

# agenda

Elected Members Briefing  
Session



To: His Worship the Mayor and Councillors

Please be advised that an Elected Members Briefing Session will be held at **6.30pm** on **Tuesday 5 June 2018** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

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

**MR ANTHONY VULETA**  
**CHIEF EXECUTIVE OFFICER**

**1 June 2018**

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## ELECTED MEMBERS BRIEFING SESSION

### Purpose of Elected Members Briefing Session (EMBS)

The EMBS is a constituted Committee of the Council in accordance with Section 5.8 of the *Local Government Act 1995*. The function of the EMBS is to inform Elected Members of relevant and material facts and circumstances pertaining to matters to be decided at a forthcoming Ordinary Council meeting.

The EMBS:

1. Has no delegated power to make decisions;
2. Does not make recommendations about the adoption of reports of employees or others to the forthcoming Ordinary Council meeting;
3. Will involve Elected Members, staff, and external advisors (where appropriate) and will be open to the public; and
4. Provides an opportunity for Elected Members to be equally informed and seek additional information on reports, items and matters prior to them being presented to the forthcoming Ordinary Council meeting for formal consideration and decision.

### Procedures for EMBS

A meeting of the EMBS will be conducted in accordance with the Standing Orders Local Law. The following procedures will also apply:

1. The EMBS will be open to the public except for matters of a confidential nature. The guide for determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
2. There is no debate amongst Elected Members on any matters raised during the EMBS.
3. Relevant employees of the Town will be available to make a presentation or respond to questions on matters listed on the agenda of the EMBS.
4. A record (brief minutes) shall be kept of all EMBS meetings. As no decisions are made at an EMBS, the record will only be a record of;
  - 4.1 items listed on the agenda by heading and number;
  - 4.2 questions asked and the response provided; and
  - 4.3 any disclosure of interest as declared by individuals.
5. Persons having an interest in or knowledge of matters to be decided by the Council may be invited by the Chief Executive Officer to address an EMBS. Such persons making an address will be limited to 15 minutes. An address must relate to matters listed on the Agenda.

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**1 OPENING****2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER****2.1 Recording of Proceedings**

In accordance with clause 5.14 of the *Town of Victoria Park Standing Orders Local Law 2011*, as the Presiding Member, I hereby give my permission for only the Administration to record proceedings of this meeting.

**2.2 Public Question & Public Statement Time**

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 5.15 of the *Town of Victoria Park Standing Orders Local Law 2011*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

**2.3 No Adverse Reflection**

In accordance with clause 14.1 of the *Town of Victoria Park Standing Orders Local Law 2011*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees

**2.4 Town of Victoria Park Standing Orders Local Law 2011**

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Standing Orders Local Law 2011*.

### 3 ATTENDANCE

<b>Mayor:</b>	Mr T (Trevor) Vaughan
<b>Banksia Ward:</b>	Cr C (Claire) Anderson Cr J (Julian) Jacobs Cr R (Ronhhda) Potter Cr K (Karen) Vernon
<b>Jarrah Ward:</b>	Cr J (Jennifer) Ammons Noble Cr B (Bronwyn) Ife Cr B (Brian) Oliver Cr V (Vicki) Potter (Deputy Mayor)
<b>Chief Executive Officer:</b>	Mr A (Anthony) Vuleta
<b>Chief Operations Officer:</b>	Mr B (Ben) Killigrew
<b>Chief Financial Officer:</b>	Mr N (Nathan) Cain
<b>Chief Community Planner:</b>	Ms N (Natalie) Martin Goode
<b>Manager Development Services</b>	Mr R (Robert) Cruickshank
<b>Secretary:</b>	Mrs A (Alison) Podmore
<b>Public:</b>	

#### 3.1 Apologies

#### 3.2 Approved Leave of Absence

### 4 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

#### **Declaration of Financial Interests**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

### Declaration of Proximity Interest

Elected members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	

### Declaration of Interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	
Item No/Subject	
Nature of Interest	
Extent of Interest	



## **5 PUBLIC QUESTION TIME**

### **5.1 Responses to Questions Raised and Taken on Notice at the Elected Member Briefing Session held on 1 May 2018**

Alana Levett

- Q. When was the warrant ranking last undertaken for State Street? Was it since the park was established approximately three years ago?
- R. The warrant assessment was undertaken in November 2017 after receiving the petition. The latest available data (traffic counts of 2016-2017) and Main Roads crash data (2012-2016) was used in the assessment.

### **5.2 Responses to Questions Raised at the Elected Members Briefing Session held 5 June 2018**

## **6 PUBLIC STATEMENT TIME**

## **7 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the minutes of the Elected Members Briefing Session meeting held on Tuesday, 1 May 2018 be confirmed.

## **8 PRESENTATIONS**

### **8.1 Petitions**

### **8.2 Presentations (Awards to be given to the Town)**

### **8.3 Deputations (Planning / External Organisations)**

6:45pm Item 11.1 – 32 Stiles Avenue, Burswood, 17 Claude Street, Burswood & 20 Claude Street, Burswood – Change of use to Educational Establishment & Unlisted use (carpark) – Ms Emma Dunning from Urbis will be in attendance to discuss this application.

- 6:50pm      Item 11.2 – 30 Stiles Avenue, Burwood – Application for Change of Use from ‘Factory/Showroom’ to Unlisted Use – Josh Arnott, Town Planner of Altus Planning, the applicant, will be in attendance to discuss this application.
- 6:55pm      Item 11.2 – 30 Stiles Avenue, Burwood – Application for Change of Use from ‘Factory/Showroom’ to Unlisted Use – a representative of the business owner in be in attendance to discuss this application.
- 7:00pm      Item 11.3 – 86 Etwell Street, East Victoria Park – Retrospective Change of Use from Single House to Residential Building - Ms Hannah Day and Mr Mike Keane from Cats Corporation will be in attendance to discuss this application.

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

## 10 CHIEF EXECUTIVE OFFICER REPORTS

### 10.1 Conduct of Ward and Representation Reviews – Local Government Advisory Board

<b>File Reference:</b>	COR/10/0008
<b>Appendices:</b>	No
<b>Attachments:</b>	No

<b>Date:</b>	22 May 2018
<b>Reporting Officer:</b>	R. Fishwick
<b>Responsible Officer:</b>	A. Vuleta
<b>Voting Requirement:</b>	Simple Majority

**Executive Summary:**

**Recommendation – That Council advises the Western Australian Local Government Association (WALGA) that the Town of Victoria Park (the Town) has no objection to the Local Government Advisory Board's change to the current practice of directing the carrying out of Councillor to Elector ratios by way of ward and representation reviews.**

- The Local Government Advisory Board is considering operational changes to the current practice of directing the carrying out of a review of Councillor to Elector ratios by way of a review of wards and representation.
- WALGA is seeking feedback from member local governments, particularly those with a ward system of representation, to assist in its response to the proposal;
- It is recommended that the Council advise WALGA that it has no objection to changes to the LGAB's current practice.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

The Local Government Advisory Board (the Board) has approached WALGA to seek sector comment on a proposed change in procedure. WALGA has requested the feedback by 14 June 2018.

Clause 6(1) of Schedule 2.2 of the *Local Government Act 1995* requires local governments that have wards, to carry out a review of ward boundaries and councillor numbers every eight years.

Clause 6(3) allows the Board to direct a local government to conduct a review at any time. Currently, the Board's staff undertake an operational analysis of ward and representation ratios following each local government election. As a consequence of identifying ratios that are greater than plus or minus 10%, the Board will then require a ward and representation review to be conducted.

**DETAILS:**

The Board considers it would be more efficient to cease post-election analysis and any subsequent direction to a local government. It would then be up to each local government to advise the Board on occasions when the ratio is identified as exceeding plus or minus 10%. The Board will then determine the information provided to it and assess whether a review should be undertaken.

This shift in procedure is regarded as creating an opportunity for local governments to be more accountable by recognising they are best placed to analyse local circumstances that may in turn impact on wards and representation. No legislative amendment is required to effect the proposed change in the Board's practice.

**Legal Compliance:**

Clause 6 of Schedule 2.2 the *Local Government Act 1995* cited below deals with local government with wards to review periodically:

**6. Local government with wards to review periodically**

(1) *A local government the district of which is divided into wards is to carry out reviews of —*

(a) *its ward boundaries; and*

(b) *the number of offices of councillor for each ward,*

*from time to time so that not more than 8 years elapse between successive reviews.*

(2) *A local government the district of which is not divided into wards may carry out reviews as to —*

(a) *whether or not the district should be divided into wards; and*

(b) *if so —*

(i) *what the ward boundaries should be; and*

(ii) *the number of offices of councillor there should be for each ward,*

*from time to time so that not more than 8 years elapse between successive reviews.*

(3) *A local government is to carry out a review described in subclause (1) or (2) at any time if the Advisory Board requires the local government in writing to do so.*

**Policy Implications:**

Nil

**Risk Management Considerations:**

The risks have been identified as outlined below:

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Compliance:</b> No noticeable regulatory or statutory impact.	Insignificant	Unlikely	Low	<p>The Town's current elector representation ratios are within the prescribed deviation of plus or minus 10% for both of its Wards which sit at plus and minus 5.88%.</p> <p>Pursuant to Schedule 2.2 of the <i>Local Government Act 1995</i> the Town will be undertaking a review of its Wards and Representation which is due this year.</p>

**Strategic Plan Implications:**

CL10 Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Nil

**Sustainability Assessment:**

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

The Town is currently compliant with the Councillor/Elector ratios as there is only a slight imbalance in representation between the two Wards with Banksia (+5.88%) being slightly over represented and Jarrah (-5.88%) being slightly under represented. These ratios comply with the Board's percentage ratio deviation of plus or minus 10%.

