All dimensions are to be taken from the centre of the lot. 6. All dimensions are to be taken from the centre of the lot. 7. All dimensions are to be taken from the centre of the lot. 8. All dimensions are to be taken from the centre of the lot. 9. All dimensions are to be taken from the centre of the lot. 10. All dimensions are to be taken from the centre of the lot.		1	Amendment	10	10 Aug 16	2	Amendment	10	10 Aug 16
11. All dimensions are to be taken from the centre of the lot. 12. All dimensions are to be taken from the centre of the lot. 13. All dimensions are to be taken from the centre of the lot. 14. All dimensions are to be taken from the centre of the lot. 15. All dimensions are to be taken from the centre of the lot. 16. All dimensions are to be taken from the centre of the lot. 17. All dimensions are to be taken from the centre of the lot. 18. All dimensions are to be taken from the centre of the lot. 19. All dimensions are to be taken from the centre of the lot. 20. All dimensions are to be taken from the centre of the lot.		3	Amendment	10	10 Aug 16	4	Amendment	10	10 Aug 16
21. All dimensions are to be taken from the centre of the lot. 22. All dimensions are to be taken from the centre of the lot. 23. All dimensions are to be taken from the centre of the lot. 24. All dimensions are to be taken from the centre of the lot. 25. All dimensions are to be taken from the centre of the lot. 26. All dimensions are to be taken from the centre of the lot. 27. All dimensions are to be taken from the centre of the lot. 28. All dimensions are to be taken from the centre of the lot. 29. All dimensions are to be taken from the centre of the lot. 30. All dimensions are to be taken from the centre of the lot.		5	Amendment	10	10 Aug 16	6	Amendment	10	10 Aug 16

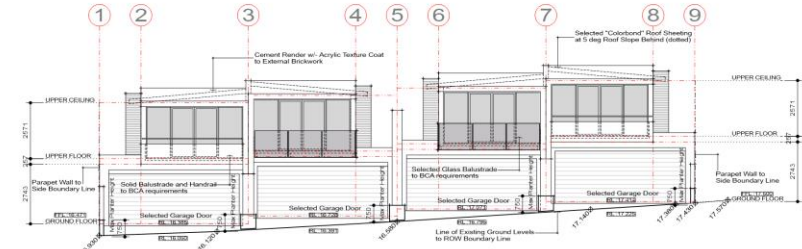


GENERAL NOTES										Rev	Amendment	Date	Date	Rev	Amendment	Date	Date
1. All dimensions to be indicated and verified by builder prior to commencement of work. 2. Dimensions include substructure data prior to final surface treatment. 3. These drawings are to be read in conjunction with Engineers drawings. 4. Builder to verify all dimensions to be indicated & verified by builder prior to commencement of work. 5. Builder to verify all dimensions to be indicated & verified by builder prior to commencement of work. 6. Builder to verify all dimensions to be indicated & verified by builder prior to commencement of work. 7. All dimensions to be indicated & verified by builder prior to commencement of work. 8. All dimensions to be indicated & verified by builder prior to commencement of work. 9. All dimensions to be indicated & verified by builder prior to commencement of work. 10. Do not scale from drawings.										1	As per the drawings to be brought to the attention of the designer and resolved prior to commencement of any work. 11. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 12. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 13. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 14. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 15. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 16. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 17. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 18. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 19. All work to be done in accordance with the latest Australian Standards & Building Code of Australia. 20. All work to be done in accordance with the latest Australian Standards & Building Code of Australia.	2	Planning Amendments	10/08/16	30/09/16		
16. Builders ensure that footings to all external walls shall be complete in every direction. Footings should extend below external walls to ensure that external walls and corners have been founded to the depth of the lowest zone. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. Builders are to ensure that footings are complete in every direction. 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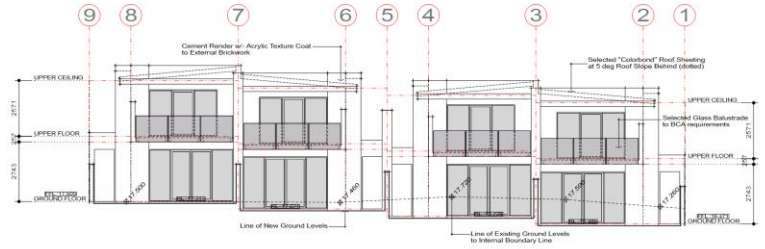
DesignWise
CONCEPTS

Residential, Commercial, Interiors.
2017 May Street, Suite 101
Melbourne, Victoria 3000
Tel: 03 9594 1234
Email: info@designwise.com.au

Client: **TOWNHOUSE DEVELOPMENT**
Project: **#77 and #79 ANZAC ROAD MT HAWTHORN**
Title: **COMBINED ELEVATIONS 2 TOWNHOUSE**
Date: 29 JULY 2016
Scale: A1: 1:100
Drawn: PFB
Sheet no: 06 OF 08
Rev: 2



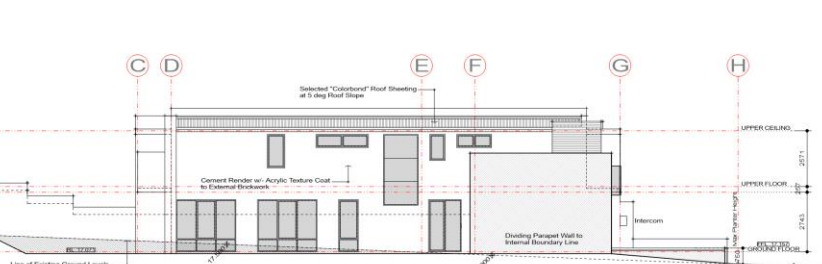
Front Elevation - Lots 3,4,5 and 6
Scale 1:100



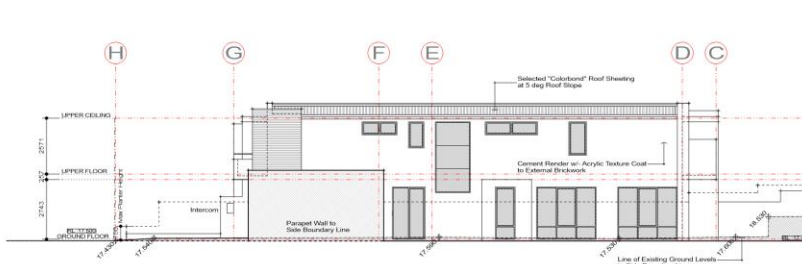
Rear Elevation - Lots 3,4,5 and 6
Scale 1:100



Side Elevation - Lot 2
Scale 1:100



Side Elevation - Lot 5
Scale 1:100



Side Elevation - Lot 6
Scale 1:100



Side Elevation - Lot 2
Scale 1:100

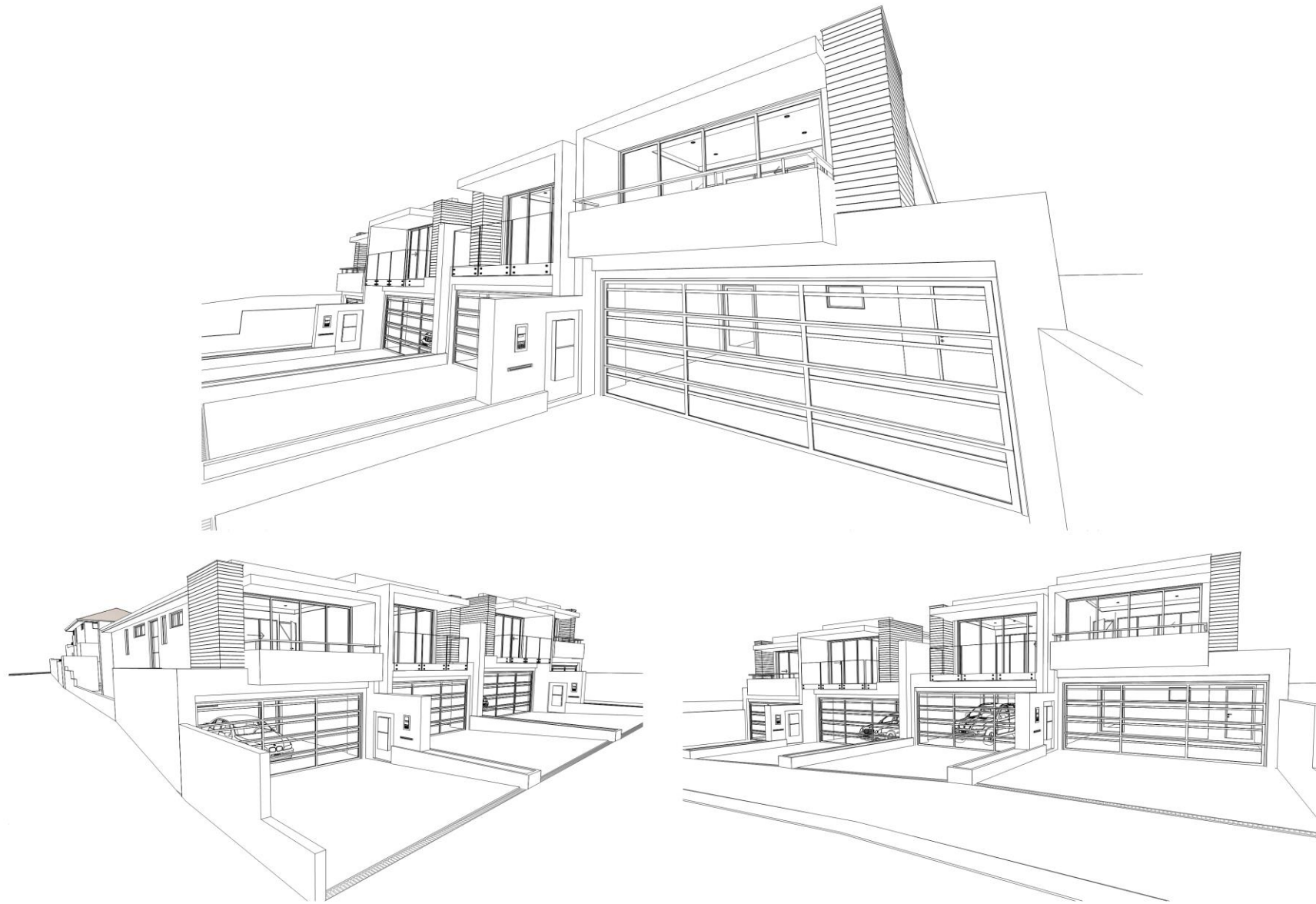
GENERAL NOTES		Rev	Amendment	Date	Date	Rev	Amendment	Date	Date
1. All dimensions to be checked & verified by builder prior to commencement of work.		1	Issued for Planning Approval	19	16 Aug 16				
2. Dimensions to be checked & verified by builder prior to commencement of work.		2	Planning Amendments	19	30 Sept 16				
3. These drawings are to be read in conjunction with Engineers Drawings.									
4. Builder to provide details to comply with Building Code of Australia.									
5. Building to be constructed in accordance with the Building Code of Australia.									
6. Builder to provide details to comply with Building Code of Australia.									
7. All construction and details to be in accordance with the latest Australian Standards & Building Code of Australia.									
8. All construction and details to be in accordance with the latest Australian Standards & Building Code of Australia.									
9. All construction and details to be in accordance with the latest Australian Standards & Building Code of Australia.									
10. Do not scale from drawings.									
11. Any discrepancies to be brought to the attention of the designer and resolved prior to commencement of work.									
12. All external work to be completed in accordance with local authority.									
13. A. Downpipes to be installed in accordance with local authority.									
14. No structural work to be carried out without relevant structural drawings.									
15. All building & construction materials, including materials, address and materials required to meet the building code of Australia.									
16. The building to be constructed in accordance with the Building Code of Australia.									
17. The building to be constructed in accordance with the Building Code of Australia.									
18. The building to be constructed in accordance with the Building Code of Australia.									
19. The building to be constructed in accordance with the Building Code of Australia.									
20. The building to be constructed in accordance with the Building Code of Australia.									



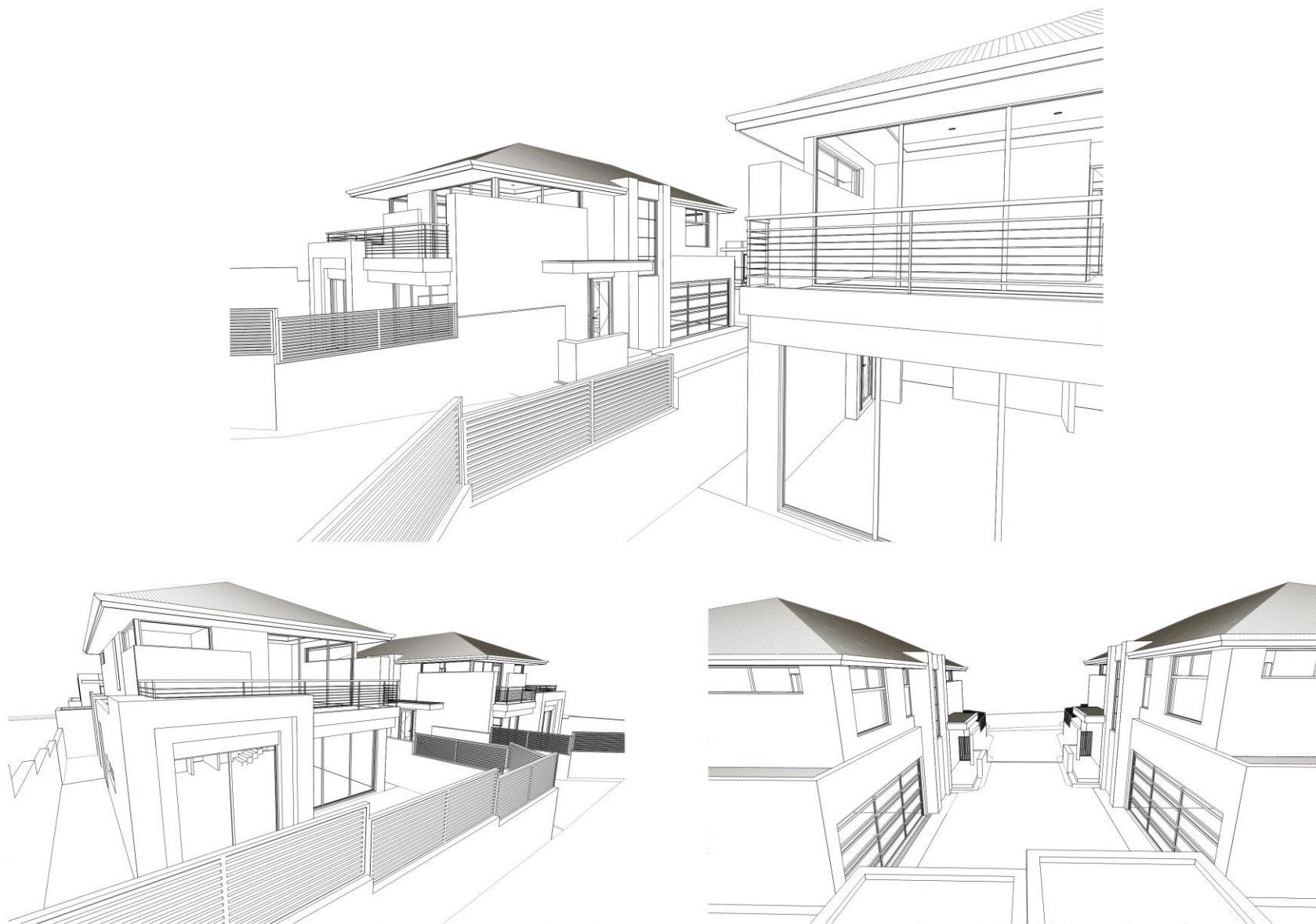
DesignWise
CONCEPTS
ARCHITECTS

Client: **TOWNHOUSE DEVELOPMENT**
Project: **#77 and #79 ANZAC ROAD MT HAWTHORN**
Title: **COMBINED ELEVATIONS 4 TOWNHOUSE**
Date: 28 JULY 2016
Scale: 1:100
Sheet no: 07 OF 08
Rev: 2

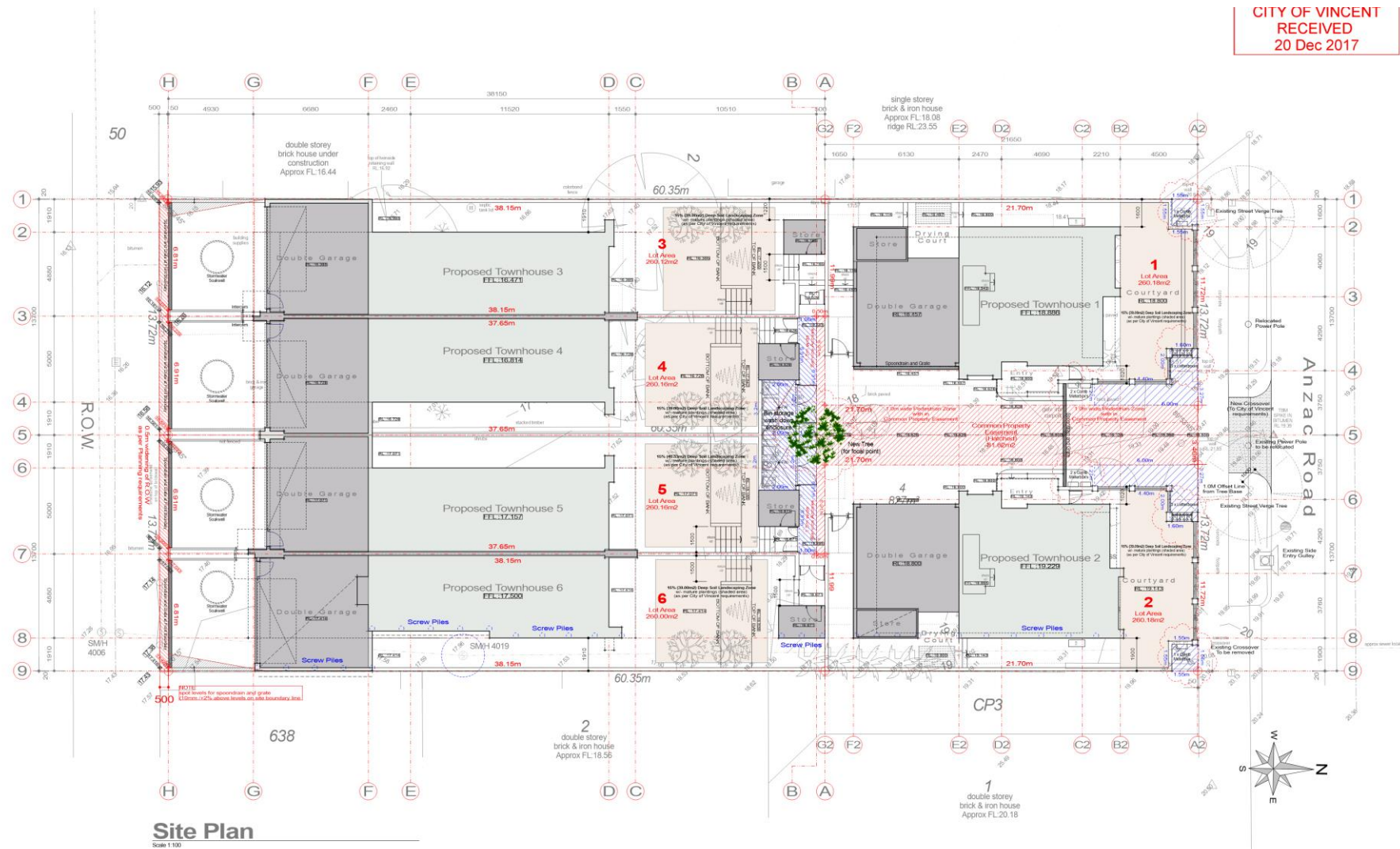






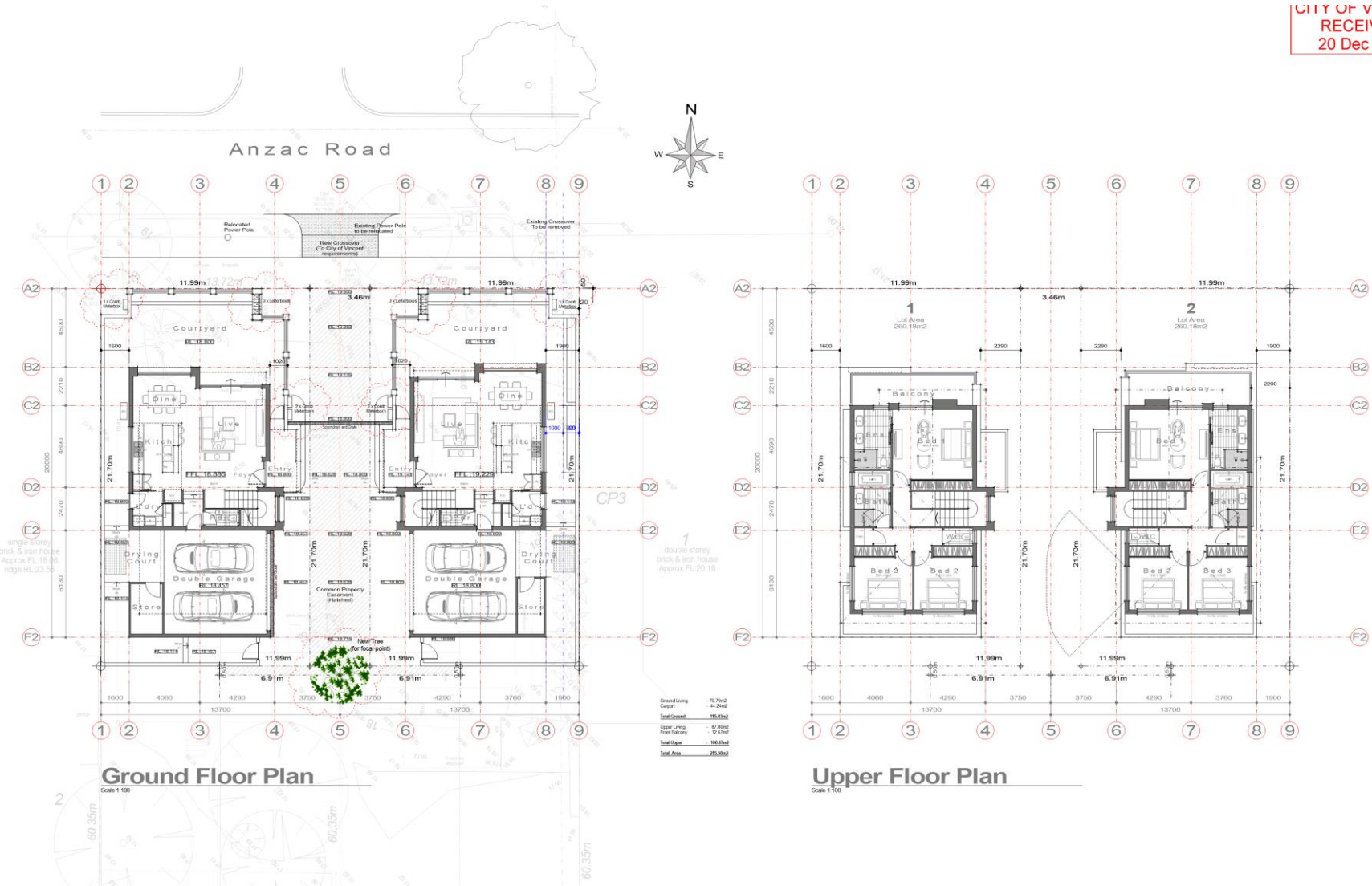






GENERAL NOTES				Revisions				Revisions			
<p>1. All dimensions are to be checked and verified by the builder prior to commencement of work.</p> <p>2. Dimensions include substructure and prior to commencement of work.</p> <p>3. These drawings are to be made in accordance with the Victorian Building Act 1993 and the Victorian Building Regulations 2018.</p> <p>4. Building permit is to be obtained prior to any construction work.</p> <p>5. Make sure to check all dimensions and levels before commencing work.</p> <p>6. Make sure to check all dimensions and levels before commencing work.</p> <p>7. Make sure to check all dimensions and levels before commencing work.</p> <p>8. Make sure to check all dimensions and levels before commencing work.</p> <p>9. Make sure to check all dimensions and levels before commencing work.</p> <p>10. Make sure to check all dimensions and levels before commencing work.</p>				Rev	Amendment	Date	Rev	Amendment	Date	Rev	Amendment
<p>11. Any discrepancy to be brought to the attention of the Designer and resolved prior to commencement of work.</p> <p>12. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>13. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>14. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>15. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>16. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>17. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>18. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>19. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p> <p>20. All dimensions and levels are to be checked and verified by the builder prior to commencement of work.</p>				1	Issued for Planning Approval	16 Aug '16	1	Issued for Planning Approval	16 Aug '16	1	Issued for Planning Approval
				2	Planning Amendments	30 Sep '16	2	City of Vincent request amendments	10 Dec '17	2	City of Vincent request amendments
				3	Planning Amendments	10 Oct '16	3	City of Vincent request amendments	10 Dec '17	3	City of Vincent request amendments
				4	Consent amended	18 Oct '16	4	Consent amended	18 Oct '16	4	Consent amended
				5	Consent amended	18 Oct '16	5	Consent amended	18 Oct '16	5	Consent amended
				6	Consent amended	18 Oct '16	6	Consent amended	18 Oct '16	6	Consent amended
				7	Consent amended	18 Oct '16	7	Consent amended	18 Oct '16	7	Consent amended
				8	Consent amended	18 Oct '16	8	Consent amended	18 Oct '16	8	Consent amended
				9	Consent amended	18 Oct '16	9	Consent amended	18 Oct '16	9	Consent amended
				10	Consent amended	18 Oct '16	10	Consent amended	18 Oct '16	10	Consent amended

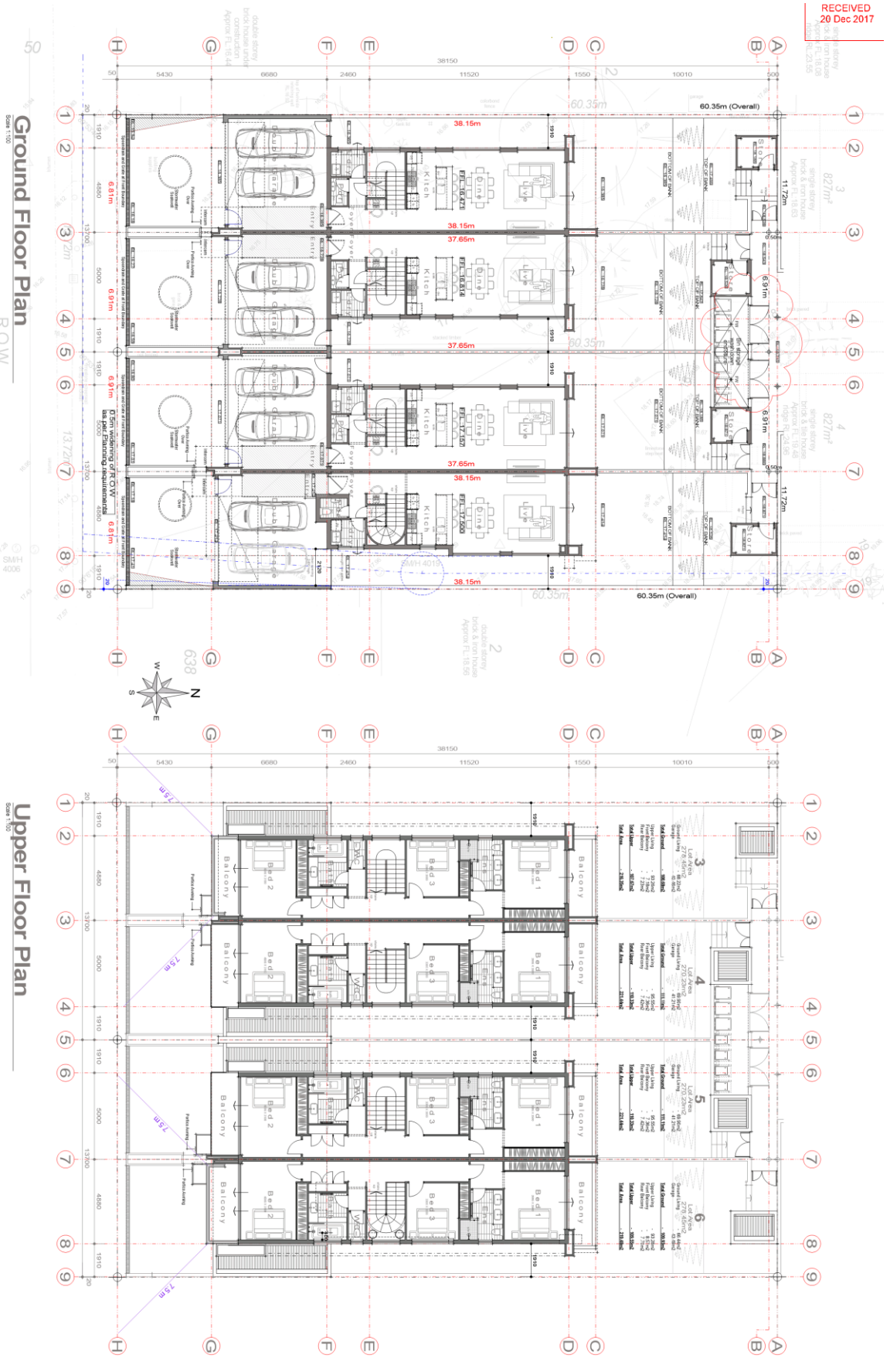
CITY OF VINCENT
RECEIVED
20 Dec 2017



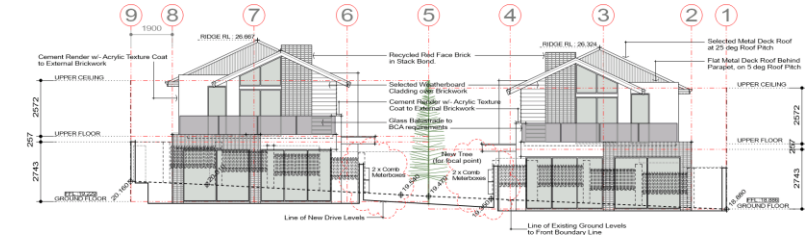
GENERAL NOTES				Rev		Amendment		Date	Date	Rev		Amendment		Date	Date
1. All dimensions to be checked & verified by builder prior to commencement of work.	2. Dimensions include wall thicknesses & floor thicknesses.	3. These drawings are to be used in conjunction with Engineers drawings.	4. Builders to refer to drawings to confirm floor levels & ceiling heights.	5. Building levels to be confirmed by builder prior to any site excavation.	6. Builders to refer to drawings to confirm floor levels & ceiling heights.	7. All construction and details are to be in accordance with the latest Australian Standards & Building Code of Australia.	8. All planning and design to be constructed in accordance with VBAH requirements.	9. Builders to refer to drawings to confirm floor levels & ceiling heights.	10. Builders to refer to drawings to confirm floor levels & ceiling heights.	11. Builders to refer to drawings to confirm floor levels & ceiling heights.	12. Builders to refer to drawings to confirm floor levels & ceiling heights.	13. Builders to refer to drawings to confirm floor levels & ceiling heights.	14. Builders to refer to drawings to confirm floor levels & ceiling heights.	15. Builders to refer to drawings to confirm floor levels & ceiling heights.	16. Builders to refer to drawings to confirm floor levels & ceiling heights.
17. Builders to refer to drawings to confirm floor levels & ceiling heights.	18. Builders to refer to drawings to confirm floor levels & ceiling heights.	19. Builders to refer to drawings to confirm floor levels & ceiling heights.	20. Builders to refer to drawings to confirm floor levels & ceiling heights.	21. Builders to refer to drawings to confirm floor levels & ceiling heights.	22. Builders to refer to drawings to confirm floor levels & ceiling heights.	23. Builders to refer to drawings to confirm floor levels & ceiling heights.	24. Builders to refer to drawings to confirm floor levels & ceiling heights.	25. Builders to refer to drawings to confirm floor levels & ceiling heights.	26. Builders to refer to drawings to confirm floor levels & ceiling heights.	27. Builders to refer to drawings to confirm floor levels & ceiling heights.	28. Builders to refer to drawings to confirm floor levels & ceiling heights.	29. Builders to refer to drawings to confirm floor levels & ceiling heights.	30. Builders to refer to drawings to confirm floor levels & ceiling heights.	31. Builders to refer to drawings to confirm floor levels & ceiling heights.	32. Builders to refer to drawings to confirm floor levels & ceiling heights.

TOWNHOUSE DEVELOPMENT
Project #77 and #79 ANZAC ROAD
MT HAWTHORN
FLOOR PLANS
2 TOWNHOUSE
Scale 1:100
Date: 28 JULY 2016
Sheet no: 02 OF 07
Rev: 7

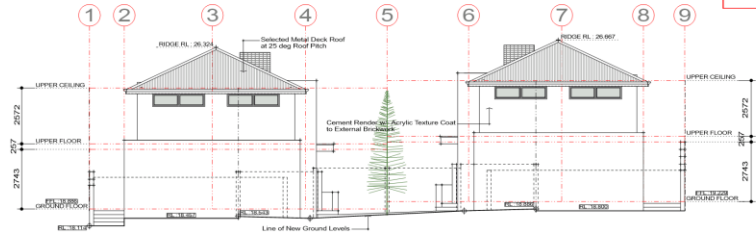
RECEIVED
20 Dec 2017



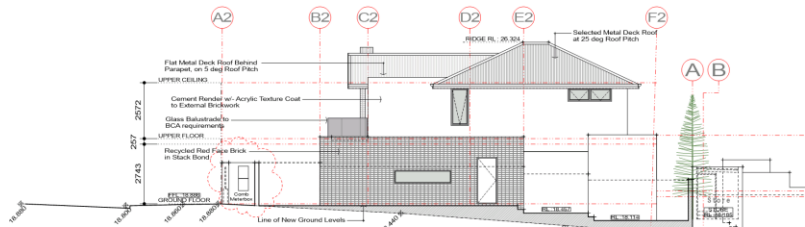
RECEIVED
20 Dec 2017



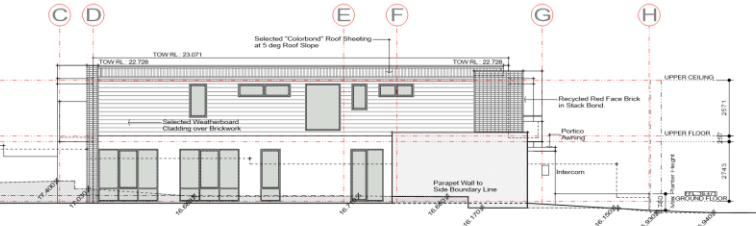
Front Elevation - Lots 1 and 2
Scale 1:100



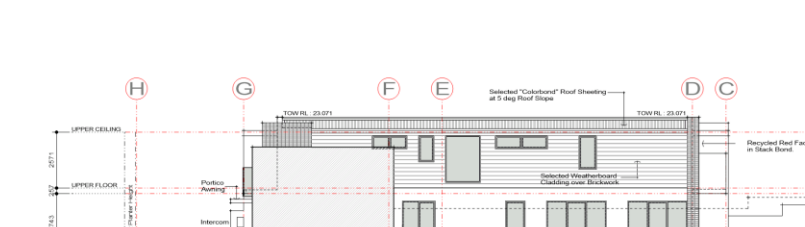
Rear Elevation - Lots 1 and 2
Scale 1:100



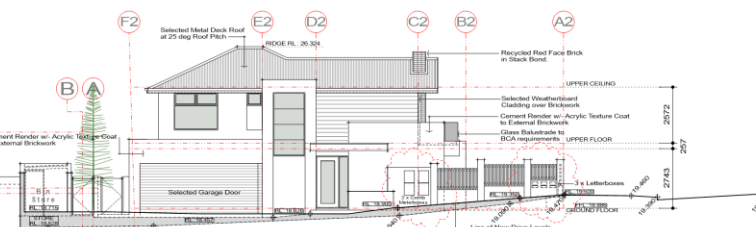
Side Elevation - Lot 1
Scale 1:100



Side Elevation - Lot 3
Scale 1:100



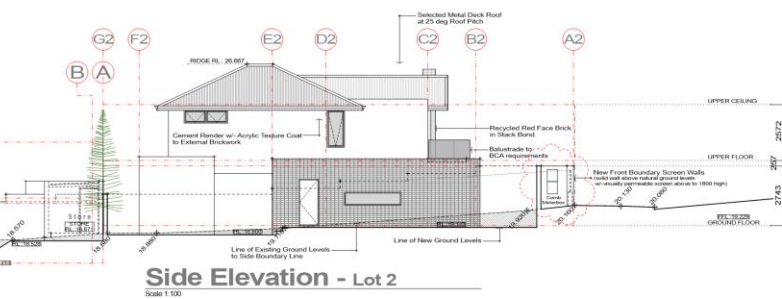
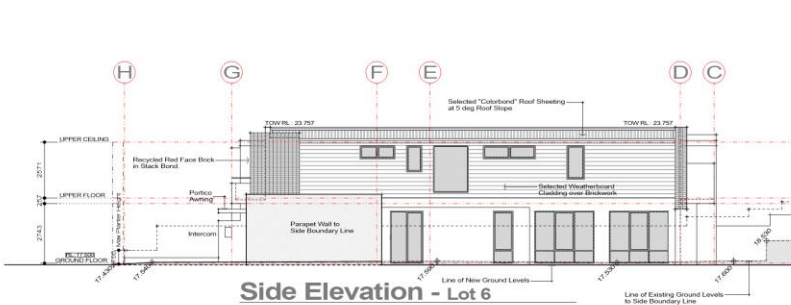
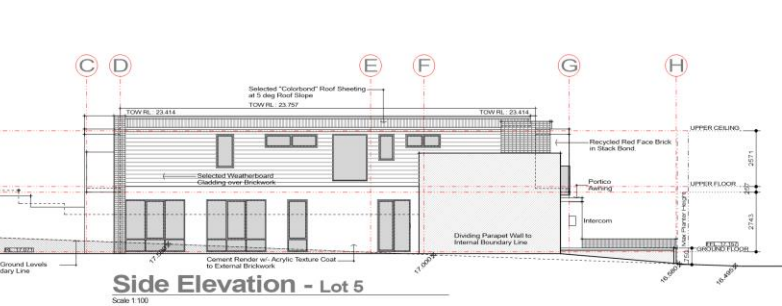
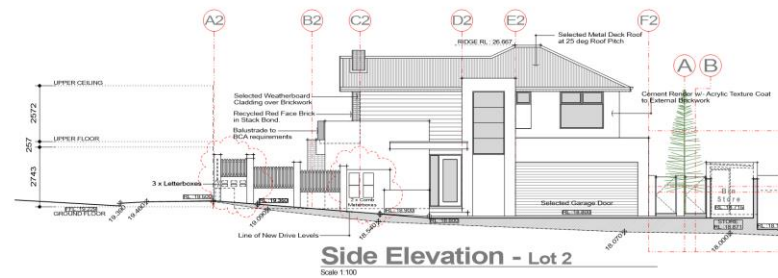
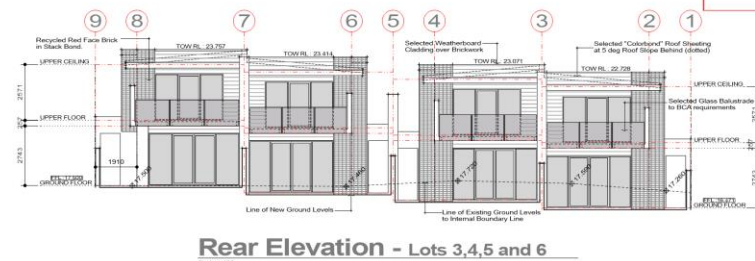
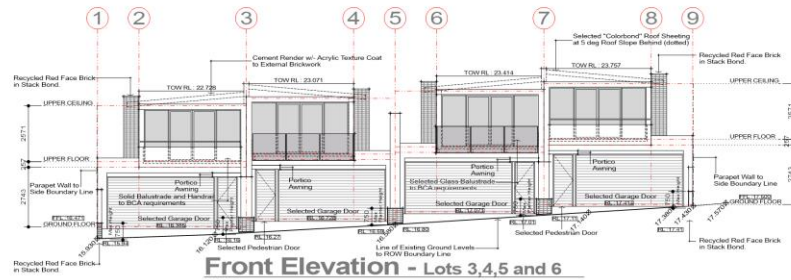
Side Elevation - Lot 4
Scale 1:100



Side Elevation - Lot 1
Scale 1:100

GENERAL NOTES				Amendment				Amendment																																																																																											
1. All dimensions to be indicated & verified by builder prior to commencement of work.	2. Dimensions indicate approximate size prior to final surface treatment.	3. These drawings are to be used in conjunction with Engineers drawings.	4. Builder to be responsible for all work not shown on these drawings.	5. Building work to be completed by the builder prior to any other construction.	6. Builder to obtain approval of any external fabric extension at the time prior to commencement of work.	7. All construction and details are to be in accordance with the latest Australian Standards & Building Code of Australia.	8. All drawings and design to be constructed in accordance with VBAH requirements.	9. External fabric extension shown diagrammatically only on plan, not further to be built in this direction.	10. All external and/or work to be constructed in accordance with signage and other requirements.	11. Do not scale from drawings.	12. Any discrepancy to be brought to the attention of the designer and resolved prior to commencement of any work.	13. All external doors and windows to comply with local authority.	14. All external work to be completed without external drainage.	15. All external work to be completed without external drainage.	16. All external work to be completed without external drainage.	17. All external work to be completed without external drainage.	18. All external work to be completed without external drainage.	19. All external work to be completed without external drainage.	20. All external work to be completed without external drainage.	21. All external work to be completed without external drainage.	22. All external work to be completed without external drainage.	23. All external work to be completed without external drainage.	24. All external work to be completed without external drainage.	25. All external work to be completed without external drainage.	26. 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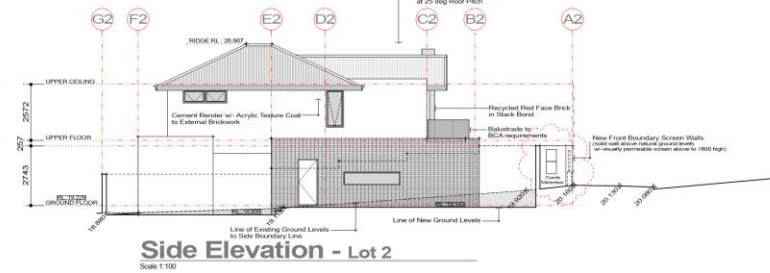
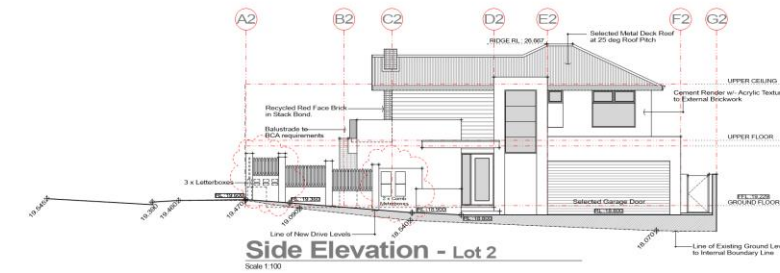
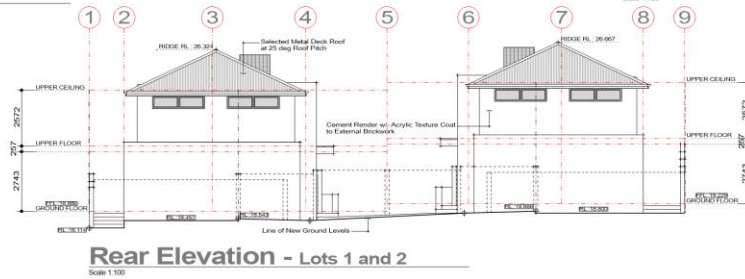
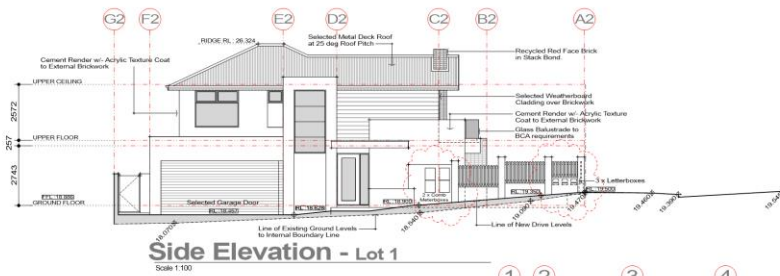
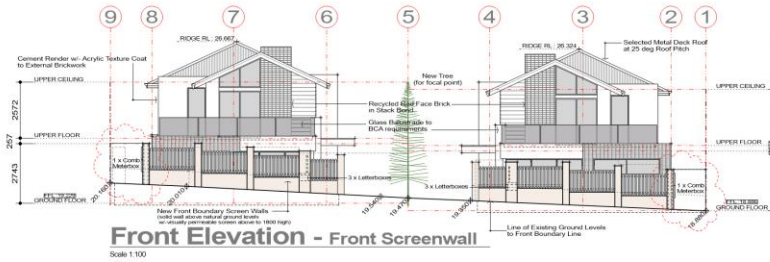
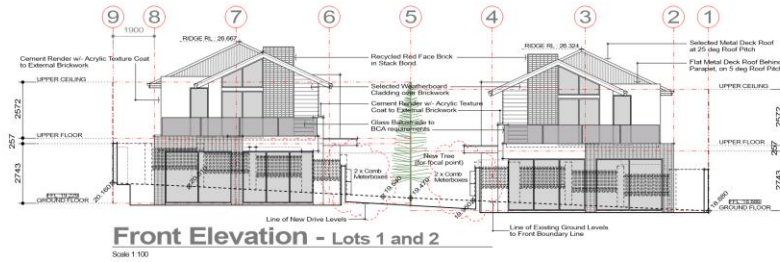


GENERAL NOTES		Rev	Amendment	Date	Rev	Amendment	Date
1. All dimensions to be checked & verified by builder prior to commencement of work.		1	Issued for Planning Approval	15 Aug '16	1	Issued for Planning Approval	15 Aug '16
2. Dimensions to be checked & verified by builder prior to commencement of work.		2	Planning Amendments	27 Aug '16	2	Planning Amendments	27 Aug '16
3. Dimensions to be checked & verified by builder prior to commencement of work.		3	Planning Amendments	12 Aug '17	3	Planning Amendments	12 Aug '17
4. Dimensions to be checked & verified by builder prior to commencement of work.		4	Planning Amendments	12 Aug '17	4	Planning Amendments	12 Aug '17
5. Dimensions to be checked & verified by builder prior to commencement of work.		5	Planning Amendments	12 Aug '17	5	Planning Amendments	12 Aug '17
6. Dimensions to be checked & verified by builder prior to commencement of work.		6	Planning Amendments	12 Aug '17	6	Planning Amendments	12 Aug '17
7. All construction and details are to be in accordance with the latest Australian Standards & Building Code of Australia.		7	Planning Amendments	12 Aug '17	7	Planning Amendments	12 Aug '17
8. All planning and design to be in accordance with the latest Australian Standards & Building Code of Australia.		8	Planning Amendments	12 Aug '17	8	Planning Amendments	12 Aug '17
9. All electrical and gas work to be constructed in accordance with the latest Australian Standards & Building Code of Australia.		9	Planning Amendments	12 Aug '17	9	Planning Amendments	12 Aug '17
10. Do not scale from drawings.		10	Planning Amendments	12 Aug '17	10	Planning Amendments	12 Aug '17
11. Any discrepancies to be brought to the attention of the designer and resolved prior to commencement of work.		11	Planning Amendments	12 Aug '17	11	Planning Amendments	12 Aug '17
12. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		12	Planning Amendments	12 Aug '17	12	Planning Amendments	12 Aug '17
13. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		13	Planning Amendments	12 Aug '17	13	Planning Amendments	12 Aug '17
14. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		14	Planning Amendments	12 Aug '17	14	Planning Amendments	12 Aug '17
15. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		15	Planning Amendments	12 Aug '17	15	Planning Amendments	12 Aug '17
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19. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		19	Planning Amendments	12 Aug '17	19	Planning Amendments	12 Aug '17
20. All external work to be completed in accordance with the latest Australian Standards & Building Code of Australia.		20	Planning Amendments	12 Aug '17	20	Planning Amendments	12 Aug '17

DW
DesignWise
CONSULTANTS

TOWNHOUSE DEVELOPMENT
Project #77 and #79 ANZAC ROAD
MT HAWTHORN
COMBINED ELEVATIONS
4 TOWNHOUSE

Date: 20 JULY 2016 Drawn: RFB Checked: RFB
Scale: 1:100 Sheet No: 07 OF 07 Rev: 8

[illegible]





Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Concern:	Officer Technical Comment:
<u>Front Setback</u> The front setback should comply with the deemed-to-comply requirements. The reduced setback impinges on the neighbours and the streetscape of Anzac Road. This leads to a congested development.	Although the proposal incorporates a departure to the deemed-to-comply standards of the Built Form Policy relating to street setbacks, it is considered that the proposal addresses the Local Housing Objectives and the Design Principles of the Built Form Policy and the Residential Design Codes (R-Codes) respectively.
<u>Traffic</u> The inclusion of four double garages on the right of way will result in an increased use of the right of way. The right of way is not designed to accommodate this level of traffic and in particular given the increased demand as a result of the development at 359 Oxford Street.	In accordance with the Western Australian Planning Commission's Liveable Neighbourhoods Policy (LN Policy) states that a right of way (classified as a laneway in LN Policy) is capable of accommodating 300 vehicle trips per day. It is noted that this is an indicative number only. Notwithstanding, given the number of development currently obtaining access from the right of way, it is considered that the right of way is capable of carrying the additional traffic.
<u>Development</u> Large domineering new development of multi-storey units have no place in the character of Mount Hawthorn.	The proposed development is for six, two storey grouped dwellings. The proposal complies with the required site area under the R-Codes and complies with the number of storeys. It is considered that the intensity of this development is consistent with the density code of R30.
<u>Privacy</u> Units 3 – 6 including south facing balconies which will overlook the backyards of adjacent properties and therefore, resulting in a loss of privacy.	The proposed south facing balconies comply with the privacy requirements of Clause 5.4.1 of the Residential Design Codes.
Comments Received in Objection:	Officer Technical Comment:
<u>Traffic</u> Concerns raised regarding the volume of traffic using the right of way during construction and upon occupation of the dwellings. Questions if there are plans to require one way traffic along the right of way. While the development is being constructed, it is assumed that the right of way will be utilised. Submitter requests that the access to adjacent properties to not be obstructed.	Refer to above comment regarding traffic. Should the application be approved, a condition requiring a construction management plan has been recommended. The construction management plan will detail how construction vehicle will access the site. This will ensure minimal disturbance to the surrounding properties.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Nos. 77-79 Anzac Road, Mount Hawthorn
Schedule of Submissions Following Advertising
(Advertising period: 16.11.2017 – 29.11.2017)

Comments Received in Objection:	Applicant's Comment
<p><u>Front Setback</u></p> <p>The front setback should comply with the deemed-to-comply requirements. The reduced setback impinges on the neighbours and the streetscape of Anzac Road. This leads to a congested development.</p> <p><u>Traffic</u></p> <p>The inclusion of four double garages on the right of way will result in an increased use of the right of way. The right of way is not designed to accommodate this level of traffic and in particular given the increased demand as a result of the development at 359 Oxford Street.</p> <p><u>Development</u></p> <p>Large domineering new development of multi-storey units have no place in the character of Mount Hawthorn.</p> <p><u>Privacy</u></p> <p>Units 3 – 6 including south facing balconies which will overlook the backyards of adjacent properties and therefore, resulting in a loss of privacy.</p>	<p>The R-Codes note a minimum primary street front setback of 4.0m. The proposed development application requests an increased primary street setback to 4.5m, therefore is more than compliant.</p> <p>The additional 4 terrace homes will have a negligible impact on the current ROW traffic. The additional council rates collected from the new dwellings will assist with ongoing maintenance of the ROW.</p> <p>The development is not multi storey. This is a medium density 2 storey 6 terrace home grouped dwelling development, which is not large and domineering</p> <p>The southern facing balcony is setback 5.43m from the rear boundary, plus the width of the ROW equates to a circa. 10m distance between the rear balcony and backyards of the properties across the lane. This more than the minimum 7.5m dimension</p>
General Comments and Concerns Received:	Builtform Projects Comment
<p><u>Traffic</u></p> <p>Concerns raised regarding the volume of traffic using the right of way during construction and upon occupation of the dwellings.</p>	<p>The additional 4 terrace homes will have a negligible impact on the current ROW traffic. The additional council rates collected from the new dwellings will assist with ongoing maintenance of the ROW.</p>


Questions if there are plans to require one way traffic along the right of way.	This will require Local Govt. investigations and process.
While the development is being constructed, it is assumed that the right of way will be utilised. Submitter requests that the access to adjacent properties to not be obstructed.	ROW access and traffic flow will be maintained during construction of the development. This will also form a condition of the building permit

Determination Advice Notes:

1. With regard to Condition 2, the owners of the subject land shall obtain the consent of the owners of the relevant adjoining properties before entering those properties in order to make good the boundary walls.
2. With regard to Condition 6, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations of the proposed storm water disposal shall be lodged together with the building permit application working drawings.
3. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings under Policy No. 3.9.3 – Parking Permits. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
4. The car parking area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City.
5. An Infrastructure Protection Bond for the sum of \$3,000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
6. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and Right of Way levels to the satisfaction of the City.
7. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
8. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications.
9. Prior to the first occupation of the development, redundant or "blind" crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense.
10. Standard 'Visual Truncations', in accordance with the City's Policy 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings.
11. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
12. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
13. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

9.8 NO. 78B (LOT: 1; STR: 66198) CARR STREET, WEST PERTH - PROPOSED GROUPED DWELLING

TRIM Ref: D17/163268
Authors: Andrea Terni, Urban Planner
 Rana Murad, Senior Urban Planner
Authoriser: John Corbellini, Director Development Services
Ward: South
Precinct: 5 – Cleaver
Attachments:

1. Attachment 1 - Location and Consultation Map [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Previous Approved Plans [↓](#) 
4. Attachment 4 - Development Application Supporting Information [↓](#) 
5. Attachment 5 - Summary of Submissions [↓](#) 
6. Attachment 6 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for a Grouped Dwelling at No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination notes in Attachment 6:

1. Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site, prepared by a landscape architect, is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- 1.1. The location and type of existing and proposed trees and plants;
- 1.2. Areas to be irrigated or reticulated; and
- 1.3. The site area to be provided with 15 percent deep soil zone and 30 percent canopy coverage at maturity;

All works shall be undertaken to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

2. Boundary Walls

The owners of the subject land shall finish and maintain the surface of the boundary walls in a good and clean condition prior to the occupation or use of the development and thereafter to the satisfaction of the City;

3. External Fixtures

All external fixtures and building plant, including air condition units, piping ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings;

4. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

5. Privacy

- 5.1. The proposed 'Breeze Walls' depicted on the first and second floors to the all elevations are comply with the definition of 'screening' under State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development; and
- 5.2. Adequate screening, highlight windows or opaque glazing shall be provided to the windows to 'Bed 2' and 'Bed 3', in accordance with State Planning Policy 3.1: Residential Design Codes, to prevent overlooking into the active habitable spaces and outdoor living areas of the properties to the north and south prior to the use or occupation of the development;

6. Schedule of External Finishes

Prior to the commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development; and

7. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for one Grouped Dwelling at No. 78B Carr Street, West Perth (subject site).

BACKGROUND:

Landowner:	Maxwell Graham and Nicola Louise Van Someren
Applicant:	Klopper and Davis Architects
Date of Application:	30 October 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R-Code: R50 LPS2: Zone: Residential R-Code: R50
Built Form Area:	Residential
Existing Land Use:	Vacant
Proposed Use Class:	Grouped Dwelling
Lot Area:	196m ²
Right of Way (ROW):	Not applicable
Heritage List:	Not applicable

The subject site is located north east of Carr Street between Charles Street and Loftus Street. A location plan is included as **Attachment 1**. The site adjoins two-storey grouped dwellings to the eastern lot boundary which has an extensive boundary wall along the boundary with glass block inserts to a garage. A two storey single house and another two storey single house with roof terrace adjoins the subject site to the western lot boundary and a single storey grouped dwelling with an extensive back garden adjoins the subject site to the northern lot boundary. The subject site and the immediate adjoining properties are zoned Residential with a density code of R50 and this is not contemplated to change under draft Local Planning Scheme No. 2 (LPS2). The site has been identified as a Residential Built Form Area subject to the City's Local Planning Policy No. 7.1.1 – Built Form.

A subdivision approval for the site was granted conditional approval on 3 October 2013 to create two survey strata lots with a common property accessway. The subject lot is a vacant rear lot being approximately 32 metres from the primary street. On 26 September 2014, Council approved a three storey grouped dwelling on the subject site. On 23 August 2016, Council approved an extension to the term of approval for this development until 23 August 2018. The maximum building height for the development to the top of skillion roof was 9.679 metres. The approved development plans dated 23 August 2016 are included as **Attachment 3**. This is the current valid approval for the site.

The other strata lot at No. 78A Carr Street, which fronts the primary street is also currently vacant, however on 29 June 2017 a Two Storey Grouped Dwelling with Loft was approved by the City. It is noted that the maximum building height of the approved dwelling is 8.892 metres to the top of the roof pitch.

The City received a development application seeking approval for the construction of a three storey grouped dwelling at the subject site on 30 October 2017. The applicant's development plans are included as **Attachment 2** and the applicant's site information and summary supporting the development application is included as **Attachment 4**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form and the State Government's State Planning Policy 3.1: Residential Design Codes (R-Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Density	✓	
Street Setbacks	✓	
Building Height/Storeys		✓
Lot Boundary Setbacks		✓
Open Space	✓	
Outdoor Living Areas	✓	
Visual Privacy	✓	
Parking & Vehicle Access	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
External Fixtures	✓	
Design of Car Parking Spaces		✓
Street Surveillance	✓	

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Building Height	
Deemed-to-Comply Standard	Proposal
Clause 5.6 of the Built Form Policy Two storeys with a maximum height of external wall (with roof above) of 6 m and top of pitched roof of 9m.	Three storeys proposed. Maximum height of external wall of 8.986m to 10m Top of pitched roof 10m

Lot Boundary setback	
Deemed-to-Comply Standard	Proposal
Clause 5.3 of the Built Form Policy and Clause 5.1.3 of the R-Codes	
<u>Northern Lot Boundary</u>	<u>Northern Lot Boundary</u>
First Floor minimum setback of 3.8m	First Floor minimum setback of 2.33m
Second floor minimum setback of 4.3m	Second floor minimum setback of 3.314m
<u>Southern Lot Boundary</u>	<u>Southern Lot Boundary</u>
First floor minimum setback of 3.8m	First floor minimum setback of 1.755m
Second floor minimum setback of 4.3m	Second floor minimum setback of 2.755m
Design of Car Parking Spaces	
Deemed-to-Comply Standard	Proposal
Clause 5.3.4 of the R-Codes	
C4.1 Car parking spaces and manoeuvring areas designed and provided in accordance with AS2890.1 (as amended).	Vehicle manoeuvring area is not in accordance with AS2890.1.

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, for a period of 14 days commencing on 1 December 2017 and concluding on 14 December 2017. Community consultation was undertaken by means of written notifications being sent to surrounding landowners, as show in **Attachment 1** and a notice on the City's website in accordance with the City's Policy No. 4.1.5 – Community Consultation. Four submissions were received by the City during the community consultation period.

The main issues raised as part of the consultation relate to:

- Concerns regarding the bulk and mass of the development as a result of the lot boundary setbacks;
- The design of the development and the overall building height resulting in significant mass which impacts on the amenity to the surrounding properties;
- Visual privacy impacts on the outdoor area and rear verandah seating area of No. 6 Florence Street and the gaps in the breeze wall screening resulting in overlooking.

A summary of the submissions and Administration's responses is included as **Attachment 5**.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005* the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's determination.

It is noted that the landscaping deemed-to-comply standards of the Built Form Policy required the approval of the Western Australian Planning Commission (WAPC) and has been approved in a modified form, which is now required to be advertised and adopted by Council before it becomes operational. As a result the assessment will only have 'due regard' to these provisions.

Draft Local Planning Scheme No. 2 (Draft LPS2)

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No. 2 (LPS2) is to be modified before final approval was to be granted. The Schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to the LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the LPS2 should be given due regard as a seriously entertained planning proposal when determining this application. The modifications required do not impact on the subject property.

Delegation to Determine Applications:

This matter is being referred to Council as the proposal is three storeys in height and is therefore classified as 'Category 1' in the City's Register of Delegations.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Building Height

The application seeks approval for a three storey grouped dwelling, in lieu of the deemed-to-comply two storeys permitted under the City's Built Form Policy. The Policy also outlines a deemed-to-comply external wall height of 6 metres and roof pitch of 9 metres. The external wall height proposed for the north and south elevation of the dwelling is 8.98 metres with the top of roof pitch proposed to be 10 metres. The east and west elevation of the grouped dwelling proposes a maximum wall height of 10 metres given the gable end design of the development. The submissions raised concern with the height and scale of the development and the impact this would have on the amenity of the surrounding area.

The design of the proposal, at three storeys, has allowed the footprint of the building to be minimised and significant setbacks and landscaping to be provided surrounding the proposed dwelling. The proposed development has been designed to consider the immediate locality and respond to the neighbouring context, with the applicant proposing contrasting materials and finishes and numerous openings to the external walls of the dwelling which assist in mitigating the impact of building bulk on the adjoining properties. The site immediately to the east has a single storey boundary wall with a minimal upper storey setback with minor and frosted windows to a grouped dwelling for the extent of the proposed three storey dwelling and as such this proposal will have no impact on the amenity of this site. The sites immediately to the west include two storey single houses and three storey single house and is equivalent in height to the proposed development. As a result, the proposed development is considered to align with the scale and character of these adjoining developments to the west.

The site to the rear includes an existing single storey dwelling with an extensive rear yard. The subject development immediately adjoins the extensive rear yard of this property and proposes landscaping at the ground level, including four large trees, to reduce the impact of the development from the neighbouring property and provide a sense of open space between buildings. The elevation fronting this northern includes various materials, finishes and setbacks, including white painted brickwork, white painted breeze wall, and obscured window and black colourbond wall cladding above, to reduce the impact of bulk on the adjoining property. The three storey design of the proposal has allowed extensive landscaping to be provided to screen the development from the property to the north and it is considered that in this context the three storey height will not have any further impact on the property to the north when compared to the existing developments to the south that already abut this northern property.

The adjoining property at No. 78A Carr Street, which occupies the front lot facing Carr Street was granted development approval by the City to construct a two storey grouped dwelling plus loft which comprises a maximum height of 8.892 metres from the natural ground level to the top of the roof pitch. The subject lot is setback approximately 32 metres from the primary street and will largely be screen from the street by this development. As a result, it is considered that the proposed dwelling and third storey will not be readily visible from the primary street and will cause minimal visual impacts with regard to building bulk to the streetscape.

Lot Boundary Setback

Northern Boundary

The first floor of the dwelling proposes a 2.33 metre setback to the northern lot boundary in lieu of 3.8 metres. The second floor setbacks to the northern boundary is 3.314 metres in lieu of 4.3 metres. Concerns were raised during the consultation period regarding the bulk the development presented to this northern boundary as a result of these setbacks.

Given the irregular shape of the lot, the setback to the northern boundary increases from west to east with the eastern end in excess of the required setback, reducing the bulk of the development when viewed from the adjoining lot. The design allows the habitable areas of the dwelling, including the open space and the designated outdoor living area to be fully open to direct sun and ventilation. The dwelling to the north is located closer to Florence Street and the reduced setback fronts the rear yard of this property. The design of the development does not present excessive bulk to the northern property with various materials, finishes and setbacks proposed on the northern elevation, including white painted brickwork, white painted breeze wall and an obscured window on the first floor and white painted breeze wall screening and black colourbond wall cladding above on the second floor. The setbacks proposed are considered appropriate to maintain adequate ventilation and sunlight to the proposed development and the existing dwelling on the adjoining northern boundary. Following the conclusion of consultation, in response to the submissions received, the applicant updated the landscaping plan to provide for additional trees along the northern boundary. The proposed landscaping at the ground level, including four large trees, is now considered to assist in further reducing the impact of the development from the neighbouring property and will provide a sense of open space between buildings. Given the above, it is considered that the setbacks to the northern boundary meet the design principles of the R-Codes and are therefore acceptable.

Southern Boundary

The first floor of the dwelling proposes 1.755 metre setback to the southern lot boundary in lieu of 3.8 metres. The second floor setbacks to the southern lot boundary is 2.755 metres in lieu of 4.3 metres.

The dwelling has been designed to make more effective use of space and enhance privacy for the occupants of the subject site and the neighbouring properties. The approved development to the existing front lot to the south includes a rear courtyard fronting the adjoining lot. The design of the development does not present excessive bulk to the southern adjoining property, with various materials, finishes and setbacks proposed on the southern elevation, including white painted brickwork and window on the first floor and white painted brickwork, white painted breeze wall screening and black colourbond wall cladding above on the second floor. The development meets the deemed-to-comply overshadowing requirements of the R-Codes and the setbacks proposed are considered appropriate to maintain adequate ventilation to the proposed development and the proposed dwelling on the adjoining southern lot. The proposed landscaping at the ground level, including two large trees, is considered to assist in further reducing the impact of the development from the neighbouring property and will provide a sense of open space between buildings. Given the above, it is considered that the setbacks to the southern boundary meets the design principles of the R-Codes and are therefore acceptable.

Landscaping

The proposal complies with the requirements of the R-Codes relating to landscaping. The plans provided areas with extensive canopy coverage specifically to the northern and southern lot boundaries which abut the outdoor living and open space of No. 6 Florence Street and No.78A Carr Street respectively. The total deep soil zones provided equates to 17 percent of the site area, which exceed the 15 percent deemed-to-comply standard included in the City's Built Form Policy. The type of tree species proposed include one Chinese Elm tree and five London Plane trees. At maturity, the trees will contribute 31 percent canopy coverage of the subject site, which is in excess of the 30 percent deemed-to-comply standard set by the City's Built Form Policy. The broad landscaping concept proposed will positively contribute to reducing building bulk and increasing amenity to the neighbouring properties and is considered appropriate subject to a detailed landscaping plan being developed and approved by the City.

Visual Privacy

Concerns were raised with regard to potential overlooking from the development. Following consultation the applicant submitted amended plans to screen the majority of the overlooking in accordance with the deemed-to-comply requirements of the R-Codes. However, screening should also be provided to the window on the southern elevation, facing the outdoor living area of No. 78A Carr Street and as a result a condition is recommended requiring screening to all relevant upper floor windows.

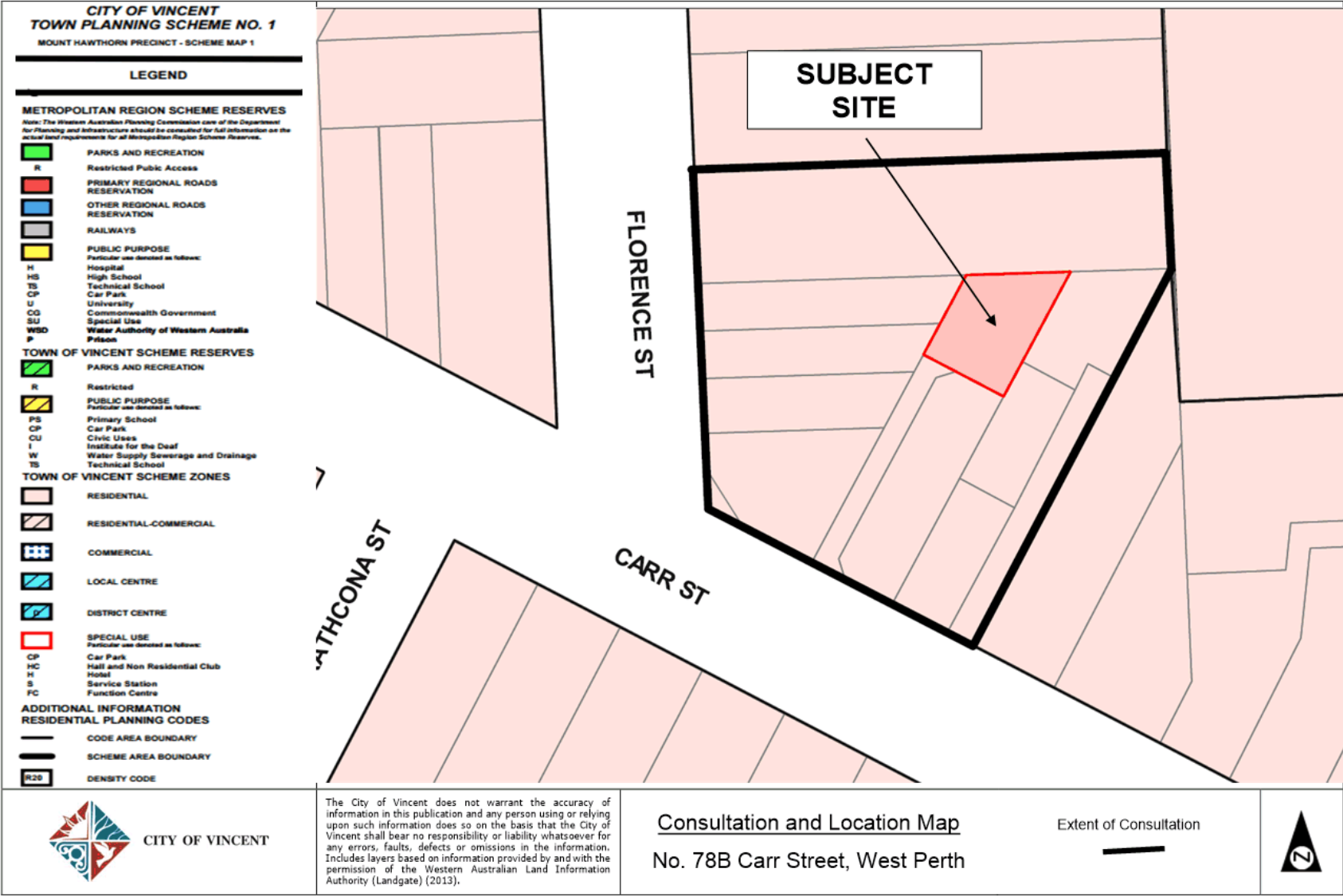
Design of Car Parking Spaces

The car parking bay proposed on-site is located at the end of the access leg from Carr Street, directly adjacent the dwelling for convenient access. The distance of the parking bay from Carr Street is over 15 metres, which under the R-Codes deemed-to-comply requires a turning area so that the vehicles can enter the street in forward gear. A turning area has been allocated at the end of the driveway, however, this area does not comply with Australian Standard AS2890.1 and as such the car parking space and access has been considered against the design principles of the R-Codes, which require the parking space and access to be safe for vehicles and pedestrians.

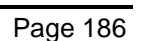
The proposed reversing bay has been designed to ensure that the vehicle using the space can turn around within the property using a three point turn, which will allow access to the primary street in forward gear. Given that the parking space for the proposed dwelling will be used by the same occupants of the dwelling each day, rather than visitors, the three point turn is considered appropriate in this instance. It should be noted that Carr Street is not a primary distributor or integrator arterial road and so in accordance with the R-Codes it is considered safe for vehicles to reverse on to Carr Street. In light of this, the proposed parking space and access arrangement is supported as it provides the option to either reverse on to Carr Street or turn around within the property boundaries using a three point turn and entre Carr Street in a forward gear.

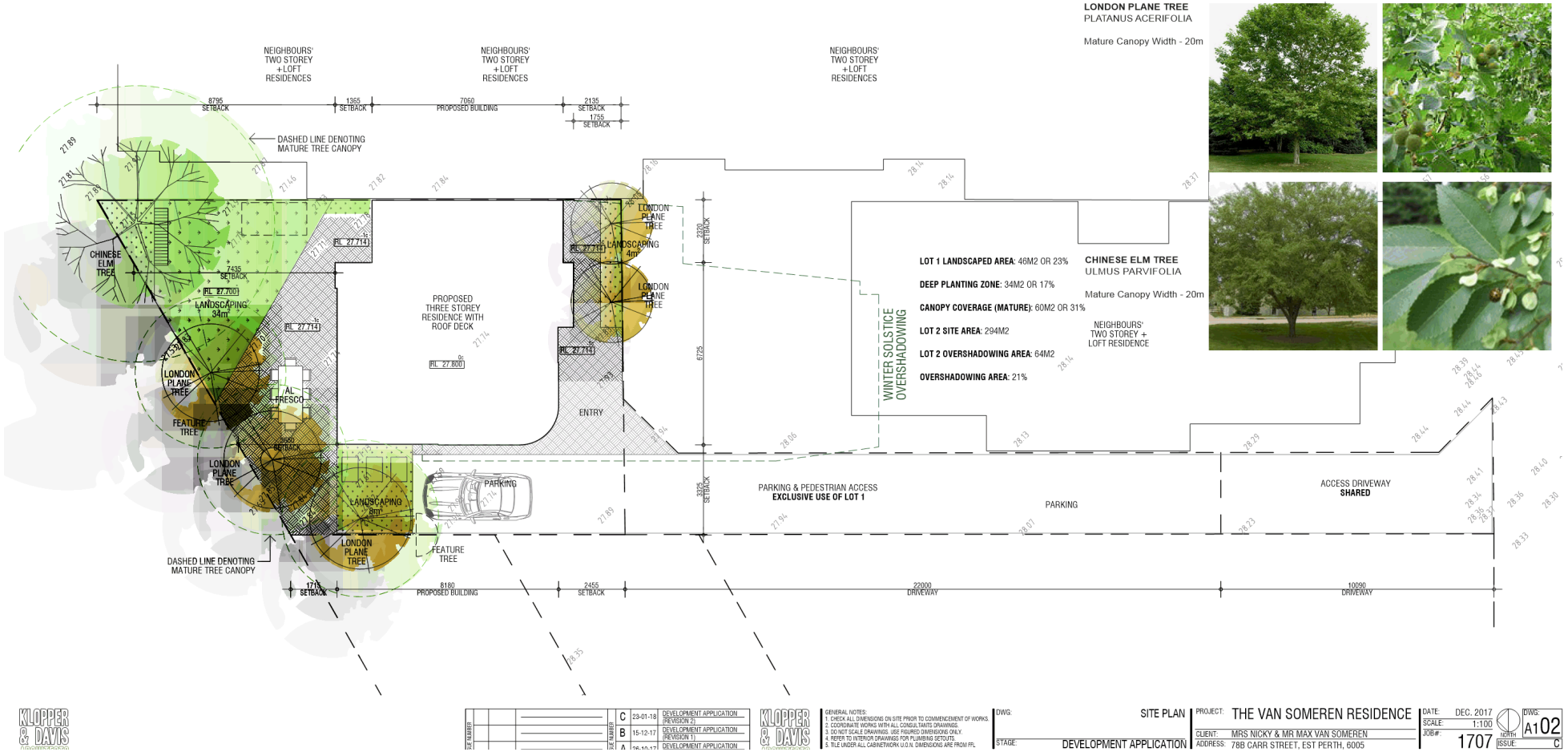
Conclusion

The proposal requires Council to exercise its discretion in relation to the building height and lot boundary setbacks. Given the context of the site, the dwelling's height and setbacks proposed are considered to provide minimal impact on the surrounding properties and the streetscape of Carr Street. The applicant has demonstrated the appropriate landscaping of the site that will reduce impacts of building bulk and provide additional amenity for the locality. In light of the above, it is recommended that the application be approved subject to conditions.

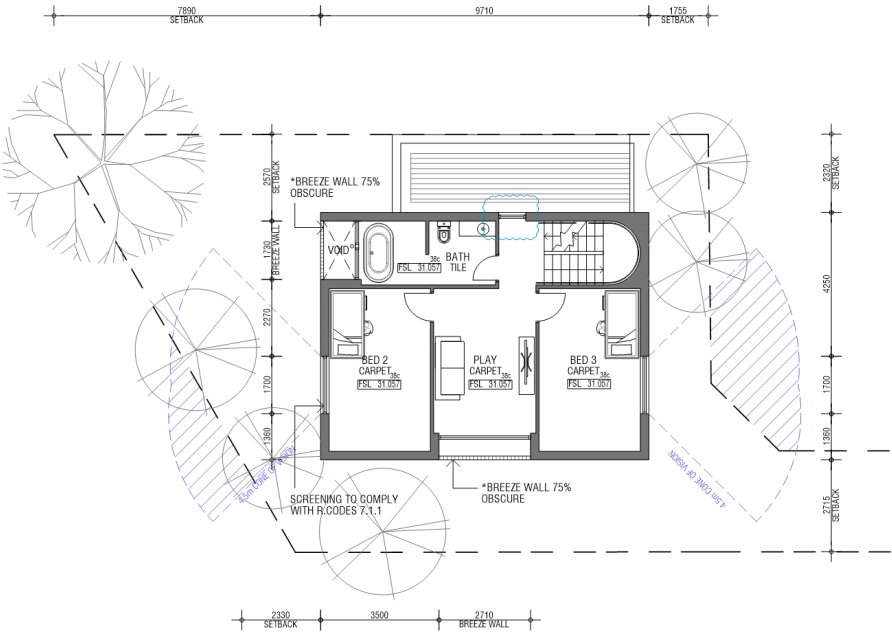




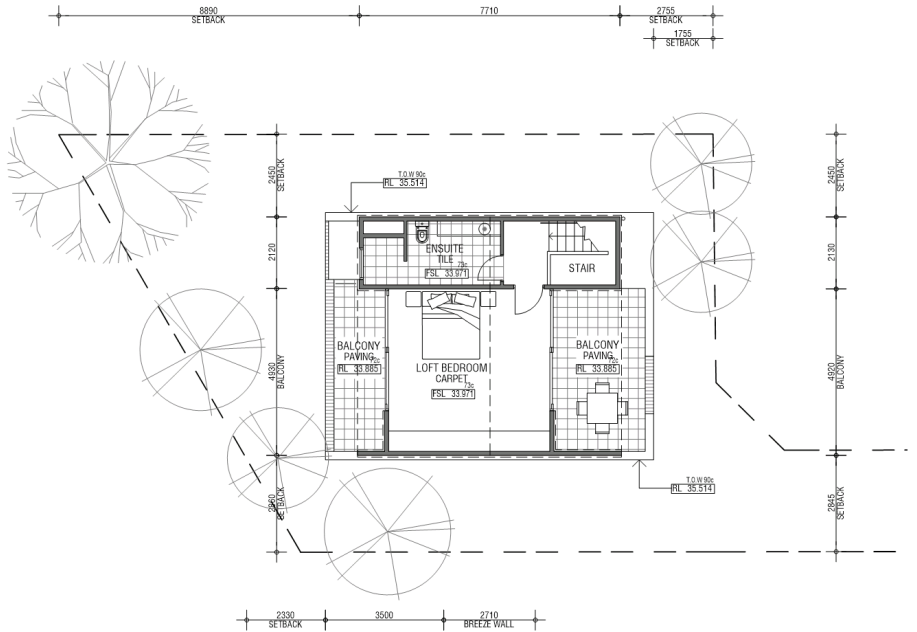








FIRST FLOOR PLAN



SECOND FLOOR PLAN



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BY	A	15-12-17



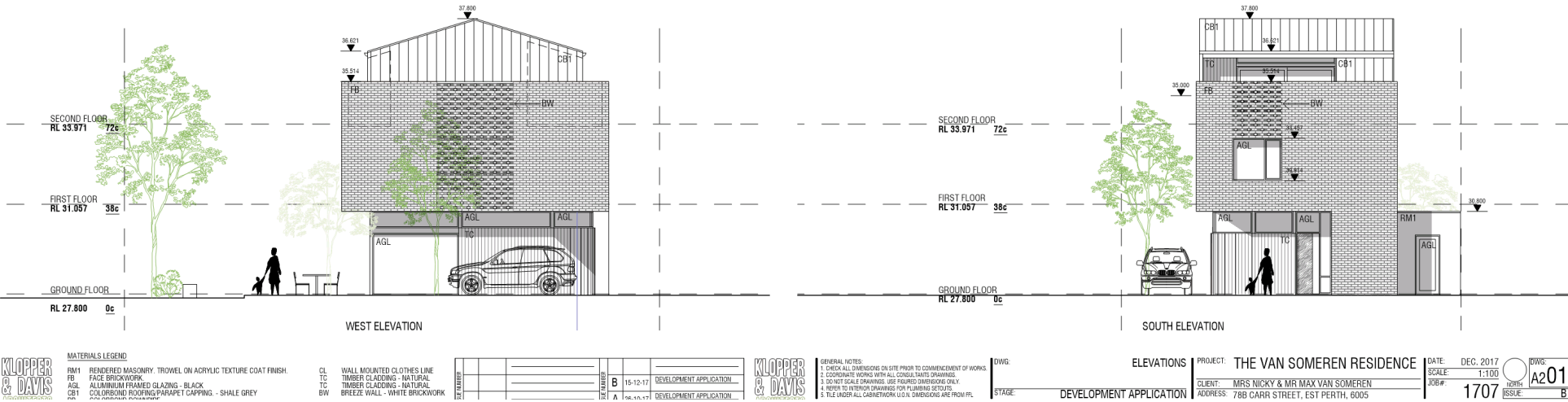
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1. CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.
2. COORDINATE WORKS WITH ALL CONCRETE DRAINAGE.
3. DO NOT SCALE DRAWINGS. USE DIMENSIONS ONLY.
4. REFER TO INTERIOR DRAWINGS FOR FINISHES.
5. TILE UNDER ALL CABINETWORK U.O.D. DIMENSIONS ARE FROM FFL.

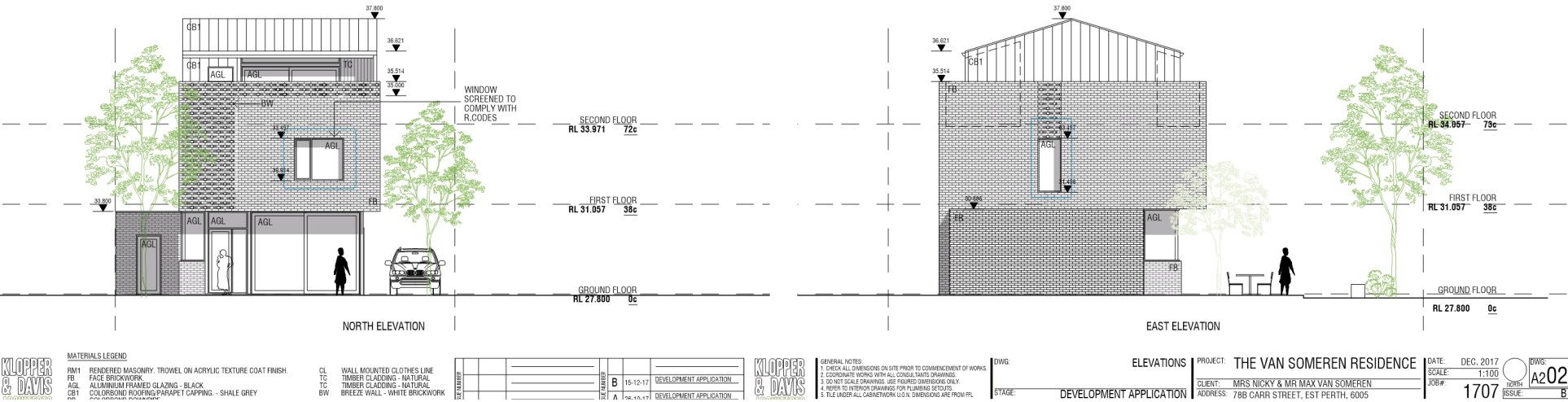
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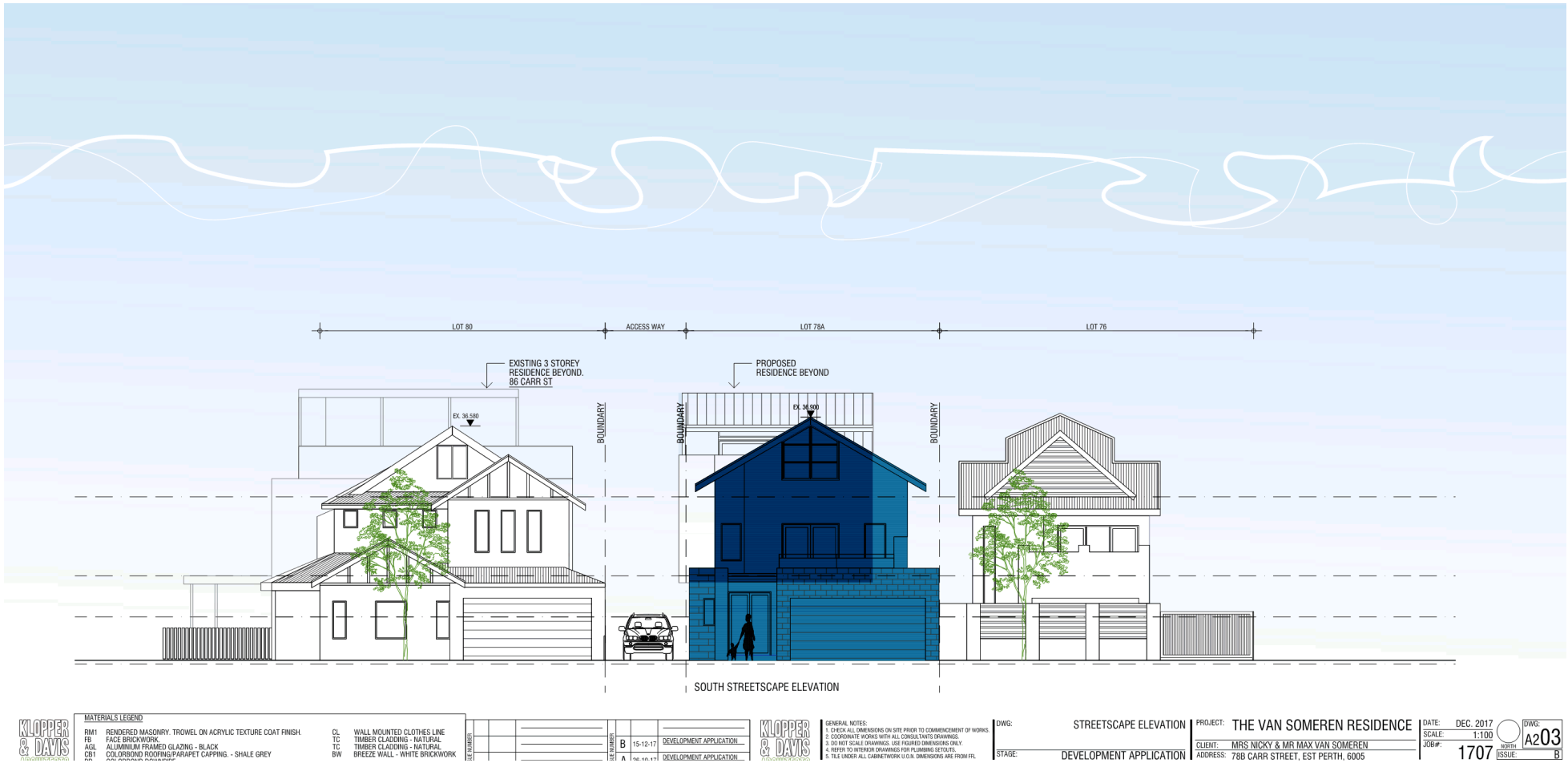
FIRST FLOOR
& SECOND FLOOR PLANS
DEVELOPMENT APPLICATION

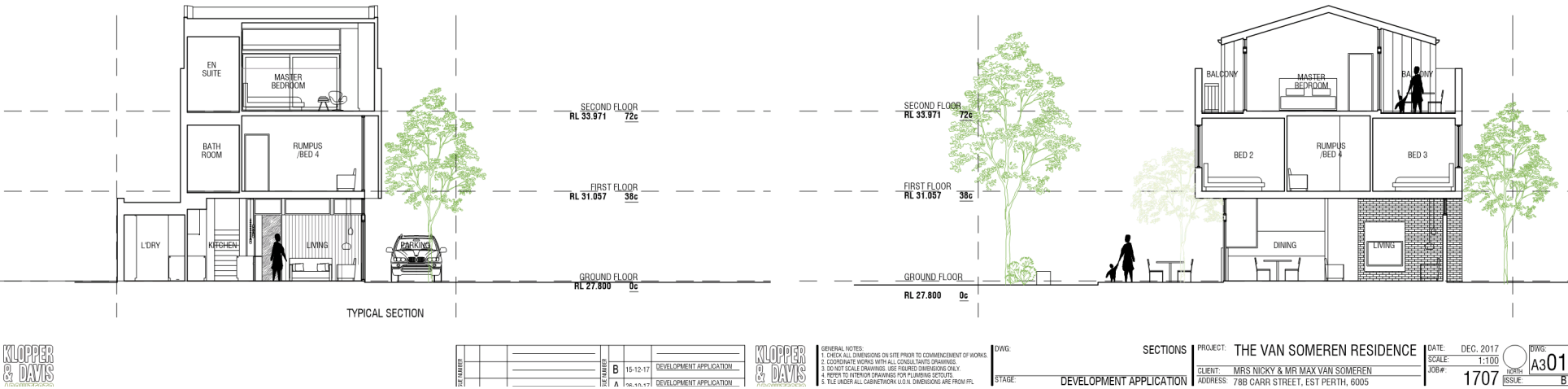
PROJECT: THE VAN SOMEREN RESIDENCE
CLIENT: MRS NICKY & MR MAX VAN SOMEREN
ADDRESS: 78B CARR STREET, EST PERTH, 6005

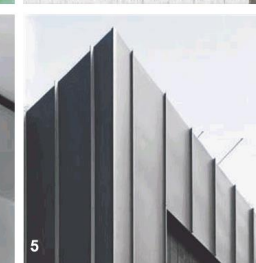
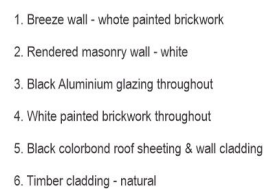
DATE: DEC. 2017
SCALE: 1:100
JOB#: 1707
ISSUE: A104
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GENERAL NOTES:

1. CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.
2. COORDINATE WORKS WITH ALL CONSULTANTS DRAWINGS.
3. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
4. REFER TO INTERIOR DRAWINGS FOR PLUMBING SETOUTS.
5. TILE UNDER ALL CABINETWORK U.O.N. DIMENSIONS ARE FROM FFL.

STAGE

PROJECT: THE VAN SOMEREN RESIDENCE

DATE: DEC. 2017

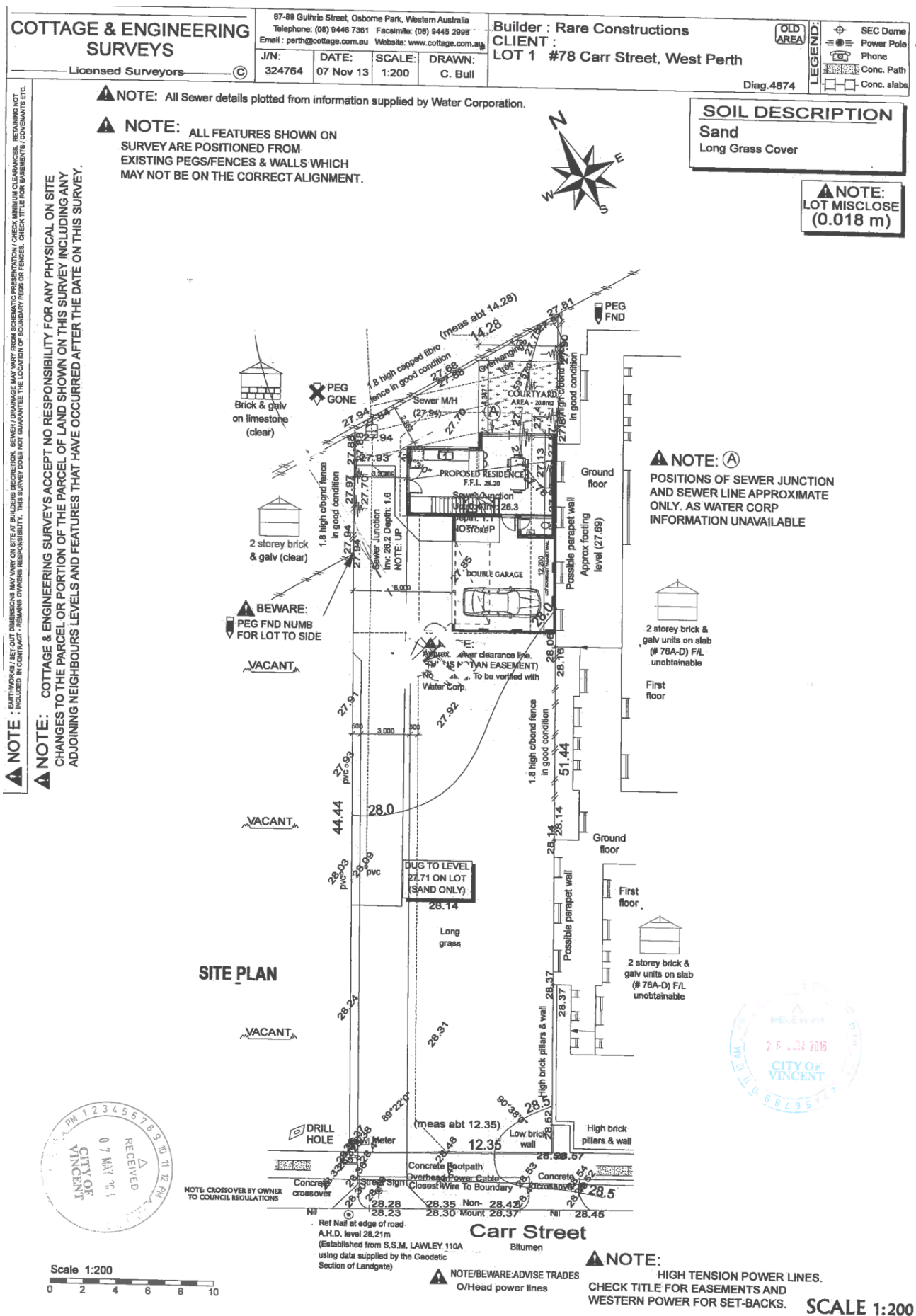
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DEVELOPMENT APPLICATION

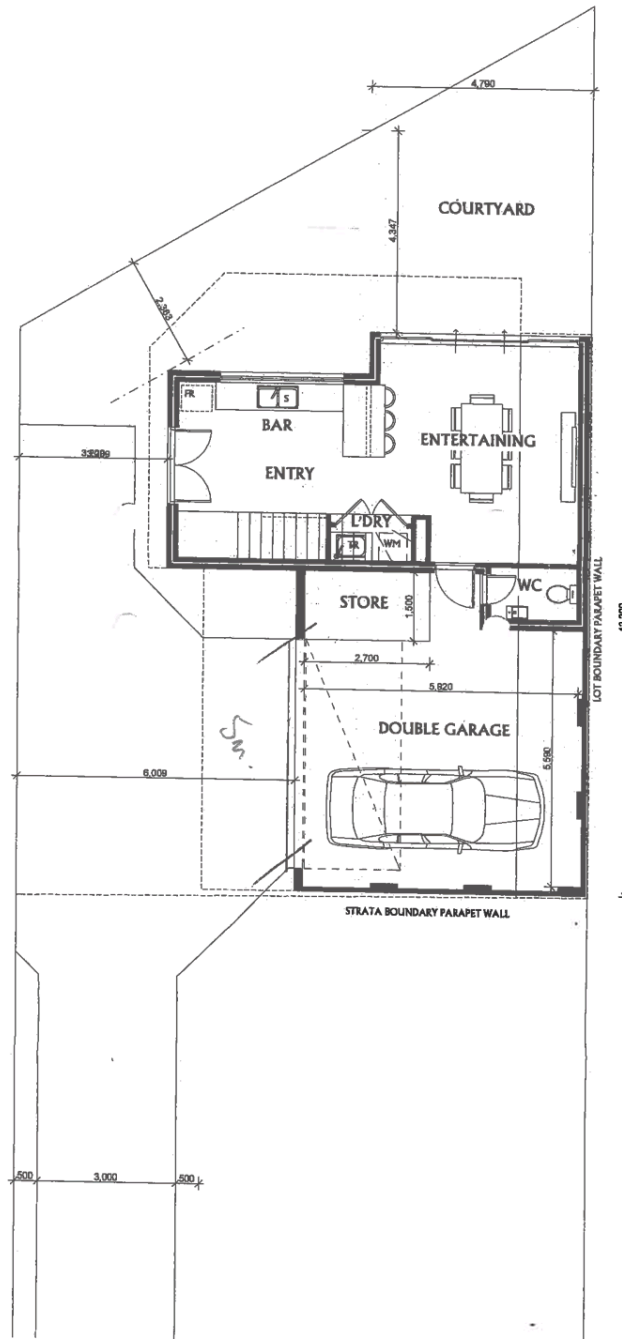
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ADDRESS: 78B CARR STREET, EAST PERTH, 6005

SCALE: _____
JOB #: 1707





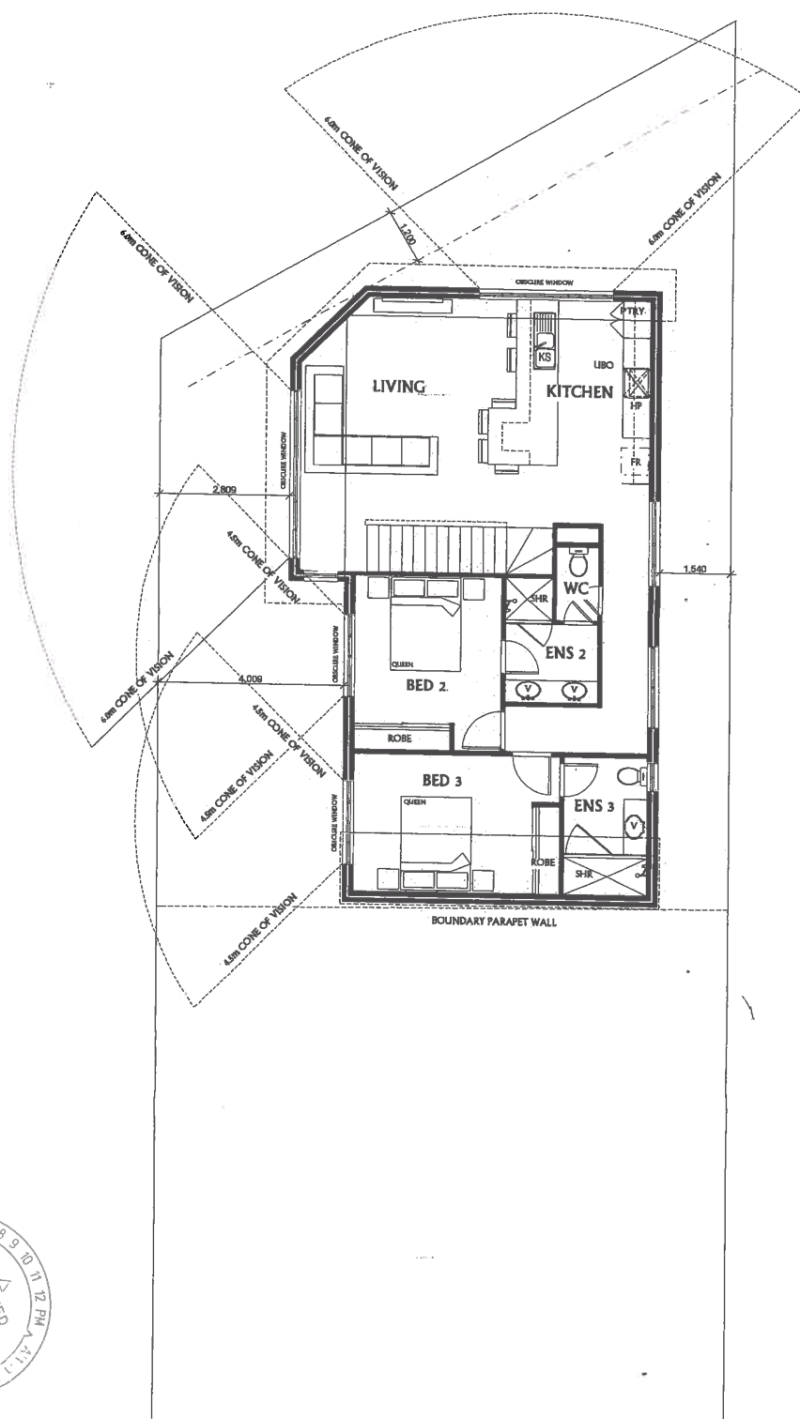
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DATE: 09-03-14	PAGE: 3 of 7	(C) RARE CONSTRUCTION DESIGN COPYRIGHT CONCEPT SKETCH ONLY
		VARIATION: 28-04-14



GROUND FLOOR

SCALE 1:100

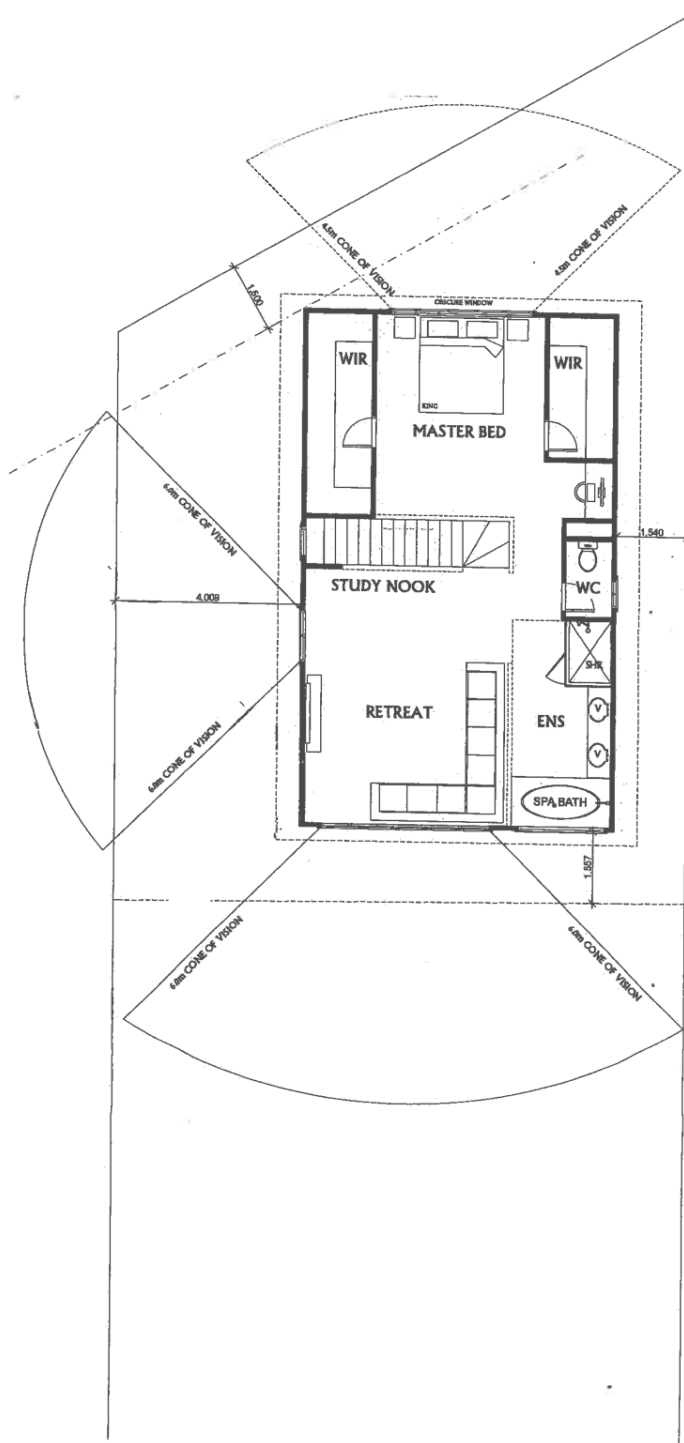
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		VARIATION: 28-04-14



nd FLOOR

SCALE 1:100

LOT 1 (778) CANT ST WEST PERTH		SLATER
DATE: 09-03-14	PAGE: 5 of 7	(C) RARE CONSTRUCTION DESIGN COPYRIGHT CONCEPT SKETCH ONLY
		VARIATION: 28-04-14

1st FLOOR

SCALE 1:100

LOT 1 (#78) Carr St
WEST PERTH

ENV. SLATER

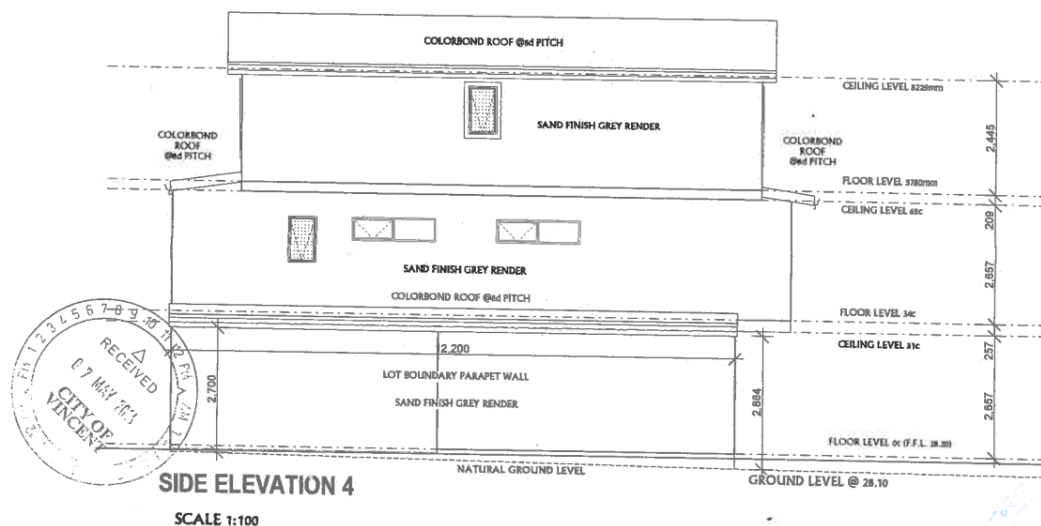
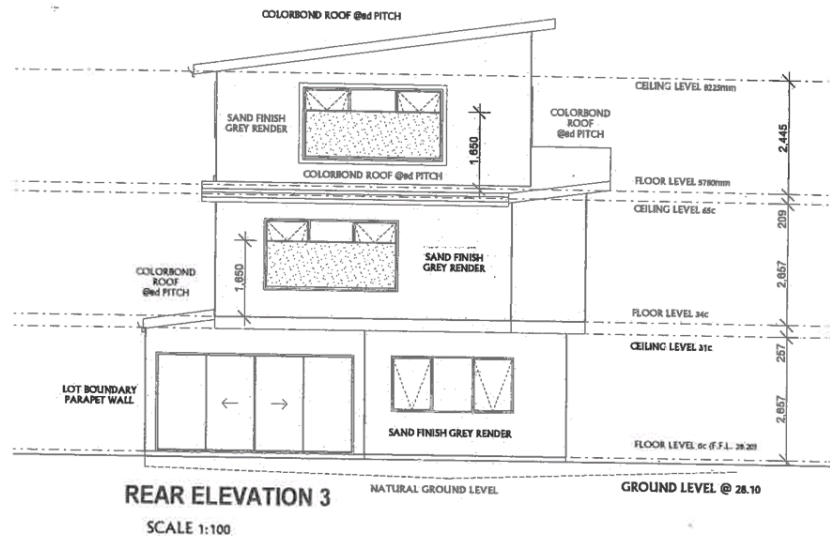
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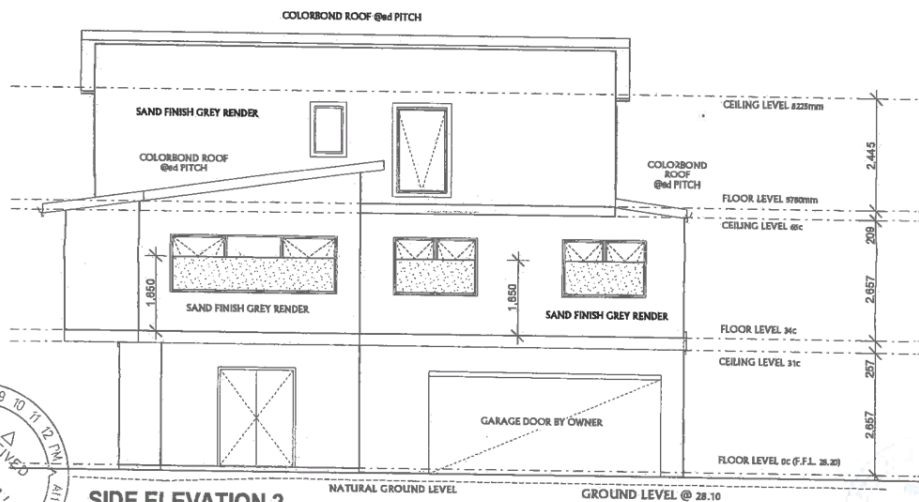
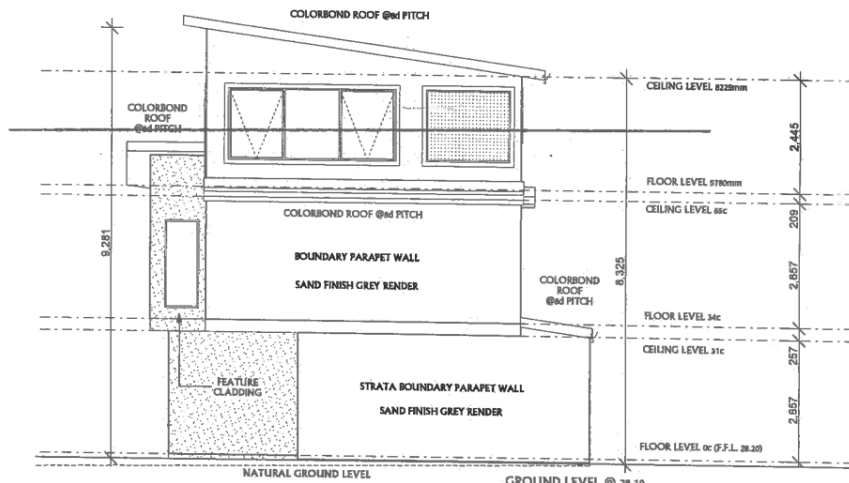
PAGE: 7 of 7

VARIATION: 28-04-14



SCALE 1:100

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DATE: 09-03-14		(C) RARE CONSTRUCTION DESIGN COPYRIGHT CONCEPT SKETCH ONLY
PAGE: 6 of 7	VARIATION: 28-04-14	



SCALE 1:100



Friday, 27 October 2017

Development Application – Summary
Conducted by Kloppe & Davis Architects

Job

Address: Lot 1, 78 Carr Street, West Perth
Client: Van Someren Family
Issue: Rev 0

Application Details:

2 Storey Single Residential Building and Loft.

Background:

Property Address	Strata Lot. 1, 78b Carr Street, West Perth
Zoning	City of Vincent, – West Perth
Use Class	Single Residential Dwelling , R50
Lot Size	196m2
Existing Land Use	Vacant

Figure 1.
Aerial Photo
Not To Scale



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Site Information & Outline of DA

We propose to build a project that demonstrates that ample accommodation can be developed on a small inner-city block while maintaining generous landscaped ground floors without adversely impacting on neighbouring amenity or privacy. Consideration to the site context has been given in the building form which is contemporary with reference to the existing character of the area. We seek planning approval and council support for innovative and conventionally appropriate infill development.

The Subject site is located at 78B Carr Street and situated approx. 150m West of Charles Street. The Site has a total land area of approx. 196m² not including the access driveway running the length of the site.

The Architect seeks approval for a 2 Storey single residential dwelling. The development includes;

- Loft including a bedroom, ensuite and balcony areas.
- 2 additional bedrooms
- 2 Bathrooms
- Bike store
- Kitchen, living, dining and entertainment to the ground floor.
- Adequate parking, reversing and accessibility to and from Carr Street.

This document is referenced to the 'Residential Design Codes', City of Vincent Planning and Building Manual and City of Vincent Local Planning Scheme No. 1

1. **Site Constraints** – Lot 78B consists of a sewer easement which runs along the accessway leading north and south as well as an additional easement running east/west across the width of the subject site as indicated in the site plan. The existing services have informed the shape and orientation of the proposed development which complies with the required setbacks away from major easements. We have proposed a response to the existing site constraints and feel this is the best solution whilst also providing ample landscaping and private open space exceeding the requirements set out by the City of Vincent. The location of the easement has given setbacks to the proposed building to the north and particularly to the west. All setbacks have been proposed as landscaped areas comprising deciduous trees for privacy and shelter to the ground and floor.
2. **Building Height** – In relation to table 5 'Building Height – Residential Areas' - The proposed 2 storey scheme for 78B Carr street seeks variation for the maximum 'Top of Pitched Roof Height' and 'External Wall Height'. The proposal takes into consideration its local context and surrounding built fabric. Adjacent lots to the west, 152 & 153 consist of 3 storey developments and abut the subject site. To the east exist 2 storey developments with a loft and a pitched roof height similar if not greater than the proposed building. The external wall height sits below the existing neighbouring balustrade and roof terrace to the west. In relation to the 'City of Vincent Planning & Building Policy', Section 5.6.1, the proposal responds to its context and character of surrounding developments and does not dominate existing development.

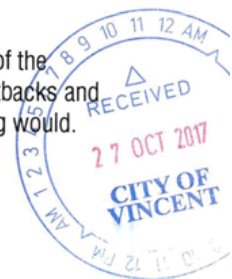
The loft space sits within the traditional form of a pitched roof development. The extra accommodation contained within this space does not add to the overall bulk and scale of the building and infact allows the footprint of the building to be reduced which increases setbacks and allows for a significantly greater landscaped ground floor than a shorter breasted building would.

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& DAVIS**
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3. **Visual Bulk** – The proposed scheme is setback and away from the main street and behind Lot 2 respectively. The siting and orientation of the proposed building will provide minimal visual bulk from the street and the pedestrian footpath beyond. The overall shape, form and mass of the building has been considered and complies with the required setbacks outlined within the R-Codes. The proposed open space surrounding the site to the North and South help define the form of the building. The proposal preserves the current streetscape character and once future development has completed on Lot 1 the proposed building will be masked and less apparent from Carr Street.

Bulk to the building is reduced by means of introducing a lightweight and more permeable ground floor comprising of large glazed openings to the east, south and west. The top-most floor is open to the east and west via deep balconies accessible from the loft bedroom. Privacy is provided to the balconies by introducing 1.6m low-height wall which also form the external walls off the building. The massing of the first floor is broken down further by introducing moments of screening via the use of breeze walls.

4. **Screening** – All proposed Breeze Wall screening will be 75% obscure and provide adequate privacy to and from the proposed building. The screening will be located on the eastern and western elevations. Screening has also been provided to the top section of the western and eastern balcony balustrades to provide some visual permeability. The depth of the breeze block wall allows for privacy when looking from above or below. The breeze wall is designed to be in compliance with the Australian Standards and is non-climbable.
5. **Landscaping** – The site currently contains approx. 46m² of landscaping area, a total of 23% of the site. A total of 34m² is dedicated to Deep Soil Area and located to the rear of the site/ Northern Boundary. This equates to 17% of the site area and also complies with the minimum required deep soil area stated by the City of Vincent Planning and Building Manual C5.14.1. The proposed landscaping has considered the existing easements which run the width of the site and neighbouring buildings as described within point 1. 'Site Constraints'. This scheme considers the use of large deciduous trees which provide privacy and shelter over the proposed landscaped area and private open space. Vegetation has also been used to the rear of the accessway to introduce privacy to the rear courtyard and provide a buffer between the western neighbouring building and the proposed building.
6. **Context & Materials** - The site is located adjacent Lots 151-153 Florence Street. Lot 153 consists of a 3 storeys residential development and also includes a roof terrace. The current proposal aims to match if not be of a similar height. Lot 76A, 76B & 76C consist of 3 storey developments, 2 storeys with a loft similar to the proposed scheme.

The height and form of the pitched roof relates strongly to its surrounding context. Its materiality, proposed as colorbond/ metal cladding will match the materiality of the surrounding dwellings. The external wall height is proposed to match the adjacent properties also. The proposed building adopts face brickwork which is a predominant feature within this scheme and is evident within the local area.

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Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Objection:	Officer Technical Comment:
<p><u>Lot Boundary Setback</u></p> <p>Northern lot boundary - A reduction in the deemed-to-comply requirements to the northern setback provides building bulk which results in significant loss of amenity to No. 6 Florence Street.</p> <p>Southern lot boundary – A reduction in the deemed to comply requirements for the southern setback results in building bulk and overshadowing to the adjoining property.</p>	<p>Given the irregular shape of the lot, the setback to the northern boundary increases from west to east with the eastern end in excess of the required setback, reducing the bulk of the development when viewed from the adjoining lot. The design of the development does not present excessive bulk to the northern property with various materials, finishes and setbacks proposed on the northern elevation. The setbacks proposed are considered appropriate to maintain adequate ventilation and sunlight to the proposed development and the existing dwelling on the adjoining northern boundary. The applicant updated the landscaping plan to provide an additional tree along the northern boundary. The proposed landscaping at the ground level, including four large trees, is now considered to assist in further reducing the impact of the development from the neighbouring property and will provide a sense of open space between buildings. Given the above, it is considered that the setbacks to the northern boundary meet the design principles of the R-Codes and are therefore acceptable.</p> <p>The dwelling has been designed to make more effective use of space and enhance privacy for the occupants of the subject site and the neighbouring properties. The design of the development does not present excessive bulk to the southern adjoining property, with various materials, finishes and setbacks proposed on the southern elevation. The development meets the deemed-to-comply overshadowing requirements of the R-Codes and the setbacks proposed are considered appropriate to maintain adequate ventilation to the proposed development and the proposed dwelling on the adjoining southern lot. The proposed landscaping at the ground level, including two large trees, is considered to assist in further reducing the impact of the development from the neighbouring property and will provide a sense of open space between buildings. Given the above, it is considered that the setbacks to the southern boundary meets the design principles of the R-Codes and are therefore acceptable.</p>
<p><u>Building on the Boundary</u></p> <p>No concern regarding the departure to deemed to comply for building on the boundary however it is noted that the new boundary wall will obscure the existing glass block wall on the adjoining property.</p>	<p>The proposed boundary wall will abut an existing boundary wall of No. 76C Carr Street. The glass blocks are incorporated into the wall of the garage. The proposed boundary wall will not pose an undue impact on the neighbouring properties habitable spaces.</p>

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<p><u>Building Height</u></p> <p>The proposal is not in accordance with the maximum number of storeys of the City's Built Form Policy.</p> <p>The proposed height of nearly 9.0 metres together with the design of the dwelling creates building bulk and negatively impacts on the amenity of the adjoining properties.</p> <p>The roof height could be reduced with better design.</p>	<p>The design of the proposal, at three storeys, has allowed the footprint of the building to be minimised and significant setbacks and landscaping to be provided surrounding the proposed dwelling. The proposed development has been designed to consider the immediate locality and respond to the neighbouring context, with the applicant proposing contrasting materials and finishes and numerous openings to the external walls of the dwelling which assist in mitigating the impact of building bulk on the adjoining properties. The immediate adjoining properties to the west east of the subject lot are considered to align with the scale and character of these adjoining developments. The subject development immediately adjoins the extensive rear yard of this property and proposes landscaping at the ground level, including four large trees, to reduce the impact of the development from the neighbouring property and provide a sense of open space between buildings. The elevation fronting this northern boundary includes various materials, finishes and setbacks, including white painted brickwork, white painted breeze wall, an obscured window and black colourbond wall cladding above, to reduce the impact of bulk on the adjoining property. The three storey design of the proposal has allowed extensive landscaping to be provided to screen the development from the property to the north and it is considered that in this context the three storey height will not have any further impact on the property to the north when completed. The subject lot is setback approximately 32 metres from the primary street and will largely be screened from the street from the adjoining property at No. 78A Carr Street. As a result, it is considered that the proposed dwelling and third storey will not be readily visible from the primary street and will cause minimal visual impacts with regard to building bulk to the streetscape.</p>
<p><u>Visual Privacy</u></p> <p>Major openings to second floor bedrooms is non-compliant and will provide overlooking issues to the outdoor living area and rear verandah area of No. 6 Florence Street and No. 78A Carr Street.</p> <p>Major openings to the third floor bedroom terrace, the proposed breeze wall screening appears to indicate openings in the screen. This allows overlooking into neighbouring properties.</p> <p>Major opening to second floor play area, the proposed breeze wall screening appears to indicate openings in the screen. This allows overlooking into neighbouring properties.</p>	<p>The applicant submitted amended plans to screen Bed 2 in accordance with the deemed-to-comply requirements of the Residential Design Codes. Screening is also to be provided to the window on the southern elevation, facing the outdoor living area of No. 78A Carr Street. The proposed breeze walls depicted on the first and second floors to all elevations are to comply with the definition of screening in accordance with the Residential Design Codes. A condition has been imposed requiring screening to all relevant upper floor windows and the breeze wall.</p>

Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. With regard to Condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
3. With regard to Condition 4, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
4. A security bond shall be lodged with the City by the applicant, prior to the issue of a building permit. This bond will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure in the Right of Way and the Verge along Bulwer Street, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
5. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge and footpath levels to the satisfaction of the City.
6. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
7. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications.
8. Standard 'Visual Truncations', in accordance with the City's Policy 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings.