The Town will be undertaking a review of its Wards and Representation this year as required by the *Local Government Act 1995* as eight years has elapsed since the last review. In this regard a draft discussion paper has been prepared by the Administration for comment by Elected Members prior to Council formally resolving to conduct the review.

Notwithstanding the above, the Administration has no objection to the Board's change of process as it should be left to each local government to perform a review as and when it deems necessary, outside of the statutory eight year review.

The Town has never been directed by the Board to undertake any Ward Boundary and Representation Review following a local government election. The Town last undertook its Ward Boundary Review in 2010 which resulted in a slight change to its ward boundaries.

**CONCLUSION:**

That the Council advises WALGA that it has no objection to the Board's change of process as it should be left to local governments to perform a review as and when they deem necessary, outside of the statutory eight year review.

**RECOMMENDATION/S:**

**That Council advises the Western Australian Local Government Association that the Town of Victoria Park has no objection to the Local Government Advisory Board's (the Board) change to the current practice of the Board directing the carrying out of Councillor to Elector ratios by way of ward and representation reviews as it should be left to individual local governments to undertake a review as and when it deems necessary, outside of the statutory eight year review period.**

## 10.2 Australian Local Government Association's 2018 National General Assembly

<b>File Reference:</b>	COR/9/10
<b>Appendices:</b>	No
<b>Attachments:</b>	No

<b>Date:</b>	14 May 2018
<b>Reporting Officer:</b>	R. Fishwick
<b>Responsible Officer:</b>	A. Vuleta
<b>Voting Requirement:</b>	Simple Majority

### Executive Summary:

**Recommendation – That approval be given for Cr Vernon to attend the Australian Local Government Association's 2018 National General Assembly in Canberra, from 17 to 20 June 2018 at an estimated cost of \$3,550.**

- The Australian Local Government Association's 2018 National General Assembly (NGA) is being held in Canberra from 17 to 20 June 2018.
- The NGA is Australia's largest and most influential gathering of Local Government councillors, mayors, chairs and officials.
- The theme for this year's NGA is "Australia's future: make it local".
- Cr Vernon has expressed an interest in attending the conference.

### TABLED ITEMS:

- National General Assembly Program Details.

### BACKGROUND:

The Australian Local Government Association's (ALGA) 2018 National General Assembly (NGA) is Australia's largest and most influential gathering of Local Government councillors, mayors, chairs and officials.

The theme for this year's NGA is "Australia's future: make it local" which reflects not just the wide scope and importance of Local Government, but its ability to influence and affect fundamental change and improvement at the community level.

### DETAILS:

The 2018 NGA theme also indicates at the strong possibility of a federal election being called later this year or early in 2019. That being the case, Local Government will need to be ready and able to speak up on behalf of its constituents and community.

ALGA and the State and Territory Local Government Associations are already well advanced in their election advocacy strategies, but this conference will provide important input into the fine-tuning of those plans. A significant number of motions will be put to the Assembly, generating lively, vigorous and constructive debate.

**Speakers**

The Speakers presenting at the NGA comprise:

- The Hon Malcolm Turnbull MP – Prime Minister of Australia;
- The Hon Bill Shorten MP – Leader of the Opposition;
- The Hon Dr John McVeigh MP;
- The Hon Anthony Albanese MP – Shadow Minister for Infrastructure, Transport, Cities and Regional Development and the Shadow Minister for Tourism;
- Stephen Jones MP – Federal Member for Whitlam and Shadow Minister for Regional Services, Territories and Local Government and Regional Communications;
- Virginia Haussegger AM – Australian Journalist, Media Commentator and Television Presenter;
- David Speers – Political Editor, SKY NEWS;
- Saul Eslake – Leading Australian Economist;
- Katherine O'Regan – Executive Director, Cities Leadership Institute; and
- Bernard Salt AM – Author and Columnist.

**Legal Compliance:**

Nil

**Policy Implications:**

Policy EM5 specifies the procedure for Elected Members attending conventions and conferences.

**Strategic Plan Implications:**

CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision-making.

**Financial Implications:****Internal Budget:**

Flights:	\$ 850
Accommodation (4 nights):	\$ 880
Cost of registration:	\$1,429
5 Day daily Allowance	\$ 375
<b>Total:</b>	<b>\$3,534</b>

There are sufficient funds in Members Travel and Expenses Account numbers 13534.1226 and 13534.1222 to meet the expenditure.

**Total Asset Management:**

Nil

**Sustainability Assessment:****External Economic Implications:**

Nil

**Social Issues:**

Nil

**Cultural Issues:**

Nil



Environmental Issues:

Nil

**COMMENT:**

All of the motions that are supported at the NGA are submitted to the ALGA board for consideration and, ultimately, to advance the cause of Local Government and the communities they seek to serve.

The program for this year's NGA is extensive, with multiple streams of specialist presentations and a range of keynote speakers to inform and inspire those in attendance.

As the NGA is being staged with a federal election on the horizon, its expert panels also has individuals with inside views of what may transpire in "Capital Hill".

**CONCLUSION:**

The NGA provides an opportunity for the Town's delegate to meet new colleagues, to listen to experts and specialists, participate in discussions and to learn from the very best ALGA has gathered to present at the NGA. It also enables the delegate to take-home ideas and inspiration to help make the Town's community the very best it can be.

It is therefore recommended that approval be given to Cr Vernon to attend.

Cr Vernon will provide a written report of the NGA and its application to the Town of Victoria Park.

**RECOMMENDATION/S:**

**That approval be given for Cr Vernon to attend the Australian Local Government Association's 2018 National General Assembly in Canberra, from 17 to 20 June 2018 at an estimated cost of \$3,550.**

## 11 CHIEF COMMUNITY PLANNER REPORTS

### 11.1 No. 32 (Lot 46) Stiles Avenue, Burswood, No. 17 (Lot 801) Claude Street, Burswood & No. 20 (Lot 89) Claude Street, Burswood – Change of Use to Educational Establishment & Unlisted Use (Carpark)

<b>File Reference:</b>	PR6315, PR20200, PR6343
<b>Appendices:</b>	1. Site Photos 2. Development application plans 3. Applicant's supporting documents 4. Noise Assessment 5. Dust Management Plan
<b>Attachments:</b>	No
<b>Landowner:</b>	Eaglesham Nominees Pty Ltd & Devon Cove Pty Ltd
<b>Applicant:</b>	Training Alliance Group C/- Urbis
<b>Application Date:</b>	19 December 2017
<b>DA/BA or WAPC Ref:</b>	5.2017.1045.1
<b>MRS Zoning:</b>	Urban
<b>TPS Zoning:</b>	Office/Residential
<b>TPS Precinct:</b>	Precinct P2 'Burswood'
<b>Use Class:</b>	'Educational Establishment' and 'Unlisted Use' (Carpark)
<b>Use Permissibility:</b>	Educational Establishment - 'AA' (discretionary) Use; Unlisted Use (Carpark) - at Council's discretion

<b>Date:</b>	23 May 2018
<b>Reporting Officer:</b>	D. Rowley
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Approval - Absolute Majority Refusal – Simple Majority

#### Executive Summary:

#### Recommendation – Approval by Absolute Majority subject to conditions

- Application seeks to Change the Use of three (3) existing commercial sites for the purpose of 'Educational Establishment' which is an 'AA' (Discretionary) Use and associated 'Car Park' for a temporary five (5) year period.
- Community consultation was undertaken for a period of 14 days consisting of letters to surrounding property owners/occupiers. The consultation period commenced on 19 March 2018 and concluded on 6 April 2018 with three (3) submissions received.
- The use of Office/Residential zoned land exclusively for car parking purposes is not consistent with the intent of the Scheme. However, both uses are proposed for a temporary five (5) year period and it is considered that the use of the sites is not likely to have a significant detrimental impact on the amenity of the locality within this timeframe.
- Accordingly, the application for a Change of Use to 'Educational Establishment' and 'Unlisted Use (Carpark)' for a five (5) year temporary period is recommended for Approval by Absolute Majority, subject to conditions.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

On 2 May 2017, Council received an application for Retrospective Change of Use from 'Showroom and Offices' to 'Educational Establishment' at No.18 (Lot 90) Claude Street, Burswood. A total of five (5) on-site car bays were provided on the subject site

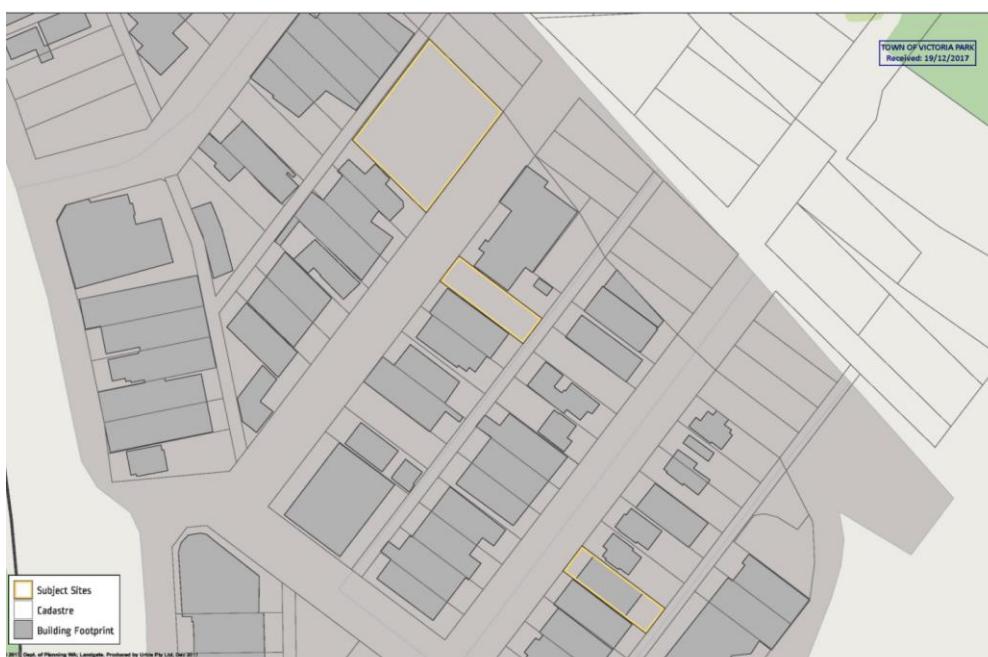
Whilst there were 10 car parking bays being utilised at No. 20 (Lot 89) Claude Street for the retrospective Educational Establishment at No. 18 Claude Street, Councils Parking Policy requires parking to be located on the exclusive lot area, unless reciprocal arrangements are made between property owners of lots, securing the car parking arrangements between the affected lots. Without the car parking arrangements being guaranteed to be in place, the Educational Establishment at No. 18 Claude Street resulted in a 17 car bay shortfall.

On 21 August 2017, Council Officers met with the applicant and agreed for the development application to be placed on hold for a period of 6-7 months, while the applicant looks to relocate to an alternative site that served the needs of the use and met the necessary requirements of the Council.

**DETAILS:**

On 19 December 2017, a development application was received by the Council, proposing three (3) locations within close proximity of each other, for the relocation of the 'Educational Establishment' at No. 18 Claude Street. The sites proposed are Nos. 32 Stiles Avenue, 17 Claude Street and 20 Claude Street, Burswood, which are all located in the Office/Residential zone, within Precinct Plan P2 'Burswood Precinct'. All of the sites are adjoined by a right-of-way at the rear of each site.

The three (3) locations associated with the subject Educational Establishment are highlighted in the image below:



The application states that all three (3) lots are intrinsic to the overall operation of the Educational Establishment. The applicant also states that the subject area is located approximately 4km east of the Perth CBD and is well connected to the regional road network through direct connections to Graham Farmer Freeway and Great Eastern Highway, approximately 200m to the south east of the sites. The area is also serviced by the Burswood Train Station being located within a 400m walkable catchment area to the south west.

The operation of the Educational Establishment involves a maximum of 44 students and nine (9) staff members. The hours of operation are from 8:00am – 4:00pm with the practical activities at No. 17 Claude Street occurring between 8.30am -3.30pm Monday to Friday. The proposed tenant specialises in training and qualifications for the business, manufacturing, mining, transport and logistic industries.

In support of the application, information is provided indicating that the tenant, through an investigative survey conducted in 2017 on student modal preferences, demonstrated that 29% of students accessed the educational facility area via train with a total of 41% of students opting for a mode, which resulted in no increased capacity of parking being required e.g. walk, bus, taxi/Uber etc. The applicant seeks a five (5) year temporary approval period, which is consistent with their tenancy leasing period.

#### No 32 Stiles Avenue

The site at No 32 Stiles Avenue of 491m<sup>2</sup> in area contains a brick building, which is currently vacant. Archival plans confirm approval of a Showroom/Office building with an upper mezzanine floor in 1999. Four (4) car bays were approved for the site being located at the rear of the building, accessed from the rear right-of-way. While one (1) car bay was proposed at the front of the lot, a condition of the 1999 approval confirmed the removal of the car bay and replacement with a 1.0 metre wide brick paved footpath and landscaping.

The application proposes to utilise the existing building at No. 32 Stiles Avenue to function as the primary area of classroom based education and office related operations. The car parking on this site is proposed with four (4) bays across the front of the building including an ACROD bay accessed from Stiles Avenue and eight (8) car bays in tandem at the rear of the site accessed from the rear right-of-way. The parking bays for this site are primarily for staff. However, no landscaping exists nor is proposed on the site.

A building floor plan submitted by the applicant details the Training and Kitchen areas being identified on the plans. However, while the applicant advises that the 'Office' use of 117m<sup>2</sup> is ancillary to the predominant 'Educational Establishment' use on the site, it is the Council's practice to include the 'Office' area in determining the required car parking for the land use on the site.

#### No 17 Claude Street

The property at No. 17 Claude Street of 1957m<sup>2</sup> lot area is currently a vacant unsealed site, which has been retrospectively utilised for temporary student parking associated with the subject Educational Establishment.

The most recent approval for this site is for the construction of a building comprising of a below ground car parking with three (3) storey Office building above, which was approved at the Ordinary Council Meeting (OCM) on 13 April 2010.

The site is proposed to function as an area for practical training components for students, including the manoeuvring of machinery and storage of equipment. The operation of vehicles will include soil disturbance and loading and unloading materials.

The application proposes temporary structures on the site, consisting of the following:

- Igloo shelter (inclusive of the sea containers) of 24m x 12m;
- Two (2) 40 foot sea containers for storage, to be located along the north-east and south-west sides of the igloo shelter;
- Concrete hardstand of 12m x 8m;
- Portable classrooms inclusive of bathroom facilities ((15m x 6m) and
- 4 x material bins of 4m x 5m and landscaping strip across the Claude Street frontage of 2m width; and
- 9 car bays of 2.4m x 5.4m per bay accessed from Claude Street.

In addition to the above, landscaping at a width of 2.5m is proposed at the front of the site. This site is intended for two (2) teachers and a maximum of 20 students, which would utilise the on-site parking, as well as the parking bays on No. 20 Claude Street.

The applicant has submitted a Noise Assessment report conducted by an Acoustic Consultant (Marshall Day) at the request of the Council's Environmental Health Officer. The report assesses noise associated with students conducting training exercises on small construction vehicles and noise from small air-conditioning condenser units.

The report provides details of relevant noise criteria, predicted noise levels and noise controls required, concluding that environmental noise compliance can be achieved on the site based on recommendations for a noise management plan incorporating a 2.1m high noise barrier (wall) around three (3) boundaries of the site, as well as additional noise mitigation measures (see Appendix 4).

#### No 20 Claude Street

The existing site at No. 20 Claude Street of 491m<sup>2</sup> lot area consists of a small transportable building and hardstand for approximately 10 car parking bays, which is currently accessed via the crossover on the adjoining site at No. 22 Claude Street and the rear right-of-way. There is currently mesh fencing at the front and rear (right-of-way) of the site.

An archival search of the site confirms approval of a dwelling and associated outhouse in 1944. However, no further approvals for the site were located. The application proposes to use the site for car parking (16 car bays) with vehicle entry from Claude Street and a gate at the rear right-of-way, in association with the proposed Educational Establishment. Landscaping of 0.8m width is indicated to the front and rear of the site on the submitted plan.

#### **Legal Compliance:**

##### Relevant General Provisions of Town Planning Scheme No. 1

In assessing and determining this application, Council is to have regard to the following general provisions of the Scheme:

- Clause 16 'Unlisted Uses' of the Scheme Text;
- Clause 28 'Determination of Application for an Unlisted Use' of the Scheme Text;
- Deemed Clause 67 'Matters to be considered by local government' of the *Planning and Development (Local Planning Schemes) Regulations 2015* (referred to as LPS Regulations 2015) including the following specific items:

- (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
  - (b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
  - (m) The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
  - (n) The amenity of the locality including the following –
    - i. Environmental impacts of the development;
    - ii. The character of the locality; and
    - iii. Social impacts of the development;
  - (p) Whether adequate provision has been made for the landscaping of the land to which the application relates;
  - (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
  - (s) The adequacy of –
    - i. The proposed means of access and egress from the site; and
    - ii. Arrangements for the manoeuvring and parking of vehicles.
- Deemed Clause 68 'Determination of Applications' of the LPS Regulations 2015; and
  - Statement of Intent contained in Precinct Plan P2 'Burswood Precinct'.

#### Compliance with Development Requirements

- TPS 1 Scheme Text and Precinct Plan;
- Local Planning Policy 23 – Parking Policy (LPP23) and
- Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP37).

#### **Town of Victoria Park Town Planning Scheme No.1**

The statement of Intent for the Precinct states the following part:

*"This area should be redeveloped from industrial use to an area of mixed office and residential activities, together with other uses which serve the immediate needs of the work force and residents."*

#### **Local Planning Policy 23 – Parking Policy**

Local Planning Policy 23 – Parking Policy (LPP23) requires an 'Educational Establishment' use, Academy or other educational centre to be served by one (1) parking bay for every four (4) students and one (1) parking bay for every staff member. In addition, the office/administration component requires a parking ratio of one (1) bay for every 40m<sup>2</sup> of net floor area in accordance with LPP23.

The applicant proposes a maximum of 44 students, with a maximum of nine (9) members of staff at any one time and a total office/administration area of 117m<sup>2</sup>. This results in a minimum parking requirement of 23 car bays.