9.9 NO. 137 (LOT: 141; D/P: 1197) WEST PARADE, MOUNT LAWLEY - PROPOSED TWO MULTIPLE DWELLINGS AND CHANGE OF USE OF EXISTING SINGLE HOUSE TO GROUPED DWELLING

TRIM Ref: D17/171484

Authors: Remajee Narroo, Senior Urban Planner
Paola Di Perna, Manager Approval Services

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 15 – Banks

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Development Plans and Applicant's Report [↓](#) 
3. Attachment 3 - Summary of Submissions [↓](#) 
4. Attachment 4 - Applicant's Response to Submissions [↓](#) 
5. Attachment 5 - Design Advisory Committee Comments [↓](#) 
6. Attachment 6 - Determination Advice Notes [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the development application for Two Multiple Dwellings and Change of Use of Existing Single House to Grouped Dwelling at No. 137 (Lot: 141; D/P: 1197) West Parade, Mount Lawley in accordance with the plans included as Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 6:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 139 West Parade in a good and clean condition prior to occupation or use of the development. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City;

3. Car Parking and Access

- 3.1. A minimum of two resident bays and one visitor bay for the multiple dwellings and a minimum of one car bay for the grouped dwelling shall be provided onsite;
- 3.2. Vehicle and pedestrian access points are required to match into existing footpath and right of way levels;
- 3.3. The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupation or use of the development;
- 3.4. The visitor parking bay is to be sign posted, to the satisfaction of the City, prior to the occupation or use of the development;

4. Landscape and Reticulation Plan

- 4.1. A detailed landscape and reticulation plan for the development site and adjoining road verge is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- 4.1.1. The location and type of existing and proposed trees and plants;
- 4.1.2. Areas to be irrigated or reticulated; and
- 4.1.3. The provision of 13.6 percent of the site area as deep soil zones, 20 percent canopy cover at maturity for the proposed Multiple Dwelling lot and two mature trees with canopy coverage of 11 square metres on the proposed Grouped Dwelling lot as shown on the approved plans; and

4.2. All works shown in the approved detailed landscape and reticulation plans as identified in Condition 4.1 above shall be undertaken to the City's satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

5. Schedule of External Finishes

Prior to commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

6. Construction Management Plan

A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area shall be lodged with and approved by the City prior to the commencement of the development. The Construction Management Plan shall be prepared in accordance with the requirements of the City's Policy No. 7.5.23 – Construction and shall accord with the Public Transport Authority's *Procedure: Working In and Around the PTA Rail Reserve*. The management of the site shall thereafter comply with the approved Construction Management Plan;

7. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

8. Verge Trees

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning to the satisfaction of the City;

9. Clothes Drying Facility

All external clothes drying areas shall be adequately screened in accordance with State Planning Policy 3.1: Residential Design Codes prior to the use or occupation of the development and thereafter to the satisfaction of the City;

10. Front Fence

The proposed front fence within the West Parade street setback area shall comply with the deemed-to-comply standards of the City's Policy No. 7.1.1 – Built Form;

11. Drainage Infrastructure

11.1. Prior to the commencement of development, full engineering details are required to be submitted to demonstrate how the City's and Water Corporation's drainage infrastructure will be protected to the satisfaction of the City; and

- 11.2. Prior to the Occupation of the Development an easement in gross in favour of the City of Vincent for the purpose of protecting the City's drainage infrastructure shall be provided on the title of No.137 (Lot 141) West Parade, Mount Lawley. The applicant/landowner shall pay all costs associated with preparing all documentation and lodgement of the easement on the title;

12. Screening Assessment

A screening assessment undertaken in accordance with Appendix A of The Implementation Guidelines for *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning* shall be lodged with and approved by the City prior to the commencement of the development. All mitigation measures identified in the approved screening assessment shall be implemented to the satisfaction of the City prior to the use or occupation of the development;

13. Right of Way Widening

- 13.1. A 1.2 metre right of way setback to any buildings and structures is to be maintained at all times to enable future right of way widening; and
- 13.2. The 1.2 metre right of way setback area referred to in condition 13.1 above, is to be ceded free of cost to the City on subdivision of the land, including Built Strata subdivision; and

14. General

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application for development approval for two Multiple Dwellings and change of use from Single House to Grouped Dwelling at No. 137 West Parade Mount Lawley.

BACKGROUND:

Landowner:	China Plate Development Pty Ltd
Applicant:	Aaron Sice
Date of Application:	30 August 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R Code: R60 TPS2: Zone: Residential R Code: R60
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Multiple Dwelling – "P" Use Grouped Dwelling – "P" Use
Lot Area:	491m ²
Right of Way (ROW):	Located on the western side of the site with a width of 3.6 metres. The ROW is sealed and privately owned by the City in freehold.
Heritage List:	Not applicable

The subject site is located¹ on the western side of West Parade, Mount Lawley, between Chertsey Street and Guildford Road as shown in **Attachment 1**. The site is zoned Residential with a density of and is currently occupied by a single house which has vehicular access from West Parade. The adjoining land to the north and west of the subject lot is zoned Commercial and is occupied by commercial land uses. The land to the south, which fronts West Parade and Lord Street, is zoned Residential with a density of R60 and is predominantly characterised by a mix single, grouped and multiple dwellings predominately between single and two storeys. At No.131 West Parade there is an existing multiple development that is three storeys in height.

The application proposes to construct two multiple dwellings, situated at the rear of the site behind the existing single house, to a maximum of three storeys in height. Given the site is currently one lot and there is more than one dwelling on the lot, the existing single house fronting West Parade, the application also triggers a change in classification of this existing dwelling from 'Single House' to 'Grouped Dwelling'. The applicant has indicated their intention to strata subdivide the existing lot as follows:

- Rear Lot: To include the two proposed multiple dwellings with a site area of 231 square metres;
- Existing Dwelling Lot: To include the grouped dwelling fronting West Parade with a site area of 260 square metres.

The visitor car bay and car parking for the residents for the two proposed Multiple Dwellings are proposed to be accessed from Right of Way. Vehicular access to the Grouped Dwelling will remain unchanged from West Parade. The plans which form the basis of this report are included as **Attachment 2**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Density/Plot Ratio		✓
Street Setback	✓	
Front Fence	✓	
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Roof Form	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Landscaping	✓	
Privacy	✓	
Parking & Access	✓	
Bicycle Facilities	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	
Setback from Right of Way	✓	
Environmentally Sustainable Design	✓	

Detailed Assessment

The deemed-to-comply assessment of the elements that require the discretion of Council are as follows:

Plot Ratio	
Deemed-to-Comply Standard	Proposal
R-Codes - Clause 6.1.1	
Plot ratio of 0.7 which equates to 161.7m ² of gross building floorspace	Plot ratio of 0.74 or 170.94m ² of gross building floorspace

Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
Built Form Policy – Clause 5.3 R-Codes – Clause 6.1.4	
<u>Northern Boundary</u>	<u>Northern Boundary</u>
Second Floor setback a minimum of 5.4m	Second Floor setback a minimum of 3m
<u>Southern Boundary</u>	<u>Southern Boundary</u>
Second Floor setback a minimum of 5.4m	Second Floor setback minimum of 3.069m increasing to 4.1m
<u>Boundary Wall</u> (Northern Boundary)	
Maximum Height of 3.5m	Maximum Height of 9.1m
Average Height of 3m	Average Height 9.1m

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken for a period of 21 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015* and the City's Policy No. 4.1.5 – Community Consultation, from 7 November 2017 to 27 November 2017. The method of community consultation included advertising the proposal on the City's website and 57 letters being mailed to all owners and occupiers within a radius of 100 metres to the subject site, as shown on **Attachment 1**. A total of four submissions were received, one objection and three letters of no-objection. The objection received was not from the immediately abutting lots. The comments raised in the objection can be summarised as follows:

- The proposal does not meet requirements for plot ratio and open space as required by the R-Codes;
- The variations to the setbacks and boundary wall will not minimise the perceive bulk of the dwelling;
- The height of the building is to be restricted to two storeys;
- The proposal does not meet the landscaping requirement;
- The windows on the southern elevation are to be screened to prevent any overlooking of adjoining properties; and
- The proposal should comply with the requirements of the R-Codes.

A detailed summary of the objection received during the consultation period and Administration's response to each matter raised is included in **Attachment 3**. The applicant's response to the objection is included in **Attachment 4**.

Following adverting the applicant modified the plans to address the submissions received as well as the comments of the City's Design Advisory Committee (DAC) and the City's officers. The changes are identified as follows:

- The stairs to the first floor were modified to become common to more than one dwelling and therefore excluded from the calculation of the plot ratio. The amended plans reduce the plot ratio from 0.816 as advertised to 0.74;
- A store to the Grouped Dwelling was provided and the development now complies with the deemed-to-comply of the R-Codes in this regard; and
- Landscaping was proposed within the front setback which accords with the deemed-to-comply standards of the R-Codes.

Design Advisory Committee (DAC):

Referred to DAC: Yes

Plans for the development were first presented to DAC on the 5 July 2017. At that time the DAC requested that the amended plans be referred back to the DAC when received. Amended plans were referred by email to DAC Chair for comment. The DAC Chair advised that the amended plans were supported. An extract of the Minutes of the meeting and the DAC Chair's response are provided in **Attachment 5**.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

In accordance with Schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant has the right to apply to the State Administrative Tribunal for a review of Council's determination.

It is noted that the landscaping provisions of the City's Built Form Policy require approval of the Western Australian Planning Commission (WAPC) and as a result the assessment will only have 'due regard' to these provisions.

Draft Local Planning Scheme No. 2 (Draft LPS 2)

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No. 2 (LPS2) is to be modified before final approval will be granted. The Schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the LPS2 should be given due regard as part of the determination of this application. Proposed LPS2 and the modifications required do not impact on the subject property.

Delegation to Determine Applications:

This matter is being referred to Council as the proposal is for development classified 'Category 1' as the development is three storeys in height.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment"

- 1.1 *Improve and maintain the natural and built environment and infrastructure".*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Plot Ratio

The application proposes a plot ratio of 0.74 (170.94 square metres of gross building floorspace) which is great that the deemed-to-comply plot ratio of 0.7 (161.7 square metres gross building floorspace) set by the R-Codes for this R60 site.

The submission received raised concern with the proposed plot ratio and that the proposed plot ratio and height had added bulk and scale to the development. The subject lot is within a three storey building height area with the adjoining land zoned Commercial. The plot ratio proposed is less than 10 square metres greater than the deemed-to-comply standard set by the R-Codes for this site and is not considered to add obvious bulk to the development. The development has been designed to comply with the height requirements and the building elevation is well articulated with contrasting materials and colours. These factors, combined with the proposed landscaping, will soften the bulk and scale of the development to adjoining properties, the ROW and the streetscape.

The surrounding area is intended to be rezoned under LPS2 with the land on the western side of the ROW proposed to be up coded to R100 providing for development up to six storeys. It is considered that the proposed design and density of the development is consistent with the changing character of the area.

Lot Boundary Setback*Northern Boundary*

The second floor is setback three metres from the northern boundary in lieu of the 5.4 metres deemed-to-comply standard set in the R-Codes. The adjoining property at No.139 West Parade is zoned Commercial and has an existing boundary wall at a height of 6.17m for the length of the boundary adjoining the proposed units. The section of wall proposing the reduced setback does not contain any major openings and due to the orientation of the lot will not result in any overshadowing to the north. Given the existing commercial development on the adjoining property it is considered that the setback variation will not impact on the adjoining property.

Table 4 of the R-Codes sets out a maximum height of 3.5 metres and an average height of 3 metres for boundary walls. The development proposes a boundary wall to the northern property boundary up to 9.1 metres in height. As outlined above the adjoining property to the north at No. 137 West Parade is zoned Commercial and contains a large commercial development which occupies almost 75% of the lot area and presents a boundary wall at a height of 6.1 metres to the northern boundary of the subject site. The existing boundary wall on this site is longer than the proposed boundary wall and as a result the 9.1 metre high boundary wall proposed will not be visible from the adjoining property, West Parade or the ROW and is considered appropriate in this instance.

Southern boundary

In accordance with the Lot Boundary Setbacks of the R-Codes the second floor is setback between 3.069 metres to 4.1 metres from the southern boundary in lieu of the deemed-to-comply standard of 5.4 metres set in the R-Codes. Whilst the proposal does not comply with the lot boundary setbacks, the dwelling is setback to comply with the Visual Privacy standards of the R-Codes and will not result in any overlooking. In addition the wall is well articulated with staggered sections of wall, a variety of materials and finished and the inclusion of openings to reduce the bulk of the development. The proposal complies with the overshadowing requirements and will not impact on the outdoor living areas of the adjoining property. Given the above, the proposed setback to the southern boundary is considered to meet the relevant design principles of the R-Codes.

Landscaping

The City's Built Form Policy sets out a deemed-to-comply standard of 15 percent deep soil zone and 30 percent canopy cover at maturity. These provisions have yet to be adopted by the WAPC, however, are given due regard in the assessment of the application. The assessment of the landscaping requirements is based on the whole site area (491 square metres), with the application proposing 13.25 percent of the site as deep soil zone and 20 percent canopy coverage. Additional landscaped areas in the submitted landscaping plan are identified as deep soil zone, however, these do not meet the one metre minimum dimension requirements in accordance with the Built Form Policy.

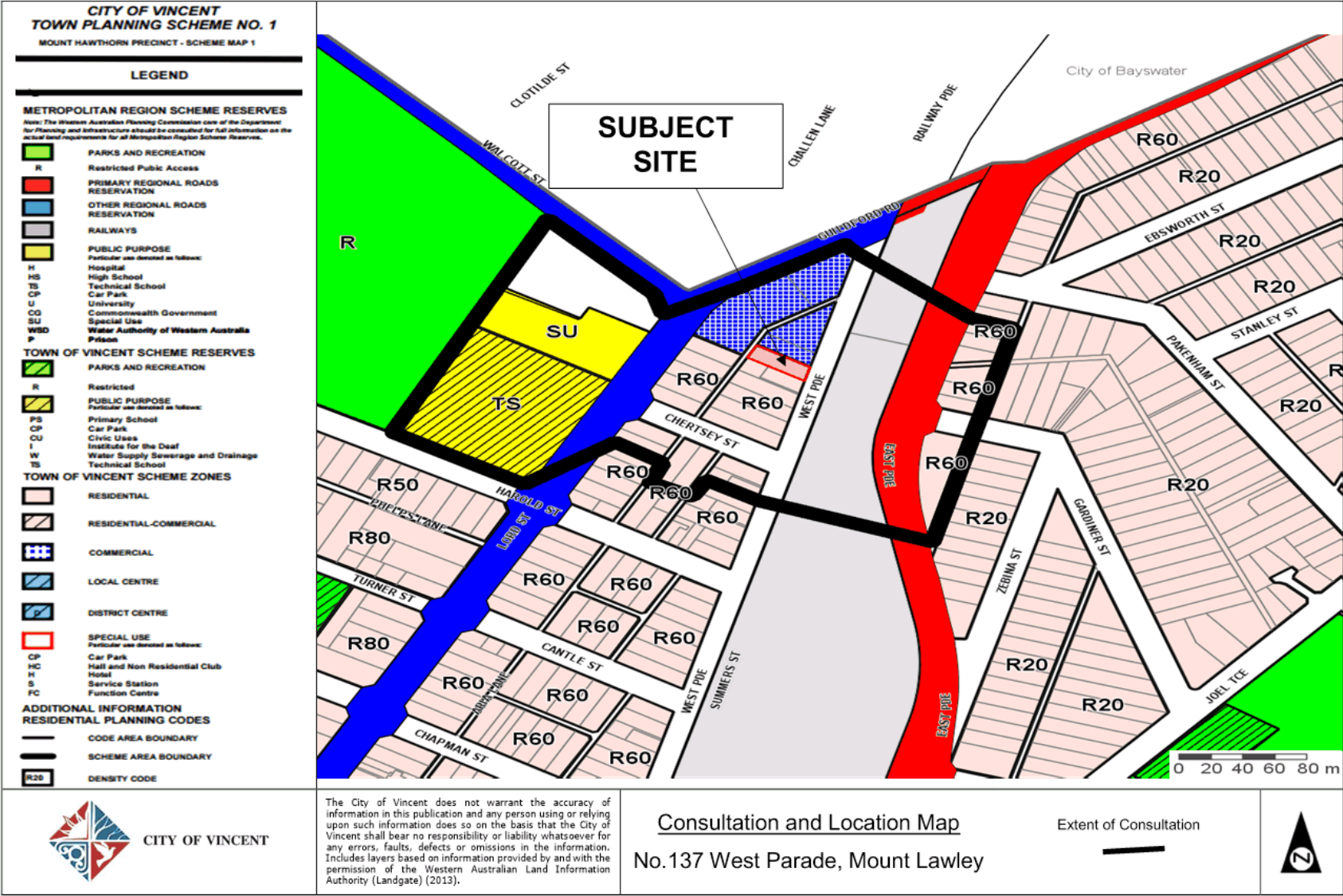
Consistent with the objectives of the City's Built Form Policy the application proposes the retention of the existing dwelling. The redevelopment of the land to the rear of the existing dwelling and the need for visitor car parking and a store for the existing dwelling results in a limited area for additional canopy coverage to be provided on site. The development proposes to retain the existing mature tree at the front of the site and has designed the pedestrian access and letterbox in order to protect this important contributor to canopy coverage. The application also proposes a creeper over the pergola in the new ground floor outdoor living area, which will further contribute to the landscaping of the site. Given the retention of the existing tree fronting West Parade and the proposed arbour above the pergola, it is considered that the development responds to the intent of the City's policy and provides an appropriate landscaping outcome.

Drainage Infrastructure

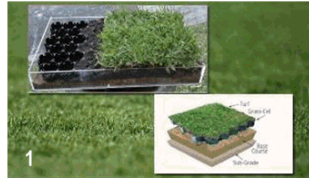
The subject lot is traversed by the Water Corporation's Mount Lawley main drain, a 1600 diameter brick drainage structure running east to west across the north east corner of the lot. The City's 375 RC drainage pipe also runs along the same alignment. The construction of the multiple dwelling above this drainage infrastructure will require engineering solutions for the protection of both drainage systems in accordance with the Water Corporation's requirements. It is recommended that a condition be imposed on any approval requiring the development to be undertaken in accordance with the Water Corporation and City's requirements with the landowner required to enter into an easement for protection of this infrastructure prior to occupation of the new development to ensure its ongoing protection. The applicant is aware of this requirement and has not raised any concerns.

Conclusion

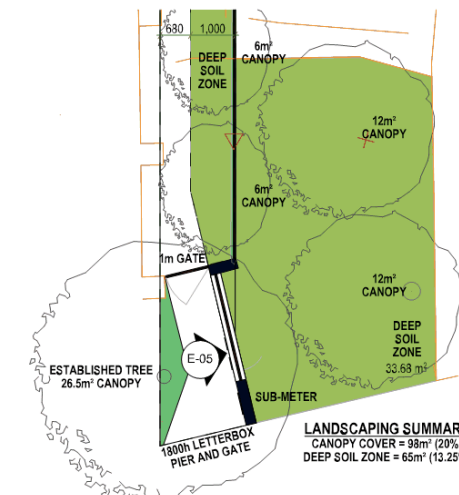
The proposal requires the Council to exercise its discretion in relation to plot ratio and building setbacks. Both of these elements of the proposal are considered to meet the relevant design principles set out in the R-Codes and local housing objectives set out in the Built Form Policy. The proposal is recommended for approval subject to conditions.





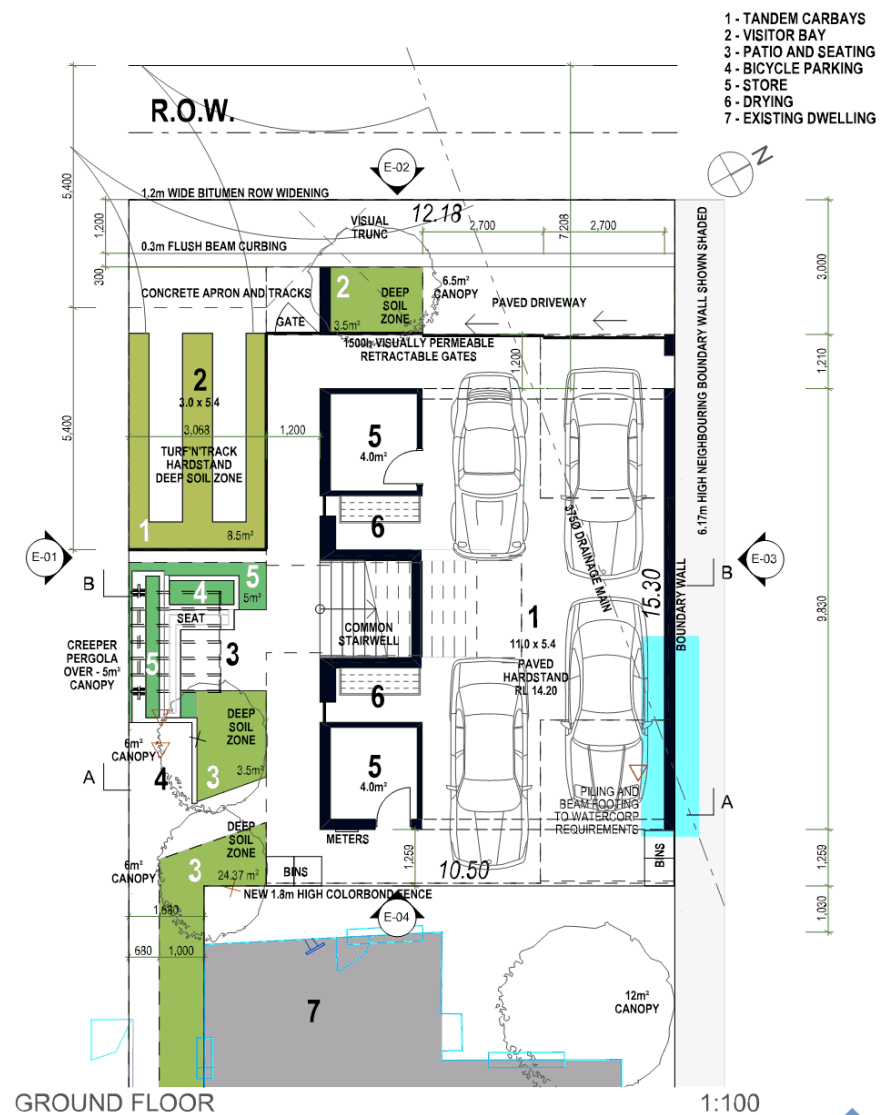


LANDSCAPING



GATE & FRONT YARD

1:100

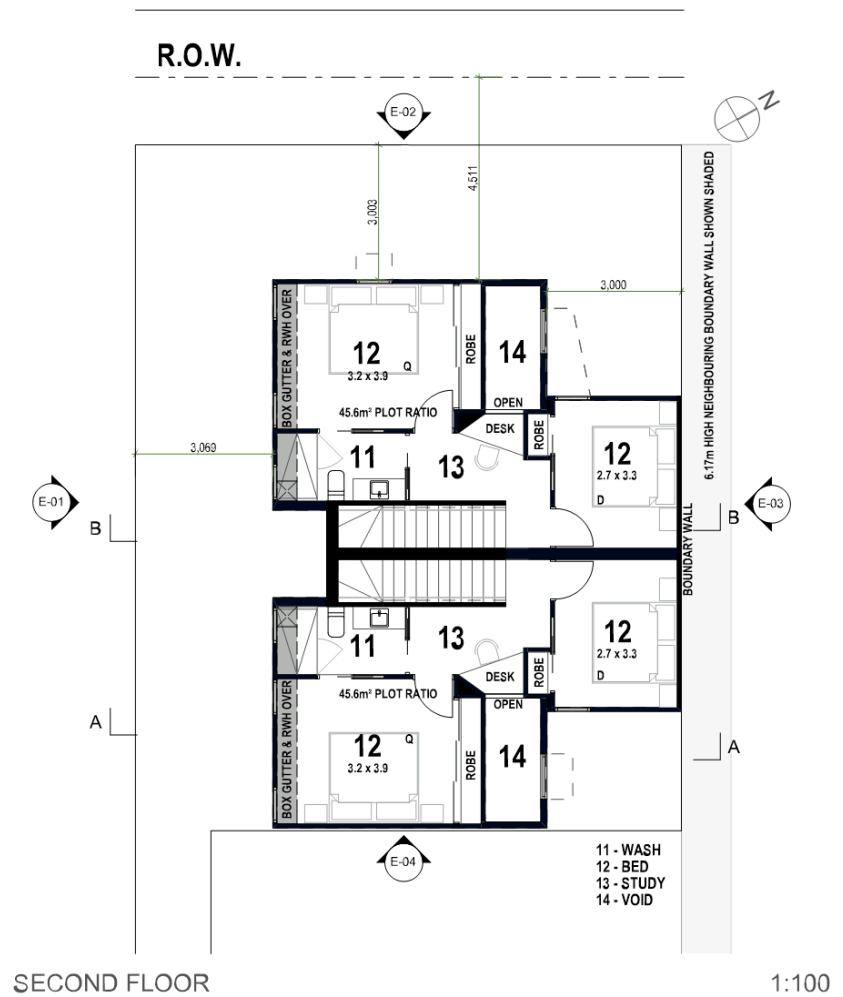
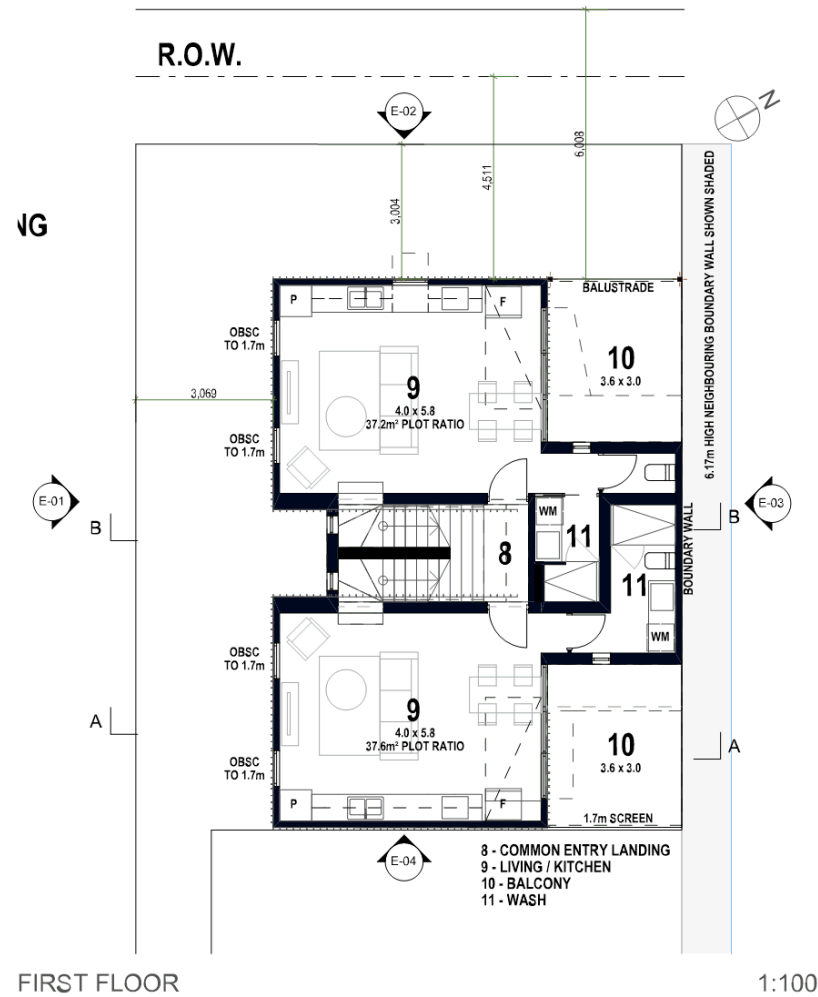


GROUND FLOOR

1:100

PROPOSAL FOR TWO (2) MULTIPLE DWELLINGS BEHIND EXISTING HOUSE
 REAR 137 WEST PARADE, MOUNT LAWLEY 231m² R60
 CHINA PLATE DEVELOPMENTS PTY LTD SHEET 01 OF 05
 © AARON SICE REV 6c - DEC 2017

231m² R60
SHEET 01 OF 05
REV 6c - DEC 2017



PROPOSAL FOR TWO (2) MULTIPLE DWELLINGS BEHIND EXISTING HOUSE
 REAR 137 WEST PARADE, MOUNT LAWLEY
 CHINA PLATE DEVELOPMENTS PTY LTD
 © AARON SICE

231m² R80
 SHEET 02 OF 06
 REV 6c - DEC 2017



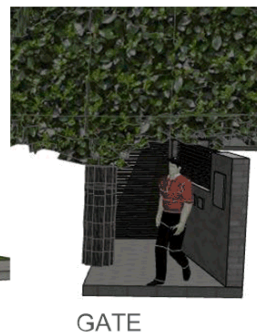
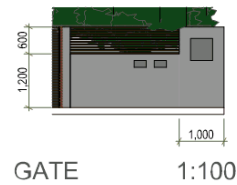
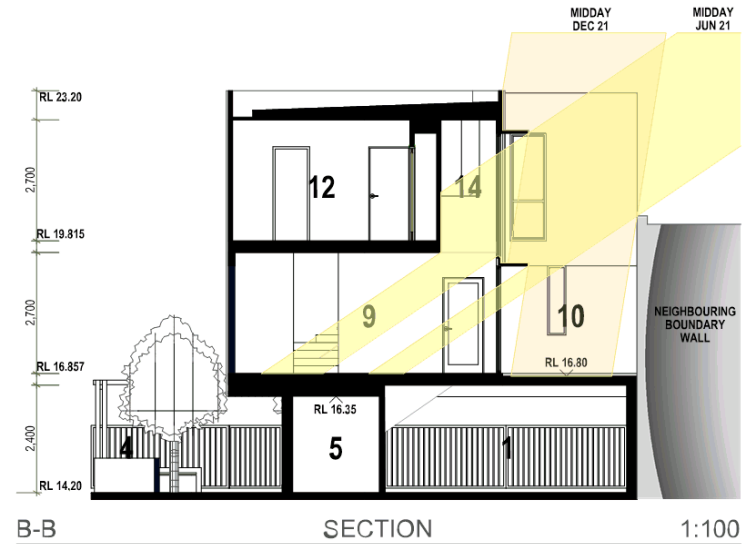
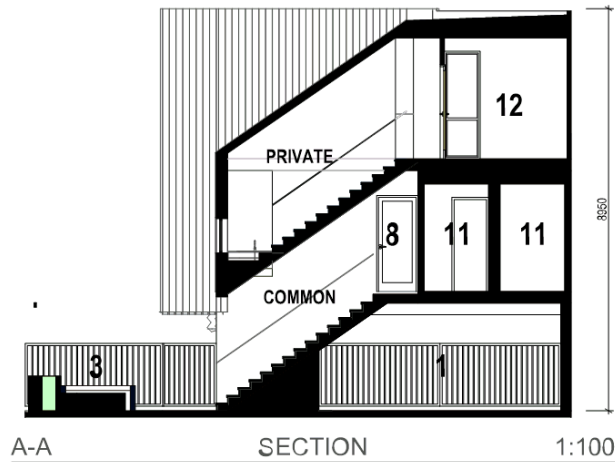


MATERIAL
PALETTE



PROPOSAL FOR TWO (2) MULTIPLE DWELLINGS BEHIND EXISTING HOUSE
REAR 137 WEST PARADE, MOUNT LAWLEY
CHINA PLATE DEVELOPMENTS PTY LTD
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231m² R80
SHEET 03 OF 06
REV 6c - DEC 2017

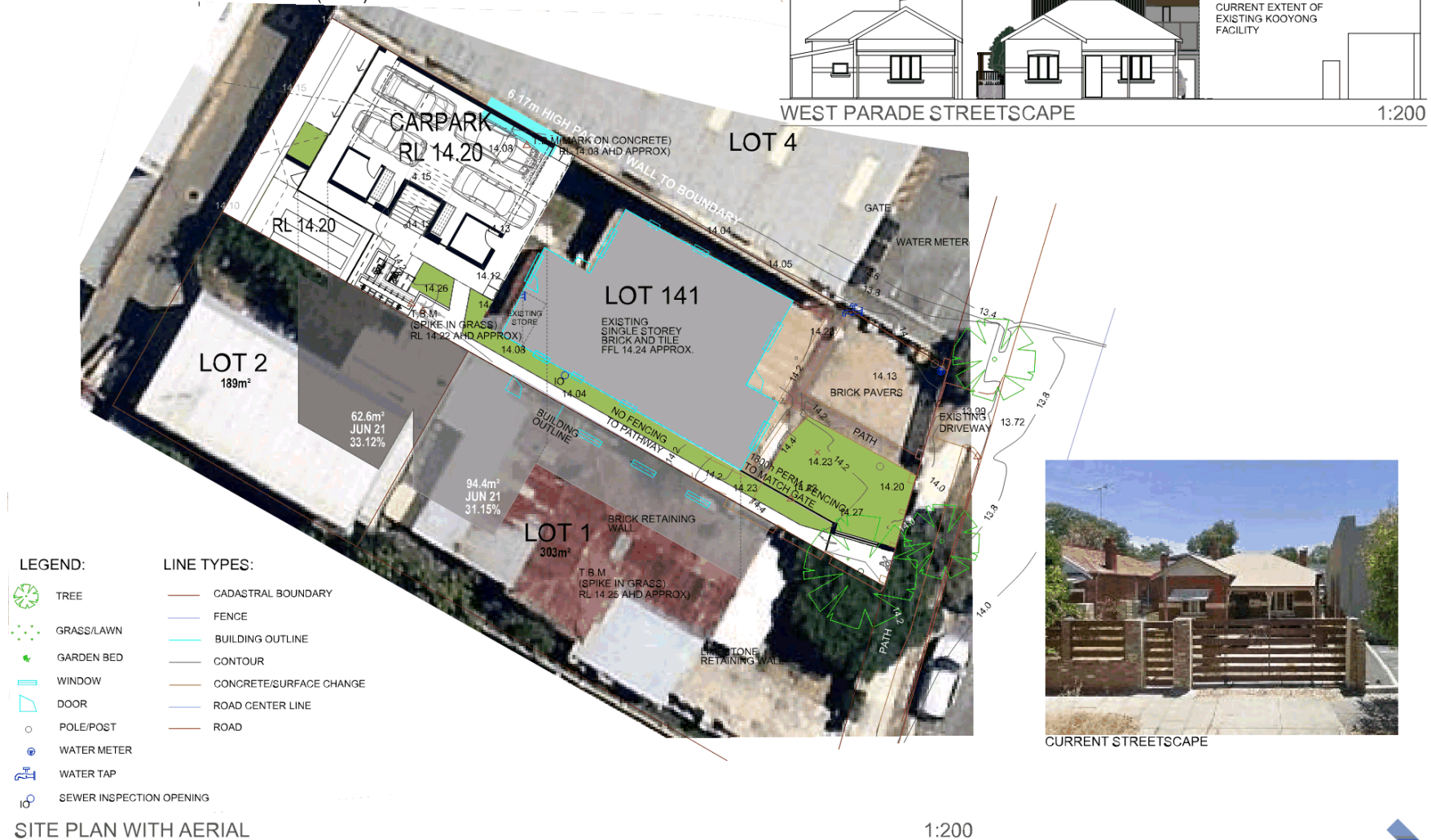


PROPOSAL FOR TWO (2) MULTIPLE DWELLINGS BEHIND EXISTING HOUSE
 REAR 137 WEST PARADE, MOUNT LAWLEY
 CHINA PLATE DEVELOPMENTS PTY LTD
 © AARON SILE

231m² R80
 SHEET 04 OF 05
 REV 6c - DEC 2017



DEVELOPMENT AREA - 231m²
 R60 PLOT RATIO - 161.7m² (0.7)
 TOTAL PLOT RATIO - 171.0m² (0.74)



PROPOSAL FOR TWO (2) MULTIPLE DWELLINGS BEHIND EXISTING HOUSE
 REAR 137 WEST PARADE, MOUNT LAWLEY
 CHINA PLATE DEVELOPMENTS PTY LTD
 © AARON SICE

231m² R60
 SHEET 05 OF 06
 REV 6c - DEC 2017



06 June 2017

City of Vincent
PO Box 82
LEEDERVILLE WA 6902

[ATTN: Director, Planning Services | Two \(2\) Multiple Dwellings behind Existing Dwelling –137 West Parade, Mt Lawley.](#)

Dear Sir / Madam,

Please find attached Proposed Plans for submission to the Development Advisory Committee for comment prior to formal Development Application lodgement.

#137 West Pde is a 491m² R60 site with an existing period dwelling. The Proposed Development for two (2) Multiple Dwellings is behind the existing dwelling on 231m², leaving 360m² for the front lot. The site is a flat, sandy site, adjacent the KOOYONG factory and has public ROW access; however, the existing dwelling does not use the ROW for access.

The site is within the Banks precinct and is not affected by road widening or any easement burden. The ROW requires widening and ceding back to the City.

This site has previously been up to DAC for a similar proposal with a different building designer; however, the owners have requested I submit a fresh proposal due to the inability of the previous design to reconcile a number of problematic issues.

We are seeking Design Excellence for this application to assist a reasonably compliant proposal.

This correspondence for the DAC submission references the Proposed Development against City of Vincent Built Form Policy 7.1.1 Residential Areas, incl Appendix 1 'Design Principles'.

Appendix 1 – Design Principles.

1. Context and Character

The immediate area has many examples of a similar pattern of subdivision and built form. The Proposed Development is a 'buffer' property adjacent a commercial area with a large boundary wall along the entire North boundary; therefore an innovative solution is needed to provide the best outcome for any future occupants. The built form is bold and modern and is a progression of the continuing modern styling of laneway development. Materials reflect the immediate commercial surrounds and modern laneway dwellings. The proposal is located within 400m of East Perth train station and two high-frequency bus routes, providing the opportunity to increase density in the immediate location. The proposal maintains the intent behind a Residential R60 zoning in that only small concessions to Plot Ratio and side boundary wall heights are requested. Neighbouring amenity is not affected by bulk and scale or overshadowing; and with conflicting private areas well separated, will further maintain all existing neighbouring amenity.



aaron sice



2. *Landscape Quality*

The Proposed Development has a high emphasis on passive and active landscaping. With a small creeper patio to the Common seated planter, occupants have an extra outdoor dimension to enjoy at their leisure outside of their minimum private outdoor area. The gatehouse to West Pde provides for the retention of the existing tree within the front setback with a considered approach to the common property size and position in this location. A turf-cell visitor bay and driveway is the same model as successfully trialled by the City of Bayswater for crossovers, providing for a large reduction in unshaded paved area and heat island effect. A landscaped buffer between the West Pde access path and existing dwelling forces regular and casual users away from the side windows of the existing dwelling, maintaining privacy and likely to reduce occupant interruption. Small Deep Soil Zones are supplied for appropriate tree planting and accompanying ground cover.

3. *Built Form and Scale*

A majority of laneway development in the immediate location is two storeys – some with lofts. Three (3) floors is proposed at a height that is 1m under maximum for the location per Figure 2 (7.1.1) – however the form is strong and bold; yet with intricate articulation and layers of identity.

Existing Laneway character is a strong trend towards bold and modern design. The Proposed Development seeks to continue the evolving language of Laneway Development in the immediate area; a well considered approach is proposed to increase amenity for the occupants with landscaped and seated Common Area to supplement North facing private balconies; and a high level of internal amenity. Private and Common areas are well defined, and delineated from the Public ROW.

4. *Functionality and Build Quality*

A podium style of development is proposed to set the dwellings above the laneway which is frequented with commercial vehicles. Building materials are common for use but a re-imagining of the materials in the immediate area – commercial cladding and simple face brickwork. Minimal overlap of the dwellings ensures reduced noise transfer with similar adjacent rooms and an exclusive stairwell between them. The Common area is easily accessible and the private outdoor areas are placed to the North side and well separated from each other.

5. *Sustainability*

The proposal seeks to capture as much natural light as possible over the neighbouring two-storey parapet wall, providing a strong seasonally passive element to the Proposed Development. The use of location-appropriate low-water use plantings and building materials with low embodied energy and maintenance requirements (like timber framing and local bricks) continues the energy efficient design ideal. With a high degree of local materials, minimal concrete and a high level of recyclability (cladding, framing etc), the Proposed Development is an exercise in life-cycle and economic rationalisation. Rainwater capture, storage and re-use is provided for the common areas.

6. *Amenity*

Dwellings are open to three sides providing for maximum natural light and cross-flow ventilation for occupants. With North-facing living areas and balconies, this light is filtered into all stories with the use of a small two-storey void open to the living room below and the study recess adjacent. Visual privacy is maintained for all occupants and neighbouring dwellings without the use of 'highlight' windows, furthering the everyday amenity for future occupants.

Oversize outdoor living areas are supplemented with a Common outdoor area with all ancillary uses (drying lines, AC units etc) outside of these private spaces and placed appropriately to avoid any impact on neighbouring properties. Well-sized rooms are easily furnished as demonstrated with a good amount of internal storage. Utility areas are well separated and similar room uses are proposed adjacent each dwelling. The podium style of development provides for adequate shelter for a user of the spaces surrounding the building.

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7. Legibility

Wayfinding to and through the site is obvious and apparent. The gate-house from West Pde sets the pedestrian entry off the street, with the termination of vista to the Common seating area beyond. Visitor parking is the only obvious available space from the ROW. Once inside the development, the stairwell to the apartment entries is wide and defined. The built form is legible to read as a casual observer and utility areas well concealed with easy access.

8. Safety

Podium development is proposed to set the dwellings above the ROW which is narrow and frequented by commercial vehicles. The dwellings provide for a number of Major Openings providing surveillance of the approach to the dwelling and the ROW, including an unscreened balcony for effective surveillance and an immediate visually defensible space. Common areas are open and easily surveyed from the grounds and dwellings. The access from West Pde is gated and secured and the termination of vista is the Common seated planter area. Vehicle and pedestrian areas are well separated and clearly defined.

9. Community

The Proposed Development is designed to 'mind its own business'. It's the new kid on the block, in a discrete corner of the neighbourhood. With a small communal area for the use of occupants and deep-soil zones for planting of small/medium trees to provide a landscape buffer to the neighbours, the proposed development has a high level of respect for the immediate neighbourhood. Two (2) dwellings total are provided as 2 bed, 2 bath dwellings – known to be the most flexible dwelling types for small families, sharing roommates etc and each dwelling is provided with two (2) car bays and a separate study nook in recognition of this. The Proposed Development is within walkable catchment of a train station and two high frequency bus routes to Beaufort Street, Perth CBD, Bayswater and beyond.

10. Aesthetics

The general approach to the design of the dwellings is one of function over form. The functions of the pedestrian and vehicle interfaces were separated, the legibility of the common areas and transitional spaces considered, dwelling design and their relationships to each other formalised with a strong sense of individuality, and the bulk and scale sculpted where possible and minimise the visual mass of the proposal.

The proposal is bold and doesn't try to hide it – being adjacent to a commercial area it shows strength in style and form; yet respects its residential location with articulate façade treatment and appropriate massing to reduce bulk and scale. A classic urban podium design is proposed that allows the space underneath to be used as transition in conjunction with the Common area adjacent; to maximise the functionality of the site.

Material of the podium matches the adjacent parapet wall and the remaining materials draw on influence of the immediate area – cladding, commercial profiles and a modern palette.

Built Form Policy 7.1.1 Section 5 – Residential Areas

5.1 Site Area

Multiple Dwellings proposed. No minimum lot area. Existing Dwelling on 360m².

5.2 Street Setback

Proposed development abuts a ROW. Not applicable.



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5.3 Lot Boundary Setback

C5.3.1(i) Boundary wall proposed 8.9m high. Wall abuts a commercial property with commercial zoning. Finish of wall above 6.17m of commercial parapet adjoining North boundary matches the proposed development.

C5.3.2 Setback of 4.5m to habitable rooms provided to centreline of ROW per C5.3.4. Balcony setback provided at 6m to property boundary per Clause 6.4.1 (C1.1i) R Codes.

5.4 Open Space

5.4.1 Open Space is calculated at 66.1%.

5.5 Communal Open Space

18m² provided supplemental to the required outdoor living provision. No requirement for communal open space.

5.6 Building Height

C5.6.1 Building height per Figure 2 is three (3) stories. Table 5 requires a maximum of 9m wall, 10m concealed roof wall / skillion and 12m pitched roof. Proposal provides for a maximum parapet height of 8.95m.

5.7 Setbacks of Garages and Carports

Car parking is provided from a Right of Way. Parking provision is less than 50% of the frontage, fully permeable and visually subservient to the Proposed Development.

5.8 Garage Width

No provisions apply.

5.9 Street Surveillance

C5.9.1 Proposed Development abuts a ROW. Three (3) separate habitable room windows and an unscreened balcony provide direct visual surveillance of the entire length immediate to the Proposed Development.

5.10 Street Walls and Fences

C5.10.1 Proposed gate entry is similar in scale and construction to other rear lot developments along West Pde.

C5.10.2(a) Brick fencing and gates are not more than 1.8m above NGL.

(b) Piers are 1.8m high.

(c) Gate is visually permeable for the full height.

(d) Piers are not wider than 400mm at their edge (350mm provided) but are 1.0m deep to provide a protected alcove off the street for letter collection and gate use.

(e) Pedestrian gate provided so distance between piers is less than their height.

C5.10.3 Not applicable.

C5.10.4 All front fencing is brick construction.

5.11 Sight Lines

All minimum visual truncations provided to the Right Of Way.



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5.12 Appearance of Retained Dwelling

The existing dwelling is in good condition with an enclosed front yard compliant with current requirements per 5.10. It is currently undergoing a minor cosmetic update.

5.13 Outdoor Living Areas

The individual private outdoor living areas are 11m² balconies with a minimum dimension of 3.0m.

5.14 Landscaping

P5.14.1 Landscaping has been designed with due consideration to all neighbouring dwellings. The existing dwelling is provided with a landscape buffer strip to force occupants away from Major Openings and trees are planted between the Proposed Development and the neighbouring dwellings to the South.

P5.14.2 Appropriate Small/Medium trees are provided between the proposed development and existing neighbouring dwellings. A Small/Medium tree is also provided to the ROW setback area. The Common area is provided with a creeper pergola to increase Summer shade. The existing tree within the front setback is retained adjacent the gate house from West Pde.

P5.14.3 Appropriate selected waterwise species are proposed to ensure sustainable management of all landscaping components.

P5.14.4 A minimum of three (3) new trees are proposed along with the retention of the established tree within the front setback area. One new tree is proposed to the Western façade to assist with reduced heat loading. The creeper pergola is adjoining an irrigated planter for increased Summer shade. The driveway and visitor parking bay are deep-soil turf-cells to eliminate the heat island effect of bare paving treatments.

P5.14.5 As previously mentioned, the existing tree to the front setback area is retained, along with the provision of 40m² of deep soil zones, 25% of this allocation is for appropriate tree species.

P5.14.6 ROW landscaping is appropriate and contributes to the enhancement of space while remaining safe and practical to manoeuvre.

5.15 Parking

Requirements are two (2) car bays, one (1) visitor bay and two (2) bicycle bays. The Proposed Development provides for four (4) car bays, one (1) visitor and two (2) bicycle bays.

5.16 Design of Car Parking Spaces

Occupant car bays are B85 in tandem per AS2890. Visitor bay is B85 in tandem with 0.3m per side for obstructions per AS2890. Bicycle bays are 1.8 x 0.6m per AS2890. Spaces are easily accessible, covered and secured behind automatic gates.

5.17 Vehicular Access

Access is provided by the ROW where supplied.

5.18 Pedestrian Access

Pedestrian access and movement around the site is legible and separate from manoeuvring areas and the ROW.

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5.19 Site Works

All site works proposed are within 0.15m of NGL.

5.20 Retaining Walls

No retaining walls are proposed.

5.21 Stormwater management

Stormwater solution is provided with simple soakwell solutions due to the Class 'A' sandy site as overflow from the capture and storage system provided for common landscaping.

5.22 Visual Privacy

All setbacks for Major Openings are in excess of the requirements for Visual Privacy compared against the R Codes. Only the Eastern-most proposed balcony requires an obscured screen to 1.7m AFL; and is provided.

5.23 Solar Access for Adjoining Sites.

The proposal provides for 15.81% shadow to Lot 1 and 33.12% shadow for Lot 2; well inside the maximum allowable of 50% at midday, June 21.

5.24 Outbuildings

No outbuildings are proposed, but the creeper pergola is not more than 2.4m high.

5.25 External Fixtures

C5.25.1 Meterboxes are located to the East side of the carparking area, away from casual observation.

Air conditioning compressors are roof-mounted to the North side of the development.

Washing lines are located to a screened area inside the carparking area.

C5.25.2 Washing lines are screened with a minimum 75% visual obscurity.

C5.25.3 Not applicable.

5.26 Utilities and Facilities.

Not applicable (C5.25.2)

5.27 Ancillary Dwellings

Not applicable

5.28 Aged or Dependent Persons Dwellings

Not applicable

5.29 Single Bedroom Dwellings

Not applicable.



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5.30 Environmentally Sustainable Design (Per Clause 1.8)

- P1.8.1 Section B-B, Sheet 4 highlights the natural and direct light penetration. With dwellings open on three sides, cross-flow ventilation is assured.
- P1.8.2 Storage tanks provided adjacent to the soakwells in carparking area with bilge-pump to supply rainwater to common gardens.
- P1.8.3 Awnings provided to the North and Western windows. Creeper Pergola provides shade in summer for Common area.
- P1.8.5 The development seeks a minimum 5 Star Green / 7 star NCC energy rating.

5.31 Developments on Rights of Way

- C5.31.1 The Proposed Development meets Planning Bulletin 33.
- C5.31.2 The Proposed Development addresses, draws access from and surveys the ROW.
- C5.31.3 The Proposed Development is set back 1.5m from the ROW after widening.
- C5.31.4 The pedestrian access leg is 1.68m wide.
- C5.31.5 The ROW is already sealed and trafficable. Widening is proposed as a concrete apron per Technical Services requirements.

The Proposed Development is a bold statement that provides a considered interpretation of the commercial to residential buffer. It draws on sustainable and efficient building practises to provide a high level of occupant amenity without unduly affecting the residential neighbours; all within a quality and legible landscaped setting.

Please contact me as soon as practically possible with any questions or clarifications required.

Sincerely,

Aaron Sice.



aaron sice

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Support:	Officer Technical Comment:
<u>Main Roads</u> No objection to the proposed development subject to the applicant undertaking a screening assessment in accordance with Appendix A of the Implementation Guidelines for State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.	Noted. A condition to this effect has been recommended on the approval.
<u>Public Transport Authority</u> No objection subject to the proposed development complying with the Public Transport Authority's <i>Working In and Around Rail Reserves</i> document as the development is in close proximity to the rail reserve.	Noted. This requirement has been included in the Construction Management Plan condition recommended on the approval.
Comments Received in Objection:	Officer Technical Comment:
<u>Plot Ratio and Open Space</u> The proposal does not comply with the required plot ratio and open space. The development should be reduced to two storeys.	The subject lot is within a three storey building height area with the adjoining land zoned Commercial. The plot ratio proposed is less than 10 square metres greater than the deemed-to-comply standard set by the R-Codes for this site and is not considered to add obvious bulk to the development. The development has been designed to comply with the height requirements and the building elevation is well articulated with contrasting materials and colours. These factors, combined with the proposed landscaping, will soften the bulk and scale of the development to adjoining properties, the right of way and the streetscape. The surrounding area is intended to be rezoned under LPS2 with the land on the western side of the right of way proposed to be up coded to R100 providing for development up to six storeys. It is considered that the proposed design and density of the development is consistent with the changing character of the area.
<u>Boundary Setback</u> The variations to the boundary setbacks and the height of the boundary wall will have a visual impact on the adjoining properties in terms of bulk and scale.	The adjoining property to the north, at No.139 West Parade is zoned Commercial and has an existing boundary wall at a height of 6.17m for the length of the boundary adjoining the proposed units. The existing boundary wall on this site is longer than the proposed boundary wall and as a result the 9.1 metre high boundary wall proposed will not be visible from the adjoining property, West Parade or the right of way and is considered to meet the relevant design principles of the R-Codes and be appropriate in this instance.

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
	Whilst the proposal does not comply with the lot boundary setbacks to the south, the dwelling is setback to comply with the Visual Privacy standards of the R-Codes and will not result in any overlooking. In addition the wall to the southern boundary is well articulated with staggered sections of wall, a variety of materials and finished and the inclusion of openings to reduce the bulk of the development. The proposal complies with the overshadowing requirements and will not impact on the outdoor living areas of the adjoining property. Given the above, the proposed setback to the southern boundary is also considered to meet the relevant design principles of the R-Codes.
<u>Height</u> The height of the proposed development should be restricted to two storeys.	The subject lot is within a three storey building height area and the three storey height proposed fully accords with this deemed-to-comply standard.
<u>Landscaping</u> The proposed development does not comply with the required landscaping.	The redevelopment of the land to the rear of the existing dwelling and the need for visitor car parking and a store for the existing dwelling results in a limited area for additional canopy coverage to be provided on site. The development proposes to retain the existing mature tree at the front of the site and has designed the pedestrian access and letterbox in order to protect this important contributor to canopy coverage. The application also proposes a creeper over the pergola in the new ground floor outdoor living area, which will further contribute to the landscaping of the site. Given the retention of the existing tree fronting West Parade and the proposed arbour above the pergola, it is considered that the development responds to the intent of the City's policy and provides an appropriate landscaping outcome.
<u>Windows</u> The windows on the upper floors on the southern elevation are to be obscured up to 1.6 metres.	The windows on the first floor on the first floor are obscured and fixed up to 1.6 metres above the floor level. The windows on the second floor comply with the deemed-to-comply privacy setback standards set in the State Government's R-Codes.
<u>Non-Compliant Plans</u> The plans are to be amended to comply with the requirements of the R-Codes.	The State Government's R-Codes do not require that developments meet all of the deemed-to-comply standards set by the R-Codes. Rather they require applications that do not meet these deemed-to-comply standards to be assessed against the relevant Design Principles of the R-Codes. Each element of the application that does not meet these deemed-to-comply standards has been assessed against the relevant Design Principles and has been found to meet these principles in each instance. As a result the application is recommended for approval.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

Plot Ratio and Open Space

The plot ratio was advertised with the assumption the ground floor stairwell was not common, which it is – therefore is removed from Plot Ratio calculations. The revised calculation by Approval Services is 0.74, or 171m², which is only 10m² requested concession and could not be ameliorated simply by reducing the height of the proposal. There is no connection between open space and plot ratio.

The City's Built Form Policy Fig 2 and The Residential Design Codes all allow three (3) floors for this property. Being immediately adjacent an established light industrial area, and properties the rear (fronting Loftus Street) allowing for up to six (6) floors, this property will have negligible impact on the surrounding properties once established.

Boundary Setback

The South boundary setback complies with the Design principles of Clause 6.1.4 (P4.1) Lot boundary setbacks and supports a reduced setback, because;

The proposal provides for no more overshadowing than allowed for per Clause 6.4.2 (C2.1) being 50%; providing only 32% total.

The proposal's mass and built form is strongly articulated to the Southern façade.

The windows are adequately screened and/or obscured per Clause 6.4.1 (C1.1) i and ii.

Providing 5.4m setbacks to both sides as mentioned (10.8m setback total) to a 12m wide lot is simply not practical by any reasonable measure.

The boundary wall is 9.1m in height to provide continuity to the built form as it abuts a 6.2m high boundary wall along the entire Northern boundary. The portion of wall above the neighbouring boundary wall is clad to match the remainder of the development to lighten the placement of the mass and built form in the immediate surrounds. It also abuts a commercial zoning, therefore the Residential Design Codes do not apply to this boundary.

Height

As previously mentioned, the heights are as per the City's Built Form Policy 7.1.1 Fig 2 and the Residential Design Codes – both allowing three (3) floors. The City's Design Advisory Committee also agree with the height and number of floors proposed.

Landscaping

This statement is incorrect. Tree canopy cover has been increased to 30% per the City's policy with deep soil zones and communal landscaped setting provided for occupants. Landscaping is demonstrated to be compliant after minor changes to the chosen tree species.

Windows

The windows meet the requirements of the Residential Design Codes Clause 6.4.1 (C1.1) i and ii. The casual views from these windows are over houses to the City skyline beyond, not down into a courtyard with established tree canopy and shade sails.

This proposal is only slightly non-compliant with the highlighted Deemed-to-comply provisions of the R Codes, but meets the City's Built Form Policy 7.1.1 and clearly addresses the associated Design principles of the Residential Design Codes. This site is flanked by a 6.2m boundary wall to the North as part of the light industrial activity and Fig 2 of 7.1.1 provides an allowance for six (6) floors to the immediate rear of the property. The DAC agreed with the merits of the proposal with minimal changes or suggestions and minor changes have been made to provide for greater amount of landscaping and privacy protections. This

proposal meets the intent of the R Codes and the City's policies and we respectfully request a recommendation of approval.

Design Advisory Committee (DAC) Comments dated 5 July 2017 & e-mail 30 November 2017

4.3 **Address:** No. 137 (Lot 141) West Parade, Mount Lawley

Proposal: 2 Storey Multiple Dwelling Development

Applicant: Aaron Sice

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1(LPP7.1.1).

Recommendations & Comments by DAC, Applicant's Response – 5 July 2017:

<i>Principle 1 – Context and Character</i>	<ul style="list-style-type: none"> Consider angled/raking wall to second floor bedroom wall on boundary to create loft form tying into the existing top of wall to the neighboring building. As an alternative to this, possibly a diagonal in the façade via a change of material/colour to lock design into context acknowledging the neighboring boundary wall may suffice.
<i>Principle 2 – Landscape quality</i>	<ul style="list-style-type: none"> A landscape architect will need to sign off on the landscaping requirements to confirm they comply with the City's requirements. An arboriculturalist consultant report will need to be submitted for the existing tree at the entry
<i>Principle 3 – Built form and scale</i>	<ul style="list-style-type: none">
<i>Principle 4 – Functionality and build quality</i>	<ul style="list-style-type: none"> Consider removing the left wall around the existing tree and set the gate further back into the property thereby creating an entry niche for letterboxes etc. Whilst the entry sequence is generous consider trading ground space allowed to entry sequence for terrace space provided to units at first floor, northeast boundary.
<i>Principle 5 – Sustainability</i>	<ul style="list-style-type: none">
<i>Principle 6 – Amenity</i>	<ul style="list-style-type: none"> Amenity from the upper floor is impacted from the entry being too generous – as per Principle 4 above.
<i>Principle 7 – Legibility</i>	<ul style="list-style-type: none">
<i>Principle 8 – Safety</i>	<ul style="list-style-type: none">
<i>Principle 9 – Community</i>	<ul style="list-style-type: none">
<i>Principle 10 – Aesthetics</i>	<ul style="list-style-type: none"> Technical services to advise on the turf drive way deep soil zone and turf hardstand deep soil zones.
<i>Comments</i>	

Conclusion:

To be returned to DAC.

Applicant Response

DAC comments that we are reducing private open space to favour the communal open space is back-to-front. The design can only fit a minimum balcony and comply with fire separation requirements in the same breath by providing a minimum 3.0x3.6 balcony; and because of this reason, it was chosen to provide extra open space for the occupants' benefit.

The applicant has slid the second floor over to the South in an attempt to address the request, but it not only created setback issues, but fire issues as well (3.0m for a Type A Class 2). The cost to do this was also astronomical for little amenity gain.

Design Advisory Committee (DAC) Comments dated 5 July 2017 & e-mail 30 November 2017

These concerns can be better addressed with flush sills to stacker-style sliding doors and timber-look tiles to the living room and balcony for a near-seamless transition between indoors and outdoors. With the void over, the designer considers the open feeling will be enhanced considerably.

For these reasons, the request has not been followed through.

DAC comments about sculpting the upper floor to reference the adjacent parapet has merit and was something that was considered. However, doing this has made a 2.7m wide bedroom feel even smaller. The external requirements meant creating a roof instead of a wall and from the very view it was designed to address, looked ill-referenced because the materials required didn't reference the development anymore. The need to reference a parapet wall is also debatable given that is unlikely to remain in perpetuity once TPS2 is gazetted and the heights to Lord St are realised. Once the neighbouring lot is developed, the site will be left with a wall that references nothing.

The materials provided to this section of wall, however, wrap the entire upper section to provide a level of 'placement' in the space, rather than something that looks like it's simply been built up to another wall, ignoring its presence above the height of the immediate area. For these reasons, DAC recommendations have not been implemented.

DAC comments regarding the gatehouse entry are very valid and changes have been made to simplify the construction and promote the tree to the entry way. Revision 2 reflects these changes.

Changes have also been made to the ROW balcony, providing the portal frame as discussed to provide a scaled 'step away' from the ROW and better address the human scale.

The living room windows, facing south, have been flipped vertically to provide for an obscured lower panel to meet the R Codes. Note the 'OBSC' window notation to the Elevation.

There are also a few minor changes here and there but inconsequential to the overall assessment.

By moving the gatehouse structure away from the tree, the root zones are not being disturbed, therefore an arborist ort isn't needed.

E-mail from DAC – 30 November 2017

It appears that the applicant has explored options to address the DAC comments and returned, for the most part, to the original design proposal. It has not changed much since we reviewed it.

I am satisfied with the applicant's justification as to why they don't wish to amend the design (costs very high and benefits small)

It appears that the visitor parking bays have gotten longer / protrude further into the site from the laneway. This puts more pressure on the communal space, and has shifted the seating / pergola space such that it no longer lines up with the building entry. This alignment increases the legibility of the project and is a nice way to integrate the landscape and building, and could still be achieved with a minor redesign of this element.

I also note that the paving treatment on the visitor bays appears to have changed. Perhaps this was under direction of Technical Services?

In sum, I think this is a creative solution to a tricky site and should be commended. It has my support in the current form

Determination Advice Notes:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
2. With reference to Condition 4, the City encourages landscaping methods and species selection which do not rely on reticulation.
3. With reference to Condition 6, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided detailed design drainage plans and associated calculation for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
4. **Main Roads**

The applicant is to undertake a screening assessment in accordance with Appendix A of The Implementation Guidelines for State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning and is to implement all mitigation measures identified in the assessment to the satisfaction of the local government.
5. **Public Transport Authority (PTA)**

The development requires compliance with PTA's Working in and Around Rail document as the development is in close proximity to the rail reserve.
6. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, right of way, footpath and Road levels to the satisfaction of the City.
7. The right of way widening required to be constructed in accordance with the City's specifications and internal access points.
8. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works.
9. Standard 'Visual Truncations', in accordance with the City's Policy No. 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve boundary or Right of Way, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings.
10. An Infrastructure Protection Bond for the sum of \$3000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
11. All new crossovers to lots are subject to a separate application to be approved by the City. All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications.

Determination Advice Notes:

12. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings under Policy No. 3.9.3 – Parking Permits. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
13. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
14. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
15. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

9.10	NO. 7/565-567 (LOT: 7; STR: 21608) BEAUFORT STREET MOUNT LAWLEY - PROPOSED AMENDMENT TO CONDITIONS OF APPROVAL - CHANGE OF USE FROM OFFICE TO RECREATIONAL FACILITY AND OFFICE
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TRIM Ref: D17/173157






Authors: Remajee Narroo, Senior Urban Planner
Paola Di Perna, Manager Approval Services

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: 11 – Mount Lawley Centre

Attachments:

1. Attachment 1 - Consultation and Location Map [↓](#) 
2. Attachment 2 - Previous Planning Approval and Plans [↓](#) 
3. Attachment 3 - Applicant's Letter [↓](#) 
4. Attachment 4 - Summary of Submissions [↓](#) 
5. Attachment 5 - Applicant's Response to Submissions [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application to amend planning approval 5.2014.4.1 for Proposed Change of Use from Office to Recreational Facility and Office at No. 7/565-567 (Lot: 7; STR: 21608) Beaufort Street, Mount Lawley, granted on 7 October 2014, subject to the following condition:

1. All conditions and advice notes detailed on planning approval 5.2014.4.1 granted on 7 October 2014 and included in Attachment 2 continue to apply to this approval, except as follows:

- 1.1. Condition 4.1 is amended to read as follows:

"The use of the Recreational Facility is allowed to operate twenty four (24) hours, seven days a week,"; and

- 1.2. Condition 4.2 is deleted.

PURPOSE OF REPORT:

To consider an application to amend conditions of the current planning approval for a change of use from Office to Recreational Facility and Office at No. 7/565-567 Beaufort Street, Mount Lawley granted by Council at its meeting of 5 November 2013.

BACKGROUND:

Landowner:	Silverleaf Investments Pty Ltd & RGO Enterprises Pty Ltd
Applicant:	Verism
Date of Application:	19 May 2017
Zoning:	MRS: Urban TPS1: Zone: Commercial TPS2: Zone: Commercial
Built Form Area:	Activity Corridor
Existing Land Use:	Recreational Facility – "AA"
Proposed Use Class:	Recreational Facility – "AA"
Lot Area:	961m ²
Right of Way (ROW):	3.6 metres in width, sealed, privately owned
Heritage List:	No

The subject site is located at No. 7/565-567 Beaufort Street, Mount Lawley, on the corner Vincent Street, as shown in **Attachment 1**. The site is occupied by a two storey commercial development, which includes shops, office, eating house and recreational facility (gym). The existing recreational facility is located on the first floor of the building. There is existing residential development on the western side of the site and on the northern side along Vincent Street there is a drive through commercial development (Hungry Jacks). On the eastern side along Beaufort Street and on the southern side, the area comprises of commercial developments.

On 5 November 2013 Council approved an application for a change of use from office to recreational facility (health studio-gym) with two ancillary medical consulting rooms (physiotherapy) and office in the subject tenancy. Condition 5 of that approval stated the following:

- "5. This approval for Recreational Facility with Ancillary Two (2) Medical Consulting Rooms (Physiotherapy) is for a period of thirty six (36) months only and should the applicant wish to continue the use after that period, it shall be necessary to re-apply to and obtain approval from the City prior to the continuation of the use;"*

On 12 March 2014 a development approval was issued under Delegated Authority for a change of use to recreational facility and office at the above premises. Condition 4 of the approval stated the following:

- "4. This approval for Recreational Facility is for a period of thirty six (36) months only and should the applicant wish to continue the use after that period, it shall necessary to re-apply to and obtain approval from the City prior to the continuation of the use;"*

The applicant lodged an appeal to the State Administrative Tribunal (SAT) against the approval being restricted to thirty six (36) months only.

On 7 October 2014, at the invitation of SAT, under Section 31 of the *State Administrative Tribunal Act 2004*, the Council reconsidered the condition and approved a new condition as follows:

"4. Operating Time

- 4.1 The proposed use of the Recreational Facility is allowed to operate twenty four 24 hours, seven (7) days a week for a period of thirty-six (36) months*
- 4.2 After thirty-six (36) months subject to the facility only being permitted to operate from 9pm to 6am from the date of the issue of the approval revert to 6am - 9pm."*

The above planning approval, including the approved plans, is included as **Attachment 2** which was issued on 4 November 2014.

A 24 hour gym has operated from the subject site, under the definition of Recreational Facility, for the past year and a half. The most recent decision by the Council granted a 36 month approval for the operation of the Recreational Facility 24 hours per day seven days per week after which time the operating hours of the Recreational Facility were restricted to between 6:00am and 9:00pm. This current application seeks a permanent approval for the 24 hour operations of the Recreational Facility by amending condition 4.1 and deleting condition 4.2 of the most recent approval, which limited the approval period for the 24 hour operating hours to 36 months.

The 36 month period expired on 4 November 2017 and therefore the Recreational Facility is not currently permitted to operate 24 hours per day.

The applicant has provided the following statement for the request to reconsider conditions 4.1 and 4.2 of the existing planning approval:

"Our understanding for the inclusion of this condition, on the original planning approval, was to allow a 'test period' whereby the operation of a 24 gym could be assessed against its impact on amenity in the local area. The Landowner has advised there were no significant negative impacts needing rectification over this period.

As such, we request as part of this reconsideration, that part 4.2 of condition 4 be removed from the use over the subject site and that the business be permitted to continue a twenty-four (24) hour, seven (7) day operation. The business owners indicate that the business is operating profitably with these operating times and to alter this would jeopardise the businesses viability."

The applicant's full justification for the proposal is included as **Attachment 3**.

The recreational facility has operated from the subject site 24 hours, seven days a week for the past year and a half. During this time the City has received 15 complaints with regard to noise from the owners/operators of businesses on the ground floor. All of these complaints related to noise being emitted during the day within the currently and ongoing approved operating hours of the Recreation Facility, which are 6:00am to 9:00pm. The City has investigated each of these complaints and has not established any breaches of the State Government's *Environmental Protection (Noise) Regulations 1997*.

It should be noted that prior to the Recreational Facility commencing operation, and in accordance with condition 8.2 of the most recent approval, an acoustic report was submitted to and approved by the City to address the potential for noise issues to be created by the development. All of the measures required by the approved acoustic report were implemented by the applicant to the satisfaction of the City. The applicant also undertook additional attenuation measures following the initial noise complaints, which have further reduced the impact of noise on the tenancy below.

DETAILS:

The application seeks to amend the previous development approval issued by Council by removing the conditions that restrict the approval of the 24 hour gym to 36 months. The current conditions require that the operating hours of the gym convert to 6:00am to 9:00pm following the expiry of the condition on 4 November 2017. The proposal has been assessed against the City's Town Planning Scheme No. 1 (TPS1), draft Local Planning Scheme No. 2 (LPS2). The land use Recreational Facility is an "AA" in the 'Commercial' zone under TPS1 and Council is required to exercise discretion when considering whether to approve such a land use in the 'Commercial' zone. This element of the proposal requires the discretion of Council and is discussed in the comments section below.

The proposal has also been assessed against the City's policy framework and is considered to comply with all of the City's local planning policies.

CONSULTATION/ADVERTISING:

Following receipt of this application to amend the development approval, consultation on the proposal was undertaken for a period of 14 days in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, from 27 July 2017 until 9 August 2017. The method of advertising included 116 letters mailed to all owners and occupiers, as shown on **Attachment 1**, in accordance with the City's Policy No. 4.1.5 – Community Consultation. It is noted that letters were sent to the same addresses when the recreational facility was initially advertised in July 2013.

A total of six submissions were received in relation to the proposal comprising of five objections, and one support. The concerns raised in the submissions were as follows:

- Use is inappropriate;
- Noise impact on the existing tenancies within the building and adjoining properties;
- Car parking; and
- Anti-social behaviour.

The main issues raised in the submissions are discussed in the Comment section below. A summary of the submissions received and Administration's response to each is contained in **Attachment 4**. The applicant has provided a response to the submissions in **Attachment 5**.

Design Advisory Committee (DAC):

Referred to DAC: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1; and
- Policy No. 4.1.5 – Community Consultation.

The application to amend a development approval can be considered in accordance with Clause 77 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Clause 77(4) provides that an application to amend a development approval can be approved with or without conditions or refused.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

Town Planning Scheme No. 1

The general objectives of the Town Planning Scheme No. 1 (TPS1) as outlined in Clause 6 are applicable, specifically subclauses 3(b) and 3(c) which are outlined as follows:

“...3(b) to protect and enhance the health, safety and general welfare of the Town's inhabitants and the social, physical and cultural environment;

3(c) to ensure that the use and development of land is managed in an effective and efficient manner within a flexible framework which –

- (i) recognises the individual character and needs of localities within the Scheme zone area; and*
- (ii) can respond readily to change. ...”.*

Draft Local Planning Scheme No 2

On 8 December 2017, the Acting Minister for Planning announced that the City's draft Local Planning Scheme No 2 (LPS2) is to be modified before final approval was to be granted. The Schedule of modifications was confirmed in writing by officers at the Department of Planning, Land and Heritage (the Department). The Department also advised that the modifications to the LPS2 would be required before the Acting Minister would finally grant approval to the Scheme. In this regard the LPS2 should be given due regard as part of the determination of this application.

Draft LPS 2 sets out objectives for the Commercial zones, which are outlined as follows:

- “(i) to facilitate a wide range of compatible commercial uses that support sustainable economic development within the City; and*
- (ii) to ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including but not limited to solar passive design, energy efficiency and water conservation.”*

Delegation to Determine Applications:

This matter is being referred to Council as the development approval that is proposed to be amended was determined by Council.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

“Natural and Built Environment

- 1.1 Improve and maintain the natural and built environment and infrastructure”.*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Land Use

The subject site is located within the Commercial zone of the Mount Lawley – Highgate Town Centre. The proposed use is considered to be appropriate and consistent with both existing land uses within the Town Centre and the objectives of the City's TPS1. The recreational facility also contributes to the activation of the Beaufort Street commercial precinct and is considered to align with the objectives of the 'Commercial' zone under draft LPS2.

Noise

The condition limiting the 24 operations of the Recreational Facility to 36 months was originally imposed by the City to verify the suitability of the 24 hour operations of the use for the subject property. The recreational facility has operated from the subject site 24 hours a day, seven days a week for the past year and a half. During this time the City has received 15 complaints with regard to noise from four businesses located on the ground floor below the gym. These 15 complaints include 11 complaints in 2016 and 4 complaints in 2017. This proposal seeks permanent approval for 24 hour operation of the Recreational Facility and was advertised for public comment to surrounding owners, residents and business and attracted six submissions including five objections. The main concerns related to the impact of noise from the gym on the commercial tenancies on the ground floor of the premise.

As part of the original approval the applicant submitted an Acoustic Report on 25 July 2016. The Acoustic Report was based on the readings taken from two businesses located on the ground floor. The report stated that the recreational facility complied with the prescribed (noise) standards contained in the *Environmental Protection (Noise) Regulations 1997*, for all periods of the day or night. The City assessed the Acoustic Report in accordance with condition 8.2 of the most recent approval.

Following complaints about noise from the recreational facility, the City's Health Services undertook noise readings in August/September 2016 and again in September 2017. The City carried out a detailed assessment of those noise readings, which were all found to be compliant with the *Environmental Protection (Noise) Regulations 1997*.

Following community consultation on this application, the applicant submitted a new Acoustic Report to the City, which addressed the noise readings taken by the City. The report states that the recreational facility does comply with the prescribed (noise) standards contained in the *Environmental Protection (Noise) Regulations 1997*, for all periods of the day or night. The Acoustic Consultant verbally advised the City that since the noise readings were taken there was one activity involving dropping metal on metal that had created noise concerns not considered or assessed by the City. The operators of the recreational facility have addressed this activity by implementing additional attenuation measures with respect to the use of this equipment since September 2017. The attenuation measures involved substituting a metal plate with a thick rubber mat on the floor.

As set out above, the assessments demonstrate that all of the readings taken by the businesses below the recreational facility are within the limits permitted for such use. It is also noted that the City did not receive any noise complaints between 9:00pm to 6:00am. Most of the complaints related to instances of noise made during day with two complaints relating to concerns during the evening up to 7:50pm. Moreover most of the existing uses on the ground floor are closed by the evening, with the latest use closing at 10:00pm. As a result there is not likely to be any noise impacts caused by the gym operating overnight between 9:00pm and 6:00am, as is proposed by this application.

Given the 'Commercial' zoning of the area, the fact that there are no residential developments in immediate proximity of the development and that the noise being emitted from the tenancy is, at the closest nearby tenancy, within the limits prescribed by the State Government's *Environmental Protection (Noise) Regulations 1997*, it is considered that there is no basis to refuse the application to extend the operating hours of the Recreational Facility from 6:00am to 9:00pm to 24 hours per day.

Parking

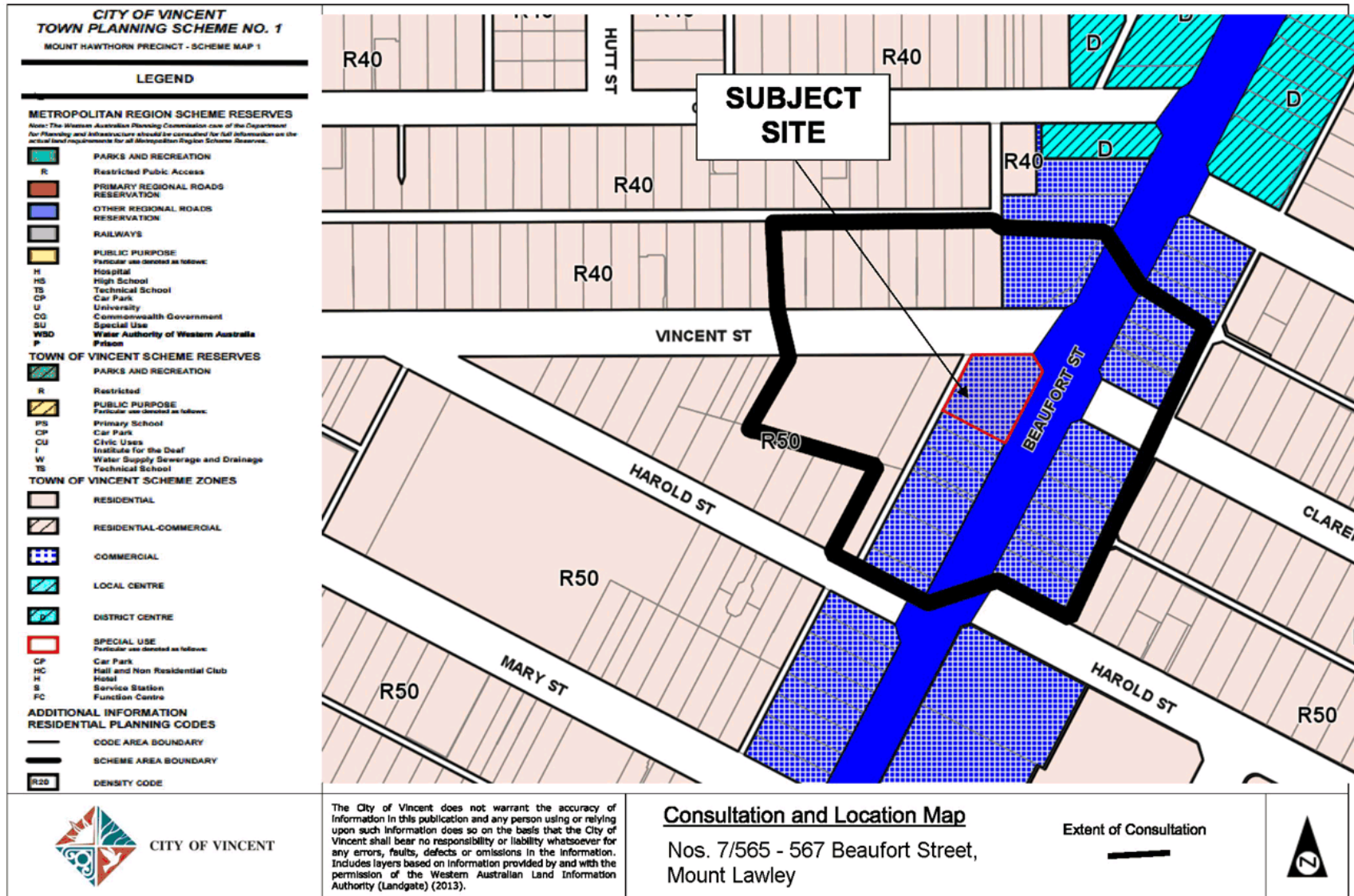
Concern was raised through the submissions regarding there not being enough parking for the 24 hour gym and the impact the development is having on parking in the area. The existing recreational facility complies with the car parking requirements of the City's Parking and Access Policy and the Barlee Street public car park, located 40 metres from the subject site, also provides sufficient parking for patrons attending the recreational facility after hours.

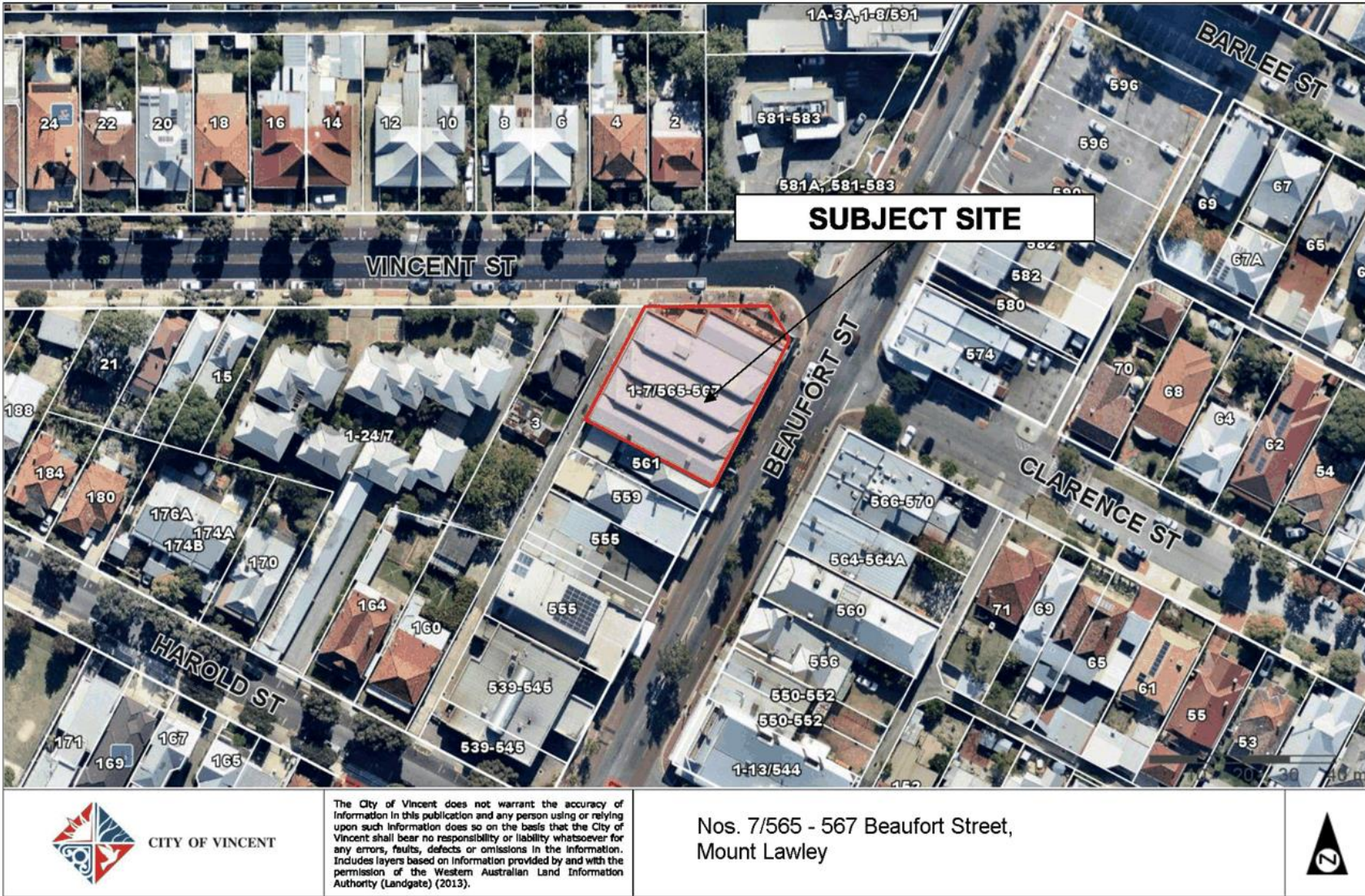
Anti-social Behaviour

Concern regarding the potential for a 24 hour recreational facility to create anti-social behaviour, especially within the laneway at the rear of the subject property, was also raised through the submissions. The City has not received any complaints of anti-social behaviour linked to the Recreational Facility and there is no evidence to suggest that the 24 nature of the Recreational Facility will lead to anti-social behaviour. The operator has advised that they educate their patrons regarding safe egress from the premises and it is considered that the 24 operation will actually reduce the likelihood of anti-social behaviour in the laneway to the rear and the area generally, given it will increase surveillance and activity in the area after hours.

Conclusion

The use is considered to be compatible with the Commercial zoning of the site and contributes to activate Beaufort Street. With regard to noise, the two Acoustic Reports submitted demonstrate that the recreational facility does comply with the prescribed (noise) standards contained in the *Environmental Protection (Noise) Regulations 1997*, for all periods of the day or night. The recreational facility complies with the parking requirements and is considered that the 24 hour operation will actually reduce the likelihood of anti-social behaviour in the area. In view of the above, it is recommended that the use of the Recreational Facility be permitted to continue operating 24 hours a day, seven days a week.





ENQUIRIES TO: Remajee Narroo (08 9273 6025)
Planning Services

YOUR REF:

OUR REF: PRO3753 5.2014.4.1

**CITY OF VINCENT**

Administration & Civic Centre
244 Vincent Street (Cnr Loftus)
Leederville, Western Australia 6007
PO Box 82, Leederville WA 6902
Telephone (08) 9273 6000
Facsimile (08) 9273 6099
Email: mail@vincent.wa.gov.au
Web: www.vincent.wa.gov.au

4 November 2014

Project Development (WA) Pty Ltd
201 Sevenoaks Street
CANNINGTON WA 6107

Dear Sir/Madam

**NOS. 7/565-567 (LOT: 7 STR: 21608) BEAUFORT STREET, MOUNT LAWLEY –
PROPOSED CHANGE OF USE FROM OFFICE TO RECREATIONAL FACILITY
AND OFFICE - RECONSIDERATION UNDER S31 OF THE STATE
ADMINISTRATIVE TRIBUNAL (SAT) ACT 2004 FOR THE REVIEW OF
CONDITION 4 (DR 251 OF 2014)**

I wish to advise that the above matter was considered by Council on a confidential basis behind closed doors at its Ordinary Meeting held on 7 October 2014 and it was resolved to **grant conditional approval** subject to the terms and conditions shown on the attached form. The proposal was assessed and found to be in accordance with the provisions of the City of Vincent Town Planning Scheme No.1 and associated policies.

I trust that the information is to your satisfaction, however if you have any enquiries regarding the above matter, please do not hesitate to contact Remajee Narroo on 9273 6025.

Yours sincerely

**PETAR MRDJA
MANAGER
PLANNING AND BUILDING SERVICES**

cc *State Administrative Tribunal
GPO Box U1991
PERTH WA 6845*

(Att.)

"ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY"

- 2 -

THIS IS NOT A BUILDING PERMIT

Fifth Schedule Clause 42
For Office Use Only
Serial No. 5.2014.4.1**CITY OF VINCENT TOWN PLANNING SCHEME**
APPROVAL TO COMMENCE DEVELOPMENT

LOT: 7 STR: 21608

STRATA LOT: 7

PROPERTY ADDRESS: No. 7/565-567 Beaufort Street, MOUNT LAWLEY

OWNER: Project Development (WA) Pty Ltd
201 Sevenoaks Street
CANNINGTON WA 6107

Approval to commence development in accordance with the application for City Planning Approval dated 12 March 2014 for Change of Use from Office to Recreational Facility with Ancillary Two (2) Medical Consulting Rooms and Office (Reconsideration of Conditions) and the attached plans dated 7 January 2014 was GRANTED in accordance with the provisions of the City of Vincent Town Planning Scheme and the Metropolitan Region Scheme subject to the following conditions:

1. Interactive Front

Doors, windows and adjacent floor areas facing Vincent Street shall maintain active and interactive relationship with this street;

2. Use

This approval is for a Recreational Facility and Office only;

3. Number of Patrons

The maximum number of patrons for the recreational facility at any one time shall be limited to 73 persons;

4. Operating Time

4.1 The proposed use of the Recreation Facility is allowed to operate twenty four (24) hours, seven (7) days a week for a period of thirty-six (36) months

4.2 after thirty-six (36) months subject to the facility only being permitted to operate from 9pm to 6am from the date of the issue of the approval revert to 6am – 9pm;

- 3 -

5. Right of Way

The Right of Way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The Right of Way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the Right of Way condition has deteriorated, or become impassable as a consequence of the works the applicant/developer shall make good the surface to the full satisfaction of the City's Technical Services Directorate;

6. Building Appearance

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Vincent Street, Beaufort Street and the adjoining properties;

7. Verge Treatment

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

8. PRIOR TO THE ISSUE OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:

8.1 The owner or the applicant on behalf of the owner shall provide the City with amended plans to address the following:

8.1.1 Bin Store

A bin store is to be provided to the satisfaction of the City; and

8.1.2 Bicycle Parking Facilities

Ten (10) class two bicycle facilities shall be provided on the first floor within the bike store. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility;

8.2 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval. The recommended measures of the approved Acoustic Report shall be implemented; and

9. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, the following shall be submitted to and approved by the City:

9.1 With regard to condition 8.2, certification from an Acoustic Consultant that the measures have been undertaken shall be submitted to the City.

- 4 -

ADVICE NOTES:

1. With regard to condition 2, any change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. With regard to condition 4, should the applicant wish to continue the operating hours after the expiry of 36 months from the date of the issue of the approval, it shall be necessary to re-apply to and obtain approval from the City prior to the continuation of the above hours;
3. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
4. A Road and Verge security bond for the sum of \$1800 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.

NOTES:

PLEASE NOTE THAT ANY AMENDMENTS PROPOSED IN THE BUILDING PERMIT APPLICATION PLANS, WHICH DIFFER FROM THE PLANNING APPROVAL PLANS, MAY RESULT IN THE REQUIREMENT FOR A NEW PLANNING APPLICATION TO BE SUBMITTED FOR ASSESSMENT AND DETERMINATION. SHOULD THIS BE THE CASE, THE OWNER/BUILDER/DEVELOPER IS ADVISED TO FACTOR IN AN ADDITIONAL TIME PERIOD INTO THE DEVELOPMENT/BUILDING PROCESS.

PLEASE NOTE THAT ANY ADDITIONAL PROPERTY NUMBERING TO THE ABOVEMENTIONED ADDRESS, WHICH IS RESULTANT FROM THIS APPLICATION, IS TO BE ALLOCATED BY THE CITY OF VINCENT AND NO OTHER PARTIES. IT IS RECOMMENDED THAT YOU LIAISE WITH THE CITY'S PLANNING SECTION ON THE ABOVE MATTER, DURING THE BUILDING PERMIT ISSUE STAGE.

OWNER(S), BUILDER(S) AND DEVELOPER(S) UNDERTAKING DEVELOPMENT/CONSTRUCTION OF ANY KIND ARE HEREBY ADVISED OF A RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE DISABILITY DISCRIMINATION ACT 1992. FOR FURTHER INFORMATION ON THIS ACT, ENQUIRIES SHOULD BE DIRECTED TO THE DISABILITY SERVICES COMMISSION ON TELEPHONE NUMBER (08) 9426 9200 OR TTY ON (08) 9426 2325.

SHOULD THE APPLICANT BE AGGRIEVED BY THE DECISION A RIGHT OF APPEAL MAY EXIST UNDER THE PROVISIONS OF THE TOWN PLANNING SCHEME OR THE METROPOLITAN REGION SCHEME.

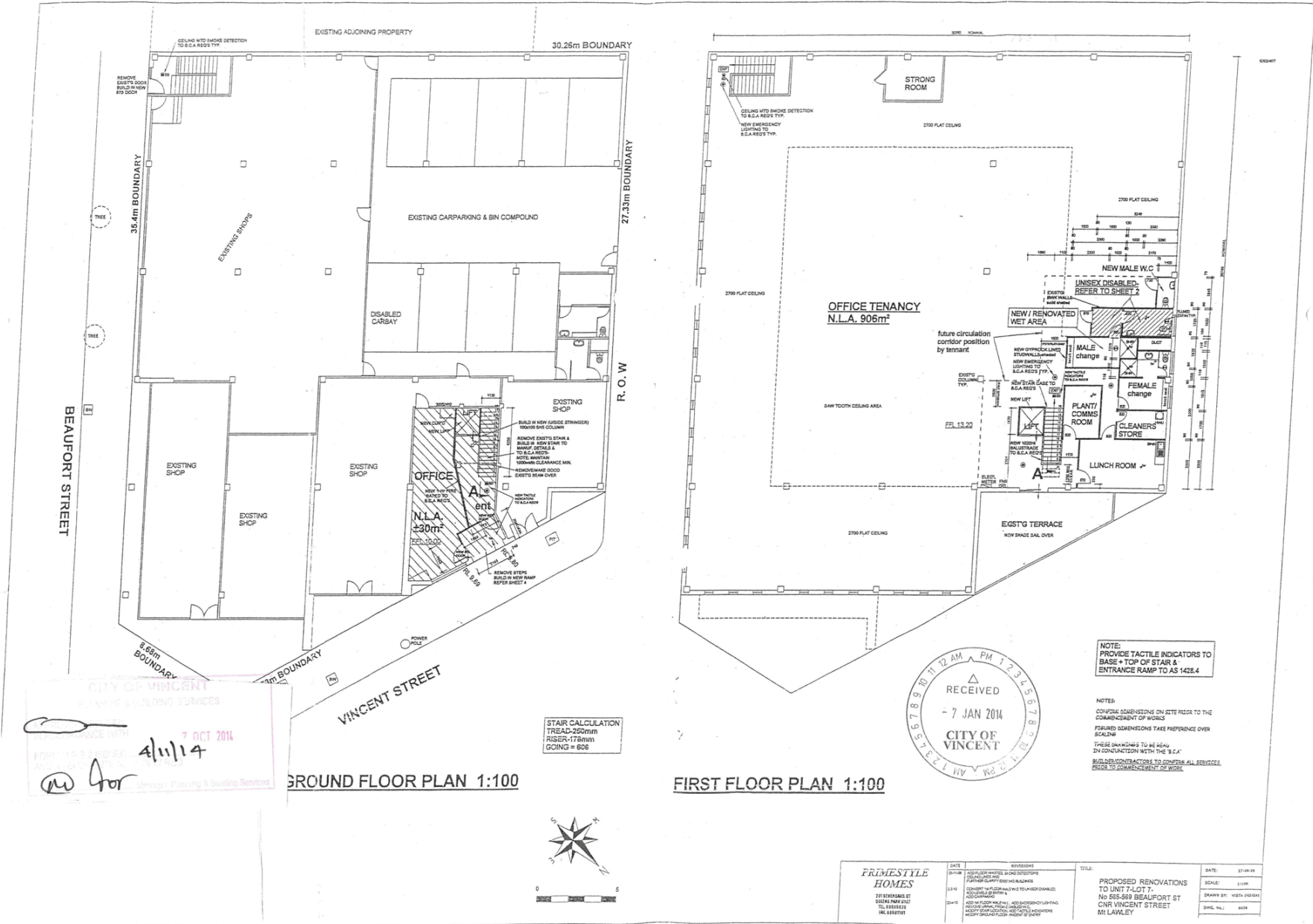
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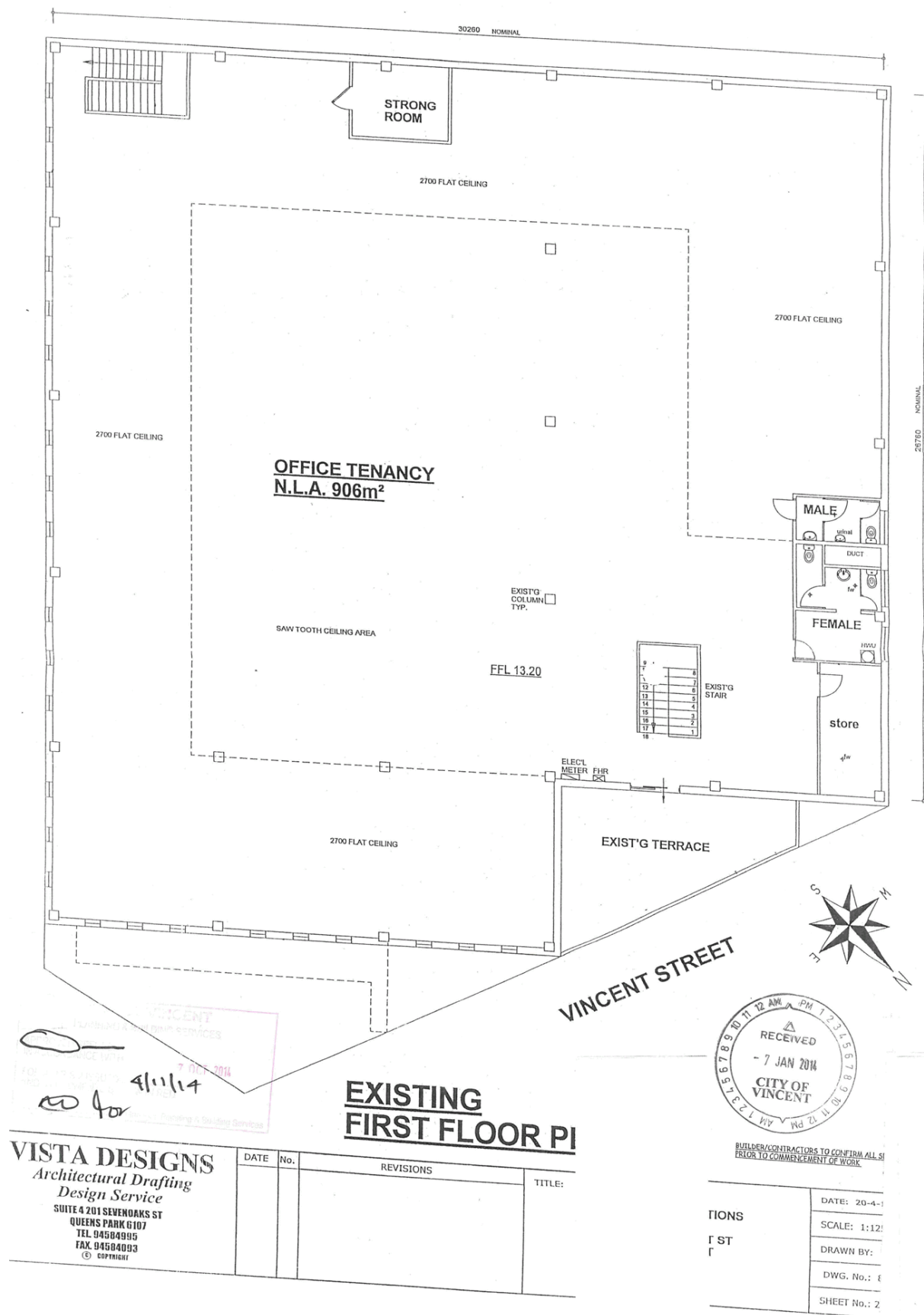
This approval is valid for a period of TWO years only. If the development is not substantially commenced within this period, a fresh approval must be obtained before commencing or continuing the development.

DATE OF DECISION: 7 October 2014
DATE OF ISSUE: 04 November 2014

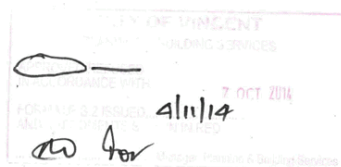
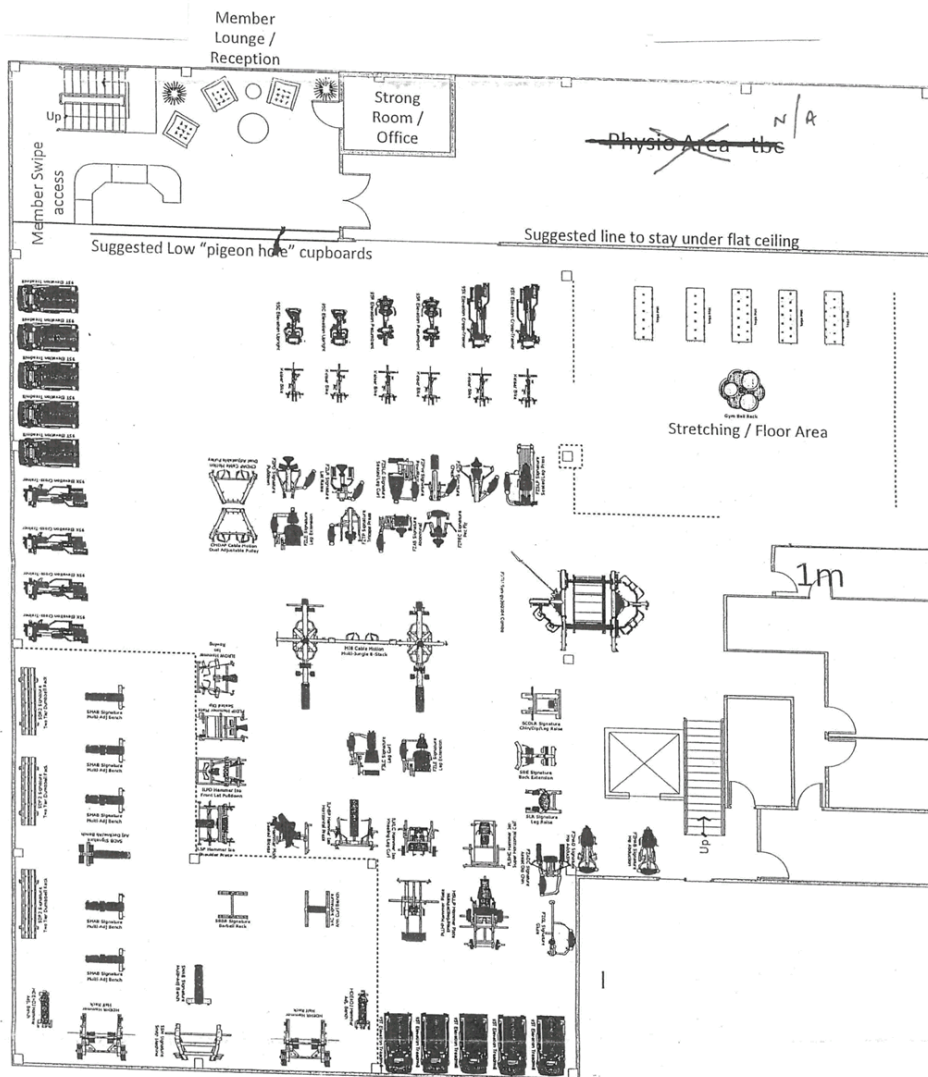


MANAGER
PLANNING AND BUILDING SERVICES





Fitness Gym



17/05/2017

Our Ref: 15508-12A

Your Ref: 5.2014.4.1

Manager Statutory Planning Services
City of Vincent
PO Box 82
LEEDERVILLE WA 6902



Dear Sir/Madam,

AMENDMENT OF PLANNING APPROVAL 5.2014.4.1 – FOR APPROVED RECREATION FACILITY AT LOT 7 STRATA PLAN 21608, 565-567 BEAUFORT STREET, MOUNT LAWLEY

This application is to seek amendment of the City of Vincent conditional planning approval number 5.2014.4.1 dated the 12th March 2014 by deletion of condition number 4. Veris act on behalf of the Landowner being Silverleaf Investments Pty Ltd and RGO Enterprises Pty Ltd of lot 7 Strata Plan 21608, at 565-567 Beaufort Street, Mount Lawley.

The approved use of Lot 7 is for a 'Recreation Facility' with ancillary uses of 'Medical Consulting Rooms' and 'Office'. The business operating from the premises since March 2016 is a 24 hour gym known as 'Snap Fitness'. A copy of the original conditional planning approval and approved plans have been attached to this application.

The condition in question is number 4 which states:

'4. This approval for Recreational Facility is for a period of thirty six (36) months only and should the applicant wish to continue the use after this period, it shall be necessary to re-apply to obtain approval from the City prior to the continuation of the use;'

Our understanding for the inclusion of this condition, on the original planning approval, was to allow a 'test period' where by the operation of a 24 gym could be assessed against its impact on amenity in the local area. The Landowner advised that there were no significant negative impacts on the amenity of the local area caused by the 24 hour operation of the facility.

As such, we request as part of this reconsideration, that condition 4 be removed from the use over the subject site and that the business be permitted to operate unencumbered by any further timeframes that will affect the ongoing use on site. We make this application in accordance with the *Deemed Provisions for Local Planning Schemes*, in particular clause 77 (1) which states:

'77. Amending or cancelling development approval

(1) An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following-

b) To amend or delete any condition to which the approval is subject;'

We advise that in all other areas of use of the site the Landowners have, and will continue to, comply with all other conditions imposed by the previous planning approval. No other alterations to previous conditions are requested with this application.

Perth
Suite 4, First Floor
40 Hasler Rd
Osborne Park WA 6017
PO Box 99, Mount Hawthorn
WA 6915 Australia

T 08 6241 3333
F 08 6241 3300
veris.com.au

Office Locations
Over 15 offices across
Australia
veris.com.au/contactus

Whelans Australia Pty Ltd
A Veris Company
ABN 68 074 363 741



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WITH
CONFIDENCE™**



We look forward to the City's favourable response to this application. Please find attached the relevant plans and application fee as required. If you have any queries or require any further information, please do not hesitate to contact me on 6241 3306.

Yours faithfully



Steven Fernandez | Town Planner
Veris

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Support:	Officer Technical Comment:
Nil.	Noted.

Comments Received in Objection:	Officer Technical Comment:
<u>Use</u> The recreational facility is an inappropriate use for this building.	The subject site is located within the Commercial zone of the Mount Lawley – Highgate Town Centre. The proposed use is considered to be appropriate and consistent with both existing land uses within the Town Centre and the objectives of the City's TPS1. The recreational facility also contributes to the activation of the Beaufort Street commercial precinct and is considered to align with the objectives of the 'Commercial' zone under draft LPS2.
<u>Noise</u> The noise from the 24 hour recreational facility impacts on the existing tenancies located on the ground floor of the building and the adjoining residential properties.	<p>This application proposes to extend the approved operating hours of the Recreational Facility from 6:00am to 9:00pm to 24 hours per day and allow the 24 gym to continue operating. All of the noise compliant received regarding the subject premises relate to instances of noise made during the day or evening. These periods of time are not the subject of this application. Moreover most of the existing uses on the ground floor are closed by the evening, with the latest use closing at 10:00pm. As a result there is not likely to be any noise impacts caused by the gym operating overnight between 9:00pm and 6:00am, as is proposed by this application.</p> <p>As part of the application the applicant has submitted a new Acoustic Report for the development, which states that the recreational facility complies with the prescribed (noise) standards contained in the <i>Environmental Protection (Noise) Regulations 1997</i>, for all periods of the day or night. The operator has also implemented additional attenuation measures following this report to address individual activities that have created noise concerns.</p> <p>Given the 'Commercial' zoning of the area, the fact that there are no residential developments in immediate proximity of the development and that the noise being emitted from the tenancy is, at the closest nearby tenancy, within the limits prescribed by the State Government's <i>Environmental Protection (Noise) Regulations 1997</i>, it is considered that there is no basis to refuse the application to extend the operating hours of the Recreational Facility from 6:00am to 9:00pm to 24 hours per day.</p>

Summary of Submissions:

Comments Received in Objection:	Officer Technical Comment:
<u>Anti-Social Behaviour</u> The 24 hour recreational facility creates anti-social behaviour, especially within the laneway at the rear of the subject property.	Concern regarding the potential for a 24 hour recreational facility to create anti-social behaviour, especially within the laneway at the rear of the subject property, was also raised through the submissions. The City has not received any complaints of anti-social behaviour linked to the Recreational Facility and there is no evidence to suggest that the 24 nature of the Recreational Facility will lead to anti-social behaviour. The operator has advised that they educate their patrons regarding safe egress from the premises and it is considered that the 24 operation will actually reduce the likelihood of anti-social behaviour in the laneway to the rear and the area generally, given it will increase surveillance and activity in the area after hours.
<u>Parking</u> There is not enough parking for the 24 hour recreational facility which has an impact on the surrounding area.	Concern was raised through the submissions regarding there not being enough parking for the 24 hour gym and the impact the development is having on parking in the area. The existing recreational facility complies with the car parking requirements of the City's Parking and Access Policy and the Barlee Street public car park, located 40 metres from the subject site, also provides sufficient parking for patrons attending the recreational facility after hours.

Note: Submissions are considered and assessed by issue rather than by individual submitter.

18/08/2017

20147-001

Mr. Remajee Narroo
Senior Planning Officer
Approval Services

City of Vincent
PO Box 82
LEEDERVILLE WA 6902



Dear Remajee,

**RE: LOT 7 STRATA PLAN 21608, 565-567 BEAUFORT STREET, MOUNT LAWLEY –
RECONSIDERATION OF PLANNING CONDITION REF: 5.2017.176.1**

Please find below a response to all submissions associated with the above planning application. The submissions were provided by yourself via an email dated the 14th August 2017. Below is the advice summary provided by the email:

A summary of the objections are as follows:

1. *The building is inappropriate for a use as a gym*
2. *The impact of the noise and vibration from upstairs gym on the ground floor tenancies is unbearable*
3. *Insufficient noise and vibration attenuation to mitigate the constant noise and vibration*
4. *There is no opportunity for peaceful enjoyment of other units within the building and the effect of the change is that all these units will be deprived of such expectation at all times.*
5. *The 24 hour gym creates noise and antisocial behaviour in the abutting ROW particular in the evening and early hours of the morning. Apart from loud conversations which disrupts the tenants in the adjoining residential properties, there is drug dealing and drunk and lewd behaviour in the laneway.*
6. *The 24- hour operation has an impact on the adjacent residential properties in terms of noise (loud music and noise from gym users) and car parking whereby gym users park their car in front of residential properties.*

Below is a breakdown of the list of concerns and our response.

Objections	Response
1. <i>The building is inappropriate for a use as a gym</i>	The subject building is located in the 'District Centre' zone along Beaufort Street. The use of this building as a 'Recreational Facility' in this zone is an 'AA' use meaning that the use is not permitted unless the Council exercised its discretion by granting planning approval. The use was assessed and planning approval was granted on the 12 th March 2014, subject to conditions. All conditions have been adhered to

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	and as such the use of the building as a 'Recreational Facility' (gym) is deemed appropriate by the City of Vincent
<p>2. <i>The impact of the noise and vibration from upstairs gym on the ground floor tenancies is unbearable.</i></p> <p>3. <i>Insufficient noise and vibration attenuation to mitigate the constant noise and vibration</i></p>	<p>It is important to note that this application is for operation of the business outside normal business operating hours (ie 9pm to 6am). Key consideration in this instance therefore include:</p> <ul style="list-style-type: none"> • no other tenancies operating within this period • existing noise attenuation measures are adequate to ensure that noise is maintained at acceptable levels at all times of operation <p>As part of the conditional approval an Acoustic report in accordance with the City's Policy No. 3.5.21 relating to sound attenuation was prepared and submitted to the City for approval. All recommended measures within the report were implemented and have consistently been adhered to. A second Noise Impact Assessment was prepared and lodged once the gym commenced operations in July 2016 and the use was found to comply with the assigned noise levels associated with the Environmental Protection (Noise) Regulations (1997). See attached.</p> <p>The development also adheres to all relevant conditions relating to Building, Health, Engineering and Parks Services of the City as noted within Condition 9 of the conditional planning approval.</p> <p>Furthermore, the applicant advises that the tenants have taken significant steps to educate all employees in the need to minimise disruption to other tenants and local residence. Music and training noise of any</p>



	<p>kind is monitored and kept within acceptable thresholds and additional flooring has been applied to eliminate foot and exercise noise.</p> <p>The City has investigated previous noise complaints and found that all issues raised were of a minor nature, where noise did not exceed permitted thresholds.</p>
<p>4. <i>There is no opportunity for peaceful enjoyment of other units within the building and the effect of the change is that all these units will be deprived of such expectation at all times.</i></p>	<p>Please refer to the response to item 2 above. In addition, all efforts have been made to avoid all disruption to all other tenants in terms of noise and client traffic while still being able to lawfully conduct business.</p>
<p>5. <i>The 24 hour gym creates noise and antisocial behaviour in the abutting ROW particular in the evening and early hours of the morning. Apart from loud conversations which disrupts the tenants in the adjoining residential properties, there is drug dealing and drunk and lewd behaviour in the laneway.</i></p>	<p>In terms of noise please refer to point 2. There is no evidence that any noise or antisocial behaviour is directly related to the operation of the gym. The business owner takes all steps to educate clients on appropriate access and egress when using the facility. The client, to date, is unaware of any official complaints lodged against the gym with the City that directly relate to antisocial behaviour in the adjacent laneway. It should be noted that antisocial behaviour can gravitate to laneways and that the location of a 24 hour gym may be a catalyst to generate ongoing passive surveillance outside of normal business hours thus reducing the likelihood of antisocial behaviour.</p> <p>This use is located in the District Centre with other late night uses in close proximity including small bars, restaurants and the 24 hour Hungry Jacks directly across Vincent Street.</p>



<p>6. <i>The 24- hour operation has an impact on the adjacent residential properties in terms of noise (loud music and noise from gym users) and car parking whereby gym users park their car in front of residential properties</i></p>	<p>In terms of noise please refer to point 2. As part of the conditional approval parking for the facility was assessed and deemed to be sufficient. It should be noted there are no currently identified parking issues relating to the operation of the gym. It is more likely that parking issues in the locality are generated by other uses in proximity to the District Centre.</p> <p>It should be noted that there is ample car parking bays for the patrons of the gym, especially for the late night/early morning users who would easily find parking spaces at these hours and have no need to park over neighbour's property.</p>
--	--



EcoAcoustics

Snap Fitness

565 Beaufort Street, Mount Lawley

Noise Impact Assessment

25 July 2016

Report Number: 16050302 - 01

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Report: 16050302 - 01

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EcoAcoustics has exercised due and customary care in conducting this assessment but has not, save as specifically stated, independently verified any information provided by others. Therefore, EcoAcoustics assumes no liability or loss resulting from errors, omissions or misrepresentations made by others. This report has been prepared at the request of the Client. The use of this report by unauthorised third parties without the written permission of EcoAcoustics shall be at their own risk and EcoAcoustics accept no duty of care to any such third party.

Any recommendations, opinions or findings stated in this report are based on facts as they existed at the time Eco Acoustics performed the work. Any changes in such circumstances and facts upon which this report is based may adversely affect any recommendations, opinions or findings contained within this report.

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Revision History				
Revision	Description	Date	Author	Checked



Table of Contents

Executive Summary.....	i
1 Introduction.....	2
1.1 Site Locality & Surroundings	2
1.2 Site Description.....	2
2 Criteria.....	5
3 Measurements.....	8
4 Impact Isolation Assessment.....	9
5 Airborne Noise Assessment	10
6 Conclusions & Recommendations	12
Appendix A.....	13

Ref: 16050302 - 01



Executive Summary

EcoAcoustics Pty Ltd was commissioned by Snap Fitness to conduct an assessment of a proposed gym located at 565 Beaufort Street, Mount Lawley.

The purpose of this report is to assess the noise emissions from the site in accordance with the prescribed standards contained in the *Environmental Protection (Noise) Regulations 1997*.

The results of the noise measurements and predictions show that the proposed gym can comply with the assigned noise levels contained with the *Environmental Protection (Noise) Regulations 1997*.



1 Introduction

EcoAcoustics Pty Ltd was commissioned by Snap Fitness to conduct an assessment of a proposed gym located at 565 Beaufort Street, Mount Lawley.

The purpose of this report is to review the installation associated with the gym, including the flooring and locality of equipment etc and determine compliance or otherwise with the earlier acoustic assessment completed for this site (our ref: 14060100-01, dated 12/08/2014). In addition this report will assess the noise emissions from the site in accordance with the prescribed standards contained in the *Environmental Protection (Noise) Regulations 1997*.

Appendix A contains a description of some of the terminology used throughout this report.

1.1 Site Locality & Surroundings

The site is located in Mount Lawley, on the corner of Vincent and Beaufort Streets. The gym is located on the first floor of an existing commercial building. Retail and commercial premises are located on the ground floor, and adjoin the site to the southwest. The nearest residential premises are located to the northwest of the site, further along Vincent Street, and also to the north east, across Vincent Street. The site and surroundings are shown in an aerial photo in *Figure 1.1*.



Figure 1.1: Site and Surroundings (Source: Google Earth)

1.2 Site Description

The site is located on the first floor of an existing commercial building, with access via the ground floor off Vincent Street. As can be seen on *Figure 1.2*, the gym is separated into the following main zones:



- Free weights zone
- Strength zone
- Cardio zone
- Stretch and flexibility zone
- Movement zone
- Group fitness zone

There is also an external balcony, which cannot be seen in the schematic.

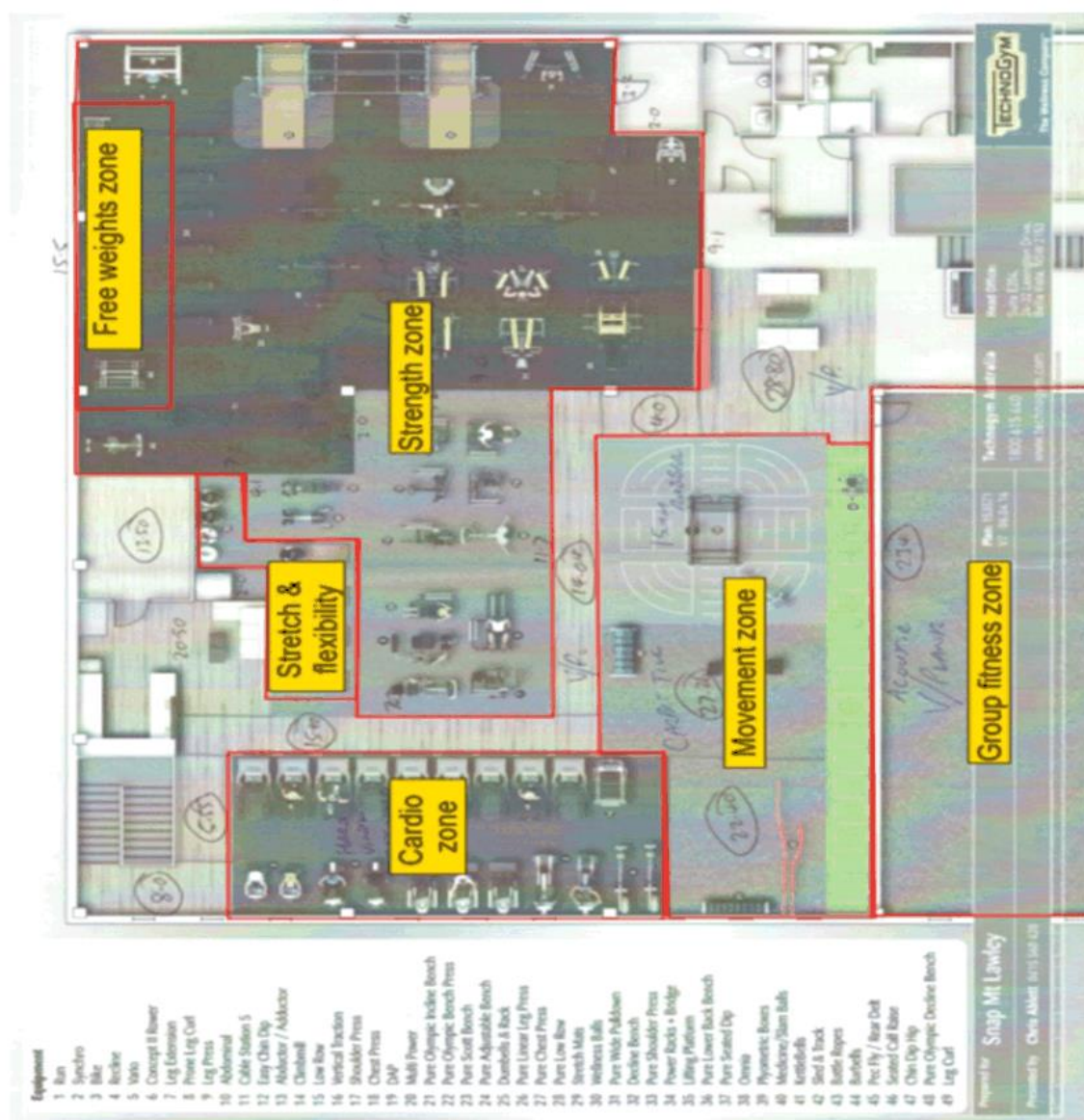


Figure 1.2: Proposed Internal Layout



The types of flooring that are currently installed in the gym, for each zone, are listed in *Table 1.1*. Acoustic vinyl planks are installed for walkways.

Table 1.1 Flooring types currently installed for gym zones

Gym zone	Flooring type installed
Free weights	60 mm acoustic rubber (Impactomat) – complies with minimum requirements from earlier acoustic report
Cardio	2mm vinyl over 2 layers of 5mm acoustic rubber (Impactomat)
Stretch and flexibility	Carpet tile
Movement	Carpet tile
Group fitness	5mm acoustic vinyl plank over 2 layers of 5mm acoustic rubber (Impactomat)
Strength	Carpet tile and 60 mm acoustic rubber (Impactomat) – complies with minimum requirements from earlier acoustic report

It is understood that the gym operates 24 hours per day, seven days per week. It is understood that the peak usage times are Monday to Thursday:

- 7:30am to 9:00am
- 4:30pm to 7:30pm



2 Criteria

In Western Australia all Environmental noise is regulated by the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noise emissions from the gym are required to satisfy the assigned noise levels specified in Regulations 7, 8 and 9.

The standard stipulated in Regulation 7 of the states:

7. (1) Noise emitted from any premises or public place when received at other premises –
- a) Must not cause or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
 - b) Must be free of –
 - o Tonality;
 - o Impulsiveness; and
 - o Modulation.

A... noise emission is taken to significantly contribute to a level of noise if the noise emission exceeds a value which is 5dB below the assigned level...

Regulation 9 defines tonality, impulsiveness and modulation. It is regarded that noise is free of these characteristics if:

- a) Tonality, impulsiveness and modulation cannot be equitably removed by means other than decreasing the overall level of noise emission; and
- b) Subsequent to any adjustments as displayed in *Table 2.1*, noise emissions remain compliant with the required standards when measured at the point of reception.

Table 2.1 Adjustments for Intrusive Characteristics

Adjustment Where Noise Emission is not Music (cumulative to maximum of 15 dB)			Adjustment Where Noise Emission is Music	
Tonality	Modulation	Impulsiveness	Where impulsiveness is not present	Where impulsiveness is present
+ 5dB	+ 5dB	+ 10dB	+10dB	+15dB

The baseline assigned levels (prescribed standards) are specified in Regulation 8 and are shown below in *Table 2.2*.



Table 2.2 Baseline Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive at locations within 15m of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Commercial	All hours	60	75	80
Industrial	All hours	65	80	90

Table 2.3 shows the calculations used in determining the influencing factor at the nearest residential premises.

Table 2.3: Calculation of Influencing Factor

Premises Receiving Noise (ref Figure 1.1)	Description	Within 100 metre Radius	Within 450 metre Radius	Total
Rec 1 to 2	Industrial Land	0	0	0
	Commercial Land	60% 3 dB	20% 1 dB	4 dB
	Major Road	6 dB	0	6 dB
	Minor Road	0	0	0
	Total Influencing Factor			10 dB

Based on the influencing factors contained in Table 2.3, the assigned noise levels are shown in Table 2.4.



Table 2.4: Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L_{A10}	L_{A1}	L_{Amax}
Noise sensitive at locations within 15m of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday (Day)	55	65	75
	0900 to 1900 hours Sunday and public holidays (Sunday)	50	60	75
	1900 to 2200 hours all days (Evening)	50	60	65
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	45	55	65
Commercial (located below the gym)	All hours	60	75	80



3 Measurements

To determine the impact of the gym on the commercial premises below, a number of Impact Isolation Tests were conducted prior to the occupancy. The Impact Isolation Tests were used to determine the performance of the proposed flooring on the existing floor slab. The testing was conducted using:

- A Norsonic Nor 140 Sound Level Meter (calibration certificate available on request);
- A Bruel & Kjaer 2250 Sound Level Meter (calibration certificate available on request);
- A tapping machine;
- Balloons used for room noise excitation.

In addition to the Impact Isolation Testing, measurements were also completed of the gym post-occupancy to determine the noise during normal daytime sessions. This testing involved measuring noise levels with the Norsonic Nor 140 Sound Level Meter from the following sources within the gym space:

- Treadmills operating at maximum noise levels with based on running;
- Battle ropes within the Movement Zone.



4 Impact Isolation Assessment

To determine the impact separation between the gym and the commercial tenancies below, in situ impact tests were conducted on a number of sample floors to be used in the gym. The in situ impact testing comprised:

- Bare concrete testing of slab:
- 1m² sample of product being tested, including:
 - 1 layer 5mm Impactomat;
 - 2 layers 5mm Impactomat;
 - 1 layer 5mm Impactomat with 5mm acoustic vinyl planks loose laid on top;
- Tapping machine was placed in the centre of each sample;
- Testing included source and receiver rooms, including background levels and reverberation times.

Table 4.1 presents a summary of the floor sample test results.

Table 4.1: Summary of Floor Test Sample Results

Description	Measured Level
Sample 1: Bare Concrete	$L_{nT,W} + C_1 = 50$
Sample 2: 1 layer 5mm Impactomat	$L_{nT,W} + C_1 = 43$
Sample 3: 2 layer 5mm Impactomat	$L_{nT,W} + C_1 = 42$
Sample 4: 1 layer 5mm Impactomat with 5mm acoustic vinyl planks laid on top	$L_{nT,W} + C_1 = 41$

Of these three samples, the best performing sample was Sample 4. This floor configuration has been included in the group fitness area.



5 Airborne Noise Assessment

Tables 5.1 and 5.2 present the measured noise levels associated with the treadmills and the battle ropes within the gym respectively. These tables also include the calculated noise levels at the nearest commercial premises below the gym. It is important to note that attempts were made to gain access to the commercial premises below the gym, without success. A number of the premises were not operating during the airborne measurement period, and the remainder would not allow measurements to be taken within their spaces.

Table 5.1: Noise Calculations from Treadmills

Description	Octave band Centre Frequency, dB Hz						Overall dB
	125	250	500	1K	2K	4K	
Measured Noise Level from Treadmills (with 4 operating simultaneously) in Gym, dB	69	74	78	76	70	63	82 dB
Transmission loss & attenuation (based on floor ceiling tests & distance) dB	-16	-16	-34	-37	-43	-42	
L _p at commercial premises (dB)	53	58	44	39	26	21	60 dB
Resultant Noise Level (converted to A-weighting) dB(A)	37	49	41	39	27	22	50 dB(A)
Addition of impulsiveness correction	+10	+10	+10	+10	+10	+10	
Adjusted A-weighted Noise Level from Treadmills	47	59	51	49	37	32	60 dB(A)



Table 5.2: Noise Calculations from Battle Ropes

Description	Octave band Centre Frequency, dB Hz						Overall Noise Level
	125	250	500	1K	2K	4K	
Measured Level from Battle Ropes in Gym, dB	65	69	74	75	69	62	79 dB
Transmission loss & attenuation (based on floor ceiling tests & distance) dB	-16	-16	-34	-37	-43	-42	
L_p at commercial premises (dB)	48	49	53	40	37	25	56 dB
Resultant Noise Level (converted to A-weighting) dB(A)	33	45	37	37	27	21	46 dB(A)
Addition of impulsiveness correction	+10	+10	+10	+10	+10	+10	
Adjusted A-weighted Noise Level from Treadmills	43	55	47	47	37	31	56 dB(A)

The predicted noise levels comply with the assigned noise levels for commercial premises; however, it is important to note that these noise levels would be audible and discernible. These noise levels were based on an average of 4 treadmills operating simultaneously at maximum noise levels.

To provide a clearer understanding of the noise environment within close proximity to this site, background and ambient noise levels were measured in the absence of any noise from the gym above. These measurements were taken within the commercial premises below, as part of the IIC floor testing. The resultant noise levels measured **inside** the commercial premises were L_{A10} 55 dB(A) and L_{A90} 46 dB(A). The L_{A10} represents the road traffic noise within the space, while the L_{A90} represents the noises that are always present, including mechanical plant from the nearby fast food restaurant.



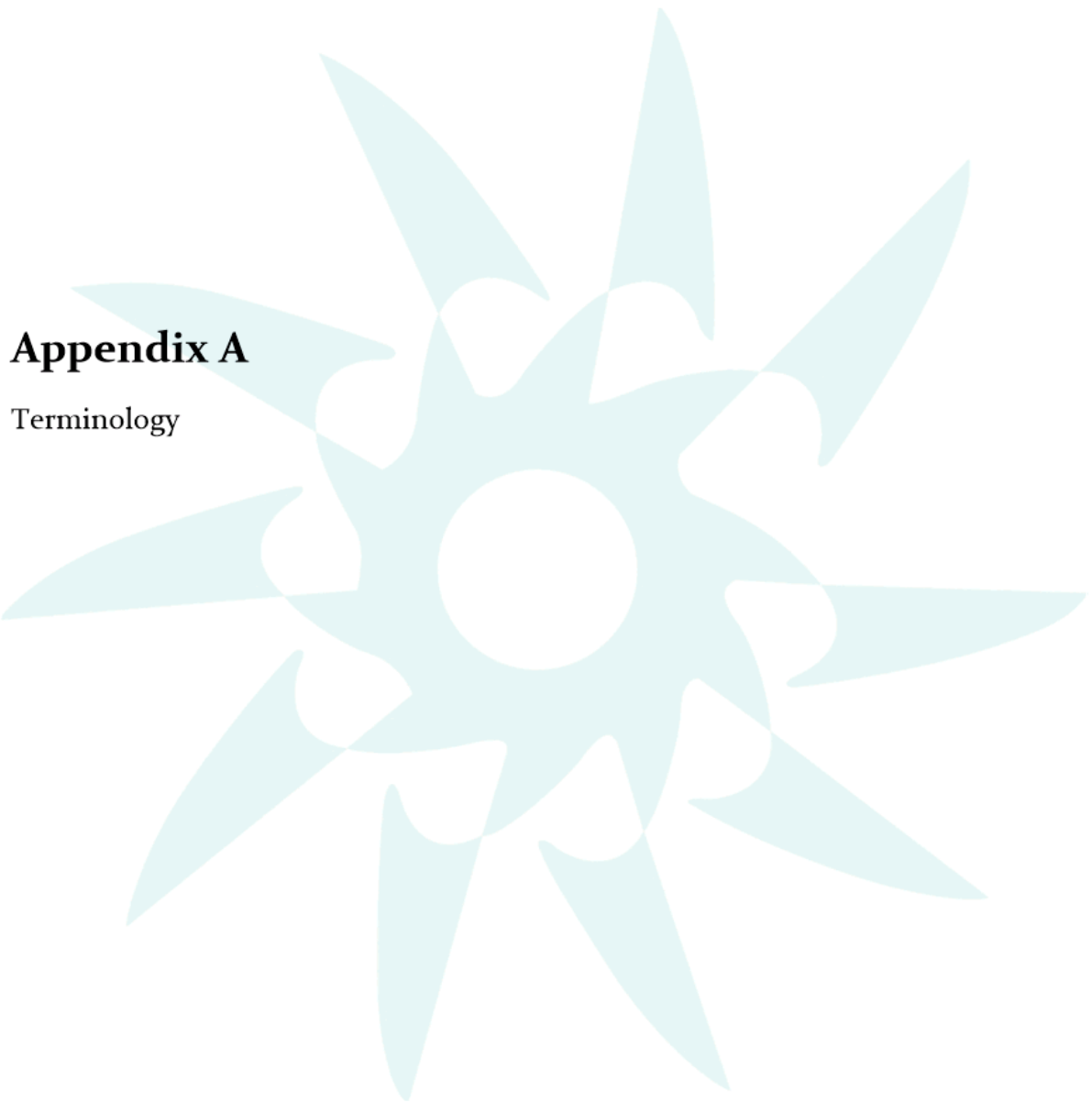
6 Conclusions & Recommendations

The results of the noise measurements show that the noise from the gym can comply with the assigned noise levels associated with the *Environmental Protection (Noise) Regulations 1997*.



Appendix A

Terminology





Terminology

Ambient Noise

Ambient noise refers to the level of noise from all sources, including background noise as well as the source of interest.

A-Weighting

An A-weighted noise level is a noise level that has been filtered as to represent the way in which the human ear distinguishes sound. This weighting indicates the human ear is more sensitive to higher frequencies than lower frequencies. The A-weighted sound level is described as dB L_A.

Background Noise

Background noise is the noise level from sources other than the source of interest. Background may originate from such things as traffic noise, wind induced noise, industrial noise etc.

Decibel (dB)

The decibel is the unit that characterises the sound power levels and sound pressure of a noise source. It is a logarithmic scale with regard to the threshold of hearing.

Impulsive Noise

An impulsive noise source is a short-term impact noise which may originate from such things as banging, clunking or explosive sound.

Influencing factor

$$= 1/10 (\% \text{ Type } A_{100} + \% \text{ Type } A_{450}) + 1/20 (\% \text{ Type } B_{100} + \% \text{ Type } B_{450})$$

Where:

% Type A₁₀₀ = The percentage of industrial land within a 100m radius of the premises receiving noise

% Type A₄₅₀ = The percentage of industrial land within a 450m radius of the premises receiving noise

% Type B₁₀₀ = The percentage of commercial land within a 100m radius of the premises receiving noise

% Type B₄₅₀ = The percentage of commercial land within a 450m radius of the premises receiving noise

+ Traffic factor (maximum 6dB)

= 2 for each secondary road within 100m

= 2 for each major road within 450m

= 6 for each major road within 450m



L_{A1}

An L_{A1} level is the A-weighted noise level which is overreached for one percent of a measurement period. It represents the average of the maximum noise levels measured.

L_{A1} assigned level

An assigned L_{A1} level which is not to be exceeded for more than 1% of a delegated assessment period.

L_{A10} assigned level

An assigned L_{A10} level which is not to be exceeded for more than 10% of a delegated assessment period.

L_{A10}

An L_{A10} level is the A-weighted noise level which is exceeded for 10 percent of the measurement period and is considered to represent the “intrusive” noise level.

L_{A90}

An L_{A90} level is the A-weighted noise level which is overreached for 90 percent of the measurement period. It represents the “background” noise level.

L_{Aeq}

L_{Aeq} refers to the comparable steady state of an A-weighted sound which, over a specified time period, contains the same acoustic energy as the time-varying level during the specified time period. It represents the “average” noise level.

L_{AFast}

The noise level in decibels, obtained using the A frequency weighting and the F time weighting as specified in AS1259.1-1990. L_{AFast} is used when examining the presence of modulation.

L_{Amax}

The L_{Amax} level is the maximum A-weighted noise level throughout a specified measurement.

L_{Amax} assigned level

The L_{Amax} assigned level describes a level which is not to be exceeded at any time.

L_{APeak}

The L_{APeak} level is the maximum reading (measured in decibels) during a measurement period, using the A frequency weighting and P time weighting AS1259.1-1990.

*L_{ASlow}*

A L_{ASlow} level is the noise level (measured in decibels) obtained using the A frequency weighting and S time weighting as specified in AS1259.1-1990

Major Road

A Major road has an estimated average daily traffic count of more than 15,000 vehicles.

Maximum Design Sound Level

Maximum Design Sound Level is the level of noise beyond hearing range of most people occupying the space start, become dissatisfied with the level of noise.

Modulating Noise

A modulating source is an audible, cyclic and regular source. It is present for at least 10% of a measurement period. The quantitative definition of tonality is:

a fluctuation in the discharge of noise which;

- a) is more than 3 dB $L_{A Fast}$ or is more than 3 dB $L_{A Fast}$ in any one-third octave band;
- b) is present for at least 10% of the representative

One-Third-Octave Band

One-Third-Octave-Band are frequencies that span one-third of an octave which have a centre frequency between 25 Hz and 20 000 Hz inclusive.

Representative Assessment Period

Representative Assessment Period describes a period of time not less than 15 minutes, and not surpassing four hours. It is determined by an inspector or authorised person to be suitable for the assessment of noise emissions.

Reverberation Time

Reverberation time refers to an enclosure for a sound of a specified frequency or frequency band as well as the time that would be necessary for the reverberantly decaying sound pressure level in the enclosure to decrease by 60 decibels.

RMS

The root mean square level is used to represent the average level of a wave form such as vibration.

Satisfactory Design Sound Level

Satisfactory Design Sound Level refers to the level of noise that has been found to be acceptable for the environment in question, which is also to be non-intrusive.



Secondary / Minor Road

A Secondary / Minor road has an estimated average daily traffic count of between 6,000 and 15,000 vehicles.

Sound Pressure Level (L_p)

Sound Pressure Level refers to a noise source which is dependent upon surroundings, and is influenced by meteorological conditions, topography, ground absorption; distance etc. Sound Pressure Level is what the human ear actually hears. Noise modelling predicts the sound pressure level from the sound power levels whilst taking into account the effect of relevant factors (meteorological conditions, topography, ground absorption; distance etc).

Sound Power Level (L_w)

A sound power level of a noise source cannot be directly measured using a sound level meter. It is calculated based on measured sound pressure levels at recognised distances. Noise modelling includes source sound power levels as part of the input data.

Specific Noise

Specific Noise relates to the component of the ambient noise of interest. It can be specified as the noise of interest or the noise of concern.

Tonal Noise

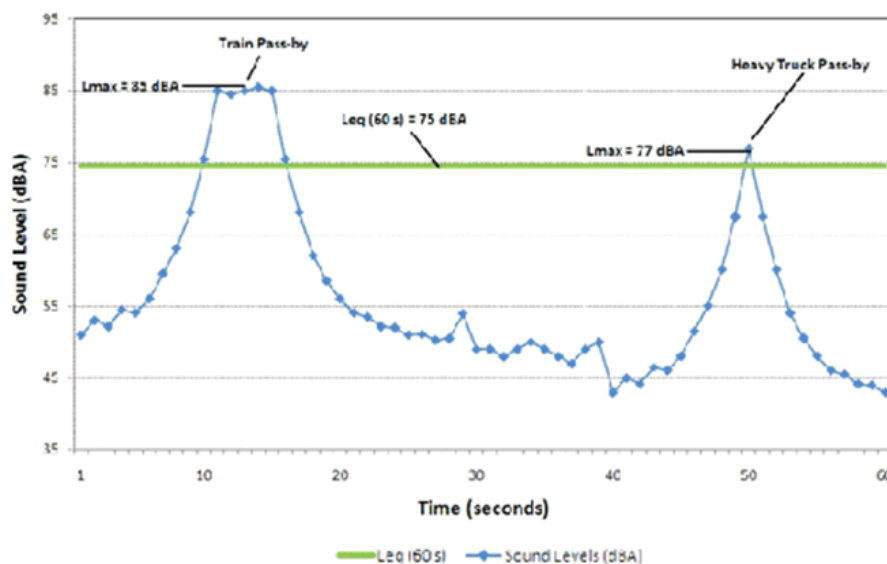
A tonal noise source can be designated as a source that has a specific noise emission over one or several frequencies, such as droning. The quantitative definition of tonality is:

the presence in the noise emission of tonal characteristics where the difference between —

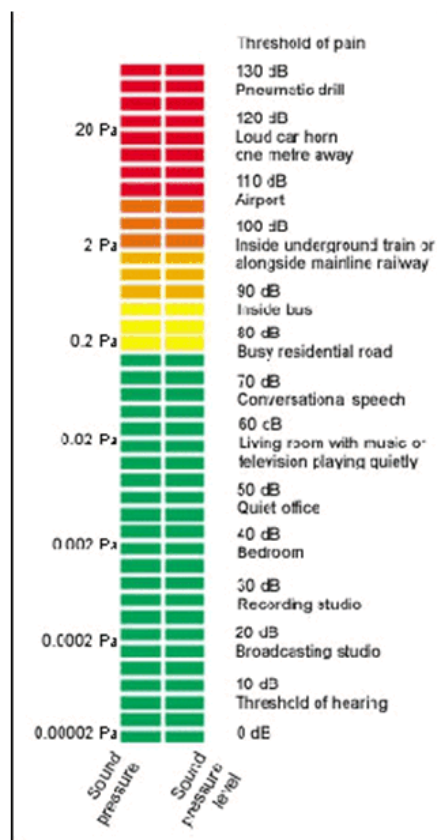
- a) the A-weighted sound pressure level in any one-third octave band; and
- b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands, is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A_{Slow}}$ levels.



Chart of Noise Level Descriptors



Typical Noise Levels



10 ENGINEERING**10.1 SAFE ACTIVE STREETS - BIKE BOULEVARD PROGRESS REPORT 4**

TRIM Ref: D18/11819

Authors: Francois Sauzier, TravelSmart Officer
Craig Wilson, Manager Asset & Design

Authoriser: Andrew Murphy, Director Engineering

Attachments: 1. Consultation Comments Summary [↓](#) 
2. Safe Active Streets Project - Concept Plan [↓](#) 

RECOMMENDATION:

That Council

1. NOTES that:

- 1.1 consultation on the Safe Active Streets Bike Boulevard Project (Phase Two) has been completed with affected residents of Shakespeare, Scott, Richmond and Bourke Streets, Mount Hawthorn/Leederville area;
- 1.2 the results of the consultation indicate 62% of respondents support the project; 32% of respondents do not support the project and 6% neither support nor object but have provided feedback; and
- 1.3 the Department of Transport has indicated that it will be offering the City additional funding of \$200,000 to complete the Bourke Street link to the Mitchell Freeway, which, will increase the total project value to \$1,300,000;

2. APPROVES an increase to the 2017/18 Capital Budget for the Bike Boulevard Stage 2 project from \$1,100,000 to \$1,300,000, with a corresponding increase to capital grants to recognise the increased project funding from the Department of Transport as noted in 1.3 above;

3. SUPPORTS the implementation of the Safe Active Streets Bike Boulevard Project (Phase Two), in line with the advertised concept plan included as Attachment 2, subject to Administration finalising the construction design to incorporate, where possible, minor changes as requested in the feedback from affected owners/occupiers and additional street trees; and

4. ADVISES all respondents of Council's decision.

PURPOSE OF REPORT:

For Council to consider the results of the community consultation, and further discussions with the Department of Transport (DoT) in respect of a \$200,000 increase in funding, for the Safe Active Streets Bike Boulevard Phase Two.

BACKGROUND:

At the Ordinary Meeting of Council held on 14 November 2017 Council unanimously resolved that it:

- "1. *NOTES* that the Chief Executive Officer has entered into an Agreement with the Department of Transport for the City to deliver the design, consultation and construction of the Safe Active Streets - Shakespeare Street Bike Boulevard, Phase Two Project (Attachment 1);
2. *CONSULTS* with affected residents of the Shakespeare, Scott, Richmond and Bourke Streets, Mount Hawthorn/Leederville; and
3. *RECEIVES* a further report inclusive of the outcomes of the community consultation and the discussions with the Department of Transport in respect of possible additional funding."

Consultation

In accordance with the City's Consultation Policy, the City conducted consultation with the affected residents between 9 December 2017 and 22 January 2018. The consultation was conducted using the following methods:

- 600 consultation packs were distributed to residences and businesses in the affected area;
- 250 packs were posted to absentee landlords;
- The concept plan was displayed in the City's Library and Local History Centre; and
- An online survey was promoted via the City's webpages.

The consultation asked the questions:

- Do you support the proposal?
- Do you object to the proposal?
- You neither support or object, but wish to provide feedback; and
- Some basic information about the survey participants.

Aranmore Catholic College

Aranmore Catholic College is a co-educational secondary college located at 41 Franklin Street, Leederville, with its primary access off Shakespeare Street. Prior to the public consultation phase a meeting was held with the school Principal, Declan Tanham, to outline the scope of works and seek the school's feedback to the plan. Principal Tanham indicated his support, on behalf of the school, as the initiative will lead to a lower speed environment around the school precinct.

During the consultation period, the City's officers also met with a number of residents on site, who sought further clarification as to the project's impact on their properties.

Anonymous Letter

The City's officers were made aware that a resident had written and distributed a letter to some affected residents urging people to object to the project. Some misinformation was contained in the letter as well as some unjustifiable claims about the intended users of the project. The letter was forwarded to the City's officers by a concerned resident, but as the letter contained no contact details there was no opportunity to address any of the letter writer's concerns. A copy of the letter was also forwarded to the DoT for their information and comment.

DETAILS:

The consultation indicated that a clear majority of respondents supported the overall project.

In total, the City received 134 responses, with the all responses detailed in **Attachment 1**, of which;

- Support 83 = 62%
- Object 43 = 32%
- Neither 8 = 6%

A breakdown of the total responses by property tenure is as follows;

- 88 Owner Occupier
- 29 Owner
- 17 Occupier

A number of comments highlighted concerns with engineering elements of the plan (such as slow points encroaching on crossovers, line-marking to indicate no parking behind verge parking), and wherever possible these will be addressed in revisions to the plan.

Support

The feedback from those supporting the project included the following comments and/or suggestions:

- Will dissuade rat-running on Shakespeare Street,
- Plant mature trees in the tree wells,
- Happy that Bourke St will be connected to the bike path along the freeway,
- Great to slow down the traffic on Scott Street and address safety at Tennyson Street intersection,
- Plan will beautify the area,
- Will improve safety of school and church goes in the area
- Will add value to the houses on the boulevard

Object

The feedback from the Object or Neither groups included the following concerns:

- impact of loss of parking in Richmond Street on Leederville Oval event days;
- increased traffic noise attributed to cars on the raised plateaus;
- perception that it will result in significant congestion;
- will shift traffic to surrounding streets;
- that it was a duplication of Oxford Street infrastructure; and
- that it would increase the rate of burglary in the area.

Additional Funding

The City has prepared an estimate of costs associated with delivering the project, including the following links:

- a. Bourke Street, connecting Scott Street with the Mitchell Freeway Principal Shared Path (PSP), and
- 1.
- b. Richmond Street, connecting Scott Street with the proposed Loftus Street bike lanes.

The total cost is estimated to be \$1,300,000.

CONSULTATION/ADVERTISING:

Consultation was undertaken in accordance with the City's Community Consultation policy.

In early December 2017, businesses and residents within affected areas of Shakespeare, Scott, Bourke and Richmond Streets were consulted regarding the proposed Safe Active Streets Bike Boulevard Phase Two project.

A total of 850 consultation packs were distributed to residents (including absentee landlords) and businesses.

At the close of consultation on 22 January 2018, a total of 134 responses had been received. Three late responses were received after this date. In total, this equates to a 16% response rate.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The works will improve the amenity for local residents, their visitors, and the wider community while providing the City an opportunity to enhance the streetscape and upgrade its infrastructure, creating a safer road environment for all road users.

STRATEGIC IMPLICATIONS:

This initiative aligns with the City's *Strategic Plan 2013-2023*, *Physical Activity Plan 2013-2017* and the *Sustainable Environment Strategy 2011-2016*.

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"Natural and Built Environment"

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
2.
 - 1.1.5 *Take action to improve transport and parking in the City and mitigate the effects of traffic".*

SUSTAINABILITY IMPLICATIONS:

An increased cycling participation rate by both residents and the wider community should lead to improved general health and wellbeing of the community, while reducing carbon emissions and the dependence on motorised transport. In addition, native vegetation and tree plantings will be done in the proposed slow points leading to a marked increase in greening along Shakespeare/Scott Streets as well as in the verge along Bourke Street where opportunities allow.

FINANCIAL/BUDGET IMPLICATIONS:

The committed funding will be released at agreed upon milestones:

- 40% - Milestone 1 - upon agreement of the scope of the project – communication and engagement plan and concept design for consultation;
- 20% - Milestone 2 - Council review of engagement outcomes;
- 20% - Milestone 3 - Council endorsement of the detailed design; and
- 20% - Milestone 4 - Practical Completion of the project.

An initial amount of \$400,000 has been received by the City from DoT, initially held in trust, but now able to be released as it relates to the completion of Milestone 1.

COMMENTS:

The consultation undertaken has revealed significant support from respondents for the project (62% Support, 32% Object, and 6% Neither), with residents supporting the overall aims of the 30kmh streets and also the opportunities to increase greening.

The City's officers are reviewing the comments submitted and are currently finalising the design to reflect comments wherever possible.

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I SUPPORT the proposal		37 SUPPORT responses received without any further comments	
I OBJECT the proposal		9 OBJECT responses received without any further comments	
I NEITHER support or object to the proposal, but I wish to provide feedback		1 NEITHER response received, but without any further comments	
I SUPPORT the proposal	I am an OWNER	Keep roundabout at Oxford & Bourke. Please ensure verge parking can be accessed.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Consider impacts on side streets - perhaps consider other slow measures on these streets to prevent rat-running	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Parking demand is very heavy on Bourke Street and is a thoroughfare between Britannia Reserve and Bourke Street. Dog walkers and people attending winter sports events will have reduced access to parking.	There is no change to the available parking at the Britannia Reserve area of Bourke Street.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	A great initiative to encourage more cycling within our suburbs.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Single Lane roads (Scott St). I ride my bike along these roads and feel safe already. I feel single lane roads would impede the flow of traffic. There is already a bike path on Oxford Street. I would rather these be further extended and established.	The road width does not change except at pinch points. The 30kmh speed limit should allow all users to feel safer.
I SUPPORT the proposal	I am an OWNER	Existing planting in the section of Scott St between Richmond and Bourke Sts is not being enhanced in this plan with any new green growth. The idea of the SAS is great and I fully support this, however it still needs to look attractive for the home owners in the street. Can the existing planting be enhanced, perhaps with mature plants?	Noted and will be done in conjunction with Parks & Environment
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Bourke St. Very happy that Bourke ST will be connected to the bike path along the freeway & Oxford St. It gets an increasing amount of traffic along this road - the verge along Britannia Rd is being used by non-residents as a long-term parking option during work hours. This will need to be addressed at some point.	The City will need to address the informal all day parking in this area.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Shakespeare/Tennyson Junction- request that the junction is raised to ensure that cars on Tennyson Street slow to a STOP. Traffic on Tennyson St is very fast!!	The intersection will be raised as part of the plan.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Scott St - great idea. Too many speeding cars come down our part of Scott St. Great for the children in the street also.	Noted
I SUPPORT the proposal	I am an OWNER	Make sure I don't lose any parking space.	Noted
I SUPPORT the proposal	I am an OWNER	Please keep doing what you're doing. More Trees! More Cycling! More pedestrian ways! Close off southern Oxford St to cars; make it a mall/alfresco area.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Shakespeare St. Congratulations to the Council on this development. It is much needed. I have many times had to call police about speeding in our street...many drivers accelerate down the hill and look to go well over 60 past our house. The corner with Tennyson St in particular is dangerous as drivers roll through the intersection. Since traffic calming was placed on Oxford St, Shakespeare has become an alternative, particular for drivers in a hurry. I am concerned that removing the STOP signs at Tennyson will make this worse, despite the speed hump. * Can consideration go to making the bottom of Shakespeare or top of Scott St a cul-de-sac???	The raised plateau will reduce the speed of drivers.

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I SUPPORT the proposal	I am an OWNER	Shakespeare. An excellent plan. Will beautify the area and make it safe for the community.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Reasons for rejection - Shakespeare (between Anzac & Scarborough Bch Road). We object for the following reasons. 1. Increased traffic noise at slow points. 2 Difficult to tow boat along street and navigate slow points. 3, A tree is proposed outside our laneway which will prevent access with the boat and make general vehicle access more difficult (please see map). 4. Funds could be better spent. For instance, installing underground power.	A traffic template will be applied to ensure reasonable access for towed objects continues.
I OBJECT the proposal	I am an OCCUPIER	The street already narrow when cars are parked on the street, considering it is a two way street. Placing the bicycle boulevard through the street will only make it more dangerous for all users of the road. It will also make current people parking on the street (residents, visitors, TAFE students, city workers who park their car there before catching the bus to the city, etc) move to other side streets to park, which is already another problem. The council might as well close all vehicle access to Scott St and make it a walkway if it continues with this current plan.	There is no change to the width of the road.
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OCCUPIER	...How useful this will be & issue with proposed parking on Shakespeare S. The only issue I can see is that since we live in a share house we have 3-4 cars & we currently park perpendicular to the street on our verge. The proposed street parking on Shakespeare St will mean we can no longer park perpendicularly on the verge and will therefore not be able to fit all of our cars. To tell the truth I'm not that convinced that this is a priority. I feel safe cycling already. I would rather public transport was more frequent & connected Mount Lawley and Leederville without needing to go to the City, for example.	The City's officers will liaise with residents who currently use verge parking to ensure that their verge access is not restricted. This may impact on linemarking plans.
I OBJECT the proposal	I am an OCCUPIER	Unnecessary - Shakespeare Street is a quiet, residential street where bike riding poses no safety threat to riders, pedestrians or drivers. There are existing cycle routes on Oxford and Loftus Streets. Thirdly, for those who rely on car travel along these streets it will be a large inconvenience having to succumb to slow points and a reduced speed limit. This also increases congestion & pollution & overall trip time. Lastly, the inclusion of speed humps in the road not only is not cyclist friendly, the very audience you are attempting to cater for, but has been shown by research to increase pollution levels from cars, which potentially counteracts the inclusion of new trees in the plan.	Oxford St cycle lanes are in a 50kmh environment. The aims of the bike boulevard are to encourage less confident riders to ride.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	The entire project. We are in FULL agreement with the TOTAL project; 1. Because it encourages cyclists over vehicles, 2. It will discourage/reduce the morning peak hour 'rat runs' along Tennyson/Marian/Shakespeare/Scott streets; 3. We are especially in favour of the re-alignment of the 'stop signs' on the Shakespeare/Tennyson St intersection. A large percentage of motorists driving North/South & South/North on Shakespeare Streets ignore the current stop signs. The 'dog leg' intersection makes this particularly dangerous as vision is restricted along Tennyson St. 4. the more street trees the better!!	Noted
I SUPPORT the proposal	I am an OCCUPIER	Greenery. I am glad to have so many beautiful trees along Shakespeare St - BUT, if you are going to put more trees in it would be much appreciated if trees that did not shed so many leaves for so many months each year - could be planted. It is a real task to keep our yards & verges safe to walk along.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	All areas. I am very happy to see the speed limit lowered on all the streets.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Shakespeare St. I think it will beautify & make it safer place!	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	It will also be better and safer for the Aranmore school children and for church goers.	Noted

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I SUPPORT the proposal	I am an OWNER and OCCUPIER	When major works occur on Oxford Street, re-route the traffic to the closest major thoroughfare rather than down small side streets like Scott St	Noted
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OWNER	Support any reduction in speed of cars using Shakespeare & Tennyson Streets.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	1. Not safe - it will be a big risk of collision with cyclist while entering/leaving the property by car. 2. Limited parking space on the road.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Scott/Shakespeare/Tennyson. Apart from benefit of boulevard on Shakespeare, project should slow down traffic on Tennyson, and perhaps alleviate the 'rat run' traffic which utilizes Tennyson.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	A great initiative to have a safe bike path along Shakespeare and Scott streets. Will also greatly improve the amenity of Scott St which is currently very bare, hot and unpleasant between Bourke and Galwey streets.	Noted
I OBJECT the proposal	I am an OWNER	Duplication of bike path system on Oxford Street. Footpaths are already good. Scott and Bourke Streets - this will make these less liveable. Scott St and Bourke St (east) need as much parking as possible due to: local businesses off Bourke St; large increase in the number of units on Bourke; narrowness of Scott Street and volume of traffic. Bourke St West - we DO agree to connecting the existing Oxford St bike lanes with the Mitchell Freeway Path network through the western end of Bourke Street. This does not need to be this complex though.	Noted
I OBJECT the proposal	I am an OWNER	Bourke St - It is a problem getting through this section as it is without making it a give way - are you planning to get a little man with a lollipop sign? Surely it would be better to continue Richmond Street as the bike path. Bourke Street has the roundabout at Oxford and the lights at Loftus and is better suited for cars - not bikes! The blocks are small and parking is difficult as it is. Putting more trees will make it difficult to park on verge. Another even better suggestion is to use Galwey St.	The raised plateau at Bourke Street should reduce speeds of vehicles travelling in all directions.
I OBJECT the proposal	I am an OWNER	Scheme in General: Whilst I agree with the principle of introducing safer streets for pedestrians and cyclists, this is not a cost-effective or sustainable means of achieving the best outcome. Having designed a number of similar schemes in the UK I found that the most effective approach was to implement either a combination of bollards and/or planters at street intersections to close off vehicle "rat runs" and reduce speeds + encourage cycling/peds. I suggest the Council considers how this can be achieved with consideration to refuse/fire turning movements and below ground utilities/drainage. Speed humps and raised tables are not effective and damage vehicles and create loud noise near residents homes!	Closing off streets is not possible with many houses not having rear lane access points. The intention of 30KMH treatments are that all users are accommodated.
I OBJECT the proposal	I am an OCCUPIER	Waste of money.	
I SUPPORT the proposal	I am an OWNER	Great Work! Keep doing more!	
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Scott St - Looks great! Not 100% clear how much street parking will be available Is there any evidence to show this type of project affects house prices in a positive or negative way? How long might the works take, once underway?	Very little street parking is lost - rather, the areas that people can park are designated. As the streets will have increased trees and new asphalt laid it can only increase the general amenity and therefore value of properties.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	We use all of these streets. Great initiative	
I SUPPORT the proposal	I am an OWNER and OCCUPIER	No brainer!	

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I SUPPORT the proposal	I am an OCCUPIER	Think it's a great idea, anything to encourage more cycling and safer roads.	
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Whole Proposal. Great idea. will make cycling around Leederville & Mount Hawthorn easier. Should hopefully ease the parking issues... by encouraging people to cycle instead of drive. We have been living in Leederville for 3-5 years and over time cycling has replaced driving as our main form of transport. most amenities being close by and linked by cycling infrastructure...The cycling infrastructure is particularly good for commuting to the CBD. The proposed Stage 2 Bike Boulevard will build on these benefits further.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	We have had a long term issue with people parking across the driveway...There is a lot of traffic in this street passing through which makes it dangerous. I'm pleased to have the road made into a bike pathway but need to have better access to our driveway. Can the parking bays planned be reduced to there are no cars parked between Begley and Wilberforce? There are few residents that park here so the provision of bays is for non-residents.	Noted
I SUPPORT the proposal	I am an OCCUPIER	We think this is a brilliant idea which will improve cycle safety and add value to the houses on the bike boulevard. We have issues with customers for the shops at the corner of Oxford/Bourke parking on the street almost blocking in our driveway and making it difficult and dangerous to get out of the driveway due to poor visibility. Please consider these factors when designing on street parking in this area.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Great Idea and support more bike friendly/pedestrian friendly projects in the future!	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Melinda and I support the push for cycling over the use of fuels.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	I object to the proposal because of the following reasons: 1. There is no need for the proposed bike boulevard. There is little to no bike traffic along these streets, and there is little automobile traffic. If cyclists are encouraged to take the route down Richmond, Scott and Shakespeare St, there is no need to create the boulevard to separate the cars from the cyclists. 2. There is already a lack of parking along the route, including Richmond St during events at Leederville Oval, and residential areas of Scott Street and Shakespeare St. The proposal will reduce parking and make an already bad situation much worse.	Cars & cyclists are not being separated. Richmond Street parking is being reviewed
I OBJECT the proposal	I am an OWNER and OCCUPIER	Richmond St - due to the large volume of traffic from the Loftus Rec Centre, I feel putting further humps/plateaus will only cause problems. We already have a STOP sign onto Loftus St, so don't understand why you want a speed hump there. As it is, the humps already on Richmond St effectively slow traffic. Our house is on the corner of Fleet/Richmond, so the plateau there would affect us daily. Please don't. I'm also concerned removing the bays will increase street parking on Richmond; It's too busy otherwise, it's asking for disaster*. Otherwise, go ahead on Scott/Shakespeare etc. * There's a large number of trucks that use Richmond. Trucks and bikes don't mix.	Existing speed humps on Richmond Street will be removed as the raised plateaus at the intersections will perform the same service.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	This is a great idea. I live on corner of Scott and Bourke Streets. Slowing dangerous traffic on Scott Street is needed. Making the area safer, more pedestrian and bike friendly, and greener (more trees please!) is fantastic work.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	I love the idea of having a dedicated bike boulevard in our area. I am a bike rider and have ridden in Europe (Germany/France/Portugal) and have seen how we in Perth would benefit from improving our commitment to cycling as a means of transport.	Noted

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I OBJECT the proposal	I am an OWNER and OCCUPIER	Scott street has limited space and therefore limited parking already which is only on one side of the street. Parking is hard to come by on a daily basis and our street (Scott Street) is already congested every day of the week, not including on days when there are events in Leederville or Leederville Oval. A bike path would add extra congestion making it hard for residents to safely leave their houses/driveways or even park on their own street. By installing a bike boulevard on Scott Street it would also mean Scott Street would become a thoroughfare which would increase noise pollution on a residential street which while busy with parking is a quiet street and in this in turn would negatively affect property value.	There is no change to the parking available on Scott Street. Creating a bike boulevard in this area should see a decline in through traffic rather than an increase.
I OBJECT the proposal	I am an OWNER and OCCUPIER	Identical comments as above	Comments as above
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OWNER and OCCUPIER	<ol style="list-style-type: none"> 1. This duplicates the cycle path on Oxford Street, with no major additional benefit, at significant cost, which has not been communicated. 2. No information has been provided of the numbers using the northern section of Shakespeare St cycle priority. 3. No information has been provided on the experience of residents on the northern section in use now. 4. The Shakespeare/Scott/Bourke section is much narrower than the northern section, with significant impact on traffic flow, and resident parking. Scott St residents will be severely restricted. Shakespeare St verge parking will be affected. 5. The crossover traffic of Scarborough Beach Rd, Anzac and Bourke Sts, will make it difficult for transiting cyclists, increasing danger for cyclists, and dissuading many from using it. 	Qualitative and quantitative data is expected from the Department of Transport at the end of the two year study period. Raised platforms will reduce traffic speeds and improve negotiating intersections.
I OBJECT the proposal	I am an OWNER and OCCUPIER	Lack of use of the current boulevard leads to view that it is a waste of money.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Richmond Street. To take parking away from residents would mean they would struggle to find safe parking near there home, would effect deliveries to homes, increase risk of break-ins as thieves would know that most of the cars would not be parked outside of the correct residence.	Parking stress only occurs on Richmond St on Leederville Oval event days.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Do it, I Feel Unsafe	Noted
I SUPPORT the proposal	I am an OCCUPIER	Fantastic Idea. This will make me ride my bike more, for sure!	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Please also consider drinking stations	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Cnr Scott & Richmond Streets. This is a fantastic initiative and we fully support it. Ideally it would include more tree planting and further upgrades to Oxford Street to complete the cycle network.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Concern that when the speed hump/raised platform is installed at Bourke Street/Windich Place, it will cause flooding to houses (has happened previously in extreme downpours)	Noted - COV will install additional drainage gullies in this area.
I SUPPORT the proposal	I am an OCCUPIER	As a local resident and as someone who would live on the proposed bike boulevard, I fully support this phase two proposal. I especially like the planting of more trees as I would love to see more greener street scapes for both environmental and aesthetic purposes - am concerned of the impact on street parking, especially for residents.	Noted

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>I object to the proposal on a number of grounds mostly the amenity of the current area seems to be reduced for some dubious benefits to bike riders passing through. Specific points following.</p> <p>1) The proposal is likely to increase the flow of traffic up and down Franklin St because if it achieves it's aim of restricting the speed and traffic volumes along Shakespeare the people NEEDING to access the school and Church will take Franklin St. Simply creating "slow single way points" will definitely slow down traffic but by increasing journey time promote alternative routes.</p> <p>2) Applying the same "spacious" traffic amendments South of Scarborough will not create the same street feel but rather cram the three different speeds of pedestrians, bikes and cars closer together</p> <p>3) The proposed restrictions on Shakespeare will have the effect of making more people use that now difficult intersection when leaving Franklin.</p> <p>4) This will simply slow us down, make the journeys more dangerous (if it succeeds in attracting cyclists).</p> <p>Basically it's a waste of money as it will transfer costs of time and inconvenience to the local residents of the area.</p>	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>We already have a bike boulevard two streets down in Oxford St. Scott St is a narrow street with parking only on the western side of the road - backing out of my driveway, cars you can see coming, but bikes come out of nowhere and I can see this is an accident waiting to happen. We have two kindergartens in Richmond St & Scott St is quite busy am & pm when departing from P.P. To take away bays that parents need to drop off & pick up in Richmond St makes no sense.</p>	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>I see this as an unnecessary replication of the existing bike network. Having three sub-parallel cycle routes within such close proximity makes no sense and would simply be a further waste of money.</p> <p>It seems that making major roads such as Oxford St and Scarborough Beach Rd essentially one lane wide because of all the street furniture simply diverts traffic onto other roads, such as Shakespeare St., blocks traffic flow i.e. which cars are turning right of buses are stopped at bus stops.</p>	Noted
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OWNER	<p>In general I support the idea of bicycle streets however the proposed plans fall short of what is required for a street to fit that category.</p> <p>There are too many intersections along Shakespeare and Scott. Swapping the priority at Tennyson and Marian Streets will be a small benefit but there are no proposals to stop any vehicle traffic travelling between Oxford and Loftus. To achieve any significant increase in participation the boulevard would need to feel safer. If the motor vehicle traffic crossing the boulevard is not restricted the street will hardly be any different from the current situation. Several of the side-streets would need to be changed to cul-de-sacs before this project to come close to deserving the title of Bike Boulevard.</p> <p>If the single-lane slow points are the same design as the first Boulevard project, I strongly disagree with that aspect. Converging bikes and motor vehicles in the same lane creates a stressful situation for the person on the bike. If the slow points are done, they should include a by-pass similar to the BB project at Surrey Road Rivervale.</p> <p>The roundabout at Oxford Street and Bourke Street intersection should be changed to traffic lights. Roundabouts are well known to be more dangerous for cyclists and pedestrians. They are also inconvenient for pedestrians.</p> <p>There seems to be a lack of information released to the public regarding the outcomes from Phase One of the Bike Boulevard in Shakespeare Street. To a casual observer, there has been no difference in the level of cycling in the street. If that is true, why is Phase Two being done with basically the same design? When will the data be released?</p> <p>The road surface of Shakespeare and Scott could do with being upgraded. It would also be good to have a few more trees at the Scott Street end. Those are both good aspects of the Phase Two proposal. However, without filtering the streets connecting to Shakespeare and Scott, the rest of the Bike Boulevard program is an expensive waste.</p>	<p>The boulevard aim is not to stop access by cars but to provide opportunity for 'safer' using of the shared space. The anticipated reduction in speed to 30kmh as a result of slow points and raised plateaus at intersections should provide for this. The DoT have commissioned a report to provide information on outcomes of the Phase One, awaiting its release.</p>
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Happy with the look and functionality of all of it.	Noted

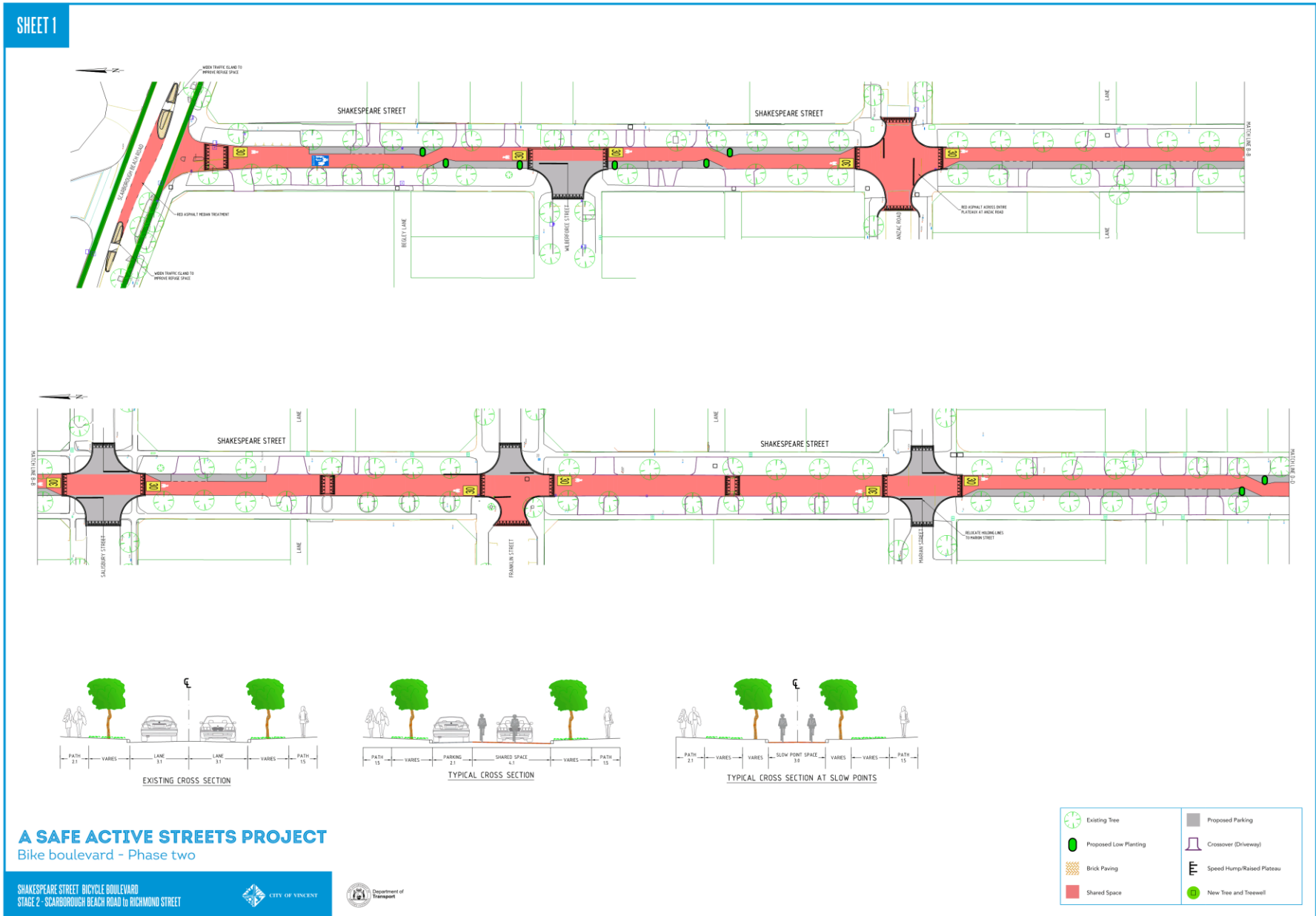
Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OCCUPIER	Value Adding to Safe Active Streets - There are a number of people in our area who are committed to the idea of play streets, where the streets become suitable for multiple use including places where kids can play, rather than being dominated by cars. At present the permissions required to organise street events are extensive, time consuming and cost prohibitive. Could you organise some form of on-line event registration and pre-approval process for the Safe Active Streets area? Addressing Pinch Points on Oxford St - The provision of bike lanes along Oxford St is a particularly good initiative however the major intersections, particularly the Bourke St / Oxford St intersections create dangerous pinch points. The situation is caused by the broadening pavement areas just before the roundabouts. A bike rider has to move out into the path of traffic to leave the bike lane and enter the round-about.	Value adding - comments passed on to Strategic Planning. Approach to roundabout issue noted.
I OBJECT the proposal	I am an OWNER and OCCUPIER	Scott Street between the corners of Scott and Galwey and Scott and Bourke St. this is a very narrow section of road with no verges - just fairly narrow footpaths. I assume that we residents would lose the little street parking we have now - limited to one side of the street. Visitors often have to park in Galwey or Bourke Streets now. The whole issue of parking with increased in fill needs attention. I support the points raised in the attached circular letter*, in regard to parking congestion. There are already designated cycle lanes in Oxford Street so it appears to be unnecessary also in the Scott Street.	There is no loss of parking in this area. Development infill and impact on parking is a general concern.
I OBJECT the proposal	I am an OWNER and OCCUPIER	I am all in favour of increasing walking and cycling but am not convinced that this project is an effective way to do it. is there any evidence that it has done so for the Green St - Scarb Bch Rd section? There has already been money spent on cycle lanes along Oxford St and these seems to be quite well used. Even so, some cyclists seem to prefer to use Shakespeare St and they do so with no apparent difficulty with vehicle traffic. In general, cars do not travel at great speed on this street and there is not a lot of traffic. Walkers are often seen and I doubt a boulevard would increase their numbers. In short, I think the money could be more usefully spent elsewhere.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Bourke St- - This street is a major traffic thoroughway to the units in Brentham St & this traffic will continue to exist. - Is a nightmare for parking as it is, this proposal will make it worse - is the wrong St to be doing this with the commercial area just getting going - used to get to Loftus St and should remain so.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	I do not want speed humps on the corner of Windich Place on both Bourke St and Windich Place. This will add extra traffic noise to an already noisy road. I am happy to see the parking problem going to be addressed on Bourke St in this area and make parking only on one side of the street. As it is now it is extremely busy and cars park on both sides of the small street which causes traffic congestion and danger.	There is no indication that raised plateaus in a 30kmh zone would be noisy.
I SUPPORT the proposal	I am an OWNER	Galwey St - I support the proposal.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	Richmond St has high traffic, including trucks and already has numerous speed bumps already. Removing the parking will force people to park on Fleet St, increasing foot and car traffic in an otherwise quiet and empty street, which is why we bought here. Increased Fleet St activity increases the chance of opportunistic burglary. The neighbour's children play on our verge everyday, & increased road & pedestrian traffic poses greater danger for them, from cars & people. Increased rubbish from increased traffic. Proposed plateau on the corner Richmond & Fleet will affect us every time we leave our house, increasing stress on our cars, while the existing speed humps are more than enough for slow traffic. The amount of traffic already using Richmond, including trucks, will be dangerous to cyclists. Put in a bike path instead if you must. This is a huge waste of taxpayer money, when there is no need for it.	A limited amount of parking is currently intended to be removed - this should not impact on the daily use of people on Richmond St.

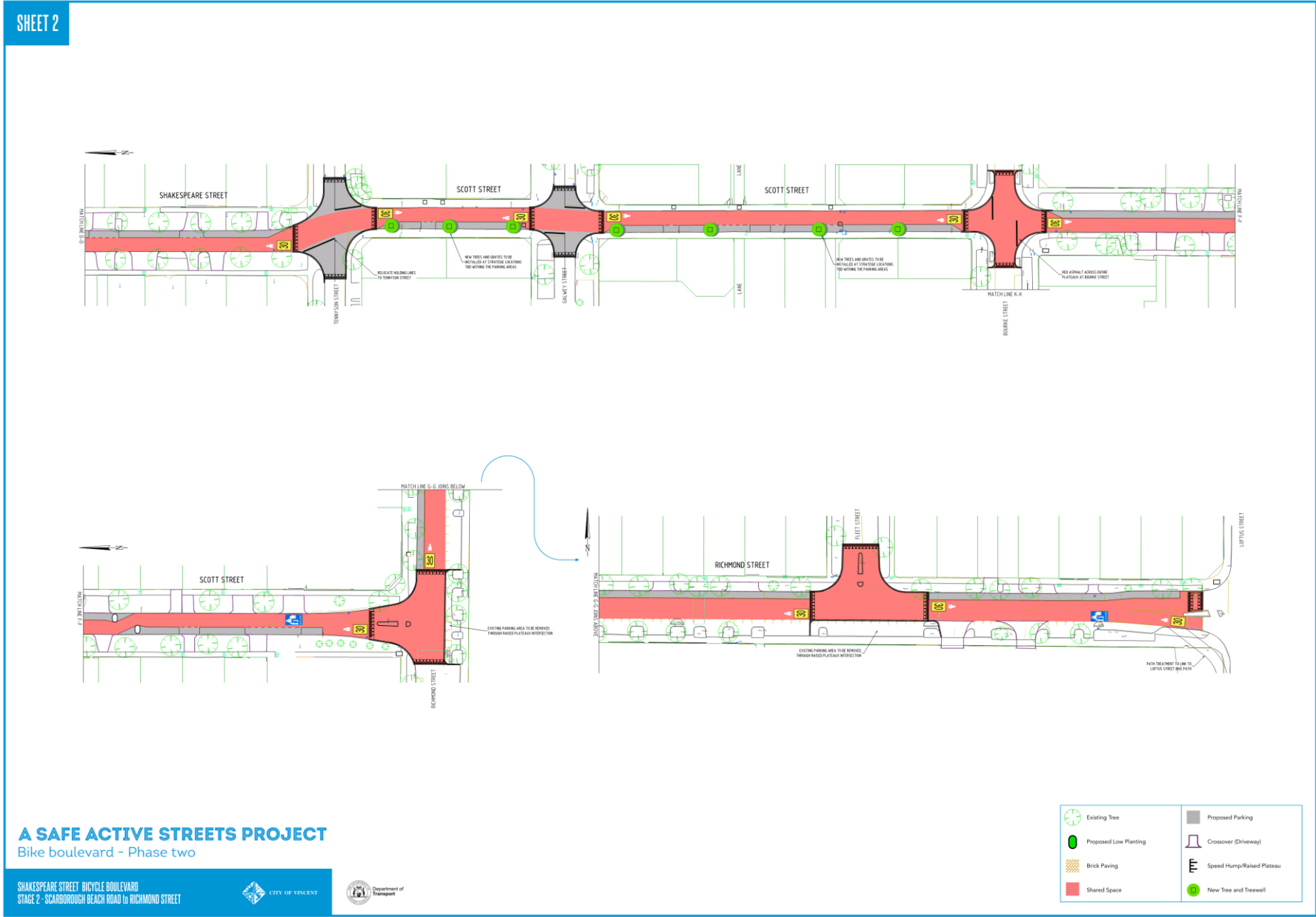
Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I OBJECT the proposal	I am an OWNER and OCCUPIER	A complete waste of money. Oxford St already has a great bike boulevard. Use the money to start putting in underground power.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	<p>I support the installation of the bike boulevard along Shakespeare St, but based on my experiences on the existing bike boulevard, there are a few issues which could be improved on and some areas of concern within the new proposal.</p> <p>I've also observed over the years that Shakespeare St has increasingly become the parallel alternative to using Oxford or Loftus Sts for cyclists and car drivers.</p> <p>My concerns are:</p> <ol style="list-style-type: none"> 1) The slow points - Please redesign these in order that drivers have to make an effort to get through. 2) Faraday St will become the street of choice for rat-running during peak times (if the BB slow points are effective enough on Shakespeare). 3) The unnamed ROW that runs parallel between Anzac Rd and Wilberforce St seems to have a lot of tow truck and car traffic - I've had near misses with young children not looking/racing ahead of parents at this point. If there is any way of discouraging non-residential cars from using the ROW as part of the BB design, and/or making it safer for pedestrians on Shakespeare St, it would be greatly appreciated. 4) The proposal includes a slow point on Shakespeare between Wilberforce and the ROW - My main concern affects me directly, and that revolves around traffic flow being directed to the West side of Shakespeare from Anzac approaching the slow point. There is limited visibility on this corner - please investigate. 5) Lastly, the intersection of Anzac Rd & Shakespeare St - thanks to the blind crest, this is a hazardous one. Please use whatever means possible to slow traffic travelling East along Anzac Rd on the approach to Shakespeare St. 	Slow points are being redesigned using the Bayswater model. Raised plateaus should help slow approach to intersections. The City will need to site visit laneway access to determine if slow point placement needs to be adjusted.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Great idea - very supportive of new bike paths in the area!	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	i support the proposal	Noted
I OBJECT the proposal	I am an OWNER	There is already a cycle lane on Oxford St connecting Leederville and Mt Hawthorn. Do not need another. My main concern is the extra congestion it would cause between Marian & Salisbury Streets where you have Aranmore Catholic College and St Mary's Church. This area is already congested with hundreds of students crossing the roads, parents dropping off & picking up students, buses on Marian Street and down Franklin Street and up to Salisbury Street where there are weddings and funerals at St Mary's Church. Parking & traffic comes up Shakespeare St to Marian St when there are games at Leederville Oval. The bike boulevard would cause more congestion with only one lane and speed limit of 30kmh. I strongly object to this proposal. Connection between Leederville & Mt Hawthorn already exists. Waste of money.	Noted
I SUPPORT the proposal	I am an OWNER and OCCUPIER	<p>Re: Single Car section of Scott St (between Bourke & Galwey St)</p> <p>Concerns:</p> <p>While we support the bike shared car street, lower speed limit and speed bumps, we would like to know:</p> <ul style="list-style-type: none"> - how many car spaces are lost - the scope of tree type - the spacing of the trees appear too random and uneven. 	<p>No car spaces are lost in this section. The tree type is being investigated by the City's Parks & Environment team</p> <ul style="list-style-type: none"> - the spacing is dependent on proximity to power lines and poles and crossover/driveway access.
I SUPPORT the proposal	I am an OCCUPIER	Love this idea. I use the cycle paths all the time with my family and we love cycling around Leederville.	Noted

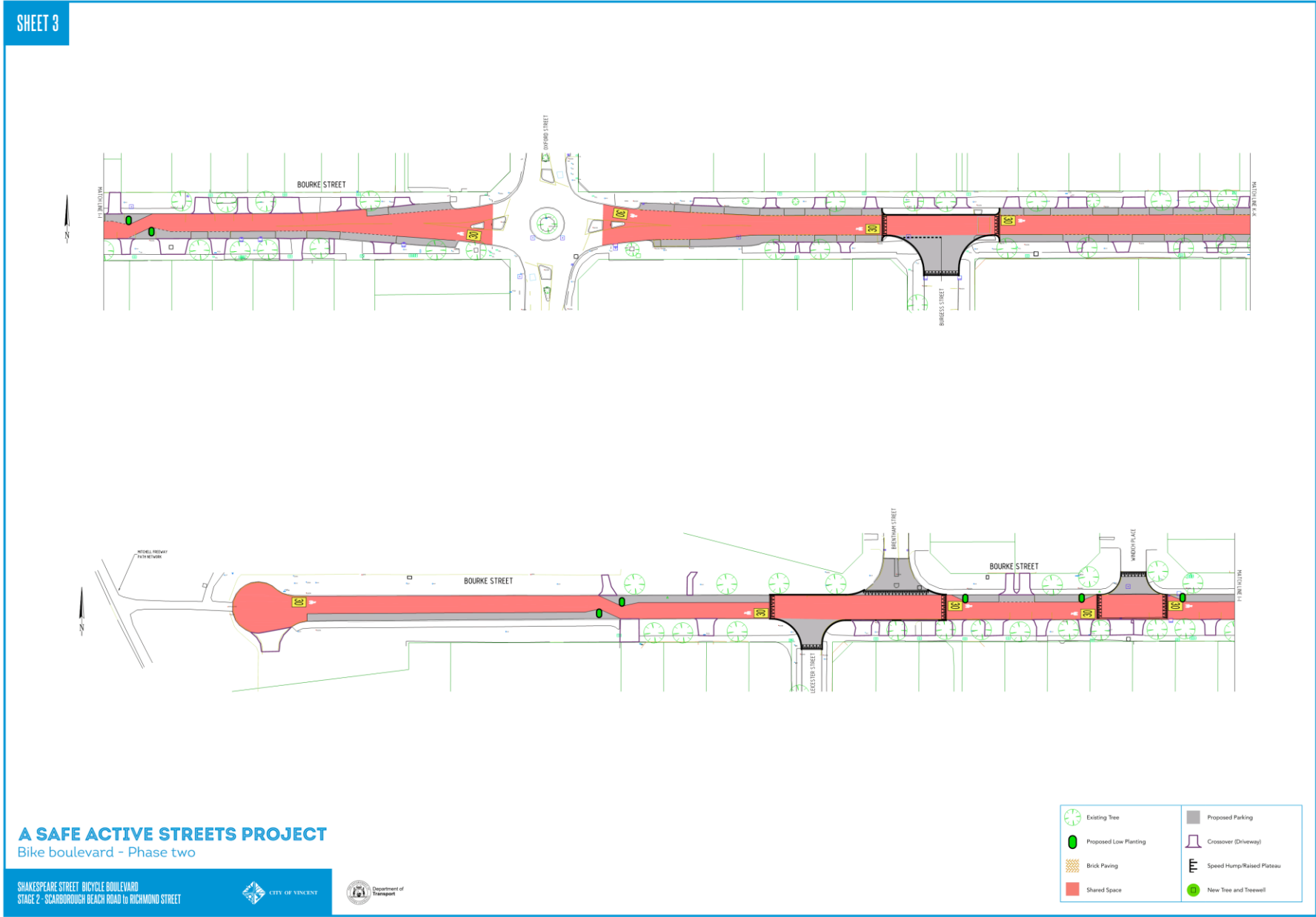
Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
I OBJECT the proposal	I am an OCCUPIER	There are already plenty of speed bumps, we don't need more of them. There is already a shortage of parking yet this proposal will take more street parking away. Richmond Street, in particular, is often congested with non-residents parking when they go to Loftus Recreation Centre and Leederville Oval for events and football. I also doubt the need for a bike boulevard- I have paid extra attention to the amount of bike riders in the area and there aren't that many. Since we received the survey in the mail (about 6 weeks ago) I have seen one bike rider on Richmond Street, during the entire time! I don't see that the benefit to few people outweighs the costs to many people. Also the road is quite narrow as it is, making it difficult to turn a large car around and the bike boulevard will make it even more narrow so that even small cars will need to utilize resident driveways to do 3 point turns so that they can turn around as the street will be too narrow to do so. This is an additional disruption to residents	The existing speed humps will be removed in the areas where the raised plateaus will be installed. The road width does not change except at pinch points.
I SUPPORT the proposal	I am an OWNER and OCCUPIER	Slowing down vehicles on Bourke St west of Scott St is great. Can you please also help with visibility on Bourke Street east of Scott St as cars parked on the street AND verge makes street visibility difficult and dangerous for backing out of the drive way.	Noted
I SUPPORT the proposal	I am an OCCUPIER	Scott & Bourke. I cycle to work at ECU from Scott everyday. I always feel vulnerable on the Bourke Street aspect and this new development will be fantastic.	Noted
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>We believe that the cycle ways already provided along the eastern side of the freeway, along Oxford Street and Scarborough Beach road more than adequately cater for cyclists. On the completed Phase One, we noticed that only three streets intersect Shakespeare with none of them carry large volumes of traffic and no laneways. It was previously a wide street with wide verges. There are numerous wide neighbouring streets also running North South. It appeared that in the main only residents of the street used the street which connects directly to the bike lanes on Scarborough Beach Road.</p> <p>As unfamiliar drivers, our initial impression upon entering the street (particularly from the Scarborough Beach Road end) was that we would have right of way through all those intersections where the road is coloured red. We think the raised plateau speed humps are too severe and the constant zigzagging through the slow points up the Green Street end disconcerting. In the Phase two SASP proposal nine streets intersect Shakespeare/Scott Streets with Bourke St carrying a large volume of traffic and Anzac St to a lesser degree. There are also twelve laneways catering for traffic from parking areas and the rear garages to properties located on the side streets. Besides this, numerous driveways cater for more than one residence. Shakespeare/Scott is the only continuous street running North South between Loftus and Oxford Street and different sections are frequently used as detours when major works are being carried out.</p> <p>Most motorists prefer to use routes controlled by traffic lights such as those at the Loftus/Bourke intersection to get safely to their destination. We don't believe that the proposed SASP will reduce the number of vehicles. Bourke Street is a recognised East/West feeder road and therefore it is also used by a lot of motorists who do not have a direct connection with the area. At the 2014/15 count, 3,544 vehicles travelled within the Bourke/Scott Street intersection every day. Over a twelve hour period (say 7am to 7pm) that would be one vehicle every 12 seconds. Under the proposed SASP Bike Boulevard motorists approaching the Bourke/Scott Street intersection from the East can enter the intersection at 50kph. This is because it isn't clear whether there will be signs or markings on Bourke Street requiring a motorist to slow down because they are about to enter a 30kph bike riding area. Even if there are signs to slow a motorist down, it is doubtful whether this alone can be legally enforceable outside the SAS section. Cyclists heading South on Scott will not have a clear view of motorists on Bourke Street east until the very last second because of the fence around 68 Bourke and vice versa. Our understanding of the guidelines for Bike</p>	<p>Raised plateaus at all intersection should reduce the speed of cars approaching the Scott/Shakespeare cross streets. The plateaus will have appropriate signage to indicate people need to slow down in approaching them. Bike riders are not given priority at the raised plateau intersections - normal road rules apply.</p>

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
		<p>Boulevards is that cars give way to bike riders at intersections. For a motorist travelling at 50kph there will be little time to slow down let alone stop. The intersection has the potential to become very dangerous not safer. We believe that Bourke Street is a necessary feeder road and would not like to see a stop or give way sign at this intersection. A possible solution would be to leave the area within the intersection as it is now (no speed hump or red marking) with very clear signs on Scott to alert cyclists and motorists of the Bourke Street priority. Please note that the DOT's community consultation preliminary concept layout plan of 2015 for the initial SAS bike boulevard shows the Woodstock/Shakespeare intersection without a speed hump or red marking.</p> <p>Scott Street north of the Bourke/Scott intersection is already so narrow that only one car is able to travel north or south at any one time for over 100 metres. Every day we see vehicles banked up along Bourke Street because motorists have been unable to turn right or left into Scott St north. This is particularly noticeable during school drop off and pick up times and when detours are in place. Should the proposed project proceed, then serious consideration should be given to having no parking/stopping on both sides of Scott Street within 30 metres north of this intersection - similar to that which is proposed at the Scarborough Beach Road end. From a personal perspective the proposal will result in a negative effect for us for the following reasons: 1. Our home is next to the corner house so a raised paved platform hump will create unwanted additional noise. This noise will come from the vehicle bouncing after passing over the hump and secondly from the acceleration for motorists travelling from West to East. 2. Backing our boat into the drive way has been challenging since traffic calming was installed. The proposed raise plateau speed hump will make an already difficult situation even more daunting (and dangerous).</p>	
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OWNER and OCCUPIER	<p>We support the plan in general except for the raised plateau at the intersection of Bourke and Scott streets in Leederville. We do not want plateau ramps in front of or beside 69 Bourke Street Leederville as we have bed rooms at the front of the house very close to where the ramps would be positioned.</p> <p>Also would you consider blocking car traffic the northern end of Scott Street at the Bourke Street intersection making the section of Scott Street between Bourke and Richmond Streets a child friendly cul-de-sac? Scott Street has become quite busy during peak hours with cars trying to avoid congestion on Loftus and Oxford streets.</p>	The raised plateaus are not expected to create additional noise in this area. Creating a cul-de-sac on Scott St has not been considered.
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>The car park area and bike track that is to be running alongside Shakespeare street by the corner of Anzac Road will impact myself, my family and local residents in a number of ways; currently nobody parks by the intersection of Anzac Road, the new plan will encourage non-residential parking. With the Oxford hotel and the expanding commercial area of Leederville just a minute away this new parking space could mean that cars are left there for long periods of time free of charge. Thus, creating congestion on what has otherwise been a quiet, and peaceful street. The intersection of Anzac road and Shakespeare street for over a 20+ year time period has been subject to a number of serious car accidents as Road users often do not slow down for the stop signs. Placing a bike track along this road could increase the number of potential accidents for both car and bike users.</p>	The plans do not make any change to the parking that is already permitted in this location.
I OBJECT the proposal	I am an OWNER and OCCUPIER	<ol style="list-style-type: none"> 1. Unnecessary use of taxpayer money 2. Has Phase 1 been assessed appropriately - including resident's views 3. 'proposed parking' will lead to decreased parking for residents - many houses have three or more cars per residence. 4. Not convinced more cycling will be an outcome 	DoT is conducting a two year before and after survey of Phase One
I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>A complete waste of money.</p> <p>First stage has proved to be a failure. I frequently use that road & never see any bikes, makes it difficult to drive.</p> <p>Why do we need two parallel cycle paths, Oxford Street & this one. the Oxford Street one doesn't get used, let alone 2.</p>	As above. The Oxford St cycle lanes are well used by commuter cyclists - the Bike Boulevard infrastructure is intended for less confident riders.
I OBJECT the proposal	I am an OWNER	<p>A major inconvenience to ratepayers for little benefit to residents</p> <p>Duplicating existing infrastructure being cycle paths built on Oxford Street.</p>	As above.
I NEITHER support or object to the proposal, but I wish to provide feedback	I am an OWNER and OCCUPIER	<p>There are four residents at our home, the others being our children, and they both have cars. We really need access to our verge.</p> <p>We really hope this can be factored into the plans for the cycleway.</p>	The City will investigate linemarking changes in areas where substantial verge parking is currently used.

Survey Response - Safe Active Streets - Shakespeare Street Bike Boulevard Phase 2			
Tick appropriate box	Which best describes you	Comments	Officer Comments
LATE: I OBJECT the proposal	I am an OWNER and OCCUPIER	Current use of completed works does not justify the expense incurred.	Noted
LATE: I OBJECT the proposal	I am an OWNER and OCCUPIER	<p>1. Already bike boulevard connects Mt Hawthorn to Leederville + proposed boulevard less than 500m from already established Oxford Street. No additional safety aspect constructing another bike boulevard/ Waste of tax payer money. Should be used to improve existing routes.</p> <p>2. Increased pedestrian & bike traffic in quiet areas. Many of which reason buyers purchased in these areas with benefit of close proximity. - increased noise pollution early mornings disturb residents sleep patterns - increased risk burglary & rubbish pollution dumping waste over residence fences & verge - Removed street parking especially Richmond Street. Residents not able to park outside their homes. Hinder how goods such as groceries transported into property. - vehicle security compromised as cannot keep eye on vehicles. - affect resale property values as many residents bought in these areas for the quietness - inadequate lighting. These streets are poorly lit, increase chance of assaults, burglary. (Refer anonymous letter).</p>	The bike boulevard is aimed at less confident riders than cyclists riding within a 50kmh environment such as Oxford St. A 30kmh environment is safer for all users - riders, pedestrians and drivers.. Increased burglary risk is not possible to substantiate. Lighting improvements could be considered if required.







11 CORPORATE SERVICES**11.1 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 23 NOVEMBER 2017 TO 5 JANUARY 2018****TRIM Ref:** D18/4044**Author:** Nikki Hirrill, Accounts Payable Officer**Authoriser:** John Paton, Director Corporate Services

Attachments:

1. Payments by EFT December 2017 [!\[\]\(830769b31eeeaca920791081939ff8ba_img.jpg\)](#) [!\[\]\(198f559926258ddfad814817bda0ffbc_img.jpg\)](#)
2. Payments by Cheque December 2017 [!\[\]\(ea8b0a47f44008b0ab9e2764654f5e66_img.jpg\)](#) [!\[\]\(68656bc6c38d84412cc68fe8fbc2ae14_img.jpg\)](#)
3. Payments by Credit Card December 2017 [!\[\]\(29298814951e8ab572d6eff24e79a2a8_img.jpg\)](#) [!\[\]\(c94f315b817772f117076a901182c9cc_img.jpg\)](#)

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 23 November 2017 to 5 January 2018 as detailed in attachment 1, 2 and 3 as summarised below:

Cheque Numbers 81877 – 82003	\$103,247.83
Cancelled Cheque 81932	-\$2,366.29
EFT Documents 2170 and 2175 - 2187	\$5,721,636.96
Payroll	\$1,755,681.19

Direct Debits

• Lease Fees	\$139,335.19
• Loan Repayments	\$148,525.88
• Bank Fees and Charges	\$47,472.64
• Credit Cards	\$8,604.26

Total Direct Debit	\$343,937.97
Total Accounts Paid	\$7,922,137.66

PURPOSE OF REPORT:

To present to Council the expenditure and list of accounts paid for the period 23 November 2017 to 5 January 2018.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 1.14) the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid for the period 23 November 2017 to 5 January 2018, covers the following:

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
Cheques	81877 - 82003	\$103,247.83
Cancelled Cheques	81932	-\$2,366.29
EFT Payments	2170 and 2175 - 2187	\$5,721,636.96
Sub Total		\$5,822,518.50
Transfer of Payroll by EFT	28/11/17	\$600,076.50
	12/12/17	\$578,962.91
	13/12/17 Ad hoc	\$1,495.94
	22/12/17	\$575,145.84
	December 2017	\$1,755,681.19
Bank Charges and Other Direct Debits		
Lease Fees		\$139,335.19
Loan Repayments		\$148,525.88
Bank Charges – CBA		\$47,472.64
Credit Cards		\$8,604.26
Total Bank Charges and Other Direct Debits (Sub Total)		\$343,937.97
Total Payments		\$7,922,137.66

CONSULTING/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996* refers, i.e. -

12. *Payments from municipal fund or trust fund, restrictions on making*
- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - *otherwise, if the payment is authorised in advance by a resolution of Council.*
 - (2) *Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.*

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996* refers, i.e. -

13. *Lists of Accounts*
- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*

- *the payee's name;*
- *the amount of the payment;*
- *the date of the payment; and*
- *sufficient information to identify the transaction.*

(3) *A list prepared under sub regulation (1) is to be —*

- *presented to Council at the next ordinary meeting of Council after the list is prepared; and*
- *recorded in the minutes of that meeting.*

RISK MANAGEMENT IMPLICATIONS:

Low: Management systems are in place to establish satisfactory controls, supported by internal and external audit function.

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

"4.1 Provide good strategic decision-making, governance, leadership and professional management:

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

- (a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

All Municipal Fund expenditure included in the list of payments is in accordance with Council's Annual Budget.

COMMENTS:

If Councillors require further information on any of the payments, please contact the Manager Financial Services.

Creditors Report - Payments by EFT 23/11/2017 to 05/01/2018				
Creditor	Date	Payee	Description	Amount
2170.1000-01	29/11/2017	WA Local Government Super Plan Pty Ltd	Superannuation	\$ 119,107.46
2170.5677-01	29/11/2017	Australian Super Pty Ltd	Superannuation	\$ 19,324.07
2170.5728-01	29/11/2017	Cbus Trustee	Superannuation	\$ 1,656.89
2170.5789-01	29/11/2017	Retail Employees Superannuation Trust	Superannuation	\$ 7,566.70
2170.5818-01	29/11/2017	CARE Super Pty Ltd	Superannuation	\$ 121.49
2170.5837-01	29/11/2017	Commonwealth Bank Superannuation Savings Account	Superannuation	\$ 337.38
2170.5863-01	29/11/2017	Unisuper Limited	Superannuation	\$ 2,361.02
2170.5894-01	29/11/2017	Asgard	Superannuation	\$ 2,254.10
2170.5904-01	29/11/2017	AMP SuperLeader	Superannuation	\$ 451.00
2170.5905-01	29/11/2017	BT Business Super	Superannuation	\$ 1,826.21
2170.5966-01	29/11/2017	First State Super	Superannuation	\$ 43.40
2170.6040-01	29/11/2017	Bistona Pty Ltd	Superannuation	\$ 1,176.02
2170.6070-01	29/11/2017	SuperWrap	Superannuation	\$ 228.30
2170.6117-01	29/11/2017	BT Super For Life	Superannuation	\$ 149.95
2170.6137-01	29/11/2017	HostPlus	Superannuation	\$ 5,996.63
2170.6262-01	29/11/2017	HESTA Super Fund	Superannuation	\$ 1,214.42
2170.6266-01	29/11/2017	MTAA Super Fund	Superannuation	\$ 552.64
2170.6308-01	29/11/2017	BT Super for Life	Superannuation	\$ 231.37
2170.6391-01	29/11/2017	Colonial First State	Superannuation	\$ 538.51
2170.6504-01	29/11/2017	ANZ One Answer Personal Super	Superannuation	\$ 346.24
2170.6520-01	29/11/2017	BT Lifetime Super Employer Plan	Superannuation	\$ 239.29
2170.6659-01	29/11/2017	MLC Masterkey Superannuation	Superannuation	\$ 264.90
2170.6682-01	29/11/2017	Telstra Super Pty Ltd	Superannuation	\$ 443.88
2170.6685-01	29/11/2017	Fondacaro Superfund	Superannuation	\$ 1,536.06
2170.6769-01	29/11/2017	Concept One the Industry Superannuation Fund	Superannuation	\$ 222.68
2170.6836-01	29/11/2017	MLC Navigator Retirement Plan - Superannuation Service	Superannuation	\$ 2,138.48
2170.6918-01	29/11/2017	LUCRF Super	Superannuation	\$ 475.11
2170.6925-01	29/11/2017	BT Super for Life	Superannuation	\$ 206.24
2170.7013-01	29/11/2017	Spectrum Super	Superannuation	\$ 460.74
2170.7216-01	29/11/2017	Sunsuper Superannuation	Superannuation	\$ 1,625.12
2170.7277-01	29/11/2017	Colonial First State First Choice Personal Super	Superannuation	\$ 499.79
2170.7492-01	29/11/2017	ING Direct Living Super	Superannuation	\$ 56.37
2170.7548-01	29/11/2017	IOOF Portfolio Service Superannuation Fund	Superannuation	\$ 112.66
2170.7632-01	29/11/2017	AMP Flexible Super	Superannuation	\$ 716.95
2170.7640-01	29/11/2017	Commonwealth Personal Superannuation and Rollover Plan	Superannuation	\$ 361.60

Page 1 of 16

Creditor	Date	Payee	Description	Amount
2170.7708-01	29/11/2017	Q Super (Employer Express SuperChoice)	Superannuation	\$ 386.93
2170.7720-01	29/11/2017	LGsuper	Superannuation	\$ 1,984.36
2170.7768-01	29/11/2017	Australian Ethical	Superannuation	\$ 219.74
2170.7801-01	29/11/2017	ANZ Smart Choice Super (OnePath MasterFund)	Superannuation	\$ 1,195.00
2170.8029-01	29/11/2017	Kinetic Superannuation	Superannuation	\$ 1,232.47
2170.8060-01	29/11/2017	Essential Super	Superannuation	\$ 1,575.40
2170.8091-01	29/11/2017	Colonial First State - First Choice Employer Super	Superannuation	\$ 433.30
2170.8124-01	29/11/2017	Defence Bank Super	Superannuation	\$ 1,208.37
2170.8189-01	29/11/2017	Enterprise Super	Superannuation	\$ 279.88
2170.8358-01	29/11/2017	AMP CustomSuper	Superannuation	\$ 655.60
2170.8405-01	29/11/2017	Wealth Personal Superannuation and Pension Fund	Superannuation	\$ 758.70
2170.8543-01	29/11/2017	GESS Superannuation Fund	Superannuation	\$ 510.07
2170.8594-01	29/11/2017	The Trustee for Ruby Super Fund	Superannuation	\$ 853.86
2170.8643-01	29/11/2017	Radisich Superannuation Fund	Superannuation	\$ 321.21
2170.8725-01	29/11/2017	Shatahjad Superannuation Fund	Superannuation	\$ 973.20
2170.8773-01	29/11/2017	Statewide Superannuation	Superannuation	\$ 89.55
2170.8804-01	29/11/2017	MLC Super Fund	Superannuation	\$ 1,019.46
2170.8863-01	29/11/2017	Netwealth Superannuation Master Fund	Superannuation	\$ 1,784.26
2170.8882-01	29/11/2017	Trustee for Local Government Super	Superannuation	\$ 548.86
2175.2050-01	29/11/2017	City Of Perth Superannuation	Superannuation	\$ 12,920.15
2176.2008-01	29/11/2017	Alinta Energy	Electricity and gas charges - various locations	\$ 11,794.12
2176.2033-01	29/11/2017	BOC Gases Australia Limited	CO2 for beverage	\$ 1,008.93
2176.2049-01	29/11/2017	City Of Perth	Waste collection	\$ 1,053.30
2176.2053-01	29/11/2017	Coca-Cola Amatil (Aust) Pty Limited	Beatty Park Café supplies	\$ 4,505.92
2176.2106-01	29/11/2017	Programmed Integrated Workforce Ltd	Temporary staff	\$ 3,457.27
2176.2120-01	29/11/2017	LO-GO Appointments	Temporary staff	\$ 5,125.65
2176.2126-01	29/11/2017	Mayday Earthmoving	Bobcat, truck and mini excavator hire	\$ 3,860.45
2176.2136-01	29/11/2017	Mindarie Regional Council	Processable and non processable waste	\$ 47,832.78
2176.2165-01	29/11/2017	Perth Patterned Concrete	Concrete stencilling services	\$ 2,035.00
2176.2189-01	29/11/2017	SAS Locksmiths	Key cutting and lock maintenance service	\$ 72.00
2176.2192-01	29/11/2017	Sigma Chemicals	Pool chemicals	\$ 4,344.05
2176.2204-01	29/11/2017	Telstra Corporation Ltd	Telephone and internet charges	\$ 291.04
2176.2221-01	29/11/2017	Turfmaster Facility Management	Turf maintenance and weed control program	\$ 33,375.38
2176.2229-01	29/11/2017	W.A. Hino Sales & Service	Truck repairs	\$ 10,043.00
2176.2232-01	29/11/2017	Walshy All Round Tradesman	Parks and Reserves repairs and maintenance	\$ 236.50
2176.2234-01	29/11/2017	Water Corporation	Water charges	\$ 14,149.86
2176.2240-01	29/11/2017	Valspar Paint - Solver Paints Osborne Park	Paint supplies	\$ 116.92
2176.3057-01	29/11/2017	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 692.52
2176.3096-01	29/11/2017	Toolmart Australia Pty Ltd	Hardware supplies	\$ 223.45

Creditor	Date	Payee	Description	Amount
2176.3099-01	29/11/2017	Total Packaging WA Pty Ltd	Dog litter bags	\$ 3,432.00
2176.3215-01	29/11/2017	Les Mills	Licence fees for fitness classes	\$ 1,665.22
2176.3287-01	29/11/2017	Western Power Corporation	Isolation of street light power cable	\$ 1,059.50
2176.3337-01	29/11/2017	E Bentley	Reimbursement of expenses - First aid refresher	\$ 160.00
2176.3349-01	29/11/2017	City Motors Smash Repairs	Vehicle repairs - insurance claim recoup	\$ 5,598.78
2176.3492-01	29/11/2017	The West Australian Newspaper Ltd	Newspapers for resale	\$ 84.55
2176.3560-01	29/11/2017	Winc Australia Pty Ltd	Office supplies and consumables	\$ 274.22
2176.3563-01	29/11/2017	Greenwood Party Hire	Hire of tables and tablecloths	\$ 381.00
2176.3629-01	29/11/2017	Tim Eva's Nursery	Plant supplies	\$ 517.00
2176.3662-01	29/11/2017	Western Resource Recovery Pty Ltd	Grease trap maintenance	\$ 529.10
2176.3913-01	29/11/2017	Kennards Hire	Excavator hire	\$ 413.25
2176.3942-01	29/11/2017	Moore Stephens (WA) Pty Ltd	Internal audit services	\$ 16,302.58
2176.4017-01	29/11/2017	Trisley's Hydraulic Services Pty Ltd	Pool pump maintenance	\$ 594.00
2176.4103-01	29/11/2017	Asphaltech Pty Ltd	Asphalt supplies	\$ 7,163.20
2176.4161-01	29/11/2017	Instant Windscreens	Vehicle window tinting	\$ 797.15
2176.4191-01	29/11/2017	G Burgess	Distribution services - green waste pamphlets	\$ 4,032.00
2176.4210-01	29/11/2017	Beaver Tree Services	Street trees & parks pruning/removal	\$ 7,131.30
2176.4214-01	29/11/2017	Kerbing West	Kerbing services	\$ 19,442.28
2176.4367-01	29/11/2017	Academy Services WA Pty Ltd	Cleaning services - various locations	\$ 34,746.93
2176.4418-01	29/11/2017	West-Sure Group Pty Ltd	Cash collection services	\$ 5,243.54
2176.4447-01	29/11/2017	Blackwoods Atkins	Hardware supplies	\$ 181.28
2176.4457-01	29/11/2017	Jonathan Epps Arboriculturist	Arboricultural services	\$ 1,450.00
2176.4493-01	29/11/2017	Tom Lawton - Bobcat Hire	Bobcat hire	\$ 3,459.50
2176.4552-01	29/11/2017	Manic Botanic Flowers	Floral displays - Mayoral Christmas Sundowner	\$ 845.00
2176.4627-01	29/11/2017	Flexi Staff Pty Ltd	Temporary staff	\$ 9,561.34
2176.4749-01	29/11/2017	Picton Press	Printing services	\$ 110.62
2176.4957-01	29/11/2017	WA Profiling	Profiling services	\$ 4,490.75
2176.5080-01	29/11/2017	Repco Auto Parts	Parts supplies	\$ 53.90
2176.5193-01	29/11/2017	Protector Fire Services Pty Ltd	Service fire equipment - various locations	\$ 1,523.50
2176.5398-01	29/11/2017	Subaru Osborne Park	Vehicle services and repairs	\$ 1,090.15
2176.5500-01	29/11/2017	Workwear Group Pty Ltd	Uniform supplies	\$ 219.30
2176.5538-01	29/11/2017	Frediani Milk Wholesalers	Milk supplies	\$ 474.25
2176.5737-01	29/11/2017	Massey's Herd Milk Supply	Milk supplies	\$ 642.60
2176.6009-01	29/11/2017	ZIP Heaters Aust Pty Ltd	Hydrotap maintenance - various locations	\$ 686.35
2176.6072-01	29/11/2017	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 3,517.75
2176.6092-01	29/11/2017	The Poster Girls	Distribution services	\$ 207.90
2176.6218-01	29/11/2017	Devco Builders	Small maintenance and repairs - various locations	\$ 39,400.44
2176.6259-01	29/11/2017	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 4,411.70
2176.6278-01	29/11/2017	T&H Wilkes Pty Ltd	Gravel supplies	\$ 1,232.00

Creditor	Date	Payee	Description	Amount
2176.6390-01	29/11/2017	Eric Hood Pty Ltd	Painting services - Charles Veryard Reserve clubrooms	\$ 4,163.50
2176.6455-01	29/11/2017	The BBQ Man	BBQ cleaning services	\$ 5,706.68
2176.6759-01	29/11/2017	Techwest Solutions Pty Ltd	Audio equipment repairs	\$ 563.20
2176.6872-01	29/11/2017	Truck Centre (WA) Pty Ltd	Vehicle maintenance supplies	\$ 286.37
2176.7118-01	29/11/2017	C Wood Distributors	Beatty Park Café supplies	\$ 743.98
2176.7282-01	29/11/2017	Rubek Automatic Doors	Automatic door repairs	\$ 242.00
2176.7382-01	29/11/2017	Turf Developments (WA) Pty Ltd	Turf replacement - Britannia Road Reserve	\$ 10,976.35
2176.7399-01	29/11/2017	Briskleen Supplies Pty Ltd	Toiletry & cleaning products	\$ 991.35
2176.7431-01	29/11/2017	BM Perich	Street tree services	\$ 5,853.10
2176.7477-01	29/11/2017	Expo Group	Printing services	\$ 165.00
2176.7561-01	29/11/2017	Allcare Monitoring Services	After hour calls service	\$ 3,252.00
2176.7593-01	29/11/2017	Yoshino Sushi	Beatty Park Café supplies	\$ 435.60
2176.7605-01	29/11/2017	Centropak	Beatty Park Cafe supplies	\$ 1,104.48
2176.7654-01	29/11/2017	Worldwide Printing Solutions East Perth	Printing services	\$ 913.00
2176.7776-01	29/11/2017	Aqueo Import & Distribution Pty Ltd	Thongs for retail	\$ 806.52
2176.7818-01	29/11/2017	The Pest Guys	Pest control services	\$ 1,189.59
2176.7914-01	29/11/2017	Transoft Solutions	Licence renewal - AutoTurn software	\$ 660.00
2176.7950-01	29/11/2017	Rawlicious Delights	Beatty Park Café supplies	\$ 235.95
2176.7955-01	29/11/2017	Synergy	Electricity charges - various locations	\$ 3,596.65
2176.7961-01	29/11/2017	Spider Waste Collection Services Pty Ltd	Mattress collection services	\$ 585.20
2176.8040-01	29/11/2017	Wilson Security	Security services - various locations	\$ 6,565.75
2176.8108-01	29/11/2017	Leo Heaney Pty Ltd	Street tree services	\$ 8,332.50
2176.8223-01	29/11/2017	Noongar Media Enterprises	Radio advertising	\$ 218.90
2176.8409-01	29/11/2017	Shelley Hall	Fitness instructor fees	\$ 400.00
2176.8435-01	29/11/2017	Cr D Loden	Reimbursement of expenses - child care	\$ 175.00
2176.8492-01	29/11/2017	Brenton See Visual Artist	Painting traffic control box - Pride 2017	\$ 550.00
2176.8498-01	29/11/2017	Wheelers Books	Library books	\$ 14.39
2176.8542-01	29/11/2017	Window Shading Solutions Pty Ltd	Supply & install blind - Admin	\$ 784.00
2176.8586-01	29/11/2017	Tree Amigos	Arboricultural services	\$ 4,655.48
2176.8620-01	29/11/2017	Boyan Electrical Services	Electrical services - various locations	\$ 300.85
2176.8628-01	29/11/2017	AV Trucks Services Pty Ltd	Truck service	\$ 2,712.86
2176.8724-01	29/11/2017	Bamboo Catering	Catering services	\$ 4,066.54
2176.8737-01	29/11/2017	Unilever Australia Ltd	Beatty Park Café supplies	\$ 3,939.61
2176.8744-01	29/11/2017	ZOHO Corporation Pvt Ltd	Annual subscription - Manage Engine service	\$ 5,128.00
2176.8752-01	29/11/2017	Jackie Barron	Fitness instructor fees	\$ 170.52
2176.8757-01	29/11/2017	Suez Recycling & Recovery (Perth) Pty Ltd	Recycling services and waste collection	\$ 100,579.71
2176.8761-01	29/11/2017	Elyse Amy Johnstone	Fitness instructor fees	\$ 690.04
2176.8797-01	29/11/2017	Fit 4 Business WA	Consultancy - sales and membership retention review	\$ 195.00
2176.8818-01	29/11/2017	Redman Solution Pty Ltd	Consultancy services	\$ 2,420.00

Creditor	Date	Payee	Description	Amount
2176.8842-01	29/11/2017	Emerge Associates	Tree selection tool development; drainage assessment	\$ 15,436.58
2176.8852-01	29/11/2017	T M Spadanuda	Reimbursement of expenses - fuel	\$ 73.44
2176.8868-01	29/11/2017	Poolwise Living	Maintenance - Hyde Park Water Playground	\$ 1,000.85
2176.8873-01	29/11/2017	Vintrans Transport Engineering	Retractable tarp for truck	\$ 10,120.00
2176.8890-01	29/11/2017	Vigilant Traffic Management	Traffic management services	\$ 28,875.13
2176.8899-01	29/11/2017	SJR Civil Consulting Pty Ltd	Admin and management cover	\$ 1,584.00
2176.8915-01	29/11/2017	Metal Artwork Creations	Medallions and neck ribbons	\$ 44.00
2176.8917-01	29/11/2017	The Digital Imagineers	Filming services	\$ 3,850.00
2176.8937-01	29/11/2017	People Sense	Counselling services	\$ 1,056.00
2176.8940-01	29/11/2017	Global Industrial	Shelving supplies	\$ 252.58
2176.8951-01	29/11/2017	Source Separation Systems Pty Ltd	Compostable bin covers for café	\$ 62.01
2176.8959-01	29/11/2017	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 3,762.38
2176.8991-01	29/11/2017	Securus	Security services - various locations	\$ 2,321.48
2176.9021-01	29/11/2017	The Urban List Pty Ltd	Digital advertising	\$ 3,599.20
2176.9030-01	29/11/2017	The Event Mill	Leederville stall staging	\$ 998.80
2176.9031-01	29/11/2017	Themeology	Balloons for City of Vincent Christmas party	\$ 285.00
2176.9033-01	29/11/2017	Economic Development Australia Limited	Staff training courses	\$ 210.00
2177.2020-01	04/12/2017	Australian Services Union	Payroll deduction	\$ 302.06
2177.2045-01	04/12/2017	Child Support Agency	Payroll deduction	\$ 950.52
2177.2153-01	04/12/2017	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2177.2213-01	04/12/2017	City of Vincent	Payroll deduction	\$ 1,025.08
2177.2216-01	04/12/2017	City of Vincent Staff Social Club	Payroll deduction	\$ 466.00
2177.3133-01	04/12/2017	Depot Social Club	Payroll deduction	\$ 84.00
2177.6156-01	04/12/2017	Health Insurance Fund of WA	Payroll deduction	\$ 419.05
2177.8120-01	04/12/2017	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 1,724.06
2178.98000-01	04/12/2017	Australian Taxation Office	Payroll deduction	\$ 182,302.84
2179.2019-01	06/12/2017	Australia Post (Agency Commission)	Commission charges	\$ 1,036.56
2179.2029-01	06/12/2017	Bunnings Building Supplies	Hardware supplies	\$ 50.79
2179.2030-01	06/12/2017	Benara Nurseries	Supply of plants	\$ 1,348.64
2179.2051-01	06/12/2017	Cleansweep (WA) Pty Ltd	Hire of road sweepers	\$ 1,212.75
2179.2053-01	06/12/2017	Coca-Cola Amatil (Aust) Pty Limited	Beatty Park Café supplies	\$ 1,642.48
2179.2072-01	06/12/2017	Landgate	Gross rental valuations	\$ 314.91
2179.2074-01	06/12/2017	Dickies Tree Service	Tree lopping services	\$ 5,668.50
2179.2105-01	06/12/2017	Inner City Newsagency	Newspaper delivery	\$ 111.28
2179.2106-01	06/12/2017	Programmed Integrated Workforce Ltd	Temporary staff	\$ 1,586.31
2179.2119-01	06/12/2017	Line Marking Specialists	Line marking services	\$ 1,400.62
2179.2120-01	06/12/2017	LO-GO Appointments	Temporary staff	\$ 1,658.02
2179.2122-01	06/12/2017	Bucher Municipal Pty Ltd	Plant repairs and maintenance	\$ 4,920.08
2179.2126-01	06/12/2017	Mayday Earthmoving	Bobcat, truck and mini excavator hire	\$ 4,730.00

Creditor	Date	Payee	Description	Amount
2179.2136-01	06/12/2017	Mindarie Regional Council	Processable and non processable waste	\$ 49,469.25
2179.2185-01	06/12/2017	Galvins Plumbing Supplies	Plumbing supplies	\$ 179.13
2179.2189-01	06/12/2017	SAS Locksmiths	Key cutting and lock maintenance service	\$ 504.90
2179.2192-01	06/12/2017	Sigma Chemicals	Pool chemicals	\$ 3,773.88
2179.2200-01	06/12/2017	Sportsworld Of WA	Apparel for retail	\$ 1,854.60
2179.2204-01	06/12/2017	Telstra Corporation Ltd	Telephone and internet charges	\$ 38.50
2179.2234-01	06/12/2017	Water Corporation	Water charges	\$ 8,371.92
2179.3001-01	06/12/2017	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff	\$ 5,953.81
2179.3038-01	06/12/2017	St John Ambulance Australia	First aid kit supplies	\$ 335.62
2179.3057-01	06/12/2017	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 1,462.53
2179.3099-01	06/12/2017	Total Packaging WA Pty Ltd	Bin liners	\$ 3,194.40
2179.3110-01	06/12/2017	Depiazzi	Mulch supplies	\$ 3,160.30
2179.3170-01	06/12/2017	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance	\$ 17,361.65
2179.3213-01	06/12/2017	Domus Nursery	Supply of plants	\$ 156.20
2179.3239-01	06/12/2017	Award Contracting Pty Ltd	Locating services	\$ 3,239.50
2179.3246-01	06/12/2017	Ellenby Tree Farm Pty Ltd	Supply of plants and trees	\$ 3,217.50
2179.3280-01	06/12/2017	Actimed Australia	Gym supplies	\$ 298.43
2179.3281-01	06/12/2017	Community Newspapers	Advertising	\$ 1,274.85
2179.3295-01	06/12/2017	Wacker Neuson Pty Ltd	Plant repairs	\$ 2,171.40
2179.3299-01	06/12/2017	Baileys Fertilisers	Soil wetter supplies	\$ 8,076.75
2179.3315-01	06/12/2017	RPG Auto Electrics	Plant repairs	\$ 420.76
2179.3359-01	06/12/2017	Department of Mines, Industry Regulation and Safety	Levy collection	\$ 5,745.78
2179.3410-01	06/12/2017	Allmark and Associates Pty Ltd	Name plates	\$ 64.35
2179.3474-01	06/12/2017	CSP Group	Purchase of backpack blower	\$ 769.00
2179.3492-01	06/12/2017	The West Australian Newspaper Ltd	Newspapers for resale	\$ 169.10
2179.3560-01	06/12/2017	Winc Australia Pty Ltd	Office supplies and consumables	\$ 628.94
2179.3564-01	06/12/2017	Nosh Catering	Catering services	\$ 4,814.70
2179.3613-01	06/12/2017	Donegan Enterprises Pty Ltd	Playground repairs & maintenance; purchase of park bench	\$ 7,132.40
2179.3662-01	06/12/2017	Western Resource Recovery Pty Ltd	Grease trap maintenance	\$ 209.66
2179.3750-01	06/12/2017	Primus Telecom	Telephone charges	\$ 32.30
2179.3790-01	06/12/2017	McSkips	Skip bin hire	\$ 625.00
2179.3957-01	06/12/2017	Elite Pool Covers Pty Ltd	Remote control handsets	\$ 220.00
2179.3980-01	06/12/2017	Modern Teaching Aids	Chair supplies	\$ 1,223.34
2179.3994-01	06/12/2017	Lasso Entertainment & Promotions Pty Ltd	Advertising	\$ 770.00
2179.4017-01	06/12/2017	Trisley's Hydraulic Services Pty Ltd	Pool service and pump maintenance	\$ 974.68
2179.4034-01	06/12/2017	Penske Power System	Plant repairs	\$ 6,436.43
2179.4103-01	06/12/2017	Asphaltech Pty Ltd	Asphalt supplies	\$ 56,797.40
2179.4156-01	06/12/2017	Wanneroo Plant Farm	Supply of plants	\$ 1,368.40
2179.4326-01	06/12/2017	Dial-A-Nappy	Apparel for retail	\$ 476.00

Creditor	Date	Payee	Description	Amount
2179.4367-01	06/12/2017	Academy Services WA Pty Ltd	Cleaning services - various locations	\$ 91,844.70
2179.4447-01	06/12/2017	Blackwoods Atkins	PPE and hardware supplies	\$ 1,217.12
2179.4493-01	06/12/2017	Tom Lawton - Bobcat Hire	Bobcat hire and tipping fees	\$ 6,121.50
2179.4523-01	06/12/2017	SAI Global Limited	Annual membership subscription	\$ 655.60
2179.4627-01	06/12/2017	Flexi Staff Pty Ltd	Temporary staff	\$ 2,270.73
2179.4637-01	06/12/2017	Multi Mix Concrete Pty Ltd	Concrete supplies	\$ 3,297.36
2179.4638-01	06/12/2017	Abaxa	Locating services	\$ 732.99
2179.4957-01	06/12/2017	WA Profiling	Profiling services	\$ 1,952.50
2179.4971-01	06/12/2017	Totally Workwear	Uniform supplies	\$ 70.00
2179.5041-01	06/12/2017	Alsco Pty Ltd	Air freshener supplies	\$ 49.47
2179.5083-01	06/12/2017	Discus Digital Print	Printing services	\$ 2,520.21
2179.5193-01	06/12/2017	Protector Fire Services Pty Ltd	Service fire equipment - various locations	\$ 5,555.43
2179.5316-01	06/12/2017	McLeods Barristers & Solicitors	Legal services	\$ 10,456.34
2179.5326-01	06/12/2017	Traffic Systems West	Supply and install kerbing	\$ 9,933.55
2179.5342-01	06/12/2017	Ozscot Horticulture	Supply of plants	\$ 272.58
2179.5500-01	06/12/2017	Workwear Group Pty Ltd	Uniform supplies	\$ 220.14
2179.5836-01	06/12/2017	Manheim Pty Ltd	Towing services	\$ 2,574.00
2179.5936-01	06/12/2017	Outsource Business Support Solutions Pty Ltd	Technical support to Authority system	\$ 2,557.50
2179.5973-01	06/12/2017	Guardian Tactile Systems Pty Ltd	Supply and install tactile paving	\$ 2,473.06
2179.6065-01	06/12/2017	Westrac Cat	Plant repairs	\$ 4,234.75
2179.6072-01	06/12/2017	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 2,965.70
2179.6081-01	06/12/2017	Boral Construction Materials Group	Concrete supplies	\$ 857.84
2179.6184-01	06/12/2017	Data 3	Microsoft licence and software	\$ 11,855.03
2179.6218-01	06/12/2017	Devco Builders	Small maintenance and repairs - various locations	\$ 16,836.35
2179.6258-01	06/12/2017	Sanderson's Outdoor Power Equipment	Plant repairs	\$ 160.00
2179.6259-01	06/12/2017	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 2,570.70
2179.6390-01	06/12/2017	Eric Hood Pty Ltd	Painting services - Beatty Park Leisure Centre	\$ 46,145.00
2179.6455-01	06/12/2017	The BBQ Man	BBQ and pressure cleaning services	\$ 7,323.68
2179.6551-01	06/12/2017	iSUBSCRIBE Pty Ltd	Library magazine subscriptions	\$ 222.35
2179.6644-01	06/12/2017	Bokay Group (WA) Pty Ltd	Path signs	\$ 929.50
2179.6753-01	06/12/2017	S Hansen	Reimbursement of expenses - parking and provisions	\$ 96.10
2179.6872-01	06/12/2017	Truck Centre (WA) Pty Ltd	Truck repairs	\$ 4,312.85
2179.6933-01	06/12/2017	Mackay Urbandesign	Design advisory fees	\$ 660.00
2179.7057-01	06/12/2017	Australian Paper	Envelope supplies	\$ 506.88
2179.7104-01	06/12/2017	Turf Care WA Pty Ltd	Turf maintenance and replacement - various locations	\$ 62,188.50
2179.7118-01	06/12/2017	C Wood Distributors	Beatty Park Café supplies	\$ 1,087.90
2179.7189-01	06/12/2017	Steann Pty Ltd	Collect and dispose of illegally dumped goods	\$ 660.00
2179.7190-01	06/12/2017	Chindarsi Architects	Design advisory fees	\$ 660.00
2179.7282-01	06/12/2017	Rubek Automatic Doors	Bi-annual service of automatic doors - BPLC	\$ 867.90

Creditor	Date	Payee	Description	Amount
2179.7382-01	06/12/2017	Turf Developments (WA) Pty Ltd	Turf maintenance	\$ 578.49
2179.7399-01	06/12/2017	Briskleen Supplies Pty Ltd	Toiletry and cleaning products	\$ 1,539.56
2179.7431-01	06/12/2017	BM Perich	Street tree services	\$ 5,853.10
2179.7438-01	06/12/2017	Leda Security Products Pty Ltd	Repairs to bike stations	\$ 4,513.30
2179.7477-01	06/12/2017	Expo Group	Printing services	\$ 3,563.45
2179.7505-01	06/12/2017	Imagesource	Printing services	\$ 477.40
2179.7561-01	06/12/2017	Allcare Monitoring Services	After hour calls service	\$ 1,784.00
2179.7593-01	06/12/2017	Yoshino Sushi	Beatty Park Café supplies	\$ 84.48
2179.7605-01	06/12/2017	Centropak	Beatty Park Café supplies	\$ 539.21
2179.7612-01	06/12/2017	Crimea Growers Market	Beatty Park Café supplies	\$ 1,102.21
2179.7654-01	06/12/2017	Worldwide Printing Solutions East Perth	Printing services	\$ 2,721.00
2179.7733-01	06/12/2017	Acurix Networks Pty Ltd	Public Wi Fi service - various locations	\$ 2,319.90
2179.7750-01	06/12/2017	Fitzgerald Photo Imaging	Framing of certificate	\$ 72.00
2179.7816-01	06/12/2017	Beilby Corporation	Placement fee	\$ 12,320.00
2179.7862-01	06/12/2017	Mayor E Cole	Reimbursement of expenses - parking and child care	\$ 160.32
2179.7933-01	06/12/2017	Garrards Pty Ltd	Rat bait	\$ 420.20
2179.7950-01	06/12/2017	Rawlicious Delights	Beatty Park Café supplies	\$ 272.25
2179.7955-01	06/12/2017	Synergy	Electricity charges - various locations	\$ 9,067.80
2179.8040-01	06/12/2017	Wilson Security	Security services - various locations	\$ 7,291.75
2179.8108-01	06/12/2017	Leo Heaney Pty Ltd	Street tree services	\$ 19,208.75
2179.8120-01	06/12/2017	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 110.61
2179.8369-01	06/12/2017	Technology One Ltd	GIS consulting services	\$ 5,412.00
2179.8498-01	06/12/2017	Wheelers Books	Library books	\$ 715.00
2179.8547-01	06/12/2017	AWB Building Co.	Plumbing services - various locations	\$ 1,464.77
2179.8576-01	06/12/2017	Work Metrics Pty Ltd	Online inductions	\$ 110.00
2179.8593-01	06/12/2017	Colleagues Nagels	Integrated transferable parking permits	\$ 347.60
2179.8628-01	06/12/2017	AV Trucks Services Pty Ltd	Truck repairs	\$ 693.56
2179.8694-01	06/12/2017	Nordic Fitness Equipment	Cleaning wipes	\$ 975.00
2179.8737-01	06/12/2017	Unilever Australia Ltd	Beatty Park Café supplies	\$ 812.44
2179.8743-01	06/12/2017	Konica Minolta Business Solutions	Copy costs	\$ 1,199.28
2179.8763-01	06/12/2017	StrataGreen	Garden equipment supplies	\$ 2,452.84
2179.8793-01	06/12/2017	Nightlife Music Pty Ltd	Crowd DJ	\$ 553.30
2179.8797-01	06/12/2017	Fit 4 Business WA	Consultancy - sales and membership retention review	\$ 385.00
2179.8810-01	06/12/2017	Australia Post	Postage charges	\$ 9,758.28
2179.8845-01	06/12/2017	Gymcare	Gym equipment repairs and maintenance	\$ 430.65
2179.8859-01	06/12/2017	Ferret Boilermaking	Welding repairs - various locations	\$ 4,246.60
2179.8878-01	06/12/2017	Cirrus Networks	Cisco VOIP Unified Communications - annual maintenance	\$ 10,140.90
2179.8890-01	06/12/2017	Vigilant Traffic Management	Traffic management services	\$ 10,446.75
2179.8895-01	06/12/2017	Braestone Pty Ltd	Business systems review	\$ 859.38

Creditor	Date	Payee	Description	Amount
2179.8911-01	06/12/2017	Quayclean Australia Pty Ltd	Cleaning services	\$ 20,483.32
2179.8940-01	06/12/2017	Global Industrial	Supply of toolbox	\$ 718.45
2179.8944-01	06/12/2017	RSA Signs Pty Ltd	Sign supplies	\$ 2,860.00
2179.8959-01	06/12/2017	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 11,254.56
2179.8964-01	06/12/2017	New Dimension Mechanical Services	Fridge repairs	\$ 605.00
2179.8976-01	06/12/2017	Stott Hoare	Purchase of computer monitors	\$ 744.15
2179.8989-01	06/12/2017	Allflow Industrial	Service water separator	\$ 2,548.60
2179.9002-01	06/12/2017	Core Business Australia	Consultancy services	\$ 1,089.00
2179.9003-01	06/12/2017	Monica Defendi Photography	Photography services	\$ 925.00
2179.9009-01	06/12/2017	Event Artillery	Hire of tables and chairs	\$ 1,687.15
2179.9013-01	06/12/2017	SPM Assets Pty Ltd	Staff training	\$ 220.00
2179.9032-01	06/12/2017	Teena Smith	Fitness instructor fees	\$ 60.00
2179.9034-01	06/12/2017	Champion Music	Choir for Seniors Christmas lunch	\$ 605.00
2179.9035-01	06/12/2017	Scouts WA - Pelican Point Scout Group	Kidsport vouchers	\$ 400.00
2179.9036-01	06/12/2017	Trek Store Leederville	Bike mechanical support for Ride to Work Breakfast	\$ 500.00
2179.9042-01	06/12/2017	M Torbarina	Reimbursement of expenses - taxi fare	\$ 18.78
2179.9045-01	06/12/2017	A Bradshaw	Reimbursement of expenses - medical supplies	\$ 97.24
2180.6524-01	15/12/2017	Cr J Topelberg	Council meeting fee	\$ 1,916.66
2180.7143-01	15/12/2017	Cr R Harley	Council meeting fee	\$ 1,916.66
2180.7862-01	15/12/2017	Mayor E Cole	Council meeting fee	\$ 7,797.33
2180.8435-01	15/12/2017	Cr D Loden	Council meeting fee	\$ 1,916.66
2180.8438-01	15/12/2017	Cr S Gontaszewski	Council meeting fee	\$ 3,223.49
2180.8449-01	15/12/2017	Cr J Murphy	Council meeting fee	\$ 1,916.66
2180.8808-01	15/12/2017	Cr J Hallett	Council meeting fee	\$ 1,916.66
2180.9018-01	15/12/2017	Cr A Castle	Council meeting fee	\$ 1,916.66
2180.9019-01	15/12/2017	Cr J Fotakis	Council meeting fee	\$ 1,916.66
2181.98000-01	13/12/2017	Australian Taxation Office	Payroll deduction	\$ 170,451.00
2182.2020-01	13/12/2017	Australian Services Union	Payroll deduction	\$ 302.06
2182.2045-01	13/12/2017	Child Support Agency	Payroll deduction	\$ 950.52
2182.2153-01	13/12/2017	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2182.2213-01	13/12/2017	City of Vincent	Payroll deduction	\$ 985.16
2182.2216-01	13/12/2017	City of Vincent Staff Social Club	Payroll deduction	\$ 468.00
2182.3133-01	13/12/2017	Depot Social Club	Payroll deduction	\$ 84.00
2182.6156-01	13/12/2017	Health Insurance Fund of WA	Payroll deduction	\$ 419.05
2182.8120-01	13/12/2017	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 1,724.06
2183.2008-01	14/12/2017	Alinta Energy	Electricity and gas charges - various locations	\$ 1,672.69
2183.2204-01	14/12/2017	Telstra Corporation Ltd	Telephone and internet charges	\$ 1,599.29
2183.7955-01	14/12/2017	Synergy	Electricity charges - various locations	\$ 4,347.00
2184.2087-01	18/12/2017	Department of Fire and Emergency Services (DFES)	Emergency services levy - 2nd quarter	\$ 2,002,099.04

Creditor	Date	Payee	Description	Amount
2184.3144-01	18/12/2017	Caltex Australia Petroleum Pty Ltd	Fuel and oils	\$ 32,888.06
2185.98000-01	21/12/2017	Australian Taxation Office	Payroll deduction	\$ 169,934.00
2186.2008-01	20/12/2017	Alinta Energy	Electricity and gas charges - various locations	\$ 52,650.54
2186.2016-01	20/12/2017	Arcus Australia Pty Ltd	Dishwasher service	\$ 3,102.55
2186.2029-01	20/12/2017	Bunnings Building Supplies	Hardware supplies	\$ 591.18
2186.2030-01	20/12/2017	Benara Nurseries	Supply of plants	\$ 394.90
2186.2033-01	20/12/2017	BOC Gases Australia Limited	Oxygen supplies	\$ 1,640.56
2186.2072-01	20/12/2017	Landgate	Land enquiries and gross rental valuations	\$ 876.28
2186.2074-01	20/12/2017	Dickies Tree Service	Tree lopping services	\$ 1,289.75
2186.2106-01	20/12/2017	Programmed Integrated Workforce Ltd	Temporary staff	\$ 1,590.49
2186.2113-01	20/12/2017	Kleenheat Gas	Forklift gas cylinders	\$ 190.51
2186.2119-01	20/12/2017	Line Marking Specialists	Linemarking services	\$ 1,868.68
2186.2120-01	20/12/2017	LO-GO Appointments	Temporary staff	\$ 5,977.76
2186.2126-01	20/12/2017	Mayday Earthmoving	Bobcat, truck and mini excavator hire	\$ 7,048.80
2186.2136-01	20/12/2017	Mindarie Regional Council	Processable and non processable waste	\$ 107,281.59
2186.2175-01	20/12/2017	Pro Turf Services	Fit toolboxes to various plant	\$ 1,287.00
2186.2185-01	20/12/2017	Galvins Plumbing Supplies	Plumbing supplies	\$ 747.11
2186.2192-01	20/12/2017	Sigma Chemicals	Pool chemicals	\$ 6,437.16
2186.2199-01	20/12/2017	Speedo Australia Pty Ltd	Apparel for retail	\$ 17,866.75
2186.2200-01	20/12/2017	Sportsworld Of WA	Apparel for retail	\$ 20,024.95
2186.2204-01	20/12/2017	Telstra Corporation Ltd	Telephone and internet charges	\$ 19.25
2186.2221-01	20/12/2017	Turfmaster Facility Management	Turf maintenance and weed control program	\$ 45,467.79
2186.2235-01	20/12/2017	Holcim Australia Pty Ltd (Wembley Cement)	Soakwell supplies	\$ 390.50
2186.3001-01	20/12/2017	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff	\$ 4,080.01
2186.3038-01	20/12/2017	St John Ambulance Australia	First aid kit supplies	\$ 253.80
2186.3040-01	20/12/2017	Shenton Enterprises Pty Ltd	Service of AIDS memorial fountain	\$ 1,221.00
2186.3057-01	20/12/2017	European Foods Wholesalers Pty Ltd.	Beatty Park Café supplies	\$ 956.42
2186.3066-01	20/12/2017	Royal Life Saving Society	Staff training courses	\$ 1,900.00
2186.3091-01	20/12/2017	Sam's Repairs & Maintenance	Sign installation and maintenance	\$ 1,793.00
2186.3110-01	20/12/2017	Depiazzi	Mulch supplies	\$ 3,160.30
2186.3146-01	20/12/2017	K.S. Black (WA) Pty Ltd	Bore maintenance	\$ 3,531.10
2186.3161-01	20/12/2017	Enzed Perth & Enzed Wangara	Plant repairs	\$ 11,424.01
2186.3170-01	20/12/2017	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance	\$ 3,809.90
2186.3215-01	20/12/2017	Les Mills	Licence fees for fitness classes	\$ 1,707.89
2186.3222-01	20/12/2017	Securepay Pty Ltd	Web payment fees	\$ 1,232.66
2186.3239-01	20/12/2017	Award Contracting Pty Ltd	Locating services	\$ 2,508.00
2186.3257-01	20/12/2017	Kone Elevators Pty Ltd	Lift service fee	\$ 1,639.87
2186.3281-01	20/12/2017	Community Newspapers	Advertising	\$ 1,019.88
2186.3299-01	20/12/2017	Baileys Fertilisers	Fertiliser supplies	\$ 3,421.00

Creditor	Date	Payee	Description	Amount
2186.3315-01	20/12/2017	RPG Auto Electrics	Plant repairs	\$ 1,321.33
2186.3410-01	20/12/2017	Allmark and Associates Pty Ltd	Bench plaque	\$ 104.50
2186.3424-01	20/12/2017	Lynford Motors Pty Ltd Osborne Park	Vehicle services and repairs	\$ 2,319.90
2186.3438-01	20/12/2017	Australasian Performing Right Association Ltd	APRA licence fees	\$ 4,253.76
2186.3444-01	20/12/2017	Raeco International Pty Ltd	Library supplies	\$ 357.92
2186.3474-01	20/12/2017	CSP Group	Supply of 2 stroke oil	\$ 1,486.00
2186.3492-01	20/12/2017	The West Australian Newspaper Ltd	Newspapers for resale	\$ 737.89
2186.3496-01	20/12/2017	Orbit Health & Fitness Solutions	Gym supplies	\$ 316.96
2186.3511-01	20/12/2017	City of Stirling	Bulk waste collection and green waste tipping fees	\$ 8,834.10
2186.3560-01	20/12/2017	Winc Australia Pty Ltd	Office supplies and consumables	\$ 2,379.01
2186.3564-01	20/12/2017	Nosh Catering	Catering services	\$ 7,079.05
2186.3613-01	20/12/2017	Donegan Enterprises Pty Ltd	Playground repairs and maintenance - various locations	\$ 4,741.00
2186.3757-01	20/12/2017	J & K Hopkins	Office furniture supply	\$ 717.00
2186.3772-01	20/12/2017	Midalia Steel	Hardware supplies	\$ 110.00
2186.3929-01	20/12/2017	Chittering Valley Worm Farm	Worms and castings	\$ 375.00
2186.4017-01	20/12/2017	Trisley's Hydraulic Services Pty Ltd	Pool service and pump maintenance	\$ 1,081.39
2186.4034-01	20/12/2017	Penske Power System	Ad blue supplies	\$ 4,590.20
2186.4036-01	20/12/2017	J.D Organics	Multi mix	\$ 273.24
2186.4103-01	20/12/2017	Asphaltech Pty Ltd	Asphalt supplies	\$ 3,247.38
2186.4106-01	20/12/2017	Local Government Planners Association	Staff training course	\$ 80.00
2186.4177-01	20/12/2017	W.A. Limestone Co	Limestone supplies	\$ 3,033.95
2186.4210-01	20/12/2017	Beaver Tree Services	Street trees & parks pruning/removal	\$ 2,951.85
2186.4214-01	20/12/2017	Kerbing West	Kerbing services	\$ 12,667.72
2186.4221-01	20/12/2017	Suez Recycling & Recovery Pty Ltd	Waste collection	\$ 1,233.05
2186.4367-01	20/12/2017	Academy Services WA Pty Ltd	Additional cleaning services and consumables	\$ 2,115.99
2186.4418-01	20/12/2017	West-Sure Group Pty Ltd	Cash collection services	\$ 5,253.77
2186.4469-01	20/12/2017	Hisco Pty Ltd	Tablecloth rolls	\$ 114.89
2186.4492-01	20/12/2017	Main Roads WA	Traffic signal upgrade - William and Bulwer Streets	\$ 214,146.64
2186.4493-01	20/12/2017	Tom Lawton - Bobcat Hire	Bobcat hire	\$ 2,921.60
2186.4523-01	20/12/2017	SAI Global Limited	Annual online standards subscription renewal	\$ 2,454.10
2186.4552-01	20/12/2017	Manic Botanic Flowers	Table centrepieces - Seniors lunch	\$ 551.00
2186.4627-01	20/12/2017	Flexi Staff Pty Ltd	Temporary staff	\$ 9,582.98
2186.4637-01	20/12/2017	Multi Mix Concrete Pty Ltd	Concrete supplies	\$ 1,491.38
2186.4674-01	20/12/2017	Fulton Hogan (Pioneer Road Services)	Asphalt supplies	\$ 1,947.00
2186.4750-01	20/12/2017	Schindler Lifts Australia Pty Ltd	Lift maintenance	\$ 3,753.50
2186.4768-01	20/12/2017	Optus Billing Services Pty Ltd	Telephone and internet charges	\$ 11,662.27
2186.4889-01	20/12/2017	Officeworks Superstores Pty Ltd	Paper supplies	\$ 998.00
2186.4898-01	20/12/2017	Trover Learning	Christmas gifts for creche children's party	\$ 240.00
2186.4919-01	20/12/2017	David Gray & Co Pty Ltd	Supply of green bin lids	\$ 1,645.45