In view of the above, with 23 bays required for the proposed change of use, the applicant proposes a total of 31 car bays being provided for the use over the three (3) sites as follows:

#### Proposed Use

<b>Table 1 – Proposed Car Parking Requirement</b>		
<b>Activity / Use</b>	<b>Parking Requirement</b>	<b>Bays Required</b>
Educational Establishment Maximum 44 students and 9 staff	1 bay for every 4 students and 1 bay for every staff member	20
Office/Administration (117m <sup>2</sup> )	1 per 40m <sup>2</sup> net floor area	3
	<b>Total Required</b>	<b>23</b>
<b>32 Stiles Avenue – 6 bays*</b> <b>17 Claude Street – 9 bays</b> <b>20 Claude Street – 16 bays</b>	<b>Total Provided</b>	<b>31</b>
	<b>Surplus of car parking bays</b>	<b>8</b>

\*Note - 6 bays is based upon tandem car bays for non-residential uses being calculated as one (1) bay in accordance with LPP23 and the conversion of the two (2) unauthorised car bays at the front of the property to landscaping.

#### **Submissions:**

##### Community Consultation:

In accordance with Council's Local Planning Policy 37- 'Community Consultation on Planning Proposals' (LPP37), the proposed 'Educational Establishment' was subject to community consultation for a period of 14 days. This consultation consisted of letters being sent to the owners and occupiers of surrounding properties for public comment.

The period for public comment commenced on 19 March 2018 and concluded on 6 April 2018. During the advertising period, three (3) submissions expressing concerns in relation to the proposed development were received by the Council as outlined below:

<b>CONSULTATION SUBMISSIONS</b>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<i>Submission from owner/occupants in Stiles Avenue and Claude Street</i>	
<b>Submission 1</b>	
<ul style="list-style-type: none"> <li>The proposal is a most inappropriate use of the location with improvements and developments in this area...</li> </ul>	<b>Submitter's comments are noted.</b> <ul style="list-style-type: none"> <li>See Officers comments below</li> </ul>
<b>Submission 2</b>	
<ul style="list-style-type: none"> <li>Experience problems with dust and parking in relation to activities from the subject educational establishment</li> </ul>	<b>Submitter's comments are noted.</b> <ul style="list-style-type: none"> <li>See Officers comments below</li> </ul>

<b>Submission 3</b>	
<ul style="list-style-type: none"> <li>The noise assessment plan shows that the activity will exceed noise limits. However, compliance can be achieved with certain noise controls. These recommendations should be placed as conditions of the approval, as well as off-street parking conditions to comply to avoid unnecessary congestion along Claude Street.</li> </ul>	<p><b>Submitter's comments are noted.</b></p> <ul style="list-style-type: none"> <li>See Officers comments below</li> </ul>

### Internal Referrals

The application was referred to relevant internal Services Area for review and comments as per the table below:

<b>Service Area</b>	<b>Comments</b>
Building	No objections. Standard Advice Notes requested
Environmental Health	While an objection was initially raised in relation to the practical training site at No. 17 Claude Street in relation to noise and dust, should the applicant implement the recommended mitigation measures, including the construction of a 2.1m high screen wall, noise and dust compliance in accordance with the regulations can be achieved. However, an Acoustic report is requested within 60 days of the use commencing to review the noise emissions and compliance.
Street Improvement	Objection in relation to car parking and vehicle manoeuvring standards. This can be addressed through conditions of approval.

### External Referrals

Comments in relation to the subject development were sought from the following external agency:

1. Main Roads WA - no objection. Recommends the following Advice Notes:
  - i) The applicant should note that no structures are to overhang from Lot 801 into the Primary Regional Road reserve for the Graham Farmer Freeway inclusive of machinery used in the operation of the facility.
  - ii) Any proposed signage associated with the educational facility, which is visible from the Graham Farmer Freeway must be referred to Main Roads for comment.

### **Policy Implications:**

Nil



**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
The applicant/owner has a right of review to the State Administrative Tribunal (SAT) in relation to any conditions of approval, or if the application was refused by the Council.	Moderate	Likely	High	Ensure that Council is provided with information to make a sound decision based upon relevant planning considerations including the Scheme and applicable Local Planning Policies.

**Strategic Plan Implications:**

Environment:

EN1 – Land use planning that puts people first in Urban Design, allows for different housing options for people with different housing needs and enhances the Town's character.

**Financial Implications:**

Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

**Sustainability Assessment:**External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Any noise emissions will need to comply with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

**COMMENT:**

The Town Planning Scheme No. 1 Scheme Text defines 'Educational Establishment' as follows:

***“educational establishment” means a school, college, university, technical institute, kindergarden, academy or other educational centre, but does not include an institutional building”***

An 'Educational Establishment' is an 'AA' (discretionary) use within the Office/Residential zone. However, as the application also involves a change of use of one (1) lot to an 'Unlisted Use (Carpark)' the Council must determine the application in accordance with Clause 16 of Town Planning Scheme No. 1 and Deemed Clause 28, having regard to the orderly and proper planning of the locality and the conservation of the amenities of the locality and whether the use is consistent with the intended purpose of the 'Office/Residential' zone in which the sites are located.

Land Use

The Statement of Intent for Precinct Plan P2 'Burswood Precinct' in part states *“The Burswood Precinct should be redeveloped primarily as an area of mixed office and residential uses east of the railway and for residential uses with integrated mixed use development west of the railway”*.

An objective for the 'Office/Residential' zone as stated in the Precinct Plan P2 includes *“This area should be redeveloped from industrial use to an area of mixed office and residential activities together with other uses which serve the immediate needs of the work force and residents. Residential and office uses may be developed independently.”*

The provisions of Town Planning Scheme No. 1 require the exercise of discretion when considering the appropriateness of the proposed 'Educational Establishment' and 'Unlisted Use (Carpark)' uses on 'Office/Residential' zoned lots, taking into consideration the amenity impact on the neighbourhood.

The Burswood Peninsula District Structure Plan was approved by the Western Australian Planning Commission in February 2015. Following this approval, the Council has been preparing a Master Plan and a Local Structure Plan to coordinate the form of future development of the area known as Burswood Station East (land bounded by the railway line, Great Eastern Highway and Graham Farmer Freeway).

Council's Local Planning Policy (LPP) 35 'Development in Burswood Station East' outlines that until such time that the Local Structure Plan is approved, Council will not generally support applications that will prejudice the future planning and long-term objectives for this Precinct.

In terms of the Educational Establishment use, this use is considered to be acceptable and consistent with other like uses within the Precinct and the objectives of the Scheme and zoning.

While the use of the land at No. 20 Claude Street for car parking is not consistent with the intended use of Office/Residential zoned land, the application seeks approval for car parking purposes for a temporary period of time associated with the proposed educational usage on sites in close proximity. Furthermore it is accepted that the use of the land for temporary parking purposes for the period of the associated use will remove parking that may otherwise occur on the street and verge areas.

It should be emphasised that the support for the use of No. 20 Claude Street for car parking is on the basis that the use of the land for car parking is for a temporary period only and is for parking directly associated with the use of nearby properties for educational purposes.

#### Determination of Application for an Unlisted Use

Clause 28 'Determination of Application for an Unlisted Use' of the Scheme states that Council must be satisfied that the proposal meets the requirements listed under deemed clause 67 of the Regulations.

While accepting that the use of the site exclusively for car parking is not consistent with the zoning of the land, the use is to be limited to a temporary period only associated with the 'Educational Establishment'. From an amenity perspective, it is considered that the temporary use of the land for parking is not likely to have a significant adverse impact upon the adjoining residential properties by way of such items of noise and vehicle movements.

#### Noise Management

With regard to noise matters associated with the practical training grounds at No. 17 Claude Street, the use would be subject to compliance with the *Environmental Protection (Noise) Regulations 1997*. The applicants Noise Assessment report has advised that with noise control measures being implemented, compliance with the noise regulations can be achieved. Additionally, a condition of approval is recommended requiring an Acoustic Report within 60 days of the commencement of operations, to determine the effectiveness of the implemented measures and compliance with the *Environmental Protection (Noise) Regulations 1997*.

It is considered that the proposed use would not have an adverse impact on the immediate locality provided appropriate actions are taken in accordance with the recommendations contained in the Noise Assessment report.

#### Dust Management

The applicant has submitted a 'Dust Management Plan' relating to the practical training site at No. 17 Claude Street, which is indicated to be affected by three (3) primary prevailing wind directions, from the east, south west and westerly directions depending on the time of day and time of year.

The Dust Management Plan states that the maximum duration for any vehicle student training is 1.5 hours on weekdays only between 8:30am and 3.30pm, which includes driving and operating the machinery, soil disturbance and material loading and unloading using a mini-excavator, skid steer or a forklift.

Council Officers are of the opinion that with the implementation of the noise screening wall as a requirement of the noise management plan, dust will be controlled. However, further screening by way of landscaping to the front of the site and additional dust management is proposed as follows:

- Training of all employees on information relating to potential dust sources, speed limits on site and correct handling of machinery and materials as well as awareness of dust and obligations to report to management dust issues;
- Monitor wind and weather forecasts and cease non-essential operations during excessively windy conditions;
- Minimise open areas exposed to wind erosion and carry out soil stabilisation works where appropriate;
- Watering system to be installed for unsealed and operational areas for dust suppression; and
- Implement loading and procedures to minimise dust generation.

In addition to the above, a complaints management procedure is proposed by the applicants Dust Management Plan, providing a complaints process to be undertaken should complaints be received either directly, via a complainant or from the Council.

Should the application be approved, a condition of approval is recommended for the applicant to abide by the information of the 'Dust Management Plan' to ensure that dust is minimised on the site and controlled to comply with Environmental Health requirements and not affect adjoining properties.

#### **CONCLUSION:**

The application for a Change of Use to Educational Establishment and Unlisted Use (Carpark) at Nos. 32 Stiles Avenue, Burswood, 17 Claude Street, Burswood and 20 Claude Street, Burswood requires Council to exercise its discretion to determine if the use is appropriate for a temporary five (5) year period.