Creditor	Date	Payee	Description	Amount
2186.4971-01	20/12/2017	Totally Workwear	Uniform supplies	\$ 3,404.92
2186.5041-01	20/12/2017	AlSCO Pty Ltd	Mat supplies	\$ 460.91
2186.5084-01	20/12/2017	ATF Services Pty Ltd	Security fence	\$ 144.21
2186.5107-01	20/12/2017	Earlybirds Playgroup Inc	Playgroup refurbishment funding	\$ 6,323.15
2186.5193-01	20/12/2017	Protector Fire Services Pty Ltd	Service fire equipment - various locations	\$ 1,144.00
2186.5284-01	20/12/2017	Parker Black & Forrest Pty Ltd	Door indicator supplies	\$ 211.20
2186.5294-01	20/12/2017	A Team Printing	Printing services	\$ 1,444.30
2186.5301-01	20/12/2017	Kott Gunning	Employment advice	\$ 4,431.24
2186.5316-01	20/12/2017	McLeods Barristers & Solicitors	Legal services - Concrete batching plant	\$ 195,721.15
2186.5342-01	20/12/2017	Ozscot Horticulture	Supply of plants	\$ 554.40
2186.5398-01	20/12/2017	Subaru Osborne Park	New vehicle purchase	\$ 24,577.15
2186.5410-01	20/12/2017	Perth Dishwashers	Dishwasher repairs	\$ 380.60
2186.5414-01	20/12/2017	Phonographic Performance Company of Australia Ltd	Music licence for fitness classes	\$ 2,415.19
2186.5474-01	20/12/2017	Tow-Safe Pty Ltd	Hardware supplies	\$ 32.00
2186.5737-01	20/12/2017	Massey's Herd Milk Supply	Milk supplies	\$ 642.60
2186.5888-01	20/12/2017	Kleen West Distributors	Graffiti removal supplies	\$ 1,661.06
2186.5936-01	20/12/2017	Outsource Business Support Solutions Pty Ltd	Technical support to Authority system	\$ 866.25
2186.6072-01	20/12/2017	PFD Food Services Pty Ltd	Beatty Park Café supplies	\$ 3,110.85
2186.6114-01	20/12/2017	ICLEI Oceania - Local Governments for Sustainability	Annual membership subscription	\$ 1,072.50
2186.6218-01	20/12/2017	Devco Builders	Small maintenance and repairs - various locations	\$ 35,231.46
2186.6258-01	20/12/2017	Sanderson's Outdoor Power Equipment	Plant repairs	\$ 855.00
2186.6259-01	20/12/2017	Australian HVAC Services Pty Ltd	Airconditioning maintenance & repairs - various locations	\$ 554.40
2186.6333-01	20/12/2017	Cleargard Australia	Install safety film	\$ 2,392.50
2186.6414-01	20/12/2017	EnvisionWare Pty Ltd	Annual maintenance - coin/bill acceptor	\$ 258.50
2186.6468-01	20/12/2017	Scarborough Toyota	Vehicle services and repairs	\$ 248.00
2186.6482-01	20/12/2017	Department of Transport	Vehicle ownership searches	\$ 877.70
2186.6486-01	20/12/2017	Blue Heeler Trading	Uniform supplies	\$ 3,415.39
2186.6551-01	20/12/2017	iSUBSCRIBE Pty Ltd	Magazine subscriptions	\$ 697.81
2186.6574-01	20/12/2017	PriceMark Pty Ltd	Bar-lok supplies	\$ 1,155.00
2186.6640-01	20/12/2017	Vertical Telecoms Pty Ltd	Two way radio repairs	\$ 6,789.15
2186.6712-01	20/12/2017	Joe Crisafio Kia	New vehicle purchase	\$ 19,055.70
2186.6751-01	20/12/2017	Sallie Watson	Resuscitation course and certificates	\$ 217.40
2186.6753-01	20/12/2017	S Hansen	Reimbursement of expenses - Seniors lunch gift bags	\$ 104.25
2186.6853-01	20/12/2017	A M Baraiolo	Reimbursement of expenses - gifts for library volunteers	\$ 149.95
2186.6881-01	20/12/2017	Bridgestone Select West Perth/Osborne Park	Tyre services	\$ 299.87
2186.6903-01	20/12/2017	APARC Pty Ltd	2 meters; CMS licensing fees; parking meter maintenance	\$ 31,036.50
2186.6933-01	20/12/2017	Mackay Urbandesign	Design advisory fees	\$ 660.00
2186.7003-01	20/12/2017	Sonic HealthPlus Pty Ltd	Employee medical assessments	\$ 549.75
2186.7009-01	20/12/2017	JBA Survey	Surveying services	\$ 6,699.00

Creditor	Date	Payee	Description	Amount
2186.7118-01	20/12/2017	C Wood Distributors	Beatty Park Café supplies	\$ 670.23
2186.7152-01	20/12/2017	Development Assessment Panels	Amended DAP fee	\$ 196.00
2186.7156-01	20/12/2017	FE Technologies Pty Ltd	Annual maintenance subscription	\$ 2,706.00
2186.7168-01	20/12/2017	Christou Nominees Pty Ltd	Design advisory fees	\$ 1,485.00
2186.7189-01	20/12/2017	Steann Pty Ltd	Verge greenwaste collection	\$ 51,744.00
2186.7378-01	20/12/2017	Cundall	Consultancy services - energy audit	\$ 11,990.00
2186.7388-01	20/12/2017	Vorgee Pty Ltd	Swim accessories for retail	\$ 2,168.10
2186.7399-01	20/12/2017	Briskleen Supplies Pty Ltd	Toiletry and cleaning products	\$ 3,099.84
2186.7431-01	20/12/2017	BM Perich	Street tree services	\$ 5,853.10
2186.7477-01	20/12/2017	Expo Group	Printing services	\$ 4,979.70
2186.7481-01	20/12/2017	Regents Commercial	Rent and variable outgoings - Barlee Street car park	\$ 19,303.78
2186.7488-01	20/12/2017	Natale Security Services	Security services	\$ 363.00
2186.7506-01	20/12/2017	Dynamic Gift	Purchase of fortune cookies for Chinese New Year	\$ 1,043.90
2186.7510-01	20/12/2017	Northsands Resources	Fill sand supplies	\$ 4,913.41
2186.7572-01	20/12/2017	Compu-Stor	Records digitisation and off-site storage	\$ 60.06
2186.7576-01	20/12/2017	Action Logistics (WA) Pty Ltd t/a Action Couriers	Courier services	\$ 18.18
2186.7593-01	20/12/2017	Yoshino Sushi	Beatty Park Café supplies	\$ 443.74
2186.7605-01	20/12/2017	Centropak	Beatty Park Café supplies	\$ 358.02
2186.7612-01	20/12/2017	Crimea Growers Market	Beatty Park Café supplies	\$ 728.90
2186.7654-01	20/12/2017	Worldwide Printing Solutions East Perth	Printing services	\$ 290.00
2186.7657-01	20/12/2017	Shape Design	Graphic design service	\$ 2,024.00
2186.7664-01	20/12/2017	Raymond Sleeman	Fitness instructor fees	\$ 454.72
2186.7774-01	20/12/2017	Advancetag Pty Ltd	Label supplies	\$ 220.00
2186.7777-01	20/12/2017	Daniela Toffali	Fitness instructor fees	\$ 212.00
2186.7818-01	20/12/2017	The Pest Guys	Pest control services	\$ 978.95
2186.7830-01	20/12/2017	Castledine Gregory	Professional fees - Trading in public places law	\$ 6,996.00
2186.7923-01	20/12/2017	Richard Harrison	Bee removal services	\$ 610.00
2186.7950-01	20/12/2017	Rawlicious Delights	Beatty Park Café supplies	\$ 272.25
2186.7955-01	20/12/2017	Synergy	Electricity charges - various locations	\$ 62,682.55
2186.8009-01	20/12/2017	Marketforce Express Pty Ltd	Advertising and graphic design service	\$ 5,116.93
2186.8108-01	20/12/2017	Leo Heaney Pty Ltd	Street tree services	\$ 37,002.98
2186.8119-01	20/12/2017	MESA Australia	Steam room maintenance	\$ 3,543.10
2186.8158-01	20/12/2017	Perth Sail Shades & Umbrellas	Shade sail replacement	\$ 407.00
2186.8197-01	20/12/2017	Designer Christmas	Hire of Christmas decorations - BPLC	\$ 3,773.00
2186.8216-01	20/12/2017	C Mooney	Reimbursement of expenses - parking and event provisions	\$ 77.60
2186.8218-01	20/12/2017	SwimFin Australia Pty Ltd	Swimfins for resale	\$ 417.00
2186.8283-01	20/12/2017	Lakeside Mowers & Motorcycles	Mower parts	\$ 300.00
2186.8307-01	20/12/2017	MessageMedia	SMS integrating for Phoenix	\$ 111.87
2186.8352-01	20/12/2017	Designworks Clothing Co Pty Ltd	Yoga mats for resale	\$ 168.08

Creditor	Date	Payee	Description	Amount
2186.8369-01	20/12/2017	Technology One Ltd	GIS consulting services	\$ 1,804.00
2186.8395-01	20/12/2017	S & A Smash Repairs	Vehicle repairs	\$ 4,349.72
2186.8398-01	20/12/2017	Jean-Paul Barbier	Fitness instructor fees	\$ 297.00
2186.8420-01	20/12/2017	Corsign WA Pty Ltd	Sign supplies	\$ 668.80
2186.8486-01	20/12/2017	Landmark Products Pty Ltd	Supply of litter bins	\$ 31,256.50
2186.8493-01	20/12/2017	Bike Dr Cycle Services Pty Ltd	Staff bike maintenance	\$ 242.00
2186.8498-01	20/12/2017	Wheelers Books	Library books	\$ 714.95
2186.8523-01	20/12/2017	Stephen Carrick Architects Pty Ltd	Design advisory fees	\$ 660.00
2186.8542-01	20/12/2017	Window Shading Solutions Pty Ltd	Supply & install blinds	\$ 326.40
2186.8547-01	20/12/2017	AWB Building Co.	Plumbing services - various locations	\$ 3,862.76
2186.8586-01	20/12/2017	Tree Amigos	Arboricultural services	\$ 1,719.30
2186.8620-01	20/12/2017	Boyan Electrical Services	Electrical services - various locations	\$ 7,154.89
2186.8631-01	20/12/2017	West Perth Glass	Bus shelter repairs - various locations	\$ 539.00
2186.8645-01	20/12/2017	Domain Catering Pty Ltd	Catering services	\$ 408.00
2186.8646-01	20/12/2017	Apollo Plumbing and Gas Pty Ltd	Plumbing services	\$ 293.00
2186.8672-01	20/12/2017	Brownes Food Operations Pty Ltd	Beatty Park Café supplies	\$ 3,012.94
2186.8698-01	20/12/2017	Empire Catering	Catering services	\$ 228.80
2186.8724-01	20/12/2017	Bamboo Catering	Catering services	\$ 3,489.20
2186.8727-01	20/12/2017	The Factory	Supply and install 'Big Blue Head' Christmas bow	\$ 764.50
2186.8737-01	20/12/2017	Unilever Australia Ltd	Beatty Park Café supplies	\$ 1,731.54
2186.8743-01	20/12/2017	Konica Minolta Business Solutions	Copy costs	\$ 1,399.40
2186.8752-01	20/12/2017	Jackie Barron	Fitness instructor fees	\$ 170.52
2186.8761-01	20/12/2017	Elyse Amy Johnstone	Fitness instructor fees	\$ 811.68
2186.8763-01	20/12/2017	StrataGreen	Garden equipment supplies	\$ 217.71
2186.8784-01	20/12/2017	Boya Equipment	Purchase of tractor and mower	\$ 101,163.00
2186.8789-01	20/12/2017	TPG & Place Match	Consultancy services - parking surveys	\$ 5,020.13
2186.8797-01	20/12/2017	Fit 4 Business WA	Consultancy - sales and membership retention review	\$ 440.00
2186.8798-01	20/12/2017	Shane McMaster Surveys	Surveying services	\$ 550.00
2186.8815-01	20/12/2017	Double Line Sports	Apparel for retail	\$ 1,240.25
2186.8816-01	20/12/2017	S Smith	Reimbursement of expenses - parking	\$ 128.42
2186.8820-01	20/12/2017	Inhouse Group Pty Ltd	Trendwise visitor analytics	\$ 3,499.84
2186.8821-01	20/12/2017	My Media Intelligence Pty Ltd	Media monitoring	\$ 702.44
2186.8827-01	20/12/2017	Superior Pak Pty Ltd	Plant repairs	\$ 3,430.75
2186.8829-01	20/12/2017	InterStream Pty Ltd	Webcast and hosting service	\$ 1,386.00
2186.8833-01	20/12/2017	Noma Pty Ltd	Design advisory fees	\$ 660.00
2186.8840-01	20/12/2017	Architex Design	Design advisory fees	\$ 1,200.00
2186.8842-01	20/12/2017	Emerge Associates	Drainage assessment - various locations	\$ 18,382.38
2186.8845-01	20/12/2017	Gymcare	Gym equipment repairs and maintenance	\$ 661.39
2186.8847-01	20/12/2017	REALMstudios Pty Ltd	Design advisory fees	\$ 660.00

Creditor	Date	Payee	Description	Amount
2186.8854-01	20/12/2017	Tyres 4U Pty Ltd	Tyre supplies	\$ 1,383.80
2186.8859-01	20/12/2017	Ferret Boilermaking	Welding repairs	\$ 704.00
2186.8861-01	20/12/2017	Wespray on Paving Pty Ltd	Spray on paving services	\$ 275.00
2186.8868-01	20/12/2017	Poolwise Living	Maintenance - Hyde Park Water Playground	\$ 4,407.25
2186.8890-01	20/12/2017	Vigilant Traffic Management	Traffic management services	\$ 34,377.75
2186.8894-01	20/12/2017	Plantrite	Plant supplies	\$ 251.02
2186.8899-01	20/12/2017	SJR Civil Consulting Pty Ltd	Admin and management cover	\$ 1,584.00
2186.8911-01	20/12/2017	Quayclean Australia Pty Ltd	Cleaning services	\$ 10,068.41
2186.8914-01	20/12/2017	Refresh Water Pty Ltd	Water cooler rental	\$ 33.00
2186.8915-01	20/12/2017	Metal Artwork Creations	Staff name badges	\$ 417.73
2186.8937-01	20/12/2017	People Sense	Counselling services	\$ 1,232.00
2186.8938-01	20/12/2017	Atmos Foods Pty Ltd	Beatty Park Café supplies	\$ 237.60
2186.8940-01	20/12/2017	Global Industrial	Supply of crates, shelving, cabinet and toolbox	\$ 2,467.93
2186.8943-01	20/12/2017	Penterpaper	Annual report writing	\$ 1,600.00
2186.8944-01	20/12/2017	RSA Signs Pty Ltd	Sign supplies	\$ 339.35
2186.8948-01	20/12/2017	Jones Lang LaSalle Public Sector Valuations Pty Ltd	Revaluation of land and building assets	\$ 24,365.00
2186.8950-01	20/12/2017	Altus Planning	SAT representation	\$ 9,178.87
2186.8959-01	20/12/2017	KP Electric (Australia) Pty Ltd	Electrical services - various locations	\$ 10,416.71
2186.8987-01	20/12/2017	Matt Biocich	Photography - Vincent Loves Love	\$ 315.00
2186.8992-01	20/12/2017	JBL Electrical Services	Electrical services - Earlybirds playgroup	\$ 7,025.70
2186.9008-01	20/12/2017	Greenpac	Bags for retail	\$ 1,248.50
2186.9009-01	20/12/2017	Event Artillery	Staff Christmas tree	\$ 340.00
2186.9010-01	20/12/2017	Seadoo Sport and Leisure	Purchase of all terrain vehicle	\$ 26,973.00
2186.9011-01	20/12/2017	Perth Rentors Pty Ltd	Motivational talk	\$ 1,750.00
2186.9013-01	20/12/2017	SPM Assets Pty Ltd	Asset management planning - BPLC and Leederville Oval	\$ 29,150.02
2186.9024-01	20/12/2017	Jace Enterprises Pty Ltd	Sunscreen for retail	\$ 537.00
2186.9028-01	20/12/2017	Danica Zuks Photography	Photography services	\$ 360.00
2186.9037-01	20/12/2017	Hot n Sweaty Personal Training	Fitness instructor fees	\$ 112.00
2186.9043-01	20/12/2017	Georgia Faith Siciliano	Singer at Mayoral Christmas Sundowner	\$ 150.00
2186.9048-01	20/12/2017	Perth College	Refund of overpayment - BPLC invoice	\$ 1,426.50
2186.9049-01	20/12/2017	Chef De Home Pty Ltd	Library Christmas event for Seniors	\$ 530.00
2187.2020-01	21/12/2017	Australian Services Union	Payroll deduction	\$ 302.06
2187.2045-01	21/12/2017	Child Support Agency	Payroll deduction	\$ 950.52
2187.2153-01	21/12/2017	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
2187.2213-01	21/12/2017	City of Vincent	Payroll deduction	\$ 852.01
2187.2216-01	21/12/2017	City of Vincent Staff Social Club	Payroll deduction	\$ 474.00
2187.3133-01	21/12/2017	Depot Social Club	Payroll deduction	\$ 84.00
2187.6156-01	21/12/2017	Health Insurance Fund of WA	Payroll deduction	\$ 419.05
2187.8120-01	21/12/2017	Selectus Employee Benefits Pty Ltd	Payroll deduction	\$ 1,724.06

<i>Creditor</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
				\$ 5,721,636.96
Direct Debit				
Credit Card		Commonwealth Bank	Full listing in Attachment 3	\$ 8,604.26
Lease Fees	05/12/2017	Neopost 1659932	Franking machine	\$ 385.00
	02/01/2018	Neopost 1659932	Franking machine	\$ 385.00
	02/01/2018	All Leasing 279258	Parking Ticket Machines EMV Kit	\$ 38,213.92
			Beatty Park Leisure Centre LED Lights	\$ 16,729.74
			Computers - Admin, BP, Depot & Library	\$ 23,881.92
			Longer Life Gym Equipment	\$ 543.34
			Shorter Life Gym Equipment	\$ 25,151.50
			Techwest Gym PA	\$ 4,158.58
			Beatty Park Leisure Centre two way radios	\$ 1,093.42
			Beatty Park Leisure Centre CCTV cameras	\$ 6,458.78
			Beatty Park Leisure Centre Cleaning Equipment	\$ 2,462.01
			Beatty Park Leisure Centre Gym equipment	\$ 7,301.10
			Beatty Park Leisure Centre Gym equipment	\$ 7,005.20
			Beatty Park Leisure Centre Gym equipment	\$ 1,655.78
			Beatty Park Leisure Centre Gym equipment	\$ 3,909.90
			Total Allleasing	\$ 138,565.19
			Total Lease Fees	\$ 139,335.19
Loan Repayments		Treasury Corporation	Department Sport and Recreation Building, Loftus Centre, Loftus Underground Carpark, Beatty Park Leisure Centre	\$ 148,525.88
Bank Fees and Charges		Commonwealth Bank	Bank fees	\$ 47,472.64
Total Direct Debit				\$ 343,937.97

Creditors Report - Payments by Cheque 23/11/2017 to 05/01/2018				
<i>Creditor</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
00081877	30/11/2017	S Watson	Ad hoc pay	\$ 541.38
00081878	30/11/2017	Austral Mercantile	Rates refund	\$ 84.69
00081879	30/11/2017	Helloworld South Perth	Rates refund	\$ 400.62
00081880	30/11/2017	Johnson Hicks Conveyancing	Refund of settlement enquiry fee	\$ 190.00
00081881	30/11/2017	P Ure	Part refund of dog registration	\$ 75.00
00081882	30/11/2017	V Chapman	Part refund of dog registration	\$ 30.00
00081883	30/11/2017	Y Lee	Refund of overpaid parking ticket	\$ 21.24
00081884	30/11/2017	K Smith	Part refund of Beatty Park Leisure Centre fees	\$ 276.40
00081885	30/11/2017	S Lilly	Part refund of Beatty Park Leisure Centre fees	\$ 184.96
00081886	30/11/2017	T Bennit	Part refund of Beatty Park Leisure Centre fees	\$ 659.06
00081887	30/11/2017	K Van Ark	Part refund of Beatty Park Leisure Centre fees	\$ 52.70
00081888	30/11/2017	S P Thompson	Development application fee refund	\$ 147.00
00081889	30/11/2017	P & J Chang-Leng	Development application fee refund	\$ 441.00
00081890	30/11/2017	Motivo Design Studio	Development application fee refund	\$ 147.00
00081891	30/11/2017	InHouse Building Design	Development application fee refund	\$ 147.00
00081892	30/11/2017	I and D Leonard	Development application fee refund	\$ 147.00
00081893	30/11/2017	Essential First Choice Homes Pty Ltd	Development application fee refund	\$ 147.00
00081894	30/11/2017	E H V Van Woerden	Development application fee refund	\$ 147.00
00081895	30/11/2017	Philip V Smith Pty Ltd	Development application fee refund	\$ 147.00
00081896	30/11/2017	A Basini	Development application fee refund	\$ 147.00
00081897	30/11/2017	J Birch	Development application fee refund	\$ 147.00
00081898	30/11/2017	S Fortini	Part refund of dog registration	\$ 150.00
00081899	30/11/2017	G Athanasiou	Part refund of dog registration	\$ 150.00
00081900	30/11/2017	N May	Part refund of dog registration	\$ 150.00
00081901	30/11/2017	B Kennedy	Crossover subsidy	\$ 515.00
00081902	30/11/2017	Western Australian Flying Disc Association	Funding for 'Come Out And Play'	\$ 1,000.00
00081903	30/11/2017	M Ranaldi	Heritage assistance fund	\$ 5,000.00
00081904	30/11/2017	P Badiyani	Refund of hall bond	\$ 300.00
00081905	01/12/2017	Cash cheque for ad hoc pay	Ad hoc pay	\$ 2,277.96
00081906	01/12/2017	Cash cheque for ad hoc pay	Ad hoc pay	\$ 2,606.21
00081907	06/12/2017	BT Lifetime Super Employer Plan	Repayment of superannuation refunded in error	\$ 42.90
00081908	06/12/2017	SuperWrap	Repayment of superannuation refunded in error	\$ 245.74
00081909	06/12/2017	BCITF Building & Construction Industry	Levy collection	\$ 12,356.00
00081910	06/12/2017	Harvey Norman	Supply of iPods for swim school	\$ 2,093.00
00081911	06/12/2017	Petty Cash - Beatty Park Leisure Centre	Petty cash recoup	\$ 190.30

Creditor	Date	Payee	Description	Amount
00081912	06/12/2017	Petty Cash - Finance	Petty cash recoup	\$ 397.35
00081913	06/12/2017	Petty Cash - Library	Petty cash recoup	\$ 109.55
00081914	06/12/2017	Petty Cash - CEO	Petty cash recoup	\$ 173.35
00081915	08/12/2017	12 Degrees Pty Ltd	Rates refund	\$ 223.10
00081916	08/12/2017	L M Minas	Refund of works bond	\$ 2,000.00
00081917	08/12/2017	Residential Building WA Pty Ltd	Refund of works bond	\$ 2,000.00
00081918	08/12/2017	P & L Nikoloski	Refund of works bond	\$ 1,800.00
00081919	08/12/2017	P R Aron	Refund of works bond	\$ 2,000.00
00081920	08/12/2017	M Wood	Refund of works bond	\$ 2,000.00
00081921	08/12/2017	Residential Building WA Pty Ltd	Refund of works bond	\$ 2,000.00
00081922	08/12/2017	G S Galli	Refund of works bond	\$ 2,000.00
00081923	08/12/2017	Ricciardello Nominees Pty Ltd	Refund of works bond	\$ 2,000.00
00081924	08/12/2017	Prompt Roofing	Refund of works bond	\$ 2,000.00
00081925	08/12/2017	I C Gaudet	Refund of works bond	\$ 2,000.00
00081926	08/12/2017	D Quan	Refund of works bond	\$ 275.00
00081927	08/12/2017	P G Van Vliet	Refund of works bond	\$ 2,000.00
00081928	08/12/2017	Australian Renovation Group Pty Ltd	Refund of works bond	\$ 2,000.00
00081929	08/12/2017	J M Purcell	Refund of works bond	\$ 2,500.00
00081930	08/12/2017	M Tipping	Refund of hall bond	\$ 300.00
00081931	08/12/2017	E L Metcalfe	Refund of hall bond	\$ 300.00
00081932	08/12/2017	JumpClimb Events	Refund of grounds bond	\$ 2,366.29
00081933	08/12/2017	Western Australian Cricket Association	Refund of grounds bond	\$ 300.00
00081934	08/12/2017	CCI Interiors Pty Ltd	Refund of works bond	\$ 2,000.00
00081935	08/12/2017	B G & C H Ooi	Rates refund	\$ 337.19
00081936	08/12/2017	Kingman Visual	Development application fee refund	\$ 147.00
00081937	08/12/2017	J Forte	Development application fee refund	\$ 147.00
00081938	08/12/2017	J Gooch	Crossover subsidy	\$ 515.00
00081939	08/12/2017	D Quan	Crossover subsidy	\$ 515.00
00081940	08/12/2017	T Malandrino	Refund of archive search request	\$ 33.00
00081941	08/12/2017	M Jensen	Part refund of Beatty Park Leisure Centre fees	\$ 178.09
00081942	08/12/2017	M Wardrop	Refund dishonour fee due to administration error	\$ 11.90
00081943	08/12/2017	A Manowski	Refund for faulty goods	\$ 20.00
00081944	20/12/2017	Metro Settlements	Rates refund	\$ 46.79
00081945	20/12/2017	U R & D Murabito	Rates refund	\$ 367.52
00081946	20/12/2017	Regent Motors Pty Ltd	Refund of grounds bond	\$ 250.00
00081947	20/12/2017	M Adamczak	Refund of grounds bond	\$ 300.00
00081948	20/12/2017	S Martin	Refund of hall bond	\$ 300.00
00081949	20/12/2017	C Laurent	Refund of hall bond	\$ 1,500.00
00081950	20/12/2017	T Acacio	Refund of hall bond	\$ 300.00

Creditor	Date	Payee	Description	Amount
00081951	20/12/2017	A Pham	Refund of hall bond	\$ 250.00
00081952	20/12/2017	Westforce Construction	Refund of hall bond	\$ 500.00
00081953	20/12/2017	B Primrose	Refund of grounds bond	\$ 250.00
00081954	20/12/2017	E Miller	Refund of grounds bond	\$ 250.00
00081955	20/12/2017	L Hesketh	Refund of grounds bond	\$ 250.00
00081956	20/12/2017	A Brown	Refund of grounds bond	\$ 250.00
00081957	20/12/2017	H Mackie	Refund of grounds bond	\$ 250.00
00081958	20/12/2017	A J Taylor	Refund of grounds bond	\$ 250.00
00081959	20/12/2017	A Petrilli	Refund of grounds bond	\$ 300.00
00081960	20/12/2017	Trendsetter Homes	Refund of works bond	\$ 2,000.00
00081961	20/12/2017	Avena Homes	Refund of works bond	\$ 2,000.00
00081962	20/12/2017	D C White	Refund of works bond	\$ 275.00
00081963	20/12/2017	O Young	Refund of works bond	\$ 500.00
00081964	20/12/2017	Ventura Home Group Pty Ltd	Refund of works bond	\$ 2,000.00
00081965	20/12/2017	Bellagio Homes Pty Ltd	Refund of works bond	\$ 2,000.00
00081966	20/12/2017	D & J Hurst	Refund of works bond	\$ 2,000.00
00081967	20/12/2017	Budget Developments Australia Pty Ltd	Refund of works bond	\$ 4,000.00
00081968	20/12/2017	Mount Hawthorn Community Church	Refund of grounds bond	\$ 2,500.00
00081969	20/12/2017	S Rego	Refund of hall bond	\$ 300.00
00081970	20/12/2017	P Kunhong	Refund of hall bond	\$ 250.00
00081971	20/12/2017	N Graham	Refund of grounds bond	\$ 250.00
00081972	20/12/2017	K Dunphy	Refund of hall bond	\$ 300.00
00081973	20/12/2017	A Lang	Refund of grounds bond	\$ 1,000.00
00081974	20/12/2017	C Moncada	Refund of hall bond	\$ 600.00
00081975	20/12/2017	All Style Patios	Development application fee refund	\$ 147.00
00081976	20/12/2017	D C White	Crossover subsidy	\$ 305.00
00081977	20/12/2017	J Rose	Crossover subsidy	\$ 640.00
00081978	20/12/2017	D A Scarparolo	Crossover subsidy	\$ 640.00
00081979	20/12/2017	M Hahn	Refund of parking fee as no ticket issued	\$ 18.00
00081980	20/12/2017	K Kim	Part refund of swim pass	\$ 36.00
00081981	20/12/2017	S Teoh	Refund of CPA membership	\$ 325.00
00081982	20/12/2017	G Koutouzi	Part refund of Beatty Park Leisure Centre fees	\$ 385.14
00081983	20/12/2017	M Del Pilar Gonzales	Part refund of Beatty Park Leisure Centre fees	\$ 466.34
00081984	20/12/2017	A Poulos	Community support grant funding donation	\$ 1,845.31
00081985	20/12/2017	Mount Hawthorn Community Church	Community support grant funding donation	\$ 1,000.00
00081986	20/12/2017	M Jurisich	Part refund of dog registration	\$ 150.00
00081987	20/12/2017	Petty Cash - Library	Petty cash recoup	\$ 194.75
00081988	21/12/2017	S J Fitzmaurice	Rates refund	\$ 341.16
00081989	21/12/2017	BeauVine Pty Ltd	Refund of grounds bond	\$ 3,047.09



Creditor	Date	Payee	Description	Amount
00081990	05/01/2018	I M Taylor	Rates refund	\$ 79.20
00081991	05/01/2018	I M Taylor	Rates refund	\$ 79.20
00081992	05/01/2018	J M Simpson	Rates refund	\$ 363.63
00081993	05/01/2018	D D'Monte	Part refund of swim pass	\$ 46.40
00081994	05/01/2018	Next Gen	Sponsorship - Next Gen Short Film Festival	\$ 300.00
00081995	05/01/2018	A Stewart	Development application fee refund - 50%	\$ 73.50
00081996	05/01/2018	J Pond	Development application fee refund	\$ 147.00
00081997	05/01/2018	C Gooch	Development application fee refund	\$ 147.00
00081998	05/01/2018	K Sinclair	Part refund of dog registration	\$ 150.00
00081999	05/01/2018	E O'Connell	Part refund of Beatty Park Leisure Centre fees	\$ 240.60
00082000	05/01/2018	M Wood	Part refund of Beatty Park Leisure Centre fees	\$ 77.22
00082001	05/01/2018	R Zielinski	Refund of hire booking	\$ 108.00
00082002	05/01/2018	S Johnston	Part refund of dog registration	\$ 150.00
00082003	05/01/2018	J Leslie	Part refund of dog registration	\$ 150.00
				\$ 103,247.83
Cancelled Cheques				
00081932	08/12/2017	JumpClimb Events	Cancelled, reissued cheque 81989 to Beauvine Pty Ltd	-\$ 2,366.29
Total Cancelled Cheques				-\$ 2,366.29
Total Nett Cheque Payments				\$ 100,881.54

Credit Card Transactions for the Period 07 November - 06 December 2017				
<i>Card Holder</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
Chief Executive Officer	14/11/2017	WA Local Government	Training courses for Councillors	\$ 2,965.00
	20/11/2017	City of Perth Car Park	Parking fee	\$ 10.08
	21/11/2017	City of Perth Car Park	Parking fee	\$ 10.08
	22/11/2017	City of Perth Car Park	Parking fee	\$ 10.08
	23/11/2017	City of Perth Car Park	Parking fee	\$ 10.08
	24/11/2017	City of Perth Car Park	Parking fee	\$ 10.08
Total				\$ 3,015.40
Director Corporate Services				
Total				\$ -
Director Technical Services				
Total				\$ -
Director Community Engagement				
Total				\$ -
Manager Marketing and Communications	08/11/2017	Dan Murphys	Provisions for Garden Competition function	\$ 895.50
	08/11/2017	Myfonts	Christmas graphics	\$ 22.99
	10/11/2017	Mailchimp	Email campaign	\$ 195.91
	10/11/2017	International Transaction Fee	Email campaign	\$ 4.90
	25/11/2017	STK Shutterstock Inc	Subscription	\$ 108.90
	28/11/2017	W A News	Advertising	\$ 2.50
	28/11/2017	Western Australian Newspaper	Advertising	\$ 8.00
	30/11/2017	Facebook	Advertising	\$ 71.15
	01/12/2017	Uber	Mayoral visit to Channel 9	\$ 10.23
	01/12/2017	Uber	Mayoral visit to Channel 9	\$ 15.98
	01/12/2017	Creatsend.com	Email campaign	\$ 26.37
	03/12/2017	Rivuu Content Approval	Social media monitoring and posting service	\$ 118.50

Card Holder	Date	Payee	Description	Amount
	03/12/2017	International Transaction Fee	Social media monitoring and posting service	\$ 2.96
	03/12/2017	Officeworks	Bluetooth speaker	\$ 167.00
Total				\$ 1,650.89
Manager Human Resources	07/11/2017	Contract Control International	Training course	\$ 902.00
	07/11/2017	Paul Gudgin Festival & Events	Training course	\$ 400.00
	20/11/2017	Local Government Professionals Aust.	Training course	\$ 35.00
	28/11/2017	Trybooking Committee	Training course	\$ 420.60
	30/11/2017	Local Government Planners Association	Training course	\$ 80.00
	01/12/2017	St John Ambulance	Training course	\$ 160.00
Total				\$ 1,997.60
Human Resources Advisor				\$ -
Total				\$ -
Purchasing Officer	07/11/2017	Webmerge	Subscription expense - refunded	\$ 641.15
	07/11/2017	International Transaction Fee	Subscription expense	\$ 16.03
	08/11/2017	Formstack	Subscription expense - refunded	\$ 510.30
	08/11/2017	International Transaction Fee	Subscription expense	\$ 12.76
	08/11/2017	Webmerge	Refund of subscription expense	-\$ 640.47
	09/11/2017	Formstack	Refund of subscription expense	-\$ 509.76
	19/11/2017	Constant Contact	Marketing tool	\$ 856.70
	19/11/2017	International Transaction Fee	Marketing tool	\$ 21.42
	27/11/2017	Book Depository	CD for library	\$ 63.85
	27/11/2017	Booktopia	Books for library	\$ 183.65
	27/11/2017	Mag Shop	Library magazine subscription	\$ 69.99
	28/11/2017	Sanity Music	DVDs for library	\$ 67.93
	29/11/2017	Tenderlink.com	Public tender advertising	\$ 172.70
	29/11/2017	Tenderlink.com	Public tender advertising	\$ 172.70
	29/01/2017	Mag Shop	Library magazine subscription	\$ 69.99

Card Holder	Date	Payee	Description	Amount
	30/11/2017	Coles	Catering - Travelsmart breakfast	\$ 155.71
	30/11/2017	Netregistry	Beatty Park subscription	\$ 20.90
	01/12/2017	Westnet	WiFi Council Chambers	\$ 39.95
	04/12/2017	Atlassian	IT licence renewal	\$ 14.51
	04/12/2017	International Transaction Fee	IT licence renewal	\$ 0.36
Total				\$ 1,940.37
Total Corporate Credit Cards				\$ 8,604.26

11.2 INVESTMENT REPORT AS AT 31 DECEMBER 2017

TRIM Ref: D18/5161
Author: Sheryl Teoh, Accounting Officer
Authoriser: John Paton, Director Corporate Services
Attachments: 1. Investment Report  

RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 31 December 2017 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the level of investment funds and operating funds available, the distribution of surplus funds in investments and the interest earned to date.

BACKGROUND:

Surplus funds are invested in Bank Term Deposits for various terms, to maximise investment returns in compliance with good governance, legislative requirements and Council's Investment Policy No 1.2.4. Details are attached in Attachment 1.

The City's Investment Portfolio is diversified across several Financial Institutions in accordance with the Investment Policy.

DETAILS:

Total funds held for the period ended 31 December 2017 including on call in the City's operating account were \$38,768,084; compared to \$33,692,431 for the comparative period ended 31 December 2016.

Total Investments for the period ended 31 December 2017 were \$37,065,389 as compared to \$39,482,047 for the prior month end; and \$31,165,443 for the period ended 31 December 2016.

Investment comparison table:

Month Ended	2016/17		2017/18	
	Total Funds Held	Total Investments	Total Funds Held	Total Investments
July	\$19,683,412	\$18,420,252	\$23,433,728	\$21,212,649
August	\$26,167,645	\$22,573,297	\$30,161,860	\$27,714,651
September	\$36,754,571	\$34,302,896	\$40,305,364	\$37,944,911
October	\$37,581,885	\$34,521,542	\$41,087,462	\$38,947,823
November	\$37,034,885	\$35,775,011	\$41,716,473	\$39,482,047
December	\$33,692,431	\$31,165,443	\$38,768,084	\$37,065,389
January	\$34,645,041	\$33,201,749		
February	\$34,028,716	\$32,316,251		
March	\$32,070,200	\$31,424,409		
April	\$30,661,122	\$26,206,328		
May	\$27,412,051	\$25,718,292		
June	\$24,670,461	\$23,533,279		

Total accrued interest earned on Investments as at 31 December 2017:

	Adopted Budget	YTD Budget	YTD Actual	% of YTD Budget
Municipal	\$414,960	\$226,950	\$250,149	110.22%
Reserve	\$258,420	\$118,280	\$121,254	102.51%
Sub-total	\$673,380	\$345,230	\$371,403	107.58%
Leederville Gardens Inc Surplus Trust*	\$0	\$0	\$70,897	0.00%
Total	\$673,380	\$345,230	\$442,300	128.12%

*Interest estimates for Leederville Gardens Inc Surplus Trust were not included in the 2017/18 Budget as actual interest earned is held in Trust and restricted.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The power to invest is governed by the *Local Government Act 1995*.

6.14. Power to invest

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.*
- (2A) *A local government is to comply with the regulations when investing money referred to in subsection (1).*
- (2) *Regulations in relation to investments by local governments may —*
 - (a) *make provision in respect of the investment of money referred to in subsection (1); and*
 - [(b) *deleted*]
 - (c) *prescribe circumstances in which a local government is required to invest money held by it; and*
 - (d) *provide for the application of investment earnings; and*
 - (e) *generally provide for the management of those investments.*

Further controls are established through the following provisions in the Local Government (Financial Management) Regulations 1996:

19. Investments, control procedures for

- (1) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
- (2) *The control procedures are to enable the identification of —*
 - (a) *the nature and location of all investments; and*
 - (b) *the transactions related to each investment.*

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

- (1) *In this regulation —*
authorised institution means —
 - (a) *an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
 - (b) *the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;***foreign currency** means a currency except the currency of Australia.
- (2) *When investing money under section 6.14(1), a local government may not do any of the following —*
 - (a) *deposit with an institution except an authorised institution;*
 - (b) *deposit for a fixed term of more than 3 years;*

- (c) *invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
- (d) *invest in bonds with a term to maturity of more than 3 years;*
- (e) *invest in a foreign currency.*

To further guide the prudent and responsible investment of the City's funds, Council has adopted the City's Investment Policy No. 1.2.4, which delegates the authority to invest surplus funds to the Chief Executive Officer or his delegate.

Administration has established guidelines for the management of the City's investments. It is of note that a review of the Guidelines and Policy Procedures supporting the City's Investment function has been undertaken in November 2017 to increase the maximum direct investments within the A1 category from 20% to 25% for a single institution, and A2 category from 10% to 20% for a single institution, and from 20% to 60% for the category as per following ratings table.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum % with any one institution		Managed Funds Maximum % with any one institution		Maximum % of Total Portfolio	
	Policy	Actual	Policy	Actual	Policy	Actual
A1+	30%	27.4%	30%	Nil	90%	55.3%
A1	25%	0.0%	30%	Nil	80%	0.0%
A2	20%	16.5%	n/a	Nil	60%	44.7%

*As per subtotals on **Attachment 1**

RISK MANAGEMENT IMPLICATIONS:

Moderate: Funds are invested with various financial institutions with high Long Term and Short Term Rating (Standard & Poor's or equivalent), obtaining more than three quotations for each investment. These investment funds are spread across various institutions and invested as Term Deposits from one to twelve months to reduce risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's Strategic Plan 2013-2023:

"4.1 Provide good strategic decision-making, governance, leadership and professional management:

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

- (a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details and comments section of the report. Overall the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the accountability of management.

COMMENTS:

The funds for investment have decreased from the previous period due to excess of payments to creditors and other expenditures over cash receipts, which is the expected seasonal cash flow.

The City has obtained a weighted average interest rate of 2.58% for current investments including the operating account; and 2.64% excluding the operating account. The Reserve Bank 90 days Accepted Bill rate for December 2017 is 1.77%.

As at 31 December 2017, the City's total investment earnings excluding the Leederville Gardens Inc. Surplus Trust income exceed the year to date budget estimate by \$26,173 (7.58%).

In response to the amendment to the City's Investment Policy that provided preference "*is to be given to investments with institutions that have been assessed to have no current record of funding fossil fuels, providing that doing so will secure a rate of return that is at least equal to alternatives offered by other institutions*", Administration has actively sought investment offerings from relevant institutions.

It is of note that in September 2017, the City added Bank Australia Ltd to the list of non-fossil fuel lending institutions utilised and further funds were invested with them during this reporting period. As a result, 60.4% of the City's investments were held in non-fossil fuel lending institutions as at 31 December 2017.

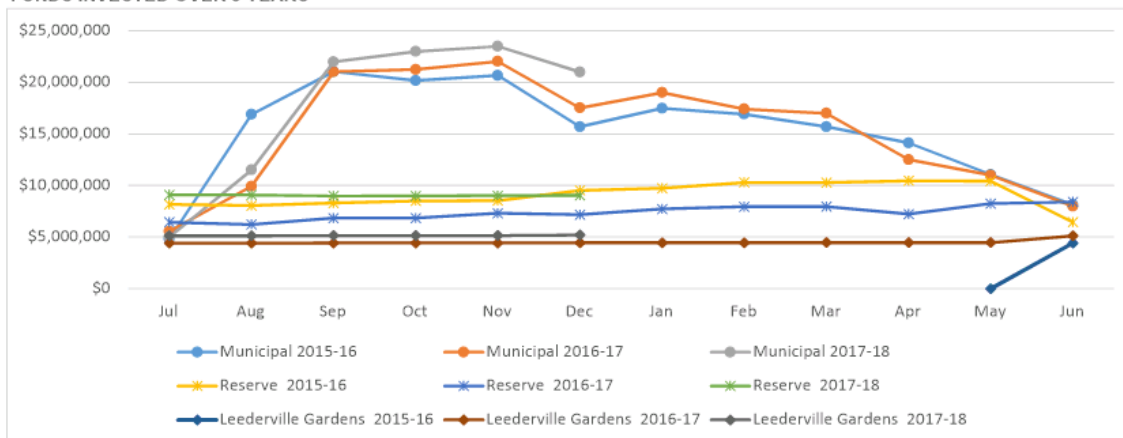
The investment report (**Attachment 1**) consists of:

- Investment Performance & Policy Compliance Charts;
- Investment Portfolio;
- Investment Interest Earnings; and
- Current Investment Holding.

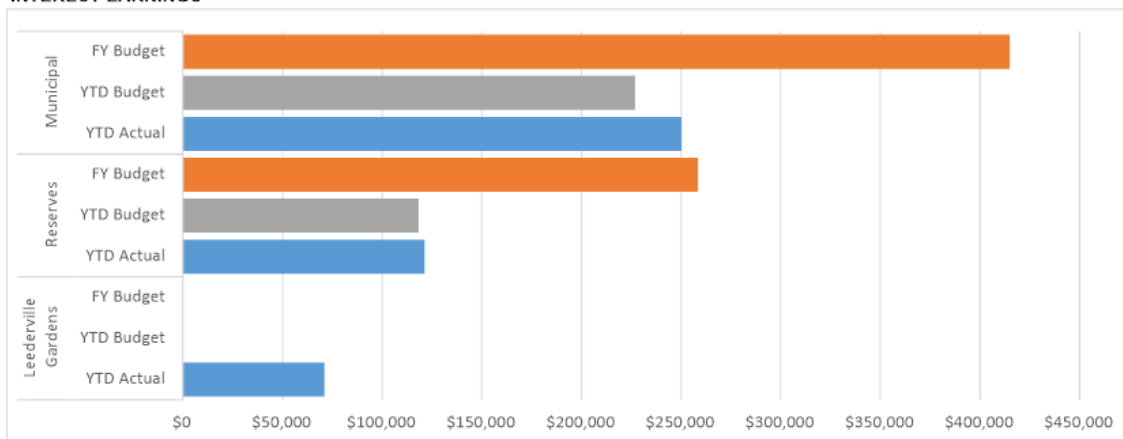
**CITY OF VINCENT
INVESTMENT PERFORMANCE
AS AT 31 DECEMBER 2017**



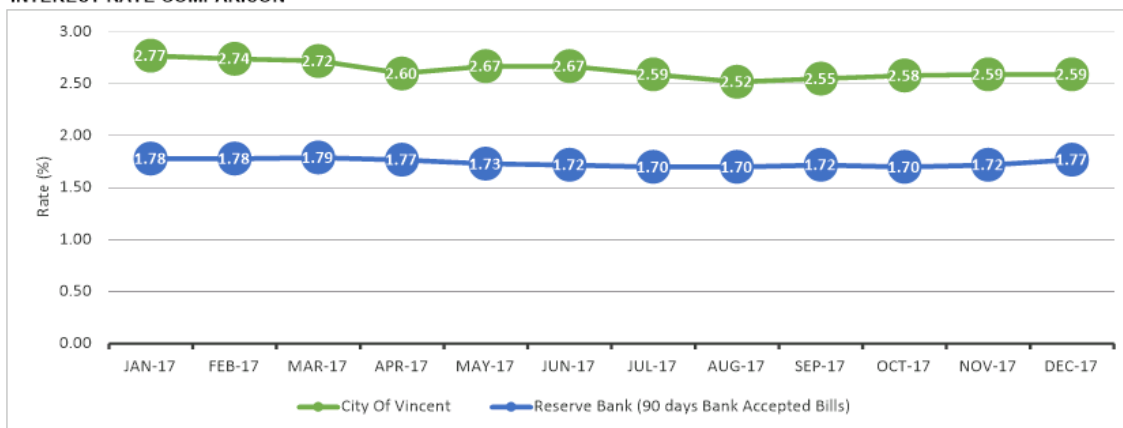
FUNDS INVESTED OVER 3 YEARS



INTEREST EARNINGS



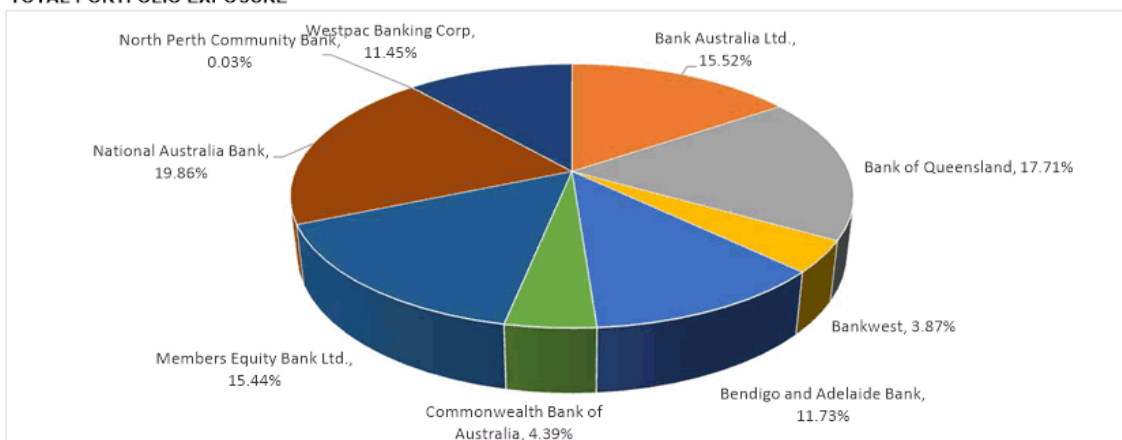
INTEREST RATE COMPARISON



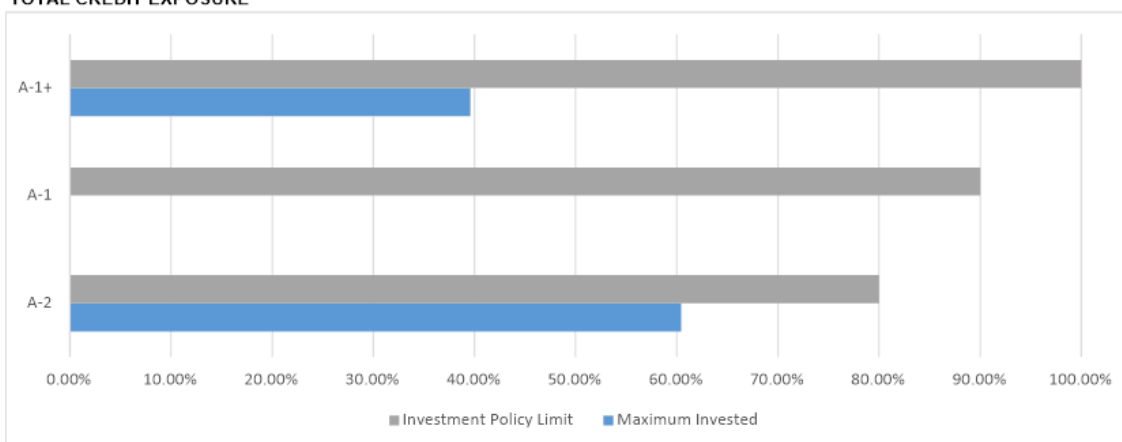
**CITY OF VINCENT
INVESTMENT POLICY COMPLIANCE
AS AT 31 DECEMBER 2017**



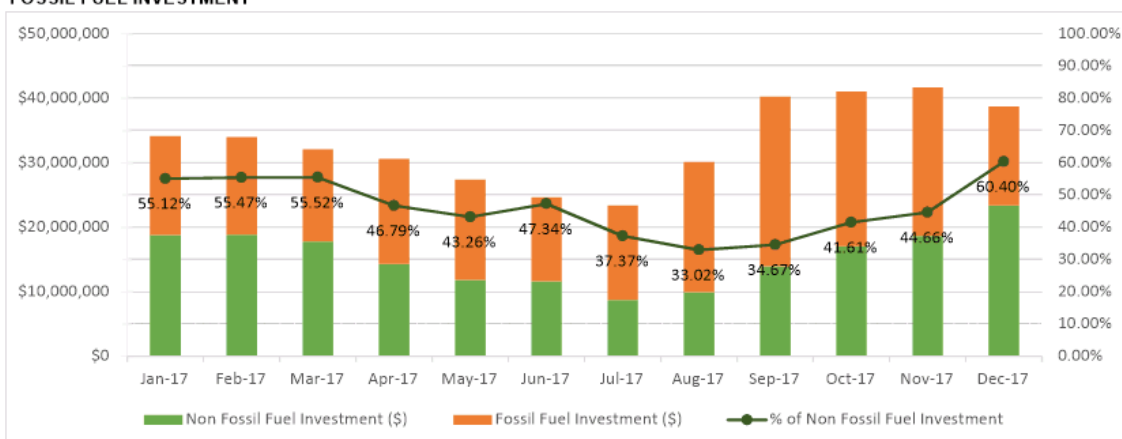
TOTAL PORTFOLIO EXPOSURE



TOTAL CREDIT EXPOSURE



FOSSIL FUEL INVESTMENT



**CITY OF VINCENT
INVESTMENT PORTFOLIO
AS AT 31 DECEMBER 2017**



	Municipal	Reserve	Trust	Leederville Gardens Inc Surplus Trust	Total	Total
	\$	\$	\$	\$	\$	%
BY INVESTMENT HOLDINGS						
Operating Accounts	1,482,270	62,340	158,085	0	1,702,695	4.4%
Term Deposits	21,000,000	9,047,290	1,800,000	5,207,099	37,054,389	95.6%
Shares	11,000	0	0	0	11,000	0.0%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%
BY INSTITUTION						
ANZ Banking Group	0	0	0	0	0	0.0%
Bank Australia Ltd.	5,500,000	516,398	0	0	6,016,398	15.5%
Bank of Queensland	4,500,000	2,365,651	0	0	6,865,651	17.7%
Bankwest	1,500,000	0	0	0	1,500,000	3.9%
Bendigo and Adelaide Bank	0	3,165,044	0	1,381,783	4,546,827	11.7%
Commonwealth Bank of Australia	1,482,270	62,340	158,085	0	1,702,695	4.4%
Members Equity Bank Ltd.	1,500,000	1,462,760	1,000,000	2,023,063	5,985,823	15.4%
National Australia Bank	7,500,000	200,000	0	0	7,700,000	19.9%
North Perth Community Bank	11,000	0	0	0	11,000	0.0%
Suncorp-Metway Ltd.	0	0	0	0	0	0.0%
Westpac Banking Corp	500,000	1,337,437	800,000	1,802,253	4,439,690	11.5%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%
BY CREDIT RATINGS (SHORT-TERM ISSUE)						
A-1+	10,982,270	1,599,777	958,085	1,802,253	15,342,385	39.6%
A-1	0	0	0	0	0	0.0%
A-2	11,511,000	7,509,853	1,000,000	3,404,846	23,425,699	60.4%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%
BY TERMS						
0-30 days	1,482,270	62,340	158,085	0	1,702,695	4.4%
31-90 days	0	0	0	0	0	0.0%
91-180 days	14,500,000	0	0	0	14,500,000	37.4%
181-270 days	6,500,000	0	500,000	0	7,000,000	18.1%
270-365 days	0	9,047,290	1,300,000	3,825,316	14,172,606	36.6%
> 1 year	11,000	0	0	1,381,783	1,392,783	3.6%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%
BY MATURITY						
0-30 days	4,482,270	762,340	158,085	0	5,402,695	13.9%
31-90 days	8,000,000	2,389,933	1,000,000	756,707	12,146,640	31.3%
91-180 days	10,000,000	1,936,773	300,000	1,381,783	13,618,556	35.1%
181-270 days	0	1,929,507	500,000	1,045,546	3,475,053	9.0%
270-365 days	0	2,091,077	0	2,023,063	4,114,140	10.6%
> 1 year	11,000	0	0	0	11,000	0.0%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%
BY FOSSIL FUEL EXPOSURE						
Fossil Fuel Lending	10,993,270	1,599,777	958,085	1,802,253	15,353,385	39.6%
Non Fossil Fuel Lending	11,500,000	7,509,853	1,000,000	3,404,846	23,414,699	60.4%
	22,493,270	9,109,630	1,958,085	5,207,099	38,768,084	100.0%

**CITY OF VINCENT
INVESTMENT INTEREST EARNINGS
AS AT 31 DECEMBER 2017**



	YTD 31/12/2017 \$	YTD 31/12/2016 \$	FY 2017/18 \$	FY 2016/17 \$
MUNICIPAL FUNDS				
Budget	226,950	228,000	414,960	436,000
Interest Earnings	250,149	256,362	250,149	486,092
% Income to Budget	110.22%	112.44%	60.28%	111.49%
RESERVE FUNDS				
Budget	118,280	90,000	258,420	206,000
Interest Earnings	121,254	97,971	121,254	205,608
% Income to Budget	102.51%	108.86%	46.92%	99.81%
LEEDERVILLE GARDENS INC SURPLUS TRUST				
Budget	0	0	0	0
Interest Earnings	70,897	66,612	70,897	140,391
% Income to Budget	0.00%	0.00%	0.00%	0.00%
TOTAL				
Budget	345,230	318,000	673,380	642,000
Interest Earnings	442,300	420,945	442,300	832,091
% Income to Budget	128.12%	132.37%	65.68%	129.61%
Variance	97,070	102,945		190,091
% Variance to Budget	28.12%	32.37%		29.61%
TOTAL (EXCL. LEEDERVILLE GARDENS INC SURPLUS TRUST)				
Budget	345,230	318,000	673,380	642,000
Interest Earnings	371,403	354,333	371,403	691,700
% Income to Budget	107.58%	111.43%	55.16%	107.74%
Variance	26,173	36,333		49,700
% Variance to Budget	7.58%	11.43%		7.74%

**CITY OF VINCENT
CURRENT INVESTMENT HOLDING
AS AT 31 DECEMBER 2017**



Funds	Institution	Investment Date	Maturity Date	Term	Interest Rate	Principal \$
OPERATING ACCOUNTS						
Municipal	Commonwealth Bank of Australia					1,482,270
Reserve	Commonwealth Bank of Australia					62,340
Trust	Commonwealth Bank of Australia					158,085
Total Operating Funds						1,702,695

SHARES

Municipal	North Perth Community Bank	23/11/2001				11,000
Total Shares						11,000

TERM DEPOSITS

Reserve	Members Equity Bank Ltd.	10/01/2017	08/01/2018	363	2.80%	700,000
Municipal	National Australia Bank	14/09/2017	08/01/2018	116	2.53%	500,000
Municipal	National Australia Bank	14/09/2017	15/01/2018	123	2.53%	1,000,000
Municipal	National Australia Bank	14/09/2017	22/01/2018	130	2.54%	500,000
Municipal	National Australia Bank	14/09/2017	29/01/2018	137	2.54%	1,000,000
Reserve	Bendigo and Adelaide Bank	07/02/2017	05/02/2018	363	2.80%	500,000
Reserve	National Australia Bank	07/02/2017	05/02/2018	363	2.62%	200,000
Reserve	Westpac Banking Corp	09/03/2017	05/02/2018	333	2.80%	640,611
Municipal	National Australia Bank	14/09/2017	05/02/2018	144	2.54%	500,000
Reserve	Bank of Queensland	11/05/2017	12/02/2018	277	2.65%	524,661
Municipal	Members Equity Bank Ltd.	14/09/2017	12/02/2018	151	2.55%	1,000,000
Municipal	National Australia Bank	22/09/2017	19/02/2018	150	2.56%	500,000
Municipal	National Australia Bank	22/09/2017	26/02/2018	157	2.56%	1,000,000
Leederville Gardens In	Westpac Banking Corp	07/03/2017	01/03/2018	359	2.78%	756,707
Trust	Westpac Banking Corp	09/03/2017	06/03/2018	362	2.81%	500,000
Municipal	National Australia Bank	03/10/2017	06/03/2018	154	2.56%	500,000
Reserve	Bank of Queensland	11/05/2017	12/03/2018	305	2.65%	524,661
Trust	Members Equity Bank Ltd.	13/06/2017	13/03/2018	273	2.66%	500,000
Municipal	National Australia Bank	28/09/2017	13/03/2018	166	2.57%	1,000,000
Municipal	Bank of Queensland	14/09/2017	19/03/2018	186	2.55%	2,500,000
Municipal	National Australia Bank	10/10/2017	26/03/2018	167	2.55%	1,000,000
Municipal	Westpac Banking Corp	03/10/2017	03/04/2018	182	2.69%	500,000
Reserve	Bendigo and Adelaide Bank	11/05/2017	09/04/2018	333	2.65%	524,661
Municipal	Bank of Queensland	18/10/2017	09/04/2018	173	2.60%	1,000,000
Municipal	Bank Australia Ltd.	31/10/2017	16/04/2018	167	2.70%	500,000
Municipal	Bank of Queensland	18/10/2017	23/04/2018	187	2.60%	1,000,000
Municipal	Bank Australia Ltd.	09/11/2017	30/04/2018	172	2.70%	500,000
Reserve	Bendigo and Adelaide Bank	07/06/2017	07/05/2018	334	2.65%	715,286
Municipal	Bank Australia Ltd.	03/11/2017	07/05/2018	185	2.70%	1,000,000
Municipal	Bank Australia Ltd.	17/11/2017	14/05/2018	178	2.70%	500,000
Municipal	Bank Australia Ltd.	09/11/2017	21/05/2018	193	2.70%	1,000,000
Municipal	Members Equity Bank Ltd.	17/11/2017	28/05/2018	192	2.62%	500,000
Trust	Westpac Banking Corp	06/09/2017	04/06/2018	271	2.72%	300,000
Municipal	Bankwest	22/12/2017	05/06/2018	165	2.55%	1,000,000
Leederville Gardens In	Bendigo and Adelaide Bank	07/06/2017	12/06/2018	370	2.75%	1,381,783
Reserve	Bank of Queensland	25/07/2017	12/06/2018	322	2.70%	696,825
Municipal	Bankwest	22/12/2017	12/06/2018	172	2.55%	500,000
Municipal	Bank Australia Ltd.	22/12/2017	18/06/2018	178	2.70%	2,000,000
Reserve	Westpac Banking Corp	25/07/2017	10/07/2018	350	2.73%	696,825
Reserve	Bendigo and Adelaide Bank	08/08/2017	06/08/2018	363	2.70%	716,283
Trust	Members Equity Bank Ltd.	14/12/2017	03/09/2018	263	2.62%	500,000
Leederville Gardens In	Westpac Banking Corp	06/09/2017	06/09/2018	365	2.77%	1,045,546

**CITY OF VINCENT
CURRENT INVESTMENT HOLDING
AS AT 31 DECEMBER 2017**



Funds	Institution	Investment Date	Maturity Date	Term	Interest Rate	Principal \$
Reserve	Bank Australia Ltd.	14/09/2017	10/09/2018	361	2.80%	516,398
Reserve	Bank of Queensland	10/10/2017	09/10/2018	364	2.60%	619,503
Reserve	Bendigo and Adelaide Bank	09/11/2017	06/11/2018	362	2.65%	708,814
Leederville Gardens In Members Equity Bank Ltd.		14/12/2017	03/12/2018	354	2.61%	2,023,062
Reserve	Members Equity Bank Ltd.	14/12/2017	10/12/2018	361	2.61%	762,760
Total Term Deposits						37,054,389
Total Investment						38,768,084

11.3 ADOPTION OF THE STANDING ORDERS AMENDMENT LOCAL LAW 2017

TRIM Ref: D17/161061

Author: Tim Evans, Manager Governance and Risk

Authoriser: John Paton, Director Corporate Services

Attachments:

1. Standing Orders Amendment Local Law 2017 - version for the government gazette [!\[\]\(c694a3ff3b077d76910920a6a1593ab4_img.jpg\)](#) [!\[\]\(42fc53a13f008e5bbf67aee5111990a5_img.jpg\)](#)
2. Standing Orders Amendment Local Law 2017 - tracked changes version [!\[\]\(ca145749a3d75a63aab95bf2007ac277_img.jpg\)](#) [!\[\]\(02c4673a215180b499fc79dccc80dd29_img.jpg\)](#)
3. Consolidated Meeting Procedures Local Law 2008 - tracked changes version [!\[\]\(cebf350717b10b761f7a70f0ef3d3565_img.jpg\)](#) [!\[\]\(799ff5f02c209098fee6150e3037f9d6_img.jpg\)](#)
4. Standing Orders Amendment Local Law 2017 - Summary of Submissions [!\[\]\(a208dddb31f53867d2aa7a3324b86e19_img.jpg\)](#) [!\[\]\(d9aedababfd0b62dca8bd598d48e2d3b_img.jpg\)](#)

RECOMMENDATION:

That Council:

1. MAKES BY ABSOLUTE MAJORITY, in accordance with section 3.12(4) of the *Local Government Act 1995*, the *City of Vincent Standing Orders Amendment Local Law 2017* included as Attachment 1;
2. NOTES the purpose and effect of the local law as:

Purpose

The purpose of the Standing Orders Amendment Local Law 2017 is to make a number of minor amendments to the principal City of Vincent Standing Orders Local Law 2008 to allow for the orderly conduct of Council meetings;

Effect

The effect of the Standing Orders Amendment Local Law 2017 is to rename the Standing Orders Local Law 2008 to become the Meeting Procedures Local Law 2008 and to make minor amendments to the procedures for conducting Council meetings;

3. NOTES:
 - 3.1 the minor amendments to the version of the Standing Orders Amendment Local Law 2017 that was advertised for public comment;
 - 3.2 that Administration will publish the *Standing Orders Amendment Local Law 2017* in the *Government Gazette* in accordance with s3.12(5) of the *Local Government Act 1995* noting that a copy will be sent to the Minister for Local Government; Heritage; Culture and the Arts;
 - 3.3 that Administration will give local public notice, in accordance with s3.12(6) of the *Local Government Act 1995*; and
 - 3.4 that following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer will be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

PURPOSE OF REPORT:

To consider the submission received as a result of the public comment period on the proposed Standing Orders Amendment Local Law 2017 and to adopt the proposed local law.

BACKGROUND:

At its Ordinary Meeting held on 19 September 2017, Council approved the City of Vincent Standing Orders Amendment Local Law 2017, for the purposes of public comment.

The purpose of the Standing Orders Amendment Local Law 2017 is to make a number of minor amendments to the principal City of Vincent Standing Orders Local Law 2008 to allow for the orderly conduct of meetings of Council meetings. The effect of the Standing Orders Amendment Local Law 2017 is to rename the Standing Orders Local Law 2008 to become the Meeting Procedures Local Law 2008 and to make minor amendments to the procedures for conducting Council meetings.

DETAILS:

The Standing Orders Amendment Local Law 2017 amends the principal local law which is the Standing Orders Local Law 2008. Significantly, the title of the Standing Orders Local Law 2008 is amended so that it becomes the Meeting Procedures Local Law 2008. An administrative version of the consolidated Meeting Procedures Local Law 2008 is included as **Attachment 3**. The following is a summary of the changes that will result through the adoption of the proposed Standing Orders Amendment Local Law 2017:

Item #	Proposed Change	Reason
Name	The name of the local law will be amended from "Standing Orders" to "Meeting Procedures"	It is considered that the name change will make the law more recognisable and accessible to the general public.
N/A	The term "Council Member" is proposed to be used in place of "Councillor" as appropriate.	To align with the nomenclature in general use by the City of Vincent.
1.6	The definition of "Presiding Member" will be amended so that it matches the definition of "Presiding Member" in the WALGA model local law.	To align with standard industry practice.
1.6	The definition of "document" will be amended so that it matches the definition of "document" in the FOI Act.	To align with current legislation.
1.6	It is proposed to standardise the definitions so that defined words are not capitalised unless they are names or proper nouns. ("agenda", "closed doors", "document", "employee").	To align with standard industry practice.
2.2(1)(b)	Clause 2.2(1)(b) - which is a requirement to sign the notice of meeting, will be deleted	It is considered that the need for notice papers to be physically signed is no longer necessary.
2.2(1)(e)	Remove references to delivering agendas by physical post.	It is no longer considered necessary to post hard copies of meeting papers.
2.3	Include a requirement for the City to post meeting notice papers on its website.	The City's website is overwhelmingly the place where people visit to access this information.
2.8(5)	In the order of business, state that "confidential items" will be considered at the end and minor rephrasing.	To align the local law with current practice.
2.9(1)	It is proposed to remove the requirement to provide leave of absence applications at least one hour before the commencement of the meeting.	The clause is not considered necessary.
2.16	It is proposed to recognise that Council Meetings are web streamed and also give the power to the Presiding Member to decide to stop or start the web stream.	Aligns the Standing Orders with the City's adopted position on web streaming Council Meetings.
2.18(6)	It is proposed to remove the requirement to "bind" or paste the minutes or to keep a "minutes book".	This clause is no longer considered necessary. Minutes will be kept in line with normal recordkeeping practice for any other permanent record.

2.19(6)(a)	The requirement to state a person's address will be replaced by a requirement to state their suburb of residence or the location of a business that they are representing.	To better protect the privacy of members of the public.
2.19(6)(c)	Clarify that each person can only speak once during public question time.	To align the local law with current practice.
2.19(9)	Preclude a list of written questions from being considered as being "asked" during public question time.	To clarify the intent of the local law in relation to the process for asking questions at Council Meetings.
2.22	Extend the power to approve deputations to "the Mayor or presiding member" rather than simply "the Mayor"	To cater for circumstances where the Mayor may be absent and unable to preside.
2.24(5)	Include a requirement for the CEO to nominate an officer who will be responsible for dealing with the petition.	To formalise and clarify the process for having petitions dealt with by the organisation.
5.2(3)	Allow for the possibility of electronic voting.	To provide future options for using voting technology at Council Meetings.
6.1	Delete reference to clause 3.6.4 which does not exist.	To amend an error in the local law.
8.10 and 8.11	Delete explicit prohibitions on alcohol consumption and smoking.	The clause is no longer considered necessary as smoking and alcohol consumption are already prohibited under other legislation and the City's code of conduct.
9.79(2)	Addition of power for the presiding member to require a person to "be seated".	To increase the powers of the presiding member to deal with unruly behaviour.
12.9	It is proposed to include recognition of "Council Briefings" and remove "forums".	To align the local law with current practice.

CONSULTATION/ADVERTISING:

Public notice of the proposed City of Vincent Standing Orders Amendment Local Law 2017 was given in accordance with sections 3.12(3)(a) and (3a) of the *Local Government Act 1995*. Accordingly, advertisements were placed on the City's website, in *The West Australian* on 11 October 2017, *The Perth Voice* on 14 October 2017 and *The Guardian Express* on 17 October 2017 as well as posted on the City's notice boards and publicised on social media. In addition a letter was also sent to the Department of Local Government, Sport and Cultural Industries ("the Department") requesting feedback.

The submission period closed on 9 December 2017 with one submission being received. A summary of the submission along with Administration's comments is included in **Attachment 4**. In total the submission suggested a total of 18 minor amendments to the local law of which five are supported or partially supported by Administration. These have resulted in three proposed minor amendments to the advertised draft local law which as follows:

- Inclusion of a requirement for the City to publish the agenda (notice paper) on its website;
- Rephrasing of the words in clause 2.8(5) to improve clarity;
- Extension of the power to approve deputations to "the Mayor or presiding member" rather than simply "the Mayor"; and

The Department provided feedback with respect to the form of the Standing Orders Amendment Local Law 2017 which has also resulted in Administration making a number of minor amendments to the version of the local law that was advertised. The changes were administrative in nature and have resulted in several minor changes to the proposed Standing Orders Amendment Local Law 2017. None of the amendments alter the effect of the principal local law.

LEGAL/POLICY:

Section 3.12 of the *Local Government Act 1995* sets out the procedural requirements for the making of a local law:

"3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner."*
- (3) The local government is to —*
 - (a) give Statewide public notice stating that —*
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) After the local law has been published in the Gazette the local government is to give local public notice*
 - (a) stating the title of the local law; and*
 - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law."*

RISK MANAGEMENT IMPLICATIONS:

Low: It is not considered that the adoption of the Standing Orders Amendment Local Law 2017 will have a significant effect on the City's risk profile.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Plan for the Future – Strategic Community Plan 2013 – 2023* – the following Objectives state:

'4.1: Provide good strategic decision-making, governance, leadership and professional management.

4.1.5 Focus on stakeholder needs, values, engagement and involvement.'

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

There are nominal costs associated with making the local law, including advertising and Gazettal which can be expended from the City's operating budget.

COMMENTS:

The proposed changes are primarily minor in nature and are largely adequately explained in the table in the "DETAILS" section of this report. However, the sections below provide further comment on several particular amendments in order to clarify the reasons behind these proposals.

Change of Name of the Local Law

Administration has consulted with the Department of Local Government, Sport and Cultural Industries in relation to the proposed change of name of the local law and whether it was preferable to change the name through an amendment or by repealing the current local law and making a new one. The advice received was that while both options were appropriate, an amendment was considered to be preferable in all instances where there was not considerable redrafting of sections of the law, such as in this case. Amendment local laws are considered to be easier to adopt because with any amendment local law, only the items that are being changed (3 pages) are considered and assessed by the Joint Standing Committee for Delegated Legislation. If a new local law was made, the entire new local law (44 pages) would be assessed. This would also have an impact on the fees charged to the City to gazette the local law which are related to its length.

Requirement to State Address

The requirement for a person to state their name and address when addressing Council has long been standard practice in local government. Administration notes that in the past decade there has been a change in expectations around the level of privacy of people's personal information, which has been brought to the fore by the new paradigm of accessibility to information made available via the web. In light of these changing expectations, Administration considers that the public interest in soliciting and recording the address of people who ask public questions no longer outweighs the privacy concerns of a number of members of the public and may act as a barrier to public participation at Council meetings. Consequently, it is proposed to amend this section of the local law and require only that a person must state their name and the suburb in which they reside.

Recognition of Council Briefings

Council at its meeting on 4 November 2014 resolved to move to a monthly meeting cycle in 2015, comprising monthly Council Briefings and Council Meetings. Council Briefings occur on the Tuesday of the week prior to the Ordinary Council Meeting and provide Council Members with the opportunity to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week. The Council Briefing is not a decision-making forum and the Council has no power to make decisions at the Council Briefing. To date, Council Briefings have not been covered by the Standing Orders Local Law 2008. However, the City invariably holds public question time at the start of the meeting and follows the practice of declaring any interests relating to items on the agenda. It is proposed that these practices be formalised by amending the local law to stipulate that these sections of the local law apply to Council Briefings.

Recognition of Web Streaming

At its meeting on 7 March 2017, Council resolved to commence web streaming of Council Meetings and Briefing Sessions in order to improve the transparency and public access to the decision making process. Live streaming was implemented from the 30 May 2017 meeting onwards. Minor amendments to the local law have been proposed, to recognise Council's decision in relation to web streaming and the role that it plays in the conduct of Council meetings. It also clarifies powers of the Presiding Member and Council to stop and start web streaming during the meeting.

LOCAL GOVERNMENT ACT 1995*City of Vincent*

Standing Orders Amendment Local Law 2017

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on 6 February 2018 to make the following local law:

1. Citation

This local law may be cited as the *City of Vincent Standing Orders Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Standing Orders Local Law 2008* published in the *Government Gazette* on 14 October 2008 and amended as published in the *Government Gazette* on 5 July 2013, is referred to as the principal local law. The principal local law is amended.

4. Title

In the title of the principal local law delete "Standing Orders" and insert "Meeting Procedures".

5. General

Wherever it appears, delete "Standing Orders" and insert "Meeting Procedures".

6. Citation

In clause 1.1 of the principal local law after subclause (2) insert-

"(3) This local law was previously cited as the *"City of Vincent Standing Orders Local Law 2008"* until it was amended by the *"City of Vincent Standing Orders Amendment Local Law 2017"*.

7. Table of Contents

In the table of contents —

- (a) delete clause 2.16 and insert:
"2.16 Recording and web streaming of proceedings";
- (b) delete clauses 8.10, 8.11 and 8.12 and insert:
"8.10 Mobile phones and audible electronic devices";
- (c) delete clause 12.9 and insert:
"12.9 Council Briefings".

8. Clause 1.6 amended

In clause 1.6 —

- (a) delete ""**Agenda**"" and insert ""**agenda**"";
- (b) delete the definition of "**document**" and insert-
" "**document**" means a document as prescribed in the *Freedom of Information Act 1992*;"

- (c) delete the definition of "**Minor Amendment**";
- (d) delete the definition of "**notice paper**" and insert-
" "**notice paper**" in relation to any proposed meeting means a paper setting out the terms of business to be transacted at the meeting and the order of that business. The notice calling a special meeting may stand as the notice paper for that meeting;"
- (e) delete the definition of "**presiding member**" and insert-
"**presiding member**" means:
 - (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
 - (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;"

9. Clause 2.1 amended

In clause 2.1 delete "Councillor" and insert "Council Member".

10. Clause 2.2 amended

Delete clause 2.2(1) and insert -

- "(1) Notice of ordinary meetings of the Council are to:-
- (a) be given to members in writing;
 - (b) state the place, date and hour of the meeting;
 - (c) state the business to be transacted; and
 - (d) be transmitted by electronic mail, together with an agenda at least seventy-two (72) hours before the time of the commencement of the meeting."

11. Clause 2.3 amended

In clause 2.3 after the word "Regulations" insert " and on the City's website";

12. Clause 2.5 amended

In clause 2.5(4) -

- (a) After the words "transacted at a" delete "Special" and insert "special";
- (b) After the words "which the" delete "Special" and insert "special".

13. Clause 2.6 amended

In clause 2.6(3) -

- (a) Delete "Special" and insert "special".

14. Clause 2.8 amended

In clause 2.8 -

- (a) In clause 2.8(5) delete "new order in which they are raised and include;" and insert "following order:"
- (b) After subclause (5)(c) insert -
"(d) items which are marked "confidential" and are to be considered "behind closed doors"."

15. Clause 2.9 amended

In clause 2.9(1) delete "at least one (1) hour";

16. Clause 2.16 amended

Delete clause 2.16 and insert-

"2.16 Recording and web streaming of proceedings

- (1) No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee, unless the person has been given prior permission by the Council.
- (2) Subclause (1) does not apply if the recording is taken by or at the direction of the CEO, with the permission of the Council or committee.
- (3) Wherever a meeting is open to the public, the Council may make the proceedings of the Council available to members of the public via web streaming.
- (4) The presiding member may decide to stop or start web streaming at any time during the Council meeting."

17. Clause 2.18 amended

In clause 2.18, delete subclause (6).

18. Clause 2.19 amended

- (1) Delete clauses 2.19(1) and 2.19(2);
- (2) Renumber clause 2.19(4) as 2.19(1);
- (3) Renumber clause 2.19(3) as 2.19(2);
- (2) In clause 2.19(6)(a), delete "address" and insert "the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located";
- (3) In clause 2.19(6)(c) after "three (3) minutes" insert "and each person may only speak once";
- (4) Renumber clauses 2.19(5) to 2.19(9) as 2.19(3) to 2.19(7) respectively;
- (5) In clause 2.19 after subclause (7) insert -
"(8) Notwithstanding clause 2.19(4)(c), additional written questions not asked in the time allocated may be submitted in writing to the CEO and will be treated as correspondence."

19. Clause 2.22 amended

- (1) In clause 2.22(1) delete "the committee";
- (2) In clause 2.22(2) after "Mayor" insert " or presiding member".

20. Clause 2.24 amended

- (1) In clause 2.24(1)(g)(iv) delete "councillors" and insert "Council Members".
- (2) In clause 2.24 after subclause (4) insert -
"(5) Once Council has resolved that a petition be received pursuant to clause (4)(a) or (4)(b), the CEO shall nominate an officer who will be responsible for dealing with the petition."

21. Clause 3.2 amended

- (1) In clause 3.2, where it appears delete "Councillor" and insert "Council Member";
- (2) In clause 3.2 delete "Councillors" and insert "Council Members".

22. Clause 5.2 amended

Delete clause 5.2(3) and insert-

"(3) The result of voting openly is determined by a method such as on the count of raised hands or through electronic voting that enables a record to be taken of each member's vote."

23. Clause 8.10 amended

Delete clause 8.10.

24. Clause 8.11 amended

Delete clause 8.11.

25. Clause 8.12 amended

Renumber clause 8.12 as 8.10.

26. Clause 9.7 amended

In clause 9.7(2) after the words "member to" insert " be seated or to".

27. Clause 9.8 amended

In clause 9.8, wherever it appears delete "Councillor" and insert "Council Member".

28. Part 12 amended

Delete "PART 12 - COMMITTEES AND FORUMS" and insert-

"PART 12 - COMMITTEES AND COUNCIL BRIEFINGS".

29. Clause 12.9 amended

Delete clause 12.9 and insert-

"12.9 Council Briefings

- (1) Council Briefings may be held to provide Council Members with the opportunity to ask questions and clarify issues relevant to the agenda items due to be presented to the following Ordinary Council Meeting.
- (2) Clause 2.17 of these Meeting Procedures shall apply to Council Briefings.
- (3) Clause 2.19 of these Meeting Procedures shall apply to Council Briefings, but questions shall only relate directly to items listed on the agenda.
- (4) Council may prescribe procedures for the management of Council Briefings."

30. Clause 13.1 amended

In clause 13.1(1) delete "Employee" and insert "employee".

Dated:

The Common Seal of)

The City of Vincent was)

affixed in the presence of:)

Emma Cole
MAYOR

Len Kosova
CHIEF EXECUTIVE OFFICER

LOCAL GOVERNMENT ACT 1995*City of Vincent*

Standing Orders Amendment Local Law 2017

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on ~~<insert date>~~ 6 February 2018 to make the following local law:

1. Citation

This local law may be cited as the *City of Vincent Standing Orders Amendment Local Law 2017*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Standing Orders Local Law 2008* published in the *Government Gazette* on 14 October 2008 and amended as published in the *Government Gazette* on 5 July 2013, is referred to as the principal local law. The principal local law is amended.

4. Title

In the title of the principal local law delete "Standing Orders" and insert "Meeting Procedures".

5. General

Wherever it appears, delete "Standing Orders" and insert "Meeting Procedures".

6. Citation

In ~~the citation~~ clause 1.1 of the principal local law after subclause (2) insert-

"(3) This local law was previously cited as the "*City of Vincent Standing Orders Local Law 2008*" until it was amended by the "*City of Vincent Standing Orders Amendment Local Law 2017*".

6.7. Table of Contents

In the table of contents —

- (a) delete clause 2.16 and insert:
"2.16 Recording and web streaming of proceedings";
- (b) delete clauses 8.10, 8.11 and 8.12 and insert:
"8.10 Mobile phones and audible electronic devices";
- (c) delete clause 12.9 and insert:
"12.9 Council Briefings".

7.8. Clause 1.6 amended

In clause 1.6 —

- (a) delete ""**Agenda**"" and insert ""**agenda**"";
- ~~(b) delete ""**Closed Doors**"" and insert ""**closed Doors**"";~~
- ~~(c) delete ""**Committee**"" and insert ""**committee**"";~~

(bd) delete the definition of "**Committeedocument**" and insert-

" "**document**" means a document as prescribed in the *Freedom of Information Act 1992*;"

~~(e) delete ""Employee"" and insert ""employee "";~~

(cf) delete the definition of "**Minor Amendment**";

(dg) delete the definition of "**notice paper**" and insert-

" "**notice paper**" in relation to any proposed meeting means a paper setting out the terms of business to be transacted at the meeting and the order of that business. The notice calling a special meeting may stand as the notice paper for that meeting;"

(eh) delete the definition of ""**presiding member**"" and insert-

""**presiding member**" means:

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;"

8.9. Clause 2.1 amended

In clause 2.1 delete "Councillor" and insert "Council Member".

9.10. Clause 2.2 amended

Delete clause 2.2(1) and insert -

"(1) Notice of ordinary meetings of the Council are to:-

- (a) be given to members in writing;
- (b) state the place, date and hour of the meeting;
- (c) state the business to be transacted; and
- (d) be transmitted by electronic mail, together with an agenda at least seventy-two (72) hours before the time of the commencement of the meeting."

11. Clause 2.3 amended

In clause 2.3 after the word "Regulations" insert " and on the City's website".

10.12. Clause 2.5 amended

In clause 2.5(4) -

- (a) After the words "transacted at a" delete "Special" and insert "special";
- (b) After the words "which the" delete "Special" and insert "special".

11.13. Clause 2.6 amended

In clause 2.6(3) -

- (a) Delete "Special" and insert "special".

12.14. Clause 2.8 amended

In clause 2.8 -

(a) In clause 2.8(5) delete "new order in which they are raised and include;" and insert "following order:"

(b) aAfter subclause (5)(c) insert -

"(d) items which are marked "confidential" and are to be considered "behind closed doors"."

13.15. Clause 2.9 amended

In clause 2.9(1) delete "at least one (1) hour";

14.16. Clause 2.16 amended

Delete clause 2.16 and insert-

"2.16 Recording and web streaming of proceedings

- (1) No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee, unless the person has been given prior permission by the Council.
- (2) Subclause (1) does not apply if the recording is taken by or at the direction of the CEO, with the permission of the Council or committee.
- (3) Wherever a meeting is open to the public, the Council may make the proceedings of the Council available to members of the public via web streaming.
- (4) The presiding member may decide to stop or start web streaming at any time during the Council meeting."

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In clause 2.18, delete subclause (6).

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- (1) Delete clauses 2.19(1) and 2.19(2);
- (2) Renumber clause 2.19(4) as 2.19(1);
- (3) Renumber clause 2.19(3) as 2.19(2);
- (2) In clause 2.19(6)(a), delete "address" and insert "the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located";
- (3) In clause 2.19(6)(c) after "three (3) minutes" insert "and each person may only speak once";
- (4) Renumber clauses 2.19(5) to 2.19(9) as 2.19(3) to 2.19(7) respectively;
- (5) In clause 2.19 after subclause (7) insert -
 - "(8) Notwithstanding clause 2.19(4)(c), additional written questions not asked in the time allocated may be submitted in writing to the CEO and will be treated as correspondence."

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(1) In clause 2.22(1) delete "the committee";

(2) In clause 2.22(2) after "Mayor" insert " or presiding member".

17.20. Clause 2.24 amended

- (1) In clause 2.24(1)(g)(iv) delete "councillors" and insert "Council Members".
- (2) In clause 2.24 after subclause (4) insert -
 - "(5) Once Council has resolved that a petition be received pursuant to clause (4)(a) or (4)(b), the CEO shall nominate an officer who will be responsible for dealing with the petition."

18.21 Clause 3.2 amended

- (1) In clause 3.2, where it appears delete "Councillor" and insert "Council Member";
- (2) In clause 3.2 delete "Councillors" and insert "Council Members".

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Delete clause 5.2(3) and insert-

"(3) The result of voting openly is determined by a method such as on the count of raised hands or through electronic voting that enables a record to be taken of each member's vote."

20.23 Clause 8.10 amended

Delete clause 8.10.

24.24 Clause 8.11 amended

Delete clause 8.11.

22.25 Clause 8.12 amended

Renumber clause 8.12 as 8.10.

23.26 Clause 9.7 amended

In clause 9.7(2) after the words "member to" insert " be seated or to".

24.27 Clause 9.8 amended

In clause 9.8, wherever it appears delete "Councillor" and insert "Council Member".

25.28 Part 12 amended

Delete "PART 12 - COMMITTEES AND FORUMS" and insert-

"PART 12 - COMMITTEES AND COUNCIL BRIEFINGS".

26.29 Clause 12.9 amended

Delete clause 12.9 and insert-

"12.9 Council Briefings

- (1) Council Briefings may be held to provide Council Members with the opportunity to ask questions and clarify issues relevant to the agenda items due to be presented to the following Ordinary Council Meeting.
- (2) Clause 2.17 of these Meeting Procedures shall apply to Council Briefings.
- (3) Clause 2.19 of these Meeting Procedures shall apply to Council Briefings, but questions shall only relate directly to items listed on the agenda.
- (4) Council may prescribe procedures for the management of Council Briefings."

27.30. Clause 13.1 amended

In clause 13.1(1) delete "Employee" and insert "employee".

Dated:

The Common Seal of)

The City of Vincent was)

affixed in the presence of:)

Emma Cole
MAYOR

Len Kosova
CHIEF EXECUTIVE OFFICER



CITY OF VINCENT

LOCAL GOVERNMENT ACT 1995

STANDING ORDERSMEETING
PROCEDURES LOCAL LAW 2008

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

PART 1 - PRELIMINARY

- 1.1 Citation
- 1.2 Objective and Intent
- 1.3 Commencement
- 1.4 Repeal of
- 1.5 Application
- 1.6 Interpretation

PART 2 - MEETINGS AND BUSINESS OF THE COUNCIL

- 2.1 Mayor to preside
- 2.2 Notice of meetings
- 2.3 Availability of notice paper
- 2.4 Quorum
- 2.5 Categories of meetings
- 2.6 Calling of meetings
- 2.7 Business at ordinary meetings
- 2.8 Order of business
- 2.9 Applications for leave of absence
- 2.10 Receiving of tabled correspondence
- 2.11 Urgent business
- 2.12 Business at adjourned meetings
- 2.13 Meetings to be generally open to the public
- 2.14 Confidential business
- 2.15 Visitors and reporters
- 2.16 Recording and web streaming of proceedings ~~prohibited~~
- 2.17 Declaration of interests
- 2.18 Minutes
- 2.19 Questions
- 2.20 Reports
- 2.21 Presentation of committee reports
- 2.22 Deputations
- 2.23 Access to Information
- 2.24 Petitions
- 2.25 Notices of motion

PART 3 - MEETING PROCEDURES

- 3.1 Meeting to proceed to business
- 3.2 Members to occupy own seats
- 3.3 Titles to be used
- 3.4 Members to address Presiding Member

PART 4 - RULES OF DEBATE

- 4.1 Presiding Member may take part in debate
- 4.2 Priority of speaking
- 4.3 Members not to interrupt
- 4.4 Speaking twice
- 4.5 Calling to order for speaking twice
- 4.6 Personal explanation
- 4.7 Mover or seconder deemed to have spoken
- 4.8 Decision to allow speaking twice
- 4.9 Questions during debate
- 4.10 No speaking after motion has been put
- 4.11 Limitation of speeches
- 4.12 Right of reply
- 4.13 Right of reply provisions

PART 5 - PROCEDURES FOR DEALING WITH VOTING, MOTIONS AND AMENDMENTS

- 5.1 Members must vote
- 5.2 Method of taking vote
- 5.3 Recording of votes
- 5.4 Order of call in debate
- 5.5 Dealing with motions
- 5.6 Permissible motions on recommendations
- 5.7 Division of motions and amendments
- 5.8 Withdrawal of motions
- 5.9 Motion and amendments to be seconded
- 5.10 Majority required for motions
- 5.11 Unopposed business/En-bloc Motions
- 5.12 Relevancy of amendment
- 5.13 Amendment to be read
- 5.14 One amendment at a time
- 5.15 Amended motion treated as the substantive motion
- 5.16 Recommendations become decisions
- 5.17 Amendments to be in writing
- 5.18 Procedure for dealing with amendments which will significantly alter an Officer Recommendation

PART 6 - PROCEDURAL MOTIONS

- 6.1 Permissible procedural motions

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

PART 7 - EFFECT OF PROCEDURAL MOTIONS

- 7.1 Motion "that the motion be deferred" – Effect of motion
- 7.2 Motion "that motion be adjourned" – Effect of motion
- 7.3 Motion "that the Council or committee adjourn" – Effect of motion
- 7.4 Motion "that the motion be now put" – Effect of motion
- 7.5 Motion "that the Council or committee proceed to the "next business"" – Effect of motion
- 7.6 Motion "that the Council or committee meet behind closed doors" – Effect of motion
- 7.7 Motion "that the meeting be now closed" – Effect of motion
- 7.8 Motion "that the Member no longer be heard" – Effect of motion
- 7.9 Motion "that the Ruling of the Presiding Member be disagreed with" – Effect of motion
- 7.10 Motion "that the ~~Standing Orders~~Meeting Procedures be suspended"

PART 8 - CONDUCT AND BEHAVIOUR

- 8.1 No digression
- 8.2 No adverse reflection on a Council decision or a person
- 8.3 Conduct and behaviour
- 8.4 Recording of statements
- 8.5 Withdrawal of offensive language
- 8.6 Disturbances not permitted
- 8.7 Continued irrelevance, repetition, or offensive expressions
- 8.8 Crossing Council Chambers
- 8.9 Leaving and entering meetings
- ~~8.10 Consumption of alcohol during meetings~~
- ~~8.11 Smoking prohibited~~
- 8.102 Mobile phones and audible electronic devices

PART 9 - PRESERVING ORDER

- 9.1 Presiding Member to preserve order
- 9.2 Definition of order
- 9.3 Breaches of order
- 9.4 Points of order
- 9.5 Precedence of points of order
- 9.6 Rulings of points of order by Presiding Member
- 9.7 Ruling out of order
- 9.8 Continued breach of order
- 9.9 Serious disorder
- 9.10 Presiding Member may be heard
- 9.11 Prevention of disturbance

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

PART 10 - MOTION FOR REVOKING OR CHANGING A DECISION

- 10.1 Revoking or changing decisions at same meeting
- 10.2 Revoking or changing decisions at a subsequent meeting
- 10.3 Notices received during same meeting
- 10.4 Multiple revocation notices
- 10.5 Absence of mover or seconder
- 10.6 No revocation of procedural decision or a decision to revoke
- 10.7 Repeated revocations by the same Member prohibited

PART 11 - IMPLEMENTATION OF A DECISION

- 11.1 Implementation of a decision

PART 12 - COMMITTEES AND FORUMS

- 12.1 Committees
- 12.2 ~~Standing Orders~~Meeting Procedures to apply to committees
- 12.3 Council may establish committees
- 12.4 Duties of committees
- 12.5 Calling of Meetings
- 12.6 Appointment of Deputy Committee Members
- 12.7 Qualification of Deputy
- 12.8 Term of Appointment
- 12.9 ~~Forums~~Council Briefings

PART 13 - ADMINISTRATIVE MATTERS

- 13.1 Representation on Committees and Public Bodies
- 13.2 Obligation of Council Delegate
- 13.3 Common Seal

PART 14 - MISCELLANEOUS

- 14.1 Cases not provided for in ~~Standing Orders~~the Meeting Procedures
- 14.2 Duty of Chief Executive Officer
- 14.3 Presiding Member to ensure compliance
- 14.4 Breach of Meeting Procedures~~Standing Orders~~

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

In pursuance of the powers conferred upon it by the above mentioned Act, and all other powers enabling it, the Council of the City of Vincent hereby records having resolved on the 23rd of September 2008 to make the following Local Law:-

PART 1 - PRELIMINARY

1.1 Citation

- (1) This Local Law may be cited as the "City of Vincent ~~Standing Orders~~Meeting Procedures Local Law 2008".
- (2) In the clauses to follow, this local law is referred to as "the ~~"Meeting Procedures~~Standing Orders".
- (3) This local law was previously cited as the "City of Vincent Standing Orders Local Law 2008" until it was amended by the "City of Vincent Standing Orders Amendment Local Law 2017".

1.2 Objective and Intent

- (1) The objective of this local law is to provide rules, procedures and guidelines to assist in the good conduct of meetings of the Council, committees and the standards to be observed by persons attending such meetings.
- (2) The effect of these ~~Meeting Procedures~~ Standing Orders are intended to result in:
 - (a) better decision making by the Council;
 - (b) the orderly conduct of meetings dealing with Council business;
 - (c) the community understanding the process of conducting meetings dealing with Council business;
 - (d) the more efficient and effective use of time at meetings; and
 - (e) more open and accountable local government.

1.3 Commencement

This Local Law comes into operation fourteen (14) days after the date of its publication in the *Government Gazette*.

1.4 Repeal

The *City of Vincent Local Law Relating to Standing Orders* published in the *Government Gazette* of 11 September 2001 and as amended and published on 25 June 2004 and 14 January 2005 is repealed.

1.5 Application

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

All meetings of the Council or a committee and other matters as prescribed are to be conducted in accordance with the Act, the Regulations and these ~~Meeting Procedures~~Standing Orders.

1.6 Interpretation

- (1) In these ~~Standing Orders~~Meeting Procedures, unless the context otherwise requires -

“**Act**” means the *Local Government Act 1995*;

“**aAgenda**” means in relation to any proposed meeting, a paper listing the terms of business to be transacted at the meeting and the order of that business;

“**CEO**” means the Chief Executive Officer or Acting Chief Executive Officer for the time being, of the City of Vincent;

“**City**” means the local government of the City of Vincent, established under the Act;

“**closed doors**” means a meeting of the Council or committee where no members of the public are present;

“**committee**” means a committee of the Council appointed in accordance with the Act;

“**Council**” means the Council of the City of Vincent;

“**dDocument**” means a document ~~or record~~ as prescribed in the *Freedom of Information Act 1992*;

“**employee**” means a person employed by the City under section 5.36 of the Act;

“**index**” means the sequential arrangement of items in numerical order as they appear in the ~~a~~Agenda;

~~“**minor amendment**” in relation to a motion to amend another motion (“the primary motion”) means one which does not alter the original or basic intent of the primary motion as determined by the presiding member at the meeting;~~

“**notice paper**” in relation to any proposed meeting means a paper setting out the terms of business to be transacted at the meeting and the order of that business. The notice calling a ~~s~~Special ~~m~~Meeting may stand as the ~~n~~Notice ~~P~~Paper for that meeting;

“**presiding member**” means:

(a) in respect of the Council, the person presiding under section 5.6 of the Act; and

(b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

~~the presiding member at the meeting of the Council or a committee, or the deputy presiding member, or a member of the committee when performing a function of the presiding member in accordance with the Act;~~

“**procedural motion**” means any motion moved at a meeting dealing with Council business other than a substantive motion.

“**Regulations**” means the *Local Government (Administration) Regulations 1996*;

“**simple majority**” means more than 50% of the members present and voting;

“**substantive motion**” means an original motion, or original motion as amended, which the meeting is dealing with at a given time, but does not include an amendment or a procedural motion;

“**urgent business**” means business dealt with under clause 2.11, in accordance with the provisions of these ~~Standing Orders~~Meeting Procedures;

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

“without discussion” means without debate, but does not preclude a member from asking such questions as the presiding member permits, there being no discussion, debate or challenge on the ruling of the presiding member.

- (2) (a) Unless otherwise defined herein the terms and expressions used in the ~~Meeting Procedures~~ Standing Orders are to have the meaning given to them in the Act and Regulations.
- (b) Where a term is not defined in these ~~Meeting Procedures~~ Standing Orders, the Act or Regulations, the terminology is to be taken to be from the Macquarie Dictionary.

PART 2 - MEETINGS AND BUSINESS OF THE COUNCIL

2.1 Mayor to preside

Subject to the Act, the Mayor or in his or her absence the Deputy Mayor, or in his or her absence, a ~~Councillor~~ Council Member chosen by the members present, is to preside at any meeting of the Council.

2.2 Notice of meetings

- (1) Notice of ordinary meetings of the Council are to:-
- (a) be given to members in writing;
 - ~~(b) be signed by or on behalf of the CEO;~~
 - ~~(c)~~ state the place, date and hour of the meeting;
 - ~~(d)~~ state the business to be transacted; and
 - ~~(e)~~ be transmitted by ~~post, or electronic mail, or delivered to the members at the usual or last known place of residence or business, or to another address any member may request in writing to the CEO,~~ together with an agenda at least seventy-two (72) hours before the time of the commencement of the meeting.
- (2) When a meeting of the Council is adjourned to a day and hour other than the next ordinary meeting of the Council, notice of the adjourned meeting is to, if time permits, be given in the manner provided by these ~~Meeting Procedures~~ Standing Orders except that at least twenty-four (24) hours' notice is to be given before the time of commencement of the meeting.
- (3) Notice of each special meeting of the Council is to be given to all members of the Council in the manner provided by the Act at least twenty-four (24) hours before the time of the commencement of the meeting.

2.3 Availability of notice paper

The notice paper and agenda for an ordinary meeting of the Council is to be made available for inspection by members of the public, at the office of the City, as prescribed by the Regulations and on the City's website.

2.4 Quorum

- (1) Except in cases where the Act applies, the quorum for a meeting of a Council or committee is at least 50% of the number of offices (whether vacant or not) of members of the Council or committee.
- (2) The Council shall not transact business at a meeting unless a quorum is present.
- (3) If a quorum has not been established within thirty (30) minutes after a meeting is due to begin, then the meeting is to be adjourned in accordance with the Act Regulations.
- (4) Business which could have been transacted had there been a quorum at the meeting may be transacted at the resumption of the adjourned meeting.
- (5) If at any time during a meeting of the Council a quorum is not present, the presiding member upon becoming aware of that fact is to immediately suspend the proceedings of the meeting for a period of five (5) minutes.
- (6) If a quorum is not present at the expiration of the period in sub-clause (5), the meeting is deemed to have been "counted out", and the presiding member is to adjourn it to some future time or date.
- (7) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment.
- (8) Where the debate on any motion, is interrupted by the Council being "counted out", that debate shall be resumed at the next meeting at the point where it was interrupted.
- (9) Where the interruption in sub-clause (8) occurs at an ordinary meeting the resumption shall be at the next ordinary meeting unless a special meeting is called earlier for the purpose.
- (10) Where the interruption in sub-clause (8) is at a special meeting, the resumption shall be at the next special meeting called to consider the same business or at the next ordinary meeting if it occurs before a special meeting can be called.
- (11) At any meeting at which:-
 - (a) there is not a quorum of members present; or
 - (b) the Council is "counted out" for lack of a quorum;

the names of the members who are present are to be recorded in the minutes.

2.5 Categories of meetings

- (1) Meetings of the Council and committees are to be of two categories, namely "Ordinary" and "Special".
- (2) "Ordinary meetings" are those called at such place and at such times as the Council, from time to time, appoints for the transaction of the ordinary business of the Council, and any committees.

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (3) "Special meetings" are those called to consider special business, the purpose of which is to be specified in the notice convening the meeting.
- (4) Subject to the provisions of the Act and these ~~Meeting Procedures Standing Orders~~ relating to the revoking or a changing of a decision, no business is to be transacted at a ~~s~~Special meeting other than that for which the ~~s~~Special meeting has been called.

2.6 Calling of meetings

- (1) The Mayor may call a special meeting of the Council as often as he or she thinks fit by notice in writing signed by the Mayor or the CEO sent to each member, at least twenty-four (24) hours before the commencement of the meeting.
- (2) A meeting of the Council may be called by at least one third of the members by serving a notice in writing signed by them stating the business to be transacted, on each of the other members of the Council, at least twenty-four (24) hours before the time of the commencement of the meeting.
- (3) The CEO may call a ~~s~~Special meeting of the Council, in accordance with the Act.

2.7 Business at ordinary meetings

No business is to be transacted at any meeting of the Council other than that specified in the notice paper and agenda, except matters which these ~~Meeting Procedures~~~~Standing Orders~~ or the Act permits to be dealt with without notice.

2.8 Order of business

- (1) Unless ordered by a decision of the Council, the "Order of Business" at any ordinary meeting of the Council shall be as follows:-
 - (a) Declaration of Opening;
 - (b) Apologies/Members on Leave of Absence;
 - (c) Public question time and receiving of public statements;
 - (d) Applications for leave of absence;
 - (e) The receiving of petitions, deputations and presentations;
 - (f) Confirmation of minutes;
 - (g) Announcements by the presiding member without discussion;
 - (h) Declaration of Interests;
 - (i) Reports;
 - (j) Motions of which previous notice has been given;
 - (k) Questions by members of which due notice has been given (without discussion);
 - (l) Representation on Committees and public bodies;

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (m) Urgent business;
 - (n) Matters for which the meeting may be closed ("behind closed doors").
 - (o) Closure.
- (2) Unless otherwise decided by the members present, the "Order of Business" at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the agenda of the meeting.
- (3) Notwithstanding sub-clauses (1) and (2), in the "Order of Business" for any meeting of the Council or a committee, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.
- (4) Notwithstanding sub-clause (1), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the "Order of Business" any matter which must be decided, or which he or she considers is appropriately decided, by that meeting.
- (5) Notwithstanding sub-clauses (1) and (2), reports listed in the agenda are to be considered in the following order: new order in which they are raised and include;
- (a) unopposed items which will be moved "En Bloc";
 - (b) items which are the subject of a question or statement from members of the public;
 - (c) items which members wish to discuss, items which members or officers have declared a financial or proximity interest and items which require an absolute majority decision
 - (d) items which are marked "confidential" and are to be considered "behind closed doors".

2.9 Applications for leave of absence

- (1) A member seeking the Council's approval to take leave of absence shall give written notice to the CEO ~~at least one hour~~ before the commencement of the meeting.
- (2) The notice referred to in sub-clause (1) shall include the period of leave of absence required and the reasons for seeking the leave.

2.10 Receiving of tabled correspondence

- (1) The CEO, in liaison with the Mayor, is to use discretion in deciding what correspondence to place before the Council or a committee.
- (2) Correspondence may be placed before the Council or a committee in the form of a precis, provided all relevant and material facts are contained in the precis.
- (3) Where correspondence contains a matter to be decided by the Council or committee, the CEO is, if the circumstances permit, to recommend a course of

action to the Council or committee, or state the alternative courses of action available.

2.11 Urgent business

A member may move a motion involving urgent business that is not included in the notice paper for that meeting provided that:-

- (a) the presiding member has first consented to the business being raised; and
- (b) the presiding member considers that either:-
 - (i) the urgency of the business is such that the business cannot await inclusion in the notice paper and agenda for the next meeting of the Council; or
 - (ii) the delay in referring the business to the next meeting of the Council could have adverse legal or financial implications for the City.

2.12 Business at adjourned meetings

At an adjourned meeting of the Council or committee no business is to be transacted other than that:-

- (a) specified in the notice of the meeting which had been adjourned; and
- (b) which remains unresolved;

except in the case of an adjournment to the next ordinary meeting of the Council or committee, when the business unresolved at the adjourned meeting shall have the precedence at that ordinary meeting and is to be dealt with prior to "Reports".

2.13 Meetings to be generally open to the public

- (1) Subject to the provision of sub-clause (2), Council and committee meetings are to be open to the public.
- (2) The Council may by decision, decide to close to members of the public a meeting or part of a meeting to conduct any specified business as prescribed in the Act.

2.14 Confidential business

- (1) All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the *Local Government (Rules of Conduct) Regulations 2007*.

2.15 Visitors and reporters

- (1) If a distinguished visitor or a Minister of the Government is present at a meeting, the presiding member may invite the visitor or Minister to sit beside the presiding member or at the Council table.
- (2) Reporters of the press and other media:-
 - (a) are to be permitted to attend at meetings of the Council, in such part of the Council chambers or meeting room as may be set aside for their use;

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (b) must withdraw from the Council chamber or meeting room during any period when a meeting is closed to members of the public.

2.16 Recording and web streaming of proceedings ~~prohibited~~

- (1) No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee, unless the person has been given prior permission by the Council.
- (2) Sub-clause (1) does not apply if the recording is taken by or at the direction of the CEO, with the permission of the Council or committee.

(3) Wherever a meeting is open to the public, the Council may make the proceedings of the Council available to members of the public via web streaming.

(4) The presiding member or the Council by carrying a decision, without debate, may decide to stop or start web streaming at any time during the Council meeting.

2.17 Declaration of interests

- (1) Any person who has an interest, within the meaning of the Act, in a matter proposed to be discussed at any meeting is to declare the interest and the nature of the interest, in accordance with the provisions of the Act and the Regulations.
- (2) The Council shall deal with a person's interest in a matter to be discussed at a Council or committee meeting in accordance with the provisions of the Act and the Regulations.
- (3) Where a member has disclosed the nature of his or her interest in a matter, immediately before the matter is considered by the meeting, he or she may, after disclosing the extent of the interest, request that he or she be allowed to be present during any discussion or decision making procedure related to the matter.
- (4) If such a request is made, the member is to leave the room while the request is considered. If the request is allowed by the members, the member may return to the meeting and be present during the discussion or decision making procedure related to that matter, but is not permitted to participate in any way.
- (5) A member, who discloses both the nature and extent of an interest, may request permission to take part in the consideration or discussion of the matter, or to vote on the matter.
- (6) If such a request is made, the member is to leave the room while the request is considered. If it is decided at a meeting that a member who has disclosed both the nature and extent of any interest in a matter, be permitted to participate in the consideration and discussion of the matter or to vote on the matter, or both, then the member may return to participate to the extent permitted.
- (7) Where a member has disclosed an interest in a matter and has left the room in accordance with the Act and the Regulations, the meeting may resolve to invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter and in such case the member is to withdraw after providing the information.
- (8) If an employee within the meaning of section 5.70 of the Act, presents a written report to a meeting, on a matter in which the employee has an interest, the nature of the interest is to be disclosed at the commencement of the report.

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (9) If such an employee makes a verbal report to a meeting on a matter in which the employee has an interest, the employee is to preface his or her advice to the meeting by verbally disclosing the nature of the interest.
- (10) Where a member of the Council has disclosed an interest in a matter, at a committee meeting, and the matter is contained in the recommendations of the committee to an ordinary meeting of Council or to another committee meeting that will be attended by the member, the recommendation concerned is to be separated on the agenda of that ordinary meeting or other committee meeting, from other recommendations of the committee, to enable the member concerned to declare the interest and leave the room prior to consideration of that matter only.

2.18 Minutes

- (1) The minutes of a meeting of a Council or a committee meeting, not previously confirmed, are to be submitted to the next ordinary meeting of the Council or committee for confirmation.
- (2) Discussion of any minutes, other than discussion as to their accuracy as a record of the proceedings is not permitted.
- (3) Each page of the minutes shall be dated. The last page of the minutes must receive a full signature and date by the person presiding over the meeting as prescribed in the Act. The minutes, when confirmed, shall not be altered, except by resolution after notice has been given in accordance with the Act.
- (4) When minutes of a meeting are submitted to an ordinary meeting of the Council or committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, then he or she is to –
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (5) In addition to the matters contained in Regulation 11 of the Regulations, the content of minutes of a meeting of the Council or a committee is to include, where an application for approval is declined or the authorisation of a licence, permit, or certificate is otherwise withheld or cancelled, the reasons for the decision.
- ~~(6) The binding, pasting or otherwise permanently affixing of the minutes to or as the pages of a book shall be sufficient recording of the minutes in the minute book.~~

2.19 Questions

- ~~(1) A member seeking to ask a question at any meeting of the Council shall give written notice of the specific question to the CEO at least four (4) clear working days before the meeting of the Council.~~
- ~~(2) If the question referred to in sub-clause (1) is in order, the answer is, as far as practicable, to be provided at that meeting of the Council.~~
- ~~(3) Every question and answer is to be submitted as briefly and concisely as possible, and no discussion is permitted.~~

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (14) A member requesting general information from an employee present at a Council meeting may ask a question without notice. Where possible the appropriate employee shall endeavour to answer the question. If the information is unavailable or requires research or investigation, the employee is to have the right to ask that:-
- (a) the question be placed "on notice" for the next meeting of the Council; or
 - (b) the answer to the question be given within seven (7) days to the member who asked it.
- (2) Every question and answer is to be submitted as briefly and concisely as possible, and no discussion is permitted.
- (35) No discussion or further question is to be allowed on any question or the answer, unless with the consent of the presiding member.
- (46) Any person, other than a member, may ask questions or make public statements at a meeting of the Council or committee, provided that:-
- (a) any member of the public who raises a question or makes a public statement during question time is to state their name and address the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located;
 - (b) any member of the public who asks a question or speaks about an item listed on the agenda is to state the agenda item number (if known);
 - (c) the time allocated to each person to ask a question or make a statement is three (3) minutes and each person may only speak once;
 - (d) when required by the presiding member, questions are to be submitted in writing and will be read by the CEO;
 - (e) questions will be answered by the CEO or relevant employee nominated by the presiding member; and
 - (f) the presiding member may determine that any complex question requiring research or investigation be answered in writing by the CEO as soon as is practicable and a copy of the response is to be included in the agenda of the next meeting of the Council or committee as the case requires.
- (57) Any reports or items listed in the Agenda which are the subject of a question or statement from a member of the public:
- (a) are to be considered in the numerical order as they appear in the Index; and
 - (b) are to be considered immediately after all unopposed items have been determined, which will be moved "En Bloc".
- (68) The presiding member or the Council by carrying a motion, without debate, may alter the order in which any item, which is the subject of a question or statement from a member of the public, may be dealt with.

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

(79) The presiding member or the majority of members present voting in the affirmative, may determine that the time available for question time is to be limited or extended, as the case may be, however, in any case shall not be less than 15 minutes.

(8) Notwithstanding clause 2.19(4)(c), additional written questions not asked in the time allocated may be submitted in writing to the CEO and will be treated as correspondence.

2.20 Reports

- (1) The CEO shall prepare or cause to be prepared for presentation to any meeting such reports, with recommendations, preamble and information, dealing with any matter which in the opinion of the CEO should be drawn to the attention of the meeting.
- (2) In cases of urgency or other special circumstances, a report by the CEO may, with the consent of the presiding member, be read or otherwise be given to members at the meeting and be dealt with.

2.21 Presentation of committee reports

- (1) Every committee is to cause:-

- (a) a report with recommendations and suitable preamble;
- (b) minutes of the committee's proceedings and transactions;

to be presented to the Council by the presiding member of each committee concerned, or in his or her absence, a member of the committee in the form of a motion; "That the report be received and the recommendation be adopted".

- (2) No objection to the receipt of a report of any committee, or any part of it, shall be raised when such reports are presented to the Council, except for reasons arising out of such reports.
- (3) The presiding member is to:-
 - (a) put the motion that the report be received;
 - (b) call for a motion to be moved by any member pursuant to clause 5.6(1), with the exception of item (a) of that clause, with respect to any recommendation contained in the report;
 - (c) put the motion that the recommendation be adopted in relation to the recommendations contained in the report, apart from a recommendation or recommendations which are the subject of a motion by a member pursuant to the preceding item of this sub-clause; and
 - (d) ensure that the motions are debated and dealt with in accordance with these Standing Orders in relation to a recommendation or those recommendations in the report which are the subject of a motion or motions by a member or members pursuant to clause 5.6.

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

2.22 Deputations

- (1) A deputation wishing to be received by the Council or a committee shall apply in writing to the CEO, who is to forward the request to the Mayor or ~~the committee~~ presiding member, as the case may be.
- (2) If the Mayor or presiding member is of the opinion that the request for a deputation is one which should be brought before the Council or if the Council makes an order to that effect, the deputation is to be invited to attend.
- (3) If the presiding member of a committee is of the opinion that the request for a deputation is one which should be brought before the committee and the majority of members are in agreement, the deputation is to be invited to attend.
- (4) A deputation invited to attend a Council or committee meeting:-
 - (a) shall not exceed five members, only two of which may address the Council; and
 - (b) shall address the Council or committee for a period not exceeding fifteen (15) minutes.

2.23 Access to Information

- (1) A member shall have access to information, in accordance with the Act.
- (2) A member shall give the CEO at least four (4) hours notice of the request, and the CEO on receiving that notice, if it is in accordance with the Act, shall lay the document on the Council table at the commencement of the meeting.

2.24 Petitions

- (1) A petition, in order to be effective, is to:-
 - (a) be addressed to the Mayor, City or Chief Executive Officer;
 - (b) be made by a person;
 - (c) state the request on each page of the petition;
 - (d) contain the names, addresses and signatures of the persons making the request, and the date each person signed;
 - (e) contain a summary of the reasons for the request;
 - (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
 - (g) be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if that is:-
 - (i) a proposal to change the method of filling the office of the Mayor, City or Chief Executive Officer;

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (ii) a proposal to create a new district or the boundaries of the Local Government;
 - (iii) a request for a poll on a recommended amalgamation;
 - (iv) a submission about changes to wards, the name of a district or ward or the number of ~~councillors~~Council Members for a district or ward; and
 - (h) be respectful and temperate in its language and not contain language disrespectful to the Council.
- (2) Every petition complying with sub-clause (1) shall be presented to the Council by the CEO.
- (3) The presentation of a petition shall be confined to the reading of the petition.
- (4) The only motions that are in order are:
- (a) that the petition be received; or
 - (b) that the petition be received and a report be prepared; or
 - (c) that the petition be received and be referred to a committee for consideration and report; or
 - (d) that the petition be received and be dealt with by the Council.
- (5) Once Council has resolved that a petition be received pursuant to clause (4)(a) or (4)(b), the CEO shall nominate an officer who will be responsible for dealing with the petition.

2.25 Notices of motion

- (1) Unless the Act or these Standing Orders otherwise provides, a member may submit for inclusion in the notice paper a written motion of which notice shall be given in writing to the CEO, not less than twenty-four (24) hours before the publication of the notice paper.
- (2) Every notice of motion is to relate to;
 - (a) the good governance of persons in the local government district; or
 - (b) any matters affecting the condition, administration or constitution of the City or the Council.
- (3) All notices of motion shall be entered by the CEO upon the notice paper in the order in which they are received.
- (4) The CEO:-
 - (a) after consultation with the Mayor, may exclude from the notice paper any notice of motion which is out of order; or

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (b) may on his own initiative make such amendments to the notice of motion, but not alter the substance, which will bring the notice of motion into due form.
- (5) No notice of motion is to be deemed out of order by reason of:-
 - (a) the notice of motion involved being considered objectionable; or
 - (b) its having relation to a matter not within the scope of the ordinary work of the Council, so long as in the opinion of the Mayor such matter is one of public interest or importance.
- (6) Nothing in this sub-clause is to limit or affect the power of a member, at an ordinary meeting of the Council to object to a motion pursuant to the Meeting Procedures Standing Orders.
- (7) A motion of which notice has been given is to lapse unless:-
 - (a) the member who gave notice, is present to move the motion or another member is willing to move the motion when called on, or some other member authorised by him or her in writing; or
 - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (8) If a notice of motion is given and lapses in the circumstances referred to in the preceding sub-clause, the notice of motion in the same terms or the same effect may be given for consideration at a subsequent meeting of the Council.
- (9) If a motion lapses and is in the same terms or to the same effect as a motion which lapsed at a previous meeting of the Council, the Council is not to entertain a motion in the same terms or to have the same effect at a subsequent meeting until at least three months have elapsed from the date of the meeting at which the motion last lapsed.
- (10) The provision in sub-clause (9) shall not apply to motions to revoke or alter a decision and to which clause 10.7 applies.
- (11) No member shall have more than three notices of motion on the notice paper unless approval of the Mayor has been obtained.

PART 3 - MEETING PROCEDURES

3.1 Meeting to proceed to business

Subject to Clause 2.4, every meeting is to proceed to business as soon as practicable after the time stated in the notice, provided a quorum is constituted.

3.2 Members to occupy own seats

- (1) At the first meeting attended by a Councillor Council Member after election, Council Member Councillors shall determine their own seating arrangements. If agreement cannot be reached, the CEO shall allot by random draw, a position at the Council table to each Council Member Councillor and the Council Member Councillor shall, until such time as there is a call by a majority of Council

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

~~Members~~ ~~Councillors~~ for a re-allotment of positions, occupy that position when present at meetings of the Council.

- (2) At meetings of the Council each ~~Council Member~~~~Councillor~~ shall occupy the place assigned to that ~~Council Member~~~~Councillor~~ within the Council chamber or meeting room.

3.3 Titles to be used

In referring to any other person present in the capacity of a member or employee of the Council, a speaker shall designate that person by the title of Mayor or Councillor, or by the title or name of the particular employee, as the case may be.

3.4 Members to address Presiding Member

A member moving a motion or amendment, or taking part in any discussion shall address the presiding member.

PART 4 - RULES OF DEBATE

4.1 Presiding Member may take part in debate

Unless otherwise prohibited by the Act and subject to compliance with procedures for the debate of motions contained in these ~~Meeting Procedures~~~~Standing Orders~~, the presiding member may take part in the discussion upon any matter before the Council or committee as the case may be.

4.2 Priority of speaking

Where two or more members wish to speak at the same time, the presiding member is to decide which of them is entitled to priority. The decision is not open to discussion or debate.

4.3 Speaking without interruption

- (1) No member is to interrupt another person whilst speaking unless –
- (a) to raise a point of order;
 - (b) to call attention to the absence of a quorum;
 - (c) to make a personal explanation under clause 4.6; or
 - (d) to move a motion under clause 6.1(viii).
- (2) In the event of a point of order, the person speaking shall cease until the member raising the point of order has been heard and the question of order has been decided. When a decision has been given, the person so interrupted may, if permitted, proceed to speak again.

4.4 Speaking twice

- (1) Subject to clause 4.7, no member shall speak twice on the same motion, except:-
- (i) in reply upon an original motion of which he or she was the mover; or
 - (ii) as the mover of an amendment last moved.
- (2) The mover of any original motion may exercise a right of reply after any amendments have been moved and decided.

4.5 Calling to order for speaking twice

Subject to clause 4.8, the presiding member shall call to order any member proceeding to speak a second time on the same motion, without waiting for the intervention of the Council.

4.6 Personal Explanation

- (1) The presiding member may allow a member to make a personal explanation if the member claims that something he or she has said at a meeting has been misunderstood in a material respect. A member making a personal explanation shall confine that explanation to a brief and concise explanation of that part of his or her statement which may have been misunderstood.
- (2) A member wishing to make a personal explanation of matters referred to by any other member then speaking, is entitled to be heard immediately, if the member of the Council or committee then speaking consents at the time, but if the member who is speaking declines to give way, the explanation is to be offered at the conclusion of that speech.
- (3) The ruling of the presiding member on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.
- (4) A personal explanation is not open to debate or amendment.

4.7 Mover or seconder deemed to have spoken

- (1) A member, other than presiding member, moving a motion or amendment after obtaining a seconder, shall speak first to the motion or amendment.
- (2) A member, other than presiding member, seconding a motion or amendment may reserve speaking to the motion or amendment to a later stage in the debate, provided the seconder so indicates after the mover has spoken to the motion or amendment.

4.8 Decision to allow speaking twice

The Council may, by decision moved without notice, suspend the operation of clause 4.4 in the following circumstances:-

- (a) there may be a general suspension in which case clause 4.4 is to be suspended until such time as the Council carries a decision to lift the suspension; or
- (b) there may be a specific suspension giving the right to speak twice to specified members and that suspension shall be automatically lifted when all members specified have spoken twice or waived the right to do so.

4.9 Questions during debate

A member may ask a question at any time during the debate on a motion before the motion is put, but no discussion on the question is permitted.

4.10 No speaking after motion has been put

No member shall speak on any motion or amendment:-

- (a) after the mover has replied; or
- (b) after the motion has been put.

4.11 Limitation of speeches

(1) A member shall not speak:-

- (a) upon any motion or amendment for more than five (5) minutes; or
- (b) in answer to any motion with or without notice for more than five (5) minutes; or
- (c) in reply for more than five (5) minutes;

without the consent of the Council to extend, which is to be signified without discussion.

(2) The Council shall not consent to the extension of a member's time for speaking beyond ten (10) minutes of total extensions.

4.12 Right of reply

- (1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other member is to speak or ask a question on the question.
- (2) The right of reply is to be strictly confined to answering previous speakers and rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (3) The presiding member is not permitted to move a motion, therefore does not have a right of reply.

4.13 Right of reply provisions

The right of reply is governed by the following provisions -

- (a) if no amendment is moved to the substantive motion, the mover may reply at the conclusion of the discussion on the motion;
- (b) if an amendment is moved to the substantive motion the mover of the substantive motion is to take the right of reply at the conclusion of the vote on any amendments;
- (c) the mover of any amendment does not have a right of reply; and
- (d) once the right of reply has been taken, there can be no further discussion, nor any other amendment and the original motion or the original motion as amended is immediately to be put to the vote.

PART 5 - PROCEDURES FOR DEALING WITH VOTING, MOTIONS AND AMENDMENTS

5.1 Members must vote

At any Council or committee meetings, except where he or she is prohibited from voting by the Act, a member present in the Council chamber or meeting room when a motion is put shall:-

- (a) vote on the motion; and
- (b) except where the Act provides otherwise, vote openly and not by secret ballot.

5.2 Method of taking vote

- (1) The presiding member, in taking the vote on any motion or amendment, shall:-
 - (a) put the motion, first in the affirmative and then in the negative;
 - (b) determine whether the affirmative or the negative has the majority of votes; and
 - (c) declare the result of the vote.
- (2) The motion put under sub-clause (1) may be put as often as is necessary to enable the presiding member to determine whether the affirmative or the negative has the majority of votes.
- (3) The result of voting openly is determined by a method such as on the count of raised hands or through electronic voting that enables a record to be taken of each member's vote, but it may be determined on the voices unless a member calls for a show of hands.

5.3 Recording of votes

The names and vote(s) of each member shall be recorded in the minutes.

5.4 Order of call in debate

The presiding member shall call speakers to a substantive motion in the following order:

- (i) the mover to state the motion;
- (ii) a seconder to the motion;
- (iii) the mover to speak to the motion;
- (iv) the seconder to speak to the motion;
- (v) speakers for and against the motion until all members wishing to speak have been given the opportunity to speak; and
- (vi) the mover takes the right of reply, which closes the debate.

5.5 Dealing with motions

When a substantive motion is under debate at any meeting, no further substantive motions shall be accepted.

5.6 Permissible motions on recommendations

- (1) The presiding member shall:-
- (a) put the motion that the report be received;
 - (b) call for a motion to be moved by any other member in order shown in sub-clause (2) with respect to any recommendation contained in the report;
- (2) A recommendation made by or contained in a report shall be:-
- (a) adopted by the Council without amendment or modification; or
 - (b) rejected by the Council in its entirety, before an alternative motion shall be considered; or
 - (c) subject to clause 5.12, amended or modified and adopted with such amendments or modifications; or
 - (d) deferred or referred back for further consideration.

5.7 Division of motions and amendments

The presiding member or the Council by carrying a decision, without debate, may order a motion or an amendment be divided and put in the form of two or more motions or amendments.

5.8 Withdrawal of motions

The Council may, without debate, grant leave for a motion or amendment to be withdrawn by the mover, with the consent of the seconder, provided there is no voice to the contrary by any member, in which case discussion on the motion or amendment shall continue which is to be signified without debate.

5.9 Motion and amendments to be seconded

- (1) A motion or amendment shall not be discussed or put to the vote of the Council or committee, unless seconded.
- (2) A motion or amendment shall not be altered by the mover without the consent of the seconder.

5.10 Majority required for motions

Any motion shall be carried upon the majority of members voting in the affirmative, in accordance with the Act, Regulations or these Meeting Procedures~~Standing Orders~~.

5.11 Unopposed Business/En bloc Motions

- (1) When dealing with reports, the presiding member shall request the CEO to identify;
 - (a) items which are the subject of a question or statement from members of the public;
 - (b) items which Council members have identified they wish to deal with individually;
 - (c) items which Council members or employees (present at the meeting) have declared a financial or proximity interest;
 - (d) items which require an absolute majority decision;
 - (e) items which are marked "confidential" and are to be considered "behind closed doors";
- (2) The presiding member shall call for an en-bloc motion to adopt the recommendations for the remaining items;
- (3) The minutes shall record at the end of each report item that they were adopted by this "En-Bloc" method, as a unanimous decision of the Council or committee;
- (4) If a member identifies an item to be considered individually, the item is to be treated as such, in accordance with these Meeting Procedures~~Standing Orders~~.

5.12 Relevancy of amendment

Every amendment is:-

- (a) to be relevant to the motion to which it is moved;
- (b) to be worded to indicate precisely which words need to be deleted, added or altered; and
- (c) not to have the effect of negating the original motion or the intent of the original motion.

5.13 Amendment to be read

When requested by a member, every amendment is to be read before being debated or voted upon, but will not so as to interrupt any other member whilst speaking.

5.14 One amendment at a time

- (1) Only one amendment at a time is to be discussed.
- (2) Any number of amendments may be proposed to a motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first or previous amendment has been withdrawn, carried or lost.
- (3) In speaking to an amendment a member, other than the presiding member, may give notice of his or her intention to move further amendments.
- (4) The presiding member may, or upon the request of a member (without debate), order an amendment to be divided and put in the form of two or more amendments.

5.15 Amended motion treated as the substantive motion

- (1) Where an amendment is carried, the original motion as amended shall become the substantive motion before the Council upon which any member may speak and is, for all purposes of subsequent debate, subject only to clause 5.14, to be treated as if it was the original motion.
- (2) Only the mover of the original motion referred to in sub-clause (1) is to have the right of reply in respect of the original motion as amended.

5.16 Recommendations become decisions

Where the Council adopts a motion or a recommendation contained in a report, either with or without amendment or modification, the recommendation so adopted is to be deemed to be a decision of the Council.

5.17 Amendments to be in writing

When requested by the presiding member, every amendment shall be written and signed by the mover and provided to the presiding member and CEO immediately upon being seconded.

5.18 Procedure for dealing with amendments which will significantly alter an Officer Recommendation

- (1) Where a member proposes to move an amendment to the Officer Recommendation contained in an agenda item, the City's employees are to be given sufficient time and the opportunity to provide advice to the Council or committee as to whether the proposed amendment is "*significantly different*" to the officer recommendation, or in the case of a proposed development, will "*significantly*" alter the design of that development;

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

- (2) (a) In the event of an amendment, as specified in sub-clause (1), is considered and the Council or committee approves the substantive motion (which includes the amendment), the Council is to provide reasons at the Council or committee meeting for significantly changing the officer recommendation;
- (b) The reasons are to be written in the minutes and inserted after the recording of the vote of the Council or committee decision;
- (3) (a) In the case of a proposed development where the amendment will "significantly" alter the design of that development such that it is considered to be a "deemed refusal", the presiding member will refuse to accept the proposed amendment;
- (b) The presiding member however may, accept a foreshadowed alternative recommendation;
- (c) The Council shall first deal with the officer recommendation in the agenda, in accordance with ~~Meeting Procedures Standing Orders~~ clauses 2.21(3) and 5.6;
- (4) In the case where an alternative recommendation is approved, the Council or committee is to provide reasons at the Council meeting for significantly changing the Officer Recommendation. The reasons are to be written into the minutes and inserted after the recording of the vote of the Council or committee decision.

PART 6 - PROCEDURAL MOTIONS

6.1 Permissible procedural motions

In addition to proposing a properly worded amendment to a substantive motion ~~and subject to sub-clause 3.6.4,~~ when a motion is being debated, it is permissible for a member to move the following procedural motions:-

- (i) that the motion be deferred;
- (ii) that the Council (or committee) now adjourn;
- (iii) that the motion be adjourned;
- (iv) that the motion be now put;
- (v) that the Council (or committee) proceed with the next business;
- (vi) that the Council (or committee) meet behind closed doors;
- (vii) that the meeting be now closed;
- (viii) that the member no longer be heard;
- (ix) that the ruling of the presiding member be disagreed with; or
- (x) that the ~~Meeting Procedures Standing Orders~~ be suspended.

PART 7 - EFFECT OF PROCEDURAL MOTIONS**7.1 Motion “that the motion be deferred” – Effect of motion**

- (1) The motion, “that the motion be deferred”, if carried, causes all debate on the substantive motion or any amendment to cease and for the motion to be deferred and resubmitted for consideration at a subsequent time or date specified in the motion.
- (2) A motion “that the motion be deferred” shall not be moved in respect of the election of a presiding member or the Deputy Mayor.
- (3) A member may at the conclusion of the speech of any other member, move without notice; “that the motion or any part of it be deferred or referred back for further consideration”.
- (4) On a motion referred to in sub-clause (3):-
 - (a) the mover shall not speak for more than five (5) minutes;
 - (b) the seconder shall not speak other than to formally second; and
 - (c) no other debate shall be allowed.
- (5) Where part of a recommendation is deferred back for further consideration, the balance of the recommendation shall be dealt with in accordance with this sub-clause.

7.2 Motion “that the motion be adjourned” – Effect of motion

- (1) This motion having been carried, causes all debate on the substantive motion or amendment to cease but to continue when the discussion is reconvened.
- (2) A member may, at the conclusion of the speech of any other member move, without notice, “that the debate be adjourned to a later time of the same meeting or to a subsequent meeting of the Council”.
- (3) On a motion that the debate be adjourned:-
 - (a) the mover shall not speak for more than five (5) minutes;
 - (b) the seconder shall not speak other than formally to second; and
 - (c) the mover of the motion then under debate shall not speak for more than five (5) minutes.
- (4) On a motion that the debate be adjourned, no debate shall be allowed other than that provided for in sub-clause (3).
- (5) The mover of a motion under debate speaking in opposition to an adjournment is not thereby to lose the right of reply.
- (6) A member who has spoken on the motion then under debate shall not move the adjournment of the debate.

- (7) A member shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the same debate.
- (8) On resuming an adjourned debate, the member who moved its adjournment is entitled to speak first.
- (9) On a motion for the adjournment of a debate being carried, a record is to be taken of all those who have spoken on the subject under debate.
- (10) Those members to which sub-clause (9) applies, shall not be permitted to speak on any resumption of the debate on that subject.
- (11) This sub-clause does not deprive a mover of the right of reply.

7.3 Motion “that the Council or Committee adjourn” – Effect of motion

- (1) This motion having been carried, will cause the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was adjourned unless the presiding member or the majority of the members upon vote, determine otherwise.
- (2) A member may:-
 - (a) at the conclusion of the speech of any other member; or
 - (b) on the conclusion of any business;move without notice that the Council or committee now adjourn.
- (3) A motion seeking to adjourn the Council or committee shall state the time and date to which the adjournment is to be made.
- (4) On a motion to adjourn:-
 - (a) the mover shall not speak for more than five (5) minutes;
 - (b) the seconder shall not speak other than formally to second;
 - (c) the mover of the motion (if any) which was then under debate shall not speak for more than five (5) minutes; and
 - (d) no other debate shall be allowed;
- (5) The mover of a motion under debate speaking in opposition of an adjournment is not to lose the right of reply.
- (6) If a motion for the adjournment of the Council or committee is lost, no similar motion shall be moved until:-
 - (a) after the conclusion of the business under discussion at the time the adjournment was moved; or
 - (b) if the adjournment was moved on the conclusion of an item of business, after the conclusion of the next item of business; or

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

- (c) after the conclusion of any other business allowed precedence by the Council or committee.
- (7) A member who has spoken on the motion then before the Council or committee shall not move the adjournment of the Council or committee.
- (8) A member shall not, at the same sitting of the Council or committee, move or second more than one motion for the adjournment of the Council or committee.
- (9) On a motion for the adjournment of the Council or committee being carried, the discussion on the motion (if any) under debate when the motion was moved, shall be continued immediately upon the Council or committee resuming after the adjournment.
- (10) On a motion for the adjournment of the Council or committee being carried, a record shall be taken of all those who have spoken on the subject under consideration at the time of the adjournment.
- (11) Those members to which sub-clause (10) applies shall not be permitted to speak on any subsequent consideration of the same subject.
- (12) This sub-clause does not deprive a mover of the right of reply.
- (13) On the motion for the adjournment of the Council or committee being carried:-
 - (a) the presiding member shall adjourn the Council or committee to the time and date specified in the motion; or
 - (b) where no time and date is specified, to a time and date determined by the presiding member.

7.4 Motion “that the motion be now put” – Effect of motion

- (1) The motion, “that the motion be now put”, if carried during discussion of a substantive motion without amendment, causes the presiding member to offer the right of reply and then immediately put the matter under consideration without further debate.
- (2) This motion, if carried during discussion of an amendment, causes the presiding member to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.
- (4) A member may, at the conclusion of the speech of any other member, move without notice and without comment, “that the motion or amendment under consideration be now put”.
- (5) A motion, “that the motion under consideration be now put”, shall not be moved by a member who has already spoken on the motion.
- (6) At any meeting, if any member objects, the motion shall not be carried, except by an absolute majority decision of the Council.

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (7) Whenever it is decided by the Council that the motion be put, the motion to be put includes the original motion as well as any amendment adopted by the Council.
- (8) If the closure motion is moved during debate on an amendment, it is the amendment which is put to the vote and not the original motion.

7.5 Motion “that the Council or Committee proceed to the next business” – Effect of Motion

- (1) The motion, “that the Council or committee proceed to the next business”, if carried, causes the debate on the motion under consideration to cease immediately and for the Council or committee to move to the next business of the meeting. No decision will be made on the motion being discussed, nor is there any requirement for the matter to be again raised for consideration. The motion under consideration is to be considered lapsed.
- (2) If the motion to proceed to the “next business” is carried in respect of an amendment to a substantive motion, or another procedural motion, its effect is to remove that amendment or formal motion from consideration; and debate upon the substantive motion then proceeds. That amendment cannot be further moved at the meeting or at any adjournment of it.
- (3) The effect of the motion referred to in sub-clause (1) thus lapsing is to be the same as if it had been lost on a vote of the Council or committee.
- (4) A motion “that the Council or committee proceed to the next business”, shall not be moved in respect of the election of a presiding member or the deputy mayor.
- (5) A member may, at the conclusion of the speech of any other member, move without notice and without comment, that the Council proceed to the “next business”.
- (6) Upon the motion referred to in sub-clause (5) being formally seconded, it shall be immediately put, without debate.
- (7) During the same debate on any question, a “Next Business” motion shall not be moved within one hour after a similar motion has been negatived.

7.6 Motion “that the Council or Committee meet behind closed doors” – Effect of motion

- (1) Where the Council or committee resolves to close a meeting to members of the public -
 - (a) the presiding member is to direct all persons other than the members and relevant employees or advisers of the Council or committee to leave the Council chamber or meeting room and every person is to promptly comply with that direction; and
 - (b) subject to sub-clause (2), the business at a meeting closed to the public is to be conducted “behind closed doors” until the Council or committee resolves to open the meeting to the members of the public.

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (2) If the decision is to conduct specified business at a meeting closed to members of the public, the meeting is to revert to open to members of the public upon the completion of the matter under consideration.
- (3) A person failing to comply with a direction made under sub-clause (1), may by order of the presiding member, be removed from the Council chamber or meeting room.
- (4) Upon the meeting being declared open to the public again, the presiding member, unless the Council or committee decides otherwise and if members of the public are present, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

7.7 Motion “that the meeting be now closed” – Effect of motion

- (1) On a motion “that the meeting be now closed” being carried, the discussion on the motion (if any) under debate when that motion was moved, is to stand adjourned to its place on the notice paper for the next meeting of the Council or committee.
- (2) A member may, at the conclusion of the speech of any other member or on the conclusion of any business, move, without notice, “that the meeting of the Council or committee be now closed”.
- (3) On a motion “that the meeting of the Council or committee be now closed”:-
 - (a) the mover shall not speak for more than five (5) minutes;
 - (b) the seconder shall not speak other than formally to second;
 - (c) the mover of the motion (if any) then under debate shall not speak for more than five (5) minutes; and
 - (d) no other debate shall be allowed.
- (4) The mover of a motion under debate speaking in opposition to the Closure of the meeting is not thereby to lose the right of reply.
- (5) If a motion “that the meeting of the Council or committee be now closed” is lost, no similar motion is to be moved until:-
 - (a) after the conclusion of the motion under discussion at the time the closure was moved; or
 - (b) if the closure was moved on the conclusion of an item of business, after the conclusion of the next item of business; or
 - (c) after the conclusion of any other business allowed precedence by the Council or committee.
- (6) A member who has spoken on the motion then before the Council or committee shall not move that the meeting be closed.
- (7) A member shall not, at the same meeting of the Council or committee, move or second more than one motion that the meeting be closed.

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

- (8) On a motion "that the meeting be now closed" being carried:-
- (a) a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the meeting; and
 - (b) those members shall not be permitted to speak on any subsequent consideration of the same subject.
- (9) This sub-clause does not deprive a mover of the right of reply.

7.8 Motion "that the Member no longer be heard" – Effect of motion

The motion, "that the member no longer be heard", having been carried, will cause the presiding member to not allow the member against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

7.9 Motion "that the ruling of the Presiding Member be disagreed with" – Effect of motion

- (1) The motion, "that the ruling of the presiding member be disagreed with", having been carried, will cause the ruling of the presiding member about which this motion was moved, to be reversed and for the meeting to proceed accordingly.
- (2) Where the presiding member has adjourned the meeting in accordance with clause 7.3 of the ~~Meeting Procedures~~ Standing Orders, the motion, that the presiding member be disagreed with, may not be moved.

7.10 Motion "that the ~~Meeting Procedures~~ Standing Orders be suspended" – Effect of motion

- (1) The Council or a committee may on a motion, suspend temporarily one or more of the ~~Meeting Procedures~~ Standing Orders.
- (2) A member moving the suspension of ~~Meeting Procedures~~ Standing Orders shall state the object of the motion and no other discussion shall take place.
- (3) A member moving the suspension of ~~Meeting Procedures~~ Standing Orders under this clause shall state the purpose of the suspension and/or the specific clause or clauses of the ~~Meeting Procedures~~ Standing Orders sought to be suspended.
- (4) Only the clauses nominated in sub-clause (3) are to be affected by any decision to suspend ~~Meeting Procedures~~ Standing Orders under this clause.

PART 8 - CONDUCT AND BEHAVIOUR

8.1 No digression

A member shall not speak otherwise than upon, or digress from, the motion then before the Council.

8.2 No adverse reflection on a Council decision or a person

- (1) A member shall not reflect adversely upon any decision of the Council except on a motion that the decision be revoked or changed.
- (2) A member shall not reflect adversely upon the character or actions of another member nor impute any motive to a member unless the Council resolves, without debate that the motion before the Council cannot otherwise be adequately considered.

8.3 Conduct and behaviour

- (1) A person must, at all times, comply with a high standard of personal conduct and behaviour and refrain from personal abuse or denigration of another person.
- (2) A person shall not carry out or perform any conduct, behaviour, gestures or actions which causes offence to another person.

8.4 Recording of statements

If a member of the Council or committee specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the person presiding is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in the minutes.

8.5 Withdrawal of offensive language

- (1) Any person who uses an expression which in the opinion of the presiding member is out of order or reflects offensively on any other person, shall when required by the presiding member, unreservedly withdraw the expression and make a satisfactory apology to the presiding member, other person being referred to or the Council, whichever is appropriate.
- (2) If the person in sub-clause (1) declines, or neglects to do so, the presiding member may refuse to hear the person further upon the matter then under discussion and may call upon the next speaker.

8.6 Disturbances not permitted

A member shall not make any noise or disturbance or speak aloud while any other person is addressing the Council, except to:-

- (a) raise a point of order; or
- (b) call attention to the lack of a quorum.

8.7 Continued irrelevance, repetition, or offensive expressions

- (1) The presiding member may:-

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

- (a) call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a member; and
- (b) direct that member, if speaking, to stop speaking;

when directed, the member shall cease speaking.

- (2) A member may call the attention of the presiding member to any continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a member of the Council, and may call upon the presiding member to direct the member to cease speaking.
- (3) If after a member has drawn the attention of the presiding member according to sub-clause (2), a member continues without alteration, a member may move that the member ceases to speak. Upon moving this motion the presiding member must immediately call for a seconder, but there shall be no debate. If carried by a simple majority of the Council, the member may take no further part in debate on the question before the meeting, but can still vote.

8.8 Crossing Council Chambers

- (1) When the presiding member is putting any motion, a member shall not leave or cross the Council Chamber.
- (2) A member shall not pass between the speaker and the presiding member, whilst any other member is speaking.
- (3) A member shall not converse with any member of the public in the Council chamber or public gallery during a Council meeting.

8.9 Leaving and entering meetings

After a meeting of the Council has been formally constituted and the business commenced, no member shall enter or withdraw from the meeting without first advising or acknowledging the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

~~8.10 Consumption of alcohol during meetings~~

~~The consumption of alcoholic beverages in any Council or committee meeting is prohibited.~~

~~8.11 Smoking prohibited~~

~~Smoking in the administration and civic centre or in any meeting is prohibited.~~

8.102 Mobile phones and audible electronic devices

Mobile telephones and audible electronic devices shall not be switched on or be used in the Council chamber or meeting room, if they interfere with the conduct of the meeting.

PART 9 - PRESERVING ORDER

9.1 Presiding Member to preserve order

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 2008

The presiding member shall preserve order, and may call any member or person to order, whenever, in the presiding member's opinion, there is cause for so doing.

9.2 Definition of order

Any member or person who does anything or behaves in a manner which is forbidden by any of these ~~Meeting Procedures Standing Orders~~ shall be deemed to be out of order.

9.3 Breaches of order

The following are recognised as breaches of order:-

- (i) discussion of a motion which is not before the Council; or
- (ii) the use of abusive, defamatory, derogatory, insulting, intimidatory, offensive or profane, language ; or
- (iii) any conduct, behaviour, gestures or actions which causes offence to another person; or
- (iv) any violation of these ~~Meeting Procedures Standing Orders~~; or
- (v) a breach of any other written law.

9.4 Points of order

- (1) Any member may direct the attention of the presiding member to any breach of order by any other member, including interrupting the speaker.
- (2) A member raising a point of order shall specify one of the grounds of the breach of order before speaking further on the matter.
- (3) A member rising to express a difference of opinion or to contradict a speaker shall not be recognised as raising a point of order.

9.5 Precedence of points of order

Notwithstanding anything contained in these ~~Meeting Procedures Standing Orders~~ to the contrary, all points of order at any time arising shall, until decided, suspend the consideration of and decision on every other matter.

9.6 Rulings of points of order by Presiding Member

- (1) The presiding member, when deciding a point of order or practice, is to give his or her decision by either upholding or rejecting the point of order, and argument or comment is not permitted.
- (2) The presiding member's decision in sub-clause (1) is final in that specific case, unless a majority of the members present, upon motion made forthwith without discussion, dissent against the decision. Should the motion be seconded, it shall be put to the vote immediately and the result of the vote whether in support of the decision or otherwise, shall determine the action of the Council.

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (3) Notwithstanding the generality of sub-clauses (1) and (2) there shall be no dissent against a ruling of the presiding member allowing or disallowing a question on a matter required to be dealt with without discussion.

9.7 Ruling out of order

- (1) Whenever the presiding member has decided that any motion, amendment or other matter before the Council is out of order, it shall be rejected.
- (2) Whenever anything said or done by any member or person is similarly decided to be out of order, that member or person shall be called upon by the presiding member to be seated or to make such explanation, retraction or apology, as the case may require.

9.8 Continued breach of order

- (1) Where a Councillor-Council Member persists in any conduct which the presiding member decides is out of order, the presiding member may direct that Council MemberCouncillor to refrain from taking any further part in the meeting of the Council or committee, other than by complying with the pecuniary interest and voting provisions of the Act. The member shall comply with the direction.
- (2) Any member or person who converses aloud, or makes any noise, or disturbance after being called to order by the presiding member, or who wilfully obstructs or interrupts the orderly conduct of business shall, upon the request of the presiding member cease to do so. In the event of a person (other than a member) persistently disregarding the authority of the presiding member when requested, the person may by order of the presiding member be removed from the Council chamber or meeting room for the remainder of the meeting.

9.9 Serious disorder

- (1) If at a meeting of the Council or committee the presiding member is of the opinion that by reason of disorder or otherwise the business of the Council or committee cannot effectively be continued, the meeting shall be adjourned for a period of not more than fifteen (15) minutes.
- (2) After the adjournment in sub-clause (1) the Council or committee is to re-assemble and decide whether business is to be proceeded with, and that question is to be decided forthwith and without debate.
- (3) Where after any proceedings under sub-clauses (1) and (2), the presiding member is again of the opinion that the business of the Council or committee cannot effectively be continued, the meeting may be closed or adjourned.

9.10 Presiding Member may be heard

Whenever the presiding member speaks during debate to raise or rule on a point of order, any person speaking or who is about to speak shall be silent so that the presiding member may be heard without interruption.

9.11 Prevention of disturbance

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (1) No person (other than a member) shall interrupt or interfere with the proceedings of any meeting of the Council or committee, whether by expressing approval or dissent, by loudly conversing or by any other means.
- (2) A person (other than a member) who fails to comply with sub-clause (1) when so directed by the presiding member, shall immediately leave the Council chamber or meeting room.
- (3) A person (other than a member) directed to leave the Council chamber or meeting room and failing to do so may, by order of the presiding member, be removed from the Council chamber or meeting room.
- (4) The direction of the presiding member is final and may not be challenged by moving dissent with the ruling.

PART 10 - MOTION FOR REVOKING OR CHANGING A DECISION**10.1 Revoking or changing decisions at same meeting**

The Council may at the same meeting at which it is passed revoke or change a decision if all members who were present in the Council chamber at the time the decision was passed are also present in the Council chamber at the time the revoking or changing is proposed.

10.2 Revoking or changing decisions at a subsequent meeting

- (1) If a decision has been made at a Council or a committee meeting then any motion to revoke or change the decision must be supported:-
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous three (3) months but had failed, by an absolute majority decision; or
 - (b) in any other case, by at least one third (1/3) of the number of offices (whether vacant or not) of members of the Council or committee;

inclusive of the mover.

- (2) If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made:-
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (b) in any other case, by an absolute majority.
- (3) This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

10.3 Notices received during same meeting

- (1) If the CEO receives a notice of motion to revoke or change a decision before the close of the meeting at which the decision was passed:-
 - (a) the CEO shall immediately deliver the notice to the presiding member;
 - (b) the presiding member shall, at the earliest opportunity, notify the meeting of the notice; and

STANDING ORDERS MEETING PROCEDURES LOCAL LAW 2008

- (c) thereafter, at the first available opportunity the presiding member shall bring on the revocation motion before the close of the meeting.
- (2) If the CEO receives a notice of motion to revoke or change a decision after the closure of the meeting at which the decision was passed, the CEO shall ensure that the revocation motion is considered at a special or ordinary meeting of the Council held at the earliest opportunity after the meeting at which the substantive decision was passed.

10.4 Multiple revocation notices

The CEO may receive more than one notice of motion to revoke or change the same decision.

10.5 Absence of mover or seconder

If a motion to revoke or change a decision fails to be considered by the Council by reason that at the time the motion is called on:-

- (a) the member who gave notice of the motion is not present or is not willing to move the motion; and
- (b) there is no other member present willing to move the motion;

then the motion is to lapse and a motion to the same effect is not thereafter to be entertained by the Council at that meeting.

10.6 No revocation of procedural decision or a decision to revoke

The Council shall not entertain a motion to revoke or change a decision which is:-

- (a) merely procedural in its form and effect; or
- (b) a decision to revoke another decision.

10.7 Repeated revocations by the same Member prohibited

If the Council, on a motion moved by any member, resolves not to revoke or change a substantive motion, then the Council shall not subsequently entertain a motion moved by the same member to revoke or change the same substantive motion.

PART 11 - IMPLEMENTATION OF A DECISION**11.1 Implementation of a decision**

- (1) If a notice of motion to revoke or change a decision of the Council or a committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that –
 - (a) if a notice of motion to revoke or change a decision of the Council or a committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under Regulation 10 of the Regulations indicate their support for the notice of motion at that meeting; and
 - (b) if a notice of motion to revoke or change a decision of the Council or a committee is received after the closure of the meeting at which the decision was made, implementation of the decision is not to be withheld unless the notice of motion

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

has the support in writing, of the number of members required to support the motion under Regulation 10 of the Regulations.

- (2) Implementation of a decision is only to be withheld under sub-clause (1) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.
- (3) The Council or a committee shall not vote on a motion to revoke or change a decision of the Council or committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given –
 - (a) action has been taken to implement the decision; or
 - (b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate and where that approval or authorisation of a licence, permit or certificate has been put into effect by the Council in writing to the applicant or the applicant's agent by an employee of the Council authorised to do so;

without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.

PART 12 - COMMITTEES AND ~~FORUMS~~ COUNCIL BRIEFINGS

12.1 Committees

Committees of the Council shall operate in accordance with the Act, the Regulations and these Meeting Procedures ~~Standing Orders~~.

12.2 Meeting Procedures ~~Standing Orders~~ to apply to Committees

These Meeting Procedures ~~Standing Orders~~ shall apply generally to the proceedings of committees of the Council except that the requirement for members to speak only once shall not be applied in committee meetings.

12.3 Council may establish Committees

The Council may establish committees in accordance with the Act.

12.4 Duties of Committees

The powers and duties of committees are to be in accordance with the Act.

12.5 Calling of Meetings

The CEO shall call a meeting of any committee when requested to do so by the presiding member or any two members of that committee.

12.6 Appointment of Deputy Committee Members

- (1) The Council may by an absolute majority decision appoint a maximum of two persons to be the deputy or deputies, as the case may be, to act on behalf of a committee member whenever that member is unable, for a cause prescribed in section 52 of the *Interpretation Act 1984*, to be present at a meeting of the

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

committee. Where two deputies are appointed, they are to have seniority in the order determined by the Council.

- (2) Where a committee member does not attend a meeting of a committee a deputy of that committee member is, subject to sub-clause (3), entitled to attend that meeting in place of the committee member and act for the committee member, and while so acting, has all power of that committee member.
- (3) A deputy who is one of two deputies of a committee member is not entitled to attend a meeting of the committee in place of that committee member if the meeting is attended by another deputy of that committee member who has precedence over that deputy in the order of seniority determined under sub-clause (1).
- (4) A person who is a committee member is not eligible to be appointed as a deputy for another member of that committee.

12.7 Qualification of deputy

The Council may only appoint a person to be a deputy if that person is qualified to be appointed as a committee member.

12.8 Term of appointment

A person appointed as a deputy holds that position until –

- (a) the term of the person's appointment as a deputy as determined by the Council expires;
- (b) the Council revokes the delegation;
- (c) the office of the committee member otherwise becomes vacant;
- (d) the committee is disbanded; or
- (e) the next ordinary elections day;

whichever occurs first.

~~12.9 Forums~~

~~The Council may prescribe guidelines and procedures for the management of forums.~~

12.9 Council Briefings

- (1) Council Briefings may be held to provide Council Members with the opportunity to ask questions and clarify issues relevant to the agenda items due to be presented to the following Ordinary Council Meeting.
- (2) Clause 2.17 of these Meeting Procedures shall apply to Council Briefings.
- (3) Clause 2.19 of these Meeting Procedures shall apply to Council Briefings, but questions shall only relate directly to items listed on the agenda.
- (4) Council may prescribe procedures for the management of Council Briefings.

PART 13 - ADMINISTRATIVE MATTERS**13.1 Representation on committees, statutory authorities and public bodies**

- (1) Correspondence inviting the Council, a council member or an ~~e~~Employee to submit a nomination for appointment to a committee, statutory authority or a public body, shall be referred by the CEO to the Council.
- (2) A council member or an employee cannot represent the local government on a committee, statutory authority or public body, unless approved by the Council.

13.2 Obligations of Council delegate

A member or employee appointed by the Council to be its delegate to a committee, statutory authority or public body is;

- (a) when required to express an opinion or vote on any item of business, to have regard to the decisions, policies and practices of the Council;
- (b) to resign from the position if they cease to be a member or employee of the local government, within the term of their appointment.

13.3 Common Seal

- (1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Mayor (where applicable) and the CEO.
- (3) The common seal of the Local Government is to be affixed to any local law, which is made by the Local Government.
- (4) The CEO is to record in a register and report to the Council each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.
- (5) Any person who uses the common seal of the Local Government or a replica thereof without authority of the Council, commits an offence.

~~STANDING ORDERS~~ MEETING PROCEDURES LOCAL LAW 2008

PART 14 - MISCELLANEOUS

14.1 Cases not provided for in ~~Meeting Procedures~~ Standing Orders

- (1) In cases of procedure where the ~~Meeting Procedures~~ Standing Orders, the Act or Regulations are silent, rulings shall be determined according to a recognised authoritative book on meeting procedure, as determined by the presiding member.
- (2) The presiding member shall decide all other questions of order, procedure, debate or otherwise where these ~~Meeting Procedures~~ Standing Orders, the Act and Regulations are silent or the approved authority has no provision, or insufficient provision.
- (3) The decision of the presiding member in these cases is final, except where a motion is moved and carried under clause 6.1(ix).

14.2 Duty of Chief Executive Officer

It is the duty of the CEO to draw the attention of the Council to any breach or likely breach of the ~~Meeting Procedures~~ Standing Orders, even if it requires interrupting any person speaking.

14.3 Presiding Member to ensure compliance

The presiding member is authorised and empowered to ensure that meetings are conducted in accordance with these ~~Meeting Procedures~~ Standing Orders.

14.4 Breach of ~~Meeting Procedures~~ Standing Orders

- (1) Any person who contravenes any provisions of these ~~Meeting Procedures~~ Standing Orders commits an offence and is liable to a penalty not less than \$200.00 and not exceeding \$5000.00 and if the offence is of a continuing nature, such person may be liable to a further penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.
- (2) Any motion, amendment or action taken which is in breach of, or contrary to these ~~Meeting Procedures~~ Standing Orders is deemed invalid.

This local law was made by the City of Vincent at an Ordinary Meeting held on the 23rd day of September 2008.

The Common Seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of —

NICK CATANIA, JP, Mayor

JOHN GIORGI, JP, Chief Executive Officer

Table 1 – Summary of Submissions

	Issue	Administration Response
1.1	Clause 2.3 should say "as prescribed by the regulations and displayed on the City's web site." It is inconvenient for members of the public to attend the office and it is impossible on weekends or public holidays.	Supported. Administration supports the inclusion of an amended clause requiring the publication of the notice paper on the City's website. This is in line with the City's current practice.
1.2	Clause 2.1 should say that selection of a presiding member should be done in public.	Not Supported. In the rare occasions that there is a requirement to "select" a presiding member in the absence of the Mayor and Deputy Mayor, this is done by Council Members prior to the Council Meeting. The Local Government Act 1995 requires that a chosen Council Member preside at a Council Meeting and technically it is not possible to open the meeting without a presiding member.
1.3	Clause 2.9 should make it clear that council members cannot ask for leave of absence for the meeting at which it may be granted. This was determined by the Standards committee or somebody with a similar standing.	Not Supported. Section 3A(b) of the <i>Local Government Act 1995</i> prohibits the granting of leave for "the part of the meeting before the granting of leave". This implies that it is acceptable to grant leave from the time of the grant of leave onwards.
1.4	Clause 2.16 (1) should be dropped and 2.16 (2) amended. The press, and public, should be able to record any part of the meeting that is open to the public.	Not Supported. Council Meeting live streamed and recordings are made available to the public on the City's website.
1.5	Clause 2.16 (3) should not just be limited to web streaming and should include that the recordings will be made available to the public.	Not Supported. Since September 2017 the City's current practice is to make recordings available via the website. While it would not be unreasonable to include this in the Local Law, Administration is of the view that it is appropriate that recordings are provided at Council's discretion via the City's <i>Policy 4.2.4 - Council Meetings – Recording And Web Streaming</i> rather than through the Local Law.
1.6	Clause 2.16 should also include provision for recording those parts of the meeting that are not open to the public and that those segments may subsequently be made public.	Not Supported. As above, Administration is of the view that it is appropriate that recordings are managed at Council's discretion via the City's <i>Policy 4.2.4 - Council Meetings – Recording And Web Streaming</i> rather than through the Local Law. It is noted that clause 1 of that policy provides the discretion to record proceedings occur behind closed doors.
1.7	Clause 2.18 should be changed to say that minutes will include the agenda reports as well as the decision. The aim should be for completeness rather than brevity so that anybody subsequently looking at the minutes is aware of the recommendations and reasons, and is aware of any late amendments to the agenda. The current practice requires people to look through at least two documents, and be aware of all amending documents, to get a full picture.	Not Supported. Administration is of the view that the current minutes document produced provides the most readable and accessible mechanism for finding decisions on Council Items and that the inclusion of the agenda reports – which are already available in the agenda – would only serve to make the minutes more lengthy and therefore harder to read and understand.
1.8	Clauses 2.8 (5) and 2.19 (5) (a) are not consistent. 2.8 says that items are considered in the order in which they are raised while 2.19 says they are considered in numerical order.	Supported. While it is not considered that the clauses are inconsistent with one another, it is agreed that the clauses could be clearer. It is proposed to amend clause 2.8(5) as follows: "(5) Notwithstanding sub-clauses (1) and (2), reports listed in the agenda are to be considered in the following order: new order in which they are raised and include;"
1.9	Clause 2.19 (8) should be dropped. In the interests of brevity, accountability and transparency any written questions which are submitted should be treated as normal questions on notice from members of the public and the answers included in the next agenda.	Not supported.
1.10	Clause 2.22 (2) should say "presiding member" rather than mayor. Generally "mayor" should be changed to "presiding member" where relevant to cater for situations where the mayor is on leave and another member, usually the deputy, takes their place.	Partially Supported It is proposed to amend 2.22(1) as follows: "... Mayor or the committee presiding member, as the case may be". It is proposed to amend 2.22(2) as follows: "If the Mayor or presiding member is of the opinion "

Table 1 – Summary of Submissions

	Issue	Administration Response
1.11	Clause 2.22 (a) should be dropped. There is no need to provide limits other than the time as per 2.22 (b).	Not supported. Administration has no issue with clause 2.22(b) which is intended to provide for orderliness during deputations by limiting the number of members of a deputation that may be present and may address Council.
1.12	Clause 2.24 (1) (d) should drop the date the person signed.	Not supported.
1.13	Clause 2.25 (9) should be dropped. It is not right if the proposer can't make it to the meeting that it can't be proposed for another 3 months.	Not supported Clause 2.25(8) provides that if a Council Member is not present or if the motion is deferred that the notice of motion may be proposed at a subsequent Council Meeting. 2.25(9) provides that if a notice of motion has lapsed at two meetings that it may not be entertained for 3 months.
1.14	The term "other than presiding member" should be dropped from 4.7 (1) and (2) and 5.14 (3) and anywhere else where they preclude the presiding member from moving an amendment. The presiding member should be given the right to move amendments.	Not supported. Custom and convention is that a presiding person should not move a motion (including an amendment) from the chair as it is argued that moving a motion undermines the presiding member's impartiality which is the cornerstone of their authority in the meeting.
1.15	Clause 4.9 should be changed from "before the motion is put" to "before the motion is determined" to allow questions until such time as the votes have been counted. Similar changes should be made to 4.12 because the mover may raise a point during the "right of reply" that warrants a question.	Not supported. Administration is of the view that it is not appropriate to allow questions on an item between it being put and between the vote being declared. The role of questioning is to ensure Council Members are fully informed before they vote, therefore it follows that questions should be concluded before a vote is taken. Similarly, the role of the right of reply is intended to close debate and no new material should be raised, therefore it is appropriate that no questions be asked during the right of reply.
1.16	Clause 5.2 (3) should be changed to make it clear that the result of each individual's vote is known to all those present at the meeting. We must avoid the situation where an electronic vote is taken but only the result (e.g. 5-3) is known at the meeting. It should not be left to reading the minutes some time later.	Partially supported. Clause 5.1(b) provides that voting is to be undertaken "openly and not by secret ballot". Administration asserts that this would prevent any anonymous electronic voting system from being implemented.
1.17	Clause 7.1 should have a clause similar to 7.2 (6) that stops a member from speaking then moving deferral without allowing other members to speak first, or debate should be allowed on deferral contrary to 7.1.(4) (c)	Not supported. While the procedural motions to "defer" and to "adjourn" are similar in nature, an adjournment has the effect of pausing debate on an item while a deferral stops debate and allows it to be recommenced at a later point. As a consequence, it may be appropriate and desirable to defer a motion after all members have spoken which would be prevented by this clause, whereas this can never be the case with an adjournment.
1.18	Clause 8.10 should say that devices should not be used during a meeting for any purpose other than council purposes. It is disrespectful to other council members and the public to see council members using electronic devices for non-council purposes during meetings.	Not supported. The intent of the clause is to prevent interference with the conduct of the meeting.

A total of one submission was received in response to the City's public notice advertising the Standing Orders Amendment Local Law 2017.

11.4 DRAINAGE EASEMENT TO BENEFIT OF WATER CORPORATION - ROBERTSON PARK, 176 FITZGERALD STREET, PERTH**TRIM Ref:** D17/144600**Author:** Meluka Bancroft, Property Leasing Officer**Authoriser:** John Paton, Director Corporate Services

Attachments:

1. Plan of Robertson Park  
2. Plan of Water Corporation Drainage Infrastructure at Robertson Park  
3. Plan showing proposed easement area  

RECOMMENDATION:

That Council **REFUSES** the Water Corporation's request for a drainage easement to be registered over the Certificate of Title for Lots Y232 and Y233, comprising a portion of Robertson Park Tennis Club, to provide the Water Corporation with the power to access its drainage infrastructure beneath the land and to restrict any development over the drainage infrastructure on the basis that the Water Corporation currently has the power to access its drainage infrastructure and the City cannot interfere with the drainage infrastructure pursuant to the *Water Services Act 2012*. Thus granting an easement would unnecessarily increase the Water Corporation's current powers.

PURPOSE OF REPORT:

For Council to consider the Water Corporation's request for an easement to the benefit of the Water Corporation to be granted over the Water Corporation's drainage infrastructure within Robertson Park.

BACKGROUND:

Robertson Park comprises multiple individual lots owned in freehold by the City of Vincent and contained within Certificate of Title Volume 2782 Folio 188 (multi lot title). Dissecting the property generally north-south and running parallel with Fitzgerald Street is a 5.1m wide Drainage Reserve (see **Attachment 1**). The southern half of the Drainage Reserve contains a 1500mm Water Corporation sewer main, with the northern section containing a City of Vincent stormwater drain which connects into the Water Corporation sewer main.

The following Water Corporation infrastructure is also located beneath Robertson Park (see **Attachment 2**):

- 350mm diameter sewer pipeline and drain located beneath lots 232 and 233 and running from Dorrien Gardens to the Drainage Reserve; and
- 1500mm diameter sewer main located beneath Lot 5 and running from Fitzgerald Street to the Drainage Reserve.

Whilst Water Corporation infrastructure is located beneath Robertson Park, the City's Certificate of Title Volume 2782 Folio 188 is not currently encumbered by any easements to the benefit of the Water Corporation. In order to protect its infrastructure, the Water Corporation is now requesting a 10m wide easement to be located over the drainage infrastructure beneath lots 232 and 233.

The Water Corporation is not requesting an easement benefit in respect to the sewer main located beneath Lot 5 on the basis that the infrastructure is beneath public open space (Robertson Park), whereas Lot 232 contains building structures and tennis courts. In view of this, accessing Lot 5 for maintenance is possible and reinstatement of the surface area does not have significant implications for the Water Corporation.

The proposed easement over Lots Y232 and Y233 is depicted on the plan attached at **Attachment 3** and would be granted to the Water Corporation by the City pursuant to section 195 of the *Land Administration Act 1997* (WA). Section 195 provides that an easement can be created to the benefit of the State or a statutory body corporate (which the Water Corporation is).

The Drainage Reserve within Robertson Park, as shown in **Attachment 1**, which comprises sections of drainage infrastructure, is unvested crown land. The Department of Planning, Lands and Heritage has advised that the City could make a request to the Minister of Transport; Planning and Lands to acquire the freehold in the drainage reserve and amalgamate it with the adjoining freehold through a crown subdivision process. Administration is investigating this opportunity and will present a report to Council for direction in due course if there is merit in pursuing this.

DETAILS:

The purpose of drainage easements is to notify prospective purchasers and users of the land of the existence of drainage infrastructure and the related restrictions on the use of the land. The conditions which would be included in a proposed easement are:

- The Water Corporation or its contractors may pass, with or without vehicles, over the easement area for the purpose of constructing, extending, maintaining, altering or improving the sewer and drainage infrastructure at any time;
- The Water Corporation will maintain the sewer main and drainage infrastructure and will make good any damage to the land;
- The City may not alter the structures over the easement area or construct new structures over the easement area without the permission of the Water Corporation; and
- The City must indemnify the Water Corporation from and against any damage caused to the sewer or drainage infrastructure as a result of the use of any structures over the easement area.

The *Water Services Act 2012* (WA) governs the provision and regulation of water services in Western Australia. Part 8 (section 173 in particular) authorises the Water Corporation to enter private land in connection with its infrastructure, provided that notice is provided to the landowner. Therefore the Water Corporation can currently access Robertson Park for the purpose of inspecting or repairing its infrastructure, provided notice is provided to the City. Section 88 of the *Water Services Act 2012* (WA) prevents any person from interfering with drainage infrastructure and prescribes a penalty. Section 218 provides that the Water Corporation must minimise interference with the use of the land and make good any damage to the land.

The proposed drainage easement will expand the powers the Water Corporation currently has pursuant to the *Water Services Act 2012* (WA), in particular, the Water Corporation will be able to access the land without providing notice. In respect to structures on the land, while the *Water Services Act 2012* (WA) only provides that the City can not interfere with the infrastructure, the proposed easement is prohibiting any structures over the infrastructure without its approval. Therefore the potential for future development at Robertson Park Tennis Club may be restricted, and any development permitted is likely to require piling and concrete casing.

The Water Corporation has confirmed that compensation will not be payable to the City as the drainage pipeline is essential public infrastructure. However, the Water Corporation would pay the survey, document preparation and lodgement costs and reimburse the City for any reasonable legal fees which the City may incur.

Administration notes that the Water Corporation does not have the power to require the City to grant it the easement benefit. If the City does not grant an easement benefit to the Water Corporation, at the time of any future redevelopment of the site (including altering current structures over the drainage infrastructure) the Water Corporation would be consulted and the proposed structures would need to be designed / located in a manner to limit any adverse impact to the infrastructure. The Water Corporation may also at this time require that an easement be granted.

CONSULTATION/ADVERTISING:

Administration has discussed the proposed easements with the Water Corporation and is of the opinion that granting the easement benefit at this stage is unnecessary.

Administration has also discussed the ownership of the drainage reserve with the Department of Planning, Lands and Heritage and believes that acquiring the freehold in the drainage reserve through a crown subdivision process would be in the City's best interests, as it would formalise ownership of the land.

LEGAL/POLICY:

The *Water Services Act 2012* (WA) provides that:

Section 88 Interfering with water service works of licensee

- “(1) A person must not –
- (a) uncover the water service works of a licensee; or
 - (b) open, shut, damage or otherwise interfere with the water service works of a licensee; or
 - (c) interfere with the operation of the water service works of a licensee; or
 - (d) attach a fitting, pipe or other thing to the water service works of a licensee...”

Section 173 Entry with consent or under notice or warrant

- “(1) If an authorised person may enter a place, including a dwelling, under a provision of this Act, the person may do so –
- (a) with the informed consent of the owner or the occupier of the place; or
 - (b) if at least 48 hours’ notice of the proposed entry has been given to the owner or occupier of the place, unless entry is opposed; or
 - (c) under a warrant issued under section 188.”

Section 218 Prohibition on dealings in land

- “(1) In this section –
Responsible person means the Minister, the Authority, the CEO or a licensee.
- (2) In the exercise or purported exercise of a power under this Act, a responsible person is to ensure, to the extent practicable, that –
- (a) the free use of any place is not obstructed;
 - (b) as little harm or inconvenience is caused and as little damage is done as possible.
- (3) If any physical damage is done to any place or other thing in the exercise or purported exercise of a works power or a power of entry, by or on behalf of a responsible person, the responsible person must-
- (a) ensure that the damage is made good, to the extent that it is practicable to do so; and
 - (b) to the extent that it is not practicable to do so, pay compensation to the person suffering loss from the damage...”

RISK MANAGEMENT IMPLICATIONS:

Medium: It is common for land comprising aged Water Corporation drainage infrastructure to not be encumbered by an easement, as it is usually only when land is subdivided or developed that easements are imposed. Granting an easement benefit to the Water Corporation prior to any subdivision or development of the land burdens the land prematurely and may restrict the City’s future development opportunities.

STRATEGIC IMPLICATIONS:

The City’s Strategic Community Plan 2013-2017 includes the following as strategic objectives:

- “1.1.4 Enhance and maintain the City’s infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.
- 2.1.3 Develop business strategies that reduce reliance on rates revenue.”

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

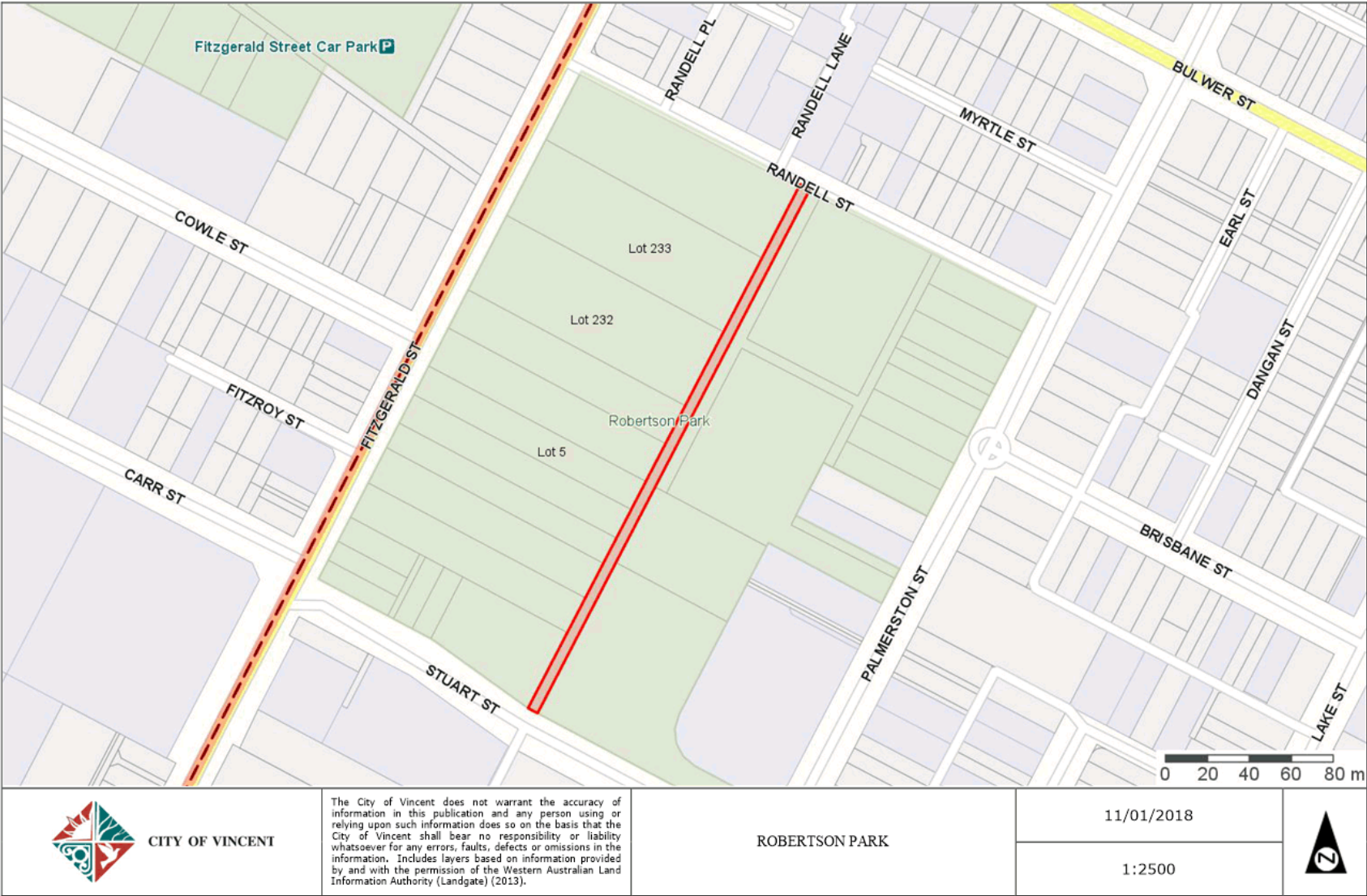
The Water Corporation has confirmed that it will pay all costs associated with the preparation of the proposed easements, which would include survey costs, document preparation and lodgement costs and any reasonable legal fees incurred by the City. If the City does not grant the easement benefits requested and waits until it develops / subdivides the land, the Water Corporation may require easements to facilitate the development / subdivision and require that all costs associated with the preparation and lodgement are payable by the City.

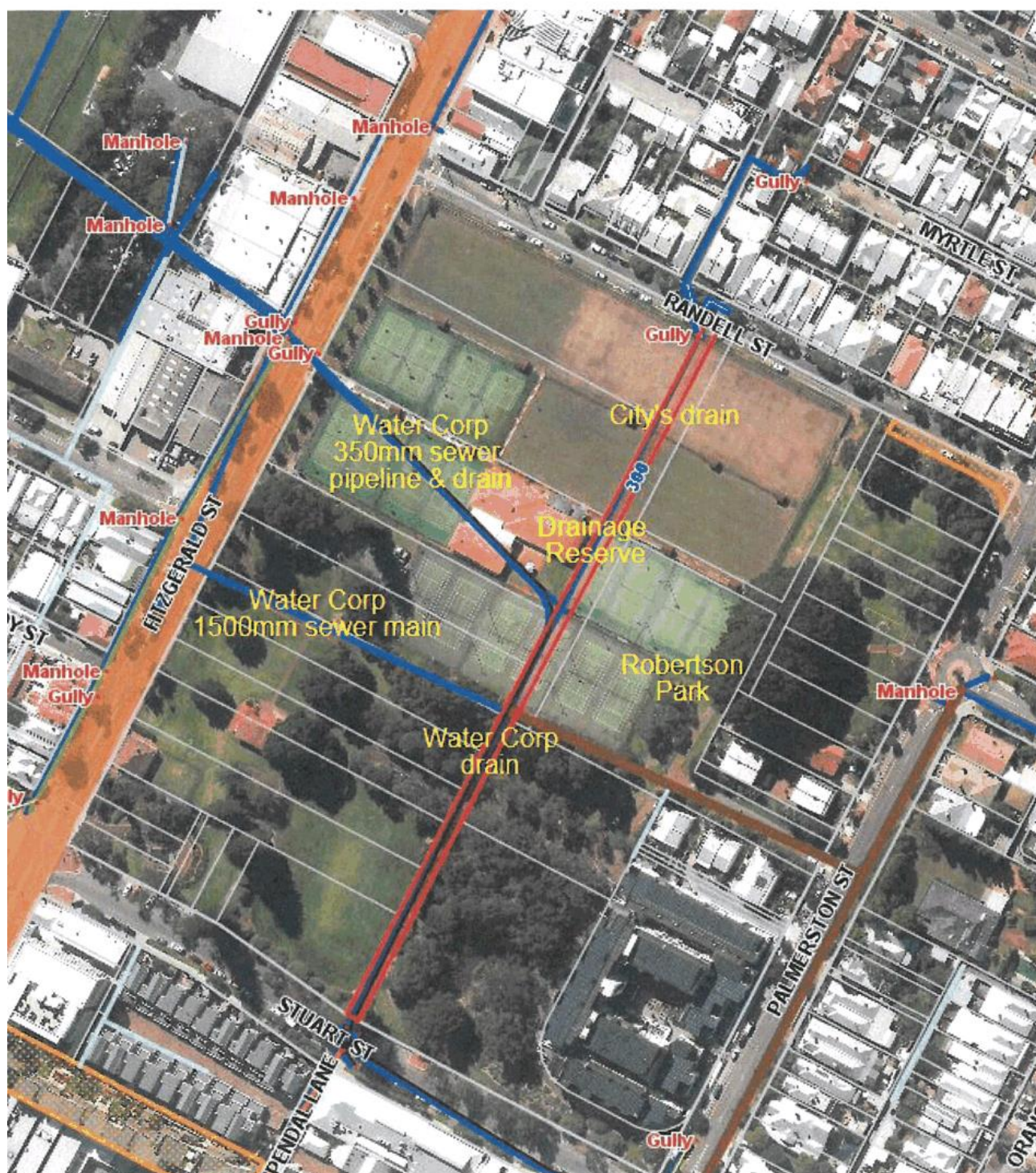
In respect to the City acquiring the freehold in the Drainage Reserve, section 87 provides that a fee may be payable for the land. The fee proposed by the Minister will need to be approved by Council.

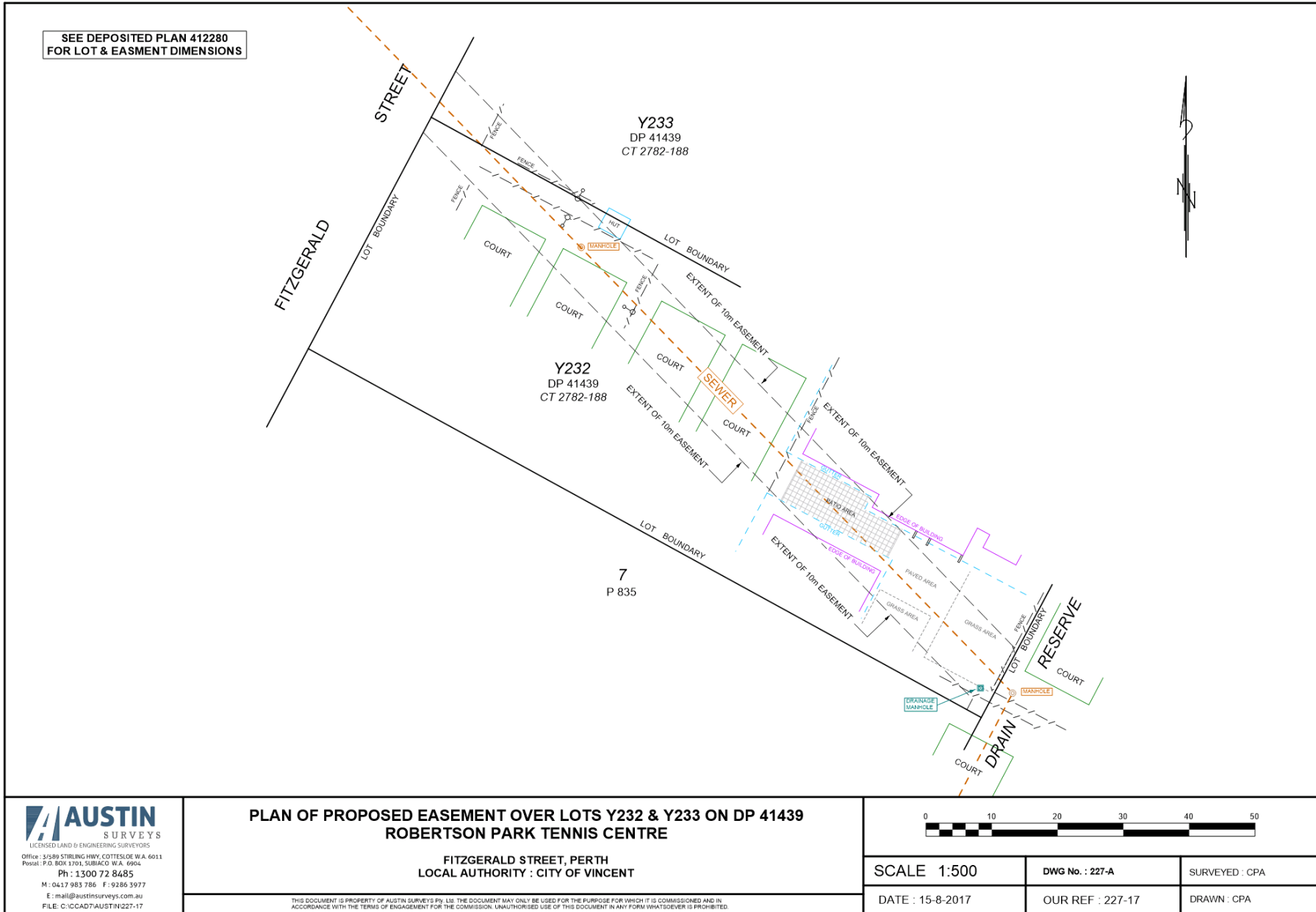
COMMENTS:

Pursuant to the provisions of the *Water Services Act 2012* (WA), the Water Corporation already has the right to access and maintain the drainage infrastructure, with that legislation also preventing the City as landowner from interfering with the infrastructure. Therefore the easement benefit is not necessary to protect the drainage infrastructure, but it will expand the Water Corporation's powers. Importantly, the easement benefit will enable the Water Corporation to access the land without providing notice and will restrict any alterations to the structures over the infrastructure. Consequently, Administration considers that encumbering the Certificate of Title with the drainage easement will unnecessarily restrict the City's rights in respect to the land and therefore it is not in the City's interest to grant the easement benefit.

In respect to the City acquiring the freehold in the Drainage Reserve, this would be in the City's interests as it would formalise control over the land which forms an integral part of Robertson Park. In order to formalise ownership of the Drainage Reserve Administration recommends that it is appropriate for the City to make a request to the Minister to acquire the land as part of a crown subdivision process. Once Administration makes the request and receives a response, a further report will be presented to Council detailing the process, cost and any other implications for the City.







11.5 VARIATION OF LEASE TO INCLUDE ADDITIONAL ARTISTS AS JOINT LESSEES - HALVORSEN HALL, ROBERTSON PARK, 176 FITZGERALD STREET, PERTH

TRIM Ref: D17/177762

Author: Meluka Bancroft, Property Leasing Officer

Authoriser: John Paton, Director Corporate Services

Attachments: 1. Plan of Halvorsen Hall, Robertson Park [↓](#) 

RECOMMENDATION:

That Council

1. **APPROVES** a variation of the lease with Graham Hay, Umberto Alfaro, Frances Dennis, Carol Rowling, Lauren Wilhelm and Renae Edward of Halvorsen Hall, located at Robertson Park, 176 Fitzgerald Street, Perth, to:
 - 1.1 remove Umberto Alfaro, Lauren Wilhelm and Renae Edward as joint lessees; and
 - 1.2 add Sarah Marchant, Christopher McClelland and Bethamy Linton as joint lessees.
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the variation of lease in 1 above.
3. **AUTHORISES** the Chief Executive Officer and / or Director Corporate Services to approve a variation to the lease for the sole purpose of adding or removing joint lessees to the existing lease which runs until 1 March 2020; and
4. **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute any Deed of Variation of lease approved under the authorisation granted in 1 above.

PURPOSE OF REPORT:

To seek approval to vary the lease of Halvorsen Hall, located at Robertson Park, 176 Fitzgerald Street, Perth (Halvorsen Hall), to amend details of the joint lessees.

BACKGROUND:

In 1999 the Perth band terminated its lease of Halvorsen Hall (**Attachment 1**) and the City subsequently advertised for Expressions of Interests for its lease. The City received submissions from several interested community groups, but it was instead decided that Halvorsen Hall be hired casually to the community.

In December 1999 a group of established local artists specialising in sculptures, paintings and creative music expressed an interest to enter into a lease in respect to Halvorsen Hall. The artists intended to operate community art classes from Halvorsen Hall, as this would create an income stream for the artists and also promote the artwork to the community.

At the Ordinary Meeting of Council of 18 January 2000 (Item 10.3.6) Council approved a one year lease to the artists, represented by Graham Hay, with an option for the lease to be renewed annually for a further four years. The lease was renewed in 2001, 2002 and 2003. In 2003 the artists requested a longer term lease, and at the Ordinary Meeting of Council of 16 December 2003 (Item 10.3.7) Council made the following resolution:

*“That the Council **APPROVES** of a three (3) year lease term with an option period of a further three (3) years with Graham Hay and co-artists for Halvorsen Hall situated at Robertson Park, Fitzgerald Street, subject to satisfactory negotiations being carried out by the Chief Executive Officer.”*

This lease expired on 28 February 2010.

At the Ordinary Meeting of Council of 20 October 2009 (Item 9.3.6) Council approved a new lease on the following terms:

That the Council APPROVES of a five (5) year lease term with an option of a further five (5) years with Artists - Graham Hay, Umberto Alfaro, Frances Dennis, Carol Rowling, Lauren Wilhelm and Renae Edward for Halvorsen Hall situated at Robertson Park, 176 Fitzgerald Street, Perth, subject to satisfactory negotiations being carried out by the Chief Executive Officer.

The key terms of the current lease dated 18 December 2009 are as follows:

Term: 5 years commencing 1 March 2010;
 Option Term: 5 years commencing 1 March 2015;
 Rent: \$4,615.45 plus GST pa (indexed by CPI, currently \$5,352 (excl GST)); and
 Permitted use: arts and recreational activities.

In 2014 Graham Hay, on behalf of the artists, contacted the City to advise that the artists using Halvorsen Hall had changed as follows:

Artists at time Lease entered into	Artists in 2014
Graham Hay	Graham Hay
Umberto Alfaro	Frances Dennis
Frances Dennis	Carol Rowling
Carol Rowling	Janet Pfeiffer
Lauren Wilhelm	Sarah Marchant
Renae Edward	

The City's process at the time for changing the parties to the Lease was for the new artists to sign an execution page to accompany the Lease. No Deed of Variation of Lease was entered into and Council was not informed of the changing artists (lessees). Umberto Alfaro, Renae Edward and Lauren Wilhelm were removed as artists in this manner, while Janet Pfeiffer and Sarah Marchant were added as artists.

In 2015 Graham Hay on behalf of the artists exercised the lessee's option to renew the lease for a further term of five years. The Deed of Extension of lease was prepared by the City and signed on 24 September 2015. The lessees as set out in the Deed of Extension of Lease are those listed above as the Artists in 2014.

As the artists are joint lessees they are each jointly and severally liable for the covenants set out in the Lease. Any costs to be paid by the lessees, such as the rent, building insurance and utilities, are to be split equally between the artists.

DETAILS:

On 15 November 2016 Graham Hay on behalf of the artists contacted the City to advise that Christopher McClelland had been invited by the artists to join the Robertson Park Artists Studio and therefore requested that his name be included on the Lease.

Administration advised the artists by email on 16 November 2016 that adding a new party to a lease amounted to the variation of the lease and therefore required the preparation of a Deed of Variation to be signed by all parties.

Graham Hay provided some information about Christopher McClelland by email on 29 November 2016:

"Over the last four months we have come to the unanimous decision that we made a very good decision in inviting Chris to join us, due to the expressive quality of his art, technical skill, regular use of the space, good sociability and generosity of spirit."

Christopher McClelland also provided the following information:

"For the past two years I have been involved in the set up, coordination and teaching of an art programme for Indigenous students. The programme involves one evening a week in the Hale School art rooms. The students are both Hale and wider community indigenous students. I work alongside Neil Marshall, an Aboriginal man who is the coordinator of Indigenous students at Hale. He teaches the culture, I teach the art skills."

From 2003 to 2014 I ran an adult evening art class at Hale.

I have also been the recipient of an Australia Council Community Arts grant involving working with homeless youth over a three year period. I ran art classes in shelters for homeless teenagers in Brisbane culminating in an exhibition of their work in the Brisbane Town Hall. The exhibition created a great deal of interest, resulting in many TV, radio and press interviews."

The variation of the lease was listed for consideration at the Ordinary Meeting of Council of 7 February 2017 (item 9.3.9), however on 7 February 2017 Graham Hay on behalf of the artists advised the City that Janet Pfeiffer was relocating to South Australia and therefore the artists proposed to advertise for another artist to join the artist group and be included as a joint lessee. Item 9.3.9 was therefore withdrawn from consideration.

On 19 December 2017 Graham Hay advised that Bethamy Linton had been invited to join the artists as a joint lessee. Bethamy Linton provided the following information about herself and her art practice:

"A fifth generation artist and a fourth generation West Australian silversmith, I have a natural respect for handcrafts and a love of working with metals. This, coupled with a love of the natural environment, has resulted in work which reflects the Australian landscape, flora and fauna through which I seek to record or preserve an observation or sensation and explore notions of experience, memory and connection. I make work for exhibition and commission, and is in public collections including the National Gallery of Australia, the Art Gallery of South Australia and the Powerhouse Museum, Sydney.

Engagement with the community is an integral part of my studio practice, using social media, to share my creative creating process with the public and other artists. I regularly exhibition locally and nationally, and participate in open studios, to gain exposure and educate the local community. My work and creative spaces have been featured in local, national and international journals and books."

Graham Hay further advised that:

Bethamy is a role model for many local and emerging artists, maintaining contact and encouraging many of her recent TAFE students.

She brings a positive attitude and energy, as well as sets high personal standards in her artwork. Since joining the studio, she has organised our first participation in the 2018 Perth Open House weekend, and has set up the studio Instagram account. She has just returned to the studio after being an invited Guest Artist for a week at Aspects in Kings Park.

Graham Hay also noted in his email dated 19 December 2017 that Christopher McClelland was coordinating a life drawing class at Halvorsen Hall which was very popular with local professionals and confident recreational artists.

CONSULTATION/ADVERTISING:

Administration is proposing to vary the parties to the current lease and therefore this is not a disposition (the premises has already been disposed to the artists for the current term) and there is no requirement to advertise.

LEGAL/POLICY:

The process of adding a new party to a lease amounts to a variation of the lease and therefore requires the preparation of a Deed of Variation to be signed by all parties. A Deed of Variation is categorised as a category 1(A) document pursuant to [Policy 4.1.10 – Execution of Documents](#). As a consequence, the approval of a Deed of Variation is a decision reserved for Council.

It is not uncommon for artists to join or leave the group, requiring a Deed of Variation to be approved each time. In order to eliminate the need for future reports of this nature to be presented to Council, Administration is recommending that Council authorise the CEO and / or Director Corporate Services to approve this particular type of variation in future on this particular lease only, and only for the purpose of adding or removing joint lessees to the existing lease.

RISK MANAGEMENT IMPLICATIONS:

Med The artists have demonstrated over the last 17 years their ability to meet lease obligations and provide a community facility which promotes active engagement with the community. Each artist is a joint lessee and therefore is responsible to comply with the terms set out in the lease. The current joint lessees do not reflect the parties using Halvorsen Hall and therefore it is important that the lease is formally varied to reflect the current users as joint lessees.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2013-2023:

1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*

2.1.3 *Develop business strategies that reduce reliance on rates revenue*

(c) *Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The artists currently pay a lease fee of \$5,360 (excl GST) per annum.

Pursuant to the Lease the artists are responsible for keeping the premises clean, maintaining it and repairing any damage. The City is responsible for organising pest inspections and the minimum level of service checks (fire appliance, RCD and smoke alarm monitoring), and these costs are recouped from the artists, as well as any maintenance undertaken by the City on the artists' behalf.

COMMENTS:

From January 2000 the artists have occupied Halvorsen Hall. Halvorsen Hall provides a communal and social place from where the artists can create and display their artworks. The artists have indicated that they have strived to make Halvorsen Hall a community focal point and frequently run community classes. The art classes they run include mixed media, painting, pottery and sculpture. Every Friday morning Halvorsen Hall is open to the public for a morning tea. The artists now go by the name 'Robertson Park Artists Studio'.

The artists, led by Graham Hay, have satisfactorily complied with the terms of the Lease. A request has been received to add Christopher McClelland and Bethamy Linton to the list of artists and consequently be recognised on the lease as joint lessees.

The Deed of Extension of Lease executed in 2015 does not vary the terms of the Lease (including the parties to the Lease) and therefore it is necessary for a Deed of Variation of Lease to be prepared with the current artists listed as the parties (joint lessees). The following table reflects the changes in the artists occupying Halvorsen Hall:

Artists at time Lease executed	Artists in 2014	Current Artists
Graham Hay	Graham Hay	Graham Hay
Umberto Alfaro	Frances Dennis	Frances Dennis
Frances Dennis	Carol Rowling	Carol Rowling
Carol Rowling	Janet Pfeiffer	Christopher McClelland
Lauren Wilhelm	Sarah Marchant	Sarah Marchant
Renae Edward		Bethamy Linton

Consequently it is necessary for the Deed of Variation of Lease to remove Umberto Alfaro, Lauren Wilhelm and Renae Edward as joint lessees and include Sarah Marchant, Christopher McClelland and Bethamy Linton.

Administration notes that until the parties to the Lease are varied upon the execution of the recommended Deed of Variation of Lease, the artists (joint lessees) which are currently parties to the Lease remain responsible to comply with the terms of the Lease. It is only once Umberto Alfaro, Lauren Wilhelm and Renae Edward are removed as parties to the Lease upon the execution of the Deed of Variation of Lease that their obligations will formally cease.



11.6 AMENDMENT TO TERMS OF REFERENCE - AUDIT COMMITTEE AND SAFER VINCENT CRIME PREVENTION PARTNERSHIP

TRIM Ref: D18/8033
Author: Tim Evans, Manager Governance and Risk
Authoriser: John Paton, Director Corporate Services
Attachments: Nil

RECOMMENDATION:

That Council:

1. **NOTES** Cr Harley's resignation from the Audit Committee;
2. **AMENDS** the Audit Committee Terms of Reference so that membership of the Committee comprises four Council Members and two external independent members;
3. **NOTES** that there was an error on page 8 of the confirmed minutes of the 24 October 2017 Special Council Meeting in which it was incorrectly minuted that Cr Hallett was appointed to the Audit Committee whereas in fact Cr Loden was appointed. An administrative note will be added to the published minutes drawing attention to the error;
4. **NOTES** Cr Harley's resignation from the Safer Vincent Crime Prevention Partnership; and
5. **AMENDS** the Safer Vincent Crime Prevention Partnership Terms of Reference so that membership of the group includes two Council Members.

PURPOSE OF REPORT:

To update the appointment of members to the City's Audit Committee and the Safer Vincent Crime Prevention Partnership (SVCPP), and to note an error included in the confirmed minutes of the 24 October 2017 Special Council Meeting.

BACKGROUND:

At its Special Council Meeting of 24 October 2017, Council amended the Terms of Reference for the Audit Committee so that membership would comprise of five Council Members and two external independent members. The membership of the audit committee for the period 24 October 2017 to 18 October 2019 was determined as follows:

- Mayor Cole
- Cr Gontaszewski
- Cr Loden
- Cr Harley
- Cr Topelberg
- Conley Manifis (independent external member)
- Elizabeth Hunt (independent external member)

At its Ordinary Council Meeting of 14 November 2017, Council appointed three Council Members to the SVCPP as follows:

- Cr Fotakis
- Cr Harley
- Cr Gontaszewski

DETAILS:Audit Committee

On Sunday 3 December 2017 Cr Harley tendered her resignation from the Audit Committee. Council has the option of either appointing an additional Council Member or alternatively amending the Audit Committee Terms of Reference to reflect that the membership of the committee now comprises of four Council members and two external independent members.

Administration has also identified an error in the minutes of the Special Council Meeting of 24 October 2017 which listed the appointment of Council Members to the Audit Committee for the term 24 October 2017 to 18 October 2019 as follows:

1. Mayor Cole
2. Cr Gontaszewski
3. Cr Hallett
4. Cr Harley
5. Cr Topelberg

Upon reviewing the audio recording and web stream archive it is confirmed that Cr Hallett was not appointed to the committee and that Cr Loden was appointed to the Committee. It is this decision that has been subsequently acted upon by Administration and the Audit Committee members. As the minutes of that meeting have been confirmed, there is no option to retrospectively change the minutes of the meeting. However, it is proposed that an administrative note will be added to page 8 of the published version of the minutes drawing attention to the error as follows:

"CORRECTION - Council resolved to appoint Cr Loden to the Audit Committee and did not appoint Cr Hallett. The appointment of Cr Hallett was minuted incorrectly.

At its Ordinary Council Meeting of 6 February 2018, Council resolved as follows (in part):

"That Council:

1.
2. *NOTES that there was an error on page 8 of the confirmed minutes of the 24 October 2017 Special Council Meeting in which it was incorrectly minuted that Cr Hallett was appointed to the Audit Committee whereas in fact Cr Loden was appointed. An administrative note will be added to the published minutes drawing attention to the error."*

The Department of Local Government, Sport and Cultural Industries was contacted for advice on this matter and supported the approach proposed above.

Safer Vincent Crime Prevention Partnership

On Sunday 18 January 2018 Cr Harley tendered her resignation from the SVCPP. Council has the option of either appointing an additional Council Member or alternatively amending the SVCPP Terms of Reference to reflect that the membership of the group now comprises of two Council members.

CONSULTATION/ADVERTISING:

Administration sought advice from the Department of Local Government, Sports and Cultural Industries (the Department) on how best to resolve an error in the confirmed minutes of Council. The Department has advised that the error should be acknowledged through a subsequent Council resolution and that an administrative note be added to the erroneous minutes that reference the Council decision acknowledging the error.

LEGAL/POLICY:

Division 7.1A of the *Local Government Act 1995* sets out the requirement for Local Governments to establish an Audit Committee and sets out a range of requirements applicable to Audit Committees.

The *Local Government (Audit) Regulations 1996* further prescribe the functions of an Audit Committee.

The City of Vincent's *Audit Committee Terms of Reference* sets out in detail how the City's Audit Committee will function.

The SVCPP is managed in accordance with *Policy 4.2.12 – Advisory Groups*.

RISK MANAGEMENT IMPLICATIONS:

Low: An effective Audit Committee has a role in addressing risk at the City and therefore the selection of members of the Audit Committee is a relevant factor in addressing organisational risk.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Plan 2013-2023 - Key Result Area Four – "Leadership, Governance and Management" and, in particular, "4.1.2 - *Manage the organisation in a responsible, efficient and accountable manner*".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Administration recommends that Council amends the Audit Committee Terms of Reference and SVCPP Terms of Reference to ensure that the membership of both groups is aligned to the groups' Terms of Reference.

11.7 FINANCIAL STATEMENTS AS AT 31 DECEMBER 2017

TRIM Ref: D18/9336
 Author: Sheryl Teoh, Accounting Officer
 Authoriser: John Paton, Director Corporate Services
 Attachments: 1. Financial Statements 

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 31 December 2017 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the Financial Statements for the period ended 31 December 2017.

BACKGROUND:

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the budget.

A Statement of financial activity report is to be in a form that sets out:

- the annual budget estimates;
- budget estimates for the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income for the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure; and
- includes other supporting notes and other information that the local government considers will assist in the interpretation of the report.

In addition to the above, under *Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996*, each financial year a local government is to adopt a percentage of value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

DETAILS:

The following documents, included as **Attachment 1** represent the Statement of Financial Activity for the period ending 31 December 2017:

Note	Description	Page
1.	Statement of Financial Activity by Programme Report and Graph	1-3
2.	Statement of Comprehensive Income by Nature and Type Report	4
3.	Net Current Funding Position	5
4.	Summary of Income and Expenditure by Service Areas	6-66
5.	Capital Expenditure and Funding and Capital Works Schedule	67-81
6.	Cash Backed Reserves	82
7.	Rating Information and Graph	83-84
8.	Debtor Report	85
9.	Beatty Park Leisure Centre Financial Position	86

The following table provides a summary view of the year to date actual, compared to the Revised and Year to date Budget.

Summary of Financial Activity by Programme as at 31 December 2017

	Revised Budget	YTD Budget	YTD Actual	Variance	Variance
	2017/18	Dec-17	Dec-17	Dec-17	Dec-17
	\$	\$	\$	\$	%
REVENUE	22,397,993	11,891,708	11,369,495	(522,213)	-4%
EXPENDITURE	(57,017,898)	(29,102,449)	(27,155,429)	1,947,020	-7%
NET OPERATING EXCLUDING RATES	(34,619,905)	(17,210,741)	(15,785,933)	1,424,808	-8%
OPERATING ACTIVITIES EXCLUDED FROM BUDGET					
NON-CASH EXPENDITURE AND REVENUE					
Add Deferred Rates Adjustment	0	0	9,237	9,237	0%
Add Back Depreciation	9,663,980	4,831,914	5,122,590	290,676	6%
(Profit)/Loss on Asset Disposals	(411,373)	(411,373)	(111,847)	299,526	-73%
"Percent for Art" and "Cash in Lieu" Funds Adjustment	0	0	0	0	0%
AMOUNT ATTRIBUTABLE TO OPERATING ACTIVITIES	9,252,607	4,420,541	5,019,980	599,439	14%
INVESTING ACTIVITIES					
Non-Operating Grants, Subsidies and Contributions	2,712,344	962,493	1,031,186	68,693	7%
Capital Expenditure	(13,379,565)	(8,815,320)	(2,474,436)	6,338,352	-72%
Proceeds from Joint Venture Operations	333,333	333,333	166,667	(166,666)	-50%
Proceeds from Disposal of assets	204,500	204,500	273,581	69,081	34%
	(10,129,388)	(7,314,994)	(1,003,002)	6,309,460	-86%
FINANCING ACTIVITIES					
Repayments Loan Capital	(881,398)	(430,519)	(430,518)	1	0%
Transfers from Reserves	1,342,875	934,790	147,462	(787,328)	-84%
Transfers to Reserves	(1,850,534)	(1,091,893)	(348,973)	742,920	-68%
	(1,389,057)	(587,622)	(632,029)	(44,407)	8%
Plus: Surplus/(Deficiency) B/Fwd 1 July 2017	3,946,211	3,946,211	4,475,026	528,816	13%
Surplus/(Deficiency) Before General Rates	(32,939,532)	(16,746,605)	(7,925,958)	8,818,115	-53%
Total amount raised from General Rates	32,939,532	32,804,107	32,732,785	(71,322)	0%
NET CURRENT ASSETS at JUNE 30 C/FWD - SURPLUS/(DEFICIT)	0	16,057,502	24,806,827	8,746,793	54%

Comments on Summary of Financial Activity by Programme:**Operating Revenue**

There is a difference in classification of revenue reported by Programme and by Nature and Type. Operating revenue by Programme reporting includes 'Profit on Sale of Assets', but this is excluded in the Nature and Type report, however 'Rates' revenue is added.

Revenue by programme is showing a negative variance of 4% (\$522k), this is due to lower revenue in Other Property and Services \$314k (asset disposals), Recreation and Culture of \$231k (facility hire and Beatty Park), and Transport of \$146k (predominantly parking infringement revenue which is expected to improve). It should be noted that there is positive variance of \$121k in Health.

Operating Revenue as presented on the 'Nature and Type' report (Page 4 of **Attachment 1**) is showing a negative variance of 1%.

Operating Expenditure

Expenditure by programme is showing a favourable variance of 7% (\$1.94m), this is due to lower expenditure in Community Amenities \$653k, Recreation and Culture \$600k, Transport \$330k, and Education and Welfare \$118k. Similarly, the operating expenditure listed under the Nature and Type report reflects a corresponding favourable variance of 7%, with the largest variances in Employee Costs, Materials and Contracts and Depreciation on Non-current Assets.

Transfer from Reserves

Transfer from Reserves is aligned with the timing of Capital Works projects that are Reserves funded. Most of these projects have not yet started.

Capital Expenditure

The variance is attributed to timing on commencement of projects. For further detail, refer to Note 5 on **Attachment 1**.

Transfer to Reserves

Monthly transfer to reserves commenced in July 2017 except for the Tamala Park Land Sale Reserve which is transferred when actual funds are received.

Opening Funding Surplus / (Deficit)

The surplus opening balance brought forward from 2016/17 is \$4,475,026, as compared to the revised budget opening surplus balance of \$3,946,211 after end of year carry forward adjustments. This reflects an improvement of \$529k over the anticipated end of year result for 2016/17.

Closing Surplus / (Deficit)

There is currently a surplus of \$24,806,827, compared to year to date budget surplus of \$16,057,502. This is substantially attributed to the positive variance in operating expenditure, current level of Capital Expenditure and the increase shown in the opening balance.

It should be noted that the closing balance does not represent cash on hand (please see the Net Current Funding Position on page 5 of the attachment).

Comments on the financial performance as set out in the Statement of Financial Activity (**Attachment 1**) and an explanation of each report is detailed below:

1. Statement of Financial Activity by Programme Report (Note 1 Page 1)

This statement of Financial Activity shows operating revenue and expenditure classified by Programme.

2. Statement of Comprehensive Income by Nature and Type Report (Note 2 Page 4)

This statement of Financial Activity shows operating revenue and expenditure classified by nature and type.

3. Net Current Funding Position (Note 3 Page 5)

Net Current Asset is the difference between the current asset and current liabilities, less committed assets and restricted assets. This amount indicates how much capital is available for day to day activities. The net current funding position as at 31 December 2017 is \$24,806,827.

4. Summary of Income and Expenditure by Service Areas (Note 4 Page 6 – 66)

This statement shows a summary of Operating Revenue and Expenditure by Service Unit.

5. Capital Expenditure and Funding Summary (Note 5 Page 67 - 81)

The following table is a Summary of the 2017/2018 Capital Expenditure Budget by programme, which compares Year to date Budget with actual expenditure to date. The full Capital Works Programme is listed in detail in Note 5 of Attachment 1.

	Revised Budget \$	YTD Budget \$	YTD Actual \$	Remaining Budget %
Land and Buildings	2,351,801	1,586,801	344,736	85%
Infrastructure Assets	8,329,870	4,736,625	1,537,738	82%
Plant and Equipment	1,583,747	1,543,747	488,192	69%
Furniture and Equipment	1,114,147	948,147	118,124	89%
Total	13,379,565	8,815,320	2,488,790	81%

FUNDING	Revised Budget \$	YTD Budget \$	YTD Actual \$	Remaining Budget %
Own Source Funding - Municipal	9,119,846	6,713,537	1,036,561	89%
Cash Backed Reserves	1,342,875	934,790	147,462	89%
Capital Grant and Contribution	2,712,344	962,493	1,031,186	62%
Other (Disposals/Trade In)	204,500	204,500	273,581	-34%
Total	13,379,565	8,815,320	2,488,790	81%

Note: Detailed analysis is included on page 68 - 81 of Attachment 1.

6. Cash Backed Reserves (Note 6 Page 82)

The Cash Backed Reserves schedule details movements in the reserves, including transfers and funds used, comparing actual results with the annual budget. The balance as at 31 December 2017 is \$9,109,630.

7. Rating Information (Note 7 Page 83-84)

The notices for rates and charges levied for 2017/18 were issued on 07 August 2017.

The Local Government Act 1995 provides for ratepayers to pay rates by four (4) instalments. The due dates for each instalment are:

First Instalment	12 September 2017
Second Instalment	06 November 2017
Third Instalment	08 January 2018
Fourth Instalment	06 March 2018

To cover the costs involved in providing the instalment programme the following charge and interest rates apply:

Instalment Administration Charge	\$13.00 per instalment
(to apply to second, third, and fourth instalment)	
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

Pensioners registered with the City for rate concessions do not incur the above interest or charge.

The Rates debtors balance to be collected as at 31 December is \$7,619,387 (this includes deferred rates of \$100,508). This represents 22.61% of the collectable income compared to 22.36% at the same time last year.

8. Receivables (Note 8 Page 85)

Receivables of \$3,396,532 are outstanding as at 31 December 2017, of which \$2,968,292 has been outstanding over 90 days. This is comprised of:

- \$2,334,671 (78.7%) relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are sent to Fines Enforcement Registry (FER), who then collect the outstanding balance and return the funds to the City for a fee.
- \$424,965 (14.3%) relates to Cash in Lieu Parking. Some Cash in Lieu Parking debtors have special payment arrangements over more than one year.
- \$208,656 (7%) relates to Other Receivables, including recoverable works and property.

Administration has been following up outstanding items which relate to Other Receivables by issuing reminders when they are overdue and formal debt collection when payments remain outstanding.

9. Beatty Park Leisure Centre – Financial Position Report (Note 9 Page 86)

As at 31 December 2017 the operating deficit for the Centre was \$531,632 in comparison to the year to date budgeted deficit of \$252,859. This unfavourable outcome is primarily due to higher depreciation expense being incurred as a result of the latest Fair Value Revaluation.

Once the depreciation component has been deducted, the cash position showed a current cash deficit of \$47,841 in comparison to year to date budget estimate of a cash deficit of \$24,964.

10. Explanation of Material Variances

All material variance as at 31 December 2017 has been detailed in the variance comments report in **Attachment 1**.

The materiality thresholds used for reporting variances are 10% and \$10,000. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the YTD budget, where that variance exceeds \$10,000 (+/-). This threshold was adopted by Council as part of the Budget adoption for 2017/18 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare each month, a statement of financial activity reporting on the source and application of funds as set out in the adopted Annual Budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates.

Section 6.8 of the *Local Government Act 1995*, specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports fulfils a statutory requirement.

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

"4.1 Provide good strategic decision-making, governance, leadership and professional management:

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

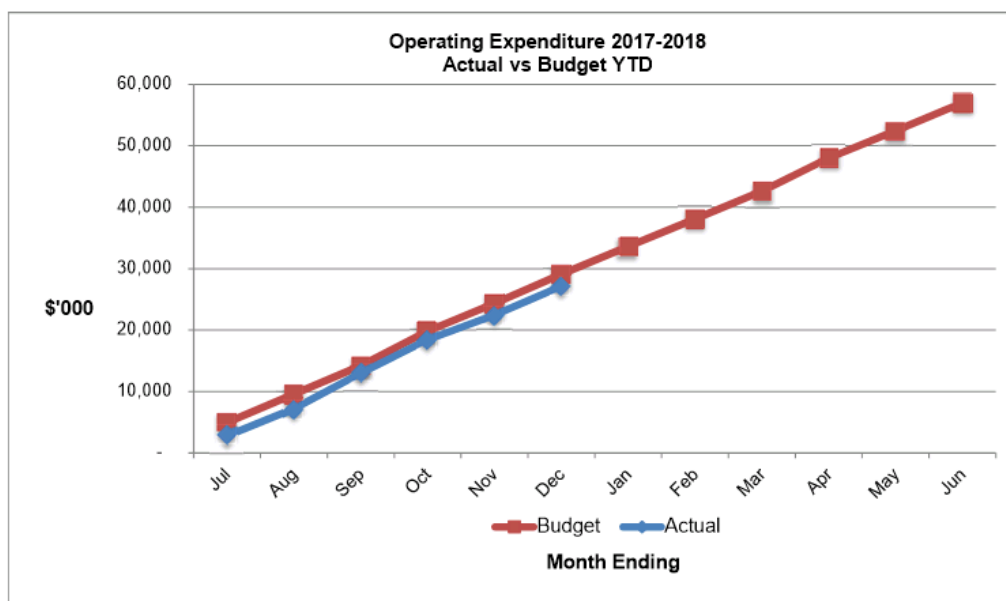
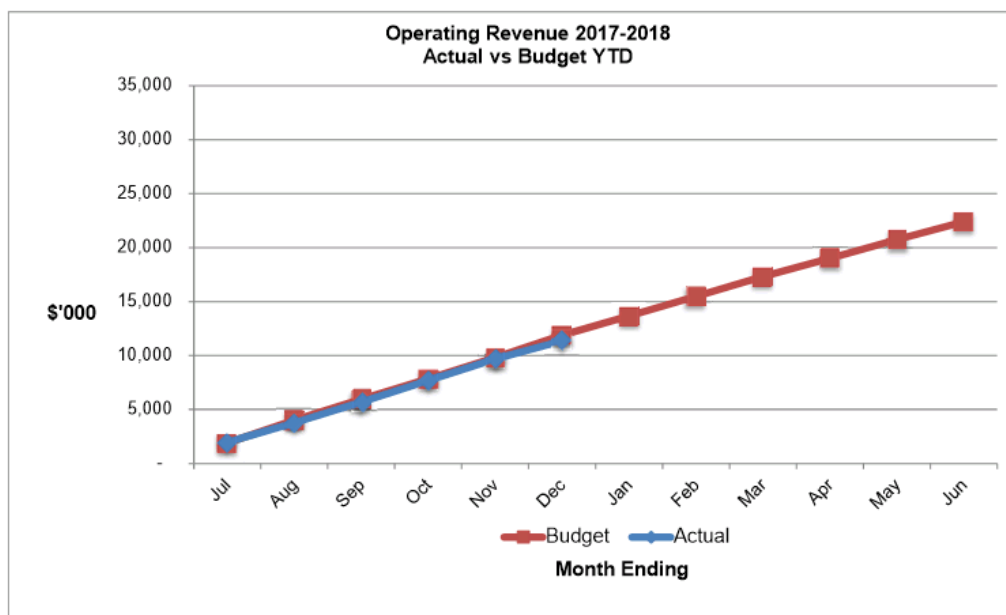
The capital works schedule includes an item for the unbudgeted purchase of an Engineering tools trailer. This was the replacement of an existing trailer due to age and poor condition. As this is classified as a capital expenditure item, it is required to be reflected in the capital works schedule, however it is noted that there was no specific budget provision and the purchase was not approved in advance by Council in accordance with section 6.8 of the Act. The budget provision will be addressed in the mid-year budget review.

CITY OF VINCENT
NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
BY PROGRAMME
AS AT 31 DECEMBER 2017

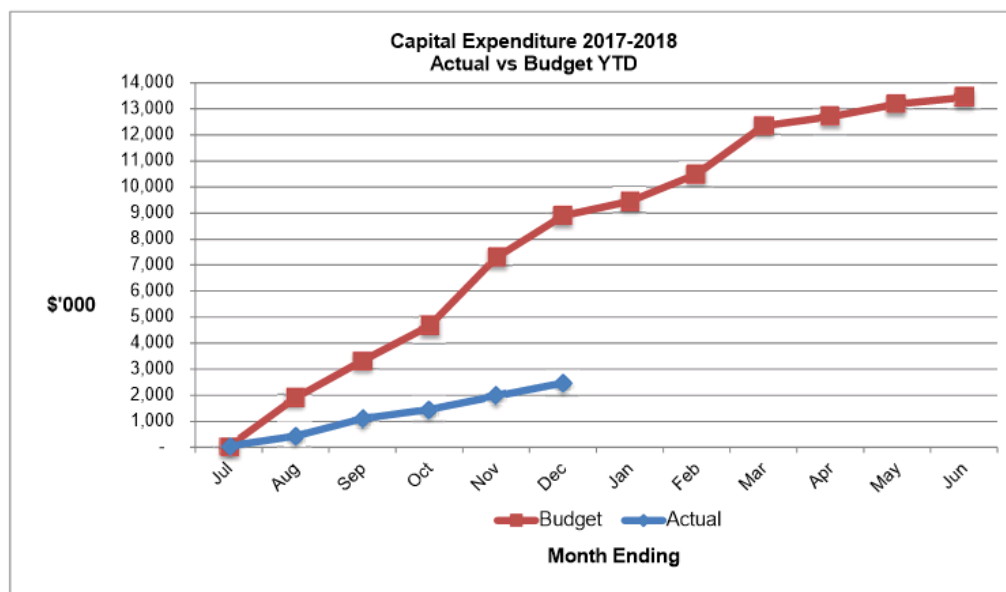
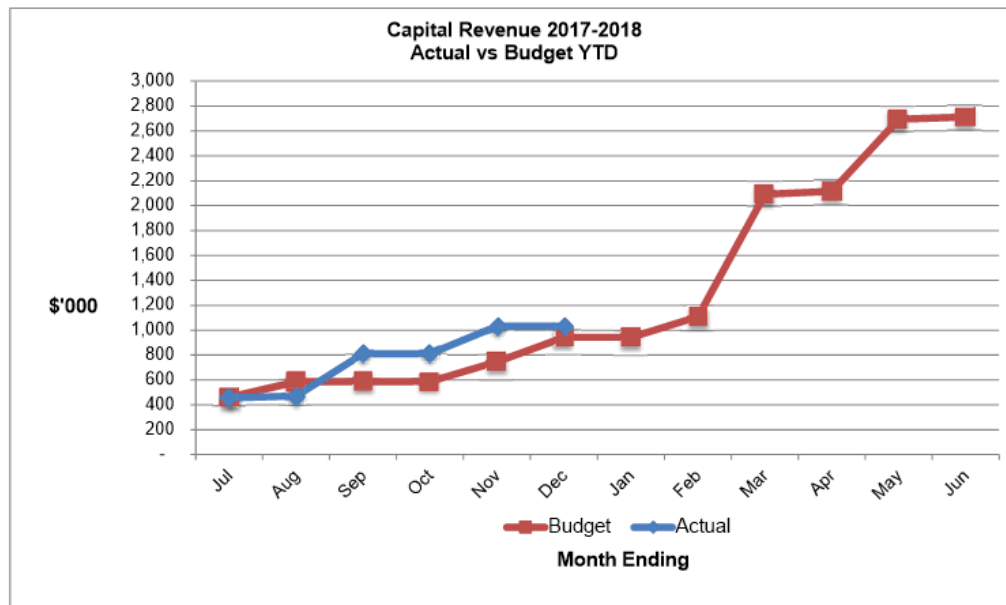


	Revised Budget 2017/18 \$	YTD Budget 2017/18 \$	YTD Actual 2017/18 \$	YTD Variance 2017/18 \$	YTD Variance 2017/18 %
REVENUE FROM OPERATING ACTIVITIES (EXCLUDING RATES)					
Governance	65,140	38,234	86,723	48,489	127%
General Purpose Funding	1,915,975	1,193,900	1,229,467	35,567	3%
Law, Order, Public Safety	187,510	120,728	104,652	(16,076)	-13%
Health	330,940	165,289	285,992	120,703	73%
Education and Welfare	216,015	108,208	87,440	(20,768)	-19%
Community Amenities	1,074,130	671,884	654,704	(17,180)	-3%
Recreation and Culture	10,027,350	5,111,226	4,880,469	(230,757)	-5%
Transport	7,767,140	3,897,076	3,750,991	(146,085)	-4%
Economic Services	241,410	121,706	139,115	17,409	14%
Other Property and Services	572,383	463,457	149,941	(313,516)	-68%
	22,397,993	11,891,708	11,369,495	(522,213)	-4%
EXPENDITURE FROM OPERATING ACTIVITIES					
Governance	(3,599,458)	(1,959,617)	(1,863,843)	95,774	-5%
General Purpose Funding	(803,155)	(521,452)	(541,721)	(20,269)	4%
Law, Order, Public Safety	(1,370,625)	(679,996)	(624,336)	55,660	-8%
Health	(1,230,110)	(615,591)	(556,664)	58,927	-10%
Education and Welfare	(1,317,045)	(642,571)	(524,413)	118,158	-18%
Community Amenities	(11,376,900)	(5,732,112)	(5,079,542)	652,570	-11%
Recreation and Culture	(22,465,875)	(11,196,943)	(10,596,651)	600,292	-5%
Transport	(12,310,410)	(6,433,059)	(6,102,015)	331,044	-5%
Economic Services	(783,355)	(400,776)	(344,605)	56,171	-14%
Other Property and Services	(1,760,965)	(920,332)	(921,639)	(1,307)	0%
	(57,017,898)	(29,102,449)	(27,155,429)	1,947,020	-7%
NET RESULT EXCLUDING GENERAL RATES	(34,619,905)	(17,210,741)	(15,785,933)	1,424,808	-8%
OPERATING ACTIVITIES EXCLUDED FROM BUDGET					
NON-CASH EXPENDITURE AND REVENUE					
Add Deferred Rates Adjustment	0	0	9,237	9,237	0%
(Profit)/Loss on Asset Disposals	(411,373)	(411,373)	(111,847)	299,526	-73%
"Percent for Art" and "Cash in Lieu" Funds Adjustment	0	0	0	0	0%
Add Back Depreciation	9,663,980	4,831,914	5,122,590	290,676	6%
AMOUNT ATTRIBUTABLE TO OPERATING ACTIVITIES	9,252,607	4,420,541	5,019,980	599,439	14%
INVESTING ACTIVITIES					
Non-Operating Grants, Subsidies and Contributions	2,712,344	962,493	1,031,186	68,693	7%
Purchase Land and Buildings	(2,351,801)	(1,586,801)	(344,736)	1,242,065	-78%
Purchase Infrastructure Assets	(8,329,870)	(4,736,625)	(1,537,738)	3,198,887	-68%
Purchase Plant and Equipment	(1,583,747)	(1,543,747)	(473,839)	1,069,908	-69%
Purchase Furniture and Equipment	(1,114,147)	(948,147)	(118,124)	827,491	-87%
Proceeds from Joint Venture Operations	333,333	333,333	166,667	(166,666)	-50%
Proceeds from Disposal of Assets	204,500	204,500	273,581	69,081	34%
	(10,129,388)	(7,314,994)	(1,003,002)	6,309,460	-86%
FINANCING ACTIVITIES					
Repayments of Debentures	(881,398)	(430,519)	(430,518)	1	0%
Transfers to Reserves (Restricted Assets)	(1,850,534)	(1,091,893)	(348,973)	742,920	-68%
Transfers from Reserves (Restricted Assets)	1,342,875	934,790	147,462	(787,328)	-84%
	(1,389,057)	(587,622)	(632,029)	(44,407)	8%
Plus: Surplus/(Deficiency) Brought Fwd 1 July 2017	3,946,211	3,946,211	4,475,026	528,816	13%
Surplus/(Deficiency) before General Rates	(32,939,532)	(16,746,605)	(7,925,958)	8,818,115	-53%
Total Amount raised from General Rates	32,939,532	32,804,107	32,732,785	(71,322)	0%
NET CURRENT ASSETS C/FWD - SURPLUS/(DEFICIT)	0	16,057,502	24,806,827	8,746,793	54%

CITY OF VINCENT
 NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
 BY PROGRAMME - GRAPH
 AS AT 31 DECEMBER 2017



CITY OF VINCENT
NOTE 5 - CAPITAL REVENUE / EXPENDITURE PROGRAM
AS AT 31 DECEMBER 2017



CITY OF VINCENT
NOTE 2 - STATEMENT OF COMPREHENSIVE INCOME
BY NATURE AND TYPE
AS AT 31 DECEMBER 2017



	Revised Budget	YTD Budget	YTD Actual	YTD Variance	YTD Variance
	2017/18	Dec-17	Dec-17	Dec-17	Dec-17
	\$	\$	\$	\$	%
REVENUE					
Rates	32,939,532	32,804,107	32,732,785	(71,322)	0%
Operating Grants, Subsidies and Contributions	1,820,120	905,627	885,638	(19,989)	-2%
Fees and Charges	18,888,300	9,822,227	9,573,452	(248,775)	-3%
Interest Earnings	958,080	582,332	594,981	12,649	2%
Other Revenue	320,120	170,149	197,351	27,202	16%
	54,926,152	44,284,442	43,984,208	(300,234)	-1%
EXPENDITURE					
Employee Costs	(25,939,930)	(12,997,356)	(12,623,037)	374,319	-3%
Materials and Contracts	(17,749,340)	(9,542,356)	(8,215,762)	1,326,594	-14%
Utilities Charges	(1,955,570)	(917,529)	(812,802)	104,727	-11%
Interest Expenses	(995,630)	(452,183)	(452,183)	(0)	0%
Insurance Expenses	(889,760)	(444,888)	(329,811)	115,077	-26%
Depreciation on Non-Current Assets	(9,663,980)	(4,831,914)	(5,122,590)	(290,676)	6%
Other Expenditure	176,312	83,777	406,982	323,205	386%
	(57,017,898)	(29,102,449)	(27,149,204)	1,953,245	-7%
Non-Operating Grants, Subsidies and Contributions	2,712,344	962,493	1,031,186	68,693	7%
Profit on Asset Disposals	411,373	411,373	118,072	(293,301)	-71%
Loss on Asset Disposals	-	-	(6,225)	(6,225)	0%
	3,123,717	1,373,866	1,143,033	(230,833)	-17%
NET RESULT	1,031,971	16,555,859	17,978,038	1,422,179	9%
OTHER COMPREHENSIVE INCOME					
Changes on Revaluation of Non-Current Assets	-	-	-	-	0%
TOTAL OTHER COMPREHENSIVE INCOME	1,031,971	16,555,859	17,978,038	1,422,179	9%
TOTAL COMPREHENSIVE INCOME	1,031,971	16,555,859	17,978,038	1,422,179	9%

**CITY OF VINCENT
NOTE 3 - NET CURRENT FUNDING POSITION
AS AT 31 DECEMBER 2017**



	Actual 31-Dec-17 \$	Actual 30-Jun-17 \$
Current Assets		
Cash - Unrestricted	22,565,336	8,515,883
Cash - Restricted Reserves	9,109,630	8,908,119
Trade and Other Receivables - Rates	8,093,805	218,492
Trade and Other Receivables - Other Debtors	4,099,492	4,748,353
Inventories	267,165	181,244
Total Current Assets	44,135,428	22,572,091
Less: Current Liabilities		
Sundry and Other Creditors	(5,703,831)	(5,102,188)
Provisions - Current	(3,915,141)	(3,486,758)
Total Current Liabilities	(9,618,971)	(8,588,946)
Less:		
Reserves - Restricted Cash	(9,109,630)	(8,908,119)
Trade and Other Receivables - Other Debtors - Restricted Grant	(600,000)	(600,000)
Net Current Funding Position	24,806,827	4,475,026

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	December 2017 Budget YTD \$	December 2017 Actual YTD \$	% YTD Budget
<u>Operating Revenue By Service Area</u>				
Chief Executive Officer	(200)	(102)	0	0%
Other Governance	(26,620)	(810)	(55,638)	6869%
Human Resources	(36,320)	(36,320)	(30,580)	84%
Director Corporate Services	(1,378,195)	(707,549)	(719,834)	102%
Rates Services	(33,616,632)	(33,351,905)	(33,297,509)	100%
Finance Services	(1,050)	(522)	(2,916)	559%
Record Management	(2,000)	(1,002)	(505)	50%
Beatty Park Leisure Centre	(7,650,030)	(3,896,303)	(3,780,664)	97%
Library & Local History Services	(24,970)	(12,096)	(11,943)	99%
Community Partnerships	(71,000)	(19,577)	(5,039)	26%
Ranger Services	(7,829,710)	(3,958,364)	(3,812,380)	96%
Health Services	(330,940)	(165,289)	(285,992)	173%
Statutory Planning Services	(645,570)	(322,788)	(280,336)	87%
Compliance Services	(31,400)	(15,702)	(8,678)	55%
Policy and Place Services	(16,410)	(8,202)	(7,311)	89%
Building Services	(239,410)	(119,706)	(138,665)	116%
Engineering Design Services	(88,050)	(28,020)	(15,949)	57%
Environment Services	(24,500)	(12,252)	(9,291)	76%
Parks Services	(2,494,425)	(1,288,518)	(1,149,886)	89%
Waste Management Services	(269,610)	(267,800)	(316,118)	118%
Works & Operations Services	(149,110)	(71,615)	(54,974)	77%
Operating Revenue By Service Area Total	(54,926,152)	(44,284,442)	(43,984,208)	99%

Operating Expenditure By Service Area

Chief Executive Officer	2,083,570	1,177,156	1,121,972	95%
Human Resources	36,320	36,320	30,580	84%
Director Corporate Services	78,400	43,040	4,228	10%
Other Governance	590,240	286,004	275,663	96%
Rates Services	803,155	521,452	541,721	104%
Record Management	2,000	1,002	505	50%
Finance Services	850	322	2,916	906%
Information Systems	0	0	(0)	0%
Director Community Engagement	0	0	(0)	0%
Marketing and Communications	889,328	460,137	435,628	95%
Customer Services	0	0	0	0%
Beatty Park Leisure Centre	8,283,150	4,149,162	4,312,295	104%
Community Partnerships	1,955,705	859,317	792,308	92%
Community Connections	270,985	121,069	118,162	98%
Library & Local History Services	1,855,030	935,621	834,702	89%
Ranger Services	6,100,800	3,224,679	2,879,878	89%
Director Development Services	0	0	0	0%
Health Services	1,230,110	615,591	556,664	90%
Statutory Planning Services	2,247,925	1,139,632	1,277,660	112%
Compliance Services	664,275	334,517	313,696	94%
Policy and Place Services	1,838,180	937,418	668,802	71%
Building Services	748,355	377,276	325,222	86%
Director Technical Services	0	0	(0)	0%
Engineering Design Services	2,238,965	1,129,827	1,007,912	89%
Environment Services	365,670	173,808	170,275	98%
Parks Services	14,039,885	7,244,493	6,456,178	89%
Waste Management Services	5,980,250	2,996,094	2,484,842	83%
Works & Operations Services	4,714,750	2,338,512	2,537,395	109%
Operating Expenditure By Service Area Total	57,017,898	29,102,449	27,149,204	93%