Having regard to the comments above, including those relevant matters of the land use, car parking, noise and dust matters, it is concluded that the proposed use is acceptable and therefore, the application is recommended for approval.

#### **RECOMMENDATION/S:**

- 1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by Training Alliance Group c/-Urbis (DA Ref: 5.2017.1045.1) for Change of Use to Educational Establishment and Unlisted Use (Carpark) at No. 32 (Lot 46) Stiles Avenue, Burswood, No. 17 (Lot 801) Claude Street, Burswood & No. 20 (Lot 89) Claude Street, Burswood as indicated on the plans and details date received 19 December 2017, 21 February 2018, 14 March 2018, 1 May 2018 and 7 May 2018 be Approved by an Absolute Majority subject to the following conditions:**
  - 1.1 This approval is valid for a period of five (5) years only from the date of this approval, after which time the operation of the approved 'Educational Establishment and Unlisted Use (Carpark)' shall cease, unless further development approval is granted.**

- 1.2 The development must be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town of Victoria Park.
- 1.3 A maximum of nine (9) staff and 44 students shall be present at any one time across the three (3) locations.
- 1.4 A minimum of 23 on-site car bays being provided at all times across the three (3) locations.
- 1.5 In relation to No. 17 Claude Street, the recommended noise mitigation measures detailed in Part 5.1 of the Marshall Day Acoustics Noise Assessment Report dated 21 February 2018 are to be implemented and complied with at all times to the satisfaction of the Town.
- 1.6 Within 60 days of the commencement of the operation at No. 17 Claude Street, an Acoustic Report conducted by an Acoustic Consultant is required to be submitted to the Town detailing the effectiveness of the noise mitigation measures and compliance with the *Environmental Protection (Noise) Regulations 1997*, and where necessary any further noise mitigation measures to be implemented to achieve compliance to the satisfaction of the Town.
- 1.7 In relation to the use of No. 17 Claude Street, dust impacts are to be managed in accordance with the approved Dust Management Plan at all times to the satisfaction of the Town.
- 1.8 Prior to operation of the 'Educational Establishment' two (2) car bays within the front setback area of No. 32 Stiles Avenue being removed and replaced with landscaping to the satisfaction of the Town.
- 1.10 A landscaping plan detailing size, location and type of planting to be provided to the satisfaction of the Town, prior to submission of an application for a building permit.
- 1.11 All landscaping is to be completed prior to occupancy and thereafter maintained to the satisfaction of the Town.
- 1.12 Details of the noise screening wall to be constructed at No. 17 Claude Street is to be provided to the Town, prior to submission of an application for a building permit.
- 1.13 All stormwater runoff to be retained on site.
- 1.14 Prior to occupation All car parking bays to be lined-marked and designed in accordance with AS2890.1 and AS2890.6.
- 1.15 The parking area(s) are to be maintained so as to avoid dust nuisance to any residential area to the specifications and satisfaction of the Town.

- 1.16 A separate crossover is required to be constructed to provide vehicular access to No. 20 Claude Street, which shall comply with the Town's Specifications for Crossover Construction. A separate application must be made and approved by the Town of Victoria Park prior to commencement of vehicle parking on the site.
- 1.17 The verge shall not be used for the purpose of vehicle parking or for overflow car parking.
- 1.18 This approval does not include the approval of any signage. Any signage for the development to be the subject of a separate sign licence application, in accordance with Council's Signs Local Law. Please also note that should any signage not comply with the Signs Local Law a separate development approval will need to be obtained prior to a sign licence application being submitted to the Council.
- 1.19 All development is to be setback 0.5 metre from the right-of-way for the length of the common boundary with the right-of-way to allow for the future widening of the right-of-way.

#### **Advice to Applicant**

- 1.20 The applicant/owner should refer to the Requirements of Other Council Business Units, enclosed with this development approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.
- 1.21 Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
- 1.22 Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.
- 1.23 Any and all damaged sustained to kerbing, verge, footpaths, bitumen patching to roadways and any other infrastructure and services are to be made good by the applicant at their expense to the satisfaction of the Town or the relevant services authorities.

**1.24 Sound levels created are not to exceed the provisions of the *Environmental Protection (Noise) Regulations 1997*.**

**(Absolute Majority Required)**

- 2. Those persons who lodged a submission regarding the application be advised of Council's decision.**







## 11.2 No. 30 (Lot 47) Stiles Avenue, Burswood – Application for Change of Use from ‘Factory/Showroom’ to ‘Unlisted Use (Recreation - Private)’

<b>File Reference:</b>	PR6314
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Site photos</li> <li>2. Development application plans</li> <li>3. Applicant’s report</li> <li>4. Applicant’s response to submissions</li> </ol>
<b>Attachments:</b>	No
<b>Landowner:</b>	Sperry Nominees Pty Ltd
<b>Applicant:</b>	Altus Planning
<b>Application Date:</b>	15 March 2018
<b>DA/BA or WAPC Ref:</b>	5.2018.185.1
<b>MRS Zoning:</b>	Urban
<b>TPS Zoning:</b>	Office/Residential
<b>TPS Precinct:</b>	Precinct P2 ‘Burswood’
<b>Use Class:</b>	Unlisted Use (Health Studio)
<b>Use Permissibility:</b>	At Council’s discretion

<b>Date:</b>	24 May 2018
<b>Reporting Officer:</b>	L. Sabitzer
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Approval - Absolute Majority Refusal - Simple Majority

### **Executive Summary:**

#### **Recommendation – Temporary ten (10) year approval, subject to conditions**

- The application seeks approval to change the use of the existing premises from a ‘Factory/Showroom’ to a gymnasium. A gymnasium is classified as ‘Unlisted Use (Recreation – Private)’.
- The proposal utilises an existing vacant building and seeks to reinstate landscaping in the front setback area. This landscaped area was previously approved, however has since been converted to an unauthorised, informal car parking area.
- A car parking shortfall of two (2) bays is proposed to the minimum number of car bays to be provided on-site pursuant to Council’s Local Planning Policy 23 – Parking Policy (ie. 7 bays required). A total of five (5) car bays including an accessible bay are proposed on-site.
- The community consultation period commenced on 17 April 2018 and concluded on 8 May 2018. Six (6) submissions were received during the consultation period, of which four (4) submissions were in support of the proposal and two (2) submissions raised car parking issues.
- The proposed change of use is considered to have positive social and activation benefits for the area.
- The proposal, as a temporary land use, is closer to the intent of the Precinct than the existing non-conforming ‘Factory/Showroom’ use.
- Having regard to the criteria of Council’s PLNG10 ‘Transitional Use Policy’, and that the approval can be issued for a limited period of time, the proposed car parking and landscaping area shortfalls, are considered to be acceptable.

- It is recommended that the application be approved subject to conditions, including the approval being for a ten (10) year period.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

The existing approval for the subject site was granted by the City of Perth in 1993 for a Factory and Showroom. The existing building can be accessed from the Stiles Avenue frontage and from the rear right-of-way. Five (5) car parking bays were approved on the subject site with one (1) bay accessed from Stiles Avenue and four (4) bays being accessed from the rear right-of-way. A landscaping area of approximately 36m<sup>2</sup> was approved at the front of the property.

**DETAILS:**

The application seeks approval to change the use of the subject unit from 'Factory/Showroom' to 'Unlisted Use (Recreation - Private)'. The applicant advises that the proposal is for *"a personal training studio that predominately caters for functional group training classes of up to 20 participants at any one time"*.

Site Context

The subject site is located in the Office/Residential zone and is within Precinct P2 - 'Burswood' and the future Burswood Station East Structure Plan area.

The land area is approximately 491m<sup>2</sup> and contains an existing commercial building with frontage to Stiles Avenue and access to a right-of-way at the rear. Refer to the site photos at Appendix 1.

The existing land uses and buildings surrounding the subject site include:

- Single storey and two storey factory / light industry units;
- Single houses, north of the subject site; and
- Vacant land.

The Burswood Station East precinct is currently in transition, with the regeneration of the existing, predominately service industrial area, into a new residential and mixed use neighbourhood, contemplated in the Burswood Peninsula District Structure Plan and set out in the imminent Burswood Station East Structure Plan and accompanying Local Planning Policies.

Proposed Development

The applicant has submitted the following operational details regarding the proposed gymnasium, as follows:

- Individual and group training sessions with a focus on weightlifting, powerlifting, gymnastics and general strength and conditioning;
- A maximum of 20 participants at any one time;
- A maximum of three (3) staff at the premises at any one time; and
- The proposed operating hours are:

- i. Monday to Friday: 5am – 8pm;
- ii. Saturday: 6am – 12noon; and
- iii. Sunday: closed.
- A reception area, supervised children’s play area and small massage room are proposed at the front of premises (mezzanine level);
- New signage, an awning sign affixed to the existing signage board and a wall sign, painted with the business logo; and
- Internal fit-out of the tenancy is proposed to meet operational needs, however is exempt from requiring development approval.

Refer to the development plans and applicant’s report at Appendices 2 and 3.