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Chief Executive Officer						
Chief Executive Officer Expenditure						
Employee Costs	450,130	225,061	196,138	(28,923)	-13%	Part time position vacant.
Other Employee Costs	11,050	6,207	5,458	(749)	-12%	
Other Expenses	204,050	184,631	223,657	39,026	21%	Strategic Community Plan expense higher than budget estimates.
Chief Executive Officer Expenditure Total	665,230	415,899	425,254	9,355	2%	
Chief Executive Officer Indirect Costs						
Allocations	(665,230)	(415,899)	(425,254)	(9,355)	2%	
Chief Executive Officer Indirect Costs Total	(665,230)	(415,899)	(425,254)	(9,355)	2%	
Chief Executive Officer Total	0	0	0	0		
Members of Council						
Members Of Council Revenue						
Revenue	(200)	(102)	0	102	-100%	
Members Of Council Revenue Total	(200)	(102)	0	102	-100%	
Members Of Council Expenditure						
Employee Costs	89,440	44,715	44,383	(332)	-1%	
Other Employee Costs	5,000	2,502	2,947	445	18%	
Other Expenses	469,340	280,318	193,569	(86,749)	-31%	Timing variance on receipt of invoice from WA Electoral Commission.
Members Of Council Expenditure Total	563,780	327,535	240,899	(86,636)	-26%	
Members Of Council Indirect Costs						
Allocations	1,519,790	849,621	881,074	31,453	4%	
Members Of Council Indirect Costs Total	1,519,790	849,621	881,074	31,453	4%	
Members of Council Total	2,083,370	1,177,054	1,121,972	(55,082)	-5%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Other Governance</u>						
Other Governance Revenue						
Revenue	(26,620)	(810)	(55,638)	(54,828)	6769%	\$54k LGIS Members Experience Bonus received earlier than expected due to change in payment options.
Other Governance Revenue Total	(26,620)	(810)	(55,638)	(54,828)	6769%	
Other Governance Expenditure						
Employee Costs	248,230	124,113	125,065	952	1%	
Other Employee Costs	5,200	2,700	704	(1,996)	-74%	
Other Expenses	112,630	44,762	35,998	(8,764)	-20%	
Other Governance Expenditure Total	366,060	171,575	161,768	(9,807)	-6%	
Other Governance Indirect Costs						
Allocations	224,180	114,429	113,895	(534)	0%	
Other Governance Indirect Costs Total	224,180	114,429	113,895	(534)	0%	
Other Governance Total	563,620	285,194	220,024	(65,170)	-23%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Human Resources</u>						
Human Resources Revenue						
Revenue	(36,320)	(36,320)	(30,580)	5,740	-16%	
Human Resources Revenue Total	(36,320)	(36,320)	(30,580)	5,740	-16%	
Human Resources Expenditure						
Employee Costs	694,820	380,731	358,250	(22,481)	-6%	
Other Employee Costs	108,900	54,448	51,170	(3,278)	-6%	
Other Expenses	189,350	106,174	31,818	(74,356)	-70%	\$20k under in Management Programmes timing variance, \$36k Legal costs and \$15k Consultants cost not yet required.
Human Resources Expenditure Total	993,070	541,353	441,237	(100,116)	-18%	
Human Resources Indirect Costs						
Allocations	(956,750)	(505,033)	(410,657)	94,376	-19%	
Human Resources Indirect Costs Total	(956,750)	(505,033)	(410,657)	94,376	-19%	
Human Resources Total	0	0	(0)	(0)		
<u>Director Corporate Services</u>						
Director Corporate Services Expenditure						
Employee Costs	440,620	220,305	217,187	(3,118)	-1%	
Other Employee Costs	7,530	3,864	3,685	(179)	-5%	
Other Expenses	5,040	2,438	2,345	(93)	-4%	
Director Corporate Services Expenditure Total	453,190	226,607	223,217	(3,390)	-1%	
Director Corporate Services Indirect Costs						
Allocations	(452,990)	(226,407)	(223,217)	3,190	-1%	
Director Corporate Services Indirect Costs Total	(452,990)	(226,407)	(223,217)	3,190	-1%	
Director Corporate Services Total	200	200	(0)	(200)	-100%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Insurance Premium</u>						
Insurance Premium Expenditure						
Other Expenses	889,760	444,888	329,811	(115,077)	-26%	Variance due to change in Workers Compensation premium calculation and payment to LGIS, it is still anticipated to pay the premium as per budget by end of 2017-18 financial year.
Insurance Premium Expenditure Total	889,760	444,888	329,811	(115,077)	-26%	
Insurance Premium Recovery						
Allocations	(889,760)	(444,888)	(329,811)	115,077	-26%	
Insurance Premium Recovery Total	(889,760)	(444,888)	(329,811)	115,077	-26%	
Insurance Premium Total	0	0	0	0		
<u>Insurance Claim</u>						
Insurance Claim Recoup						
Revenue	(46,500)	(22,500)	(19,892)	2,608	-12%	
Insurance Claim Recoup Total	(46,500)	(22,500)	(19,892)	2,608	-12%	
Insurance Claim Expenditure						
Other Expenses	30,000	15,000	4,228	(10,772)	-72%	Insurance claim excess lower than budgeted due to a reduction in claims to prior years.
Insurance Claim Expenditure Total	30,000	15,000	4,228	(10,772)	-72%	
Insurance Claim Total	(16,500)	(7,500)	(15,664)	(8,164)	109%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Mindarie Regional Council						
Mindarie Regional Council Revenue						
Revenue	(92,820)	(38,947)	(35,198)	3,749	-10%	
Mindarie Regional Council Revenue Total	(92,820)	(38,947)	(35,198)	3,749	-10%	
Mindarie Regional Council Expenditure						
Other Expenses	48,200	27,840	0	(27,840)	-100%	Timing in receipt of rates notice from City of Wanneroo.
Mindarie Regional Council Expenditure Total	48,200	27,840	0	(27,840)	-100%	
Mindarie Regional Council Total	(44,620)	(11,107)	(35,198)	(24,091)	217%	
General Purpose Revenue						
General Purpose Revenue						
Revenue	(1,238,875)	(646,102)	(664,744)	(18,642)	3%	
General Purpose Revenue Total	(1,238,875)	(646,102)	(664,744)	(18,642)	3%	
General Purpose Revenue Total	(1,238,875)	(646,102)	(664,744)	(18,642)	3%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Rates Services</u>						
Rates Services Revenue						
Revenue	(33,616,632)	(33,351,905)	(33,297,509)	54,396	0%	
Rates Services Revenue Total	(33,616,632)	(33,351,905)	(33,297,509)	54,396	0%	
Rates Services Expenditure						
Employee Costs	261,150	130,573	129,237	(1,336)	-1%	
Other Employee Costs	2,300	1,152	0	(1,152)	-100%	
Other Expenses	343,500	287,812	308,756	20,944	7%	
Rates Services Expenditure Total	606,950	419,537	437,993	18,456	4%	
Rates Services Indirect Costs						
Allocations	196,205	101,915	103,728	1,813	2%	
Rates Services Indirect Costs Total	196,205	101,915	103,728	1,813	2%	
Rates Services Total	(32,813,477)	(32,830,453)	(32,755,788)	74,665	0%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Finance Services</u>						
Finance Services Revenue						
Revenue	(1,050)	(522)	(2,916)	(2,394)	459%	
Finance Services Revenue Total	(1,050)	(522)	(2,916)	(2,394)	459%	
Finance Services Expenditure						
Employee Costs	743,140	371,569	375,589	4,020	1%	
Other Employee Costs	11,500	5,652	4,463	(1,189)	-21%	
Other Expenses	58,000	18,498	17,893	(605)	-3%	
Finance Services Expenditure Total	812,640	395,719	397,945	2,226	1%	
Finance Services Indirect Costs						
Allocations	(811,790)	(395,397)	(395,028)	369	0%	
Finance Services Indirect Costs Total	(811,790)	(395,397)	(395,028)	369	0%	
Finance Services Total	(200)	(200)	(0)	200	-100%	
<u>Information Technology</u>						
Information Technology Expenditure						
Employee Costs	399,370	199,683	174,088	(25,595)	-13%	Variance due to a full time position was vacant, employee started in November 2017.
Other Employee Costs	29,500	17,450	14,824	(2,626)	-15%	
Other Expenses	946,430	562,724	470,167	(92,557)	-16%	
Information Technology Expenditure Total	1,375,300	779,857	659,078	(120,779)	-15%	
Information Technology Indirect Costs						
Allocations	(1,375,300)	(779,857)	(659,078)	120,779	-15%	
Information Technology Indirect Costs Total	(1,375,300)	(779,857)	(659,078)	120,779	-15%	
Information Technology Total	0	0	(0)	(0)		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Records Management</u>						
Records Management Revenue						
Revenue	(2,000)	(1,002)	(505)	497	-50%	
Records Management Revenue Total	(2,000)	(1,002)	(505)	497	-50%	
Records Management Expenditure						
Employee Costs	248,470	124,237	125,434	1,197	1%	
Other Employee Costs	20,400	10,198	0	(10,198)	-100%	Made up of various favourable variances that are not individually material.
Other Expenses	144,600	64,800	16,535	(48,265)	-74%	\$48k not yet required for contractors.
Records Management Expenditure Total	413,470	199,235	141,969	(57,266)	-29%	
Records Management Indirect Costs						
Allocations	(411,470)	(198,233)	(141,465)	56,768	-29%	
Records Management Indirect Costs Total	(411,470)	(198,233)	(141,465)	56,768	-29%	
Records Management Total	0	0	0	0		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Director Community Engagement Expenditure</u>						
Director Community Engagement Expenditure						
Employee Costs	285,290	142,650	141,527	(1,123)	-1%	
Other Employee Costs	7,070	3,536	3,907	371	10%	
Other Expenses	3,490	1,722	1,789	67	4%	
Director Community Engagement Expenditure Total	295,850	147,908	147,223	(685)	0%	
Director Community Engagement Expenditure Total	295,850	147,908	147,223	(685)	0%	
<u>Director Community Engagement Indirect Costs</u>						
Director Community Engagement Indirect Costs						
Allocations	(295,850)	(147,908)	(147,223)	685	0%	
Director Community Engagement Indirect Costs Total	(295,850)	(147,908)	(147,223)	685	0%	
Director Community Engagement Indirect Costs Total	(295,850)	(147,908)	(147,223)	685	0%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Marketing and Communications Expenditure</u>						
Marketing and Communications Expenditure						
Employee Costs	461,460	230,724	271,065	40,341	17%	Variance due to department restructure and voluntary redundancy payments.
Other Employee Costs	6,550	6,274	1,005	(5,269)	-84%	
Other Expenses	259,288	138,846	80,411	(58,435)	-42%	\$17k timing variance on events, \$15k timing variance on subscription renewals, \$11k timing variance on advertising, \$8k timing on website design works and other favourable variances that are not individually material.
Marketing and Communications Expenditure Total	727,298	375,844	352,481	(23,363)	-6%	
Marketing and Communications Expenditure Total	727,298	375,844	352,481	(23,363)	-6%	
<u>Marketing and Communications Indirect Costs</u>						
Marketing and Communications Indirect Costs						
Allocations	162,030	84,293	83,147	(1,146)	-1%	
Marketing and Communications Indirect Costs Total	162,030	84,293	83,147	(1,146)	-1%	
Marketing and Communications Indirect Costs Total	162,030	84,293	83,147	(1,146)	-1%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Customer Service Centre</u>						
Customer Services Centre Expenditure						
Employee Costs	456,780	228,386	336,423	108,037	47%	Variance due to department restructure and voluntary redundancy payments, use of casual staff during recruitment process.
Other Employee Costs	8,900	7,400	15,353	7,953	107%	
Other Expenses	39,400	20,008	19,757	(251)	-1%	
Customer Services Centre Expenditure Total	505,080	255,794	371,533	115,739	45%	
Customer Services Centre Indirect Costs						
Allocations	(505,080)	(255,794)	(371,533)	(115,739)	45%	
Customer Services Centre Indirect Costs Total	(505,080)	(255,794)	(371,533)	(115,739)	45%	
Customer Service Centre Total	0	0	0	0		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Beatty Park Leisure Centre Administration</u>						
Beatty Park Leisure Centre Admin Revenue						
Revenue	(2,468,550)	(1,283,270)	(1,215,290)	67,980	-5%	
Beatty Park Leisure Centre Admin Revenue Total	(2,468,550)	(1,283,270)	(1,215,290)	67,980	-5%	
Beatty Park Leisure Centre Admin Indirect Revenue						
Allocations	2,468,550	1,283,270	1,215,290	(67,980)	-5%	
Beatty Park Leisure Centre Admin Indirect Revenue Total	2,468,550	1,283,270	1,215,290	(67,980)	-5%	
Beatty Park Leisure Centre Admin Expenditure						
Employee Costs	855,720	427,858	436,295	8,437	2%	
Other Employee Costs	15,880	7,578	1,790	(5,788)	-76%	
Other Expenses	273,920	153,778	145,657	(8,121)	-5%	
Beatty Park Leisure Centre Admin Expenditure Total	1,145,520	589,214	583,742	(5,472)	-1%	
Beatty Park Leisure Centre Admin Indirect Costs						
Allocations	(1,145,520)	(589,214)	(583,742)	5,472	-1%	
Beatty Park Leisure Centre Admin Indirect Costs Total	(1,145,520)	(589,214)	(583,742)	5,472	-1%	
Beatty Park Leisure Centre Administration Total	0	0	0	0		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Beatty Park Leisure Centre Building</u>						
Beatty Park Leisure Centre Building Revenue	(159,350)	(80,552)	(79,495)	1,057	-1%	
Beatty Park Leisure Centre Building Revenue Total	(159,350)	(80,552)	(79,495)	1,057	-1%	
Beatty Park Leisure Centre Occupancy Costs						
Building Maintenance	581,500	287,213	217,856	(69,357)	-24%	Maintenance works required lower than budget estimation.
Ground Maintenance	41,500	21,752	9,112	(12,640)	-58%	No major reactive maintenance work required.
Other Expenses	1,495,660	747,927	1,027,378	279,451	37%	\$307k unfavourable variance due to increase in depreciation cost after revaluation of building assets. And \$28k savings on utility expense.
Beatty Park Leisure Centre Occupancy Costs Total	2,118,660	1,056,892	1,254,346	197,454	19%	
Beatty Park Leisure Centre Indirect Costs						
Allocations	(1,959,310)	(976,340)	(1,174,851)	(198,511)	20%	
Beatty Park Leisure Centre Indirect Costs Total	(1,959,310)	(976,340)	(1,174,851)	(198,511)	20%	
Beatty Park Leisure Centre Building Total	0	0	(0)	0		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Swimming Pool Areas						
Swimming Pool Areas Revenue						
Revenue	(1,857,630)	(889,289)	(850,668)	38,621	-4%	
Swimming Pool Areas Revenue Total	(1,857,630)	(889,289)	(850,668)	38,621	-4%	
Swimming Pool Areas Indirect Revenue						
Allocations	(388,550)	(201,988)	(191,287)	10,701	-5%	
Swimming Pool Areas Indirect Revenue Total	(388,550)	(201,988)	(191,287)	10,701	-5%	
Swimming Pool Areas Expenditure						
Employee Costs	966,550	483,271	466,382	(16,889)	-3%	
Other Employee Costs	20,000	12,152	9,304	(2,848)	-23%	
Other Expenses	176,310	96,376	135,111	38,735	40%	\$15k bulk chemical purchase leading up to summer season and \$10k higher on plant maintenance cost due to reactive maintenance on indoor pool.
Swimming Pool Areas Expenditure Total	1,162,860	591,799	610,798	18,999	3%	
Swimming Pool Areas Indirect Costs						
Allocations	2,385,900	1,205,842	1,324,251	118,409	10%	
Swimming Pool Areas Indirect Costs Total	2,385,900	1,205,842	1,324,251	118,409	10%	
Swimming Pool Areas Total	1,302,580	706,364	893,095	186,731	26%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Swim School						
Swim School Revenue						
Revenue	(1,495,000)	(797,573)	(834,632)	(37,059)	5%	
Swim School Revenue Total	(1,495,000)	(797,573)	(834,632)	(37,059)	5%	
Swim School Indirect Revenue						
Allocations	(1,970)	(1,028)	(972)	56	-5%	
Swim School Indirect Revenue Total	(1,970)	(1,028)	(972)	56	-5%	
Swim School Expenditure						
Employee Costs	832,100	416,043	447,441	31,398	8%	
Other Employee Costs	5,500	2,496	2,241	(255)	-10%	
Other Expenses	26,970	20,437	17,974	(2,463)	-12%	
Swim School Expenditure Total	864,570	438,976	467,656	28,680	7%	
Swim School Indirect Costs						
Allocations	191,210	97,695	98,530	835	1%	
Swim School Indirect Costs Total	191,210	97,695	98,530	835	1%	
Swim School Total	(441,190)	(261,930)	(269,419)	(7,489)	3%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Café						
Cafe Revenue						
Revenue	(714,000)	(364,983)	(343,732)	21,251	-6%	
Cafe Revenue Total	(714,000)	(364,983)	(343,732)	21,251	-6%	
Cafe Indirect Revenue						
Allocations	(1,970)	(1,028)	(972)	56	-5%	
Cafe Indirect Revenue Total	(1,970)	(1,028)	(972)	56	-5%	
Cafe Expenditure						
Employee Costs	356,640	178,321	200,565	22,244	12%	Additional staff required for busy period.
Other Employee Costs	0	0	507	507		
Other Expenses	301,480	142,680	146,665	3,985	3%	
Cafe Expenditure Total	658,120	321,001	347,738	26,736	8%	
Cafe Indirect Costs						
Allocations	102,910	52,178	52,145	(33)	0%	
Cafe Indirect Costs Total	102,910	52,178	52,145	(33)	0%	
Café Total	45,060	7,168	55,178	48,010	670%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Retail						
Retail Revenue						
Revenue	(517,000)	(243,013)	(252,738)	(9,725)	4%	
Retail Revenue Total	(517,000)	(243,013)	(252,738)	(9,725)	4%	
Retail Indirect Revenue						
Allocations	(490)	(255)	(243)	12	-5%	
Retail Indirect Revenue Total	(490)	(255)	(243)	12	-5%	
Retail Expenditure						
Employee Costs	50,000	24,996	23,876	(1,120)	-4%	
Other Employee Costs	1,500	750	286	(464)	-62%	
Other Expenses	276,490	109,494	104,971	(4,523)	-4%	
Retail Expenditure Total	327,990	135,240	129,134	(6,106)	-5%	
Retail Indirect Costs						
Allocations	81,200	41,343	41,973	630	2%	
Retail Indirect Costs Total	81,200	41,343	41,973	630	2%	
Retail Total	(108,300)	(66,685)	(81,874)	(15,189)	23%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Health and Fitness						
Health and Fitness Revenue						
Revenue	(221,500)	(131,751)	(97,961)	33,790	-26%	\$44k under for personal training due to lower demand, program under review. \$11k favourable variance due to casual entry and circuit class.
Health and Fitness Revenue Total	(221,500)	(131,751)	(97,961)	33,790	-26%	
Health and Fitness Indirect Revenue						
Allocations	(1,374,500)	(714,522)	(676,674)	37,848	-5%	
Health and Fitness Indirect Revenue Total	(1,374,500)	(714,522)	(676,674)	37,848	-5%	
Health and Fitness Expenditure						
Employee Costs	554,520	277,260	263,230	(14,030)	-5%	
Other Employee Costs	9,000	4,500	2,236	(2,264)	-50%	
Other Expenses	212,040	107,390	98,645	(8,745)	-8%	
Health and Fitness Expenditure Total	775,560	389,150	364,111	(25,039)	-6%	
Health and Fitness Indirect Costs						
Allocations	541,810	274,711	283,242	8,531	3%	
Health and Fitness Indirect Costs Total	541,810	274,711	283,242	8,531	3%	
Health and Fitness Total	(278,630)	(182,412)	(127,281)	55,131	-30%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Group Fitness						
Group Fitness Revenue						
Revenue	(170,500)	(83,511)	(79,180)	4,331	-5%	
Group Fitness Revenue Total	(170,500)	(83,511)	(79,180)	4,331	-5%	
Group Fitness Indirect Revenue						
Allocations	(466,560)	(242,537)	(229,690)	12,847	-5%	
Group Fitness Indirect Revenue Total	(466,560)	(242,537)	(229,690)	12,847	-5%	
Group Fitness Expenditure						
Employee Costs	275,940	137,971	130,993	(6,978)	-5%	
Other Employee Costs	900	448	479	31	7%	
Other Expenses	116,020	58,001	49,166	(8,835)	-15%	
Group Fitness Expenditure Total	392,860	196,420	180,639	(15,781)	-8%	
Group Fitness Indirect Costs						
Allocations	169,050	85,746	96,400	10,654	12%	
Group Fitness Indirect Costs Total	169,050	85,746	96,400	10,654	12%	
Group Fitness Total	(75,150)	(43,882)	(31,831)	12,051	-27%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Aqua Fitness</u>						
Aqua Fitness Revenue						
Revenue	(30,000)	(13,573)	(13,300)	273	-2%	
Aqua Fitness Revenue Total	(30,000)	(13,573)	(13,300)	273	-2%	
Aqua Fitness Indirect Revenue						
Allocations	(196,990)	(102,404)	(96,980)	5,424	-5%	
Aqua Fitness Indirect Revenue Total	(196,990)	(102,404)	(96,980)	5,424	-5%	
Aqua Fitness Expenditure						
Employee Costs	33,110	16,554	16,128	(426)	-3%	
Other Expenses	8,500	4,455	3,808	(647)	-15%	
Aqua Fitness Expenditure Total	41,610	21,009	19,935	(1,074)	-5%	
Aqua Fitness Indirect Costs						
Allocations	98,660	50,653	54,998	4,345	9%	
Aqua Fitness Indirect Costs Total	98,660	50,653	54,998	4,345	9%	
Aqua Fitness Total	(86,720)	(44,315)	(35,346)	8,969	-20%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Creche						
Creche Revenue						
Revenue	(16,500)	(8,788)	(13,668)	(4,880)	56%	
Creche Revenue Total	(16,500)	(8,788)	(13,668)	(4,880)	56%	
Creche Indirect Revenue						
Allocations	(37,520)	(19,508)	(18,472)	1,036	-5%	
Creche Indirect Revenue Total	(37,520)	(19,508)	(18,472)	1,036	-5%	
Creche Expenditure						
Employee Costs	231,780	115,890	108,933	(6,957)	-6%	
Other Employee Costs	1,650	1,233	511	(723)	-59%	
Other Expenses	1,950	1,926	1,163	(763)	-40%	
Creche Expenditure Total	235,380	119,049	110,606	(8,443)	-7%	
Creche Indirect Costs						
Allocations	94,110	47,798	50,645	2,847	6%	
Creche Indirect Costs Total	94,110	47,798	50,645	2,847	6%	
Creche Total	275,470	138,551	129,110	(9,441)	-7%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Community Partnership Mgmt Administration</u>						
Community Partnerships Management Administration						
Employee Costs	527,930	263,963	232,345	(31,618)	-12%	Manager position was vacant.
Other Employee Costs	1,150	576	938	362	63%	
Other Expenses	192,500	96,836	41,147	(55,689)	-58%	Timing variance on use of consultants.
Community Partnerships Management Administration Total	721,580	361,375	274,429	(86,946)	-24%	
Community Partnerships Mgmt Admin Indirect Costs						
Allocations	128,975	67,584	63,401	(4,183)	-6%	
Community Partnerships Mgmt Admin Recove	(850,555)	(428,959)	(337,830)	91,129	-21%	
Community Partnerships Mgmt Admin Indirect Costs Total	(721,580)	(361,375)	(274,429)	86,946	-24%	
Community Partnership Mgmt Administration Total	0	0	0	0		
<u>Community Connections</u>						
Community Connections Expenditure						
Employee Costs	89,440	44,715	41,890	(2,825)	-6%	
Other Employee Costs	4,910	2,456	2,456	0	0%	
Other Expenses	126,200	47,781	49,385	1,604	3%	
Community Connections Expenditure Total	220,550	94,952	93,732	(1,220)	-1%	
Community Connections Indirect Costs						
Allocations	50,435	26,117	24,431	(1,686)	-6%	
Community Connections Indirect Costs Total	50,435	26,117	24,431	(1,686)	-6%	
Community Connections Total	270,985	121,069	118,162	(2,907)	-2%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Recreation, Arts and Culture</u>						
Recreation, Arts and Culture Revenue						
Revenue	(18,000)	(3,000)	(363)	2,637	-88%	
Recreation, Arts and Culture Revenue Total	(18,000)	(3,000)	(363)	2,637	-88%	
<u>Recreation, Arts and Culture Expenditure</u>						
Employee Costs	92,220	46,101	130,997	84,896	184%	Variance due to department restructure and voluntary redundancy payments.
Other Employee Costs	4,950	2,672	1,964	(708)	-27%	
Other Expenses	433,370	115,007	84,816	(30,191)	-26%	\$13k favourable Community Art Programmes, and other variances that are not individually material this is due to programmes due to start in February.
Recreation, Arts and Culture Expenditure Total	530,540	163,780	217,776	53,996	33%	
Recreation, Arts and Culture Indirect Costs						
Allocations	123,915	65,413	69,566	4,153	6%	
Community Partnerships Mgmt Admin Alloca	382,750	193,032	152,024	(41,008)	-21%	
Recreation, Arts and Culture Indirect Costs Total	506,665	258,445	221,590	(36,855)	-14%	
Recreation, Arts and Culture Total	1,019,205	419,225	439,003	19,778	5%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Senior, Disability and Youth Services						
Senior, Disability and Youth Services Revenue						
Revenue	(53,000)	(16,577)	(4,676)	11,901	-72%	Made up of various variances that are not individually material.
Senior, Disability and Youth Services Revenue Total	(53,000)	(16,577)	(4,676)	11,901	-72%	
Senior, Disability and Youth Services Expenditure						
Employee Costs	178,870	89,435	106,306	16,871	19%	Salary is over budget due to staff changes within the directorate whereby allocations need to be corrected.
Other Employee Costs	2,050	1,998	844	(1,154)	-58%	
Other Expenses	269,470	106,695	48,505	(58,190)	-55%	\$46k Community Support Grant not yet spent and other favourable variances that are not individually material.
Senior, Disability and Youth Services Expenditure Total	450,390	198,128	155,655	(42,473)	-21%	
Senior, Disability and Youth Serv Indirect Costs						
Allocations	127,885	67,381	62,155	(5,226)	-8%	
Community Partnerships Mgmt Admin Alloca	340,225	171,583	135,132	(36,451)	-21%	
Senior, Disability and Youth Serv Indirect Costs Total	468,110	238,964	197,287	(41,677)	-17%	
Senior, Disability and Youth Services Total	865,500	420,515	348,266	(72,249)	-17%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Library Services</u>						
Library Services Revenue						
Revenue	(24,970)	(12,096)	(11,943)	153	-1%	
Library Services Revenue Total	(24,970)	(12,096)	(11,943)	153	-1%	
Library Services Expenditure						
Employee Costs	912,920	456,454	409,312	(47,142)	-10%	Positions not back filled while permanent staff on leave.
Other Employee Costs	7,290	6,970	4,418	(2,552)	-37%	
Other Expenses	92,300	44,258	39,909	(4,349)	-10%	
Library Services Expenditure Total	1,012,510	507,682	453,639	(54,043)	-11%	
Library Services Indirect Costs						
Allocations	433,300	229,494	199,149	(30,345)	-13%	
Community Partnerships Mgmt Admin Alloca	127,580	64,344	50,675	(13,670)	-21%	
Library Services Indirect Costs Total	560,880	293,838	249,823	(44,015)	-15%	
Library Services Total	1,548,420	789,424	691,520	(97,904)	-12%	
<u>Library Building</u>						
Library Occupancy Costs						
Building Maintenance	99,300	49,652	39,462	(10,190)	-21%	No major reactive maintenance work required.
Other Expenses	176,910	81,737	89,334	7,597	9%	
Library Occupancy Costs Total	276,210	131,389	128,796	(2,593)	-2%	
Library Indirect Costs						
Allocations	5,430	2,712	2,443	(269)	-10%	
Library Indirect Costs Total	5,430	2,712	2,443	(269)	-10%	
Library Building Total	281,640	134,101	131,239	(2,862)	-2%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Ranger Services Administration</u>						
Ranger Services Administration Revenue						
Revenue	(3,870)	(1,932)	(1,676)	256	-13%	
Ranger Services Administration Revenue Total	(3,870)	(1,932)	(1,676)	256	-13%	
Ranger Services Administration Expenditure						
Employee Costs	2,379,630	1,189,811	1,097,758	(92,053)	-8%	
Other Employee Costs	36,680	19,368	20,868	1,500	8%	
Other Expenses	153,680	74,389	40,755	(33,634)	-45%	\$20k legal costs not yet required and various favourable variances that are not individually material.
Ranger Services Administration Expenditure Total	2,569,990	1,283,568	1,159,380	(124,188)	-10%	
Ranger Services Administration Indirect Costs						
Allocations	(2,566,120)	(1,281,636)	(1,157,704)	123,932	-10%	
Ranger Services Administration Indirect Costs Total	(2,566,120)	(1,281,636)	(1,157,704)	123,932	-10%	
Ranger Services Administration Total	0	0	(0)	0		
<u>Fire Prevention</u>						
Fire Prevention Revenue						
Revenue	(5,000)	(2,502)	(2,296)	206	-8%	
Fire Prevention Revenue Total	(5,000)	(2,502)	(2,296)	206	-8%	
Fire Prevention Indirect Costs						
Allocations	214,940	108,779	101,214	(7,565)	-7%	
Fire Prevention Indirect Costs Total	214,940	108,779	101,214	(7,565)	-7%	
Fire Prevention Total	209,940	106,277	98,918	(7,359)	-7%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Animal Control</u>						
Animal Control Revenue						
Revenue	(107,700)	(72,348)	(56,854)	15,494	-21%	\$12k Dog registration fees lower than anticipated.
Animal Control Revenue Total	(107,700)	(72,348)	(56,854)	15,494	-21%	
Animal Control Expenditure						
Other Expenses	16,650	7,245	7,289	44	1%	
Animal Control Expenditure Total	16,650	7,245	7,289	44	1%	
Animal Control Indirect Costs						
Allocations	214,940	108,779	99,614	(9,165)	-8%	
Animal Control Indirect Costs Total	214,940	108,779	99,614	(9,165)	-8%	
Animal Control Total	123,890	43,676	50,048	6,372	15%	
<u>Local Laws (Law and Order)</u>						
Local Laws (Law and Order) Revenue						
Revenue	(54,000)	(27,006)	(26,253)	753	-3%	
Local Laws (Law and Order) Revenue Total	(54,000)	(27,006)	(26,253)	753	-3%	
Local Laws (Law and Order) Indirect Costs						
Allocations	422,870	213,855	194,938	(18,917)	-9%	
Local Laws (Law and Order) Indirect Costs Total	422,870	213,855	194,938	(18,917)	-9%	
Local Laws (Law and Order) Total	368,870	186,849	168,685	(18,164)	-10%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Abandoned Vehicles</u>						
Abandoned Vehicles Revenue						
Revenue	(21,000)	(10,500)	(13,645)	(3,145)	30%	
Abandoned Vehicles Revenue Total	(21,000)	(10,500)	(13,645)	(3,145)	30%	
Abandoned Vehicles Expenditure						
Other Expenses	17,500	8,748	6,153	(2,595)	-30%	
Abandoned Vehicles Expenditure Total	17,500	8,748	6,153	(2,595)	-30%	
Abandoned Vehicles Indirect Costs						
Allocations	214,940	108,779	99,614	(9,165)	-8%	
Abandoned Vehicles Indirect Costs Total	214,940	108,779	99,614	(9,165)	-8%	
Abandoned Vehicles Total	211,440	107,027	92,122	(14,905)	-14%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Inspectorial Control</u>						
Inspectorial Control Revenue						
Revenue	(2,483,800)	(1,253,148)	(1,117,672)	135,476	-11%	
Inspectorial Control Revenue Total	(2,483,800)	(1,253,148)	(1,117,672)	135,476	-11%	
Inspectorial Control Expenditure						
Other Expenses	1,034,630	752,810	617,734	(135,076)	-18%	\$125k timing variance on fines lodgment fees; \$40k timing variance on software licence, which will be incurred once handheld enforcement devices are set up; \$16k not yet required for Parking ticket supplies; depreciation expense \$38k higher than budget estimates.
Inspectorial Control Expenditure Total	1,034,630	752,810	617,734	(135,076)	-18%	
Inspectorial Control Indirect Costs						
Allocations	2,469,470	1,248,892	1,138,150	(110,742)	-9%	
Inspectorial Control Indirect Costs Total	2,469,470	1,248,892	1,138,150	(110,742)	-9%	
Inspectorial Control Total	1,020,300	748,554	638,212	(110,342)	-15%	
<u>Car Park Control</u>						
Car Park Control Revenue						
Revenue	(2,758,160)	(1,392,836)	(1,367,181)	25,655	-2%	
Car Park Control Revenue Total	(2,758,160)	(1,392,836)	(1,367,181)	25,655	-2%	
Car Park Control Expenditure						
Ground Maintenance	193,280	88,913	73,084	(15,829)	-18%	Maintenance works required lower than budget estimation.
Other Expenses	760,620	343,449	306,361	(37,088)	-11%	Maintenance works required lower than budget estimation.
Car Park Control Expenditure Total	953,900	432,362	379,446	(52,916)	-12%	
Car Park Control Total	(1,804,260)	(960,474)	(987,735)	(27,261)	3%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Kerbside Parking Control</u>						
Kerbside Parking Control Revenue						
Revenue	(2,396,180)	(1,198,092)	(1,226,803)	(28,711)	2%	
Kerbside Parking Control Revenue Total	(2,396,180)	(1,198,092)	(1,226,803)	(28,711)	2%	
Kerbside Parking Control Expenditure						
Other Expenses	526,220	226,909	232,193	5,284	2%	
Kerbside Parking Control Expenditure Total	526,220	226,909	232,193	5,284	2%	
Kerbside Parking Control Total	(1,869,960)	(971,183)	(994,609)	(23,426)	2%	
<u>Dog Pound Expenditure</u>						
Dog Pound Expenditure						
Building Maintenance	5,150	2,727	1,857	(870)	-32%	
Other Expenses	5,720	2,862	0	(2,862)	-100%	
Dog Pound Expenditure Total	10,870	5,589	1,857	(3,732)	-67%	
Dog Pound Expenditure Total	10,870	5,589	1,857	(3,732)	-67%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Director Development Services</u>						
Director Development Services Expenditure						
Employee Costs	411,410	205,705	201,050	(4,655)	-2%	
Other Employee Costs	2,440	2,440	474	(1,966)	-81%	
Other Expenses	37,830	2,412	23,402	20,990	870%	\$21k timing variance on subscription and publications.
Director Development Services Expenditure Total	451,680	210,557	224,925	14,368	7%	
Director Development Services Indirect Costs						
Allocations	(451,680)	(210,557)	(224,925)	(14,368)	7%	
Director Development Services Indirect Costs Total	(451,680)	(210,557)	(224,925)	(14,368)	7%	
Director Development Services Total	0	0	0	0		
<u>Health Administration and Inspection</u>						
Health Administration and Inspection Revenue						
Revenue	(309,860)	(154,226)	(276,080)	(121,854)	79%	\$85k Food premises licences received earlier than expected and one off payment of \$15k received from nib Stadium for the Regulation 19B application and timing variance.
Health Administration and Inspection Revenue Total	(309,860)	(154,226)	(276,080)	(121,854)	79%	
Health Administration and Inspection Expenditure						
Employee Costs	670,120	335,054	309,233	(25,821)	-8%	
Other Employee Costs	22,380	11,190	9,477	(1,713)	-15%	
Other Expenses	78,800	34,898	17,781	(17,117)	-49%	Made up of various favourable variances that are not individually material.
Health Administration and Inspection Expenditure Total	771,300	381,142	336,491	(44,651)	-12%	
Health Administration and Inspection Indirect Cost						
Allocations	339,850	175,209	166,889	(8,320)	-5%	
Health Administration and Inspection Indirect Cost Total	339,850	175,209	166,889	(8,320)	-5%	
Health Administration and Inspection Total	801,290	402,125	227,300	(174,825)	-43%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Food Control</u>						
Food Control Revenue						
Revenue	(2,000)	(1,000)	0	1,000	-100%	
Food Control Revenue Total	(2,000)	(1,000)	0	1,000	-100%	
Food Control Expenditure						
Other Expenses	21,500	9,750	8,521	(1,229)	-13%	
Food Control Expenditure Total	21,500	9,750	8,521	(1,229)	-13%	
Food Control Total	19,500	8,750	8,521	(229)	-3%	
<u>Health Clinics</u>						
Health Clinics Revenue						
Revenue	(19,080)	(10,063)	(9,911)	152	-2%	
Health Clinics Revenue Total	(19,080)	(10,063)	(9,911)	152	-2%	
Health Clinics Expenditure						
Building Maintenance	29,530	15,829	9,862	(5,967)	-38%	
Ground Maintenance	0	0	1,953	1,953		
Other Expenses	65,530	32,461	31,865	(596)	-2%	
Health Clinics Expenditure Total	95,060	48,290	43,680	(4,610)	-10%	
Health Clinics Indirect Costs						
Allocations	2,400	1,200	1,083	(117)	-10%	
Health Clinics Indirect Costs Total	2,400	1,200	1,083	(117)	-10%	
Health Clinics Total	78,380	39,427	34,851	(4,576)	-12%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Statutory Planning Services</u>						
Statutory Planning Services Revenue						
Revenue	(645,570)	(322,788)	(280,336)	42,452	-13%	Development application fees lower than anticipated.
Statutory Planning Services Revenue Total	(645,570)	(322,788)	(280,336)	42,452	-13%	
Statutory Planning Services Expenditure						
Employee Costs	1,255,300	627,646	536,841	(90,805)	-14%	Positions vacant, agency staff used.
Other Employee Costs	24,810	12,398	67,183	54,785	442%	Agency staff used to fill vacant positions.
Other Expenses	266,900	133,446	298,996	165,550	124%	\$19k savings on Development application panel fees and \$191k higher on legal costs.
Statutory Planning Services Expenditure Total	1,547,010	773,490	903,020	129,530	17%	
Statutory Planning Services Indirect Costs						
Allocations	700,915	366,142	374,639	8,497	2%	
Statutory Planning Services Indirect Costs Total	700,915	366,142	374,639	8,497	2%	
Statutory Planning Services Total	1,602,355	816,844	997,323	180,479	22%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Compliance Services</u>						
Compliance Services Revenue						
Revenue	(31,400)	(15,702)	(8,678)	7,024	-45%	
Compliance Services Revenue Total	(31,400)	(15,702)	(8,678)	7,024	-45%	
Compliance Services Expenditure						
Employee Costs	350,100	175,054	175,484	430	0%	
Other Employee Costs	6,960	3,480	2,456	(1,024)	-29%	
Other Expenses	57,900	28,950	10,862	(18,088)	-62%	\$17k legal cost not yet required.
Compliance Services Expenditure Total	414,960	207,484	188,802	(18,682)	-9%	
Compliance Services Indirect Costs						
Allocations	249,315	127,033	124,894	(2,139)	-2%	
Compliance Services Indirect Costs Total	249,315	127,033	124,894	(2,139)	-2%	
Compliance Services Total	632,875	318,815	305,018	(13,797)	-4%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Policy and Place Services</u>						
Policy and Place Services Revenue						
Revenue	(16,410)	(8,202)	(7,311)	891	-11%	
Policy and Place Services Revenue Total	(16,410)	(8,202)	(7,311)	891	-11%	
Policy and Place Serv Expenditure						
Employee Costs	896,520	448,260	419,572	(28,688)	-6%	
Other Employee Costs	15,260	7,630	6,760	(870)	-11%	
Other Expenses	565,520	293,227	64,716	(228,511)	-78%	Timing variance, \$83k on Strategic Planning Programmes, \$20k on Place Management Programmes, \$29k on Grants and Donation and \$22k on Data acquisition.
Policy and Place Serv Expenditure Total	1,477,300	749,117	491,049	(258,068)	-34%	
Policy and Place Services Indirect Cost						
Allocations	360,880	188,301	177,754	(10,547)	-6%	
Policy and Place Services Indirect Cost Total	360,880	188,301	177,754	(10,547)	-6%	
Policy and Place Services Total	1,821,770	929,216	661,491	(267,725)	-29%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Building Control</u>						
Building Control Revenue						
Revenue	(239,410)	(119,706)	(138,665)	(18,959)	16%	Building Licence applications higher than budget estimates.
Building Control Revenue Total	(239,410)	(119,706)	(138,665)	(18,959)	16%	
Building Control Expenditure						
Employee Costs	391,530	195,766	152,303	(43,463)	-22%	Part-time positions vacant.
Other Employee Costs	10,590	5,298	3,880	(1,418)	-27%	
Other Expenses	44,500	22,248	10,326	(11,922)	-54%	Made up of various favourable variances that are not individually material.
Building Control Expenditure Total	446,620	223,312	166,508	(56,804)	-25%	
Building Control Indirect Costs						
Allocations	301,735	153,964	158,714	4,750	3%	
Building Control Indirect Costs Total	301,735	153,964	158,714	4,750	3%	
Building Control Total	508,945	257,570	186,557	(71,013)	-28%	
<u>Director Technical Services</u>						
Director Technical Services Expenditure						
Employee Costs	378,680	189,335	100,014	(89,321)	-47%	Director position to be filled in January 2018.
Other Employee Costs	10,520	6,034	7,083	1,049	17%	
Other Expenses	65,200	38,596	24,184	(14,412)	-37%	Made up of various favourable variances that are not individually material.
Director Technical Services Expenditure Total	454,400	233,965	131,281	(102,684)	-44%	
Director Technical Services Indirect Costs						
Allocations	(454,400)	(233,965)	(131,281)	102,684	-44%	
Director Technical Services Indirect Costs Total	(454,400)	(233,965)	(131,281)	102,684	-44%	
Director Technical Services Total	0	0	(0)	(0)		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Engineering Design Services</u>						
Engineering Design Services Revenue						
Revenue	(6,050)	(3,020)	(4,281)	(1,261)	42%	
Engineering Design Services Revenue Total	(6,050)	(3,020)	(4,281)	(1,261)	42%	
<u>Engineering Design Services Expenditure</u>						
Engineering Design Services Expenditure						
Employee Costs	495,550	247,778	277,431	29,653	12%	\$13k long service leave cashed out and Manager Engineering Design is acting on Director Technical Services role.
Other Employee Costs	11,100	5,551	21,632	16,081	290%	Agency Labour Costs not budgeted for.
Other Expenses	250,750	128,060	81,300	(46,760)	-37%	\$31k not yet required for building condition survey and consultants; \$10k timing variance on traffic survey.
Engineering Design Services Expenditure Total	757,400	381,389	380,363	(1,026)	0%	
<u>Engineering Design Services Indirect Costs</u>						
Engineering Design Services Indirect Costs						
Allocations	369,635	192,470	167,602	(24,868)	-13%	
Engineering Design Services Indirect Costs Total	369,635	192,470	167,602	(24,868)	-13%	
Engineering Design Services Total	1,120,985	570,839	543,684	(27,155)	-5%	
<u>Bike Station Expenditure</u>						
Bike Station Expenditure						
Other Expenses	6,000	3,000	4,103	1,103	37%	
Bike Station Expenditure Total	6,000	3,000	4,103	1,103	37%	
Bike Station Expenditure Total	6,000	3,000	4,103	1,103	37%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Street Lighting</u>						
Street Lighting Revenue						
Revenue	(23,000)	0	0	0		
Street Lighting Revenue Total	(23,000)	0	0	0		
Street Lighting Expenditure						
Other Expenses	840,000	420,000	348,448	(71,552)	-17%	Timing variance on invoices from Synergy for electricity expenses.
Street Lighting Expenditure Total	840,000	420,000	348,448	(71,552)	-17%	
Street Lighting Total	817,000	420,000	348,448	(71,552)	-17%	
<u>Underground Power Project</u>						
Underground Power Project Revenue						
Revenue	0	0	(311)	(311)		
Underground Power Project Revenue Total	0	0	(311)	(311)		
Underground Power Project Total	0	0	(311)	(311)		
<u>Bus Shelter</u>						
Bus Shelter Revenue						
Revenue	(59,000)	(25,000)	(11,358)	13,642	-55%	Advertising revenue lower than estimate.
Bus Shelter Revenue Total	(59,000)	(25,000)	(11,358)	13,642	-55%	
Bus Shelter Expenditure						
Other Expenses	45,930	22,966	51,756	28,790	125%	\$23k unfavourable variance in depreciation expense, to be reviewed in mid year budget review.
Bus Shelter Expenditure Total	45,930	22,966	51,756	28,790	125%	
Bus Shelter Total	(13,070)	(2,034)	40,398	42,432	-2086%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parking and Street Name Signs Expenditure</u>						
Parking and Street Name Signs Expenditure						
Other Expenses	91,000	45,500	31,018	(14,482)	-32%	Made up of various favourable variances that are not individually material.
Parking and Street Name Signs Expenditure Total	91,000	45,500	31,018	(14,482)	-32%	
Parking and Street Name Signs Expenditure Total	91,000	45,500	31,018	(14,482)	-32%	
<u>Crossovers</u>						
Crossovers Expenditure						
Other Expenses	15,000	7,500	6,055	(1,445)	-19%	
Crossovers Expenditure Total	15,000	7,500	6,055	(1,445)	-19%	
Crossovers Total	15,000	7,500	6,055	(1,445)	-19%	
<u>Roads Linemarking Expenditure</u>						
Roads Linemarking Expenditure						
Other Expenses	60,000	30,000	17,118	(12,882)	-43%	No major reactive maintenance work required.
Roads Linemarking Expenditure Total	60,000	30,000	17,118	(12,882)	-43%	
Roads Linemarking Expenditure Total	60,000	30,000	17,118	(12,882)	-43%	
<u>Tree Lighting Leederville Expenditure</u>						
Tree Lighting Leederville Expenditure						
Other Expenses	50,000	25,000	0	(25,000)	-100%	Timing variance on invoice.
Tree Lighting Leederville Expenditure Total	50,000	25,000	0	(25,000)	-100%	
Tree Lighting Leederville Expenditure Total	50,000	25,000	0	(25,000)	-100%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parklets Expenditure</u>						
Parklets Expenditure						
Other Expenses	4,000	2,002	1,449	(553)	-28%	
Parklets Expenditure Total	4,000	2,002	1,449	(553)	-28%	
Parklets Expenditure Total	4,000	2,002	1,449	(553)	-28%	
<u>Environmental Services</u>						
Environmental Services Revenue						
Revenue	(24,500)	(12,252)	(9,291)	2,961	-24%	
Environmental Services Revenue Total	(24,500)	(12,252)	(9,291)	2,961	-24%	
Environmental Services Expenditure						
Employee Costs	87,200	43,598	42,974	(624)	-1%	
Other Expenses	224,940	102,206	105,833	3,627	4%	
Environmental Services Expenditure Total	312,140	145,804	148,807	3,003	2%	
Environmental Services Indirect Costs						
Allocations	53,530	28,004	21,467	(6,537)	-23%	
Environmental Services Indirect Costs Total	53,530	28,004	21,467	(6,537)	-23%	
Environmental Services Total	341,170	161,556	160,984	(573)	0%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Property Management Administration</u>						
Property Management Administration Revenue						
Revenue	(2,810)	(1,404)	(4,189)	(2,785)	198%	
Property Management Administration Revenue Total	(2,810)	(1,404)	(4,189)	(2,785)	198%	
Property Management Administration Expenditure						
Employee Costs	319,640	159,823	149,381	(10,442)	-7%	
Other Employee Costs	4,060	2,030	2,030	0	0%	
Other Expenses	42,930	3,638	11,456	7,818	215%	
Property Management Administration Expenditure Total	366,630	165,491	162,867	(2,624)	-2%	
Property Management Administration Indirect Costs						
Allocations	208,445	107,617	81,647	(25,970)	-24%	
Property Management Administration Indirect Costs Total	208,445	107,617	81,647	(25,970)	-24%	
Property Management Administration Total	572,265	271,704	240,325	(31,379)	-12%	
<u>Civic Centre Building</u>						
Civic Centre Building Expenditure						
Building Maintenance	236,800	163,906	194,117	30,211	18%	Parks and garden costs incorrectly allocated to this account; to be corrected in January 2017.
Ground Maintenance	73,000	49,498	43,597	(5,901)	-12%	
Other Expenses	426,430	198,301	337,555	139,254	70%	\$147k unfavourable variance due to increase in depreciation cost after revaluation of building assets and \$9k favourable variance on rates and levy due to timing.
Civic Centre Building Expenditure Total	736,230	411,705	575,270	163,565	40%	
Civic Centre Building Indirect Costs						
Allocations	(736,230)	(411,705)	(575,270)	(163,565)	40%	
Civic Centre Building Indirect Costs Total	(736,230)	(411,705)	(575,270)	(163,565)	40%	
Civic Centre Building Total	0	0	0	(0)		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Child Care Centres and Play Groups</u>						
Child Care Centres and Play Groups Revenue						
Revenue	(21,580)	(11,793)	(6,831)	4,962	-42%	
Child Care Centres and Play Groups Revenue Total	(21,580)	(11,793)	(6,831)	4,962	-42%	
Child Care Centres and Play Groups Expenditure						
Building Maintenance	12,000	6,325	2,912	(3,413)	-54%	
Ground Maintenance	0	0	283	283		
Other Expenses	79,220	39,482	21,818	(17,664)	-45%	\$17k favourable variance due to decrease in depreciation cost after revaluation of building assets.
Child Care Centres and Play Groups Expenditure Total	91,220	45,807	25,013	(20,794)	-45%	
Child Care Centres and Play Groups Indirect Costs						
Allocations	2,920	1,458	1,314	(144)	-10%	
Child Care Centres and Play Groups Indirect Costs Total	2,920	1,458	1,314	(144)	-10%	
Child Care Centres and Play Groups Total	72,560	35,472	19,496	(15,976)	-45%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Pre Schools and Kindergartens</u>						
Pre Schools and Kindergartens Revenue						
Revenue	(53,765)	(31,558)	(26,425)	5,133	-16%	
Pre Schools and Kindergartens Revenue Total	(53,765)	(31,558)	(26,425)	5,133	-16%	
 Pre Schools and Kindergartens Expenditure						
Building Maintenance	12,175	7,688	1,912	(5,776)	-75%	
Ground Maintenance	400	198	528	330	167%	
Other Expenses	53,010	26,506	24,461	(2,045)	-8%	
Pre Schools and Kindergartens Expenditure Total	65,585	34,392	26,901	(7,491)	-22%	
 Pre Schools and Kindergartens Indirect Costs						
Allocations	2,080	1,038	934	(104)	-10%	
Pre Schools and Kindergartens Indirect Costs Total	2,080	1,038	934	(104)	-10%	
 Pre Schools and Kindergartens Total	13,900	3,872	1,410	(2,462)	-64%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Community and Welfare Centres</u>						
Community and Welfare Centres Revenue						
Revenue	(87,670)	(48,280)	(49,508)	(1,228)	3%	
Community and Welfare Centres Revenue Total	(87,670)	(48,280)	(49,508)	(1,228)	3%	
Community and Welfare Centres Expenditure						
Building Maintenance	35,100	21,648	24,127	2,479	11%	
Ground Maintenance	5,500	3,002	1,994	(1,008)	-34%	
Other Expenses	188,020	94,072	87,533	(6,539)	-7%	
Community and Welfare Centres Expenditure Total	228,620	118,722	113,653	(5,069)	-4%	
Community and Welfare Centres Indirect Costs						
Allocations	8,120	4,062	3,656	(406)	-10%	
Community and Welfare Centres Indirect Costs Total	8,120	4,062	3,656	(406)	-10%	
Community and Welfare Centres Total	149,070	74,504	67,800	(6,704)	-9%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Department of Sports and Recreation Building</u>						
Dept of Sports and Recreation Building Revenue	(759,570)	(379,050)	(375,509)	3,541	-1%	
Dept of Sports and Recreation Building Revenue Total	(759,570)	(379,050)	(375,509)	3,541	-1%	
Dept of Sports and Recreation Building Expenditure						
Building Maintenance	143,550	101,027	102,005	978	1%	
Ground Maintenance	9,900	5,192	5,323	131	3%	
Other Expenses	584,690	274,598	318,209	43,611	16%	\$43k unfavourable variance due to increase in depreciation cost after revaluation of building assets.
Dept of Sports and Recreation Building Expenditure Total	738,140	380,817	425,536	44,719	12%	
Dept of Sports and Recreation Building Indirect Costs						
Allocations	14,170	7,086	6,379	(707)	-10%	
Dept of Sports and Recreation Building Indirect Costs Total	14,170	7,086	6,379	(707)	-10%	
Department of Sports and Recreation Building Total	(7,260)	8,853	56,405	47,552	537%	
<u>nib Stadium</u>						
nib Stadium Revenue						
Revenue	(27,050)	(27,050)	(27,111)	(61)	0%	
nib Stadium Revenue Total	(27,050)	(27,050)	(27,111)	(61)	0%	
nib Stadium Expenditure						
Other Expenses	576,830	288,414	8,900	(279,514)	-97%	nib building assets not to be depreciated for the duration of lease with State Government, to be adjusted in mid year budget review.
nib Stadium Expenditure Total	576,830	288,414	8,900	(279,514)	-97%	
nib Stadium Total	549,780	261,364	(18,211)	(279,575)	-107%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Leederville Oval						
Leederville Oval Revenue						
Revenue	(213,010)	(106,507)	(113,830)	(7,323)	7%	
Leederville Oval Revenue Total	(213,010)	(106,507)	(113,830)	(7,323)	7%	
Leederville Oval Expenditure						
Building Maintenance	38,700	13,300	13,328	28	0%	
Ground Maintenance	100,000	49,998	43,163	(6,835)	-14%	
Other Expenses	423,770	205,691	212,882	7,191	3%	
Leederville Oval Expenditure Total	562,470	268,989	269,373	384	0%	
Leederville Oval Indirect Costs						
Allocations	10,340	5,172	4,652	(520)	-10%	
Leederville Oval Indirect Costs Total	10,340	5,172	4,652	(520)	-10%	
Leederville Oval Total	359,800	167,654	160,194	(7,460)	-4%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Loftus Centre</u>						
Loftus Centre Revenue						
Revenue	(696,280)	(360,394)	(312,630)	47,764	-13%	Timing variance, \$23k Variable Outgoings to be recouped and \$25k Profit share invoice to be raised.
Loftus Centre Revenue Total	(696,280)	(360,394)	(312,630)	47,764	-13%	
Loftus Centre Expenditure						
Building Maintenance	126,400	66,197	43,364	(22,833)	-34%	No major reactive maintenance work required.
Ground Maintenance	21,700	11,350	20,834	9,484	84%	
Other Expenses	922,420	450,539	458,744	8,205	2%	
Loftus Centre Expenditure Total	1,070,520	528,086	522,942	(5,144)	-1%	
Loftus Centre Indirect Costs						
Allocations	22,980	11,484	10,345	(1,139)	-10%	
Loftus Centre Indirect Costs Total	22,980	11,484	10,345	(1,139)	-10%	
Loftus Centre Total	397,220	179,176	220,656	41,480	23%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
Public Halls						
Public Halls Revenue						
Revenue	(232,750)	(116,631)	(71,026)	45,605	-39%	Budget not in line with updated fees and charges, to be reviewed in mid year budget review.
Public Halls Revenue Total	(232,750)	(116,631)	(71,026)	45,605	-39%	
Public Halls Expenditure						
Building Maintenance	189,750	116,437	84,885	(31,552)	-27%	No major reactive maintenance work required.
Ground Maintenance	4,000	3,500	4,053	553	16%	
Other Expenses	231,760	113,700	112,205	(1,495)	-1%	
Public Halls Expenditure Total	425,510	233,637	201,143	(32,494)	-14%	
Public Halls Indirect Costs						
Allocations	8,120	4,050	3,652	(398)	-10%	
Public Halls Indirect Costs Total	8,120	4,050	3,652	(398)	-10%	
Public Halls Total	200,880	121,056	133,770	12,714	11%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Reserves Pavilions and Facilities</u>						
Reserves Pavilions and Facilities Revenue						
Revenue	(106,810)	(53,333)	(24,524)	28,809	-54%	Budget not in line with updated fees and charges, to be reviewed in mid year budget review.
Reserves Pavilions and Facilities Revenue Total	(106,810)	(53,333)	(24,524)	28,809	-54%	
 Reserves Pavilions and Facilities Expenditure						
Building Maintenance	459,175	249,735	189,414	(60,321)	-24%	No major reactive maintenance work required.
Ground Maintenance	7,500	7,500	7,392	(108)	-1%	
Other Expenses	315,710	151,283	141,481	(9,802)	-6%	
Reserves Pavilions and Facilities Expenditure Total	782,385	408,518	338,287	(70,231)	-17%	
 Reserves Pavilions and Facilities Indirect Costs						
Allocations	8,270	4,116	3,728	(388)	-9%	
Reserves Pavilions and Facilities Indirect Costs Total	8,270	4,116	3,728	(388)	-9%	
<u>Reserves Pavilions and Facilities Total</u>	683,845	359,301	317,491	(41,810)	-12%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Sporting Clubs Buildings</u>						
Sporting Clubs Buildings Revenue						
Revenue	(139,610)	(74,768)	(68,577)	6,191	-8%	
Sporting Clubs Buildings Revenue Total	(139,610)	(74,768)	(68,577)	6,191	-8%	
 Sporting Clubs Buildings Expenditure						
Building Maintenance	64,570	42,569	29,844	(12,725)	-30%	No major reactive maintenance work required.
Ground Maintenance	14,500	14,500	7,777	(6,723)	-46%	
Other Expenses	866,270	426,391	342,405	(83,986)	-20%	\$77k favourable variance on depreciation expense after revaluation of buildings.
Sporting Clubs Buildings Expenditure Total	945,340	483,460	380,026	(103,434)	-21%	
 Sporting Clubs Buildings Indirect Costs						
Allocations	25,020	12,510	11,255	(1,255)	-10%	
Sporting Clubs Buildings Indirect Costs Total	25,020	12,510	11,255	(1,255)	-10%	
Sporting Clubs Buildings Total	830,750	421,202	322,705	(98,497)	-23%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parks and Reserves Administration</u>						
Parks and Reserves Administration Revenue						
Revenue	(4,870)	(2,430)	(1,731)	699	-29%	
Parks and Reserves Administration Revenue Total	(4,870)	(2,430)	(1,731)	699	-29%	
Parks and Reserves Administration Expenditure						
Employee Costs	1,110,330	555,164	544,336	(10,828)	-2%	
Other Employee Costs	34,850	17,438	25,592	8,154	47%	
Other Expenses	155,760	77,880	78,927	1,047	1%	
Parks and Reserves Administration Expenditure Total	1,300,940	650,482	648,855	(1,627)	0%	
Parks and Reserves Administration Indirect Costs						
Allocations	782,935	403,577	364,155	(39,422)	-10%	
On Costs Recovery	(1,440,000)	(720,000)	(713,581)	6,419	-1%	
Parks and Reserves Administration Indirect Costs Total	(657,065)	(316,423)	(349,426)	(33,003)	10%	
Parks and Reserves Administration Total	639,005	331,629	297,698	(33,931)	-10%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Parks and Reserves</u>						
Parks and Reserves Revenue						
Revenue	(68,650)	(34,326)	(34,393)	(67)	0%	
Parks and Reserves Revenue Total	(68,650)	(34,326)	(34,393)	(67)	0%	
Parks and Reserves Expenditure						
Ground Maintenance	2,150,595	1,075,110	934,054	(141,056)	-13%	No major reactive maintenance work required.
Other Expenses	838,220	410,568	393,422	(17,146)	-4%	
Parks and Reserves Expenditure Total	2,988,815	1,485,678	1,327,476	(158,202)	-11%	
Parks and Reserves Indirect Costs						
Allocations	370	186	168	(18)	-10%	
Parks and Reserves Indirect Costs Total	370	186	168	(18)	-10%	
Parks and Reserves Total	2,920,535	1,451,538	1,293,251	(158,287)	-11%	
<u>Sporting Grounds</u>						
Sporting Grounds Revenue						
Revenue	(78,000)	(38,994)	(33,152)	5,842	-15%	Budget not in line with new fees and charges schedule, to be reviewed in mid year budget review.
Sporting Grounds Revenue Total	(78,000)	(38,994)	(33,152)	5,842	-15%	
Sporting Grounds Expenditure						
Ground Maintenance	1,169,550	593,404	624,882	31,478	5%	
Other Expenses	579,210	288,419	271,165	(17,254)	-6%	
Sporting Grounds Expenditure Total	1,748,760	881,823	896,047	14,224	2%	
Sporting Grounds Total	1,670,760	842,829	862,894	20,065	2%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Road Reserves Expenditure</u>						
Road Reserves Expenditure						
Ground Maintenance	394,250	196,998	137,586	(59,412)	-30%	No major reactive maintenance work required, also delayed maintenance due to bad weather.
Other Expenses	16,190	10,397	4,794	(5,603)	-54%	
Road Reserves Expenditure Total	410,440	207,395	142,379	(65,016)	-31%	
Road Reserves Expenditure Total	410,440	207,395	142,379	(65,016)	-31%	
<u>Parks Other</u>						
Parks Other Revenue						
Revenue	(2,000)	(2,000)	(450)	1,550	-78%	
Parks Other Revenue Total	(2,000)	(2,000)	(450)	1,550	-78%	
Parks Other Expenditure						
Other Expenses	2,061,910	1,198,426	1,166,858	(31,568)	-3%	
Money/Monger Street Trees Surgery	22,000	22,000	21,618	(382)	-2%	
Parks Other Expenditure Total	2,083,910	1,220,426	1,188,476	(31,950)	-3%	
Parks Other Total	2,081,910	1,218,426	1,188,026	(30,400)	-2%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Processable Waste Collection</u>						
Processable Waste Collection Revenue						
Revenue	(268,410)	(267,200)	(314,145)	(46,945)	18%	Increase in fees for 240L additional garbage collection.
Processable Waste Collection Revenue Total	(268,410)	(267,200)	(314,145)	(46,945)	18%	
Processable Waste Collection Expenditure						
Employee Costs	564,130	282,064	258,994	(23,070)	-8%	
Other Employee Costs	5,000	2,502	0	(2,502)	-100%	
Other Expenses	3,814,250	1,907,114	1,813,395	(93,719)	-5%	
Processable Waste Collection Expenditure Total	4,383,380	2,191,680	2,072,389	(119,291)	-5%	
Processable Waste Collection Indirect Costs						
Allocations	356,120	184,042	157,984	(26,058)	-14%	
On Costs Recovery	(530,000)	(264,996)	(274,111)	(9,115)	3%	
Processable Waste Collection Indirect Costs Total	(173,880)	(80,954)	(116,127)	(35,173)	43%	
Processable Waste Collection Total	3,941,090	1,843,526	1,642,116	(201,410)	-11%	
<u>Other Waste Services</u>						
Other Waste Services Revenue						
Revenue	(1,200)	(600)	(1,973)	(1,373)	229%	
Other Waste Services Revenue Total	(1,200)	(600)	(1,973)	(1,373)	229%	
Other Waste Services Expenditure						
Other Expenses	673,750	336,872	108,245	(228,627)	-68%	\$35k timing variance on Waste Management Programmes and \$176k on general maintenance that is not yet required.
Other Waste Services Expenditure Total	673,750	336,872	108,245	(228,627)	-68%	
Other Waste Services Total	672,550	336,272	106,272	(230,000)	-68%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Recycling Expenditure</u>						
Recycling Expenditure						
Other Expenses	1,097,000	548,496	420,336	(128,160)	-23%	Timing variance on invoice.
Recycling Expenditure Total	1,097,000	548,496	420,336	(128,160)	-23%	
Recycling Expenditure Total	1,097,000	548,496	420,336	(128,160)	-23%	
<u>Public Works Overhead</u>						
Public Works Overhead Revenue						
Revenue	(49,110)	(21,615)	(18,904)	2,711	-13%	
Public Works Overhead Revenue Total	(49,110)	(21,615)	(18,904)	2,711	-13%	
Public Works Overhead Expenditure						
Employee Costs	503,800	251,903	184,615	(67,288)	-27%	\$46k variance due to a position being vacant; \$15k wages not yet required.
Other Employee Costs	20,000	7,506	10,738	3,232	43%	
Other Expenses	54,705	27,270	29,490	2,220	8%	
Public Works Overhead Expenditure Total	578,505	286,679	224,843	(61,836)	-22%	
Public Works Overhead Indirect Costs						
Allocations	606,175	312,682	276,554	(36,128)	-12%	
On Costs Recovery	(553,000)	(276,498)	(262,633)	13,865	-5%	
Public Works Overhead Indirect Costs Total	53,175	36,184	13,921	(22,263)	-62%	
Public Works Overhead Total	582,570	301,248	219,860	(81,388)	-27%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Plant Operating</u>						
Plant Operating Expenditure						
Other Expenses	1,797,620	917,550	845,780	(71,770)	-8%	
Plant Operating Expenditure Total	1,797,620	917,550	845,780	(71,770)	-8%	
Plant Operating Indirect Costs						
Allocations	(1,837,620)	(918,804)	(716,231)	202,573	-22%	
Plant Operating Indirect Costs Total	(1,837,620)	(918,804)	(716,231)	202,573	-22%	
Plant Operating Total	(40,000)	(1,254)	129,548	130,802	-10431%	
<u>Recoverable Works</u>						
Recoverable Works Revenue						
Revenue	(100,000)	(50,000)	(36,070)	13,930	-28%	Timing variance on completion of recoverable works.
Recoverable Works Revenue Total	(100,000)	(50,000)	(36,070)	13,930	-28%	
Recoverable Works Expenditure						
Other Expenses	100,000	50,000	61,184	11,184	22%	
Recoverable Works Expenditure Total	100,000	50,000	61,184	11,184	22%	
Recoverable Works Total	0	0	25,114	25,114		

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Drainage Expenditure</u>						
Drainage Expenditure						
Other Expenses	279,250	136,263	162,437	26,174	19%	\$25k unfavourable variance due to higher general maintenance required.
Drainage Expenditure Total	279,250	136,263	162,437	26,174	19%	
Drainage Expenditure Total	279,250	136,263	162,437	26,174	19%	
<u>Footpaths/Cycleways Expenditure</u>						
Footpaths/Cycleways Expenditure						
Other Expenses	799,900	382,217	448,914	66,697	17%	\$44k unfavourable variance due to higher general maintenance required; depreciation expense \$22k higher than budget estimates.
Footpaths/Cycleways Expenditure Total	799,900	382,217	448,914	66,697	17%	
Footpaths/Cycleways Expenditure Total	799,900	382,217	448,914	66,697	17%	
<u>Rights of Way Expenditure</u>						
Rights of Way Expenditure						
Other Expenses	192,830	96,995	95,224	(1,771)	-2%	
Rights of Way Expenditure Total	192,830	96,995	95,224	(1,771)	-2%	
Rights of Way Expenditure Total	192,830	96,995	95,224	(1,771)	-2%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Roads Expenditure</u>						
Roads Expenditure						
Other Expenses	1,853,090	931,670	1,034,608	102,938	11%	Depreciation expense \$109k higher than budget estimates, to be reviewed in mid year budget review.
Roads Expenditure Total	1,853,090	931,670	1,034,608	102,938	11%	
Roads Expenditure Total	1,853,090	931,670	1,034,608	102,938	11%	
<u>Street Cleaning Expenditure</u>						
Street Cleaning Expenditure						
Other Expenses	724,000	362,004	337,322	(24,682)	-7%	
Street Cleaning Expenditure Total	724,000	362,004	337,322	(24,682)	-7%	
Street Cleaning Expenditure Total	724,000	362,004	337,322	(24,682)	-7%	
<u>Traffic Control for Roadworks Expenditure</u>						
Traffic Control for Roadworks Expenditure						
Other Expenses	171,000	57,502	28,568	(28,934)	-50%	Timing variance on invoice.
Traffic Control for Roadworks Expenditure Total	171,000	57,502	28,568	(28,934)	-50%	
Traffic Control for Roadworks Expenditure Total	171,000	57,502	28,568	(28,934)	-50%	
<u>Roadwork Signs and Barricades Expenditure</u>						
Roadwork Signs and Barricades Expenditure						
Other Expenses	500	252	431	179	71%	
Roadwork Signs and Barricades Expenditure Total	500	252	431	179	71%	
Roadwork Signs and Barricades Expenditure Total	500	252	431	179	71%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance \$	Variance %	Variance Commentary
<u>Sump Expenditure</u>							
Sump Expenditure							
Other Expenses	2,500	0	0		0		
Sump Expenditure Total	2,500	0	0		0		
Sump Expenditure Total	2,500	0	0		0		
<u>Works Depot</u>							
Works Depot Expenditure							
Employee Costs	158,740	79,369	77,337	(2,032)		-3%	
Other Employee Costs	5,330	2,519	2,775	256		10%	
Other Expenses	4,170	1,083	4,301	3,218		297%	
Works Depot Expenditure Total	168,240	82,971	84,413	1,442		2%	
Works Depot Indirect Costs							
Allocations	(168,240)	(82,971)	(84,413)	(1,442)		2%	
Works Depot Indirect Costs Total	(168,240)	(82,971)	(84,413)	(1,442)		2%	
Works Depot Total	0	0	(0)		0		

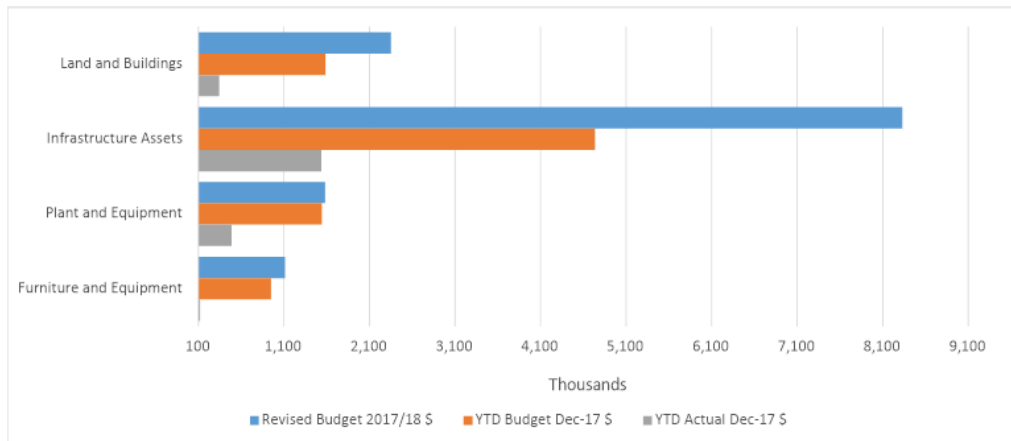
CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 31 DECEMBER 2017



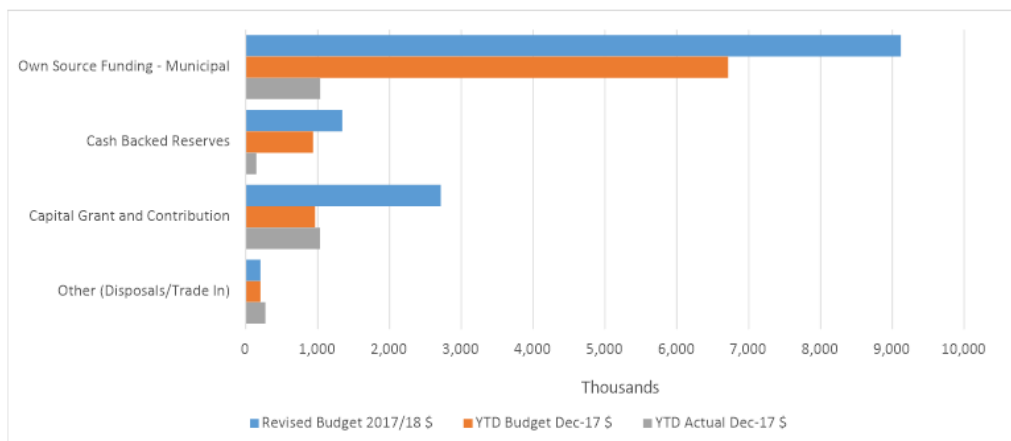
	Adopted Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Depot Building</u>						
Depot Occupancy Costs						
Building Maintenance	93,650	48,198	56,994	8,796	18%	
Ground Maintenance	0	0	1,022	1,022		
Other Expenses	198,540	106,150	126,527	20,377	19%	\$21k unfavourable variance due to increase in depreciation cost after revaluation of building assets.
Depot Occupancy Costs Total	292,190	154,348	184,543	30,195	20%	
Depot Indirect Costs						
Allocations	(292,190)	(154,348)	(184,147)	(29,799)	19%	
Depot Indirect Costs Total	(292,190)	(154,348)	(184,147)	(29,799)	19%	
Depot Building Total	0	0	396	396		
Net Operating	2,091,746	(15,181,993)	(16,835,004)	(1,653,011)	11%	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

CAPITAL EXPENDITURE	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	YTD Variance	Variance
	2017/18	2017/18	Dec-17	Dec-17		
	\$	\$	\$	\$	\$	%
Land and Buildings	2,343,358	2,351,801	1,586,801	344,736	(1,242,065)	-78%
Infrastructure Assets	8,358,501	8,329,870	4,736,625	1,537,738	(3,198,887)	-68%
Plant and Equipment	1,597,846	1,583,747	1,543,747	488,192	(1,055,555)	-68%
Furniture and Equipment	1,111,615	1,114,147	948,147	118,124	(830,023)	-88%
Total	13,411,320	13,379,565	8,815,320	2,488,790	(6,326,530)	-72%



FUNDING	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	YTD Variance	Variance
	2017/18	2017/18	Dec-17	Dec-17		
	\$	\$	\$	\$	\$	%
Own Source Funding - Municipal	9,184,871	9,119,846	6,713,537	1,036,561	(5,676,976)	-85%
Cash Backed Reserves	1,309,605	1,342,875	934,790	147,462	(787,328)	-84%
Capital Grant and Contribution	2,712,344	2,712,344	962,493	1,031,186	68,693	7%
Other (Disposals/Trade In)	204,500	204,500	204,500	273,581	69,081	34%
Total	13,411,320	13,379,565	8,815,320	2,488,790	(6,326,530)	-72%





CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
LAND & BUILDING ASSETS						
ADMINISTRATION & CIVIC CENTRE						
Fitout and relocation	9,143	9,143	4,261	(4,882)	-53%	
Fire compliance upgrade.	100,000	0	0	0	0%	
Administration & Civic Centre, Workforce Accommodation Upgrade	270,000	40,000	22,665	(17,335)	-43%	Work in progress.
Community Partnerships - Workforce Relocation	30,000	30,000	21,019	(8,981)	-30%	
BEATTY PARK LEISURE CENTRE						
Beatty Park Leisure Centre - Remedial Works (OMC 27/06/2017 - Item 10.3)	398,353	398,353	76,778	(321,575)	-81%	Work in progress.
Changeroom Tiles replacement	120,000	120,000	0	(120,000)	-100%	Work in progress.
DEPARTMENT OF SPORTS AND RECREATION						
Zip Unit Renewal	10,000	0	0	0	0%	
Carpet replacement	140,000	0	0	0	0%	
LOFTUS RECREATION CENTRE						
Leveling Hardstand Escape Route for Drainage	8,000	8,000	8,526	526	7%	
Refrigerated A/C Plant Renewal	100,000	0	0	0	0%	
Roof fall restraint system renewal	20,000	20,000	0	(20,000)	-100%	Project to commence in January 2018.
Renewal of ceiling fabric and upgrade of lights throughout centre	250,000	250,000	0	(250,000)	-100%	Work in progress.
Escape Gate Upgrade	12,000	12,000	234	(11,766)	-98%	Work in progress.
LEEDERVILLE OVAL						
Stadium - Electrical upgrade	70,000	70,000	0	(70,000)	-100%	Project to commence in January 2018.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
MANDATORY BUILDING COMPLIANCE UPGRADE						
Earlybird Playgroup Centre	4,137	4,137	0	(4,137)	-100%	
Dorrien Gardens (Azzurri Bocce Club)	10,120	10,120	0	(10,120)	-100%	Project delayed.
WORKS DEPOT						
Works Depot - Roof fall restraint system renewal	12,000	12,000	0	(12,000)	-100%	Project under review.
Roof sheet and screw renewal	20,000	0	11,773	11,773	100%	Works commenced earlier than planned.
Workplace Accommodation Depot staff computer kiosk	5,000	5,000	0	(5,000)	-100%	
MISCELLANEOUS						
Aircon re-gasification - various locations	70,000	70,000	0	(70,000)	-100%	Project to be scoped.
Anzac Cottage - Grant Interpretation	2,100	2,100	0	(2,100)	-100%	
Birdwood Square Ablutions - Gas HWS Renewal	6,000	6,000	3,070	(2,930)	-49%	
Braithwaite Park public toilet block upgrade and refurbishment	270,000	270,000	19,150	(250,850)	-93%	Work in progress.
Dorrien Gardens - Perth Soccer Club	57,448	57,448	57,448	0	0%	
Earlybird Playgroup Centre - Replace ceilings	8,000	8,000	6,820	(1,180)	-15%	
Earlybird Playgroup Centre upgrade	20,000	20,000	15,748	(4,252)	-21%	
Earlybird Playgroup Centre - Switchboard Renewal	10,000	10,000	6,387	(3,613)	-36%	
Forrest Park Croquet - Electrical HWS Renewal	4,000	4,000	2,846	(1,155)	-29%	
Highgate Child Health Clinic - Switchboard, lights and switches renewal	10,000	10,000	1,382	(8,618)	-86%	
Highgate Child Health Clinic - Remove/Replace Lino Kitchen	5,000	5,000	5,000	0	0%	
Highgate Child Health Clinic - Replace ceilings	5,000	5,000	7,425	2,425	49%	
Leederville Child Health Clinic - Additional External Door	2,500	2,500	0	(2,500)	-100%	
Leederville Oval East Ablutions - Switchboard Renewal	4,000	4,000	804	(3,196)	-80%	
Lycopodium - Misc Renewals	100,000	50,000	26,192	(23,808)	-48%	Project commenced in September 2017, to be completed by the end of financial year.
Mens Shed - Macerator Sewer Upgrade	50,000	0	0	0	0%	
Menzies Park Pavilion - Electric HWS Renewal	2,000	2,000	0	(2,000)	-100%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
North Perth Basketball club adjustable nets at Loftus Rec	15,000	15,000	0	(15,000)	-100%	Project delayed.
North Perth Bowling Club - Switchboard supply renewal	10,000	10,000	0	(10,000)	-100%	Work in progress.
North Perth Tennis Club - Boundary retaining wall	20,000	20,000	18,491	(1,509)	-8%	
Royal Park Hall - Carpet Renewal	12,000	12,000	12,496	496	4%	
Royal Park Hall - Electrical Renewal	15,000	15,000	14,856	(144)	-1%	
Woodville Reserve - Power upgrade	40,000	0	0	0	0%	
Woodville Reserve - Replace slabbed building surrounds with concrete	25,000	0	1,364	1,364	100%	
FOR LAND & BUILDING ASSETS	2,351,801	1,586,801	344,736	(1,242,065)	-78%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
INFRASTRUCTURE ASSETS						
TRAFFIC MANAGEMENT						
Improvements at Vincent/Oxford Streets	40,000	40,000	3,629	(36,371)	-91%	Project on hold, pending on Main Roads WA approval.
Intersections at Bourke and Loftus Streets	150,000	150,000	0	(150,000)	-100%	Project on hold, pending on Main Roads WA approval.
Intersections at Vincent and Fitzgerald Streets	79,560	79,560	0	(79,560)	-100%	Project completed, awaiting invoices from Main Roads WA.
William and Bulwer Streets Pedestrian Phasing Signals	207,580	207,580	205,961	(1,619)	-1%	
Improved pedestrian crossings at signalised intersections	230,000	50,000	0	(50,000)	-100%	Project to commence in January 2018.
Miscellaneous Traffic Management	80,000	40,000	19,865	(20,135)	-50%	On going project, depending on requirement.
Mid-block signalised pedestrian 'Pelican' crossings	250,000	125,000	3,433	(121,568)	-97%	On going project, to be completed by end of financial year.
Replace Fitzgerald Street speed cushions	25,000	0	0	0	0%	
Proposed Killarney Street intersection modifications at Scarb Bch Rd	30,000	0	1,500	1,500	100%	
Proposed Anzac Road Traffic Calming	65,000	65,000	49,899	(15,101)	-23%	Work in progress.
BLACK SPOT PROGRAM						
Newcastle and Palmerston Streets	40,000	40,000	0	(40,000)	-100%	On hold, awaiting City of Perth approval.
Walcott and Raglan Streets	450	450	450	0	0%	
William and Forrest Streets	12,000	5,000	0	(5,000)	-100%	Project cancelled.
Green and Matlock Streets	30,000	11,900	27,190	15,290	128%	Project commenced ahead of schedule.
Ruby and Fitzgerald Streets	30,000	11,900	1,000	(10,900)	-92%	Work in progress.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
STREETSCAPE IMPROVEMENTS						
Axford Park Improvements	5,860	5,860	5,860	0	0%	
Streetscape improvements/Place Making	30,000	12,000	0	(12,000)	-100%	Timing variance for the expenditure.
- William Street - Street Furniture Improvements						
Streetscape improvements/Place Making	30,000	15,000	0	(15,000)	-100%	Project in planning phase.
- Miscellaneous Renewals						
Streetscapes - Upgrade of street Litter bins	30,000	30,000	29,285	(715)	-2%	
Greening (Streetscapes)	300,000	150,000	107,662	(42,338)	-28%	Work in progress.
North Perth Public Open Space	114,000	114,000	770	(113,230)	-99%	Tender advertised in November 2017, works to start in February 2018, and estimate to complete by end of financial year.
ROADWORKS - LOCAL ROADS PROGRAM						
Bennelong Street - Oxford St to Cul-de-sac	30,000	24,800	8,310	(16,490)	-66%	Timing variance, project completed.
Monmouth Street - York St to William St	30,000	24,800	570	(24,230)	-98%	Work in progress.
Gill Street - Charles St to London St	130,000	107,600	72,278	(35,322)	-33%	Work in progress.
Ellesmere Street (Stage 1) - Charles St to London St	115,000	95,160	68,670	(26,490)	-28%	Work in progress.
Cleaver St - Carr St - Roundabout	50,000	41,400	0	(41,400)	-100%	Project delayed, to commence in February 2018.
Fleet Street - Richmond St to Bourke St	10,000	8,400	1,341	(7,059)	-84%	
Frame Court - Leederville Pde to Water Corp	30,000	24,800	51,412	26,612	107%	Work completed.
Hawthorn Street - Flinders St to Coogee St	30,000	24,800	38,193	13,393	54%	Increase in scope, to be adjusted during mid year review.
Little Walcott Street - Mabel St to Blake St	50,000	41,400	2,236	(39,164)	-95%	Work in progress.
Norfolk Street - Vincent St to Chelmsford Rd	35,000	28,960	36,386	7,426	26%	
Westralia Street - East Pde to Joel Tce	25,000	20,640	35,428	14,788	72%	Work completed.
Hutt Street - Grosvenor Rd to Raglan Rd	20,000	16,600	25,123	8,523	51%	Increase in scope, to be adjusted during mid year review.
Dover Street - Scarborough Beach Rd to Matlock St	25,000	20,640	32,427	11,787	57%	Work completed, increase in scope.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance Commentary
ROADWORKS - REHABILITATION (MRRG PROGRAM)					
Beaufort/Brisbane Street Intersection Improvements	139,970	139,970	2,177	(137,793)	-98% Project on hold, pending on Main Roads WA approval.
Brisbane Street - Beaufort to William Street	134,214	134,214	0	(134,214)	-100% Project on hold, pending on Main Roads WA approval.
Beaufort Street - Brisbane to Parry Street	51,043	51,043	0	(51,043)	-100% Project on hold, pending on Main Roads WA approval.
Vincent Street - William to Beaufort Street	73,624	73,624	9,585	(64,039)	-87% Timing variance, work completed.
Angove Street - Daphne to Fitzgerald Street	153,200	44,030	0	(44,030)	-100% Project to commence in January 2018.
Angove Street - Charles to Daphne Street	327,400	94,090	0	(94,090)	-100% Project to commence in January 2018.
Fitzgerald Street - Raglan Road to Angove Street	142,700	41,010	0	(41,010)	-100% Project to commence in January 2018.
Scarborough Beach Road - Oxford to Fairfield Street	72,600	20,870	2,177	(18,693)	-90% Work in progress.
ROADWORKS - ROADS TO RECOVERY PROGRAM					
Newcastle Street - Oxford Street to Carr Place	48,794	48,794	32,131	(16,663)	-34% Work in progress.
Roads to Recovery Program (Deferred from 2016-17)	201,248	110,000	0	(110,000)	-100% Project cancelled.
Tennyson Street - Oxford St to Scott St	100,000	52,140	11,586	(40,554)	-78% Work in progress.
Barnet Street - Richmond St to Bourke St	55,145	28,800	26,901	(1,899)	-7%
Richmond Street - Loftus St to Elven St	100,000	52,140	69,264	17,124	33% Work in progress.
Randell Street - Fitzgerald St to Palmerston St	90,000	46,920	13,974	(32,946)	-70% Work in progress.
RIGHTS OF WAY					
Nova Lane	98,900	98,900	2,143	(96,758)	-98% Work in progress.
Solar Lighting of Laneways	8,147	8,147	0	(8,147)	-100%
Rights of Way - Cowle/Charles Streets, West Perth	26,000	26,000	27,573	1,573	6%
Rights of Way - Ruby/Knutsford Street, North Perth	45,000	45,000	47,221	2,221	5%
Rights of Way - Rehabilitation	120,000	50,000	62,550	12,550	25% Work in progress.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
SLAB FOOTPATH PROGRAMME						
Newcastle St - Carr to Watercorp	85,000	85,000	0	(85,000)	-100%	Project on hold due to Watercorp works in the area.
Install Tactile pavers in Brisbane and Lake Streets, Perth	20,000	20,000	10,922	(9,078)	-45%	
Kalgoorlie Street footpath, Berryman St to Scarborough Beach Road	36,000	36,000	0	(36,000)	-100%	Project to commence in January 2018.
Summer St footpath, Joel Terrace to the river	35,000	35,000	0	(35,000)	-100%	Work in progress.
Purslowe Street - Brady St to East St	26,500	21,200	0	(21,200)	-100%	Project to commence in first quarter of 2018.
Ellesmere Street - Fairfield St to Shakespeare St	35,000	28,000	0	(28,000)	-100%	Work in progress.
Barnet Place - Barnet St to Cul-de-sac	6,000	4,800	0	(4,800)	-100%	
Gardiner Street - Zebina St to East Pde	10,000	8,000	0	(8,000)	-100%	Project deferred.
Lake Street - Glendower St to Primrose St	3,500	2,800	0	(2,800)	-100%	
Alma Street - Fitzgerald St Cul-de-sac	7,000	5,600	0	(5,600)	-100%	Project deferred.
Ambleside Avenue - Lynton St to Cul-de-sac	10,000	8,000	0	(8,000)	-100%	Project deferred.
Angove Street - Albert St to Woodville St	8,000	6,400	0	(6,400)	-100%	
Barlee Street - Roy St to new development (45m)	5,500	4,400	0	(4,400)	-100%	Project deferred.
Brewer Street - Lacey St to Pier St	10,000	8,000	0	(8,000)	-100%	Project deferred.
Emmerson Street - Loftus St to Alto Ln	6,000	4,800	0	(4,800)	-100%	Project deferred.
Farmer Street - Angove St to Pansy St	9,000	7,200	0	(7,200)	-100%	
Fore Street - Beaufort St to 25m west	8,500	6,800	0	(6,800)	-100%	
William Street - Glendower St to Vincent St	5,000	4,000	0	(4,000)	-100%	
Charles Street - Carr St to Newcastle St	90,000	72,000	0	(72,000)	-100%	Project to commence in February 2018.
Robinson Avenue - Wellman St to William St	10,000	8,000	281	(7,719)	-96%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
BICYCLE NETWORK						
Bike Plan Network 2015-16 Implementation (Palmerston to Lord)	78,277	45,007	30,367	(14,640)	-33%	Work in progress.
Bicycle Network Oxford - Anzac to Scarb Bch Rd	190,000	120,000	0	(120,000)	-100%	Project on hold due to Watercorp works in the area.
Oxford Street Green - Bike Box	25,000	25,000	0	(25,000)	-100%	Awaiting Main Roads WA approval.
Bike Boulevard Stage 2	1,100,000	0	9,358	9,358	100%	
Bike Parking	14,000	9,000	2,778	(6,222)	-69%	
Carr/Cleaver Street - bike lanes	50,000	0	0	0	0%	
CAR PARK DEVELOPMENT						
Beatty Park Reserve car park - Lighting	2,500	2,500	0	(2,500)	-100%	
Berryman and The Boulevard - Angle Parking	90,000	0	600	600	100%	
Brisbane Street Car Park - Lighting	35,000	35,000	0	(35,000)	-100%	Project to commence in February 2018.
Chelmsford Road Car Park	78,000	78,000	0	(78,000)	-100%	Project to commence in February 2018.
Glebe Street - Angle Parking	85,000	0	0	0	0%	
North Perth ACROD Parking Bays	5,000	5,000	0	(5,000)	-100%	
Pansy Street Car Park - Lighting	1,600	1,600	0	(1,600)	-100%	
Parking Restriction Implementation	143,682	100,000	33,732	(66,268)	-66%	Work in progress.
Raglan Road Car Park - Resurfacing & Lighting	70,000	70,000	0	(70,000)	-100%	Project to commence in February 2018.
DRAINAGE						
Beatty Park Reserve - Flood Mitigation Works	3,033	3,033	0	(3,033)	-100%	
Beatty Park Reserve - Drainage Improvements	150,000	150,000	0	(150,000)	-100%	Project to commence in February 2018.
Gully Soakwell Program	75,000	55,000	64,899	9,899	18%	
Lawler Street Sump - Infill	198,000	198,000	0	(198,000)	-100%	Project to commence in January 2018.
Miscellaneous Improvements	55,000	10,000	0	(10,000)	-100%	Contingency. No request receive as yet.
Muriel Place Drainage Upgrade	20,000	20,000	0	(20,000)	-100%	Project to commence in first quarter of 2018.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
PARKS AND RESERVES						
Axford Park - Redevelopment	200,000	20,000	0	(20,000)	-100%	Project delayed.
Banks Reserve - Foreshore restoration stage 2	185,300	160,000	20,000	(140,000)	-88%	Work in progress.
Central Control Irrigation System (Stage 3)	60,000	30,000	46,394	16,394	55%	Work in progress.
Charles Veryard Reserve - Full/Partial Dog Exercise Fence & Landscaping	15,000	15,000	0	(15,000)	-100%	Project on hold, further consultation required.
Greening Plan - Oxford St, Scarb Bch Rd, Lord	0	0	9,800	9,800	100%	Expenses related to 2016-17. To be addressed in mid-year review.
Hyde Park - Re-asphalt pathways	48,943	48,943	53,639	4,696	10%	
Kyilla Park - Replace/upgrade in ground reticulation system	65,000	0	0	0	0%	
Leake Street Public Open Space - Eco Zoning	5,000	5,000	3,456	(1,544)	-31%	
Les Lilleyman Reserve - Basketball and Netball installation	20,000	20,000	9,360	(10,640)	-53%	Work in progress.
Les Lilleyman Reserve - Eco-zoning	30,000	12,500	0	(12,500)	-100%	Project to commence in January 2018.
Menzies Park - Replace groundwater bore	40,000	40,000	0	(40,000)	-100%	Project delayed, to commence in January 2018.
Miscellaneous - Parks and Reserves Upgrade	20,000	20,000	13,959	(6,041)	-30%	
Parks BBQ installations	9,500	9,500	3,173	(6,327)	-67%	
Roads to Parks Demonstration Project - Hyde Street Park Mt Lawley	140,000	60,000	0	(60,000)	-100%	Project delayed, to commence in January 2018.
Synthetic Cricket Wicket Surfacing Program	25,000	0	11,430	11,430	100%	Project commenced ahead of schedule.
Venables Park - Re-asphalt pathways and install barrier kerbing	20,000	20,000	5,676	(14,324)	-72%	Work in progress.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
MISCELLANEOUS						
Axford Park - Uplighting trees	60,000	60,000	60,000	0	0%	
Install a pit and pump at Depot Dog Pound	41,000	41,000	0	(41,000)	-100%	Project under review.
New Parklets - Mt Hawthorn & North Perth	24,600	24,600	0	(24,600)	-100%	Project in planning stage, estimate to commence in January 2018.
Proposed Pedestrian Safety Ballustrade intersection Oxford and Bourke Streets, Leederville	8,000	8,000	7,273	(727)	-9%	
Robertson Park - Restump concrete boardwalk	15,000	15,000	0	(15,000)	-100%	Work in progress.
Bus Shelters	40,000	20,000	4,481	(15,519)	-78%	Work in progress.
Upgrade and install new street lighting	15,000	5,000	0	(5,000)	-100%	
TOTAL EXPENDITURE FOR INFRASTRUCTURE ASSETS	8,329,870	4,736,625	1,537,738	(3,198,887)	-68%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
<u>PLANT & EQUIPMENT ASSETS</u>						
LIGHT FLEET VEHICLE REPLACEMENT PROGRAMME						
Light Fleet - Annual Changeovers	280,500	280,500	243,671	(36,829)	-13%	Timing of vehicle change over impacted by availability of replacements.
MAJOR PLANT REPLACEMENT PROGRAMME						
Road Safety Trailer	29,500	29,500	29,220	(280)	-1%	
Side Loader Rubbish Compactor	380,000	380,000	0	(380,000)	-100%	Tender process for new Side Loader Rubbish Compactor has begun in the month of January.
Single Axle Truck (Flocon)	200,000	200,000	0	(200,000)	-100%	Expenditure is under review as a needs basis.
Tractor - Parks	120,000	120,000	69,881	(50,119)	-42%	Savings, plant purchased.
Ride-on Rotary mower (zero turn) - Parks	42,000	42,000	22,093	(19,907)	-47%	Plant ordered. Estimate to be savings.
Electric Bike	2,500	2,500	0	(2,500)	-100%	
All Terrain vehicle (ATV) - Hyde Park	30,000	30,000	24,521	(5,479)	-18%	
Engineering Tools Trailer	0	0	14,354	14,354	100%	Unbudgeted expenditure. To be addressed in mid-year review.
ADMINISTRATION & CIVIC CENTRE						
Beatty Park Server	19,000	19,000	0	(19,000)	-100%	Project cancelled.
Upgrade of CCTV	42,800	42,800	0	(42,800)	-100%	Timing variance for the expenditure.
BEATTY PARK LEISURE CENTRE						
Boiler Replacement	182,401	182,401	0	(182,401)	-100%	Planning stage, to commence in March 2018.
Upgrade fire panel	25,000	25,000	0	(25,000)	-100%	Planning stage, receiving advice.
Ventilation in spa plant room	8,500	8,500	0	(8,500)	-100%	
Switchboard in top level of plantroom	12,500	12,500	0	(12,500)	-100%	Project delayed.
25m pool pump	7,500	7,500	0	(7,500)	-100%	
Dry Chlorine feeder	12,000	12,000	0	(12,000)	-100%	Timing variance, project completed.



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
POLICY AND PLACE						
Installation of Device Sensors for Town Centre Performance	1,236	1,236	0	(1,236)	-100%	
COMMUNITY SERVICES						
Replace Autocite Units (mobile infringement hardware)	40,000	40,000	32,682	(7,318)	-18%	
5x 'Pay by Plate' parking ticket machines - Avenue Car Park	6,900	6,900	0	(6,900)	-100%	
Frame Court Car Park - Pay-by-Plate Parking Machines	50,000	50,000	34,071	(15,929)	-32%	Work completed.
Parking Machines Asset Replacement Program	40,000	0	17,700	17,700	100%	Project commenced ahead of schedule.
Parking Sensors Pilot Project	51,410	51,410	0	(51,410)	-100%	Receiving quotes, to be implemented from March 2018.
TOTAL EXPENDITURE						
FOR PLANT & EQUIPMENT ASSETS	1,583,747	1,543,747	488,192	(1,055,555)	-68%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance Variance	Commentary
<u>FURNITURE & EQUIPMENT ASSETS</u>						
CORPORATE SERVICES						
Corporate Systems - Re-Implementation or Replacement	37,500	37,500	25,078	(12,422)	-33%	
BEATTY PARK LEISURE CENTRE						
Replacement of Gym Equipment for Loftus Centre	54,615	54,615	53,750	(865)	-2%	
Stereo upgrades - RPM studio, Studio 1&2 and Gym (Currently Leased)	41,000	0	0	0	0%	
Pool Lane rope replacement	7,000	7,000	0	(7,000)	-100%	
INFORMATION TECHNOLOGY						
Upgrade of IT Firewall	80,000	80,000	0	(80,000)	-100%	RFQ in progress.
Replace IT Servers	50,000	50,000	0	(50,000)	-100%	Order placed.
Replacement PC Fleet (Currently Leased)	350,000	350,000	2,591	(347,409)	-99%	Order placed.
Redevelopment of Website (stage 2)	30,000	30,000	6,058	(23,943)	-80%	Ongoing project, to be completed by June 2018.
Upgrade of AV Devices	30,000	30,000	0	(30,000)	-100%	Audit completed, RFQ to be developed in February 2018.
Upgrade IT Network Remote Access Facility	30,000	30,000	0	(30,000)	-100%	Work in progress.
SOE Development	15,000	15,000	0	(15,000)	-100%	Development phase.
Online Lodgement of Applications	100,000	50,000	1,353	(48,647)	-97%	Work in progress.
Replacement of CARS Systems	60,000	0	0	0	0%	
Upgrade Two Way Radio Fleet	100,000	100,000	0	(100,000)	-100%	Tender closes in January 2018.
MARKETING & COMMUNICATIONS						
Digital Camera	2,532	2,532	0	(2,532)	-100%	



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2017/18
AS AT 31 DECEMBER 2017

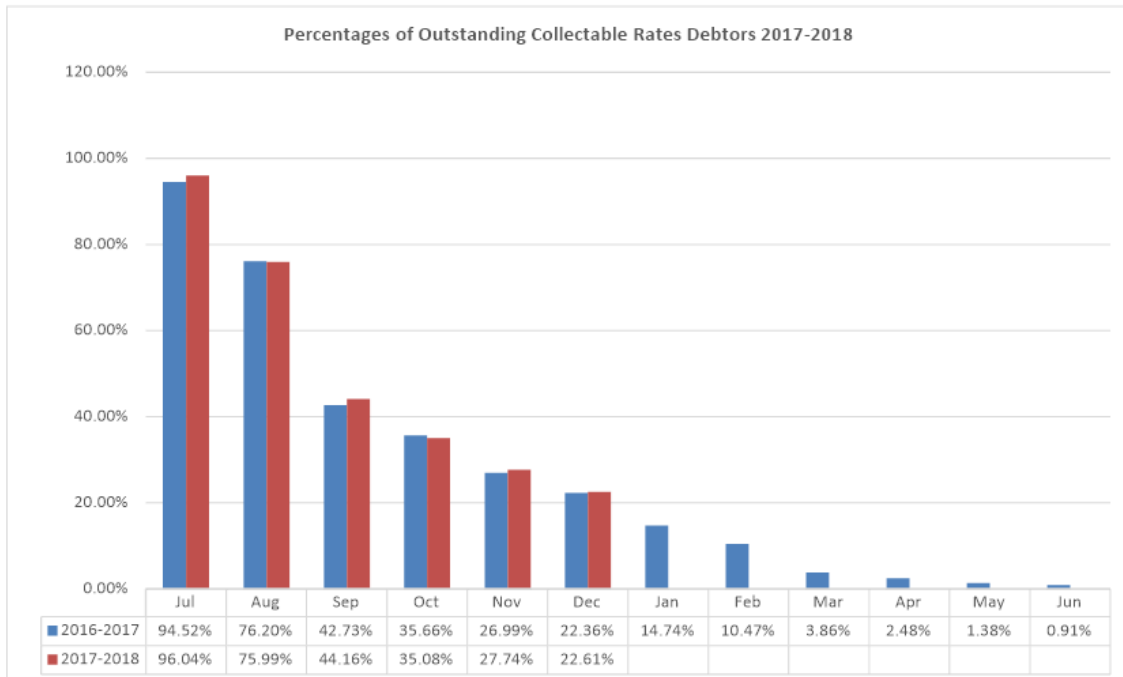
	Revised Budget 2017/18 \$	YTD Budget Dec-17 \$	YTD Actual Dec-17 \$	YTD Variance	Variance	Commentary
LOFTUS RECREATION CENTRE						
Loftus Recreation Equipment replacement	44,000	44,000	8,713	(35,287)	-80%	Work in progress.
Replacement Stereo - Loftus Recreation	15,000	0	0	0	0%	
PUBLIC HALLS						
Renewal of furniture for municipal halls	6,000	6,000	0	(6,000)	-100%	
Halls, Pavilions and Operational Buildings - Non Fixed Assets - Renewal	60,000	60,000	19,222	(40,778)	-68%	Work in progress.
WORKS DEPOT						
New letter folding machine at the depot	1,500	1,500	1,360	(140)	-9%	
TOTAL EXPENDITURE FOR FURNITURE & EQUIPMENT ASSETS	1,114,147	948,147	118,124	(830,023)	-88%	
TOTAL CAPITAL EXPENDITURE	13,379,565	8,815,320	2,488,790	(6,326,530)	-72%	

CITY OF VINCENT
NOTE 6 - CASH BACKED RESERVES
AS AT 31 DECEMBER 2017



Reserve Particulars	Budget Opening Balance 01-Jul-17 \$	Estimated Opening Balance 01-Jul-17 \$	FY Budget Transfers From Muni Funds \$	YTD Actual Transfers From Muni Funds \$	FY Budget Interest Earned \$	YTD Actual Interest Earned \$	FY Budget Transfers To Muni Funds \$	YTD Actual Transfers To Muni Funds \$	Budget Balance 30-Jun-18 \$	Actual Balance 31-Dec-17 \$
Administration Centre Reserve	11,418	10,587	0	0	178	144	(10,440)	0	1,156	10,731
Aged Persons and Senior Citizens Reserve	0	0	0	0	0	0	0	0	0	0
Asset Sustainability Reserve	3,246,209	3,251,804	0	0	92,983	44,106	0	0	3,339,192	3,295,910
Beatty Park Leisure Centre Reserve	252,933	253,819	0	0	4,739	3,666	(175,000)	0	82,672	257,485
Capital Reserve	8,264	7,470	0	0	237	102	0	0	8,501	7,572
Cash in Lieu Parking Reserve	782,114	781,449	60,000	21,310	20,756	10,710	(175,000)	(600)	687,870	812,869
Electronic Equipment Reserve	52,666	52,589	0	0	1,509	713	0	0	54,175	53,302
Hyde Park Lake Reserve	148,486	148,177	0	0	4,253	2,010	0	0	152,739	150,187
Land and Building Acquisition Reserve	277,340	276,761	0	0	7,944	3,753	0	0	285,284	280,514
Leederville Oval Reserve	217,145	216,694	0	0	5,217	2,939	(70,000)	0	152,362	219,633
Leederville Tennis Reserve	1,976	1,981	970	481	70	30	0	0	3,016	2,492
Light Fleet Replacement Reserve	0	0	0	0	0	0	0	0	0	0
Loftus Community Centre Reserve	17,899	17,811	6,150	3,081	601	267	0	0	24,650	21,159
Loftus Recreation Centre Reserve	39,329	39,123	57,060	28,457	1,380	691	(39,375)	0	58,394	68,271
North Perth Tennis Reserve	42,094	42,049	4,670	2,338	1,273	588	0	0	48,037	44,975
Office Building Reserve - 246 Vincent Street	528,131	527,031	0	0	12,979	7,148	(150,000)	0	391,110	534,179
Parking Facility Reserve	98,461	98,182	0	0	2,788	1,404	(2,250)	0	98,999	99,586
Parking Funded City Upgrade Reserve	0	0	0	0	0	0	0	0	0	0
Parking Funded Transport Initiatives Reserve	0	0	0	0	0	0	0	0	0	0
Percentage For Public Art Reserve	0	0	0	0	0	0	0	0	0	0
Plant and Equipment Reserve	303,210	300,763	0	0	4,539	4,079	(289,500)	(116,495)	18,249	188,347
State Gymnastics Centre Reserve	96,746	96,639	10,750	5,387	2,925	1,342	0	0	110,421	103,368
Strategic Waste Management Reserve	20,884	20,842	0	0	598	282	0	0	21,482	21,124
Tamala Park Land Sales Reserve	1,991,393	2,022,698	1,452,514	166,667	77,298	27,218	(81,310)	(30,367)	3,439,895	2,186,216
Underground Power Reserve	195,835	195,426	0	0	5,609	2,651	0	0	201,444	198,077
Waste Management Plant and Equipment Reserve	543,138	546,224	0	0	10,544	7,409	(350,000)	0	203,682	553,633
	8,875,671	8,908,119	1,592,114	227,721	258,420	121,252	(1,342,875)	(147,462)	9,383,330	9,109,630

CITY OF VINCENT
NOTE 7 - RATING INFORMATION GRAPH
AS AT 31 DECEMBER 2017



**CITY OF VINCENT
NOTE 8 - RATING INFORMATION
FOR THE MONTH ENDED 31 DECEMBER 2017**



	Rateable Value	Rate in Dollar Cents	Budget	Actual	Rates Levied to Budget %
	\$		\$	\$	%
Rate Revenue					
General Rate					
12936 Residential	304,582,890	6.289	19,164,597	19,155,218	100.0%
1607 Other	125,576,961	6.489	8,197,230	8,148,690	99.4%
50 Vacant Other	2,659,300	12.236	331,449	325,392	98.2%
Minimum Rate					
3129 Residential @ \$1,007	62,344,682	6.289	4,699,200	4,712,400	100.3%
94 Other @ \$1,007	1,423,005	6.489	136,400	141,900	104.0%
0 Vacant Other @ \$1,414	41,700	12.236	5,656	5,656	100.0%
Interim Rates	0		375,000	216,915	57.8%
Back Rates	0		30,000	26,614	88.7%
Total Amount Made up from Rates	496,628,538		32,939,532	32,732,785	
Non Payment Penalties					
Instalment Interest @ 5.5%			176,260	157,370	89.3%
Penalty Interest @ 11%			80,000	72,400	90.5%
Administration Charge - \$13 per instalment			200,000	247,163	123.6%
Legal Costs Recovered			25,000	8,742	35.0%
Other Reimbursements			600	379	63.2%
Interest Write Off			(200)	0	0.0%
			33,421,192	33,218,839	
Other Revenue					
Exempt Bins - Non Rated Properties			147,000	141,182	96.0%
Commercial / Residential Additional Bins			119,000	171,668	144.3%
Swimming Pools Inspection Fees			12,000	12,881	107.3%
			33,699,192	33,544,570	
Opening Balance				218,492	
Total Collectable			33,699,192	33,763,062	100.19%
Less					
Cash Received				25,231,418	
Overpayments of Rates 2016-17				(115,942)	
Rebates Allowed				1,028,200	
Refunds Allowed				0	
Rates Balance To Be Collected			33,699,192	7,619,387	22.61%
Add					
ESL Debtors				195,165	
Pensioner Rebates Not Yet Claimed				368,894	
ESL Rebates Not Yet Claimed				10,765	
Less					
Deferred Rates Debtors				(100,508)	
Current Rates Debtors Balance				8,093,703	

**CITY OF VINCENT
DEBTOR REPORT
FOR THE MONTH ENDED 31 DECEMBER 2017**



DESCRIPTION	CURRENT \$	31-59 DAYS \$	60-89 DAYS \$	OVER 90 DAYS \$	BALANCE \$
DEBTOR CONTROL - HEALTH LICENCES					0
DEBTOR CONTROL - RUBBISH CHARGES					0
DEBTOR CONTROL - CASH IN LIEU CAR PARKING			12,753	424,965	437,718
DEBTOR CONTROL - PROPERTY INCOME	(7,091)	15,245	12,083	102,596	122,833
DEBTOR CONTROL - RECOVERABLE WORKS	(5,109)	5,853	7,697	66,937	75,378
DEBTOR CONTROL - BEATTY PARK LEISURE CENTRE	2,750	380			3,130
DEBTOR CONTROL - OTHER	336	1,385	870	39,123	41,714
DEBTOR CONTROL - % ART CONTRIBUTIONS					0
DEBTOR CONTROL - GST	144,528	0	0	0	144,528
DEBTOR CONTROL - INFRINGEMENT	72,190	83,193	81,177	2,334,671	2,571,231
PROVISION FOR DOUBTFUL DEBT					0
TOTAL DEBTORS OUTSTANDING AS AT 31/12/2017	207,604	106,056	114,580	2,968,292	3,396,532
UNDERGROUND POWER					57,301
ACCRUED INCOME					24,055
ACCRUED INTEREST					261,902
PREPAYMENTS					359,703
TOTAL TRADE AND OTHER RECEIVABLES					4,099,492

DATE	DEBTOR OVER 60 DAYS	AMOUNT	DEBT DETAILS & COMMENTS
25/02/2015	Subiaco Football Club	4,211.61	Turf maintenance & top dressing <i>Comment: Pending discussions on annual maintenance plan</i>
24/06/2016	Belgravia Leisure Pty Ltd	21,500.89	Maintenance recoup, Variable Outgoings <i>Comment: Pending confirmation on lease terms</i>
25/02/2015	East Perth Football Club	41,908.25	Turf maintenance & top dressing <i>Comment: Pending discussions on annual maintenance plan</i>
12/09/2016	Tuart Hill Cricket Club	6,680.00	Charles Veryard Reserve for training/matches <i>Comment: Pending negotiation of ground hire</i>
30/03/2017	Vietnam Veterans Association of Australia	901.62	Annual Pest Treatment/Safety Testing <i>Comment: Negotiating on lease responsibilities</i>
01/05/2017	Department of Sports and Recreations	66,623.97	Variable Outgoings 2016/17 <i>Comment: Pending audit of variable outgoings</i>
04/11/2016	C Caferelli	28,600.00	Breaches of Planning Development Act <i>Comment: Referred to Fines Enforcement Registry</i>
BALANCE OF 60 DAY DEBTORS OVER \$500.00		170,426.34	

CITY OF VINCENT
NOTE 9 - BEATTY PARK LEISURE CENTRE FINANCIAL POSITION
AS AT 31 DECEMBER 2017



	Revised Budget 2017/18 \$	YTD Budget 2017/18 \$	YTD Actuals Dec-17 \$	YTD Actuals Dec-16 \$	Month Actuals Dec-17 \$	Month Actuals Dec-16 \$
Administration						
Expenditure	0	0	0	0	(0)	0
Revenue	0	0	0	0	0	0
Surplus/(Deficit)	0	0	0	0	(0)	0
Swimming Pools Area						
Expenditure	(3,548,760)	(1,797,641)	(1,935,049)	(1,571,811)	(369,074)	(254,917)
Revenue	2,246,180	1,091,277	1,041,954	1,010,879	200,374	217,317
Surplus/(Deficit)	(1,302,580)	(706,364)	(893,095)	(560,932)	(168,700)	(37,600)
Swim School						
Expenditure	(1,055,780)	(536,671)	(566,185)	(559,699)	(81,693)	(66,227)
Revenue	1,496,970	798,601	835,604	793,397	125,134	104,582
Surplus/(Deficit)	441,190	261,930	269,419	233,698	43,441	38,355
Café						
Expenditure	(761,030)	(373,179)	(399,882)	(364,311)	(66,283)	(61,077)
Revenue	715,970	366,011	344,704	321,980	67,635	58,164
Surplus/(Deficit)	(45,060)	(7,168)	(55,178)	(42,331)	1,352	(2,913)
Retail Shop						
Expenditure	(409,190)	(176,583)	(171,107)	(164,735)	(44,029)	(22,152)
Revenue	517,490	243,268	252,981	233,978	52,992	48,155
Surplus/(Deficit)	108,300	66,685	81,874	69,243	8,963	26,003
Health & Fitness						
Expenditure	(1,317,370)	(663,861)	(647,354)	(669,513)	(105,692)	(90,236)
Revenue	1,596,000	846,273	774,635	741,540	126,593	114,660
Surplus/(Deficit)	278,630	182,412	127,281	72,027	20,901	24,424
Group Fitness						
Expenditure	(561,910)	(282,166)	(277,039)	(252,557)	(49,945)	(40,490)
Revenue	637,060	326,048	308,870	296,961	50,822	47,134
Surplus/(Deficit)	75,150	43,882	31,831	44,404	877	6,644
Aquarobics						
Expenditure	(140,270)	(71,662)	(74,934)	(66,144)	(12,155)	(11,295)
Revenue	226,990	115,977	110,280	103,555	17,512	16,210
Surplus/(Deficit)	86,720	44,315	35,346	37,412	5,357	4,916
Creche						
Expenditure	(329,490)	(166,847)	(161,251)	(163,375)	(26,145)	(24,965)
Revenue	54,020	28,296	32,141	40,532	4,302	5,301
Surplus/(Deficit)	(275,470)	(138,551)	(129,110)	(122,843)	(21,843)	(19,664)
Surplus/(Deficit)	(633,120)	(252,859)	(531,632)	(269,322)	(109,654)	40,164
Less: Depreciation	(546,950)	(227,895)	(483,791)	224,245	0	0
Cash Surplus/(Deficit)	(86,170)	(24,964)	(47,841)	(45,077)	(109,654)	40,164

12 COMMUNITY ENGAGEMENT**12.1 PROPOSED LICENCE AGREEMENT - BANKS RESERVE PAVILION****TRIM Ref:** D18/10282**Author:** Andrew Scully, Senior Community Projects Officer**Authoriser:** Michael Quirk, Director Community Engagement

Attachments:

1. Kiddies Learning Hub Pty Ltd Business Plan - Confidential
2. Certificate of Registration of a Company - Kiddies Learning Hub Pty Ltd [↓](#)

RECOMMENDATION:

1. That Council **APPROVES** a licence to Kiddies Learning Hub Pty Ltd to use Banks Reserve Pavilion, located at Lot 500 (No.60) Joel Terrace, Mt Lawley, on the following key terms:
 - 1.1 **Term:** 5 March 2018 to 14 December 2018 (41 weeks);
 - 1.2 **Hours of Use:** Monday 7.00am to 3.00pm; and
Tuesday to Friday 7:30am to 4:30pm;
 - 1.3 **Permitted Use:** Early learning and child care service;
 - 1.4 **Fees:** \$4,747 monthly paid in advance (inclusive of GST);
 - 1.5 **Adherence to:**
 - 1.5.1 Council Policy No. 2.1.7 – Parks, Reserves and Hall Facilities – Conditions of Hire and Use; and
 - 1.5.2 Provider/service approval from the Department of Communities; and
 - 1.6 **Storeroom Use:** Exclusive use of the storeroom (office) adjacent to the kitchen within the Pavilion for storage, throughout the term of the licence; and
2. Subject to final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and Director Corporate Services to affix the common seal and execute the licence conditions above.

PURPOSE OF REPORT:

To consider Kiddies Learning Hub Pty Ltd's request to operate an early learning and child care service at Banks Reserve Pavilion, 60 Joel Terrace, Mt Lawley.

BACKGROUND:

Smart Start Educational Services Pty Ltd has operated a Montessori based early learning program for children aged 2½ years to 5 years at Banks Reserve Pavilion, Mount Lawley since July 2015. During this time they attracted approximately 45 children to the Pavilion five days per week, and as such were the main user group at the facility. In late 2017, the City was advised that they would be relocating to different premises (outside of the City of Vincent) from 2018 so would no longer be utilising the Pavilion.

Administration has since been presented with a Business Plan from two former Smart Start Educational Services Pty Ltd employees who have established a new business, Kiddies Learning Pty Ltd, and who wish to continue to provide the same service for the local community from the Pavilion. Through this Business Plan and subsequent negotiations with Administration they have requested a hire fee similar to that charged to Smart Start Educational Services Pty Ltd to ensure their ongoing financial viability.

Upon reviewing the previous arrangements with Smart Start Educational Services Pty Ltd it is evident that despite being a private business they were charged a rate comparable with community organisations given their financial capacity and in recognition of their regular use of the Pavilion. There does not appear to be

any specific Council resolution or documented rationale for this decision making albeit these arrangements did generate substantial revenue and activated an otherwise underutilised facility.

The following fees were paid over the last three calendar years:

Year	Period	Total Hire Fees Paid
2015	July - December	\$23,331.25
2016	January - December	\$49,595.00
2017	January - December	\$42,619.50

Council established a new charging methodology for halls and community centres through the Adopted Fees and Charges Schedule 2017/18. This includes differing rates for community and commercial usage as well as scaled rates based on a facility hierarchy (i.e. higher rates for Main Halls and lower rates for Pavilions). Given that the hire fee request from Kiddies Learning Hub Pty Ltd is not consistent with these fees and charges it is necessary to either propose an amendment to the Adopted Fees and Charges Schedule or to establish a licence agreement for use of the Pavilion.

Given that the Business Case presented by Kiddies Learning Hub Pty Ltd is specific to their services and proposed facility utilisation it is not considered appropriate to amend the Adopted Fees and Charges Schedule. The establishment of a licence agreement will enable specific terms to be negotiated and subsequently allow continuation of early learning and child care services at the Pavilion.

DETAILS:

Kiddies Learning Hub Pty Ltd are a new business although the Directors, one of whom resides within Vincent, have been working for Montessori based education providers for many years. A detailed Business Plan (**Attachment 1**) and Certificate of Business Registration (**Attachment 2**) have been submitted to Administration.

The business proposes to deliver child care services for children aged between approximately 2½ and 5 years with the aim of getting them prepared for kindergarten/pre-primary. The services will follow the Early Years learning Framework and Montessori curriculum. It is anticipated that the business will attract up to 55 places per week with approximately 30 places already confirmed at a cost of \$90.00 per day per child. The Education and Care Regulatory Unit within the Department of Communities has granted Kiddies Learning Hub Pty Ltd conditional approval to base their service at the Pavilion.

The proposed use of the Pavilion by Kiddies Learning Hub Pty Ltd remains consistent with the activities undertaken by Smart Start Educational Services Pty Ltd over recent years and will activate the facility during a non-peak period where there is limited demand from other community groups, businesses or individuals. Upon reviewing their Business Plan and the previous arrangements for Smart Start Educational Services Pty Ltd it is recommended that a licence agreement be established based upon a hire charge of \$25.00 per hour. This charge is consistent with the current community rate of \$25.00 per hour although it is lower than the current commercial rate of \$40.00 per hour. Such an agreement enables the continuation of facility hire revenue comparable to that paid by Smart Start Educational Services Pty Ltd while also allowing some flexibility for this new business venture based upon how many places within their program are filled.

Kiddies Learning Hub Pty Ltd proposes to utilise the Pavilion each Monday between 7.00am and 3.00pm, and Tuesday to Friday between 7.30am to 4.30pm, from 5 March to 14 December 2018. Based upon the total number of hours and weeks requested this will equate to \$45,100 during the licence agreement period or \$4,747 per month.

which represents a \$2,480.50 increase when compared to the amount paid by Smart Start Educational Services Pty Ltd in 2017. Aside from this specific licence term, hours of use and fees the Kiddies Learning Hub Pty Ltd will simply be required to adhere to the terms included within Council Policy No. 2.1.7 – Parks, Reserves and Hall Facilities – Conditions of Hire and Use. They will also be required to maintain provider/service approval from the Department of Communities.

Given that the availability of an early learning program and child care service at this location will benefit the local community as well as activating an underutilised building the request from Kiddies Learning Hub Pty Ltd to operate from the Pavilion is supported by Administration. However, given the current progression of Banks Reserve Master Plan (including the Banks Reserve Pavilion) it is not considered prudent to provide a licence agreement beyond the 2018 calendar year. This has been clearly communicated to Kiddies Learning Hub Pty Ltd.

CONSULTATION/ADVERTISING:

Administration met with the Directors of Kiddies Learning Hub Pty Ltd in October and November 2017 to discuss the proposal.

LEGAL/POLICY:

Kiddies Learning Hub Pty Ltd is a registered company (ACN 622 006 624) and estimates to make a profit from the operation of the child care serve at the Pavilion pursuant to a licence with the City. As the licence is for a term of 41 weeks, the proposed disposition falls within the scope of an exempt disposition in accordance with regulation 30(2)(e) of the Local Government (Functions and General) Regulation 1996. Therefore there would be no requirement for the City to advertise an intention to enter into the licence with Kiddies Learning Hub Pty Ltd.

A licence provides the licensee with a contractual right to use property at the times and on the terms specified in the licence. It is different to a lease as it does not create any estate or interest in the property (it is not a proprietary right). However, given the formalities of a licence and the extensive right to use the property it can provide, it appears that a licence would fall within the scope of 'dispose' as defined in the *Local Government Act 1995*.

Local Government Act 1995 section 3.58(a) defines dispose as "...to sell, lease, or otherwise dispose of, whether absolutely or not".

Local Government Act 1995 section 3.58 - Disposing of Property, provides that a local government can only dispose of property in accordance with section 3.58(3) unless the disposition falls within the scope of section 3.58(5), which includes:

"(d) Any other disposition that is excluded by regulations from the application of this section."

In accordance with Section 3.58(5), Regulation 30 of the Local Government (Functions and General) Regulations 1996 provides a range of dispositions that are exempt from the application of Section 3.58 of the Act, including the following disposition:

"(2)(b): A disposition to a body, whether incorporated or not the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

(2)(e): the leasing of land for a period of less than two years during all or any of which time the lease does not give the lessee the exclusive right to use the land."

RISK MANAGEMENT IMPLICATIONS:

Low: The Directors of Kiddies Learning Hub have extensive experience as employees within the Montessori early learning system. Kiddies Learning Hub Pty Ltd have already secured 30 placements per week with a desired patronage of 55 placements. Should the placement numbers not be achieved there is no financial or strategic loss to the City.

STRATEGIC IMPLICATIONS:

This agreement remains consistent with key objectives within the City's *Strategic Community Plan 2013-2023*, as follows:

2.1.3 *Develop business strategies that reduce reliance on rates revenue*
(c) Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.

3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community:*
(a) Build the capacity of individuals and groups within the community to initiate and manage programs and activities that benefit the broader community, such as the establishment of men's sheds, community gardens, toy libraries and the like."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Council's Adopted Schedule of Fees and Charges 2017/18 includes the following rates:

Community Facilities – Category Four (Banks Reserve Pavilion)	Community Rate	Commercial Rate
Off Peak (7am to 6pm)	\$20.00 per hour	\$40.00 per hour
Peak (6pm to 12am)	\$25.00 per hour	\$50.00 per hour

While a rate of \$40.00 would normally be applicable for commercial use of the Pavilion, a negotiated fee has been proposed for the purposes of this licence agreement in recognition that Kiddies Learning Hub Pty Ltd will utilise the facility on a permanent basis throughout 2018. Rather than utilising an arbitrary figure, Administration has applied the \$25.00 per hour rate to maintain some alignment with the existing Fees and Charges Schedule.

Based upon the proposed term, hours of use and fees it is expected that approximately \$45,100 revenue per annum/\$4,747 per month will be generated through a licence agreement between the City of Vincent and Kiddies Learning Hub Pty Ltd. This is based on the 41 week period from 5 March to 14 December 2018. Given the previous assumption that Smart Start Educational Services Pty Ltd would continue their use of the Pavilion, an amount of \$43,000 revenue was included within Council's 2017/18 operating budget.

COMMENTS:

Administration recommends that a licence agreement be granted to Kiddies Learning Hub Pty Ltd for Banks Reserve Pavilion to enable the delivery of early learning and child care services on specified days and times. This agreement will enable continuation of a service to the community from this location, maintain regular utilisation of a City asset during off peak periods, and maintain budgeted community buildings revenue.

Certificate of Registration of a Company

This is to certify that

KIDDIES LEARNING HUB PTY LTD

Australian Company Number 622 006 624

is a registered company under the Corporations Act 2001 and
is taken to be registered in Western Australia.

The company **is limited by shares.**

The company is a **proprietary** company.

The day of commencement of registration is
the first day of October 2017.



ASIC

Australian Securities & Investments Commission


















Issued by the
Australian Securities and Investments Commission
on this first day of October, 2017.

A handwritten signature in black ink, appearing to read 'G. Medcraft'.

Greg Medcraft
Chairman

CERTIFICATE

13 CHIEF EXECUTIVE OFFICER**13.1 INFORMATION BULLETIN****TRIM Ref:** D17/177302**Author:** Emma Simmons, Governance and Council Support Officer**Authoriser:** Len Kosova, Chief Executive Officer

- Attachments:**
1. 2018 Local Plant Sale Dates [↓](#) 
 2. Minutes of the Design Advisory Committee Meeting held on 8 November 2017 [↓](#) 
 3. Minutes of the Design Advisory Committee Meeting held on 22 November 2017 [↓](#) 
 4. Minutes of the Environmental Advisory Group Meeting held on 27 November 2017 [↓](#) 
 5. Summary Minutes of WALGA State Council Meeting held on 6 December 2017 [↓](#) 
 6. Tamala Park Regional Council - Minutes of Meeting held on 7 December 2017 [↓](#) 
 7. Mindarie Regional Council - Minutes of Meeting held on 14 December 2017 [↓](#) 
 8. Mindarie Regional Council - Unconfirmed Minutes of Meeting held on 25 January 2018 [↓](#) 
 9. Unconfirmed Minutes of the Urban Mobility Advisory Group (UMAG) held on 18 December 2017 [↓](#) 
 10. Monthly Street Tree Removal Requests [↓](#) 
 11. Statistics for Development Applications as at end of December 2017 [↓](#) 
 12. Register of Legal Action and Prosecutions Register Monthly - Confidential
 13. Register of Legal Action and Prosecutions Register Quarterly - Confidential
 14. Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 24 January 2018 [↓](#) 
 15. Register of Applications Referred to the MetroWest Development Assessment Panel – Current [↓](#) 
 16. Register of Applications Referred to the Design Advisory Committee – Current [↓](#) 
 17. Register of Petitions - Progress Report - February 2018 [↓](#) 
 18. Register of Notices of Motion - Progress Report - February 2018 [↓](#) 
 19. Register of Reports to be Actioned - Progress Report - February 2018 [↓](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated February 2018.



INFORMATION BULLETIN



CITY OF VINCENT

SUBJECT:	Vincent Greening Plan – Proposed 2018 Local Plant Sale Dates
DATE:	7 February 2018
AUTHOR:	Sarah Hill, Environmental Officer – Projects
AUTHORISER:	Craig Wilson, A/Director Technical Services

PURPOSE:

To provide Council with an update on the information of the Vincent Greening Plan – Proposed 2018 Local Plant Sales.

The two 2018 Local Plant Sales will be held outside the City's Library and Local History Centre on the following dates commencing at 8.00am;

- Saturday 7 April; and
- Saturday 11 August

The first Local Plant Sale of 2017 was held on Saturday 29 April and attendance at this sale was the second highest on record with 220 residents turning up to purchase native plant stock. Attendance for the August plant sale, held on Saturday 19, was not as high with a total of 156 residents purchasing stock.

Although the attendance for the August 2017 plant sale was not as high as it has been in past years, there has been an overall upwards trend in participation over the past few years with record attendances in August 2013, August 2014, August 2015 and April 2016.

Therefore given the large number of residents who attended the plant sales, it is recommended that the City continues holding two Local Plant Sales per year.

DETAILS:

For each plant sale the City purchases approximately 6,000 – 7,000 native tube stock, 60 kangaroo paws (130mm pots) and 35 tubs of native fertiliser. These items are sold to residents at the subsidised prices listed below:

Item	Sale Price
Native Tube Stock (various species)	\$1.00
Kangaroo Paws (130mm pots)	\$5.00
Native Fertiliser (500g tub)	\$5.00

As part of the Adopt a Verge Program, each participant is given a voucher for 20 free native tube stock plants in order to give the resident a 'head start' and encourage the use of waterwise native plantings on the verge.

These vouchers are redeemable at one of the Local Plant Sales and each year, approximately 1,200 native tube stock are supplied to participants in the program free of charge.

CONSULTATION/ADVERTISING:

The Local Plant Sales will be advertised in local papers, on the City's website, newsletters, social media and banner displays.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"1.1: Improve and maintain the natural and built environments and infrastructure."

SUSTAINABILITY IMPLICATIONS:

In Accordance with the City's Sustainable Environment Strategy 2011-2016, Objective 6 states:

"6: Re-establish, conserve and enhance floral and faunal biodiversity, native vegetation, green spaces and green linkages within the City."

3.7: Promote the use of local plants within the City, through initiatives such as Local Plant Sales."

For a number of years the City has been committed to promoting and actively encouraging resident to use local native and other waterwise plant species as they are the most sustainable option when it comes to establishing a new garden or renovating an old water-dependant European-styled garden.

Native plants are well adapted to our hot drying climate and have a better survival rate compared with exotic plant species which require a lot more water to survive. As an incentive to utilise native plants, all stock sold on the day is provided to the City's residents at a subsidised cost.

FINANCIAL/BUDGET IMPLICATIONS:

For each plant sale the City purchases approximately 6,000 – 7,000 native tube stock, 60 kangaroo paws (130mm pots) and 35 tubs of native fertiliser. The below table outlines the cost price to the City, approximate retail price and subsidised sale price for Vincent residents:

Item	Cost Price	Retail Price (approximate)	Subsidised Price
Native Tube Stock (various species)	\$1.30 - \$1.80	\$2.00 - \$3.00	\$1.00
Kangaroo Paws (130mm pots)	\$6.00	\$9.00	\$5.00
Native Fertiliser (500g tub)	\$5.00	\$7.00	\$5.00

The table below outlines the relevant budget for the Local Plant Sales:

Description	Revised Budget
2017/2018 Budget – Local Plant Projects	\$25,000
Expenditure to date	\$15,207
Estimated expenditure – Local Plant Projects	\$10,000*

Note*: This does not include expected revenue.

COMMENTS:

The Local Plant Sales undertaken in 2017 were very popular with residents with a total attendance of 376 for both sales, with 91 of these being residents participating in the Adopt a Verge Program.

With each passing year the City's residents are embracing the concept of utilising native plants to beautify their garden and also play their part in contributing to saving our precious water resources. Winter rainfall is still declining in Western Australia and it is vital that the City continues to play a lead role in showcasing within our parks and reserves what can be achieved by utilising local native plants in a garden setting.

Local plant sales have contributed to the beautification of numerous street verges and residential front gardens that now feature native waterwise plants.



CITY OF VINCENT

DESIGN ADVISORY COMMITTEE**Wednesday 8 November 2017 at 3.30pm****Venue: Committee Room
City of Vincent Administration and Civic Centre****MINUTES****Attendees:**

<u>Design Advisory Committee Members:</u>	<u>City of Vincent Officers</u>
James Christou (Chairperson)	Paola Di Perna (Manager Approval Services)
Munira Mackay (Member)	Rob Sklarski (Special Project Officer)
Joe Chindarsi (Member)	Joslin Colli (Coordinator Statutory Planning)
Damien Pericles (Member)	Rana Murad (Senior Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1

Tony Casella	Casella & Associates Architects
Adam D'Alessandro	Creative Design & Planning
Sami Joer	Creative Design & Planning

Applicant-Item 3.2

Gareth Glanville	Planning Solutions
Christopher Dwyer	MJA Studio
Prudence Hancock	MJA Studio

Applicant-Item 3.3

No Attendance

Applicant-Item 3.4

Jason Salecic

3.30pm**Member Discussion****4.00pm****1. Welcome / Declaration of Opening**

The Chairperson, James Christou declared the meeting open at 4.15pm.

2. Apologies**3. Business****4.15pm–4.50pm – Applicant Presentation – No DA Lodged****3.1 Address:** No. 199-241 Fitzgerald Street, West Perth

Proposal: 8 Storey Mixed Use Development

Applicant: Creative Design and Planning

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1(LPP7.1.1).

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City's assessment and determination of future planning applications. The DAC's advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicant's Presentation:

The Applicant gave a PowerPoint presentation.

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Opportunity to create a user friendly multi-functional, communal urban space along the laneway (easement) and within the piazzetta. Opportunity to draw on the cultural aspect of the area. Sophistication and resolution is required in this area to create a community space. Possibly make the piazza larger – refer to new Beaux Lane off Beaufort Street. • The development should consider the broader context, particularly the rear CoV car park and how a combined approach might benefit the precinct. • Provide further information to justify development over the height limit of 6-storeys. Demonstrate what consideration has been given to addressing the impact of additional height in relation to the existing context. Provide an outline to demonstrate how the proposal would positively contribute to the locality and the local community. Provide a report to show how the development would not adversely affect the amenity of the surrounding buildings/street. • Consider stepping down height to neighbouring properties to lessen the impact of the additional height proposed. The blanket height of 8 storeys does not seem to be appropriate and adjustment is needed to consider the corner location, side and rear neighbouring properties and the central laneway (easement) to more align with the streetscape massing. Show possibilities of future and current developments within the area to demonstrate how the building fits in within the current and future streetscape. • Provide a detailed explanation of the architectural language proposed in the elevations, to demonstrate the building's relationship, complementary or otherwise, to the existing streetscape and building character. • More articulation is needed for the street frontage activation.
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	<ul style="list-style-type: none"> • Activation of ground floor streetscape whilst minimising carpark exposure to the street, and maximising exposure of communal urban space is encouraged. • Provide more articulation to activate the laneway from the Robertson Park Tennis Centre opposite to the rear carpark. Possibly rake the form of the northern side of the built form to allow light in to create some landscaping opportunities and terrace the built form next to the laneway to increase the outlook for apartments facing each other. Example of a lively new laneway is Beaux Lane, Mount Lawley. • Consideration needs to be given to the articulation of the corner of Fitzgerald and Cowle Street as an arrival experience for visitors/resident and a focus and signature of the building. 8 Storey flat across on the corner is considered heavy and adds mass/bulk. Consider a 'stepping down' approach. • Require information on articulation, materials and colour • The development is essentially amalgamating 12 lots to create two massive buildings that looks alien in form in relation to the streetscape. The development should be sensitive to the grain of the locality and use treatments (different materials/finishes/palette etc.) in the façade to create a collection of smaller buildings. The façade needs to be broken up to read as smaller buildings to lessen the impact of the mass/bulk. • Consider creating two street frontages with the laneways to activate it (example Melbourne laneways). • Blank frontages are not supported (especially car parking level and in residential Cowle Street) • Consider the possibility of creating narrow apartments to the western side on the upper levels overlooking the car park and wrap around to the laneway to break up the solid car parking component and activate 'streetscape' around the development. Also connecting the green in the laneway to the carpark to create a pedestrian system. Also look at reducing office components to create more apartments – the office floorplate is very large and deep. • Look at sleeving tenancies - wrap around to activate the streetscape. • Utilise other frontages by designing courtyards.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Provide more detail on the landscaping to demonstrate compliance with City's landscaping requirements. • Significant trees in deep soil zones may assist in ameliorating impact of bulk and scale and assist with interfacing and softening. • Deep Soil Areas are to be actively considered in the planning • An assessment of existing conditions has NOT been provided including the streetscape. It is important to inform design review and identify elements for potential retention.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Bulk and mass needs to be further articulated in relation to the additional height and impact on the streetscape. Look at The Bottleyard new development in Palmerston St as an example.

	<ul style="list-style-type: none"> • Height and scale appear to be out of context with surrounding properties. Stepping of form may need to occur in height - down to adjoining height limits, to integrate into the City's desired future built-form and streetscape outcomes. • Consider setting back the extra height away from the streetscape side to minimize the bulk/scale. • Blank frontages are problematic, particularly at ground level.
Principle 4 – Functionality and build quality	
Principle 5 – Sustainability	Explore ways to improve on base-line minimum requirements in relation to sustainability/carbon intensity of the development, particularly where concessions are being sought in relation to plot ratio/height to demonstrate positive outcome. This is extremely important when considering such a large development.
Principle 6 – Amenity	<ul style="list-style-type: none"> • Consideration is needed to show access of natural light/ventilation for the floor plate of the commercial tenancies given the proposed depth; take into the account the overall layout of the building to achieve it this (such as a donut shape etc.)
Principle 7 – Legibility	
Principle 8 – Safety	
Principle 9 – Community	
Principle 10 – Aesthetics	<ul style="list-style-type: none"> • Provide further detailed information on materials/finishes to be applied.
Comments	<ul style="list-style-type: none"> • Multi use development is supported. • The City does not support the 1.5 metre height difference between the front tenancy and the street as it does not promote the activation of the streetscape. • More complementary features and gestures should be included in an LDP submission. • Future DAC presentation should present development narrative and have consideration of urban design. • Any LDP that seeks to increase height limits would need to align with the intent of the Built Form Policy and limit development to the site boundary at lower floors whilst providing setback to upper floors to reduce bulk and scale and to step down in height to the neighbourhood. This proposal is yet to demonstrate this approach. <p>If the intent is to commit to the design quality requirements of Part 4 of the draft Design WA policy, then the planning would need to be reconsidered. There appears to be many areas in the current proposal that would not meet these requirements.</p> <p>It is difficult providing informed comment on the current proposal in any detail.</p> <p>A high-quality positive contribution to the locality should be offered to make it an attractive proposition to the City and the community.</p> <p>A sample of elements that could be offered as an</p>

	<p>incentive for the City of Vincent / local community to consider can include;</p> <ul style="list-style-type: none"> • Character • Pedestrian amenity • Public domain interface / active frontages – retail “encouraged” • Permeability – included however proposed linkages are outside ownership and control. • Diversity of accommodation • Affordable housing / Key worker housing • Diversity of land uses • Any there any community facilities sought by the city • Landscaping intent / retention of trees • Communal / public areas • Sustainability targets • Community benefits? Refer Melville Canning Bridge Structure Plan and Design WA section on Incentives for a range of elements the City could benefit from. <p><u>For more, refer to Design WA Draft Apartment Design Guide, 2.11 Incentive based development standards and Appendix 2 – List of potential incentives – based development standards</u></p>
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Conclusion:

To be returned to DAC.

4.50pm–5.15pm – Applicant’s Presentation – DA Lodged

3.2 Address: No. 164 Edward Street, Perth

Proposal: Two Storey Office Development

Applicant: Planning Solutions

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City’s Built Form Local Planning Policy 7.1.1(LPP7.1.1).

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City’s assessment and determination of future planning applications. The DAC’s advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicants Presentation:

The Applicant gave a PowerPoint presentation

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Possibly consider the screening to be on the lower level and make the upper level more open.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Consider a vertical growing structure to help in the growth of the trees at the front with visual permeability to retain amenity and surveillance.

	<ul style="list-style-type: none"> Consider vertical green landscaping to replace the trees to achieve landscaping requirements. Provide more detail on the landscaping to demonstrate compliance with City's landscaping requirements. Consider a planter at the top of the balcony and enable the landscape to overhang and increase landscaping requirements. The proposed trees are likely to be restricted by the balcony overhang above and will require ongoing maintenance. Explore alternative landscaping.
Principle 3 – Built form and scale	
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> The glazing on the ground level is not supported under the Built Form Policy. Possibly look into some natural ventilation in openable windows rather than fixed windows. Consideration is needed in relation to the position of the mailbox that will help to differentiate the entry. Consider increasing the windows to the north or alternative measures to optimise the northern aspect of the site.
Principle 5 – Sustainability	
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider the functionality of the balconies by either increasing the size or create some communal space for the staff Consider an openable skylight to create more light and natural ventilation into the kitchen.
Principle 7 – Legibility	<ul style="list-style-type: none">
Principle 8 – Safety	<ul style="list-style-type: none"> Consider security or roller door at the back off the laneway, and its location if setbacks are required, and reflect this on the development plans.
Principle 9 – Community	
Principle 10 – Aesthetics	
Comments	<ul style="list-style-type: none"> Under the Built Form Policy an awning is required to be created on the development. If an awning is not installed, demonstrate why the awning is not acceptable in this context. The variations from the planning framework will need to be addressed either by addressing the design principle or demonstrate the scheme as presented has merit and able to achieve the outcome the City is trying to achieve. Some consideration needs to be given to the policy and how a departure is considered to achieve the concept of the planning policy.

Conclusion: Amendments can be submitted by email.

5.15pm – Applicant's Presentation – No DA Lodged

3.3 **Address:** No. 214 Scarborough Beach Road, Mount Hawthorn

Proposal: 4 Storey Mixed Use Development

Page 6 of 9

Applicant: ANB Design

Reason for Referral: For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 19 July 2017

Applicant's Presentation:

No attendance from the applicant and application deferred.

5.30pm–5.50pm – Applicant's Presentation – No DA Lodged

3.4 **Address:** No. 61 Parry Street, Perth

Proposal: 5 Storey Multiple Dwelling Development

Applicant: Salecic Design and Drafting

Reason for Referral: For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 18 October 2017

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City's assessment and determination of future planning applications. The DAC's advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicant's Presentation:

The Applicant gave a PowerPoint presentation.

Recommendations & Comments by DAC on 18 October 2017:

Principle 1 – Context and Character	<ul style="list-style-type: none"> Consider simplifying the layout/plan and building composition/ built form of the upper 2 storeys to achieve a simpler, lighter looking box shape above a heavier base. Simplify the façade. Consider the transition from the new building to the adjoining heritage building. Consider varying planes and depths in the facade to improve articulation. Reconsider the relationship between balconies and adjoining window/face brick areas. Consider consolidating these elements to create a simple base and a unified outcome. Consider further articulation whilst providing detailed treatment of the podium facade (first three levels). Consider wrapping brick around entire ground floor to relate to the adjacent cottage, and removing brick from the upper levels. Provide more details of finishes/materials
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Landscaping to be increased to comply with the City's requirements. A detailed landscaping plan is to be submitted including calculations of soft and hard landscaping areas
Principle 3 –	

Built form and scale	
Principle 4 – Functionality and build quality	
Principle 5 – Sustainability	
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider altering the size, shape and configuration of the high level strip windows to break up the outlook of the elevation. Design windows so as not adversely affect privacy of the neighbouring development while allowing more daylighting/ventilation into the upper floor level.
Principle 7 – Legibility	
Principle 8 – Safety	
Principle 9 – Community	
Principle 10 – Aesthetics	<ul style="list-style-type: none"> Illustrate location and proposed screening of exposed AC units
Comments	

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> Consider making the ground floor base darker so as to not compete with the red brick colour finish of the neighbouring property and ensure this ties in with the brick of the upper floors. Consider brick coursing/Flemish bond to tie in with the adjoining development. Consider the front façade as two separate townhouses and create more unification and simplify the two.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Consider the maintenance of proposed landscaping and if it can be achieved practically. Possible opportunity to have a hanging landscaping to drape and soften the outlook of the development and climbers over the shade structure Potentially create a bigger planter in one of the corners and consider planting a tree here.
Principle 3 – Built form and scale	
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> Consider a low screen wall at the side boundary and make the front car parking more legible or more landscaping - also possibly adding a round column to link the screening and support overhang over. Possibly create a planter to spill landscaping over the edge to soften the outlook.
Principle 5 – Sustainability	
Principle 6 – Amenity	<ul style="list-style-type: none"> Consider increasing the size of the highlight bedroom window on the upper floor to improve access to natural light.
Principle 7 – Legibility	
Principle 8 – Safety	

Page 8 of 9

Principle 9 – Community	
Principle 10 – Aesthetics	
Comments	<ul style="list-style-type: none">• Make the street facing window to the office more legible on the plans.

Conclusion: Amendments can be forwarded to City/DAC prior to lodgement.

5. General Business

Nil

6. Close / Next Meeting

There being no further business, the Chairperson, James Christou declared the meeting closed 5.50pm.

The next meeting will be held on 22 November 2017.



CITY OF VINCENT

DESIGN ADVISORY COMMITTEE**Wednesday 22 November 2017 at 3.15pm**

Venue: Committee Room
City of Vincent Administration and Civic Centre

MINUTES**Attendees:**

<u>Design Advisory Committee Members:</u>	<u>City of Vincent Officers</u>
Sasha Ivanovich (Chairperson)	Paola Di Perna (Manager Approval Services)
Carmel Van Ruth (Member)	Rob Sklarski (Special Project Officer)
Stephen Carrick (Member)	Joslin Colli (Coordinator Statutory Planning)
Simon Venturi (Member)	Rana Murad (Senior Urban Planner)
	Roslyn Hill (Minute Secretary)

Applicant-Item 3.1

Trent Durward	Megara
Kris Mainstone	Megara

Applicant-Item 3.2

Steven Postmus	CAPA
Justin Carrier	CAPA
Steven Johnson	Client

Applicant-Item 3.3

Steven Postmus	CAPA
Justin Carrier	CAPA

Applicant-Item 3.4

R McHenry	Home Builders Advantage
Lesley Thomas	Owner

3.30pm**Member Discussion****4.00pm****1. Welcome / Declaration of Opening**

The Chairperson, Sasha Ivanovich declared the meeting open at 4.00pm.

2. Apologies**3. Business****4.00pm–4.10pm – Applicant Presentation – No DA Lodged**

3.1 Address: No. 14 Florence Street, West Perth

Proposal: 3 Storey Multiple Dwelling Development

Applicant: Megara Developments

Reason for Referral: The proposal will likely benefit from referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City's assessment and determination of future planning applications. The DAC's advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicant's Presentation:

The Applicant gave a PowerPoint presentation.

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> Proposed development is an appropriate density for the site. Consider interpretation of the metal works heritage from the existing building and work into façade or building to create a modern/past linkage in more detail. Stage 2 of this development (shown conceptually for context) may compete with the adjacent heritage building. Consider softening up the relationship between heritage building through landscaping and tree planting. Provide further information about the context of area surrounding development on perspectives and elevations
Principle 2 – Landscape quality	<ul style="list-style-type: none"> Landscaping is well considered and deep soil zones have been provided. Further utilise landscaping to provide a level of separation and privacy between the communal corridors and windows to apartments
Principle 3 – Built form and scale	<ul style="list-style-type: none"> The City has discretion in relation to the over-height proposal (3 storeys in lieu of 2). Interfaces to the heritage building will need to be carefully considered. The building massing and heights are considered appropriate to the surrounding context.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> The proposal offers well-planned usable spaces. Materials selected are robust. Consider the integration of services so as not to detract from the overall quality.
Principle 5 – Sustainability	<ul style="list-style-type: none"> Sun shading needs to be reconsidered and addressed on the northern facing windows on the corner and entry. Consider impact of all north, east & west facing windows and potential heat impact.
Principle 6 – Amenity	<ul style="list-style-type: none"> Pedestrian experience from the street – Provide more articulation to make the entry to the complex more prominent / legible. Communal areas within the complex are considered inadequate. Considering the site is landlocked and accessed from a laneway generous useable communal space is an important amenity for residents.

Page 2 of 11

	<ul style="list-style-type: none"> • The level of amenity for the ground floor level units is poor. • Consider removing a ground level unit and creating in its place a useable communal area OR breaking up the building in the middle and creating a communal area on the first floor. • Examine using voids and landscaping to provide privacy between the communal upper level corridors and adjoining bedrooms and windows. • Ground floor units are considered to be an overdevelopment that detracts from the overall demonstrated design integrity of the project.
Principle 7 – Legibility	<ul style="list-style-type: none"> • Improvements to the pedestrian entry experience will provide improved user and visitor legibility.
Principle 8 – Safety	<ul style="list-style-type: none"> • If a communal area is considered at ground floor – to replace an apartment – ensure that it offers passive surveillance of the entry area. Ensure that Unit 3 has views up the laneway entrance.
Principle 9 – Community	<ul style="list-style-type: none"> • There are opportunities for incidental community interaction, though the development could benefit from more formal shared spaces and amenities.
Principle 10 – Aesthetics	<ul style="list-style-type: none"> • This proposal is a coherent, legible design that is well articulated however further articulation can be provided through shading of north facing windows.
Comments	<ul style="list-style-type: none"> • The impact of the development needs to be considered. Provide drawings that include the neighbouring properties and the project's context. • North facing living areas, dual aspect apartments, and the overall design quality is commended. • The maisonette typology is considered appropriate and undersupplied in Vincent.

Conclusion:

To be returned to DAC.

4.40pm–5.10pm – Applicant's Presentation – No DA Lodged

3.2 Address: No. 543 William Street, Mount Lawley

Proposal: 6 Storey Lodging House Development

Applicant: Carrier and Postmus Architects

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City's assessment and determination of future planning applications. The DAC's advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicants Presentation:

The Applicant gave a PowerPoint presentation

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Provide further information that justifies development over the policy height limit. • Demonstrate what consideration has been given to addressing the impact of the additional height in relation to existing context. • Provide an outline to demonstrate how the proposal would positively contribute to the locality and the local community. • The retention of the Krantz and Sheldon building on William Street is considered important and worthwhile as it is a significant feature on William Street. Develop the proposition to retain AND conserve the front building as justification for the requirement for additional height to the new proposition. • Further information/justification will be required to illustrate how the development would not adversely affect the amenity of the surrounding buildings/street. • There is an abrupt change in height between the two buildings (existing and proposed) – consider softening this interface. • Consider stepping down the height of the proposed building to neighbouring properties to lessen the impact of the additional height proposed. • A flat 6 storey proposal is considered heavy and is bulky (especially at the rear). Examine 'stepping down' the building height to reduce impact on front and rear neighbouring properties to more align with the existing streetscape massing. Consider creating smaller units within the building and stepping back on the upper levels so that they are not in view from the street. • Connection between the development and the heritage building should clearly differentiate between the old and the new. Consider a discrete or lighter material/glass/louvers connection. • Blank wall frontages are not supported. More articulation and activation needs to be considered. Consider pulling away from the boundary so that large blank walls can be avoided. • Examine removing 1 or 2 levels at the rear of the development and building over the top of the front building. • Consider staggering the height to break up the mass/bulk.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Provide more detail on the landscaping proposed to demonstrate compliance with City's landscaping requirements.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Bulk and mass needs to be further articulated in relation to the additional height and impact on the streetscape. • The form tends to be higher at the ends/corners with the stairs which does not help with the bulk/scale. • The apartment floor plans are relatively large and could be reduced to facilitate a smaller building footprint. • Blank walls are not helpful in terms of façade aesthetics

Page 4 of 11

	and they contribute to the perception of building bulk.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Apartment layouts are generous and could be reduced for efficiency. • Consider modification to allow for universal access. The City does not support the use of the stairs and platforms; an alternative will need to be considered. Level access could be achieved from William Street.
Principle 5 – Sustainability	<ul style="list-style-type: none"> • City views have been prioritised over a northerly aspect, which is acceptable provided the open planning remains and northern solar access is optimised where possible. Cross ventilation has been well-considered.
Principle 6 – Amenity	<ul style="list-style-type: none"> • Optimise northern solar access where possible. • Need to Consider more articulation, and openings that will also facilitate good cross ventilation.
Principle 7 – Legibility	<ul style="list-style-type: none"> • Consider functional improvements to the entry sequence to achieve universal access.
Principle 8 – Safety	
Principle 9 – Community	<ul style="list-style-type: none"> • The proposed use as a lodging house is augmenting the long term use of the front character building. This is considered appropriate as it is part of the social heritage of the building and adds to the available mix of accommodation in the area.
Principle 10 – Aesthetics	<ul style="list-style-type: none"> • While the architectural language and materiality are supported, make clear the transition between the old and new buildings. Take care not to mimic the character building. The contemporary re-interpretation undertaken thus far is supported.
Comments	<ul style="list-style-type: none"> • Materiality and architecture, retention of the heritage building are encouraged and commended. • In regards to disabled access the City does not support the use of stairs and platforms up and down the stairs. • Consideration needs to be given to the City's Heritage Policy with respect to development adjoining Heritage listed properties. The neighbouring property is listed on the municipal inventory requiring the interface between existing and proposed to be considered according to Council guidelines. • Consider inclusion of conservation works to the existing building. • Height, bulk and impact on single residence at the rear needs to be reviewed and further considered.

Conclusion: To be returned to DAC.

5.10pm–5.40pm – Applicant's Presentation – No DA Lodged

3.3 Address: No. 212 Carr Place, Leederville

Proposal: Five Storey Mixed Use Development

Applicant: Carrier and Postmus Architects

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

Applicants Presentation:

The Applicant gave a PowerPoint presentation

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Provide further information to justify enclosing the balconies with movable screens. • The operable screening spanning the whole façade is a strong and convincing element. Screening will promote the use of balconies and provide privacy for residents. Careful consideration is needed in detailing of the screening to maintain a light filigree effect. The Percent for Art requirement integrated into the screening is a positive. Provide some assurance that the quality and integrity of the screening element will be maintained. The applicant is encouraged to engage the artist at an early stage in the project. • Demonstrate what consideration has been given to addressing the impact on resident amenity and outlook. • Blank boundary walls are not supported. More articulation needs to be considered. • Consider reducing the extent of boundary wall on the upper levels and stepping down to the neighbouring property. • Provide further information to justify development over the policy height limit by demonstrate what consideration has been given to addressing the impact of additional height in relation to existing context. • Provide an outline to demonstrate how the proposal would positively contribute to the locality and the local community.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Provide more detail on the proposed landscaping to demonstrate compliance with City's landscaping requirements (deep soil zone). • Consider reconfiguring the basement and relocation of bin stores to facilitate deep soil zones to support tree planting above. • Look into incorporating further landscaping into the entry experience. • Ensure solar access to the central landscape area to support growth.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Caution is required in terms of the building bulk impact at the side boundaries. The Built Form Policy permits boundary walls for the first 2 storeys. • Examine setting the building further away from boundary in some areas, Consider different façade treatment to break up the building mass.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Take into account how much daylight the courtyard will receive so the proposed landscaping can be achieved practically.
Principle 5 – Sustainability	<ul style="list-style-type: none"> • Light well and courtyard are a good size. • Consider how ventilation can be optimised. Consider screen doors to apartment entry doors so that they can be left open to allow cross ventilation. • Consider roof lights to top floor south facing apartments to assist optimise northern solar access.

Page 6 of 11

Principle 6 – Amenity	<ul style="list-style-type: none"> • Further consideration needs to be given to the inset windows to bedrooms on the side boundaries whose amenity will be substantially affected as future developments from the neighbouring properties may be built up to the boundary. This will create snorkel access to daylight and ventilation which is unacceptable. • Entry experience –investigate moving the entry into the middle of the commercial tenancies. It could limit the flexibility the use of the tenancies; it could also be positive in terms of the experience as the two commercial tenancies look into and may open up to the entry.
Principle 7 – Legibility	<ul style="list-style-type: none"> • The entry point is clearly announced by the cutaway of the façade. Consider how this might be affected by new neighbouring development.
Principle 8 – Safety	<ul style="list-style-type: none"> • Proposal offers a high degree of street activation and passive surveillance of the public realm.
Principle 9 – Community	<ul style="list-style-type: none"> • Provide opportunities for incidental social interaction.
Principle 10 – Aesthetics	<ul style="list-style-type: none"> • The proposal is an elegant and well-resolved design. The screening is a strong element that contributes greatly to the quality of the overall proposal. • Materiality and architecture are commendable.
Comments	

Conclusion: To be returned to DAC.

5.40pm–6.10pm – Applicant's Presentation – DA Lodged

3.4 **Address:** No. 120-122 Summers Street, Perth

Proposal: Three Storey Grouped Dwelling Development

Applicant: Space Odyssey Design

Reason for Referral: For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 20 September 2017

Discussion:

The Design Advisory Committee provides architectural advice to the City of Vincent to inform the City's assessment and determination of future planning applications. The DAC's advice is not planning advice and will not fetter the final determination made in respect of an application for planning approval for the proposed development.

Applicant's Presentation:

The Applicant gave a PowerPoint presentation.

Recommendations & Comments by DAC on 20 September 2017:

Principle 1 – Context and Character	<ul style="list-style-type: none"> • Possibly look at the front heritage building and identify some of the strong features and reinterpret these into the façade. This will assist greatly to positively contribute to the identity of the area and streetscape. • Consider grass paving for car parking bays. • More articulation into the front fence should be
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	<p>considered to create a visual connection to heritage building and streetscape.</p> <ul style="list-style-type: none"> • The sun-shading is considered too heavy and needs to be lightened up. • More details required on materials • More details on finishes required • Consider materials such as; red brick, cladding and timber. • A floor plan layout to the existing dwelling, landscaping plan and survey plan will be required • Consider different finishes/materials/colours/brickwork
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Landscaping should be increased to comply with the City's requirements (30% canopy cover and 15% deep soil zone) and a landscaping plan to be submitted and signed by a landscaping architect • Consider a Conservation Caveat with the City as concession for landscaping requirements with retention of the heritage building • Consider creating a strip of garden bed along the driveway. • Consider closing off one entry and increase landscaping. • Landscaping considered fragmented • Consider reducing the size of the home offices and landscape the area in between the dwellings and the eastern boundary. • Consider the addition of a landscaping strip along the western boundary abutting the common property • Examine making the home offices on rear apartments smaller to create more landscaping opportunities (possibly courtyard). Also reducing the car turning circle
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Reconsider the design of the last unit as there are too many stairs and it may reduce the bulk. Take into account the view from the rear. • More articulation is needed to break up the look of the garage doors and differentiate between each unit garage needs to be more defined • The site appears overdeveloped. There is too much happening in the overall development and any changes will affect other areas. Simple changes will not be able to rectify inefficiencies. Possibly reducing what is on the top floor as rooms are generous.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • Consider squaring off the entry doors to not bang into each other. • Reconsider the diagonal in the sitting area and bathroom to maximise use of the area.
Principle 5 – Sustainability	<ul style="list-style-type: none"> •
Principle 6 – Amenity	<ul style="list-style-type: none"> • Consider erecting roofing for car bays to be designed integrally • Reconsider the amenity within the apartments. Rooms are generous and could be tightened to create more space for landscaping • Allow for another window in the office/study to be facing landscaping • Encourage larger windows on the north facing side.

	<ul style="list-style-type: none"> • Take into account the outlook of the balconies and what they will be looking at.
Principle 7 – Legibility	<ul style="list-style-type: none"> • Consider creating a communal garden/area around the trees retained • More articulation into the entry experience to create a communal feel should be considered/provided. • Check cars will be able to access the garage. Regard needs to be given in relation to the ramp/gradient and the ability of cars to drive in and out of the garage. Keep in mind in changing the garage it will impact on the height and amenity of the apartments. Consider tilting the garage. Car bays need to be in accordance with the Australian Standard. Possibly provide a paving plan and consideration needed for pedestrian access.
Principle 8 – Safety	<ul style="list-style-type: none"> •
Principle 9 – Community	<ul style="list-style-type: none"> •
Principle 10 – Aesthetics	<ul style="list-style-type: none"> •
Comments	<ul style="list-style-type: none"> • Check car parking requirements as two bays per unit may not be required • Check the heritage listing of the front property

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

Principle 1 – Context and Character	<ul style="list-style-type: none"> • The proposition has still not been well resolved and as a result it is considered over-developed. The challenges in designing within these site and area constraints may be reduced if yield is reduced. • The front façade of the rear grouped dwellings is dominated by garage doors that adversely affects the amenity of residents. Consider introducing single closed carports and courtyards. • Materiality has improved. • As a result of the design and how the rooms relate to each other internally the building's architectural character and form is a by-product and does not work well internally nor how the building relates to its architectural context.
Principle 2 – Landscape quality	<ul style="list-style-type: none"> • Landscaping should be increased to comply with the City's requirements (30% canopy cover and 15% deep soil zone). Avoid including areas with a minimum dimension less than 1m in these calculations.
Principle 3 – Built form and scale	<ul style="list-style-type: none"> • Provide further information to justify the reduced setbacks. • Demonstrate what consideration has been given to addressing the impact of the reduced setbacks as they contributes to the perception of excessive building bulk and scale. • Provide an outline to demonstrate how the proposal would positively contribute to the locality and to the local community. This could be in the form of a report to show how the development would not adversely affect the amenity of the surrounding buildings/street.

Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> • The site appears overdeveloped and will have an adverse affect on the amenity of residents and on the streetscape. Overdevelopment has precluded achieving a meaningful improvement to the design • A potential reduction in the size of units or removal of a unit or two altogether, would assist. • To achieve the right amenity for the residents and reduce the impact on the streetscape, consider reducing the yield of the development to provide more space to design solutions that would also improve the level of amenity for residents, provide meaningful landscaping and a level of privacy as well as separation between units.
Principle 5 – Sustainability	
Principle 6 – Amenity	<ul style="list-style-type: none"> • Consideration needs to be given to the amenity for the residents and the impact of the development on the streetscape. • Consider reducing one of the bedrooms in the units to create more space, to create more useable courtyards and provide more articulation into the entry experience of each apartment. • DAC is supportive of bigger layouts if amenity is achieved in open space, a well considered entry sequence, landscaping, privacy and more separation between units.
Principle 7 – Legibility	
Principle 8 – Safety	
Principle 9 – Community	
Principle 10 – Aesthetics	
Comments	<ul style="list-style-type: none"> • From the previous scheme to the one submitted, a few minor amendments have been made but these have not addressed the key issues. Minor changes are insufficient to rectify the fundamental inefficiencies generated by over-development. Consider changing the configuration. • Retaining the building at the front of the lot is encouraged. • Discretion of leniency on the newer development will only be given once the front building is Heritage Listed. • Context from neighbouring properties and streetscape needs to shown in a 3D drawing. • Conceptual ideas can be resubmitted (to receive advice) rather than a full scheme being re-submitted again.

Conclusion: To be returned to DAC.

5. General Business

Nil

6. Close / Next Meeting

There being no further business, the Chairperson, Sasha Ivanovich declared the meeting closed 6.10pm.

The next meeting will be held on 6 December 2017.

**CITY OF VINCENT****ENVIRONMENTAL ADVISORY GROUP MEETING****27 November 2017 AT 6:00PM****Venue: City of Vincent – Function Room****UNCONFIRMED MINUTES****Attendees:**

City of Vincent Councillors:
Cr Loden (*Chair*), Cr Hallett

Community Representatives:
Chris Cutress, Lisa Edwards, Anthony Horton, Leanne Jones, Jacinta Key, Halinka Lamparski, David White

City of Vincent Officers:
Acting Director Technical Services (a/DTS), Director Development Services (DDS), Manager Policy and Place (MPP), Coordinator Policy and Place (CPP); Project Officer Parks and Environment (POPAE) and Sustainability Officer (SO)

1. Welcome/Declaration of Opening and Introductions

The Chair opened the meeting at 6.04pm.

2. Apologies

Isaac Lorca, Zoe Myers, Fiamma Riviera

3. Confirmation of Minutes

Minutes from meeting on 2 October 2017 were confirmed by all members in attendance.

4. Environmental Advisory Group (EAG) Induction

The following documents were handed out to all in attendance:

- City of Vincent Advisory Groups Policy (Policy No. 4.2.12)
- EAG Terms of Reference
- EAG General Rules of Operation and Meeting Rules

Electronic copies of the above documents, plus the City's Code of Conduct and Emergency Evacuation Procedure will be circulated to EAG members with the Minutes of this meeting.

Two online communication and collaboration platforms available to the EAG were outlined. A link to both will be sent to new EAG members following this meeting.

5. Current Environmental Projects

The Group was provided with an overview of environmental projects currently under way and the integrated planning framework used by the City to select, prioritise and resource new projects.

6. Call for New Ideas

EAG members were invited to share ideas for new environmental projects or initiatives that may be considered for inclusion in the City's new Sustainable Environment Strategy or in future Budgets.

Group members were then asked to identify their top three preferences from among these ideas. The outcomes from this exercise will be collated and presented back to the EAG at its next meeting, accompanied by Administration comments.

7. Other Business

The schedule of EAG meetings for 2018 was discussed.

Meetings will be scheduled in advance for the calendar year. Meetings will be held at six to eight week intervals, with Monday and 6pm being the preferred meeting day and time agreed by the Group.

A draft Meeting schedule for 2018 will be circulated with the Minutes of this meeting.

8. Previous Agenda Items – status update

Item	Current Status	Next Step
Lawler Street Sump makeover to public open space	Engineering works included in Budget 2017/18. Design currently being verified.	Engineering works to commence early 2018.
Sustainable Environment Strategy development	In progress – community feedback from Strategic Community Plan consultation now being used to guide focus areas.	EAG to review draft Strategy in first half of 2018.
Waste trial (140L bin trial)	Trial currently under way.	Trial to be completed by the end of 2017/18 financial year.

Item	Current Status	Next Step
Composting Hub (near mulch pile at Britannia Reserve)	Included in Budget 2017/18.	Agreement with Transition Town Vincent to be finalised.
Tree Selection Tool	Phase 1 completed. Community workshop to receive input on Tree Master List held on 23 November 2017.	Tree Selection Tool to be embedded into the revised draft Greening Plan following community consultation.
Hyde Park Floating Reed Bed Filtration System - Trial	City's Officers to prepare a report for Council to consider approving trial.	Council to consider approving trial.
Encouraging Community Solar	Desktop review completed. Online resource page being designed.	Online resource page to be completed during the 2017/18 financial year.
Hyde Park Lakes Turtle Study	Included in Budget 2017/18.	Study to commence in 2017/18 following Council approval at 14 November OMC.
Verge Policy Review	Identified for potential review.	Verge Policy review to be considered for inclusion in the 2018/19 – 2022/23 Corporate Business Plan.

8. Next meeting

To be confirmed – as per item 7 above.

10. Close

The Chair closed the meeting at 7.24pm

These Minutes were confirmed as a true and correct record of the meeting of the Environmental Advisory Group held on 27 November 2017.

Signed: Chairperson

Dated: This day of 2018



SUMMARY MINUTES

STATE COUNCIL MEETING

6 December 2017



NOTICE OF MEETING

Meeting No. 6 of 2017 of the Western Australian Local Government Association State Council to be held at WALGA, 170 Railway Parade, West Leederville on Wednesday 6 December 2017 beginning at 4.07pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

Attendance

Chair	President of WALGA	Cr Lynne Craigie
	Deputy President of WALGA	Mayor Tracey Roberts
Members	Avon-Midland Country Zone	Cr Jan Court
	Central Country Zone	President Cr Phillip Blight
	Central Metropolitan Zone	Cr Janet Davidson OAM JP
	Central Metropolitan Zone	Cr Paul Kelly
	East Metropolitan Zone	Cr Brooke O'Donnell
	East Metropolitan Zone	Cr Kate Driver
	Goldfields Esperance Country Zone	President Cr Malcolm Cullen
	Great Eastern Country Zone	President Cr Stephen Strange
	Great Southern Country Zone	President Cr Keith House
	Kimberley Country Zone	Cr Chris Mitchell
	Murchison Country Zone	Cr Les Price
	North Metropolitan Zone	Cr Giovanni Italiano
	North Metropolitan Zone	Cr Nige Jones, Deputy State Councillor
	Northern Country Zone	President Cr Karen Chappel
	Peel Country Zone	President Cr Michelle Rich
	Pilbara Country Zone	President Cr Kerry White
	South East Metropolitan Zone	Cr Julie Brown
	South East Metropolitan Zone	Cr Brian Oliver
	South Metropolitan Zone	Cr Doug Thompson
	South Metropolitan Zone	Mayor Carol Adams
	South Metropolitan Zone	Mayor Logan Howlett
	South West Country Zone	President Cr Tony Dean
Ex-Officio	Local Government Professionals (WA)	Mr Ian Cowie
Guests	Minister for Local Government, Heritage, Culture and Arts	Hon David Templeman MLA
	Chief of Staff, Minister for Local Government	Mr Gary Hamley
	Director General Department of Local Government, Sport and Cultural Industries	Mr Duncan Ord
Secretariat	Chief Executive Officer	Ms Ricky Burges
	Deputy Chief Executive Officer	Mr Wayne Scheggia
	EM Environment & Waste	Mr Mark Batty
	EM Governance & Organisational Services	Mr Tony Brown
	EM Finance & Marketing	Mr Zac Donovan
	EM Planning & Community Development	Ms Jo Burges
	EM Infrastructure	Mr Ian Duncan
	EM Business Solutions	Mr John Filippone
	Manager Governance	Mr James McGovern
	Manager Strategy & Association Governance	Mr Tim Lane
	EO Governance	Ms Ann Ibrahim
Observers	Deputy State Councillor, South Metropolitan Zone	Cr Michael McPhail
	Deputy State Councillor, North Metropolitan Zone	Cr Frank Cvitan



Manager Emergency Management
Shire of Plantagenet

Ms Melissa Pexton
Cr Ken Clements

Apologies

Members

Gascoyne Country Zone
North Metropolitan Zone

President Cr Cheryl Cowell
Cr Russ Fishwick

South East Metropolitan Zone

Cr Brian Oliver

Ex-Officio

Deputy Lord Mayor of the City of Perth

Cr Jemma Green

ANNOUNCEMENTS

The President, Cr Lynne Craigie welcome Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts, Mr Gary Hamley, Chief of Staff and Mr Duncan Ord, Director General Department of Local Government, Sport and Cultural Industries to the meeting.

Also welcomed all new State Councillors, staff and observers to the meeting.

MEETING ASSESSMENT

Cr Janet Davidson was invited to undertake meeting assessment at the conclusion of the meeting.

Hon David Templeman, Mr Gary Hamley and Mr Duncan Ord left the meeting at 4.48pm.

Mayor Carol Adams and Cr Michael McPhail arrive at the meeting at 4.48pm.

2. MINUTES

2.1 Minutes of September 2017 State Council Meeting

Moved: Mayor Logan Howlett
Seconded: Mayor Tracey Roberts

That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on Friday 8 September, 2017 be confirmed as a true and correct record of proceedings.

RESOLUTION 115.6/2017

CARRIED

2.1.1 Business Arising from the Minutes of the May State Council Meeting

Nil

3. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, Cr Paul Kelly declared interest on Item 5.2 Western Power Access Arrangement and Item 5.6 Western Australian Rail Access Regime.

**PAPERS**

State Councillors have been distributed the following papers under separate cover:

- President's Report (previously emailed to your Zone meeting)
- Item 5.8 - Executive Committee Minutes (01-006-03-0006 TB)
- Item 5.9 - Selection Committee Minutes (01-006-03-0011 MD)
- Item 5.10 - Appointments to Policy Teams and Committees
- Item 5.11 - LGIS Governance Review
- Item 5.12 - LGIS Scheme Board Report
- Item 5.13 - Interview Report Independent member LGSIS
- Chief Executive Officer's Report



4. EMERGING ISSUES

4.1 Issuing of Fire Response Vehicle Identification Stickers

Northern Country Zone, President Cr Karen Chappel

Moved: Cr Janet Davidson

Seconded: Cr Chris Mitchell

That the emerging issue on the Fire Response Vehicle Identifier System be considered by the meeting.

RESOLUTION 116.6/2017

CARRIED

BACKGROUND

To address some previous problems where Fire Response Vehicles have been denied access through road blocks to actively attend and fight bush fires, the Department of Fire and Emergency Services (DFES) has come up with a new system of issuing Fire Response Vehicle Identification Stickers (see attached procedures, etc).

The Shire of Coorow have expressed great concern that this will result in less people turning out to help with a fire which will counter the great advantage that we currently have with volunteer responders. It is sometimes hours before DFES or other agency staff arrive, and it is critical that all volunteers turn out to suppress the fire before it is completely out of control.

The Council is concerned that:

- 1) volunteers that live many kilometres away from an administration centre will simply not attend to get a sticker and won't turn out to a fire unless it is on their property
- 2) the burden is too great on farmers who may have 3 or 4 utilities that at any time could have a slip on fire fighting unit, meaning that each one has to have a sticker
- 3) each sticker will have to be renewed every two years
- 4) DFES are using this to get signed forms that may be used against the volunteer following any incident or insurance claim.

The Northern Country Zone is seeking support from WALGA to have this process simplified so that there is no loss of volunteer in regions where they are already very thin on the ground.

The Zone resolved as follows:

That the Northern Country Zone of WALGA requests WALGA to liaise with the Department of Fire and Emergency Services to have the process of identifying Fire Response Vehicles (particularly those of volunteers) simplified to ensure that the turnout of units at a fire is not impacted in any way.

SECRETARIAT COMMENT

The Fire Emergency Services Authority (FESA) implemented the system in 2011, following feedback from bushfire response personnel, at the 2010 Bushfire Conference, about the need for a Vehicle Identifier sticker to identify those farmer response brigade vehicles that provide direct assistance in a bush fire event. WALGA distributed an information page *Vehicle Identifier Packs for Farmer Bushfire Response Vehicles* to all councils on 2 August 2011 (05-024-02-0044) explaining the purpose and process for implementing the system.



Data provided by the Office of Emergency Management indicates that 56 Local Governments have requested and/or received the identifiers for issuing.

WALGA appreciate the concerns raised by the Shire of Coorow regarding the impact this may have on volunteering in their locality. It is important to note that the Vehicle Identifier (sticker) is not required for volunteer responders involved in first response to incidents managed locally. The identifier aids in the management of large scale incidents where formal structures are put in place and where a vehicle control point is established. The benefit of having an identifier on farm response vehicles is that it provides an easily identifiable tag to show that that vehicle may be required to support a bush fire event. The Vehicle Identifier sticker does not infer that it is a fire fighting vehicle only that it is, or maybe be required, for support in the event of a bush fire.

WALGA have reviewed the forms and process as outlined in the DFES Standard Administration Procedure 3.3c – Vehicle Identifiers and support the Northern Country Zones request to work with DFES to simplify the process.

Moved: President Cr Karen Chappel
Seconded: President Cr Kerry White

That WALGA liaise with the Department of Fire and Emergency Services to have the process of identifying Fire Response Vehicles simplified to ensure that the turnout of units at a fire is not impacted in any way.

RESOLUTION 117.6/2017

CARRIED

**4.2 Department of Transport – Vehicle Licensing Services**

Central Country Zone, Cr Phil Blight

Moved: Cr Chris Mitchell

Seconded: Mayor Tracey Roberts

That the emerging issue on the Department of Transport, Vehicle Licensing System be considered by the meeting.

RESOLUTION 118.6/2017

CARRIED

BACKGROUND

The Shire of Cuballing's 5 year Licencing Services agency agreement is set to expire.

The Department of Transport Regional Director recently contacted the Shire of Cuballing and advised that the Shire of Cuballing will be offered a 3 year agency agreement with a CPI increase of fees.

In general the Department of Transport are looking to save costs in the provision of licencing services and make online services more attractive. The cost of services provided from the Department's "face to face" operations are in the region of \$40 per transaction.

As part of the push to reduce costs the Department of Transport appears to have a preference to reduce the number of agents in the rural area. The Department of Transport verbally advised that if 50 rural agencies were to be closed this would save \$500,000.

The Shire of Cuballing complete some 1056 transactions a year. Of these transactions 60% could be completed more easily on line.

The Shire of Cuballing is eager to retain Vehicle Licencing Services to ensure that the more complex licencing services can be completed locally. Such services include complex farming licencing matters and a more personal service to members of the community who may be impacted by needing to travel for this service.

The Central Country Zone resolved as follows:

That WALGA be requested to consider including this matter as an emerging issue at the State Council meeting on Wednesday 6 December 2017.

SECRETARIAT COMMENT

More than 90 Local Governments provide vehicle licensing services under contracts with the Department of Transport. These contracts are due to expire from December 2017. WALGA staff met with the Department of Transport in January 2017 to discuss Vehicle Licensing Services and offered to facilitate or assist in consultation with Local Governments concerning new contracts. The Department of Transport advised that they intended to undertake the consultation with Local Governments and would keep WALGA informed. Seventy one Local Governments responded to questions and issues raised by the Department of Transport regarding licensing services in the course of their consultation process.

WALGA staff initiated a follow-up meeting with the Department of Transport concerning vehicle licensing in late July. At that time the Department was drafting contracts and agreed to forward the



proposed contract(s) to WALGA when a draft was completed. There has been no further discussion concerning this matter with the Department.

Many government and business transactions have and are being moved to an on-line environment in an effort to improve service with reduced costs.

Moved: Cr Philip Blight
Seconded: President Cr Stephen Strange

That WALGA engage with the Department of Transport to further investigate the issue of vehicle licencing contracts.

RESOLUTION 119.6/2017

CARRIED



5. MATTERS FOR DECISION

5.1 Local Government Act 1995 Review

By Tony Brown, Executive Manager Governance and Organisational Services and James McGovern, Manager Governance

WALGA RECOMMENDATION

As per page 6 to 13 of the State Council Agenda.

Avon Midland Country Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
North Metropolitan Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

South East Metropolitan Zone

That Part 3 of the Officer Recommendation be endorsed, subject to amendment of Part 3(b)(4) to read as follows:

4. Supports new Local Government election candidates being required to attend a Candidates information session, ~~either in person or on-line~~, as an eligibility criteria for nomination as an Elected Member.

That an additional Resolution be added as follows:

That WALGA include in the Local Government Act 1995 Review submission, the review of section 3.58 Disposing of Property and section 3.59 Commercial Enterprises to be redrafted to reflect current commercial and contractual practices in Western Australia.

South Metropolitan Zone

That South Metropolitan Zone endorses the general principles and WALGA policy positions be endorsed subject to the following amendments:

- a) The removal of Recommendation 2 (i).
 - (i) Electors' General Meeting: Section 5.27

Position Statement	Section 5.27 of the Local Government Act 1995 should be amended so that Electors' General Meetings are not compulsory.
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- b) The amendment of Recommendation 3 (a)(1) to read:

Amend the Local Government Act to clarify that Independent Living Units should not be exempt from rates.



- c) The amendment of Recommendation 3 (a) (2) (a) to read:

Amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for provision of housing and commercial (non-charitable) business activities of charitable organisations.

- d) The following addition to Recommendation 3 (b):

That WALGA supports that to be eligible a candidate must not:

- i. live outside the district*
- ii. have any debts owing to the local government*
- iii. have any current legal action with the local government*

In relation to Recommendation 5 of Item for Decision 5.1 Local Government Act Review, new proposal 6.14, Power to invest, the South Metropolitan Zone requests that WALGA prepare a paper on the controls to be included in the LG Act review for investments. This could include:

1. Investing in investment firms that guarantee an annuity return (regular payments for a fixed term of your choosing in exchange for an initial capital investment, the regular payment includes interest and principal).
2. Investing in investment firms that take out insurance against the contract of the investment.
3. Whether a local government could take out indemnity insurance against the investment firm it is investing in and whether LGIS could provide a product where investments can be insured against.
4. Any terms and conditions that should be included.

East Metropolitan Zone

That the East Metropolitan Zone endorses the general principles and the WALGA policy positions subject to the following amendments:

- a) The inclusion of two new policy positions for consideration:

- i. Council Meetings are electronically recorded and that recordings are made available to the public.*
- ii. Party political affiliation (membership) is required to be declared as part of the (Elected Member) nomination process.*

- b) The amendment of Recommendation 2 (o) 'Stand Down Provision' to read:

WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they have been charged, or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.

Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:

- 1. That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and*
- 2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued*



presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.

- c) The removal of Recommendation 2 (i) 'Electors' General Meeting'.

Central Metropolitan Zone

That Recommendation 2 (g) be amended by deleting 'Local Governments' and inserting 'and/or other third party providers'.

Northern Country Zone

That the WALGA Recommendation be endorsed subject to the following amendment:

- Item 4 (k) Repayment of Advance Annual Payments; New Regulation.

That Elected Member payments should be made in arrears.

Goldfields Esperance Country Zone

That the GVROC:

1. Support all WALGA Recommendations in State Council Agenda Item 5.1; and
2. Commends to WALGA, for further investigation, the following matters as part of any further sector consultation:

Department of Local Government, Sport and Cultural Industries

- Support a comprehensive review of the Department of Local Government, Sport and Cultural Industries given the extent of proposed legislative change

Special Electors' Meeting: Section 5.28

- Support the deletion of section 5.28

Rating of Mining Camps

- Support the need for consistency and simplification in the rating of mining camps.

Decision Making: Simple/Absolute Majority

- Support a review of those decisions requiring simple/absolute majority.

Confidentiality Issue in the Act

- Seek a review of matters for which a meeting may be closed.

Central Country Zone

That Central Country Zone resolves as follows:

1. To support all WALGA Recommendations with the exception of those recommendations included in Issues 1 to 11 below:
 - i. (b) Notification of Affected Owners, Section 3.51:
 - a. NOT support the WALGA position.



- b. Support a position where “persons of interests” defined as those immediately adjoining proposed roadworks are recognised as the minimum in terms of persons notified
- ii. (j) Local Government (Rules of Conduct) Regulations 2007:
 - a. Support WALGA position;
 - b. Support further investigation, and consideration of, increased penalties.
- iii. (k) Imposition of Fees and Charges, Section 6.16:
 - a. Support WALGA position with an amendment for inclusion of model formulae for establishment of common fees, where appropriate, to ensure equity across the Local Government industry.
- iv. (a) Local and Statewide Public Notice, Sections 1.7 and 1.8:
 - a. Support the WALGA position with an amendment to include the flexibility for Local Government to utilise all available and appropriate means to advertise matters.
- v. Control of Certain Unvested Facilities, Section 3.53:
 - a. Not support the WALGA position; and,
 - b. Support an approach whereby legislation is amended to require the State Government to consult with Local Government on the future of all unvested land including any facilities located on the land.
- vi. (h) Gifts and Contributions to Travel, Sections 5.82 and 5.83:
 - a. Support WALGA position with an amendment that gifts to be declared by Elected Member, CEO.
- vii. (i) Vexatious and Frivolous Complainants, New Provision:
 - a. Support WALGA position; and,
 - b. Propose further investigation into an approach to deal with harassment on all means.
- viii. (j) Minutes, contents of, Regulation 11:
 - a. Support WALGA position; and,
 - b. Support further investigation into an improved system for recording of appropriate documents in Minutes that not only preserves confidentiality but also provides adequate information of public interest and context, with subsequent legislation.
- ix. (o) Service of Rates Notice, Section 6.41
 - a. Not Support WALGA position; and,
 - b. Support deletion of Section 6.41.
- x. (s) Schedule 2.1, Proposal to the Advisory Board, Number of Electors clause 2(1)(d):
 - a. Support WALGA position with an amendment to insert “10%” in lieu of “5%”.



- xi. (t) Schedule 2.2, Proposal to amend names, wards and representation, number of electors clause 3(1):
 - a. Not support WALGA position; and,
 - b. Support deletion of clause.
- 2. To note for WALGA's attention that the Zone considers matters related to CEO Employment to be sufficiently important to be further considered for review potentially in Phase 2 of the Local Government Act Review in particular the following aspects:
 - a. Further investigation into an approach whereby Local Government be encouraged to seek third party assistance in the recruitment, performance management and, if necessary, dismissal of a CEO, with appropriate legislation.
 - b. Confirmation that the mandatory involvement of the Public Sector Commission in the recruitment, performance management and, if necessary, dismissal of a CEO, is not supported

Murchison Country Zone

The Murchison Country Zone:

- 1. Opposes "Regional Capitals" being designated in the LG Act.
- 2. Requests further review of schedule 2.1 and 2.2 and any other similar numbers percentage clauses with possibility of incremental levels being inserted taking into account shires with a low population or low numbers of electors.
- 3. Supports new proposal and or differentiation between local governments on a tiered compliance basis.
- 4. Supports a full review of the current rating structure including the current methods of valuation, taking into account the compliance burden for councils requiring ministerial approval for differential rating between Mining and Pastoral UV categories.

SECRETARIAT COMMENT

Due to the complexity of the Local Government Act Review Item, an overview of the recommendations will be provided at the meeting.

The Chair advised that each recommendations would be considered separately.



Moved: Cr Doug Thompson
Seconded: Mayor Tracey Roberts

1. That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:
 - (a) Uphold the General Competence Principle currently embodied in the Local Government Act;
 - (b) Provide for a flexible, principles-based legislative framework;
 - (c) Promote a size and scale compliance regime; and
 - (d) Support a Department of Local Government role as an enabler for the Local Government sector.

AMENDMENT

Moved: Cr Paul Kelly
Seconded: Cr Philip Blight

That item (d) be removed and now read:

1. That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:
 - (a) Uphold the General Competence Principle currently embodied in the Local Government Act;
 - (b) Provide for a flexible, principles-based legislative framework; and
 - (c) Promote a size and scale compliance regime

CARRIED

**THE MOTION AS AMENDED WAS PUT AND CARRIED.
RESOLUTION 120.6/2017**

Note: WALGA staff to report to the next State Council meeting on the role of the Department of Local Government.

Moved: Cr Paul Kelly
Seconded: Mayor Tracey Roberts

2. That State Council endorse the retention of current WALGA Policy positions as listed:

- (a) Method of Election of Mayor/President: Section 2.11

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.
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- (b) Notification of Affected Owners: Section 3.51

Position	Section 3.51 of the Local Government Act 1995 concerning
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Statement	<p>“Affected owners to be notified of certain proposals” should be amended to achieve the following effects:</p> <ol style="list-style-type: none"> 1. to limit definition of “person having an interest” to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and 2. to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).
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(c) Regional Local Governments: Part 3, Division 4

Position Statement	The compliance obligations of Regional Local Governments should be reviewed.
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(d) Council Controlled Organisations: Part 3, Division 4

Position Statement	The Local Government Act 1995 should be amended to enable Local Governments to establish Council Controlled Organisations (CCO).
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(e) Tender Threshold: Local Government (Functions and General) Regulation 11(1)

Position Statement	WALGA supports an increase in the tender threshold to align with the State Government tender threshold (\$250 000).
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(f) Regional Subsidiaries

Position Statement	<p>That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to:</p> <ul style="list-style-type: none"> - Borrow in their own right; - Enter into land transactions; and - Undertake commercial activities
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(g) Conduct of Postal Elections: Sections 4.20 and 4.61

Position Statement	The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) <u>and or any other third party provider</u> to conduct postal elections.
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(h) Voluntary Voting: Section 4.65

Position Statement	Voting in Local Government elections should remain voluntary.
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(i) Electors’ General Meeting: Section 5.27

Position Statement	Section 5.27 of the Local Government Act 1995 should be amended so that Electors’ General Meetings are not compulsory.
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(j) Local Government (Rules of Conduct) Regulations 2007

Position	WALGA supports:
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Statement	<ol style="list-style-type: none"> 1. Official Conduct legislation to govern the behaviour of Elected Members; 2. An efficient and effective independent Standards Panel process; 3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and, 4. Confidentiality for all parties being a key component of the entire process.
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(k) Imposition of Fees and Charges: Section 6.16

Position Statement	That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.
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(l) Rating Exemptions – Rate Equivalency Payments

Position Statement	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.
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(m) Rating Restrictions – State Agreement Acts

Position Statement	Resource projects covered by State Agreement Acts should be liable for Local Government rates.
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(n) Poll Provisions

Position Statement	Schedule 2.1 of the Local Government Act 1995 should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.
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(o) Stand Down Provision

Position Statement	<p>WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.</p> <p>Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:</p> <ol style="list-style-type: none"> 1. That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and 2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is
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	awareness, consistency and opportunity for avoidance.
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(p) Method of Voting - Schedule 4.1

Position Statement	Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.
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Amendment

Moved: Cr Kate Driver
Seconded: Cr Michelle Rich

That WALGA rescind the current policy in relation to section 5.27 of the Local Government Act.

LOST

THE PRIMARY MOTION WAS PUT AND CARRIED.
RESOLUTION 121.6/2017

Moved: Cr Chris Mitchell
Seconded: Cr Karen Chappel

3. That State Council:

(a) Amend current WALGA Policy position 'Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)' by adding Item 3:

1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Age Care Act 1997;
2. Either:
 - a. amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or
 - b. establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates; and
3. Request that a broad review be conducted into the justification and fairness of a rating exemption categories currently prescribed under Section 6.26 of the Local Government Act.



- (b) Amend current WALGA Policy position 'Elected Member Training' to read:

That WALGA:

1. Supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;
 - i. Understanding Local Government;
 - ii. Serving on Council;
 - iii. Understanding Financial Reports and Budgets;
 - iv. Conflicts of Interest; and,
 - v. Meeting Procedures and Debating.
2. Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;
3. Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members; and,
4. Supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member.

RESOLUTION 122.6/2017

CARRIED

Moved: Cr Julie Brown
Seconded: Cr Chris Mitchell

4. That State Council adopt as WALGA Policy positions the following items as listed:

- (a) Local and Statewide Public Notice: Sections 1.7 and 1.8

That Sections 1.7 and 1.8 of the Local Government Act be amended to remove the statutory requirements for statewide and local public notice to be placed in a newspaper circulating statewide or locally, to be replaced with the requirement for a Local Government to place public notices on their website.

- (b) Leave of Absence when Contesting State or Federal Election

Amend the Act to require an Elected Member to take leave of absence when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- (a) that an Elected Member remove themselves from any decision making role and not attend Council and Committee meetings; or
- (b) that an Elected Member take leave of absence from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

- (c) Control of Certain Unvested Facilities: Section 3.53

That Section 3.53 be repealed and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.



(d) **Dispositions of Property: Local Government (Functions and General) Regulation 30(3)**

That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity.

(e) **On-Line Voting**

That WALGA continue to investigate online voting and other opportunities to increase voter turnout.

(f) **Special Electors' Meeting: Section 5.28**

That Section 5.28(1)(a) be amended:

(a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and
(b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.

(g) **Senior Employees: Section 5.37(2)**

That Section 5.37(2) of the Local Government Act be deleted.

(h) **Annual Review of Certain Employees Performance: Section 5.38**

That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review.

(i) **Gifts and Contributions to Travel: Sections 5.82 and 5.83**

That the *Local Government Act 1995* and Regulations be amended so that:

- There be one section for declaring gifts. Delete declarations for Travel.
- No requirement to declare gifts received in a genuinely personal capacity, as gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- Gift provisions only for Elected Members and CEO's.
- Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).
- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts, so Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

(j) **Vexatious and Frivolous Complainants: New Provision**

That a statutory provision be developed, permitting a Local Government to declare a member of the public a vexatious or frivolous complainant.



(k) **Revoking or Changing Decisions: Regulation 10**

That Regulation 10 be amended to clarify that a revocation or change to a previous decision does not apply to Council decisions that have already been implemented.

(l) **Minutes, contents of: Regulation 11**

That Regulation 11 be amended to require that information presented in a Council or Committee Agenda also be included in the Minutes to that meeting.

(m) **Repayment of Advance Annual Payments: New Regulation**

That regulations be drafted as matter of priority in relation to Section 5.102AB of the Local Government Act.

(n) **Power to Borrow: Section 6.20**

That Section 6.20(2) of the Local Government Act, requiring one month's public notice of the intent to borrow, be deleted.

(o) **Basis of Rates: Section 6.28**

That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives including simplifying and providing consistency in the rating of mining activities.

(p) **Differential General Rates: Section 6.33**

That Section 6.33 of the Local Government Act be reviewed in contemplation of time-based differential rating, to encourage development of vacant land.

(q) **Service of Rates Notice: Section 6.41**

That Section 6.41 be amended to:

- (a) permit the rates notice to be issued electronically; and
- (b) introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notices.

(r) **Rates or Service Charges Recoverable in Court: Section 6.56**

That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.

(s) **Exemption from AASB 124: Regulation 4**

That Regulation 4 of the *Local Government (Financial Management) Regulations* be amended to provide an exemption from the application of AASB 124 'Related Party Transactions' of the Australian Accounting Standards (AAS).

(t) **Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6)**



That Section 9.13 of the Local Government Act be amended by introducing the definition of 'responsible person' to enable Local Governments to administer and apply effective provisions associated with vehicle related offences

- (u) Schedule 2.1 – Proposal to the Advisory Board, Number of Electors clause 2(1)(d).

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 10% of electors) to 500 (or 10% of electors) whichever is fewer.

- (v) Schedule 2.2 – Proposal to amend names, wards and representation, Number of Electors clause 3(1)

That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 10% of electors) to 500 (or 10% of electors) whichever is fewer.

RESOLUTION 123.6/2017

CARRIED

Moved: Cr Malcolm Cullen
Seconded: President Cr Stephen Strange

5. That State Council note additional proposals as listed for future consideration following Sector consultation:

(a) New Proposal - Differentiating between Local Governments/Tiered Compliance

- Insert a new provision to differentiate between Local Governments based on capacity. This will reduce the compliance burden on smaller Local Governments with limited capacity and provide additional opportunities for local governments with capacity.
- Tiered application of legal framework and support a review of this approach.

(b) New Proposal – Regional Capitals Recognition

The Regional Capitals Alliance would welcome legislative change to enable regional capitals to be designated within the Act under Section 2.4 (District to be designated city, town or shire) and also that the Regional Capitals Alliance WA (RCAWA) be established as a recognised statutory body not dissimilar to the establishment of a regional local government currently provided for in the Act under Division 4 Section 3.61.

(c) New Proposal Section 2.21 – Disqualification because of Convictions

Add a disqualification criteria which disqualifies a person from being an Elected Member if they have been convicted of an offence against the Planning and Development Act, or the Building Act, in the preceding five years.



A planning or building system conviction is potentially more serious than a Local Government Act conviction because of Local Government's prominent role in planning and building control and the significant personal benefits which can be illegally gained through these systems.

(d) New Proposal – Local Laws

- Procedure for making local laws – Local Governments' local laws generally affect those persons within its district. The requirement to give statewide notice under subsection (3) should be reviewed and consideration being given to Local Governments only being required to advertise the proposed local law by way of local public notice;
- Eliminate the requirement to consult on Local Laws when a model is used;
- Periodic review of local laws – consideration might be given to review of this section and whether it could be deleted. Local Governments through administering local laws will determine when it is necessary to amend or revoke a local law in terms of meeting its needs for its inhabitants of its district. Other State legislation is not bound by such periodic reviews, albeit recognising such matters in subsidiary legislation are not as complex as matters prescribed in statute.

(e) New Proposal – Closure of Bridges for Repairs

Allow a bridge to be closed for urgent repairs and maintenance without notice, even if it will have significant adverse effects on users. The closure of a bridge will often have significant adverse effects on users. However, bridges may need to be closed for urgent repairs if there is a sign of weakness and, currently, the Act does not provide capacity to take this action without giving local public notice if the closure will be greater than four weeks.

(f) New Proposal Section 6.14 – Power to Invest

Allow Local Governments with capacity to invest in accordance with the Trustees Act in the manner that existed prior to the Global Financial Crisis. The Global Financial Crisis was a once in a generation experience (1987 and 1929 were the two previous financial crashes of extreme magnitude). Legislation should not be based on a worst case scenario but on a routine and general operating environment. Prior to the Global Financial Crisis, the previous legislation was adequately controlling Local Government investments.

(g) New Proposal – Financial Management Provisions

- Conduct a complete review of the Financial Management provisions under Part 6 of the Local Government Act and associated Regulations;

(h) New Proposal – Standards Panel

- Review of Standards Panel Legislative content and practices;.

(i) New Proposal – Local Government Election Provisions

- Review of Local Government election provisions under Part 4 of the Local Government Act and associated Regulations with a focus on lessons learnt in the



conduct of the 2017 elections including currently non-legislated matters such as candidate conduct and campaigning behaviours.

(j) New Proposal – CEO Employment

Investigate and Development a policy on an approach whereby Local Government be encouraged to seek third party assistance in the recruitment, performance management and, if necessary, dismissal of a CEO, with any necessary legislation.

(k) New Proposal – Section 3.58 and 3.59: Disposal of Property and Commercial Enterprises

That WALGA include in the Local Government Act 1995 Review submission, the review of section 3.58 Disposing of Property and section 3.59 Commercial Enterprises to be redrafted to reflect current commercial and contractual practices in Western Australia.

(l) New Proposal – Simple / Absolute Majority Decisions

That WALGA support a review of those decisions requiring simple / absolute majority.

RESOLUTION 124.6/2017

CARRIED

Moved: Cr Doug Thompson
Seconded: Cr Paul Kelly

6. That WALGA staff write to the zones advising the basis of explaining the feedback on the Composite recommendations.

RESOLUTION 125.6/2017

CARRIED



5.2 Submission to ERA – Western Power Access Arrangement (05-042-02-0001 DM)

By Dana Mason, (Policy Manager - Economics)

WALGA RECOMMENDATION

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	No comment
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

South Metropolitan Zone

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed subject to the inclusion of the following:

That:

- a) Western Power's Proposed Access Arrangement for the period 2017 to 2022 allow Local Government in WA to 'Bundle' power demands into one account that can be subject to Contestable Power Agreements (should it reach the threshold).
- b) Western Power's Proposed Access Arrangement for the period 2017 to 2022 includes and develops an ability for peer-to-peer trading of electrical power.
- c) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting in subdivisions, connected to the Western Power network, utilise LED technology.
- d) A recommendation that Western Power discount the cost of streetlight removal and streetlight upgrades by the recognised depreciation of the asset.

**SECRETARIAT COMMENT**

Points A and C of the Zone's resolution above are accommodated within the submission.

Points B and D of the resolution above have been included in the composite recommendation below.

Cr Paul Kelly declared an interest in this item and did not participate in debate or voting on this item.



Moved: Cr Philip Blight

Seconded: Cr Les Price

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed with the following amendments:

- a) Western Power's Proposed Access Arrangement for the period 2017 to 2022 includes and develops an ability for peer-to-peer trading of electrical power; and,
- b) A recommendation that Western Power discount the cost of streetlight removal and streetlight upgrades by the recognised depreciation of the asset.

AMENDMENT

Moved: Mayor Carol Adams

Seconded: Mayor Tracey Roberts

That point (c) be added as follows:

- c) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting in subdivisions, connected to the Western Power network, utilise LED technology.

CARRIED

THE MOTION AS AMENDED NOW READS:

That WALGA's submission to the Economic Regulation Authority on Western Power's Proposed Access Arrangement for the period 2017 to 2022 be endorsed with the following amendments:

- a) Western Power's Proposed Access Arrangement for the period 2017 to 2022 includes and develops an ability for peer-to-peer trading of electrical power; and,
- b) A recommendation that Western Power discount the cost of streetlight removal and streetlight upgrades by the recognised depreciation of the asset.
- c) WALGA advocate to the WA Government for a new policy requiring that all new street lighting installations, including replacement luminaires on existing installations, and all new street lighting in subdivisions, connected to the Western Power network, utilise LED technology.

THE MOTION AS AMENDED WAS PUT AND CARRIED.

RESOLUTION 126.6/2017


5.3 Public Health Act 2016 (05-031-01-0001 EDR)

By Evie Devitt-Rix, Senior Policy Advisor, Community

WALGA RECOMMENDATION

That State Council endorse WALGA's submission to the Department of Health's *First Interim State Public Health Plan* be endorsed.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	No comment
North Metropolitan Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

Northern Country Zone

That the item be deferred.

Moved: Cr Julie Brown

Seconded: President President Cr Karen Chappel

That State Council endorse WALGA's submission to the Department of Health's *First Interim State Public Health Plan* be endorsed.

RESOLUTION 127.6/2017

CARRIED



5.4 Outcome of Consultation - Short-Term Rental Accommodation and the Sharing Economy Discussion Paper (05-036-03-0016 CH)

By Christopher Hossen, Senior Planner – People & Place

WALGA RECOMMENDATION

That:

1. That WALGA request the Minister for Planning to establish, through the Department of Planning, Lands and Heritage, a Technical Working Group, with a goal to reviewing the planning framework in relation to short-term rental accommodation, that gives consideration to;
 - a. A review of Planning Bulletin 99 – Holiday Home Guidelines, with a particular emphasis on expanding the scope of Planning Bulletin 99 beyond 'Holiday Homes', to reflect changes in the accommodation market;
 - b. A review of 'Land Use' definitions within the Planning framework that relate to short-term accommodation; and
 - c. Establishing a 'preferred' approach for the management of 'home-sharing' within the planning framework.
2. That WALGA, in collaboration with member Local Governments, develop a model Short-Term Accommodation Local Law for those Local Governments who wish to regulate short-term accommodation providers.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	No comment
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	WALGA Recommendation Supported
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported



Moved: Mayor Carol Adams
Seconded: Cr Janet Davidson

That:

1. That WALGA request the Minister for Planning to establish, through the Department of Planning, Lands and Heritage, a Technical Working Group, with a goal to reviewing the planning framework in relation to short-term rental accommodation, that gives consideration to;
 - a. A review of Planning Bulletin 99 – Holiday Home Guidelines, with a particular emphasis on expanding the scope of Planning Bulletin 99 beyond 'Holiday Homes', to reflect changes in the accommodation market;
 - b. A review of 'Land Use' definitions within the Planning framework that relate to short-term accommodation; and
 - c. Establishing a 'preferred' approach for the management of 'home-sharing' within the planning framework.
2. That WALGA, in collaboration with member Local Governments, develop a model Short-Term Accommodation Local Law for those Local Governments who wish to regulate short-term accommodation providers.

RESOLUTION 128.6/2017

CARRIED



5.5 Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads (05-006-03-0001MB)

By Mark Bondiotti, Policy Manager Transport and Roads

WALGA RECOMMENDATION

That the 'Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads' be endorsed as a model policy for Local Government adoption.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	WALGA Recommendation Supported
North Metropolitan Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

Peel Zone

The Item 5.5 be deferred until technical expertise can be considered by the Peel Zone members and all members to provide advice back through the next zone meeting.

Northern Country Zone

That the Zone request the item be deferred for further input from Zones.

SECRETARIAT COMMENT

The policy, if endorsed by State Council, will be optional for Local Governments to use or amend for their own purposes.

Moved: Cr Malcolm Cullen
Seconded: President Cr Stephen Strange

That the 'Policy for Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads' be endorsed as a model policy for Local Government adoption.

RESOLUTION 129.6/2017

CARRIED


5.6 Review of the Western Australian Rail Access Regime (05-006-02- 0005 ID)

By Ian Duncan, Executive Manager, Infrastructure

WALGA RECOMMENDATION

That the interim submission to the West Australian Department of Treasury on the Review of the Western Australian Rail Access Regime be endorsed.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	WALGA Recommendation Supported
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	No comment
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South East Metropolitan Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

Moved: President Cr Stephen Strange
Seconded: Cr Chris Mitchell

That the interim submission to the West Australian Department of Treasury on the Review of the Western Australian Rail Access Regime be endorsed.

RESOLUTION 130.6/2017

CARRIED



5.7 Interim Submission on the Climate Change Authority's Review of the Carbon Farming Initiative Legislation and the Emissions Reduction Fund (05-028-01-0005 LS)

By Laura Simes, Environment Policy Advisor

WALGA RECOMMENDATION

That the interim submission in response to the Climate Change Authority's Review of the Carbon Farming Initiative Legislation and the Emissions Reduction Fund be endorsed.

Avon Midland Country Zone	WALGA Recommendation Supported
Central Country Zone	WALGA Recommendation Supported
Central Metropolitan Zone	WALGA Recommendation Supported
East Metropolitan Zone	WALGA Recommendation Supported
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Supported
Kimberley Zone	WALGA Recommendation Supported
Murchison Country Zone	WALGA Recommendation Supported
North Metropolitan Zone	WALGA Recommendation Supported
Northern Country Zone	No comment
Peel Zone	WALGA Recommendation Supported
Pilbara Zone	WALGA Recommendation Supported
South Metropolitan Zone	WALGA Recommendation Supported
South West Country Zone	WALGA Recommendation Supported

South East Metropolitan Zone

That the interim submission in response to the Climate Change Authority's Review of the Carbon Farming Initiative Legislation and the Emissions Reduction Fund be endorsed, subject to the Submission's recommendation being amended to read:

That Australian Government climate change mitigation policy settings should include measures which take advantage of the substantial emissions reductions that can be achieved by Local Governments, facilitated through funding provided by the Federal Government.



Moved: Mayor Logan Howlett

Seconded: Mayor Carol Adams

That the interim submission in response to the Climate Change Authority's Review of the Carbon Farming Initiative Legislation and the Emissions Reduction Fund be endorsed with the Submission's recommendation being amended to read:

That Australian Government climate change mitigation policy settings should include measures which take advantage of the substantial emissions reductions that can be achieved by Local Governments, facilitated through funding provided by the Federal Government.

RESOLUTION 131.6/2017

CARRIED

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS
(UNDER SEPARATE COVER)****5.8 Executive Committee Minutes (01-006-03-0006 TB)**

Moved: Mayor Logan Howlett
Seconded: President Cr Karen Chappel

That the Minutes of the Executive Committee meeting held 15 November 2017 including the 2017/18 Budget Revision be endorsed.

Voting Requirement: Absolute Majority

RESOLUTION 132.6/2017**CARRIED UNANIMOUSLY****5.9 Selection Committee Minutes (01-006-03-0011 MD)**

Moved: Mayor Logan Howlett
Seconded: Cr Janet Davidson

That:

1. The recommendations from the Selection Committee Minutes of 22 August 2017 be endorsed by State Council.
2. The resolutions from the Selection Committee Minutes of 22 August 2017 be noted by State Council.

RESOLUTION 133.6/2017**CARRIED****5.10 Appointments to Policy Teams and Committees**

Moved: Cr Doug Thompson
Seconded: Cr Kate Driver

That State Council:

1. Endorse the appointment of State Councillors to the following Policy Teams for the period up to the day before the December 2019 State Council meeting:

Environment and Waste Policy Team

(Administered by Mark Batty, Executive Manager)

- Cr Doug Thompson – Chair
- Cr Les Price – Deputy Chair
- Cr Kate Driver
- Cr Michelle Rich
- Cr Brian Oliver
- Cr Kerry White



Government & Organisational Service Policy Team

(Administered by Tony Brown, Executive Manager)

- President President Cr Karen Chappel – Chair
- Mayor Carol Adams – Deputy Chair
- Cr Keith House
- Mayor Logan Howlett
- Cr Russ Fishwick
- President Cr Cheryl Cowell

Infrastructure Policy Team

(Administered by Ian Duncan, Executive Manager)

- President Cr Stephen Strange – Chair
- Cr Giovanni Italiano – Deputy Chair
- President Cr Malcolm Cullen
- Mayor Tracey Roberts
- Cr Chris Mitchell
- Cr Julie Brown

People and Place Policy Team

(Administered by Joanne Burges, Executive Manager)

- President Cr Phillip Blight – Chair
- Cr Paul Kelly – Deputy Chair
- Cr Jan Court
- Cr Brooke O'Donnell
- Cr Janet Davidson
- Cr Tony Dean

2. **Endorse the appointment of State Councillors and external members to the following State Council committees for the period up to the day before the December 2019 State Council meeting:**

COMMITTEE	CHAIR	MEMBERS	EXTERNAL MEMBERS
Executive Committee Ricky Burges & Executive Team	Cr Lynne Craigie	Deputy President – Mayor Tracey Roberts Chair – Environment & Waste Team, Cr Doug Thompson Chair – Governance & Organisational Services Team, President Cr Karen Chappel Chair – Infrastructure Team, Cr Stephen Strange Chair – People & Place Team, Cr Phil Blight	Ms Joanne Abbiss



COMMITTEE	CHAIR	MEMBERS	EXTERNAL MEMBERS
		Deputy Members Deputy Chair – Environment and Waste Team, Cr Les Price Deputy Chair – Governance and Organisational Services Team, Mayor Carol Adams Deputy Chair – Infrastructure Team, Cr Giovanni Italiano Deputy Chair – People and Place Team, Cr Paul Kelly	
Honours Panel Tony Brown	Mayor Tracey Roberts	Cr Russ Fishwick President Cr Karen Chappel Ms Ricky Burges (CEO)	Mr Bill Mitchell Mr Murray Lang Ms Jenni Law (DLG)
Local Government House Trust Zac Donovan	Cr Lynne Craigie	Mayor Tracey Roberts Cr Paul Kelly President Cr Karen Chappel Ms Ricky Burges (CEO)	Mayor Henry Zelones (Metropolitan Constituency Member) Mayor Dennis Wellington (Country Constituency Member)
Selection Committee Tony Brown	Deputy President, Mayor Tracey Roberts	Cr Les Price Cr Kate Driver Ms Ricky Burges (CEO)	Mr Cliff Frewing (LG Professionals WA) Mr Damien Stewart (Independent)
MWAC Mark Batty	MWAC decide on Chair	Mayor Logan Howlett Cr Les Price Cr Brooke O'Donnell Cr Jan Court Observer – WALGA President	Regional Council and Officer representation to be advised.

3. Endorse the appointment of WALGA representatives to the following committees:

Freight Logistics Council Ian Duncan	Cr Stephen Strange
State Road Funds to Local Government Advisory Committee (SAC) Ian Duncan	Cr Lynne Craigie President Cr Karen Chappel Cr Paul Kelly Cr Keith House Ms Ricky Burges (CEO)

RESOLUTION 134.6/2017

CARRIED

**5.11 LGIS Governance Review (TB)**

Moved: Mayor Logan Howlett

Seconded: Cr Chris Mitchell

That:

1. The Deloitte Governance Review of LGIS report be received;
2. The actions recommended by the WALGA secretariat in response to the report be endorsed.

Amendment

Moved: Cr Paul Kelly

Seconded: President Cr Karen Chappel

Replace point two with the words "that the Board recommends to the next State Council meeting the distribution of all surplus funds for 2017/2018 financial year".

And add point three;

The WALGA officers report to the July 2018 State Council meeting on the progress of the implementation of the recommendations of the Deloitte Governance report.

CARRIED

The motion as amended now reads:

That:

1. The Deloitte Governance Review of LGIS report be received;
2. The Board recommends to the next State Council meeting the distribution of all surplus funds for 2017/2018 financial year";
3. The WALGA officers report to the July 2018 State Council meeting on the progress of the implementation of the recommendations of the Deloitte Governance report.

RESOLUTION 135.6/2017

CARRIED

5.12 LGISWA Scheme Board Report (ZD)

Moved: Mayor Logan Howlett

Seconded: Cr Janet Davidson

That the LGISWA October Board Report be noted.

RESOLUTION 136.6/2017

CARRIED

**5.13 Interview Report Independent Member LGSIS (TB)**

Moved: Mayor Carol Adams

Seconded: Cr Chris Cr Chris Mitchell

That the recommendation from the WALGA Interview Panel to appoint Mary Woodford to the Local Government Self Insurance Schemes Board (LGSIS) as Independent Member be endorsed.

RESOLUTION 137.6/2017

CARRIED



6. MATTERS FOR NOTING / INFORMATION

6.1 Consultation – Third Party Appeal Rights in Planning (06-06-01-0001 GC)

By Graham Congdon, Project Officer Planning

WALGA RECOMMENDATION

That State Council note the consultation being undertaken with members on Third Party Appeal Rights in Planning.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Supported
Great Eastern Country Zone	WALGA Recommendation Supported
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the consultation being undertaken with members on Third Party Appeal Rights in Planning.

RESOLUTION 138.6/2017

CARRIED



6.2 National Disability Insurance Scheme (NDIS) and support to Local Government (05-021-01-0002/1)

By Nina Hewson, Senior Policy Advisor, Community

WALGA RECOMMENDATION

That State Council notes the Association is continuing to support the sector and is awaiting State Government decision on the permanent National Disability Insurance Scheme administration model to progress work for the sector.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council notes the Association is continuing to support the sector and is awaiting State Government decision on the permanent National Disability Insurance Scheme administration model to progress work for the sector.

RESOLUTION 139.6/2017

CARRIED



6.3 Control of off-road vehicles (05-053-03-008 NH)

By Nina Hewson, Senior Policy Advisor, Community

WALGA RECOMMENDATION

That State Council note WALGA's further initiatives to address Local Government feedback concerning the control of off-road vehicles.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note WALGA's further initiatives to address Local Government feedback concerning the control of off-road vehicles.

RESOLUTION 140.6/2017

CARRIED


6.4 2017 - 2018 State Budget (05-088-03-001 DM)

By Dana Mason, Policy Manager

WALGA RECOMMENDATION

That State Council note the key outcomes for Local Governments in the 2017-18 Budget.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the key outcomes for Local Governments in the 2017-18 Budget.

RESOLUTION 141.6/2017

CARRIED



6.5 Productivity Commission Inquiry into Horizontal Fiscal Equalisation (05-088-03-0001 DM)

By Dana Mason, Policy Manager

WALGA RECOMMENDATION

That State Council note the release of the Inquiry into Horizontal Fiscal Equalisation (HFE) draft report.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the release of the Inquiry into Horizontal Fiscal Equalisation (HFE) draft report.

RESOLUTION 142.6/2017

CARRIED



6.6 Review of Climate Change Policy (05-028-03-0011 LS)

By Laura Simes, Environment Policy Advisor

WALGA RECOMMENDATION

That State Council note the release of the **WALGA Climate Change Policy Statement Review: Discussion Paper** on 6 November 2017, for comment by 15 December 2017.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the release of the **WALGA Climate Change Policy Statement Review: Discussion Paper** on 6 November 2017, for comment by 15 December 2017.

RESOLUTION 143.6/2017

CARRIED


6.7 Container Deposit Scheme Submission (05-040-03-0001RNB)

By Rebecca Brown (Manager, Waste and Recycling).

WALGA RECOMMENDATION

That State Council note the *Submission on the Western Australian Container Deposit Scheme Discussion Paper*.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Noted
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the *Submission on the Western Australian Container Deposit Scheme Discussion Paper*.

RESOLUTION 144.6/2017

CARRIED


6.8 Household Hazardous Waste Program – Next Phase (06-043-01-0001RNB)

By Rebecca Brown (Manager, Waste and Recycling).

WALGA RECOMMENDATION

That State Council note the development of the next phase of the Household Hazardous Waste Program.

Avon Midland Country Zone	WALGA Recommendation Noted
Central Country Zone	WALGA Recommendation Noted
Central Metropolitan Zone	WALGA Recommendation Noted
East Metropolitan Zone	WALGA Recommendation Noted
Gascoyne Zone	WALGA Recommendation Supported
Goldfields Esperance Country Zone	WALGA Recommendation Noted
Great Eastern Country Zone	WALGA Recommendation Noted
Great Southern Country Zone	WALGA Recommendation Noted
Kimberley Zone	WALGA Recommendation Noted
Murchison Country Zone	WALGA Recommendation Noted
North Metropolitan Zone	WALGA Recommendation Noted
Northern Country Zone	WALGA Recommendation Noted
Peel Zone	WALGA Recommendation Noted
Pilbara Zone	WALGA Recommendation Noted
South East Metropolitan Zone	WALGA Recommendation Noted
South Metropolitan Zone	WALGA Recommendation Noted
South West Country Zone	WALGA Recommendation Noted

Moved: Cr Janet Davidson
Seconded: Mayor Carol Adams

That State Council note the development of the next phase of the Household Hazardous Waste Program.

RESOLUTION 145.6/2017

CARRIED



7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB)

Moved: Mayor Logan Howlett

Seconded: Mayor Tracey Roberts

That the Key Activity Report from the Environment and Waste Unit to the December 2017 State Council meeting be noted.

RESOLUTION 146.6/2017

CARRIED

7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)

Moved: Mayor Logan Howlett

Seconded: Mayor Tracey Roberts

That the Key Activity Report from the Governance and Organisational Services Unit to the December 2017 State Council meeting be noted.

RESOLUTION 147.6/2017

CARRIED

7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)

Moved: Mayor Logan Howlett

Seconded: Mayor Tracey Roberts

That the Key Activity Report from the Infrastructure Unit to the December 2017 State Council meeting be noted.

RESOLUTION 148.6/2017

CARRIED

7.1.4 Report on Key Activities, People and Place (01-006-03-0014 JB)

Moved: Mayor Logan Howlett

Seconded: Mayor Tracey Roberts

That the key Activity Report from the People and Place Unit to the December 2017 State Council meeting be noted.

RESOLUTION 149.6/2017

CARRIED

7.2 Policy Forum Report (01-006-03-0007 TB)

Moved: Mayor Logan Howlett

Seconded: Mayor Tracey Roberts



That the report on the key activities of the Association's Policy Forums to the November 2017 State Council meeting be noted.

RESOLUTION 150.6/2017

CARRIED

7.3 President's Report

Moved: Mayor Logan Howlett
Seconded: Mayor Tracey Roberts

That the President's Report for November 2017 be received.

RESOLUTION 151.6/2017

CARRIED

7.4 CEO's Report

Moved: Mayor Logan Howlett
Seconded: Mayor Tracey Roberts

That the CEO's Report for December 2017 be received.

RESOLUTION 152.6/2017

CARRIED

7.5 Local Government Professionals (WA)
--

Local Government Professionals (WA) President, Mr Ian Cowie provided an update to State Council.



8. ADDITIONAL ZONE RESOLUTIONS

Moved: Cr Doug Thompson
 Seconded: Mayor Carol Adams

That the additional Zone Resolutions from the November 2017 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 153.6/2017

CARRIED

CENTRAL COUNTRY ZONE – VEHICLE LICENSING SERVICES (Infrastructure)

That WALGA be requested to consider including this matter as an emerging issue at the State Council meeting on Wednesday 6 December 2017.

Note: This item was considered as item 4.2.

CENTRAL METROPOLITAN ZONE – WALGA CONSULTATION PROCESSES

That WALGA use its best endeavours not to conduct consultation with the sector leading to the biennial election period.

CENTRAL METROPOLITAN ZONE – BUILDING CODE ON SHORT STAY ACCOMMODATION (People and Place)

That WALGA develop a Discussion paper on the effects of the Building Code on a planning approval for short-stay accommodation.

EAST METROPOLITAN ZONE – REGIONAL STATE COUNCIL MEETING (Governance and Organisational Service)

That:

1. The East Metropolitan Zone of WALGA host the May 2018 Regional Meeting of State Council on Thursday, 3 May and Friday, 4 May 2018; and,
2. The City of Kalamunda act as primary liaison between the Zone and WALGA by providing assistance in the form of:
 - a. A function room to host the Zone Forum and State Council meeting;
 - b. Logistical and organisational support in relation to a tour; and,
 - c. Advice relating to accommodation and a dinner venue.

GOLDFIELDS ESPERANCE COUNTRY ZONE – HERITAGE BILL (People and Place)

That GVROC request WALGA's support in ensuring that local governments are not adversely impacted by the passing of the Heritage Bill 2017



GREAT EASTERN COUNTRY ZONE - LOCAL GOVERNMENT ACT REVIEW (Governance and Organisational Service)

That the WALGA Great Eastern Country Zone recommends to the current Local Government Act review panel that "Unimproved Valuations" for the purpose of local government rating for both agricultural land and mining tenements be altered so as to have an Unimproved Valuation for Rural areas only, to be known as "*Agricultural Values*" and a separate value for mining tenement areas to be known as "*Mining Tenement Values*".

GREAT EASTERN COUNTRY ZONE – EMERGENCY MANAGEMENT (People and Place)

That the Zone requests that WALGA express its disappointment to the Office of Emergency Management that there has been no progress on this important emergency management issue and in the event that the matter cannot be progressed WALGA be requested to take the issue up with the Minister for Emergency Management.

MURCHISON COUNTRY ZONE – LOCAL GOVERNMENT WEEK (Finance and Marketing)

That the Murchison Regional Country Zone of WALGA believes that Local Government Week has become and continues to be City (Metro) Centric and calls on the Board of WALGA to make presentations and seminars to be more regional/country focused to enable country Councils to feel their issues and concerns are being addressed.

NORTHERN COUNTRY ZONE – ISSUING OF FIRE RESPONSE VEHICLE IDENTIFICATION STICKERS (People and Place)

That the Northern Country Zone of WALGA requests WALGA to liaise with the Department of Fire and Emergency Services to have the process of identifying Fire Response Vehicles (particularly those of volunteers) simplified to ensure that the turnout of units at a fire is not impacted in any way.

The Zone request this item be considered as an Emerging Issue Item for the 6 December State Council Meeting.

Note: This item was considered as item 4.1.

NORTHERN COUNTRY ZONE – REGIONAL STATE COUNCIL MEETING (Governance and Organisational Services)

That:

1. The Northern Country Zone of WALGA host the September 2018 Regional Meeting of State Council on Thursday, 6 September and Friday, 7 September 2018 in Dongara: and,
2. The Zone Executive Officer and or the Shire of Irwin act as primary liaison between the Zone and WALGA by providing assistance in the form of:
 - a. A venue to host lunch on the Thursday and a function room to host the Zone Forum and State Council meeting;
 - b. Logistical and organisational support in relation to a tour;
 - c. Advice and assistance relating to accommodation and a dinner venue; and,
 - d. Other assistance as necessary.



SOUTH EAST METROPOLITAN ZONE – PLANNING FOR SCHOOLS (People and Place)

1. That WALGA ask the WA Planning Commission to reinstate the school site planning committee (with representatives from Local Government) to provide the Department of Education with advice on the planning of future school sites and, in particular, the need for adequate parking.
2. That WALGA ask the WA Planning Commission to revisit the number of parking and set down bays required for schools and increase these numbers to ensure that they are satisfactory in light of current demand.
3. That WALGA emphasize to the WA Planning Commission that all new schools should be designed with sufficient parking for the school when it reaches its maximum capacity. (Not all of this parking needs to be constructed or installed initially, if the school's initial intake is small. However, it is all too common to see school student numbers grow rapidly, with additional transportable classrooms being established within a very short period after initial construction. If parking, or set down provision, does not expand to meet the increased student numbers, parking difficulties will magnify).

SOUTH WEST COUNTRY ZONE – EMERGENCY SERVICES LEVY GRANT SCHEME (People and Place)

That WALGA be requested to lobby the State Government for:

1. A comprehensive review of items of eligible expenditure under the Local Government Grant Scheme to enable the full costs of operating Volunteer Bush Fire Brigades to be met, and
 2. The establishment of the general principle of equality of eligible expenditure across all emergency services for operating costs associated with their activities.
-
9. **MEETING ASSESSMENT**
Cr Janet Davidson provided feedback as to the effectiveness of the meeting.
 10. **DATE OF NEXT MEETING**
That the next meeting of the Western Australia Local Government Association State Council be held in the Boardroom at WALGA, ONE70 Railway Parade, West Leederville, on Wednesday 7 March 2018 commencing 4pm.
 11. **CLOSURE**
There being no further business the President declared the meeting closed at 6.29pm.



Ordinary Meeting of Council

MINUTES

Thursday 7 December 2017, 6:00pm
City of Vincent
244 Vincent Street, Leederville

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

Minutes TPRC Meeting of Council – 7 December 2017

TABLE OF CONTENTS

MEMBERSHIP	3
1. OFFICIAL OPENING	5
DISCLOSURE OF INTERESTS	5
2. PUBLIC STATEMENT/QUESTION TIME	5
3. APOLOGIES AND LEAVE OF ABSENCE	5
4. PETITIONS	5
5. CONFIRMATION OF MINUTES	5
5A. BUSINESS ARISING FROM MINUTES	5
6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)	6
7. MATTERS FOR WHICH MEETING MAY BE CLOSED	6
8. REPORTS OF COMMITTEES.....	6
9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.14).....	6
9.1 BUSINESS REPORT – PERIOD ENDING 30 NOVEMBER 2017	6
9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2017.....	6
9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF SEPTEMBER & OCTOBER 2017	7
9.4 PROJECT FINANCIAL REPORT – OCTOBER 2017	7
9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 30 NOVEMBER 2017	7
9.6 REVIEW OF PURCHASER TERMS AND CONDITIONS	7
9.7 MANAGEMENT COMMITTEE – TERMS OF REFERENCE/DELEGATIONS.....	8
9.8 EARLY CONSTRUCTION REBATE – AGED STOCK.....	8
9.9 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2017	9
9.10 DELEGATION AUTHORITY 2017	9
9.11 COUNCIL MEETING SCHEDULE 2018	10
9.12 UDIA 2018 NATIONAL CONGRESS.....	10
9.13 REVIEW OF PROJECT MILESTONES FYE 2018 - CONFIDENTIAL	11
9.14 PROJECT BUDGET FYE 2018 – MID-YEAR REVIEW - CONFIDENTIAL	11
10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	13
11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	13
12. URGENT BUSINESS APPROVED BY THE CHAIRMAN	13
13. MATTERS BEHIND CLOSED DOORS	13
14. GENERAL BUSINESS	13
15. FORMAL CLOSURE OF MEETING	13

Minutes TPRC Meeting of Council – 7 December 2017

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jo McAllister
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Sophie Dwyer Cr Christine Hamilton-Prime
City of Perth	Cr Lexi Barton	Cr Janet Davidson
City of Stirling	Cr Karen Caddy Cr Joe Ferrante Cr Giovanni Italiano (CHAIRMAN) Cr Bianca Sandri	Cr Suzanne Migdale
Town of Victoria Park	Cr Claire Anderson	Cr Ronhhda Potter
City of Vincent	Mayor Emma Cole	Cr Jimmy Murphy
City of Wanneroo	Cr Samantha Fenn Cr Brett Treby (DEPUTY CHAIRMAN)	Cr Russell Driver Cr Domenic Zappa

Minutes TPRC Meeting of Council – 7 December 2017

PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Claire Anderson Cr Lexi Barton Cr Karen Caddy Cr John Chester Cr Samantha Fenn Cr Joe Ferrante Cr Giovanni Italiano Cr Nige Jones Cr Bianca Sandri Cr Andres Timmermanis Cr Brett Treby
Alternate Members	Cr Jimmy Murphy
Staff	Mr Tony Arias (Chief Executive Officer) Mr Luke Aitken (Project Coordinator) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Emma Cole Cr Joe Ferrante
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Nigel Satterley (Satterley Property Group) Mr Kim Lawrance (Satterley Property Group) Ms Lauren Vidler (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Jason Buckley (Town of Cambridge) Mr Stuart Jardine (City of Stirling) Mr Martin Mileham (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Len Kosova (City of Vincent) Mr Jason Lyon (Town of Cambridge)
Members of the Public	Nil
Press	Nil

Minutes TPRC Meeting of Council – 7 December 2017

1. OFFICIAL OPENING

The Chairman declared the meeting open at 6:06pm and welcomed Councillors to the Tamala Park Regional Council meeting and wished Councillors the best over the next two years. The Chairman acknowledged Cr Murphy as alternate member for the City of Vincent.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Emma Cole
Cr Joe Ferrante

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 12 October 2017

Moved Cr Chester, Seconded Cr Treby.

That the minutes of the Ordinary Meeting of Council of 12 October 2017 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

Special Meeting of Council – 9 November 2017

Moved Cr Treby, Seconded Cr Fenn.

That the minutes of the Special Meeting of Council of 9 November 2017 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

5A. BUSINESS ARISING FROM MINUTES

Nil

Minutes TPRC Meeting of Council – 7 December 2017

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.13 Review of Project Milestones FYE 2018 - Confidential
9.14 Project Budget Mid-Year Review FYE 2018 - Confidential

8. REPORTS OF COMMITTEES

Management Committee Meeting – 23 November 2017

Cr Treby – Chairman Management Committee advised that the Committee considered a number of Items listed in this agenda which were recommended to Council including several confidential items that he would provide further comments on when the items were formally considered.

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.14)**9.1 BUSINESS REPORT – PERIOD ENDING 30 NOVEMBER 2017**

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 30 November 2017.

The Motion was put and declared CARRIED (11/0).

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2017

Moved Cr Caddy, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- 30 September 2017; and
- 31 October 2017.

The Motion was put and declared CARRIED (11/0).

Minutes TPRC Meeting of Council – 7 December 2017

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF SEPTEMBER & OCTOBER 2017

Moved Cr Caddy, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of September and October 2017:

- **Month ending 30 September 2017 (Total \$841,502.11)**
- **Month ending 31 October 2017 (Total \$1,057,247.79)**
- **Total Paid - \$1,898,749.90**

The Motion was put and declared CARRIED (11/0).

9.4 PROJECT FINANCIAL REPORT – OCTOBER 2017

Moved Cr Sandri, Seconded Cr Caddy.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (October 2017) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (11/0).

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 30 NOVEMBER 2017

Moved Cr Treby, Seconded Cr Murphy.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 30 November 2017.

The Motion was put and declared CARRIED (11/0).

9.6 REVIEW OF PURCHASER TERMS AND CONDITIONS

Moved Cr Caddy, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the following Purchaser Terms/Conditions and Incentives for all public and builder release lots for the period December 2017 to December 2018:**

- 1.1 Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexure.**
- 1.2 A \$2,000 deposit to be used in the Sales Contracts for Catalina Central and a \$5,000 deposit to be used in the Sales Contracts for Catalina Beach.**

Minutes TPRC Meeting of Council – 7 December 2017

- 1.3 A finance approval period of 60 days for Catalina Central and 45 days for Catalina Beach, where finance is required.
 - 1.4 A 21-day settlement period from finance approval or the issue of titles, whichever is the later.
 - 1.5 A waterwise landscaping package to the front garden.
 - 1.6 A \$2,000 rebate for all homes constructed with a minimum 1.5kW capacity photovoltaic solar power system.
 - 1.7 Side and rear boundary fencing (behind the building line).
 - 1.8 A \$1,000 rebate for all homes which include appropriate WELS rated fittings and fixtures.
 - 1.9 Sales incentives (Items 1.5 – 1.8) subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.
2. **REQUESTS** the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for public release and builder release lots and provide a report to Council for consideration in December 2018.

The Motion was put and declared CARRIED (11/0).

9.7 MANAGEMENT COMMITTEE – TERMS OF REFERENCE/DELEGATIONS

Moved Cr Sandri, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council APPROVES the Terms of Reference and Delegations to the Management Committee (November 2017).

Moved Cr Timmermanis.

That the Council APPROVES the Terms of Reference and Delegations to the Management Committee (November 2017), subject to the deletion of Delegation 4.

The Motion lapsed due to lack of seconder.

The recommendation in the agenda was put and declared CARRIED BY ABSOLUTE MAJORITY (10/1).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Murphy, Cr Sandri and Cr Treby

Against: Cr Timmermanis

9.8 EARLY CONSTRUCTION REBATE – AGED STOCK

Moved Cr Sandri, Seconded Cr Jones.

[The recommendation in the agenda]

Minutes TPRC Meeting of Council – 7 December 2017

That the Council:

1. **RECEIVES** the correspondence on the Early Construction Rebate, prepared by the Satterley Property Group, dated November 2017.
2. **APPROVES** the extension of the payment of an Early Construction Rebate for lots in Catalina Central to the value of \$8,000 per lot for selected lots on the market for more than 6 months for contracts entered into after 30 December 2017 and until 30 December 2018. Subject to the purchaser providing a copy of a signed Building Contract prior to settlement, with the rebate being paid to the purchaser's nominated builder within 6 months of the settlement of the lot.

Moved Cr Timmermanis

That Recommendation 2 be modified to increase the value of the Early Construction Rebate for lots in Catalina Central to \$12,000.

The Motion lapsed due to lack of seconder.

The recommendation in the agenda was put and declared CARRIED BY ABSOLUTE MAJORITY (10/1).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Murphy, Cr Sandri and Cr Treby

Against: Cr Timmermanis

9.9 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2017

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the year ended 30 June 2017.

The Motion was put and declared CARRIED BY ABSOLUTE MAJORITY (10/1).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Murphy, Cr Sandri and Cr Treby

Against: Cr Timmermanis

9.10 DELEGATION AUTHORITY 2017

Moved Cr Treby, Seconded Cr Caddy.

[The recommendation in the agenda]

That Council APPROVES the Delegation Register 2017 (December 2017).

The Motion was put and declared CARRIED BY ABSOLUTE MAJORITY (11/0).

Minutes TPRC Meeting of Council – 7 December 2017

9.11 COUNCIL MEETING SCHEDULE 2018

Moved Cr Jones, Seconded Cr Barton.

[The recommendation in the agenda]

1. That the schedule of Council meetings dates be APPROVED for 2018 as follows:

- 15 February 2018 (Town of Cambridge)
- 19 April 2018 (City of Joondalup)
- 21 June 2018 (City of Wanneroo)
- 16 August 2018 (Town of Victoria Park)
- 18 October 2018 (City of Vincent)
- 6 December 2018 (City of Perth)

2. That the commencement time for Council meetings be 6:00pm.

3. That Council meetings be held on a rotational basis at participant Council premises.

4. That the schedule of Management Committee meetings dates be APPROVED for 2018 as follows:

- 15 March 2018
- 24 May 2018
- 19 July 2018
- 20 September 2018
- 8 November 2018

5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.

6. That the schedule of meeting dates be advertised as required by the Local Government Act.

The Motion was put and declared CARRIED (11/0).

9.12 UDIA 2018 NATIONAL CONGRESS

Moved Cr Chester, Seconded Cr Sandri.

That the Council AUTHORISES Cr Italiano, Cr Treby and the CEO to attend the 2018 Urban Development Institute of Australia National Congress in Melbourne to be held on 20-22 March 2018.

The Motion was put and declared CARRIED (10/1).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Murphy, Cr Sandri and Cr Treby

Against: Cr Timmermanis

Minutes TPRC Meeting of Council – 7 December 2017

Moved Cr Treby, Seconded Cr Jones.

That Standing Orders be suspended to allow Confidential Items 9.13 and 9.14 to be discussed behind closed doors.

The Motion was put and declared CARRIED (11/0).

Council's Consultants vacated the meeting.

9.13 REVIEW OF PROJECT MILESTONES FYE 2018 - CONFIDENTIAL

Moved Cr Caddy, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Satterley Property Group report on Project Milestones (October 2017).**
- 2. ADVISES the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two milestone reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second milestone review is satisfactorily completed.**
- 3. ADVISES the Satterley Property Group that it notes that a number of the designated milestones in the Annual Plan have not been met and that these need to be satisfactorily addressed so that they do not adversely affect the Project.**

The Motion was put and declared CARRIED (9/2).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Sandri and Cr Treby

Against: Cr Murphy and Cr Timmermanis

9.14 PROJECT BUDGET FYE 2018 – MID-YEAR REVIEW - CONFIDENTIAL

Moved Cr Jones, Seconded Cr Chester.

[The recommendation in the agenda]

Recommendation

That the Council:

- 1. RECEIVES the FYE 2018 Mid-Year Budget Review (November 2017), submitted by the Satterley Property Group.**

Recommendation 1 was put and declared CARRIED (11/0).

Minutes TPRC Meeting of Council – 7 December 2017

2. **ACCEPTS** that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.5 *Monitor the performance against the Approved Project Budget* requiring the completion of a six-monthly review of the approved Project Budget.

Recommendation 2 was put and declared CARRIED (11/0).

3. **ADVISES** the Satterley Property Group that the Project Budget FYE 2018 (July 2017) has been used as the basis of project and financial planning and inputs to the TPRC Budget FYE 2018 and relied upon for cashflow purposes and that the Council is concerned with the significant variances forecast in the SPG FYE 2018 Mid-Year Budget Review and potential impacts on the TPRC FYE 2018 Budget.

Recommendation 3 was put and declared CARRIED (10/1).

For: Cr Anderson, Cr Barton, Cr Caddy, Cr Chester, Cr Fenn, Cr Italiano, Cr Jones, Cr Murphy, Cr Sandri and Cr Treby

Against: Cr Timmermanis

Moved Cr Caddy, Seconded Cr Treby.

That Standing Orders be reinstated and the meeting doors be opened.

The Motion was put and declared CARRIED (11/0).

Council's Consultants returned to the meeting.

The recommendations for Confidential Items 9.13 and 9.14 were read out as follows:

9.13 REVIEW OF PROJECT MILESTONES FYE 2018

That the Council:

1. *RECEIVES* the Satterley Property Group report on Project Milestones (October 2017).
2. *ADVISES* the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two milestone reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second milestone review is satisfactorily completed.
3. *ADVISES* the Satterley Property Group that it notes that a number of the designated milestones in the Annual Plan have not been met and that these need to be satisfactorily addressed so that they do not adversely affect the Project.

9.14 PROJECT BUDGET FYE 2018 – MID-YEAR REVIEW

That the Council:

1. *RECEIVES* the FYE 2018 Mid-Year Budget Review (November 2017), submitted by the Satterley Property Group.

Minutes TPRC Meeting of Council – 7 December 2017

2. *ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.5 Monitor the performance against the Approved Project Budget requiring the completion of a six-monthly review of the approved Project Budget.*
3. *ADVISES the Satterley Property Group that the Project Budget FYE 2018 (July 2017) has been used as the basis of project and financial planning and inputs to the TPRC Budget FYE 2018 and relied upon for cashflow purposes and that the Council is concerned with the significant variances forecast in the SPG FYE 2018 Mid-Year Budget Review and potential impacts on the TPRC FYE 2018 Budget.*

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

9.13 *Review of Project Milestones FYE 2018*

9.14 *Project Budget FYE 2018 – Mid-Year Review*

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.29pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2018

as a true record of proceedings.

CHAIRMAN



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

14 DECEMBER 2017

TOWN OF VICTORIA PARK

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE	3
3	DECLARATION OF INTERESTS.....	4
4	PUBLIC QUESTION TIME	4
5	ANNOUNCEMENTS BY THE PRESIDING PERSON.....	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	PETITIONS / DEPUTATIONS / PRESENTATIONS	4
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
8.1	ORDINARY COUNCIL MEETING 9 NOVEMBER 2017.....	4
9	CHIEF EXECUTIVE OFFICER REPORTS	5
9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED	5
	30 SEPTEMBER 2017 and 31 OCTOBER 2017	5
9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED	7
	30 SEPTEMBER 2017 AND 31 OCTOBER 2017	7
9.3	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2018	9
9.4	CHANGE TO THE TITLE AND TERMS OF REFERENCE OF THE CEO PERFORMANCE REVIEW COMMITTEE TO INCLUDE THE RECRUITMENT OF A CEO.....	13
9.5	RESOURCE RECOVERY FACILITY - PROPOSAL TO ERECT A COLORBOND SHED	17
9.6	ADOPTION OF THE 2017 ANNUAL REPORT	21
9.7	ENERGY FROM WASTE CONFERENCE.....	25
9.8	CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE CEO RECRUITMENT PROCESS	26
9.9	PURSUING A NEW DEPOSITED PLAN WITH THE OWNERS OF LOT 9023 ON DEPOSITED PLAN 54969 TO PROTECT THE BUFFER ZONE REQUIRED BY THE MINDARIE REGIONAL COUNCIL TO MANAGE THE LANDFILL	28
10	MEMBERS INFORMATION BULLETIN – ISSUE NO.38	38
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	38
12	URGENT BUSINESS.....	38
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	38
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	39
14.1	RESOURCE RECOVERY FACILITY (ENERGY FROM WASTE) - AWARD OF TENDER – DEFERRED ITEM.....	39
9.7	ENERGY FROM WASTE CONFERENCE.....	41
15	NEXT MEETING	43
16	CLOSURE	43

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Prior to the commencement of the meeting Cr Albert Jacob made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council in accordance with the Transitional Provisions of the Local Government Act 1995 (Schedule 9.3) using s.702 of the Local Government Act 1960 (repealed). Cr Jacob replaces Cr Fishwick who is on a leave of absence as resolved by the City of Joondalup at its meeting on 21 November 2017.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 5.30pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr D Boothman JP (Chairman)	City of Stirling
Cr J Adamos <i>arrived 5.35 pm</i>	City of Perth
Cr E Cole	City of Vincent
Cr A Guilfoyle	City of Stirling
Cr K Sargent	City of Stirling
Cr S Proud JP	City of Stirling
Cr K Shannon	Town of Cambridge
Cr K Vernon	Town of Victoria Park
Cr F Cvitan JP	City of Wanneroo
Cr M Norman	City of Joondalup
Cr A Jacob JP	City of Joondalup

Apologies

Cr R Driver	City of Wanneroo
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Leave of Absence

Cr R Fishwick	City of Joondalup
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Absent

Nil

MRC Officers

Mr B Callander (Chief Executive Officer)
Mr G Hoppe (Director Corporate Services)
Ms D Toward (Executive Support)

MRC Observers

Ms A Slater (MRC)
Ms S Cherico (MRC)

Member Council Observers

Mr N Ahern (City of Perth)
Mr N Claassen (City of Joondalup)
Mr M Littleton (City of Stirling)
Mr H Singh (City of Wanneroo)
Mr S Cairns (City of Wanneroo)
Mr L Kosova (City of Vincent)
Mr D Lau (Town of Victoria Park)
Mr B Killigrew (Town of Victoria Park)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Visitors

Mr T Macri (Macri Partners)
Mr S Herathmudalige (Macri Partners)

Members of the Public

1

Press

Nil

3 DECLARATION OF INTERESTS

None

4 PUBLIC QUESTION TIME

None

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

None

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Mike Norman sought a leave of absence from 22 February 2018 to 3 March 2018 and 6 April 2018 to 13 April 2018.

RESOLVED

Moved Cr Cole, Seconded Cr Jacob

That the application by Cr Norman for leave of absence from 22 February 2018 to 3 March 2018 and 6 April 2018 to 13 April 2018 be granted

(CARRIED UNANIMOUSLY 10/0)

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

None

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**8.1 ORDINARY COUNCIL MEETING 9 NOVEMBER 2017**

The Minutes of the Ordinary Council Meeting held on 9 November 2017 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 9 November 2017 be confirmed as a true record of the proceedings.

RESOLVED

Moved Cr Proud, seconded Cr Cvitan

That the recommendation be adopted

(CARRIED 10/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 30 SEPTEMBER 2017 and 31 OCTOBER 2017
File No:	FIN/5-07
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	1 December 2017
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements attached are for the months ended 30 September 2017 and 31 October 2017 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 4 months to 31 October 2017 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Summary of results for the four month period ended 31 October 2017

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	92,942	106,821	(13,879)
Tonnes – Others	5,863	5,958	(95)
TOTAL TONNES	98,805	112,779	(13,974)
	\$	\$	\$
Revenue – Members	16,124,488	18,576,718	(2,452,230)
Revenue – Other	1,835,909	1,702,508	133,401
TOTAL REVENUE	17,960,397	20,279,226	(2,318,829)
Expenses	18,125,865	19,260,557	1,134,692
Profit on sale of assets	8,585	-	8,585
Loss on sale of assets	-	-	-
NET SURPLUS	(156,883)	1,018,669	(1,175,552)

Commentary

Member tonnes for the year to October 2017 are tracking 13% behind budget, which is directly attributable to the change in systems for bulk/verge collection implemented by various councils. Trade and casuals are 847 tonnes behind budget.

The net variance to budget of \$1,175,552 reflects this reduction in tonnage and RRF operating expenditures, offset by tonnage related expenditure (DWER Levy).

This reduction in waste to landfill is consistent with the MRC's vision of 'Winning Back Waste' but will over time see the cost per tonne to landfill for the remaining waste increasing proportionally.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 30 September 2017 and 31 October 2017, respectively, be received.

RESOLVED

Moved Cr Shannon, seconded Cr Cole
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)

5.35 PM Cr Adamos arrived

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 30 SEPTEMBER 2017 AND 31 OCTOBER 2017
File No:	FIN/5-06
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	1 December 2017
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 30 September 2017 and 31 October 2017 are at **Appendix 4 and 5** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 14 September 2017, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
30 September 2017	General Municipal	Cheques EFT DP Inter account transfers Total	\$3,824.06 \$4,033,822.03 \$222,965.65 <u>\$1,000,000.00</u> \$5,260,611.74
31 October 2017	General Municipal	Cheques EFT DP Inter account transfers Total	\$8,031.15 \$6,058,711.05 \$351,493.55 <u>\$4,500,000.00</u> \$10,918,235.75

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer for the months ended 30 September 2017 and 31 October 2017 be noted.

RESOLVED

Moved Cr Cvitan, seconded Cr Jacob

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.3	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2018
File No:	COR/10-02
Appendix(s):	Nil
Date:	23 November 2018
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide notice of the dates, times and locations for the Mindarie Regional Council's (MRC) Ordinary Council Meetings (OCM) and Strategy Workshops (SW) for 2018.

BACKGROUND

The MRC is required to schedule OCM's for the forthcoming calendar year and provide public notice of their dates, times and locations. In addition the dates are set for two SW's.

DETAIL

In setting the dates for the 2018 OCM's consideration has been given to the following:

- The Tamala Park Regional Council meeting dates for 2018.
- The WALGA Metropolitan Zone meeting dates for 2018.
- Availability of Member Councils Chambers.

In addition to the above, two SW's are included in the meeting schedule. These workshops are important as they provide the Councillors, member council CEO's and representatives on the Strategic Working Group and MRC management an opportunity to review and discuss the MRC's strategic direction.

Programme of Meetings

Given the above, the proposed schedule of OCM's for 2018, commencing at 5.30pm, is as follows:

- Ordinary Council Meeting – 25 January 2018 (City of Joondalup)
- Ordinary Council Meeting – 22 March 2018 (City of Wanneroo)
- Ordinary Council Meeting – 31 May 2018 (City of Stirling)
- Ordinary Council Meeting – 05 July 2018 (City of Vincent)
- Ordinary Council Meeting – 06 September 2018 (Town of Perth)
- Ordinary Council Meeting – 25 October 2018 (Town of Victoria Park)
- Ordinary Council Meeting – 13 December 2018 (Town of Cambridge)

The SW's for 2018 will be held directly after the following OCM's:

- 22 March 2018
- 06 September 2018

The MRC has in the past called a Special Council Meeting in June/July to obtain a timely approval of its Budget. The proposed schedule has included a seventh meeting to be held on 5 July 2018 to accommodate the Budget and any other items that require councils consideration at that time.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

STATUTORY ENVIRONMENT

Part 12 (1) and (2) of the Local Government (Administration) Regulations 1996 requires local government to issue public notice of its meeting dates at least once per year stating:

"12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*are to be held in the next 12 months.*
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

S.1.7 of the Local Government Act 1995 prescribes local public notice as:

"1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and*
 - (b) exhibited to the public on a notice board at the local government's offices; and*
 - (c) exhibited to the public on a notice board at every local government library in the district.**
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
 - (a) published under subsection (1)(a) on at least one occasion; and*
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or*
 - (ii) if no time is prescribed, 7 days."***

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The proposed schedule for OCM's for 2018 is now submitted for approval. In addition it is recommended that the Council endorse the scheduling of the two SW's directly following on from the OCM's scheduled in February and September.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. adopt the following schedule for Council Meetings for 2018, commencing at 5.30pm:
 - Ordinary Council Meeting – 25 January 2018 (City of Joondalup)
 - Ordinary Council Meeting – 22 March 2018 (City of Wanneroo)
 - Ordinary Council Meeting – 31 May 2018 (City of Stirling)
 - Ordinary Council Meeting – 05 July 2018 (City of Vincent)
 - Ordinary Council Meeting – 06 September 2018 (City of Perth)
 - Ordinary Council Meeting – 25 October 2018 (Town of Victoria Park)
 - Ordinary Council Meeting – 13 December 2018 (Town of Cambridge)
2. issue Public Notice on the meetings location, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.
3. adopt the following dates for the two Strategy Workshops for 2018 as follows:
 - 22 March 2018; and
 - 06 September 2018

MOVED

Cr Proud, Seconded Cr Guilfoyle

The Chair requested the Councillors to consider the commencement time of the meetings for next year.

The consensus was that the 6pm time would be more appropriate.

Cr Cole proposed the date of the last meeting be changed from 13 December 2018 to 6 December 2018.

The mover and the seconder agreed to amend the Responsible Officer Recommendation changing the commencement time of the meeting to 6pm and a change in date to the December Council meeting.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

SUBSTANTIVE MOTION (INCLUDING AMENDMENTS):

RESOLVED:

That the Council:

1. adopt the following schedule for Council Meetings for 2018, commencing at 6.00 pm:
 - Ordinary Council Meeting – 25 January 2018 (City of Joondalup)
 - Ordinary Council Meeting – 22 March 2018 (City of Wanneroo)
 - Ordinary Council Meeting – 31 May 2018 (City of Stirling)
 - Ordinary Council Meeting – 05 July 2018 (City of Vincent)
 - Ordinary Council Meeting – 06 September 2018 (City of Perth)
 - Ordinary Council Meeting – 25 October 2018 (Town of Victoria Park)
 - Ordinary Council Meeting – 06 December 2018 (Town of Cambridge)
2. issue Public Notice on the meetings location, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.
3. adopt the following dates for the two Strategy Workshops for 2018 as follows:
 - 22 March 2018; and
 - 06 September 2018

CARRIED UNANIMOUSLY (11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.4	CHANGE TO THE TITLE AND TERMS OF REFERENCE OF THE CEO PERFORMANCE REVIEW COMMITTEE TO INCLUDE THE RECRUITMENT OF A CEO
File No:	PER/79
Appendix(s):	Nil
Attachment(s):	Nil
Date:	17 November 2017
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks consideration of a change to the title and terms of reference of the Chief Executive Officer's Performance Review Committee to include the responsibility for the recruitment of a new Chief Executive Officer (CEO).

BACKGROUND

On 9 November 2017 the council received a report for the establishment of a recruitment panel to recruit a new CEO. The report indicated that the recruitment process for a CEO could be improved by adding the responsibility of recruiting a CEO to the existing duties of the CEO Performance Review Committee (the Committee). This would enable the future recruitment processes to commence soon after the CEO resigns, rather than having to call a special council meeting or wait on the next council meeting to set up a panel to undertake the recruitment.

At the meeting on 9 November 2017, the council endorsed this position resolving the following:

"D. That the Council request the Administration to present a report to council amending the title and purpose of the CEO Performance Review Committee, enabling the Committee to assist the council in the recruitment of a new CEO."

DETAIL

To have the Committee undertake the recruitment process of a CEO, the title and the terms of reference of the Committee need to be changed as follows:

Committee Title: CEO Recruitment and Performance Review Committee

Terms of Reference

CHIEF EXECUTIVE OFFICER'S RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE
MEMBERSHIP/SUPPORT CONSULTANT
Minimum of four Councillors Support HR Consultant

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

MEETING FREQUENCY

The Committee shall meet three or four times between February and June each year for the CEO Performance Review process and as required for the CEO Recruitment Process.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of this committee are as follows:

CEO Performance Review

- a. Set Key Performance Indicators (KPIs) annually in discussion with the CEO and HR Consultant and assess the CEO's remuneration;
- b. Review the outcome of the:
 - Consultants report on the CEO's Performance based on:
 - the responses received by the Councillors on the survey prepared by the HR Consultant;
 - the report prepared by the CEO addressing performance against the KPI's set the previous year and addressing any other material issues affecting the performance of the CEO over the year; and
 - Assessment of the remuneration of the CEO
- c. Periodically review the performance of the HR Consultant assisting the Committee; and
- d. Based on the Committee's review make recommendations to council on:
 - the level of performance of the CEO; and
 - The level of remuneration paid to the CEO, giving consideration to the Salaries and Allowances Tribunal (SAT) annual review of financial increases for CEOs and where the CEO sits on the Salary Band set by the SAT.

CEO Recruitment Process

- a. Review submissions from recruitment agencies (obtained by the MRC's HR Officer to assist the Committee in the recruitment process);
- b. Make a recommendation to council on the preferred recruitment agency;
- c. Work with the preferred recruitment agency, with respect to content and timing, to advertise the CEO position;
- d. Assess applications received for the CEO position (shortlisted by the successful recruitment agency);
- e. Interview the shortlisted applicants together with a representative of the successful recruitment agency; and
- f. Make a recommendation to council on the preferred candidate.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Extract from the *Local Government Act 1995* that is directly relevant to the type of committee proposed.

"Subdivision 2 — Committees and their meetings

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The changes to the Title and Terms of Reference of the CEO Performance Review Committee as proposed will ensure that the recruitment process for a CEO in the future will be able to proceed soon after the current CEO resigns, instead of having to wait on a council meeting to be called or held.

The current recruitment process of the CEO should be conducted by the Recruitment Panel and the Committee should only be used for future CEO recruitment.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

A. That the Council:

1. endorse the change of the title of the current 'CEO Performance Review Committee' to the 'CEO Recruitment and Performance Review Committee'.
2. endorse the Duties and Responsibilities of the newly formed CEO Recruitment and Performance Review committee as follows:

CEO Performance Review

- a. Set Key Performance Indicators (KPIs) annually in discussion with the CEO and HR Consultant and assess the CEO's remuneration;
- b. Review the outcome of the:
 1. Consultant's report on the CEO's Performance based on:
 - i. the responses received by the Councillors on the survey prepared by the HR Consultant;
 - ii. the report prepared by the CEO addressing performance against the KPI's set the previous year and addressing any other material issues affecting the performance of the CEO over the year; and
 2. Assessment of the remuneration of the CEO
- c. Periodically review the performance of the HR Consultant assisting the Committee; and

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

- d. Based on the Committee's review make recommendations to council on:
1. the level of performance of the CEO; and
 2. The level of remuneration paid to the CEO, giving consideration to the Salaries and Allowances Tribunal (SAT) annual review of financial increases for CEOs and where the CEO sits on the Salary Band set by the SAT.

CEO Recruitment Process

- a. Review submissions from recruitment agencies (obtained by the MRC HR Officer to assist the Committee in the recruitment process);
- b. Make a recommendation to council on the preferred recruitment agency;
- c. Work with the preferred recruitment agency, with respect to content and timing, to advertise the CEO position;
- d. Assess applications received for the CEO position (shortlisted by the successful recruitment agency);
- e. Interview the shortlisted applicants together with a representative of the successful recruitment agency; and
- f. Make a recommendation to council on the preferred candidate.

(Absolute Majority Required)

RESOLVED:

Moved Cr Guilfoyle, seconded Cr Norman
That the recommendation be adopted
(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.5	RESOURCE RECOVERY FACILITY - PROPOSAL TO ERECT A COLORBOND SHED
File No:	WST/211
Appendix(s):	Nil
Date:	23 NOVEMBER 2017
Responsible Officer:	CEO

SUMMARY

The report seeks endorsement of a request from Suez Recycling & Recovery (Suez) to erect a 182 square metre steel framed shed (workshop) at the Resource Recovery Facility (the Facility) on Lot 5 (No 87) Pederick Road Neerabup Industrial Estate (the Land). Suez are a shareholder in BioVision 2020 Pty Ltd (BioVision) and have been contracted to operate and maintain the Facility.

BACKGROUND

On 30 October 2017 the Mindarie Regional Council (MRC) received an e mail from the Facility's Plant Manager, Mr Alan Turner providing plans for a Workshop and requesting approval for its construction. The Facility is adjacent to the bio-filters to the rear of the property (refer attached plan).

DETAIL

The MRC has entered into a contract entitled 'Resource Recovery Facility Agreement (RRFA) with BioVision to Build, Own and Operate the Facility for a period of 20 years. The MRC owns the Land that the RRF is built on and has entered into a lease with BioVision for the construction, operation and maintenance of the Facility (the Lease). Neither the RRFA nor the lease provides a process for approving improvements, alterations or further development of the Facility.

The request for a workshop is considered to be supportable as it will improve the ability for Suez to maintain the Facility and it is within the current lease boundary. The support for this proposal will be subject to BioVision obtaining all necessary regulatory approvals, including planning and building approvals from the City of Wanneroo and any other agency.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The request for the construction of the workshop is supportable as it will assist Suez in maintaining the Facility. BioVision will have to obtain all legislative approvals including Planning and Building approvals from the City of Wanneroo and if required Planning

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

approval/licences from the West Australian Planning Commission and the Department of Water and Environmental Regulations.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Approves the request from BioVision 2020 Pty Ltd to construct a steel framed workshop at the Resource Recovery Facility at Lot 5 (No 87 Pederick Road Neerabup), as detailed in Attachment 1 to this report, subject to BioVision obtaining all necessary planning and building approvals from the relevant authorities including, but not limited to, the City of Wanneroo.
2. Authorises the Chief Executive Officer to sign the City of Wanneroo's "Application for Approval to Commence Development - City of Wanneroo District Planning Scheme No.2" form for the development described in (1) above.