The applicant outlines the suitability of the subject site for the proposal, as follows:

*“...the proposed PT Studio is considered to be a land use that will serve the immediate needs of the surrounding work force and residents. It is also considered that this development is suitable for this area in particular due to the space requirement, both in terms of the floor area and building height.”*

*“Furthermore, it is considered that proposed use can operate harmoniously with the surrounding built form, which consists mostly of similar sized commercial tenancies housing a range of businesses. In this regard, it is noted that there is already a gym (Colosseum Strength & Fitness) and other recreational uses which operate within immediate proximity to the subject land”.*

### **Legal Compliance:**

#### Legislation

In assessing and determining this application, Council is to have regard to the following :

- *Planning and Development Act 2005*;
- Town Planning Scheme No.1 (TPS1) – Clauses 16 ‘Unlisted Uses’, 28 ‘Determination of Application for an Unlisted Use’, 29 ‘Determination of Non-Complying Applications’ and 30A ‘Determination of Application for Advertisement’;
- TPS1 Precinct Plan P2 – ‘Burswood’; and
- *Planning and Development (Local Planning Schemes) Regulations 2015* - Deemed Clause 67 ‘Matters to be considered by local government’ and Deemed Clause 68 ‘Determination of Applications’.

In this instance, in response to Deemed Clause 67, it is considered that the following items are relevant matters that the Town must have regard to:

- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality...*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates...*

- (s) *the adequacy of –*
  - (i) *the proposed means of access to and egress from the site; and*
  - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (y) *any submissions received on the application;*

- Signs Local Law 2006

#### State Government Policies

- Burswood Peninsula District Structure Plan

#### Local Planning and Council Policies

- Local Planning Policy 23 – Parking Policy (LPP23);
- Local Planning Policy 35 – Policy Relating to Development in Burswood Station East (LPP35);
- Local Planning Policy 37 – Community Consultation on Planning Proposals (LPP37); and
- Council Policy PLNG10 – Transitional Use Policy (PLNG10).

In assessing the application, the above matters have been considered and a summary of the compliance with the key development requirements is summarised in the Planning Assessment below and where necessary, further addressed in the Comment section of this report.

### **Planning Assessment:**

#### Summary Assessment

The table below summarises the planning assessment of the proposal against the applicable planning framework. In each instance where the proposal requires the discretion of Council, the relevant planning item is discussed in the Detailed Assessment section following from this table.

Planning Item	Compliant	Requires the Discretion of Council
Land Use		X
Car Parking		X
Landscaping		X
Signage	X	

Detailed Assessment

The planning items which require the discretion of Council are as follows:

Land Use	
Deemed-to-Comply Standard	Proposed
• Permitted 'P' use	• Unlisted use (Recreation - Private)
Car Parking	
Deemed-to-Comply Standard	Proposed
• No parking standard prescribed for a gymnasium	• Five (5) car bays
Landscaping	
Deemed-to-Comply Standard	Proposed
• Min. 25% of site area (123m <sup>2</sup> )	• 7.3% of site area (36m <sup>2</sup> )

**Community Consultation:**

In accordance with Council's Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP37), the proposal was the subject of community consultation for a period of 21 days, from 17 April 2018 to 8 May 2018.

Advertising of the proposal comprised of letters being sent to owners and occupiers of surrounding properties, signage installed on the site and advertisements being placed in the Southern Gazette. The term '*surrounding properties*' is defined in LPP 37 as those properties which fall wholly or partly within a 100m radius of the subject site.

During the consultation period, six (6) submissions were received, as outlined below.

Submitter's Comments	Officer's Response
Submission 1 – Support	
<p><i>With regard to the above address I think it would be awesome to have a gym (health studio) here as it is halfway between work and home for me which would really help me achieve my fitness goals.</i></p> <p><i>The property looks easy accessible and being not too far means I can ride my bike to and from. Hope this goes ahead.</i></p>	<ul style="list-style-type: none"> <li>Comments of support, noted.</li> </ul>
Submission 2 - Support	
<p><i>I have known and trained with Selma and James for some time now. They are two wonderful people and great trainers. They are very passionate about helping people become the best version of themselves.</i></p> <p><i>I truly believe they will be a positive addition to the community should they be allowed to open their health studio. I enjoy training with them and looking forward for the health centre to be opened so I can continue with them.</i></p>	<ul style="list-style-type: none"> <li>Comments of support, noted.</li> </ul>

<b>Submission 3 - Support</b>	
<i>I think this would be an amazing opportunity. The gym is in an area that would attract a lot of Crown Perth employees, there aren't a lot of options in the area currently. I personally would love to join as soon as it opens.</i>	<ul style="list-style-type: none"> <li>• Comments of support, noted.</li> </ul>
<b>Submission 4 - Support</b>	
<i>I had a look at the proposed plans and feel that with the change of use, it would be beneficial for the community as they encourage fitness focusing on health and wellbeing of our community.</i>	<ul style="list-style-type: none"> <li>• Comments of support, noted.</li> </ul>
<b>Submission 5 - Objection</b>	
<p><i>I am very familiar with the surrounding business's and traffic activities along this narrow avenue.</i></p> <p><i>Following the construction of the Graham Farmer Freeway Stiles Ave became a dead end with a turning bay created at the Northern end. The occupancy of most of the buildings in this street is around 2 – 10 people consequently Stiles Ave is very busy during business hours with cars occupying the few onsite bays of each building - the remainder parking along the street or spilling onto verges.</i></p> <p><i>While I want to see the subject building occupied, the proposed use is inappropriate for the capacity of the laneway and Stiles Ave as the existing site cannot provide the number of car bays required for a health studio to operate. The arrival and departure of up to 20 persons plus on site management staff is going to place an inordinate load on the street for parking with the problem transferred along the street and into the rear laneway to the disadvantage of the existing businesses.</i></p>	<ul style="list-style-type: none"> <li>• Please refer to comments relating to the car parking provision, in the Comments section below.</li> </ul>

Submission 6 – Comments Only	
<p><i>I do not have an objection to the proposed change in use to “not listed [health studio] and signage. Parking is now and will always be an issue in Stiles Avenue and I am sure that Urban Planning is aware of this.</i></p> <p><i>The Applicant states possibly 20 people will use the property at any one time. Apparently some of these people will walk, cycle and catch the train. Perhaps!</i></p> <p><i>There is a shortage of parking at this site. 2 staff members will be present and so at least one and possibly two car bays will be used by the staff. That means that the 20 people who may make use of this site will need to find room on 3 to 4 car bays.</i></p> <p><i>As stated, I do not have an objection to the proposed change in use but I do have an issue with the proposed parking, or more importantly, the lack of. This then becomes a problem of Urban Planning and this lack of car bay space will impact on the surrounding neighbours.</i></p>	<ul style="list-style-type: none"> <li>• Please refer to comments relating to the car parking provision, in the Comments section below.</li> </ul>

In response to submission's received, the applicant contends that the car parking provision is suitable for the following reasons:

- “...the site is highly accessible by public transport...”;
- “...the peak periods for the proposed use will be outside the work hours of surrounding businesses, with the highest volume of people (maximum of 20) attending classes in the early morning, 5am – 8am, or in the evening, 5pm – 8pm. It is considered that at these times there will be available on-street parking and the use of this parking will not have any adverse impacts on the surrounding area or adjoining businesses”;
- “...the owner/manager of the personal training studio has indicated that he, as well as other trainers working there, will be cycling to and from the premises each day...”.

Please refer to the full copy of the applicant's response to the submissions as contained within the appendices.

Internal Referrals

Service Area	Comments
Building	No objections. Standard advice notes requested. The applicant has been advised of the requirements for a building permit and sign licence application.
Environmental Health	No objections. Standard advice notes requested and an advice note recommending that any music is played at a low level (i.e. no amplified music / loud speakers) and that the dropping of weights is cushioned to ameliorate any noise and/or vibration impacts to neighbouring properties.

**Policy Implications:**

Nil

**Risk Management Considerations:**

Risk & Consequence	Consequence Rating	Likelihood Rating	Overall Risk Analysis	Mitigation / Actions
The proponent has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.	Moderate	Likely	High	Ensure that Council is provided with information to make a sound recommendation based upon relevant planning considerations including the Scheme and applicable Local Planning Policies.

**Strategic Plan Implications:**

Social

S1 – A healthy community.

Economic

EC1 – A desirable place for commerce and tourism that support equity, diverse local employment and entrepreneurship.

Environment

EN1 – Land use planning that puts people first in urban design, allows for different housing options for people with different housing needs and enhances the Town's character.

**Financial Implications:**

Should the applicant or owner be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant or owner were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.



**Sustainability Assessment:**External Economic Implications:

It is expected that the proposed development will activate the area, and may have spin off benefits for other businesses that establish as the precinct undergoes redevelopment.

Social Issues:

The proposed development provides a recreation facility and meeting space for people who live and/or work in the locality.

Cultural Issues:

Nil

Environmental Issues:

Any issues relating to noise will need to comply with the *Environmental Protection (Noise) Regulations 1997*.

**COMMENT:**Land Use*Land use compatibility with zoning*

The application seeks approval to change the use of the existing premises from a 'Factory/Showroom' to an 'Unlisted Use (Recreation - Private)'. In determining an application for a gymnasium, Council is to make a decision in accordance with Clause 16 of Town Planning Scheme No. 1 having regard to the orderly and proper planning of the locality and whether the use is consistent with the intended purpose and objectives of the 'Office/Residential' zone in which it is located.

The Statement of Intent for Precinct Plan P2 'Burswood Precinct' in part states "*The Burswood Precinct should be redeveloped primarily as an area of mixed office and residential uses east of the railway and for residential uses with integrated mixed use development west of the railway*".

The objectives of the 'Office/Residential' zone in the Precinct Plan P2 states "*This area should be redeveloped from industrial use to an area of mixed office and residential activities together with other uses which serve the immediate needs of the work force and residents. Residential and office uses may be developed independently*".

The proposed land use is not office or residential per se, however a gymnasium is a compatible use to these uses, providing a service to residents and employees in the area.

It is noted that other 'permitted' compatible land uses for the Office / Residential zone under the zoning table of TPS 1 Precinct Plan P2 – 'Burswood Precinct', include the uses of Restaurant, Lodging House, Consulting Rooms and Day Care Centre. A Health Studio, albeit not currently listed as a land use in TPS1, is akin to these 'permitted' compatible uses providing a service to nearby residents and employees, and therefore can be supported on this basis.

Additionally, in January 2018, Council initiated Scheme Amendment 80 which seeks to introduce new land use classes and definitions to TPS1. This proposed Scheme Amendment is currently undergoing community consultation and is considered to be a 'seriously entertained' document.

Scheme Amendment 80 proposes to introduce the land use of 'Recreation – Private' which is defined as,

*“means premises that area – (a) use for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge”.*

If this amendment comes into effect, the proposal for a gymnasium would be classified as a 'Recreation – Private' land use. This land use is proposed to be an 'AA' discretionary land use in the Office / Residential zone, meaning that it is capable of approval in the zone subject to Council exercising its discretion.

#### *Transitional Use Policy*

The Burswood Station East precinct is currently in transition, with the regeneration of the existing predominately service industrial area, into a new residential and mixed use neighbourhood, contemplated in the Burswood Peninsula District Structure Plan and set out in the imminent Burswood Station East Structure Plan and accompanying Local Planning Policies. Recognising that interim uses can be beneficial during the transition to assist with the regeneration of this precinct, in October 2017 Council adopted Policy PLNG10 'Transitional Use Policy', which states the policy objective as follows:

*“To enable the consideration of temporary uses in an area undergoing redevelopment or regeneration in accordance with an endorsed structure plan, local development plan or Town Planning Scheme provisions.”*

Policy PLNG10 'Transitional Use' outlines that Council will consider applications for transitional uses (for a maximum 10 year period) which meet certain criteria including the following:

- (i) The use provides an interim service or facility that benefits the community;*
- (ii) The use provides activation and passive surveillance;*
- (iii) The use promotes economic development of the area by utilising otherwise vacant property/building during the interim period;*
- (iv) The use promotes social interaction and community development;*
- (v) The use is appropriate in the precinct in which it is located and is a use that Council has the ability to approve;*
- (vi) The use promotes the principles of transit oriented development and/or modal shift; and*
- (vii) The use does not replicate a similar use permanently approved in proximity to the proposed use.*

The proposed development is considered to satisfy these criteria, noting in response to (vii) it is acknowledged that a Gymnasium, nearby in Claude Street, was approved by Council on 7 November 2017 on a temporary basis for a ten (10) year period, rather than being granted permanent approval.

Policy PLNG10 further outlines that, where a development is considered to satisfy the criteria outlined above, Council is able to exercise discretion to vary development standards and provisions of the Scheme or Local Planning Policies in order to facilitate the development.

Currently, within this area, there is some movement into the area of active uses such as coffee shops or recreation facilities to serve the demands of either the existing population or the community that will result as redevelopment occurs within the area. Land uses that create meeting spaces, social interaction and community building are considered to be highly beneficial within areas that are being developed.

### *Summary*

As outlined above, under the current planning framework the proposed gymnasium is consistent with the objectives of the 'Office/Residential Zone', providing a compatible use and service to nearby residents and employees. The proposal, as a temporary land use, is closer to the intent of the Precinct than the existing non-conforming 'Factory/Showroom' use.

The subject site is within the Burswood Station East precinct which is in transition and as such PLNG10 'Transitional Use Policy' applies. The proposal complies with the PLNG10 'Transitional Use Policy' criteria. A condition to grant ten (10) year temporary development approval is recommended in line with the PLNG10 'Transitional Use Policy' and Council's decision of November 2017 to grant temporary development approval for a similar proposal (Gymnasium), near the subject site in Claude Street.

Furthermore, it is considered that the proposed use would not have an adverse impact on the immediate locality and any impacts regarding noise (i.e. loud music) and vibrations (i.e. the dropping of weights) can be adequately mitigated.

### Car Parking

Under Council's Local Planning Policy 23 'Parking Policy', there is no prescribed parking ratio for a gymnasium. In previous situations, Council Officers have applied the parking ratio for a 'Health Studio' which is considered to be a like use. The LPP23 minimum car parking requirement for a 'Health Studio' is 1 bay per 30 square metres of net floor area, rather than based upon the number of participants and employees.

Accordingly a minimum of seven (7) car bays would be required whereas the development provides five (5) on-site car parking bays.

The applicant is aware of the parking shortfall under LPP23 and the two (2) submissions received during the community consultation period in relation to car parking. In response, the applicant has justified the car parking shortfall, as outlined above in the 'Community Consultation' section of this report and at Appendix 4.

Council Officers accept the applicant's justification and have concluded that the on-site parking concession being sought is not considered to be significant in this instance, nor is the proposal considered to result in excessive demand on nearby parking during periods of peak usage.

Additionally, the strategic intention for the Burswood Station East precinct is for a transit oriented development, with the proposed direction being for maximum car parking requirements rather than minimum parking requirements in the area, to compel the shift to alternate transport modes. Therefore, the car parking requirements for such a development in the area is likely to be significantly reduced in the future.

Noting the alternative transport means to the site, the close proximity to a train station, the peak times of use of the premises, the reinstatement of landscaping at the front of the premises (further discussed below), the strategic direction for the area and Council Policy PLNG10 allowing for provisions of Local Planning Policies being varied to support interim, transitional uses, the proposed car parking shortfall is acceptable.

#### Landscaping

The TPS1 Precinct Plan P2 – ‘Burswood’ requires a minimum of 25% of the site area to be landscaped. The existing approval for the subject site sets aside approximated 33m<sup>2</sup> or 6.7% of the site area for landscaping. This represents a 18.3% historical shortfall to the minimum landscaping requirement.

The existing approved area has since been converted to an unauthorised, informal car parking area, as depicted in the site photos at Appendix 1.

The plans propose to rectify this non-compliance and reinstate 36m<sup>2</sup> of landscaping in the front setback area. The reinstatement of landscaping is supported and brings the subject site in line with the objectives of Precinct Plan P2 – ‘Burswood’ which states that *‘Landscaping between buildings and in front setbacks will be provided throughout the area’*.

It is acknowledged that if this area was to remain as hardstand it could relieve the proposed car parking shortfall, however this is not supported as it results in:

- the site being inconsistent with the Precinct Plan’s objectives; and
- a poor streetscape outcome; and
- no safe pedestrian entry to the premises from the primary street.

#### **CONCLUSION:**

A gymnasium is an Unlisted Use under the Scheme and as such requires Council to exercise its discretion to determine if the use meets the objectives and purposes of the zoning.

The proposed gymnasium is consistent with the objectives of the ‘Office/Residential Zone’, providing a compatible use activating the precinct and servicing nearby residents and employees. The proposal, as a temporary land use, is supported as it is closer to the intent of the Precinct than the existing non-conforming ‘Factory/Showroom’ use.

Additionally, the subject site is located in the Burswood Station East precinct, which is undergoing transition. The proposed development meets the criteria of Policy PLNG10 ‘Transitional Use Policy’. In line with Policy PLNG10, development approval can be issued for a limited period of time and as such the proposed car parking and landscaping area shortfalls, as outlined in the report, are considered to be acceptable.

For these reasons, this application for development approval is recommended for approval by Absolute Majority, subject to conditions, on a temporary basis for a ten (10) year period.

**RECOMMENDATION/S:**

1. In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme the application submitted by Altus Planning (DA Ref: 5.2018.185.1) for Change of Use from 'Factory/Showroom' to 'Unlisted Use (Recreation - Private)' at No. 30 (Lot 47) Stiles Avenue, Burswood as indicated on the plans dated received 15 March 2018, 11 April 2018 and 19 April 2018 be Approved by Absolute Majority subject to the following conditions:
  - 1.1 This temporary development approval is for the use of the premises for the use 'Recreation – Private'.
  - 1.2 This development approval is valid for a maximum period of ten (10) years from the date of this approval, after which time the use shall cease operation, unless further development approval is granted.
  - 1.3 The development must be carried out in accordance with the approved plans and details dated 15 March 2018, 11 March 2018 and 19 April 2018 at all times, unless otherwise authorised by the Town.
  - 1.4 Prior to the submission of a building permit application, a landscaping plan shall be submitted to and approved in writing by the Town.
  - 1.5 Landscaping, in accordance with an approved landscaping plan, shall be installed prior to the occupation of the development, and thereafter maintained to the satisfaction of the Town.
  - 1.6 Prior to the occupation of the development, a minimum of five (5) car bays, including an accessible bay, are to be provided on-site and line-marked accordingly.
  - 1.7 Group fitness classes shall be scheduled to have, at minimum, a 15 minute interval, between each class.
  - 1.8 All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

**Advice to Applicant:**

- 1.9 In relation to Condition 1.1, any alternative use of the premises may require the submission of an application to Council for a change of use.
- 1.10 In relation to Condition 1.4, the landscaping plan shall include the following:
  - Plan to scale not less than 1:200, preferably 1:100;
  - North point and lot boundaries;