RESOLVED

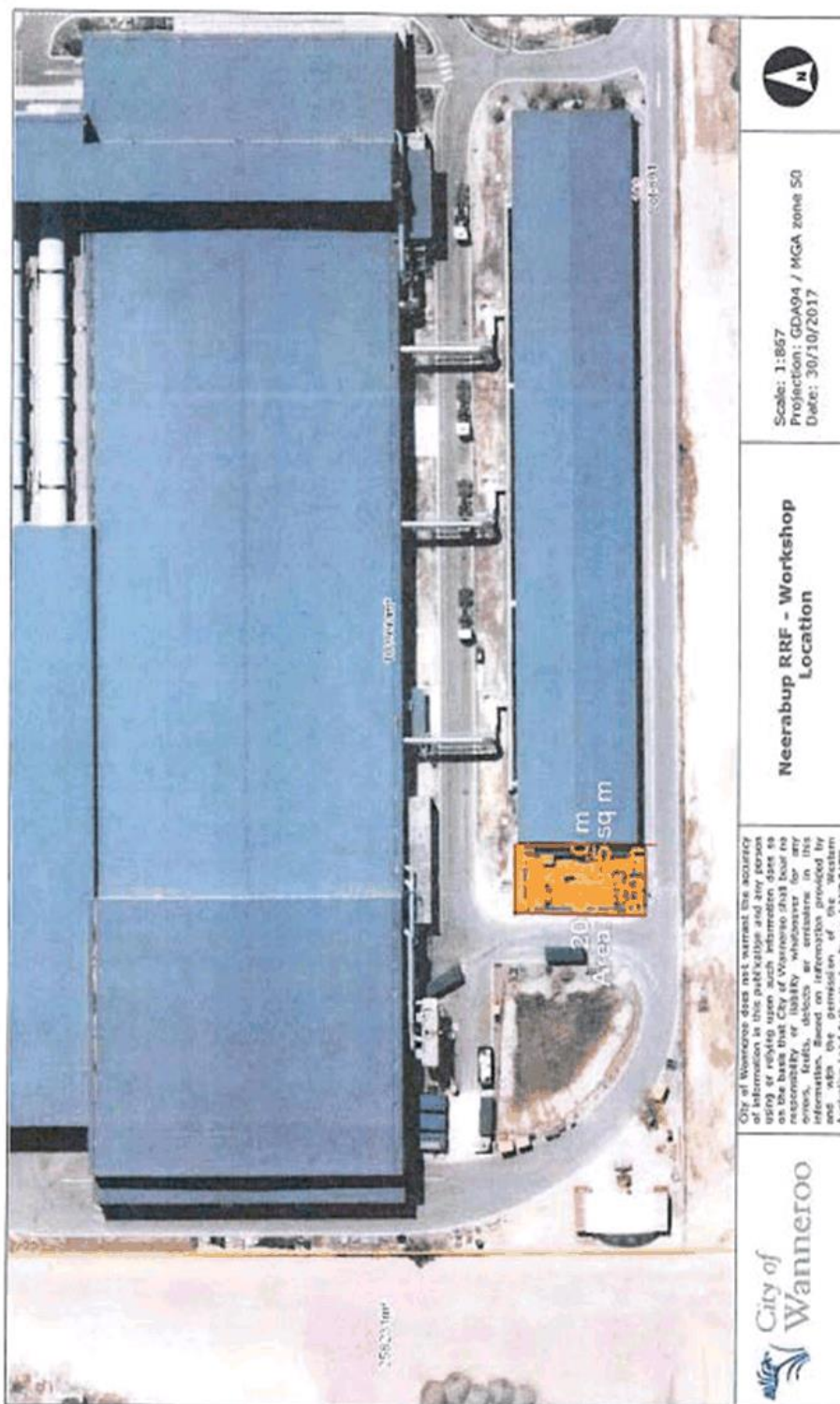
Moved Cr Guilfoyle, seconded Cr Cvitan

That the recommendation be adopted

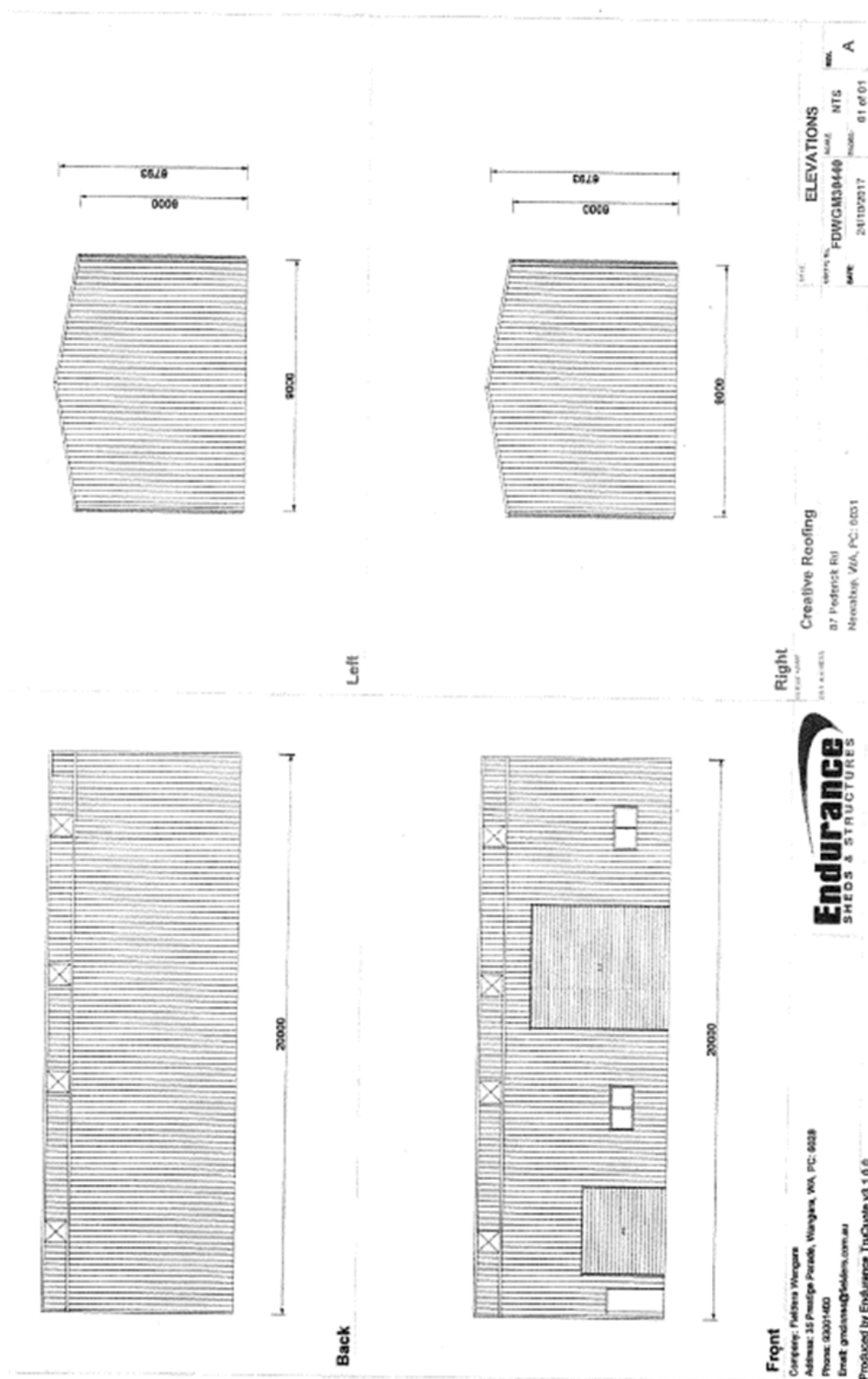
(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Attachment 1 – Site Plan and Elevations on Proposed Workshop



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.6	ADOPTION OF THE 2017 ANNUAL REPORT
File No:	COR/9-05
Appendix(s):	Appendix No. 6
Date:	1 December 2017
Responsible Officer:	Gunther Hoppe

BACKGROUND

The Mindarie Regional Council (MRC) is required to prepare an annual report in accordance with Section 5.53 of the Local Government Act 1995.

The annual audit of the Financial Statements for the financial year ended 30 June 2017 has been completed and the Financial Report has been considered by the Audit Committee.

The Annual Report, which includes the Financial Statements, is presented for consideration by Council.

The Annual Report for a Financial Year is to be accepted by the Local Government no later than 31 December after that Financial Year.

DETAIL

The Annual Report includes the audited Financial Report for the financial year. The Auditor, in accordance with the Local Government (Audit) Regulations 1996 Sections 10.2 and 10.3 is required to issue an audit report after the completion of the annual audit that expresses an opinion on the financial position and results of the operations of the local government for each financial year. If it considers it necessary the auditor may prepare a management report and present the report to the Chairperson, the CEO and the Minister.

The Auditor has completed the audit of the MRC and has issued an unqualified audit opinion in respect of the year ended 30 June 2017.

In addition the Auditor has prepared an interim management letter and an audit completion letter which outline their observations in relation to the MRC's internal controls. These observations were tabled with the Audit Committee for discussion.

The Audit Committee met on 14 November 2017 to consider the Financial Statements for the year ended 30 June 2017 and have recommended that these be adopted by the Council. The unconfirmed minutes of this meeting are included in the Members' Information Bulletin.

The Annual Report of the MRC, which includes the Financial Statements considered by the Audit Committee has been prepared and will be distributed under separate cover.

The MRC, in accordance with the Local Government (Financial Management) Regulations 1996 Section 51.1, is required to include in the annual Financial Statements a signed Statement of Declaration by the Chief Executive Officer after this report has been audited in accordance with the Local Government Act 1995. This declaration is included in the Annual Report.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

STATUTORY ENVIRONMENT

Relevant Extracts from the Local Government Act 1995

“5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.*
- (2) The annual report is to contain —*
 - (a) a report from the mayor or president; and*
 - (b) a report from the CEO; and*
 - [(c), (d) deleted]*
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) the financial report for the financial year; and*
 - (g) such information as may be prescribed in relation to the payments made to employees; and*
 - (h) the auditor's report for the financial year; and*
 - (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) the number of complaints recorded in the register of complaints; and*
 - (ii) how the recorded complaints were dealt with; and*
 - (iii) any other details that the regulations may require; and*
 - (i) such other information as may be prescribed.*

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*
- * Absolute majority required.*

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
 - (a) the mayor or president; and*
 - (b) the CEO of the local government; and*
-

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

(c) *the Minister.*"

Relevant Extracts form the Local Government (Audit) Regulations 1996

"10. Report by auditor

- (1) *An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.*
- (2) *The report is to give the auditor's opinion on —*
 - (a) *the financial position of the local government; and*
 - (b) *the results of the operations of the local government.*
- (3) *The report is to include —*
 - (a) *any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and*
 - (b) *any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and*
 - (c) *details of whether information and explanations were obtained by the auditor; and*
 - (d) *a report on the conduct of the audit; and*
 - (e) *the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —*
 - (i) *the asset consumption ratio; and*
 - (ii) *the asset renewal funding ratio.*
- (4A) *In subregulation (3)(e) —*

asset consumption ratio *has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2);*

asset renewal funding ratio *has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2).*
- (4) *Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report."*

POLICY IMPLICATIONS

Not applicable.

COMMENT

The Annual Report for the MRC has been prepared in accordance with the requirements of Local Government Act 1995 and applicable Australian Accounting Standards.

AMENDMENTS

There have been no amendments made to the Financial Statements presented to the Audit Committee.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. notes the recommendation of the Audit Committee meeting held on 14 November 2017 to adopt the Financial Report for the year ended 30 June 2017; and
2. adopts the Annual Report for the year ended 30 June 2017, which includes the Financial Report detailed in 1. Above.

(Absolute Majority Required)

RESOLVED

Moved Cr Proud, seconded Cr Sargent

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.7	ENERGY FROM WASTE CONFERENCE
File No:	COR/15-05
Appendix(s):	6 - Energy From Waste 2018 Conference brochure 7 - Council Policy CP03
Attachment(s):	Nil
Date:	30 November 2017
Responsible Officer:	Chief Executive Officer

Moved Cr Cole, seconded Proud

Cr Cole requested the deferral of item 9.7 until after item 14.1 had been debated

Moved Cr Jacob, seconded Cr Sargent
Item 9.7 will be tabled after item 14.1.
(CARRIED UNANIMOUSLY 11/0)

Note: The report for this item has been placed directly after Item 14.1 as per the resolution.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.8	CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE CEO RECRUITMENT PROCESS
File No:	PER/95
Appendix(s):	Nil
Attachment(s):	Nil
Date:	13 December 2017
Responsible Officer:	Human Resource Officer

SUMMARY

Report seeks approval to appoint a Recruitment Agency to assist the Chief Executive Officer (CEO) Recruitment Panel (the Panel) in the recruitment of a new CEO.

BACKGROUND

At the Ordinary Council Meeting 9 November 2017 the Council resolved to appoint a recruitment panel consisting of the Chairperson, Cr Fishwick, Deputy Chair, Cr Boothman, Councillors Cole, Cvitan, Guilfoyle, and Norman. The defined purpose of the Panel is to:

- a) *Review submissions from recruitment agencies;*
- b) *Make a recommendation to council on the preferred recruitment agency at its meeting on 14 December 2017;*
- c) *Assess applications received for the CEO position (shortlisted by the successful recruitment agency);*
- d) *Interview the shortlisted applicants together with the recruitment agent; and*
- e) *Make a recommendation to council on the preferred candidate.*

DETAIL

On 16 November 2017 request for quotation letters were sent out to eleven (11) recruitment agencies seeking quotation for services to assist the Panel to recruit a new CEO. At the time of closing the request for quotation on 24 November 2017, seven (7) submissions were received.

On 27 November 2017 the submissions were forwarded to the Panel with an evaluation workbook to assist the Panel in evaluating the quotations against a pre-set qualitative criterion. The submissions were also distributed to the remaining councillors on Tuesday 12 December 2017 to assist them in making an informed decision on the appointment of a consultant to assist the Panel in the recruitment of a new CEO.

Once collated the responses from the Panel confirmed the Recruitment Agency with the highest score was Logo Appointments. The following table details the agencies that responded to the request and the qualitative scores as evaluated by the Panel:

Quotations	Methodology	Availability	Experience	Price	Total
The Nexus Group	4.3	1.9	4.5	7.2	17.9
Management Projects	4.8	1.6	4.3	6.0	16.6
Chandler Macleod	3.8	1.6	3.8	4.8	13.9
Price Consulting	4.8	1.7	4.0	4.8	15.3
Beilby Recruitment	4.8	1.7	5.3	6.0	17.7
WALGA	4.5	1.7	4.8	7.6	18.6
LOGO Appointments	5.3	1.7	4.8	8.0	19.7

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The maximum quoted price of Logo Appointments is \$13,000 including GST. The current Budget has \$7,000 set aside for CEO recruitment. It is proposed to fund the shortfall of \$6,000 in the half-yearly budget review.

VOTING REQUIREMENT

Simple/Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Appoint Logo Appointments to assist the CEO Recruitment Panel in the recruitment of a new CEO at a maximum cost of \$13,000; and
2. Fund the budget shortfall of \$6,000 in the half yearly budget review.

(Absolute Majority Required)

Cr Cole requested a deferral of this item to allow the Panel to further review the submissions

Alternative Motion

Cr Cole moved an alternative motion to defer item 9.8 until the next Ordinary Council meeting on 25 January 2018.

Seconded by Cr Guilfoyle

(CARRIED UNANIMOUSLY 11/0)

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.9	PURSUE A NEW DEPOSITED PLAN WITH THE OWNERS OF LOT 9023 ON DEPOSITED PLAN 54969 TO PROTECT THE BUFFER ZONE REQUIRED BY THE MINDARIE REGIONAL COUNCIL TO MANAGE THE LANDFILL
File No:	COR/26-02
Attachment(s):	1. Site Map of Lot Boundaries and Bore locations 2. New Deposited Plan
Date:	1 December 2017
Responsible Officer:	Chief Executive Officer

SUMMARY

The report is seeking approval for the Chief Executive Officer (CEO) of the Mindarie Regional Council (MRC) to approach:

1. The owners of Tamala Park to:
 - a) lodge a new Deposited Plan (refer Attachment 2) with Landgate to protect the MRC's interest in an area of land, currently leased to the Tamala Park Regional Council (TPRC), required by the MRC as a buffer zone to remediate any migrating gas and/or contaminated groundwater (leachate); and
 - b) agree to amending the current Lease to protect the interest referred in 1.a).
2. The TPRC to develop a sub-lease or other appropriate legal arrangement providing control of the Deposited Plan area to the MRC until such time as it can obtain a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the Contaminated Sites Branch (CSB) of the Department of Water and Environmental Regulation (DWER).

BACKGROUND

The MRC has entered into a Deed of Extension, Variation and Partial Surrender of Lease with the Cities of Wanneroo, Joondalup, Stirling, Vincent and Perth and the Towns of Cambridge and Victoria Park (the Owners) over part of Lot 9023 on Deposited Plan 54969 for waste management purposes including a Recycling Centre, Transfer Station and Landfill. This area is commonly referred to as the Tamala Park Waste Management Facility (Leased Area).

The MRC commenced groundwater monitoring prior to the commencement of landfilling on the site and has continued to do so on an bi-annual basis since then. In 2007 elevated contaminants of concern were registered with the CSB in accordance with the *Contaminated Sites Act 2006*. The MRC Leased Area was raised as a "Deposited Plan for Interest Purposes Only" (DP-IPO) with the CSB and a memorial was placed on the title classifying the Deposited Area as "Possibly Contaminated – Investigation Required" (PC-IR).

In 2015 the MRC engaged GHD to develop a Conceptual Site Model (CSM) with the aim of gaining a better understanding of the movement of groundwater and gas on, and outside, the landfill. The MRC has drilled a number of wells outside of the landfill, but within the Leased Area, to monitor the presence of gas and groundwater (leachate). More recently the MRC has drilled monitoring wells outside of the Leased Area to improve its knowledge of the gas and groundwater movement, thereby enabling GHD to better predict their movement.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Historically, the groundwater flow on the Leased Area was typically observed as a north-westward flow toward the sea. Recently however, GHD reported that a Water Corporation Abstraction Bore known as “Q40” (400m north of the Leased Area, identified as a yellow dot on the map (refer Attachment 1) had a drawing influence on the groundwater under the MRC and TPRC Leased areas. Essentially the groundwater plume radiating from the unlined portion of the landfill was now being periodically drawn in a north easterly direction, towards Q40 (when the bore was actively drawing water from the aquifer) rather than being solely influenced by the Gngangara Mound/sea water interface pressure which produced the very slow moving plume to the coast.

The CSM also provided information showing a potential northward migration of the groundwater plume over the northern boundary of the Leased Area. To further investigate this plume, the MRC introduced two new groundwater and gas monitoring wells within the buffer zone (identified as green dots on the map, refer Attachment 1).

The sampling outcome of these wells was incorporated into the existing bi-annual groundwater monitoring regime and monthly landfill gas monitoring program. The results of the groundwater and gas monitoring are reported annually to the CSB.

DETAIL

On 14 November 2016 GHD sent an email to the MRC indicating that the recent groundwater report showed low levels of groundwater contamination outside the boundaries of the Leased Area which may require a change of classification by the CSB and recommended that we inform the CSB based on their interpretation of the Contaminated Sites Regulations. The email read as follows:

“In reviewing the Contaminated Sites Regulations, the regulations indicate that “source” and “affected” Sites relates to “parcels of land” and is irrespective of ownership (e.g: single owner or separate owners). Given the alternate land uses and lease boundaries (residential and landfill), the regulations indicate that the lands should be considered as two separate parcels.

As a consequence, GHD strongly recommended that the DER is informed (and advice sought) regarding the most recent groundwater information and landfill impacts, which are migrating northwards with groundwater flow to areas beneath the Catalina development.

In particular, it is in the stakeholders’ interest that the Certificates of Title for the lots in Catalina are appropriately classified - if required (e.g.: Report not substantiated, or possibly contaminated investigation required), and to avoid any requirement for retrospective classification of lots.”

In March 2017 the MRC obtained advice from its solicitors, Castledine Gregory (CG), on the implications of migrating contaminants across the MRC Leased area (Area A as depicted on the plan detailed in Attachment 1) and the TPRC (Area B as depicted on the same map). The advice provided by CG included a number of short term actions as follows:

“6. Recommended Actions in the Short Term

Having regard to the matters raised in the advice, we recommend MRC take the following actions in the short term:

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

- (a) arrange an urgent meeting with DER Contaminated Sites Branch to discuss the reporting of Area B and DER's regulatory expectations with regards to the migration of contamination from Area A to Area B;*
- (b) report the contamination of Area B using a Form 1 (for completeness regarding compliance with section 11 of the CS Act);*
- (c) inform the local governments of the contamination of Area B (if they are currently unaware); and*
- (d) engage an accredited contaminated sites auditor to prepare a mandatory auditor's report to accompany the next report due to be submitted to DER as part of the ongoing investigation into the contamination of Areas A and Area B."*

In March 2017 the MRC received a Groundwater Monitoring Report. The report identified low levels of contamination in groundwater bores located within the Buffer Zone. While these are considered low levels of contamination, what it does show is that the 'not substantiated' portion (as defined by the CSB) of land north of the MRC Lease boundary has been 'affected' by Landfill activities. Low level contamination occurrences were identified in the newly drilled bore (identified as green dots on the attached map, refer Attachment 1). The latter two bores are located just outside the MRC's Lease Area boundary (identified as a solid red and dotted red line on the attached map, refer Attachment 1), but are within the current Buffer Zone (BZ) and inside the current fence boundary (identified as a solid blue line on the attached map, refer Attachment 1).

On the 4 April 2017 the MRC met with the CSB to discuss groundwater monitoring results from the wells located outside the Lease Area boundary, but within the fence line and the BZ. The CSB suggested that a realignment or adjustment of the northern boundary of the Deposited Plan be undertaken to reflect the BZ northern boundary. This would require an amendment of the Lease Area boundary that would in turn require the Owners' approval. Once approved, the Owners would be required to register an amended Deposited Plan with Landgate.

Throughout this process the MRC has maintained open communications with the TPRC and together agreed that the concerns raised by the consultants require a more nuanced solution to that considered by the CSB and detailed in the Lease.

The solution proposed is;

- to seek approval from the Owners to:
 - lodge a new Deposited Plan with Landgate (solely located in the TPRC leased area); and
 - make consequential amendments to the MRC and TPRC Leases to bring them in line with the new Deposited Plan.
- the Contaminated Sites Branch will place a memorial on the title relating to the new Deposited Plan area ONLY based on the reports previously provided by the MRC; and
- the TPRC agreeing to develop an appropriate sub-lease or other appropriate legal arrangement ensuring that the MRC retains control of the new Deposited Plan area until the MRC has obtained a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB.

The sub-lease or other appropriate legal arrangement developed by the TPRC over the area covered by the new Deposited Plan will need to stay in effect until the MRC has obtained a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

On 20 November 2017 the MRC and TPRC met with the CSB to seek their input into the proposed new solution. The CSB were very supportive of the solution proposed and indicated that when they receive the Deposited Plan a memorial will be placed on the title based on the information the MRC has previously provided to them.

CONSULTATION

The CEO has consulted with the Owners (CEOs of the Member Councils), the TPRC and the CSB making them aware of the issues referred to in this report and the proposed solutions.

LEGAL COMPLIANCE

The following lease clauses will require amending if the Owners agree to the lodging of the new Deposited Plan with Landgate.

“5.2 Current and Future Use

- (c) *Subject to clause 5.1, Mindarie must fill the Landfill identified as area 2 on the plan in Annexure A working from the northern to the southern parts of that Landfill.*

5.7 Buffer Distance Requirements

- (a) *Mindarie acknowledges that the Urban Development Area is not part of the Premises.*
- (b) *The Participants acknowledge that Mindarie must maintain an Internal Buffer Distance in accordance with the requirements of the Statutory Licence and that the Government Agency responsible for environmental protection recommends a 500m buffer distance from the active Landfill face to sensitive land uses (**Recommended Buffer Distance**).*
- (c) *The Participants agree to use reasonable endeavours to set aside the Temporary Buffer to assist Mindarie to satisfy the Recommended Buffer Distance.*
- (d) *Mindarie must use its reasonable endeavours to ensure that Mindarie's reliance on the Temporary Buffer is reduced and eliminated as soon as reasonably practicable.*
- (e) *Mindarie acknowledges and agrees that consistent with Mindarie's observance of its obligations pursuant to clauses 5.2 (c) and 5.7(d), the size of the Temporary Buffer will be permanently reduced as the Landfill is filled in a southerly direction and Mindarie becomes capable of providing more of the Recommended Buffer Distance from areas within the Premises which may be taken into account in assessing the provision of the Recommended Buffer Distance.*
- (f) *Subject to clause 5.7 (g) (and without limiting the meaning and effect of clause 5.7 (d)), Mindarie must completely cease to rely on the Temporary Buffer to satisfy the whole or any part of the Recommended Buffer Distance on 31 December 2010.*
- (g) *At any time not later than 1 January 2009 Mindarie may apply to the Participants approval for the date referred to in clause 5.7 (f) to be extended from 31 December 2010 to a later specified date. The Participants may grant their approval (with or without conditions) or may refuse to grant the approval under this clause in each case in the Participant's absolute discretion.*
- (h) *From 1 January 2011 (or such later date (if any) approved by the Participants pursuant to clause 5.7 (g)), the Participants may use the Temporary Buffer or any part of it as it sees fit without:*
 - (i) *the Participants being liable to Mindarie in any way for compensation or damages;*

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

- (ii) *the Participants being liable to provide alternative land as a buffer; and*
- (iii) *Mindarie being entitled to terminate this Lease or claim any abatement of Rent*
- (i) *If the Participants develop the Urban Development Area prior to 1 January 2011 (or such later date (if any) approved by the Participants pursuant to clause 5.7(g)), the Participants will use their reasonable endeavours to ensure that, to the extent reasonably practicable, the Urban Development Area is developed in a manner which defers the development of the area the subject of the Temporary Buffer until after the development of the balance of the Urban Development Area.*

5.8 Urban Development Area

- (a) *Mindarie must use and maintain the Premises in such a manner so as to not interfere, prevent or otherwise hinder the Participants' use and enjoyment of the Urban Development Area, including subdivision and development of the Urban Development Area for Urban Development.*
- (b) *If the Urban Development of the Urban Development Area cannot proceed due to Mindarie's use of the Premises, the Participants may serve notice on Mindarie specifying the nature of the Improvement Works it requires Mindarie to carry out at its own expense.*
- (c) *Mindarie must complete or must cause the Improvement Works referred to in the Participants notice to be completed as soon as practicable but in any event not later than 12 months after the date of receipt of the Participants notice referred to in clause 5.8 (b).*
- (d) *Mindarie acknowledges that the Participants intend to subdivide and develop the Urban Development Area in the future as Urban Development."*

Extract from the "Contaminated Sites Guidelines - Identification, reporting and classification of contaminated sites in Western Australia" issued by the Department of Water and Environmental Regulations June 2017

"12 Certificate of contamination audit

Purpose of a certificate of contamination audit

A certificate of contamination audit (CCA) is intended to provide government assurance to landowners and potential landowners regarding the contamination status of a site, or a portion of a site, and its suitability for a particular land use. A CCA is to classify the site and specify the nature and extent of all identified contamination. In some circumstances, contamination that was present but not identified at the time the certificate was issued may become the responsibility of the State to remediate.

A CCA can only be issued when DER is certain about the contamination status of a site where, based on the information provided to DER, the site can be classified:

- *not contaminated – unrestricted use;*
- *contaminated – restricted use;*
- *remediated for restricted use;*
- *contaminated – remediation required; or*
- *decontaminated.*

If a site is classified as possibly contaminated – investigation required or report not substantiated then there is insufficient information for DER to be certain about the contamination status of the site and a CCA cannot be issued.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Section 62(3) and r.29(2) set out how a request for a certificate is to be made. The request is to be on the prescribed form (Form 3)28 and accompanied by certain information, including:

- a certified copy of the current certificate(s) of title for the land;
- copies of technical reports or documents on investigations or assessments regarding the nature or extent of any contamination of the land;
- details of any remediation of the land, including any reports or documents on that remediation and validation;
- a mandatory auditor's report on the land prepared by an accredited contaminated sites auditor;
- a recommendation as to classification and, where relevant, any recommended restrictions on land use;
- any other information prescribed;
- any other information requested by the CEO to enable the CEO to deal with the request; and
- the prescribed fee (\$4,125 as at 1 June 2017).

If a request for a CCA does not include the specified information, or the information provided is inadequate, DER may decline to deal with the request29 and request further information as is necessary. DER will provide a brief explanation if the request for a CCA is refused.

Issuing a certificate of contamination audit

DER is required to make a determination within 45 days of receiving a request for a CCA, or within 45 days of receiving the additional information requested by DER following an initial request for a CCA. DER may extend the period30 if there are particular circumstances which affect DER's ability to issue the CCA.

The transferring party must obtain a CCA for the site before, or as part of, requesting DER approval of the transfer transaction. The CCA must be representative of site conditions at the time of the proposed transfer in order for DER to provide approval for the transfer.

Request for a certificate of contamination audit

Under s.62 of the CS Act:

After considering a request for a CCA, DER will:

- provide a CCA in the prescribed form to the person who requested it; or
- classify the land, or part of the land, as possibly contaminated – investigation required, and not issue a CCA.

DER will issue a CCA when satisfied, on reasonable grounds, that all contamination that can be identified has been identified according to relevant guidelines, accepted standards and any other relevant information. If a site is classified as possibly contaminated – investigation required, further investigation of the site will be necessary which results in the site being reclassified as one of the qualifying classifications (refer section 12.1) before a CCA can be issued.

A CCA is only representative of the contamination status of the site **at the time of issue**. A CCA does not address contamination that may have been caused after the certificate was issued."

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

COMMENT

The development of the CSM has provided GHD with the ability to predict the movement of gas and leachate. GHD has raised concerns that the latest information from the monitoring of the bores has identified minor contamination spikes on land outside the MRC's Lease Area that could result in the CSB placing a memorial on the Deposited Plan under the control of the TPRC.

This will be resolved if the Owners agree to the lodging of the new Deposited Plan (refer Attachment 2) with Landgate; and agree to consequential amendments to the Lease. The new Deposited Plan will fall under the control of the TPRC as it is within its lease area therefore the TPRC will have to agree to enter into a sub-lease or other appropriate legal arrangement with the MRC ensuring that the MRC has control of the land contained in the Deposited Plan until the MRC has obtained a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

A. Authorise the Chief Executive Officer to enter into formal discussions with:

1. the Owners, seeking approval for:
 - a) the lodging of the Deposited Plan to Landgate as contained in Attachment 2 of this report; and
 - a) b) consequential amendments to the Deed of Extension, variation and Partial Surrender of Lease relating to Tamala Park accommodating the necessary changes resulting from the lodging of the Deposited Plan detailed in 1.a) above, specifically addressing the need for the MRC to obtain a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB.
2. the TPRC to develop a sub-lease or other appropriate legal arrangement providing control of the Deposited Plan area (refer Attachment 2) to the MRC until such time as the MRC can obtain a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB.

B. Receive further reports from the CEO on:

1. a draft of a Deed of Amendment to the Lease accommodating part A.1.a) and b) above prior to issuing it to the Owners for formal endorsement; and
2. any sub-lease or other appropriate legal arrangement entered into with TPRC ensuring that the area contained in the Deposited Plan as detailed in Attachment 2 to this report is retained under the control of the MRC until such time as a Certificate on Contamination Audit from a Contaminated Sites Auditor accredited by the CSB is issued.

MRC Auditors left at 5.55 pm

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

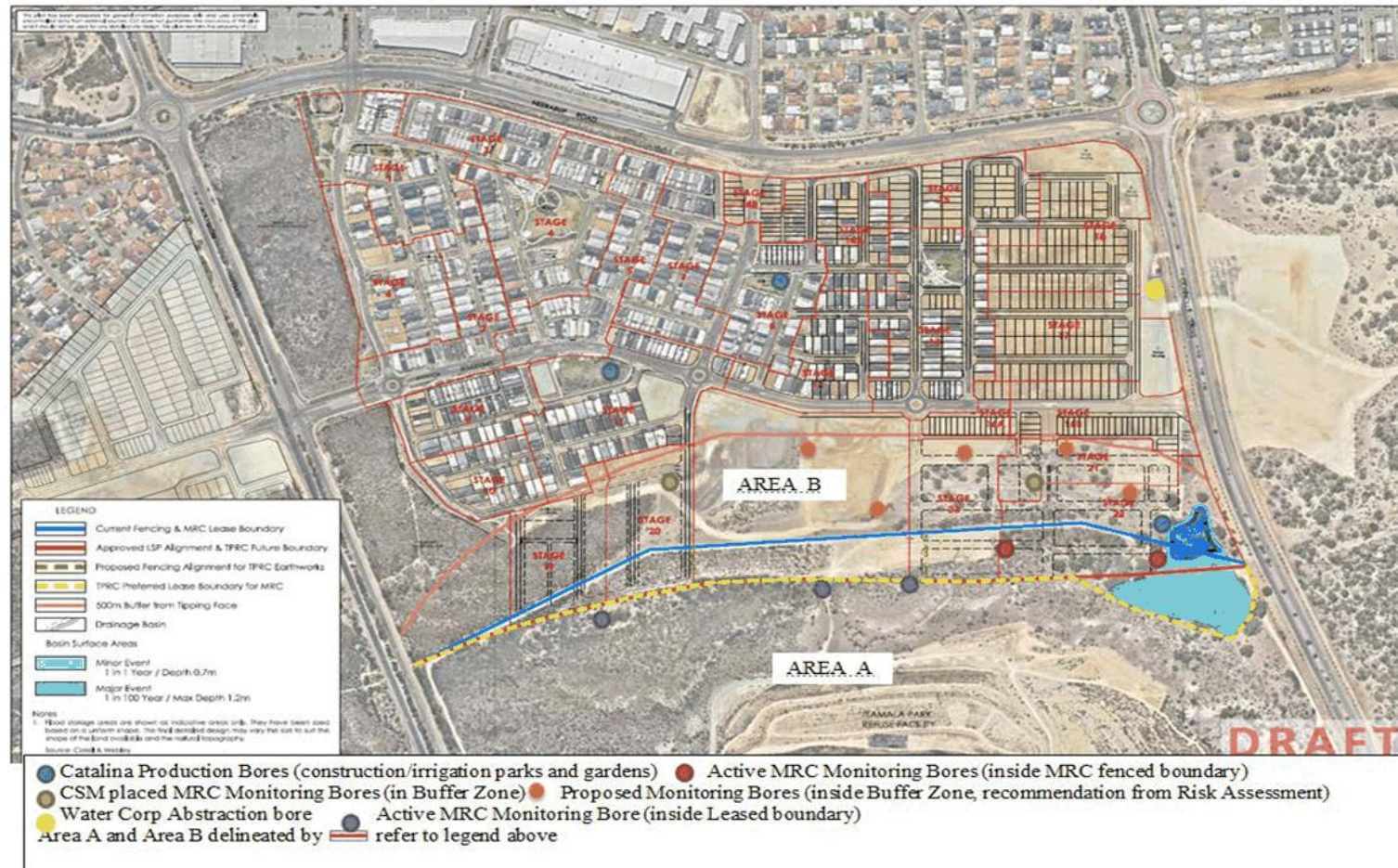
RESOLVED

Cr Jacob moved, seconded by Cr Guilfoyle

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

Attachment 1 – Aerial of MRC (Area A) AND tprc (Area B)



VERSION
AMENDMENT
AUTHORISED BY
DATE

DRAFT
ALL AREAS AND DIMENSIONS
ARE SUBJECT TO FINAL SURVEY
AND WAPC APPROVAL

HELD BY LANDGATE IN DIGITAL FORMAT ONLY
FOR INTEREST PURPOSES ONLY

UNLOGGED VERSION

UNLOGGED VERSION

PRELIMINARY ONLY
UNLOGGED VERSION
SUBJECT TO
LANDGATE AUDIT

This version is:
- Current as at 13/11/2017
- Not for use in any other way
- Not to be used for design work
- A LANDGATE SURVEYING PRODUCT
- Should be obtained for each purpose

TYPE	FREEHOLD	S.S.A.	YES
PURPOSE	INTEREST		
PLAN OF	EASEMENT AND/OR OTHER INTERESTS OVER LOT 9025 ON DP4 13 132		
FORMER TENURE	N/A		
LOCAL AUTHORITY	CITY OF MANNEROO		
LOCALITY	CLARKSON TAPSCALA PARK		
D.O.L. FILE			
FIELD RECORD	N/A		
SURVEYOR'S CERTIFICATE - REG 54			
<p>I, Mark A. DODSON hereby certify that this plan is accurate and is a correct representation of the - (a) "survey and/or (b) "calculations from measurements recorded in the field records, if details are included; undertaken for the purposes of this plan and that it complies with the relevant written law in relation to which it is lodged.</p>			
LICENSED SURVEYOR	DATE		
LODGED			
DATE	FILED IN	ASSESS NO.	
I. S. C.			
EXAMINED			
WESTERN AUSTRALIAN PLANNING COMMISSION			
FILE			
Deposited under s. 16 PSD Act 2005			
IN ORDER FOR DEALINGS			
SUBJECT TO		DATE	
FOR INSPECTOR OF PLANS AND SURVEYS		DATE	
APPROVED			
INSPECTOR OF PLANS AND SURVEYS (S. 16 Licensed Surveyors Act 1900)		DATE	
<p>DEPOSITED PLAN 4 13 136</p> <p>SHEET 01 OF 01 SHEETS VERSION 1</p>			

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
01	MEMORIAL	CONTAMINATED SITES ACT 2003	DOC	LOT 9025	DEPARTMENT OF ENVIRONMENT AND CONSERVATION	
02	MEMORIAL	CONTAMINATED SITES ACT 2003	DOC	LOT 9025	DEPARTMENT OF ENVIRONMENT AND CONSERVATION	

MNG
MANNEROO NATURE GROUP
PO BOX 1025, MANNEROO W.A. 8044
Ph: 08 9434 1000
Fax: 08 9434 1001
Email: mng@manneroonaturegroup.com.au

MNG Ref: Mann-016 - DP4 13136, CSO

10 MEMBERS INFORMATION BULLETIN – ISSUE NO.38**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 38 be received.

RESOLVED

Moved by Cr Proud, seconded by Cr Vernon

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 11/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

This report is Confidential in accordance with Section 5.23 (c) of the Local Government Act 1995 as Council's decision may result in a contract being entered into.	
14.1	RESOURCE RECOVERY FACILITY (ENERGY FROM WASTE) – AWARD OF TENDER – DEFERRED ITEM
File No:	WST/209-02
Appendix(s):	Nil
Date:	1 December 2017
Responsible Officer:	Chief Executive Officer

Note: The Chief Executive Officer has NOT released the report 14.1 – Resource Recovery Facility (Energy from Waste) Award of Tender for Public information as the Council's decision may have resulted in a contract being entered into.

The Chairman requested that in accordance with s.5.23 of the *Local Government Act 1995* and clause 7.9 of the *MRC's Standing Orders Local Law*, Council meet "behind closed doors" to allow the Council to consider Item 14.1 as it is of a confidential nature. The Chairman also requested the suspension of clause 5.8(4) to allow open debate on the item.

Moved Cr Proud seconded Cr Vernon.

1. That in accordance with Section 5.23 of the *Local Government Act 1995* and clause 7.9 of the *MRC's Standing Orders Local Law*, Council meet "behind closed doors"; and
2. That in accordance with clause 5.8(4) of the *MRC's Standing Orders Local Law* the Council suspend the operation of clause 5.8 – Limitation on Members Speaking to allow open debate on the item.

(CARRIED UNANIMOUSLY 11/0)

The Gallery was vacated at 6.01pm.

Cr Shannon left at 6.40pm.

RESOLVED

That the Council resolves NOT to award any Tender for the Resource Recovery Facility (Tender Request Number 2016/005) and that the current valid Tenderers, Consortium of Hitachi Zosen Inova AG, New Energy Corporation Pty Ltd and Tribe Infrastructure Development Pty Ltd (HZI Consortium) and Phoenix Energy Australia Pty Ltd be advised of the Council's decision."

Moved Cr Proud, seconded Cr Cole
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)

The Chairperson requested that the meeting be reopened.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

Moved by Cr Adamos, seconded by Cr Jacob
That the meeting be reopened
(CARRIED UNANIMOUSLY 10/0)

The meeting was reopened and the observers re-entered the gallery at 6.45pm.

On reopening the meeting the Chairperson read out the Council Resolution.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

9.7	ENERGY FROM WASTE CONFERENCE
File No:	COR/15-05
Appendix(s):	6 - Energy From Waste 2018 Conference brochure 7 - Council Policy CP03
Attachment(s):	Nil
Date:	30 November 2017
Responsible Officer:	Chief Executive Officer

SUMMARY

The Mindarie Regional Council (MRC) is currently engaged in an Energy from Waste (EfW) tender as part of its delivery against its Strategic Community Plan. There is an opportunity for MRC Councillors to attend an EfW conference in February 2018 to expand their understanding of EfW plants.

BACKGROUND

The Australian Waste to Energy Forum will be holding a conference from 20 - 22 February 2018 at the Mercure Ballarat hotel in Victoria.

A copy of the conference program is included at **Appendix 6**.

A number of MRC Councillors have attended this conference and a similar held one by the Waste Management Association of Australia in the past and have found them useful in improving their understanding of EfW plants and processes, as well as providing insights into the broader implications of the technology.

DETAIL

In its Strategic Community Plan, the MRC has identified EfW as an important component of the waste processing infrastructure that will be required in order for the MRC and its member councils to achieve the Waste Authority's waste diversion targets of 65% of Municipal Solid Waste being diverted from landfill by 2020.

Given the importance of EfW in the MRC's overall waste strategy, it considered that this would be a worthwhile conference for Councillors to attend. As a result, the MRC is encouraging Councillors who have not previously attended such an EfW conference to consider attending this one.

Previous attendees from the MRC were complimentary of the considered, balanced views of EfW that were provided at the conference.

The cost of attending the conference is estimated to be \$3,500 per person, which includes flights, airport transfers, accommodation, meals and the conference registration fees.

The MRC does not currently have any funds set aside in the budget for Councillors to attend this conference, however where Councillors are wishing to attend, the MRC is proposing that this be funded through the mid-year budget review process.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Councillor attendance at conferences is governed by Council Policy CP03, included at *Appendix 7*.

FINANCIAL IMPLICATIONS

The estimated cost for each person attending the conference is \$3,500, which includes flights, airport transfers, accommodation, meals and the conference registration fees.

Were all MRC Councillors to attend, this would equate to a cost of \$42,000.

COMMENT

This conference provides a useful opportunity for those Councillors who are wanting to improve their understanding of EfW to hear from various experts in the field and to better understand the role of EfW in the Australian context.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

Resolves to fund the costs of those MRC Councillors wishing to attend the Energy from Waste Conference in February 2018, up to a maximum of \$42,000 in total, through the mid-year budget review process.

RESOLVED

Moved Cr Guilfoyle, seconded by Cr Cvitan

That the Council recommendation be adopted

(CARRIED 7/3)

For: Boothman, Cvitan, Adamos, Proud, Guilfoyle, Sargent

Against: Norman, Cole, Jacob

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 14 DECEMBER 2017

15 NEXT MEETING

Next meeting to be held on Thursday 25 January 2018 in the Council Chambers at City of Joondalup commencing at 6 pm.

16 CLOSURE

Prior to the closure of the meeting the Chairman, on behalf of the Council, congratulated and thanked Brian Callander for his service to the MRC during his time as CEO. The Chair paid tribute to Mr Callander acknowledging his many achievements at the MRC and wished him well for his retirement.

The Chair closed the meeting at 7.00 pm and thanked the Town of Victoria for their hospitality and use of their meeting facilities.

The Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 14 December 2017.

SignedChairman

Dated thisday of2018



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.00 PM

25 JANUARY 2018

CITY OF JOONDALUP

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3	DECLARATION OF INTERESTS.....	4
4	PUBLIC QUESTION TIME.....	5
5	ANNOUNCEMENTS BY THE PRESIDING PERSON.....	5
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	5
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	6
8.1	ORDINARY COUNCIL MEETING – 14 DECEMBER 2017.....	6
9	CHIEF EXECUTIVE OFFICER REPORTS.....	7
9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2017.....	7
9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 NOVEMBER 2017.....	9
9.3	MID YEAR BUDGET REVIEW – 2017/18.....	10
9.4	CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE RECRUITMENT OF A CEO.....	16
10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 39.....	19
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	19
12	URGENT BUSINESS.....	19
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	19
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	19
15	NEXT MEETING.....	19
16	CLOSURE.....	19

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.00 pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr R Fishwick JP (Chairman)	City of Joondalup
Cr D Boothman JP (Deputy Chairman)	City of Stirling
Cr J Adamos	City of Perth
Cr E Cole	City of Vincent
Cr F Cvitan JP	City of Wanneroo
Cr R Driver	City of Wanneroo
Cr A Guilfoyle <i>arrived 6.05 pm</i>	City of Stirling
Cr M Norman	City of Joondalup
Cr S Proud JP	City of Stirling
Cr K Sargent	City of Stirling
Cr K Shannon	Town of Cambridge
Cr K Vernon <i>arrived 6.08 pm</i>	Town of Victoria Park

Apologies

Nil

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (A/Chief Executive Officer)
Ms D Toward (Executive Support)

MRC Observers

Nil

Member Council Observers

Ms R March (City of Joondalup)
Mr M Hamling (City of Joondalup)
Mr M Littleton (City of Stirling)
Mr P Crabbe (City of Stirling)
Mr A Murphy (City of Vincent)
Mr N Ahern (City of Perth)

Visitors

Nil

Members of the Public

Nil

Press

Nil

3 DECLARATION OF INTERESTS

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

Disclosure of Interest Affecting Impartiality

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr David Boothman
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby have provided CEO Appraisal assistance for City of Stirling

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Emma Cole
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	City of Vincent used Beilby Recruitment for recent Executive appointments

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Andrew Guilfoyle
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby previously employed by City of Stirling

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Stephanie Proud
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby have acted for the City of Stirling in the past for CEO review

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 5

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Keith Sargent
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	City of Stirling have previously used Beiby Recruitment

4 PUBLIC QUESTION TIME

None

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chair announced that he and the Acting CEO met with the Minister for the Environment's Chief Policy Advisors on 25 January 2018 to discuss a number of topics including the Levy on Landfill, Energy from Waste and funding for the Mindarie Regional Council's (MRC) Face Your Waste campaign.

A further meeting is scheduled with Minister Dawson on 7 March 2018.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Mike Norman requested leave of absence from 17 February 2018 to 28 February 2018.

RESOLVED

Moved Cr Fishwick, Seconded Cr Sargent

That the application by Cr Norman for leave of absence from 17 February to 28 February 2018 be granted.

(CARRIED UNANIMOUSLY 10/0)

6.05 pm Councillor Guilfoyle arrived

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

None

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 6

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

8.1 ORDINARY COUNCIL MEETING – 14 DECEMBER 2017

The Minutes of the Ordinary Council Meeting held on 14 December 2017 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 14 December 2017 be confirmed as a true record of the proceedings.

RESOLUTION

Moved Cr Fishwick, seconded Cr Proud

That the Minutes of the Ordinary Council Meeting of Council held on 14 December 2017 be confirmed as a true record of the proceedings subject to an amendment on page 42, item 9.7, adding Cr Vernon's name to the list of Councillors who voted in favour of the item.

(CARRIED UNANIMOUSLY 11/0)

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2017
File No:	FIN/5-07
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements are for the month ended 30 November 2017 and are attached at **Appendix No. 1** to this Item. The Tonnage Report for the 5 months to 31 November 2017 is attached at **Appendix No. 2**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 8

Summary of results for the five month period ended 30 November 2017

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	115,347	131,019	(15,672)
Tonnes – Others	7,171	7,318	(147)
TOTAL TONNES	122,518	138,337	(15,819)
	\$	\$	\$
Revenue – Members	20,007,230	22,768,767	(2,761,537)
Revenue – Other	2,365,602	2,082,779	282,823
TOTAL REVENUE	22,372,831	24,851,546	(2,478,714)
Expenses	22,435,770	23,408,614	972,845
Profit on sale of assets	8,585	-	8,585
Loss on sale of assets	-	-	-
NET SURPLUS	(54,353)	1,442,932	(1,497,285)

Commentary

Member tonnes for the year to November 2017 are tracking 12% behind budget, which is directly attributable to the change in systems for bulk/verge collection implemented by various councils. Trade and casuals are 147 tonnes behind budget.

The net variance to budget of \$1,497,285 reflects this reduction in tonnage and RRF operating expenditures, offset by tonnage related expenditure (DWER Levy).

This reduction in waste to landfill is consistent with the MRC's vision of 'Winning Back Waste' but will over time see the cost per tonne to landfill for the remaining waste increasing proportionally.

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 for the month ended 30 November 2017 are received.

VOTING REQUIREMENT

Simple Majority

RESOLVED

Moved Cr Cvitan, seconded Cr Boothman
That the Recommendation be adopted.
(CARRIED UNANIMOUSLY 11/0)

6.08 pm Councillor Vernon arrived

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 9

9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 NOVEMBER 2017
File No:	FIN/5-06
Appendix(s):	Appendix No. 3
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the month ended 30 November 2017 are at **Appendix 3** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 14 September 2017, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
30 November 2017	General Municipal	Cheques	\$10,424.92
		EFT	\$3,632,155.13
		DP	\$220,509.36
		Inter account transfers	\$1,200,000.00
		Total	\$5,063,089.41

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer for the month ended 30 November 2017 be noted.

Moved Cr Boothman, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY (12/0)

9.3	MID YEAR BUDGET REVIEW – 2017/18
File No:	FIN/146
Appendix(s):	Appendix 4
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to describe the financial position and performance of the organisation in relation to the Adopted Budget and recommend changes that will reflect the anticipated outcomes for the remainder of the 2017/18 financial year. This will provide stakeholders with a view of the likely results of the Mindarie Regional Council's (MRC) operations at the conclusion of the financial year.

It is anticipated that the MRC will move from a forecast surplus of \$1,034,325 to a forecast deficit of \$1,800,747, a reduction of \$2,835,072 (274%) (*Refer Appendix 4*). This change is primarily as a result of the effects of reduced members tonnes to the MRC.

It is anticipated that there will be an overall reduction in tonnes received by the MRC of 37,581 tonnes (11.8%). This reflects the decrease in member tonnes from 252,090 tonnes to 214,509 tonnes.

As a consequence of the reduction in tonnes, the MRC is proposing to increase the members' gate fee by \$6 per tonne, from \$174 per tonne to \$180 per tonne (excl. GST), effective from 1 February 2018. This will result in a forecast deficit of \$1.8 million which is to be funded through the Participants' Surplus Reserve (PSR).

BACKGROUND

Council at its ordinary council meeting held on 6 July 2017, resolved that council:

- (i) *adopt the Budget for the Mindarie Regional Council for 2017/18 financial year*
- (ii) *endorse the on-going strategy of deferred payment of operational surpluses, as approved by Council at its August 2005 meeting, for the 2005/06 financial year and future years to meet its on-going capital requirements*
- (iii) *approve the use of an on-going overdraft facility of \$1 million to manage cashflow 'short falls' during the 2017/18 financial year and future years*

- (iv) Approve the Capital Budget Program of \$12,536,048 for 2017/18 as follows:

New capital expenditures

	\$
• Buildings	210,000
• Office furniture and equipment	23,500
• Computer equipment	156,000
• Plant and equipment	310,000
• Infrastructure	3,907,548
• Vehicles	1,368,000
	<u>5,975,048</u>

Carried forward capital expenditures

• Waste facility precinct	6,000,000
• Recycling centre realignment Phase 2	275,000
• Hino Truck replacement	286,000
	<u>6,561,000</u>

Total Capital expenditure **12,536,048**

- (v) approve that \$616,538 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.
- (vi) approve that \$6,000,000 will be transferred from the Operating Surplus to the Reserve for Capital Expenditure.
- (vii) approve that \$6,536,048 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.
- (viii) approve that any funds required for carbon abatement projects be transferred from the Carbon Abatement Reserve to the Operating Surplus.
- (ix) approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the respective reserves.

Council operations have been conducted in line with the Adopted Budget for 2017/18.

Monthly Financial Statements on the actual expenditure and variations from the Adopted Budget have been submitted to each Council meeting. In addition, monthly management accounts have been provided to Councillors and Member Council Officers on a regular basis.

In line with sound financial management practice, and in order to comply with Local Government Regulations, a detailed review of the MRC's operations, financial position and financial performance has been carried out as at 30 November 2017.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 12

This reports highlights:

- those items that reflect significant trend variations to budgeted allocations, and
- the anticipated revised financial projections to 30 June 2018.

The Income Statement reflecting the Adopted Budget, Actual Expenditure to 30 November 2017 and projected expenditure to 30 June 2018, as well as the projected capital expenditure is enclosed as **Appendix 4** of this report.

DETAIL

Tonnage variation

The reforecast tonnes are significantly below the originally budgeted tonnage estimates.

The 11.8% or 37,581 tonne reduction in expected tonnes relates largely to the changes to their bulk verge collection systems made by the cities of Stirling and Wanneroo as can be seen from the table below. This is the primary driver of the \$2.8 million negative impact on the profit and loss statement.

Tonnes expected to be diverted to and received back from the Western Metropolitan Regional Council (WMRC) have been reduced by half, however there is no certainty that these tonnes will be required under the MRC's agreement with the WMRC as the DiCOM plant is still not at full production. The delivery or non-delivery of these tonnes has no impact on the budget bottom line.

TONNAGES RECEIVED BY THE MRC 2017/2018			
	Budget	Reforecast	Variance
Cambridge	7,700	7,250	(450)
Joondalup	55,218	52,129	(3,089)
Perth	13,600	13,000	(600)
Stirling	74,116	50,701	(23,415)
Victoria park	16,500	13,500	(3,000)
Vincent	14,600	14,600	-
Wanneroo	70,356	63,329	(7,027)
	252,090	214,509	(37,581)
RRF Residue	48,700	48,700	-
Non-members	16,400	16,400	-
	65,100	65,100	-
	317,190	279,609	(37,581)
			-11.80%
WMRC Residue	18,500	9,250	(9,250)

Revenue

Overall revenue is expected to drop by \$7.4 million (12%) from \$60.8 million to \$53.4 million. This is almost exclusively as a result of the reduction in tonnes committed by the member councils of the MRC.

Operating Expenditure

Operating expenditures have reduced overall by \$4.6 million (7%) primarily as a result of the reduced tonnes to landfill as a result of the reduction in tonnes from member councils.

This decrease in operating costs are partially offset by increases in: members fees (\$42k) as a result of unbudgeted energy for waste conference fees; an increase in RRF operating expenditure to take into account changes to the contractors fees (251k); an increase in landfill expenses (\$37k) mainly due to litter fencing and boundary fencing maintenance.

Forecast capital expenditure for the year has reduced by \$940k from the budget. There have been a number of changes which are listed below:

- The purchase of 2 replacement Komatsu front end loaders and a replacement dump truck have been deferred until 2018/2019 (\$940k).
- A realised saving of \$66,406 has been made on the replacement of a Hino bin truck.
- The purchase of a replacement cardboard compactor has been deferred until 2018/19 as part of the recycling alignment project. (\$50k).
- Purchase of additional landfill gas monitoring systems has been added for 2017/18 (\$66k).
- The purchase of a replacement excavator originally in the budget for \$200k but after quotes \$250k required. Therefore an extra \$50k commitment.

CONSULTATION

Consultation occurred with Member Councils in relation to their forecast tonnes for the remainder of the 2017/18 financial year.

The requirement to increase the members' gate fee as a result of the drop in member tonnes was discussed with the members of the Strategic Working Group (SWG) at a meeting on 6 December 2017.

At this meeting, the SWG members requested that the PSR be used in the first instance to reduce the quantum of any mid-year members' gate fee increase.

As a direct response to this the MRC budget review only envisages a \$6 per tonne increase in the members' gate fee from \$174 per tonne to \$180 per tonne (excl. GST). This will result in a forecast \$1.8 million deficit for the year which is to be funded from the PSR.

STATUTORY ENVIRONMENT

The half yearly budget review was carried out in accordance with the provision of the Local Government Act and Regulations.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

The revised half yearly budget review presented for approval is consistent with the objectives and actions outlined in the MRC's Community Strategic Plan, Financial Plan and Asset Management Plan.

FINANCIAL IMPLICATIONS

There will be a change made to the members' gate fee of \$6 per tonne from \$174 per tonne to \$180 per tonne (excl. GST) and no change to the non-members' gate fee. There will be a reduction in the originally budgeted surplus of \$1.034 million to a deficit of \$2.835 million. The deficit will be funded from the PSR.

In order to replenish the PSR, it is likely that an additional \$1.8 million will need to be recovered in the 2018/19 budget. This recovery alone will require an increase of approximately \$10 per tonne on the members' gate fee for 2018/19, in addition to any other increases in respect of legislative and operating costs, and potential further reductions in member tonnes.

COMMENT

The budget revision reflects the efforts being made on the part of the MRC's member councils to improve the efficiency and diversion results of their individual waste collection system.

As member councils and the MRC itself increase their efforts to improve diversion of waste from landfill, the residual cost per tonne to operate the Tamala Park landfill site and the RRF contract will continue to increase.

The potential impact of a drop in member tonnes, such as is now being forecast, was raised in a budget presentation to councillors on 6 April 2017, where the potential financial impacts were also clearly highlighted.

In February 2018, the MRC will be meeting with member council CEO's to discuss the MRC's current level of service provision. This, along with an internal review of the MRC's services which is being undertaken, will help define potential future options to address the expected ongoing increases in the members' gate fee.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Approve by Absolute Majority the forecast deficit position estimated to be \$1,800,747 at 30 June 2018, which includes the following:

- **A net estimated decrease in total revenue of \$7,454,440;**
- **A net estimated increase in total other charges of approximately \$13,002;**
- **A net estimated decrease in expenditures of \$4,619,627;**
- **A net estimated decrease in the profit on sale of assets of \$259; and**
- **The proposed reallocations of capital expenditures, resulting in a net decrease in capital expenditures of \$940,786.**

2. Approve the application of the Participants' Surplus Reserve to fund any deficit for the 2017/18 financial year.

Moved Cr Boothman, seconded Cr Adamos
That the recommendation be adopted
(CARRIED UNANIMOUSLY 12/0)

9.4	CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE CEO RECRUITMENT PROCESS
File No:	PER/95
Appendix(s):	Nil
Attachment(s):	Nil
Date:	13 December 2017
Responsible Officer:	Human Resource Officer

SUMMARY

This item was held over at the Ordinary Council meeting held on 14 December 2017.

Report seeks approval to appoint a Recruitment Agency to assist the Chief Executive Officer (CEO) Recruitment Panel (the Panel) in the recruitment of a new CEO.

BACKGROUND

At the Ordinary Council Meeting 9 November 2017 the Council resolved to appoint a recruitment panel consisting of the Chairperson, Cr Fishwick, Deputy Chair, Cr Boothman, Councillors Cole, Cvitan, Guilfoyle, and Norman. The defined purpose of the Panel is to:

- a) *Review submissions from recruitment agencies;*
- b) *Make a recommendation to council on the preferred recruitment agency at its meeting on 14 December 2017;*
- c) *Assess applications received for the CEO position (shortlisted by the successful recruitment agency);*
- d) *Interview the shortlisted applicants together with the recruitment agent; and*
- e) *Make a recommendation to council on the preferred candidate.*

DETAIL

On 16 November 2017 request for quotation letters were sent out to eleven (11) recruitment agencies seeking quotation for services to assist the Panel to recruit a new CEO. At the time of closing the request for quotation on 24 November 2017, seven (7) submissions were received.

On 27 November 2017 the submissions were forwarded to the Panel with an evaluation workbook to assist the Panel in evaluating the quotations against a pre-set qualitative criterion. The submissions were also distributed to the remaining councillors on Tuesday 12 December 2017 to assist them in making an informed decision on the appointment of a consultant to assist the Panel in the recruitment of a new CEO.

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 17

Once collated the responses from the Panel confirmed the Recruitment Agency with the highest score was Logo Appointments. The following table details the agencies that responded to the request and the qualitative scores as evaluated by the Panel:

Quotations	Methodology	Availability	Experience	Price	Total
The Nexus Group	4.3	1.9	4.5	7.2	17.9
Management Projects	4.8	1.6	4.3	6.0	16.6
Chandler Macleod	3.8	1.6	3.8	4.8	13.9
Price Consulting	4.8	1.7	4.0	4.8	15.3
Beilby Recruitment	4.8	1.7	5.3	6.0	17.7
WALGA	4.5	1.7	4.8	7.6	18.6
LOGO Appointments	5.3	1.7	4.8	8.0	19.7

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The maximum quoted price of Logo Appointments is \$13,000 including GST. The current Budget has \$7,000 set aside for CEO recruitment. It is proposed to fund the shortfall of \$6,000 in the half-yearly budget review.

VOTING REQUIREMENT

Simple/Absolute Majority

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 18

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Appoint Logo Appointments to assist the CEO Recruitment Panel in the recruitment of a new CEO at a maximum cost of \$13,000; and
2. Fund the budget shortfall of \$6,000 in the half yearly budget review.

(Absolute Majority Required)

Moved Cr Boothman, seconded Cr Proud

That the recommendation be adopted

(CARRIED BY ABSOLUTE MAJORITY 10/2)

For: Fishwick, Boothman, Cvitan, Vernon, Adamos, Proud, Guilfoyle, Sargent, Norman, Driver

Against: Cole, Shannon

MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING MINUTES – 25 JANUARY 2018

Page 19

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 39**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 39 be received.

RESOLVED:

Moved by Cr Boothman seconded by Cr Adamos

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

15 NEXT MEETING

Next meeting to be held on Thursday 22 March 2018 in the Council Chambers at the City of Wanneroo commencing at 6.00 pm.

16 CLOSURE

The Chairman closed the meeting at 6.38pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 25 January 2018.

Signed Chairman

Dated this day of 2018



URBAN MOBILITY ADVISORY GROUP (UMAG)

Monday 18 December 2017 at 6.00pm
 Venue: Committee Room
 City of Vincent Administration and Civic Centre

UNCONFIRMED MINUTES

Attendees:

City of Vincent Councillors:

Cr. Jonathan Hallett	Elected member (Chairperson)
Mayor Emma Cole	Elected member
Cr. Alex Castle	Elected member

Community Representatives:

Greg Korovesi	Community Representative
Laura Donovan	Community Representative
Regina Foley	Community Representative
Sam Laybutt	Community Representative
Scott Gibbings	Community Representative
Scott Smith	Community Representative
Philip Taylor	Community Representative/Westcycle

City of Vincent Officers:

Craig Wilson	A/Director Technical Services
Francois Sauzier	TravelSmart Officer

1. Welcome / Declaration of Opening

JH opened meeting at 6.02pm and welcomed the new and returning members to the meeting.

2. Apologies

Adam Wilmott	Community Representative
Courtney Weber	Community Representative
Holly Taylor	Community Representative
Parwez Jahmeerbacus	Community Representative
Katherine Celenza	Roadwise Road Safety Advisor

3. Confirmation of Previous Minutes – Nil as initial meeting

4. Matter Arising from Previous Minutes – Nil as initial meeting

5. Business

5.1 An overview of;

- *Traffic Data Collection*
- *Accident Statistics*
- *Using a warrant system to assess traffic calming requests*
- *Functional Road Hierarchy*
- *What qualifies as a Black Spots*
- *Cycling and Pedestrian Issues*
- *Change of Law (Road Traffic Code)*
- *Public Transport*



Urban Mobility Advisory Group



CITY OF VINCENT

FS presented a Power Point presentation which detailed the development of the City's current Bike Network Plan and the strategic routes identified and gave an overview of works to date as well as what elements were in a design phase. Pedestrian infrastructure and public transport elements were also presented.

CW provided an overview of Traffic Data Collection, Functional Road Hierarchy, Black Spots and the 'draft' *Warrant* system as a quantitative means of assessing traffic calming requests.

Specific to the warrant system LD recommended the City include a 'qualitative' assessment element (Jan Gehl – Public Life Studies) to better capture how streets are used by the community. EC agreed that this could add value to the assessments.

6. General Business

SL asked for an update on the 'two way' conversions of William and Brisbane Streets. CW advised a formal marketing/information plan was yet to be developed in conjunction with the City of Perth, given the impact upon traffic into and out of the City but all other designs and approvals were in place. CW will be reporting to Council seeking approval prior to proceeding but it is expected the changes could be in place by mid-2018. **ACTION: CW**

JH advised that at the next meeting, the Terms of Reference could be reviewed and a process for the group's engagement discussed. A meeting schedule of every six (6) weeks was put forward and that Mondays were perhaps most suitable. A tentative schedule of meeting dates will be presented to the next meeting. **ACTION: FS**

JH suggested that one site specific matter/request per meeting would be presented allowing the Group to explore a number of elements of that project in a robust manner. EC recommended that the group be taken through the process for considering a project – for instance, the procedure surrounding considering a 'speed hump' request on a street.

7. Close / Next Meeting

Meeting closed at 7.35pm

Next meeting: TBA

These minutes are confirmed as a true and accurate record of the meeting of the Urban Mobility Advisory Group (UMAG) held on 18 December 2017.

Signed: Chairman

Dated this:.....day of.....2017



INFORMATION BULLETIN



CITY OF VINCENT

SUBJECT:	Street Tree Removal Requests
DATE:	8 February 2018
AUTHOR:	Sarah Hill, Environmental Officer – Projects
AUTHORISER:	Craig Wilson, A/Director Technical Services

PURPOSE:

To provide Council with a monthly update on street tree removal requests within the City of Vincent.

BACKGROUND:

At the Ordinary Meeting of Council on the 5 December 2017, a Notice of Motion was presented requesting Administration provide a monthly Information Bulletin to Council summarising all requests for street tree removal within the City and the outcome of each.

DETAILS:

Street trees are highly regarded by the community for the significant contribution they make to the local streetscape, amenity and environment. For this reason, decisions to remove (or not remove) street trees can attract a high degree of community interest, depending on location, maturity and type of tree(s) involved.

In accordance with the City's *Policy 2.1.2 Street Trees*, tree removal requests will generally only be considered in the following circumstances:

- The tree is diseased and beyond treatment, or dead;
- The tree is structurally weak and/or dangerous following an assessment by the City;
- The tree is irreparably damaged (e.g. by storm, vehicle, vandalism);
- The tree is interfering with suitable sightlines;
- The tree is affected by road widening, service modification/relocation or other infrastructure works and all other options to retain the tree have been deemed inappropriate by the City;
- The tree is dangerously in contact with overhead powerlines and selective pruning is not appropriate with the only option being severe lopping;
- The tree precludes reasonable development of an adjoining property and there is no reasonable alternative to removal; and
- The tree is not an approved variety and is deemed unacceptable by the City.

There are a number of circumstances where street trees will not normally be removed as the reasons for removal are considered insufficient. Such reasons include but are not limited to:

- The tree obscures or potentially views (other than pedestrian/traffic sight lines);
- The tree variety is disliked or causes nuisance (e.g. leaf, fruit and/or bark shedding);



INFORMATION BULLETIN



CITY OF VINCENT

- The tree causes allergy and/or health problems;
- The tree is in the way of a non-essential crossover or verge paving option; and
- The tree shades private gardens.

Referring to the 'Street Tree Removal Requests' registry (shown page 3), the following should be taken into account:

- Requests for street tree removal where the reason/s are considered to be insufficient are not generally included;
- Timeframes for tree removal of approved requests varies depending on the reasons for removal and the potential of creating hazards to the public. Therefore, approved requests may be pending removal and not yet physically removed;
- Prior to the removal of any street tree, Parks Staff notify nearby residents in writing of the upcoming removal including reasons for removal; and
- Planting of all tree replacements occur during the main planting season (April – August) when the weather is more favourable for establishment of trees.

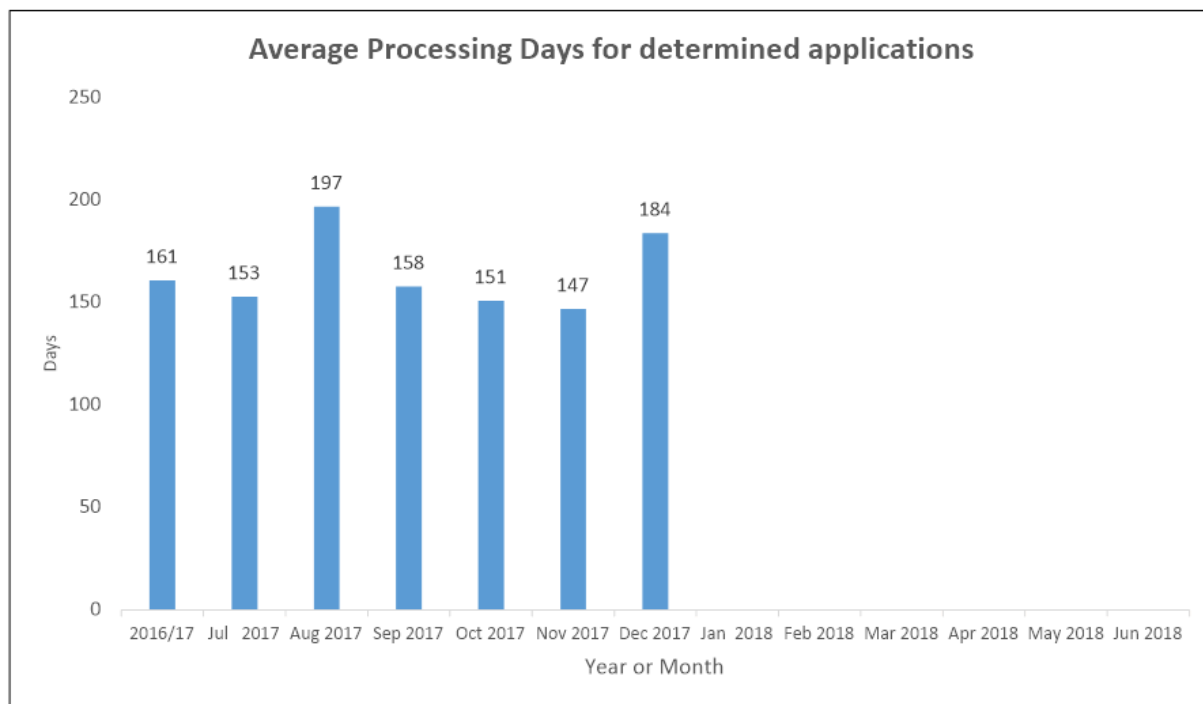


CITY OF VINCENT

Street Tree Removal Requests

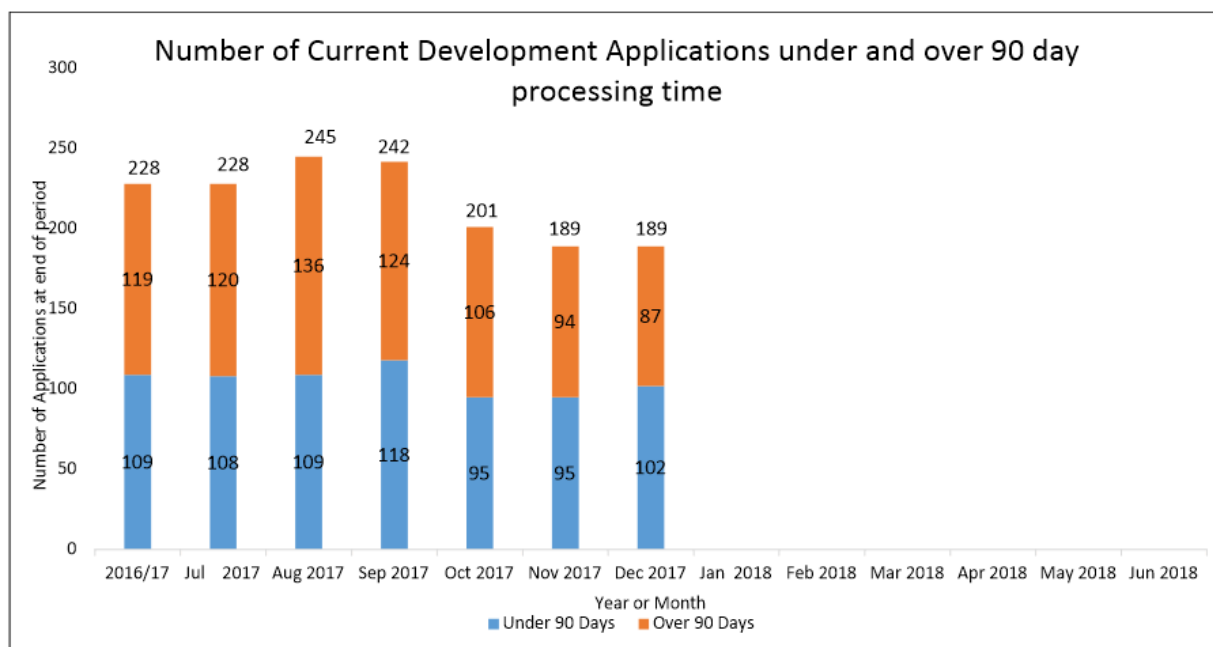
Date	Requested By	Location/Address	Reason for Removal	Tree Species	Inspection Comments	Approved (Y/N)	Replacement (Y/N - species)
02/10/2017	Resident	117 Richmond St, Leederville	Tree is in decline/dead and continuously dropping leaves	Callistemon 'Kings Park Special'	Tree is in decline and has been monitored since October 2017. Tree has not recovered and declined further (90% dead)	Y	Y - TBD
20/12/2017	Resident	58a Jugan St, Glendalough	Large split in trunk - possibly dangerous to public	<i>Agonis flexuosa</i> - Weeping Peppermint	Tree has a large split in the trunk resulting in the tree being structurally unsound and in danger of collapse. Removal required for public safety.	Y	Y - <i>Agonis flexuosa</i>
20/12/2017	Parks Services	80 Scarborough Beach Rd, Mt Hawthorn (Dunedin St frontage)	Tree is dead	<i>Lophostemon confertus</i> - Queensland Box	Tree is confirmed to be dead. Tree to be replaced with Jacaranda (staged replacement species)	Y	Y - <i>Jacaranda mimosifolia</i>
03/01/2018	Resident	130 Shakespeare St, Mt Hawthorn	Tree is dead	<i>Eucalyptus leucoxylon</i>	Tree is confirmed to be dead.	Y	Y - <i>Eucalyptus leucoxylon</i> 'rosea'
10/01/2018	Engineering & Parks Services	87 The Boulevarde, Mt Hawthorn	2017/18 Capital Works - Installation of angled parking on Berryman and The Boulevarde	<i>Melaleuca linarifolia</i>	Existing tree has poor form, minimal canopy and has received unavoidable damage to roots due to works. Trunk to be saved for use in ecozoning/nature play in City's Parks	Y	Y - TBD

Statistics for Development Applications As at the end of December 2017



Processing Days	2016 /17	Jul 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	Jun 2018
Minimum	7	13	82	71	29	24	3						
Median	119	140	134	133	110	99.5	118						
Average	161	153	197	158	151	147	184						
Maximum	924	341	704	408	1008	602	698						

Table 1: Minimum, Median, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2017.



	July 2017	Aug 2017	Sept 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	Jun 2018
DA's lodged	38	46	40	38	44	45						
DA's determined	31	25	38	62	48	39						
DA's withdrawn	7	3	5	17	7	6						

Table 2: No. of DA's lodged and determined each month.

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 24 JANUARY 2018**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	No. 395 Bulwer Street, West Perth (DR 117 of 2017)	5 April 2017	Moschopoulos	<p>Review in relation to refusal of two storey multiple dwelling comprising of four multiple dwellings and associated car parking.</p> <p>*****</p> <p>Application refused by Council on 7 March 2017. Mediation conference held on 4 May 2017 where the SAT invited the applicant to provide a revised proposal and for Council to reconsider the application by 25 July 2017. Revised proposal refused by Council on 25 July 2017. The application was considered at a full hearing on 20 December 2017. An oral SAT decision was delivered on 16 January 2018. The SAT accepted the application for review and approved the development subject to the conditions included in the Council Report of 25 July 2017.</p> <p>Completed.</p> <p><i>Representation by: Altus Planning</i></p>
2.	No. 17 Harwood Place, West Perth (DR 396 of 2017)	11 December 2017	Moharich and More on behalf of Boldform Pty Ltd	<p>Review in relation to a condition of approval limiting the minimum night stay.</p> <p>*****</p> <p>The subject of this review is a decision made by Council at its meeting of 14 November 2017 to approve the amendment of conditions for development approval 5.2015.568.1 granted on 3 May 2016 (Original Approval) for a Change of Use from Multiple Dwellings to Serviced Apartments at Nos. 1-16/17 Harwood Place, West Perth. The review relates to Condition 5 which limits the minimum stay to three nights. The applicant seeks to amend this condition to allow a minimum two night stay in lieu of a three night stay. Mediation is scheduled for 9 February 2018.</p> <p><i>Representation by: City of Vincent Administration</i></p>
3.	No. 38 Fairfield Street, Mount Hawthorn (DR 409 of 2017)	19 December 2017	Fiore	<p>Review in relation to a refusal for an existing unauthorised front fence.</p> <p>*****</p> <p>Application refused under delegated authority on 14 December 2017. A direction hearings has been scheduled for 2 February 2018.</p> <p><i>Representation by: City of Vincent Administration</i></p>

**METROWEST DEVELOPMENT ASSESSMENT PANEL (MWDAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 11 JANUARY 2018**

No.	ADDRESS AND DA SERIAL NO.	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
1.	No. 538 Fitzgerald Street, North Perth	Applicant: Momentum Wealth	15 multiple dwellings (Amendment to approval)	8 August 2017	To be confirmed	To be confirmed
2.	No. 123 Claisebrook Road, Perth	Applicant: Stewart Urban Planning Pty Ltd	Partial demolition of existing buildings and construction of four storey mixed-use building, including 1 office and 12 multiple dwellings	27 September 2017	21 December 2017	Application was recommended for approval on 20 December 2017. Approved unanimously. Minutes available here
3.	Nos. 283 – 285 Vincent Street, Leederville	Applicant: PTS Town Planning	Thirty three multiple dwellings (Amendment to approval)	26 October 2017	To be confirmed	To be confirmed
4.	No. 257 Walcott Street, North Perth	Applicant: Perennial One Pty Ltd	Mixed use development comprising five offices, 17 multiple dwellings and basement car parking (Amendment to Planning Approval)	30 November 2017	To be confirmed	To be confirmed
5.	No. 14 Florence Street, West Perth	Applicant: Megara Developments	15 multiple dwellings	7 December 2017	To be confirmed	To be confirmed
6.	Nos. 500-504 Fitzgerald Street and No. 45 Venn Street, North Perth	Applicant: Studio Technica	19 multiple dwellings and eating house	2 January 2018	To be confirmed	To be confirmed

**CITY OF VINCENT DESIGN ADVISORY COMMITTEE (DAC)
REGISTER OF APPLICATIONS CONSIDERED BY DAC
AS AT 11 JANUARY 2018**

No.	ADDRESS	APPLICANT	PROPOSAL	DAC MEETING DATE	REASON FOR REFERRAL
1.	No. 14 Florence Street, West Perth	Megara Developments	3 Storey Multiple Dwelling Development	22/11/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). DA Lodged.
2.	No. 212 Carr Place, Leederville	Carrier and Postmus Architects	Five Storey Mixed Use Development	22/11/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.
3.	No. 543 William Street, Mount Lawley	Carrier and Postmus Architects	6 Storey Lodging House Development	22/11/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.
4.	Nos. 120-122 Summers Street, Perth	Space Odyssey Design	Three Storey Grouped Dwelling Development	22/11/17	For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 20 September 2017. DA lodged.
5.	Nos. 500-504 Fitzgerald Street and No. 45 Venn Street, North Perth	Studio Technica	3 Storey Multiple Dwelling Development	6/12/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.
6.	Nos. 394 – 398 Newcastle Street, West Perth	Chaney Architecture	Five Storey Mixed Use Development	6/12/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.

**CITY OF VINCENT DESIGN ADVISORY COMMITTEE (DAC)
REGISTER OF APPLICATIONS CONSIDERED BY DAC
AS AT 11 JANUARY 2018**

No.	ADDRESS	APPLICANT	PROPOSAL	DAC MEETING DATE	REASON FOR REFERRAL
7.	Nos. 283-285 Vincent Street, Leederville	Max Weston Architects	6 Storey Multiple Dwelling Development	6/12/17	Amendment to DA previously considered by DAC following completion of development. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). Amendment to DA lodged.
8.	Nos. 77-79 Anzac Road, Mount Hawthorn	Design Developments/Built Projects Wise Form	6 x 2 Storey Grouped Dwelling Development	6/12/17	The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). DA Lodged.
9.	No. 6 Burt Street, Mount Lawley	Planning Solutions	12 x 2 Storey Multiple Dwellings and Eating House	20/12/17	Pre-lodgement requirement. The proposal will likely benefit from the referral to the DAC in terms of the City's Built Form Local Planning Policy No. 7.1.1 (LPP 7.1.1). No DA lodged.
10.	No. 214 Scarborough Beach Road, Mount Hawthorn	ANB Design	Four Storey Mixed Use Development	20/12/17	Pre-lodgment requirement. For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 19 July 2017. No DA lodged.
11.	No. 42 Woodville Street, North Perth	Mark Anthony Design on behalf of Italiano Property Group	6 x 2 Storey Multiple Dwellings	20/12/17	Pre-lodgment requirement. For the DAC to consider the changes made by the applicant in response to the previous DAC comments and recommendations of 6 September 2017. No DA lodged.



INFORMATION BULLETIN



CITY OF VINCENT

REGISTER OF PETITIONS - PROGRESS REPORT – FEBRUARY 2018

Directorate: Chief Executive Officer

Details:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

Key Index:

CEO: Chief Executive Officer
DCE: Director Community Engagement
DCorpS: Director Corporate Services
DDS: Director Development Services
DE: Director Engineering

Date Rcd	Subject	Action Officer	Action Taken
Council Meeting – 14 November 2017			
18/10/17	Petition received from Mr and Mrs Harrison of Emmerson Street, North Perth, along with 9 signatures, requesting that the female and male toilets at the Beatty Park Pavilion be relocated to another location within Beatty Park, or alternatively changing the access so that the entrances are on the southern, park side of the Pavilion, for health and safety reasons and negative impact on family homes, due to current close proximity to residences.	DE	Completed. Currently being investigated and will be further considered during the 2018/19 Budget Preparations. Petitioners advised 5 December 2017.
Council Meeting – 7 February 2017			
12/12/16	Petition received from Mr B Dainton of Harley Street, Highgate, along with 146 signatures, requesting that Council “urgently collaborate with the Federal Government of Australia and the State Government of Western Australia to provide a multi-purpose outdoor sports, basketball, netball and futsal facility at southern side of Birdwood Square near Brisbane Street, Perth or a similar location. A multi-purpose facility will not only provide a venue for local children and adult sporting programs, but also much needed facilities for overflow demand from Highgate Primary School.”	DCE	Completed. City’s Officers presented the outcome of the investigations on the feasibility of the proposal at the Council Workshop held on 11 July. Reported to Council at OMC held on 22 August 2017. The Director of Community Engagement and the CP Team met with the lead petitioner on 30 August 2017 and provided an update and information relating to POS Strategy.



INFORMATION BULLETIN



CITY OF VINCENT

REGISTER OF NOTICES OF MOTION - PROGRESS REPORT – FEBRUARY 2018

Directorate: Chief Executive Officer

Details:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.
The following Notices of Motion still require action or are in the process of being actioned.

Key Index:

CEO: Chief Executive Officer
DCE: Director Community Engagement
DCorps: Director Corporate Services
DDS: Director Development Services
DE: Director Engineering

Details	Action Officer	Comment
12 December 2017 – Submitted by Cr Topelberg		
Information regarding Verge Tree Removal	DE	Information Bulletin to be presented to Council on a monthly basis from February 2018 and will include all tree removal requests and the outcome of each request.
12 December 2017 – Submitted by Cr Topelberg		
Review and Assessment of the City's Building Assets, by March 2018	DE	To be actioned in accordance with Council's decision.
22 August 2017 – Submitted by Cr Hallett		
Investigation of reduction or elimination of Single Use Plastics	DDS	Investigation to be completed by early 2018, with findings and recommendations to be fed into the Corporate Business Plan and draft Budget for 2018/19.
22 August 2017 – Submitted by Cr Gontaszewski		
Strategies to Improve participation and Accessibility by Women and Girls at City of Vincent Sportsground and Associated facilities, by October 2017	DCE	Participation and performance targets now being implemented through the new Sportsground Fees and Charges adopted at the Council Meeting in October 2017. Sporting Club Health Checks now received from all sporting clubs to enable establishment of baseline data. Proposed additional strategies to be communicated to Council in March 2018.
22 August 2017 – Submitted by Mayor Cole		
Reaffirmation of Support for Marriage Equality	DCE	Completed. Various initiatives were implemented between August and November 2017 with the 'Vincent Loves Love' campaign; connecting with local couples; rainbow flag raising ceremony; banners placed up around Vincent and the Council, Administration and Residents walking together in Pride Festival for 2017.
30 May 2017 – Submitted by Cr Loden		
Asset Utilisation, report by February 2018	DCE/DE	Asset utilisation information has been prepared. Response to this Notice of Motion to be consolidated with the 'Review and Assessment of the City's Building Assets' and presented to Council in March 2018.
7 March 2017 – Submitted by Cr Topelberg		
Litis Stadium Master Plan, by 30 June 2017	DCE	Completed. Master Plan considered at the Council Meeting in November 2017 with a two-year lease approved. Club to progress a range of governance and forward planning initiatives over that new lease term.
5 April 2016 – Submitted by Cr Harley/Cr Cole		
Request for a new Plan for Axford Park, by July 2016	DE/DDS	Ongoing. Council adopted an amount of \$200,000 in the 2017/18 Budget. The draft scope of works for the Request for Quote was circulated

Details	Action Officer	Comment
		to Council for comment. The Request for Quote for a suitably qualified consultant to undertake a concept design for Axford Park will now be advertised.
8 March 2016 – Submitted by former Mayor Carey/Cr Cole		
Review of Development Assessment Panels (DAPs)	DDS	A meeting occurred between the City and Minister for Planning, Hon Rita Saffioti, MLA on 2 May 2017 where this matter was discussed. Council reaffirmed its decision on the DAPs at its meeting of 27 June 2017 (Item 9.5). The City will be writing to the Minister for Planning regarding this position.
27 October 2015 – Submitted by former Mayor Carey		
Review of Laws, Policies and Practices relating to the impact of construction activity, on the public realm, by May 2016	DE/ DDS	Changes to Property Local Law to facilitate increased penalties discussed at the Council Workshop held on 29 August 2017.



INFORMATION BULLETIN



CITY OF VINCENT

REGISTER OF REPORTS TO BE ACTIONED - PROGRESS REPORT – FEBRUARY 2018

Directorate: Chief Executive Officer

Details:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

Key Index:

CEO: Chief Executive Officer
DCE: Director Community Engagement
DCorps: Director Corporate Services
DDS: Director Development Services
DE: Director Engineering

Item	Report Details	Action Officer	Comments
<u>Council Meeting – 12 December 2017</u>			
9.9	Amendment to Policy No. 7.5.15 – Character Retention and Heritage Areas	DDS	The adopted Policy which includes Harley Street as a Heritage Area was published on 16 December 2017. Administration will notify landowners and the State Heritage Office of the Harley Street Heritage Area designation. Administration has invited public comment on the proposed Janet Street Heritage Area, Carr Street Character Retention Area and the proposed amendment to the Policy between 16 December 2017 and 2 February 2018.
11.1	City of Vincent Code of Conduct Review	DCorps	Amendments to be actioned then to be uploaded on website.
11.2	Amended Purchasing Policy 1.2.3	DCorps	Public Submission has been prepared and submitted for advertising.
11.3	Review of Investment Policy	DCorps	Completed. Document uploaded on website.
11.6	2016/2017 Carry Forwards Adjustment Report	DCorps	Completed. Budgets have been updated.
12.1	Adoption of the Parking and Parking Facilities Amendment Local Law 2017	DCE	The adopted local law was published in the general addition of the Local Government Gazette 9 January 2018. Explanatory material is currently being compiled and will be submitted in accordance with s3.12(7) <i>Local Government Act 1995</i> .
13.1	Audit Committee Minutes and Annual Financial Report 2016/2017	DCorps	Send to Minister. To be presented to AGM. Annual Report has been uploaded to website.
18.1	Confidential Report: Rates on Small Tenancies	DCorps	Decision communicated to applicant and reimbursement being actioned.
<u>Council Meeting – 14 November 2017</u>			
9.5	Town Centre Place Plans	DDS	Completed. Administration has invited public comment on the draft Town Centre Place Plans between 14 December 2017 and 9 February 2018 by way of local public notice, presentation and invitation to comment to all town teams, display at the Administration and Civic Centre and Library, and publication on the City's website and social media platforms.
10.1	Hyde Park Oblong Turtle Population Study	DE	Approved, study to be continued and funding allocated annually as per Council decision.
10.3	Safe Active Streets – Bike Boulevard Progress Report Three	DE	Currently out to public consultation.
11.1	Funding request for replacement of corroded structural columns at Azzurri Bocce Club - 3 Lawley Street, West Perth	DCorps	Completed. Club has been advised of decision.

Item	Report Details	Action Officer	Comments
12.1	Loftus Community centre – request for Waiver and Write-Off of Fees	DCE	Loftus Community Centre has finalised the required payments as per the Council resolution. Organisational Review and Community Group Health Check to be provided no later than 23 February 2018.
12.2	Manna Inc – Review of the Use of Weld Square for the Provision of Free meal Services for the Homeless	DCE	Meeting to be held between Administration, Manna Inc and other community service organisations in February 2018 to determine a consolidated approach to service delivery at Weld Square.
12.3	Adoption of the Dogs Amendment Local Law 2017	DCE	Completed. The adopted local law was published in the general addition of the Government Gazette 12 December 2017. Public notice of the Local Law has been published and all Explanatory material has been submitted in accordance with s3.12 (7) <i>Local Government Act 1995</i> . The Dog Amendment Local Law 2017 became operational from 26 December 2017. The City's Community Safety and Marketing & Communications Teams are finalising information for local businesses.
12.4	Floreat Athena Football Club – Litis Stadium Master Plan	DCE	New lease provided to Floreat Athena Football Club for their review and execution. Working Group including Football West and Department Local Government, Sport and Cultural Industries representatives to be formed in 2018 to progress initiatives as per the Council resolution.
18.1	CONFIDENTIAL REPORT: Appointment of Community Members to the City of Vincent Advisory and Working Groups	CEO	Community Representatives to be advised of Council's decision and City's website updated.
Council Meeting – 17 October 2017			
10.1	Hyde Street Reserve – Proposed Extension	DE	Submission received (1) through the local public notice period assessed by the A/Chief Executive Officer, and determination made that the project including permanent road closure should proceed. Project implementation being scheduled.
11.2	Lease of 4 View Street, North Perth to Multicultural Services Centre of WA	DCorpS	Negotiating final lease terms.
11.3	Termination of Lease and options for future use – 245 (Lot 245) Vincent Street, Leederville	DCorpS	Realmark engaged to secure and manage lease. Kitchen refurbishment completed. EOI to be prepared.
11.4	Lease to Axicom Pty Ltd for telecommunications purposes – Lot 9023 Marmion Venue, Clarkson (Tamala Park)	DCorpS	Delegated Authority has been obtained from CEO. Waiting for lease to be finalised for execution.
12.1	Sportsground Fees & Charges Review	DCE	Completed. Amended sportsground fees and charges advertised from 27 October to 9 November 2017. No comments or objections received. All relevant sporting clubs advised and invoices forwarded to summer season clubs.
13.2	Approval of Council Briefing and Council Meeting Dates for 2018	DCorpS	Completed.
Council Meeting – 19 September 2017			
9.9	Review of Policy No. 4.2.13 – Design Advisory Committee	DDS	Administration has notified existing Design Advisory Committee members of their extended appointment and will advertise an Expression of Interest for the new Design Review Panel. A further report will be presented to Council following the Expression of Interest process to appoint new members and revoke the existing Policy.
9.10	Fencing Local Law 2008 – Review	DDS	Public Notice of the proposed Amendment Local Law was given in accordance with the <i>Local Government Act 1995</i> with letters sent to relevant stakeholders and advertisements placed on the City's website, in local newspapers and on the City's notice boards and social media between 5 September 2017 and 31 October 2017. A report on the outcomes of advertising is scheduled to be presented to Council in early 2018.
9.11	Relocation of the Leederville Town Centre Taxi Zone	DDS	Administration will now implement the relocation of the existing Taxi Rank, installation of ride share pick up/set down locations, approval and installation of public alfresco and implementation of parking restriction

Item	Report Details	Action Officer	Comments
			<p>changes including signage and line marking. Administration will negotiate and enter into an appropriate written agreement with ride share operators and taxi organisations to implement ride share totems and wayfinding signage.</p> <p>Administration have notified Leederville Connect and all residents, landowners and businesses within 500m of the Taxi zone of Council's decision.</p> <p>Administration will consult with Leederville Connect and all residents, landowners and businesses within 500m of the detail of the Taxi zone changes as they occur in early 2018. And throughout the trial as required by Council's resolution.</p> <p>A report will be presented to Council in late 2018 following the implementation of the trial.</p>
10.1	Replacement Electric Bike - Vincent Community Bike Library	DE	Electric bike has been purchased and the amendment to the City's Fees and Charges is currently open for public comment.
11.5	Standing Orders Amendment Local Law 2017	DCorpS	Administration needs to advertise the Local Law and submit further report to OMC 6 February 2018 after the advertising period has closed.
<u>Council Meeting – 22 August 2017</u>			
11.3	Licence for use of land comprising portion of bike path – Swan River, Under Windan Bridge, East Perth	DCorpS	Agreed to amended graffiti clause. Waiting on final lease for execution.
11.4	Dedication of spite strip (pedestrian footpath) as road – Lot 151, 62 Robinson Ave, Perth	DCorpS	Department of Planning has provided comments. Submitted request to Minister.
12.1	Petition for a Multipurpose Court at Birdwood Square, Perth	DCE	Director Community Engagement has met with lead petitioner to discuss Council Resolution and Public Open Space Strategy.
<u>Council Meeting – 25 July 2017</u>			
9.2	North Perth Town Centre Public Open Space	DDS	<p>The City has entered into a funding agreement with the State Government represented by the Department of Planning, Lands and Heritage in order to receive grant funds of \$250,000 (ex GST).</p> <p>Administration released a tender for a qualified consultant to design, documents and project manage the North Perth Common project which closed 15 December 2018. Administration will now review the tender responses and appoint the successful tenderer.</p> <p>Administration listed a project to prepare an urban design concept for View Street Car Park and surrounds in the Corporate Business Plan 2017/18 which was adopted by Council on 25 July 2017. Administration sent letters to North Perth Local and all residents, landowners and businesses within 500 metres of the endorsed public open space location notifying them of Council's decision on 18 August 2017. Letters were also dropped to local businesses in the North Perth Town Centre on 22 August 2017. Community members that submitted a response during the consultation period did not provide contact details so these individuals are not able to be notified.</p>
9.3	North Perth Town Centre Parking Restrictions – Leake Street (between Alma Road and View Street)	DDS	<p>Administration has notified residents, landowners and business owners identified in the Consultation Map provided in Attachment 1 of the report of Council's decision on Leake Street.</p> <p>Administration will also ensure that no changes to the parking restrictions on Grosvenor Road (between Fitzgerald Street and Leake Street) are implemented until the City has engaged with affected residents on the outcomes of the parking restriction trial adopted by Council on 23 August 2016 and presented a further report to Council to consider these outcomes.</p>
11.3	Adoption of 2017/2018 Annual Budget	DCorpS	Completed.
13.2	Community Budget Submissions 2017/2018	CEO	Being actioned as per Council Recommendation.

Item	Report Details	Action Officer	Comments
Council Meeting – 27 June 2017			
9.4	Proposed Amended Parking Restrictions – Mount Hawthorn Town Centre	DDS	Administration has now completed the installation of the new parking restrictions including sending letters to affected landowners and businesses, installing parking signage and line marking. The enforcement caution period is now complete and the City's Rangers will begin issuing fines for any illegal parking. Rangers have appointed a consultant to conduct a review of the new parking restrictions and a report will be presented back to Council.
9.5	Submission to WALGA – Third Party Appeal Rights in Planning	DDS	Administration has forwarded its submission to WALGA and is drafting letters to be sent to the Minister for Planning and Attorney General advising of the City's position.
10.2	Proposed Road Safety and Traffic Management Improvements in Redfern Street, North Perth and Randell Street, Perth	DE	Completed.
10.3	Beatty Park Leisure Centre – Remedial Works	DE	Works will be ongoing over the next 12 months.
12.1	No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 8	DCE	Administration continues to liaise with the Department of Planning, Lands and Heritage regarding excusing of the Norwood Community Garden (agreed in principle). Management of the remainder of the Lot to then be handed back to the Department.
12.3	Public Open Space Strategy	DCE	Public Open Space Strategy Project Scope discussed at Council Workshop on 21 November 2017 with Consultancy Brief now finalised for Request for Quotations.
18.2	CONFIDENTIAL REPORT: Mindarie Regional Council (MRC) Joining the Eastern Metropolitan Regional Council Resource Recovery Facility Tender	CEO	Completed. Determined by Council at its Special Meeting on 14 August 2017. MRC has since resolved (at its meeting on 14 December 2017) to not accept any tender.
Council Meeting – 30 May 2017			
9.3	Response to Notice of Motion (Item 10.2 OMC 20 September 2016) – Request to Investigate the Requirements, Conditions and Associated Compliance for Development Applications Involving Tree Retention on Private Land	DDS	Administration has implemented changes in relation to development assessment and enforcement procedures in relation to this report. Local planning policy provisions will be included in a future amendment to the Built Form Policy following the WAPC's determination of the policy provisions under the R-Codes.
10.1	Water Corporation – Long Term Water Main Replacement Program within the City of Vincent	DE	Currently works completed, awaiting 2018/19 program to assess future impact.
12.5	Perth Parking Levy	DCE	Interim assessment of parking bays within the Perth Parking Management Area communicated to Council Members in November 2018. Report being finalised for presentation to Council in February/March 2018.
Council Meeting – 7 March 2017			
9.1.4	Submission on Metropolitan Region Scheme Amendment 1310/41 – Guildford Road from East Parade to Tonkin Highway (SC654)	DDS	The submission was forwarded to the Western Australian Planning Commission on 10 March 2017. A meeting between Main Roads, the Department of Transport and the Department of Planning was held on 4 April 2017. A letter to the Minister for Transport, the Minister for Planning and the Western Australian Planning Commission is currently being prepared.
9.1.5	Outcomes of Advertising – Proposed Amended Parking Restrictions – North Perth Town Centre (SC2862)	DDS	A letter to landowners and businesses was sent on 1 May 2017. Parking signs and ticket machines were installed throughout May and June 2017. The fee change notice was published in the newspaper on 24 June 2017. Parking restrictions will come into effect on 1 July 2017. Distribution of Parking Permits for residents commenced from 21 June 2017. A project to consider the number and location of ACROD bays has been considered as part of the 2017/18 budget process. Rangers have appointed a

Item	Report Details	Action Officer	Comments
			consultant to conduct a review of the new parking restrictions and a report will be presented back to Council.
9.3.5	Review of City of Vincent Local Laws under Section 3.16 of the Local Government Act 1995 (SC2688)	DDS	Still waiting on Health, Property and Trading in Public Places Local Laws. To be reported back to Council in 2018.
Council Meeting – 7 February 2017			
9.2.4	Charles Veryard Reserve – Installation of Dog Exercise Area Fencing (Full Enclosure)	DE	Further consultation undertaken and now closed. Assessment of submissions in progress.
Council Meeting – 13 December 2016			
9.1.11	Outcomes of Advertising – Draft Policy No. 7.1.1 – Built Form (SC2320)	DDS	Notice of final adoption and revocation published in the Perth Voice on 21 January 2017. Landscaping and setback provisions provided to WAPC at a meeting on 23 January 2017. A follow up meeting with the Department of Planning was held on 2 March 2017 and again on 9 August 2017. The Policy provisions were considered at the Statutory Planning Committee meeting on 12 December 2017 and the City was notified of the WAPC's decision on 9 January 2018. Administration is now reviewing and making the modifications and will prepare a future amendment to the Built Form Policy in relation to these modifications for Council's consideration. Administration will review the heights in the Claisebrook area as a result of the Minister's decision on Local Planning Scheme 2.
Council Meeting – 15 November 2016			
9.3.8	Leederville Gardens Retirement Village – Village Manager (SC313 & SC308)	DCorpS	Applications shortlisted and interviews to commence.
Council Meeting – 18 October 2016			
9.1.12	Initiation of Amendment to Local Planning Policy No. 7.7.1 – Parking and Access (SC2632)	DDS	Consultation occurred between 14 November 2016 and 12 December 2016. No submissions were received so the consultation period was extended until 27 January 2017. A further report will be presented to Council in 2018.
9.2.1	Proposed Safety Improvement at the Intersection of Walcott and Beaufort Streets, Mount Lawley (SC686, SC986)	DE	Twelve month trial commenced 1 June 2017.
9.2.3	Proposed Parking Restriction Trial – Chelmsford Road, Fitzgerald Street to Ethel Street, North Perth (SC738, SC1201)	DE	Community consultation to be undertaken in conjunction with North Perth Parking Review.
Council Meeting – 23 August 2016			
9.2.3	Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 2 (SC466)	DE	Continuing discussions with the Road Safety Commission being undertaken prior to the consultation scheduled for 2018.
9.2.4	Proposed Traffic Calming - Anzac Road, Mount Hawthorn (SC673)	DE	Partially completed, speed humps to be installed in first quarter of 2018.
9.2.5	Proposed Parking Restriction Trial – Chelmsford Road, Leake Street and Grosvenor Road, North Perth (SC738, SC850, SC811, SC1201)	DE	Community consultation to be undertaken in conjunction with North Perth Parking Review.
14.1	CONFIDENTIAL REPORT: Belgravia Leisure Option to Renew Loftus Recreation Centre Lease (SC379)	DCorpS	Final negotiations and drafting of deed of extension being undertaken.
Council Meeting – 28 June 2016			
9.3.5	Lease of No. 4 Broome Street, Highgate to Minister for Education – Highgate Pre-Primary (Little Citizens) (SC591)	DCorpS	Have requested meeting with Department. Awaiting response.
14.1	CONFIDENTIAL REPORT: Lease of Dorrien Gardens, 3 Lawley Street, West Perth – Perth Soccer Club Inc – Lease Fee (SC529)	DCorpS	Final lease document with Department of Lands for approval.

Item	Report Details	Action Officer	Comments
<u>Council Meeting – 5 April 2016</u>			
9.1.6	Review of Licences for Outdoor Eating Areas and Display of Goods on Footpaths	DDS	Policies reviewed and revoked at 23 August 2016 OMC. Administration has prepared the new 'self-assessment' system for Trading in Public Places Local Law permits and this system will go live in January 2018. The outcomes and results of this system will inform future amendments to the Local Law to identify further efficiencies. These amendment will be presented to Council in 2018.
<u>Council Meeting – 8 March 2016</u>			
9.3.5	Leederville Gardens Retirement Village Estate (SC313/SC308)	DCorpS	The City has submitted a request to the Board for consideration of a refund and is awaiting a formal response.
<u>Council Meeting – 27 October 2015</u>			
9.3.6	Portion of No. 10 (Lot 2545) Farmer Street, North Perth – Approval of a Sub-lease to Vincent Men's Shed (Inc.) (SC351/SC2087)	DCorpS	Negotiating terms with Community Engagement.
<u>Council Meeting – 22 September 2015</u>			
9.5.3	Review of Advisory and Working Groups and Committees, <i>specifically</i> : <ul style="list-style-type: none"> Draft Policy for establishment and operation of a new Community Engagement Panel 	DCE	Formation of the Community Engagement Panel (CEP) was established in September 2017 and formed part of the City's Strategic Community Plan (SCP) community engagement process. Draft Policy to underpin operation of the Panel currently being progressed.
<u>Council Meeting – 20 January 2015</u>			
9.3.4	Lease for Margaret Kindergarten – No 45 (Lot 10349 D/P: Swan L), Richmond Street, Leederville (SC351/SC589)	DCorpS	Have requested a meeting with Department. Awaiting response.
<u>Council Meeting – 18 November 2014</u>			
9.1.4	Car Parking Strategy Implementation – Progress Report No. 1 (PRO0084/SC1345)	DDS/ DE/ DCE	<p>The option of parking benefit districts will be reviewed as part of the review of the Car Parking Strategy and preparation of an Integrated Transport Plan.</p> <p>The City has a policy to guide the issuing of parking permits and has the ability to issue commercial parking permits. Administration issues permits in accordance with this policy.</p> <p>The City takes an approach to parking restrictions where we receive complaints, conduct parking occupancy surveys and report to Council on the results of these surveys.</p> <p>The replacement of the CALE ticket machines throughout the City is currently underway and machines are replaced on a periodic basis. This process will continue until all CALE machines are replaced.</p> <p>Paid parking on William Street was approved by Council on 25 July 2017 (Item 10.2), ticket machines have been modified and signs installed 22 August 2017.</p>
<u>Council Meeting – 21 October 2014</u>			
9.3.5	Lease for Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc and Cardinals Junior Football Club – Lease of Premises at Charles Veryard Reserve Pavilion and Turf Wickets, Bourke Street, North Perth (SC351)	DCorpS	Administration continues to liaise with the Mt Hawthorn Cardinals Junior Football Club regarding their proposed use of the Charles Veryard Reserve Pavilion. It is expected that a new Lease for the Pavilion will be finalised in the first quarter of 2018.
<u>Council Meeting – 7 October 2014</u>			
9.3.2	Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth (SC351/SC621)	DCorpS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.
<u>Council Meeting – 23 September 2014</u>			
9.3.6	Lease for Leederville Tennis Club – Lease of premises at 150 Richmond Street, Leederville (SC351 & PR25077)	DCorpS	No further action pending the outcomes and recommendations included within the Tennis West Strategic Facilities Plan.

Item	Report Details	Action Officer	Comments
<u>Council Meeting – 27 May 2014</u>			
9.3.4	LATE ITEM: East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	DCorpS	Variation of Lease discussions ongoing. Outstanding lease payments now resolved with both Clubs.
<u>Council Meeting – 12 February 2013</u>			
9.2.12	Request to the Minister for Lands for Acquisition of the Right of Way Bounded By Anzac Road, Oxford, Salisbury and Shakespeare Streets, Leederville as Crown Land	DE	Still awaiting further advice from Department of Lands. City's Coordinator Land & Development following up.
9.2.13	Request to the Minister for Lands for the Acquisition and Reversion to 'Crown Land' of the Right of Way Named Luce Lane, North Perth (TES0225)	DE	Still awaiting further advice from Department of Lands.

13.2 APPOINTMENTS TO CEO PERFORMANCE REVIEW PANEL

TRIM Ref: D17/178021

Author: Tim Evans, Manager Governance and Risk

Authoriser: Len Kosova, Chief Executive Officer

Attachments: Nil

RECOMMENDATION:

That Council:

1. **ESTABLISHES** a CEO Performance Review Panel pursuant to clause 1.1 of Policy No: 4.2.16 – CEO Annual Performance Review; and
(a)
2. **APPOINTS** the following Council Members as Council's CEO Performance Review Panel for a term expiring on 18 October 2019:

Members:

1. **Mayor Emma Cole;**
2. **Cr Gontaszewski;**
3. **Cr Topelberg;**
4. **Cr Loden.**

PURPOSE OF REPORT:

To appoint Council Members to the CEO Performance Review Panel.

BACKGROUND:

Council at its meeting on 17 October 2017 considered the CEO's annual performance review for the period August 2016 – August 2017 (Confidential Item 18.1) and resolved (among other things):

"That Council:

1. ...;
2. ...;
3. ...; and
4. *NOTES that appointments to the CEO Performance Review Panel will be presented to Council for consideration as part of the appointment of Council Members to various Committees, Advisory Groups and Statutory Authorities on 14 November 2017."*

In line with this decision, appointments to the CEO Performance Review Panel were to be presented to Council on November 2017 as part of Agenda Item 13.1 – Appointment of Council Members to Advisory and Working Groups and External Bodies. However, this did not occur as the Panel was not referenced in either Administration's report or recommendation regarding this matter.

To correct this oversight, this report is presented to consider the appointment of Council Members to the CEO Performance Review Panel.

DETAILS:

At its Council Meeting on 14 November 2017, Council adopted *Policy No: 4.2.16 – CEO Annual Performance Review* (the Policy). The Policy sets out a process for the establishment of a CEO Performance Review Panel. The Policy sets out that a CEO Performance Review Panel will be established to oversee the CEO Annual Review Process and that the Panel shall comprise up to four members, including the Mayor as Chairperson and at least two other Council Members. The Policy also sets out the primary functions of the Panel which are reproduced in the LEGAL / POLICY section of this report.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 1 of *Policy No: 4.2.16 – CEO Annual Performance Review* states:

"1. Performance Review Panel

- 1.1 The Council shall establish a CEO Performance Review Panel (the Panel) to have carriage and oversight of the Annual Review Process.
- 1.2 The Panel shall be appointed by resolution of Council for a two year term ending on the date of the next ordinary local government election.
- 1.3 The Panel shall comprise up to four members, including the Mayor as Chairperson and at least two other Council Members.
- 1.4 The primary functions of the Panel are to:
 - (a) Subject to clause 2.4, determine the scope of work to engage a consultant to assist with the conduct of the review process;
 - (b) Review quotations received from consultants to assist with the conduct of the review process;
 - (c) Provide a recommendation to Council on the appointment of a suitable consultant to assist with the conduct of the review process;
 - (d) Manage the consultant appointed by Council;
 - (e) Review the results of the performance review process and remuneration review and provide a recommendation to Council on the same; and
 - (f) Discuss possible KPIs and measurements with the CEO for reporting to Council arising from the performance review process."

RISK MANAGEMENT IMPLICATIONS:

Low: Establishment of the CEO Performance Review Panel and appointment of Council Members to the same will ensure the CEO's annual review process is conducted appropriately, in line with Council's adopted Policy No. 4.2.16.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Plan 2013-2023 - Key Result Area Four – "Leadership, Governance and Management" and, in particular, "4.1.2 - Manage the organisation in a responsible, efficient and accountable manner."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

In order to satisfy Council's resolution from 17 October 2017 and comply with the adopted Policy No. 4.2.16, it is recommended that Council appoint members to a CEO Performance Review Panel.

Administration has put forward its recommendation of panel members based on expressions of interest that were received from those Council Members (alone) at the time.

13.3 LATE ITEM: ANNUAL GENERAL MEETING OF ELECTORS HELD ON 30 JANUARY 2018**TRIM Ref:** D18/15218**Authors:** Stephanie Smith, Manager Policy and Place
Tim Evans, Manager Governance and Risk**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. Minutes of the Annual General Meeting of Electors held 30 January 2018 [↓](#)
**RECOMMENDATION:****That Council:**

1. **RECEIVES** the Minutes of the Annual General Meeting of Electors held on Tuesday 30 January 2018, included as Attachment 1; and
2. **NOTES** and **ENDORSES** the response provided by Administration to the General Business motion carried at the Annual General Meeting of Electors held on Tuesday 30 January 2017 for the reasons outlined in the report.

PURPOSE OF REPORT:

To consider the general business motion carried at the Annual General Meeting of Electors (AGM), held on 30 January 2018.

BACKGROUND:

The AGM of the City of Vincent was held in the City of Vincent Council Chambers on Tuesday 30 January 2018. There were four electors present together with Council Members, City employees and one member of the press. One general business motion was carried at the meeting as follows:

“That Council look at supporting a nomination to the State Government Minister for Heritage, to make the Cleaver Precinct a Heritage Precinct. This will assist Council in keeping our historic street.”

The full minutes of the AGM are included as **Attachment 1**.

DETAILS:

Below is Administration’s response to the above-mentioned motion from the AGM:

Response by Director Development Services

The Cleaver Precinct comprises the land bounded by Loftus Street, Vincent Street, Charles Street and Newcastle Street in West Perth. There are 14 properties in the Precinct that are currently recognised on the Heritage List. In addition, the City is currently advertising an amendment to Local Planning Policy No. 7.5.15 – Character Retention and Heritage Areas to recognise two streets in the area. Carr Street is proposed to be recognised as a Character Retention Area and Janet Street is proposed to be recognised as a Heritage Area. Prior to this, the City also received and progressed a nomination for Kingston Avenue to be recognised as a Character Retention Area; however, during preliminary consultation on this nomination there was insufficient support from the local community for the proposal so the City did not progress the nomination.

On 28 August 2017, the City received a nomination for the properties on Cleaver Street, West Perth between Newcastle Street and Vincent Streets to be recognised as a Character Retention Area. The nomination was incomplete as it did not have signatures of support from at least 40% of land owners in the area in accordance with Clause 1.3 of the Policy. The City suggested that the nominee obtain these signatures to allow the City to proceed with the completed nomination. This information has not yet been provided.

There are a number of streets in the Cleaver Precinct (including Strathcona Street, Colvin Lane, Prospect Place, Ivy Street, Florence Street, Hammond Street and Florence Place) for which no nomination or community engagement has been undertaken in relation to Character Retention or Heritage Area recognition.

It is assumed that the reference to a 'Heritage Precinct' in the AGM Motion relates to a Heritage Place designation under the State Register of Heritage Places. The City has noted that the Precinct may have character and/or heritage significance and has identified this as a project for Council to consider in the preparation of the 2018/19 Budget and Corporate Business Plan. However, it is considered premature to support the listing of the place on the State Register of Heritage Places until the City has undertaken a detailed heritage assessment of the broader area and the necessary consultation with the local community regarding an amendment to the City's Policy to recognise the area as a character or heritage area.

Given the above, it is recommended that Council consider the AGM Motion as part of the 2018/19 Budget and Corporate Business Plan process to determine whether a detailed heritage assessment of the area should be undertaken, which will inform the City's support or otherwise for the proposed State Heritage Listing.

In addition to the aforementioned motion from the AGM, Mr Alf Parolo of West Perth also made the following comments, which Administration has responded to further below.

- Raised concern regarding parking and noise issues relating to the Rosewood development.
- Noted that there are two separate developments in Florence Street and Janet Street and sought Council's support to listen to the concerns of residents.

Response by Director Development Services

All developers have a role in ensuring that they comply with all parking and noise regulations and conditions during construction. The City works with developers to ensure compliance with these requirements and will follow up on any issues or complaints raised by residents in the surrounding areas.

The traffic impact of the proposed Florence Street and Janet Street developments will be considered as part of the development assessment process that is undertaken and will be taken into account when these applications are determined by Council and the Development Assessment Panel.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The AGM of the City of Vincent was held in accordance with section 5.27 of the *Local Government Act 1995* (the Act). Section 5.33(1) of the Act requires that all decisions made at an Electors' Meeting are to be considered at the next Ordinary Meeting of Council, where practicable.

Council must consider the motions from the AGM but is not obliged to make a decision on all or any of those Motions. If Council chooses to make a decision in response to an AGM Motion then reasons for that decision need to be recorded in the Minutes of the Council Meeting.

RISK MANAGEMENT IMPLICATIONS:

Failure to consider decisions made at the AGM would mean that the City has not complied with section 5.33 of the *Local Government Act 1995*.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Plan 2013-2023 – Key Result Area Three – Community Development and Wellbeing.

The AGM presents an opportunity for members of the public to attend and participate in the decision-making processes of the City, resulting in active democracy and promoting a community engagement strategy as reflected in the City's Corporate Business Plan.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that Council receives the Minutes of the Annual General Meeting of Electors and notes and endorses Administration's response to the motion carried under General Business.



CITY OF VINCENT

MINUTES

Annual General Meeting

30 January 2018

Table of Contents

1	Declaration of Opening / Acknowledgement of Country.....	3
2	Apologies / Members on Leave of Absence	4
3	Reports	5
3.1	2016/2017 Annual Report (including Financial Report 2016/2017).....	5
4	General Business	6
4.1	Marie Slyth – West perth.....	6
4.2	Alf Parolo - cleaver street.....	6
5	Closure	7

ANNUAL GENERAL MEETING MINUTES

30 JANUARY 2018

**MINUTES OF CITY OF VINCENT
ANNUAL GENERAL MEETING
HELD AT THE ADMINISTRATION AND CIVIC CENTRE
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 30 JANUARY 2018 AT 6PM**

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Jimmy Murphy Cr Joshua Topelberg	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
IN ATTENDANCE:	Len Kosova John Corbellini Michael Quirk Andrew Murphy John Paton Tim Evans Emma Simmons	CEO Director Development Services Director Community Engagement Director Engineering Director Corporate Services Manager Governance and Risk Governance and Council Support Officer
Media:	Julian Wright	Journalist – “ <i>The Guardian Express</i> ”
Electors:	Alf Parolo Marie Slyth Jennifer Hopwood M Rosario	West Perth West Perth Leederville North Perth

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6pm and read the following Acknowledgement of Country statement:

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging”.

The Presiding Member, Mayor Emma Cole provided the following introduction to the meeting:

“Good evening everyone and welcome to our Annual General Meeting of Electors.

The purpose of this meeting is twofold – firstly, to receive the City’s 2016/17 Annual Report and secondly, to provide electors with an opportunity to raise any general business or motions relating to the City of Vincent.

To speak or vote at this meeting you must be an elector of the City of Vincent. If you are not an elector then you are welcome to remain in the Chamber as an observer to the proceedings.

Every elector present has one vote on each matter to be decided at the meeting, but voting is not compulsory.

All decisions at this meeting are to be made by a simple majority, meaning more than 50% of the votes in favour of the motion. The mover and seconder for all decisions will be recorded in the minutes of meeting, with votes being recorded as simply ‘Carried’ or ‘Lost’ based on a show of hands.

The procedures for tonight’s meeting have been outlined on page 4 of the agenda papers, which are available online and have also been placed around the Council Chamber.

ANNUAL GENERAL MEETING MINUTES

30 JANUARY 2018

Speakers at tonight's meeting will need to come forward to the microphone and please state their name and address. When addressing the meeting they should do so through me, the Presiding Member. All speakers are asked to keep their questions and comments respectful and relevant to the business of the City of Vincent. If you wish to move a motion at tonight's meeting, then I would ask that you please submit it in writing. Motions will need to be seconded by another elector before they can be debated. A form to submit your Motion was available online and copies are also available here at the meeting tonight.

Please note that decisions made at tonight's meeting are not binding on Council. Rather, Council will consider tonight's decisions at its next practicable meeting. Depending on the number and nature of motions this evening, this will be at either the Council Meeting next week, or the March Council Meeting.

This was the year that we launched "Imagine Vincent" campaign this was the largest community engagement initiative in Vincent's history and we are now using all of the ideas and feedback from our community to shape our Strategic Community Plan.

We also invited, for the first time, our community to better engage with our annual budget process by calling for community budget submissions from residents and ratepayers which has been a really successful initiative and resulted in \$1million of new, community-driven initiatives being supported by Council.

We commenced live streaming of Council Briefings and Council Meetings and we continued to expand the information published to the City's transparency web portal, and we appointed two highly qualified, independent community members to our Audit Committee, an initiative which has been incredibly well received.

We continued to focus on Pedestrian safety and the walkability of our neighbourhoods remained a top priority, with a number of upgrades made to pedestrian crossings and intersections and we continue to work on phase two of the City's Bike Boulevard and very proudly we launched our very first Reconciliation Action Plan (RAP).

We continued to fund festivals and events throughout Vincent and some of those that were particularly new and different were the Leedy Open Streets where we closed Oxford and Newcastle Streets to cars in Leederville and we also held our first "play street" initiative in Rae Street, Leederville.

Another leap forward was the streamlining of our planning policies - 19 policies were brought together into a single, simpler local planning policy for people looking to develop within the City. This has had a big impact on landscaping requirements and rear setbacks in particular.

We have continued to work towards addressing the challenge of improving the City's ageing assets and to develop a 10 year financial plan and I also think that we should mention the significant upgrade to Charles Veryard Reserve clubrooms and the oval lighting, improvements to our websites and the fact that we became a Platinum Waterwise Council.

I also think that it is important to pay tribute to the former Mayor John Carey who served for the majority of this period as Mayor, until 30 January 2017 and to mention former Council Member Laine McDonald who served during this period. We also welcomed new Council Member Jonathan Hallett."

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Roslyn Harley (Apology)

ANNUAL GENERAL MEETING MINUTES

30 JANUARY 2018

3 REPORTS**3.1 2016/2017 ANNUAL REPORT (INCLUDING FINANCIAL REPORT 2016/2017)****TRIM Ref:** D18/11857**Author:** Tim Evans, Manager Governance and Risk**Authoriser:** Len Kosova, Chief Executive Officer**Attachments:** 1. Annual Report 2016/2017 **RECOMMENDATION:**

That the City of Vincent's 2016/2017 Annual Report be presented to the Annual General Meeting of Electors for discussion.

ITEM 3.1

Presiding Member Mayor Emma Cole called for an Elector to move and second the motion. In the absence of a mover or seconder from the public gallery, Presiding Member Mayor Emma Cole called for a Council Member (as an elector) to move and second the motion.

Moved: Cr Loden, Seconded: Cr Murphy

That the City of Vincent's 2016/2017 Annual Report be PRESENTED for discussion.

Presiding Member Mayor Emma Cole called for questions or comments in relation to the motion.

No questions or comments were received.

CARRIED

ANNUAL GENERAL MEETING MINUTES

30 JANUARY 2018

4 GENERAL BUSINESS**4.1 MARIE SLYTH – WEST PERTH**

Attachments: [1.](#) **Email from Marie Slyth to Minister David Templeman, Minister for Heritage**

Ms Slyth submitted the following motion and tabled Attachment 1:

Moved: Ms Slyth, Seconded: Cr Loden

That Council look at supporting a nomination to the State Government Minister for Heritage, to make the Cleaver Precinct a Heritage Precinct. This will assist Council in keeping our historic street.

CARRIED

In accordance with section 5.33 of the Local Government Act 1995, this motion will be considered by Council at the next practical Ordinary Council Meeting.

Ms Slyth made the following statements:

- Noted an increase in traffic volume in Carr Street and Florence Street since the Charles Street bus lane was added.
- Raised concern regarding a potential further increase in traffic volume if a proposed development at 14 and 16 Cleaver Street is approved.
- Advised of an abandoned vehicle in Strathcona Street and stated that it had been there for 2 weeks.
- Stated that a verge street tree between 91 Carr Street and 93 Carr Street is overgrown and requires cutting back.
- Stated that there are no rights for our history and heritage.

4.2 ALF PAROLO – WEST PERTH

Alf Parolo made the following statements:

- Welcomed new Council Members and the Director Engineering.
- Raised concern regarding parking and noise issues relating to the Rosewood Aged Care development.
- Noted that there are two separate developments in Florence Street and Janet Street and sought Councils support to listen to the concerns of residents.

ANNUAL GENERAL MEETING MINUTES

30 JANUARY 2018

5 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 6.25pm with the following persons present:

PRESENT:	Mayor Emma Cole Cr Susan Gontaszewski (Deputy Mayor) Cr Alex Castle Cr Joanne Fotakis Cr Jonathan Hallett Cr Dan Loden Cr Jimmy Murphy Cr Joshua Topelberg	Presiding Member South Ward North Ward North Ward South Ward North Ward South Ward South Ward
IN ATTENDANCE:	Len Kosova John Corbellini Michael Quirk Andrew Murphy John Paton Tim Evans Emma Simmons	CEO Director Development Services Director Community Engagement Director Engineering Director Corporate Services Manager Governance and Risk Governance and Council Support Officer
Media:	Julian Wright	Journalist – “ <i>The Guardian Express</i> ”
Electors:	Alf Parolo Marie Slyth Jennifer Hopwood M Rosario	West Perth West Perth Leederville North Perth

These Minutes are confirmed by the Council as a true and accurate record of the Annual General Meeting of Electors held on 30 January 2018.

Signed: Mayor Emma Cole

Dated this day of2018

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 NOTICE OF MOTION - HIGHER ORDER WASTE MANAGEMENT**

TRIM Ref: D18/15175

Attachments: Nil

That Council REQUESTS Administration to present a report to Council in March 2018 providing an overview of:

1. Progress of the Waste Strategy project (CBP Item 8.1);
2. Improvements to the City's waste management practices that have been implemented over the past 12 months;
3. Opportunities being explored to further improve the City's waste management practices over the next 12 months; and
4. Opportunities for the City to engage with other local governments, now and in the future, as part of the Waste Strategy and the City's ongoing improvement in waste management practices.

REASON

To update Council on the progress of the development of the Waste Strategy and to receive further information on:

- what changes have been implemented in the past 12 months
- what opportunities will be explored over the next 12 months
- how the City can to engage with other local governments to further improve the City's waste management practices and achieve waste diversion higher in the waste hierarchy than landfill or waste to energy.

ADMINISTRATION COMMENT

Administration support the proposed motion.

**15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
(WITHOUT DISCUSSION)**

Nil

16 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

17 URGENT BUSINESS

Nil

**18 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE
CLOSED**

Nil

19 CLOSURE