- **Plant legend showing:**
    - **Proposed plant species (botanic and common names);**
    - **Container size (not less than 130mm);**
    - **Plant quantities;**
    - **Waterwise plant selection; and**
    - **Appropriate spacing – moderate planting density, relative to the eventual mature size and spread of the species selected;**
  - **Verges – include all services and features from the property line to the roadway edge and any landscaping (in accordance with the Town of Victoria Park’s ‘Your Street Verge - Sustainable Landscaping Guide’ on the Town’s website)**
  - **Hard surfacing areas, footpaths, crossovers and driveways;**
  - **Retaining walls, fences and other structures;**
  - **Irrigation type - waterwise design preferred;**
  - **Mulch type, large-particled to allow for effective drainage;**
  - **Mulch application depth - minimum 70mm;**
  - **Mulch is to be suitably retained on the verge to prevent the contamination of street drainage systems;**
- 1.11 Staff and participants are encouraged to utilise alternative modes of transports (i.e. cycling, car pool or public transport).**
- 1.12 A Sign Licence is required to be obtained from the Town prior to the installation of any signage.**
- 1.13 A building permit is required to be obtained from the Town prior to the commencement if any works in relation to this development approval.**
- 1.14 Sound levels created are not to exceed the provisions of the *Environmental Protection (Noise) Regulations 1997*.**
- 1.15 It is recommended that any music is played at a low level (i.e. no amplified music / loud speakers) and that the dropping of weights is cushioned to ameliorate any noise and/or vibration impacts to neighbouring properties.**
- 1.16 As it is intended to use the premises as a “public building” as defined in Section 173 of the *Health Act 1911* (as amended), it is necessary to make application for a Certificate of Approval stipulating the maximum accommodation numbers from the Town of Victoria Park Environmental Health Services before commencing use as a public building.**
- 1.17 Detailed plans and specifications of the public building to be submitted to the Environmental Health Services for approval prior to any construction or alterations. The plans to include details of:**
- i. **Location of approved exit signs in the building over all designated exits, directional exit signs where necessary and emergency lighting in accordance with the Building Code of Australia and Australian Standard 2293 "Emergency Evacuation Lighting in Buildings" Part 1 & 2;**

- ii. Areas where normal lighting is dimmed or extinguished shall be provided with permanent effective safety lighting for:
  - a. foyers and passages;
  - b. floors that are ramped at an inclination steeper than 1 in 12;
  - c. main aisles between blocks of fixed seats; and
  - d. the tread of each step;
- iii. Provision of approved exit door fittings and the directions in which doors swing;
- iv. Provision of hand rails to steps, stairways and any other changes in floor level which may present a hazard to the public; and
- v. Decorative treatments in the building which shall be made of non-toxic materials.

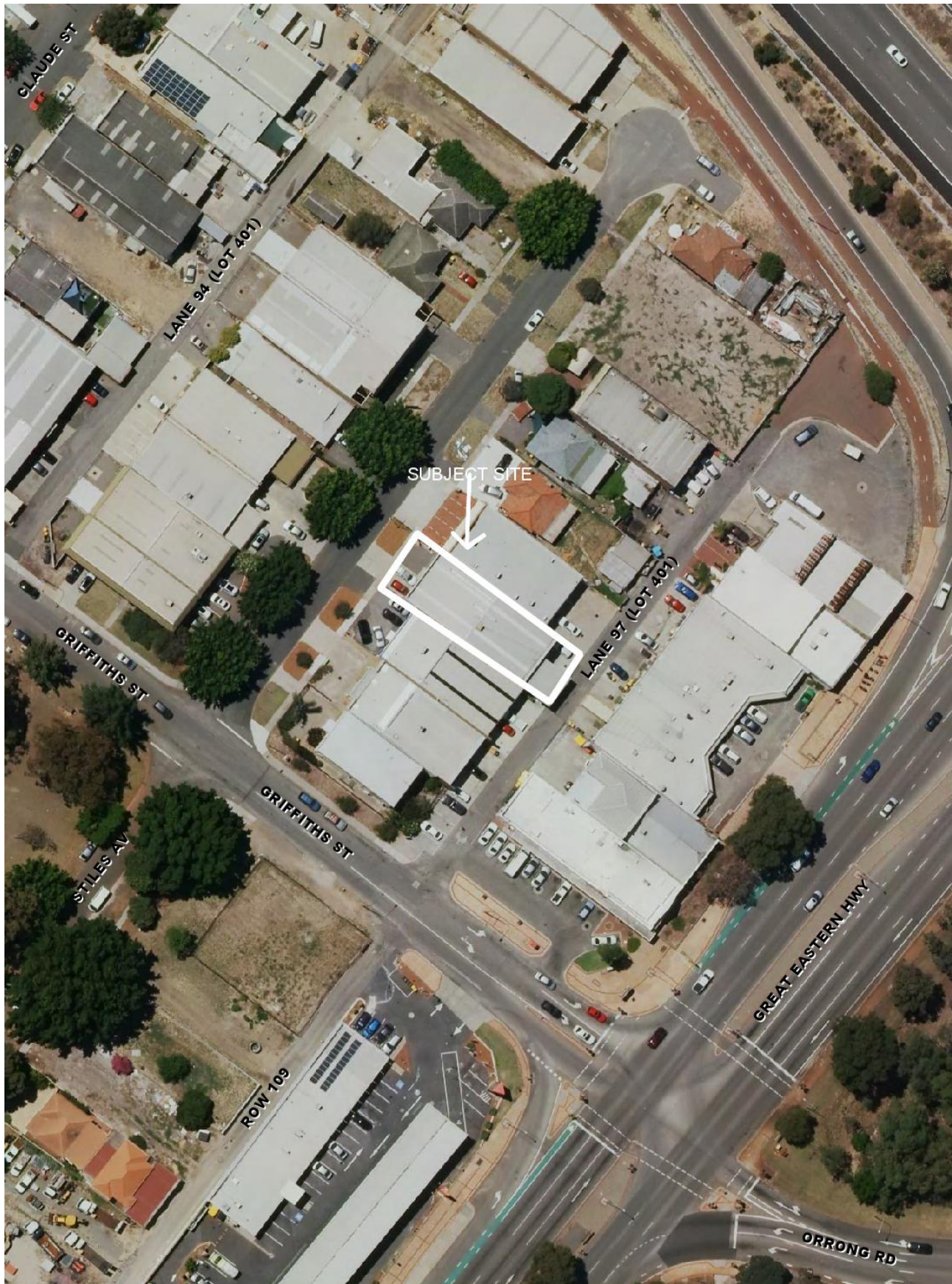
1.18 An authorised licensed electrical contractor is to certify that all electrical work of the public building conforms to the relevant provisions of the *Health (Public Buildings) Regulations 1992* (as amended), the *Building Regulations* and the *Electricity (Licensing) Regulations 1991*. A Form 5 must be completed by the electrical contractor.

1.19 Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for a review of the determination of Council by the State Administrative Tribunal within 28 days of the date of this decision.

(Absolute Majority Required)

- 2. The person who lodged a submission regarding the application be advised of Council's decision.







### 11.3 86 (Lot 248) Etwell Street, East Victoria Park – Change of Use from Single House to Residential Building (Short Term Accommodation)

<b>File Reference:</b>	PR11103
<b>Appendices:</b>	1. Site photos 2. Development application plans 3. Correspondence from the applicant dated received 28 March 2018 inclusive of a Management Plan
<b>Attachments:</b>	No
<b>Landowner:</b>	Ms H Day & Mr M Keane
<b>Applicant:</b>	Ms H Day & Mr M Keane
<b>Application Date:</b>	26/03/2018
<b>DA/BA or WAPC Ref:</b>	5.2018.214.1
<b>MRS Zoning:</b>	Urban
<b>TPS Zoning:</b>	Residential R20
<b>TPS Precinct:</b>	Precinct P12 'East Victoria Park'
<b>Use Class:</b>	Residential Building (Short Term Accommodation)
<b>Use Permissibility:</b>	'AA' (Discretionary) use

<b>Date:</b>	29 May 2018
<b>Reporting Officer:</b>	D. Rowley
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Simple Majority
<b>Executive Summary:</b> <b>Recommendation – Approval subject to conditions</b> <ul style="list-style-type: none"> <li>The application seeks to change the use of an existing dwelling, currently approved as a 'Single House' to a 'Residential Building (Short Term Accommodation)'.</li> <li>The intent is for the dwelling to be used for short-term accommodation catering for groups of between 4-6 people, or families.</li> <li>The proposed 'Residential Building (Short term Accommodation)' is an 'AA' (Discretionary) use.</li> <li>Two (2) submissions of objection were received in relation to the development proposal during the community consultation period.</li> <li>Council Officers are satisfied that any amenity impacts associated with the use can be managed through an updated Management Plan and conditions of approval.</li> <li>The proposal is recommended for Approval subject to conditions and advice notes, including the approval being for an initial 12 month period.</li> </ul>	

#### **TABLED ITEMS:**

Nil

#### **BACKGROUND:**

The dwelling at 86 Etwell Street, East Victoria Park was constructed in circa 1955.

In January 2018, it was brought to the Town's attention that the property was being used for short-term accommodation, without development approval being granted. The Council's Compliance Officer contacted the subject property owners in relation to the unauthorised use, resulting in the use being ceased and an application for development approval being submitted.

An application for development approval for a Residential Building (Short-Term Accommodation) at No. 25 Etwell Street, East Victoria Park was approved at the Ordinary Council Meeting in December 2017, subject to a number of conditions including the approval being for an initial 12 month period. There is no record of any complaints being received following this approval.

**DETAILS:**

The development application proposes a change of use from a 'Single House' to a 'Residential Building (Short Term Accommodation)', catering for groups of between 4-6 people, or families.

Under the TPS1, a 'Residential Building' is defined as follows:

*"A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

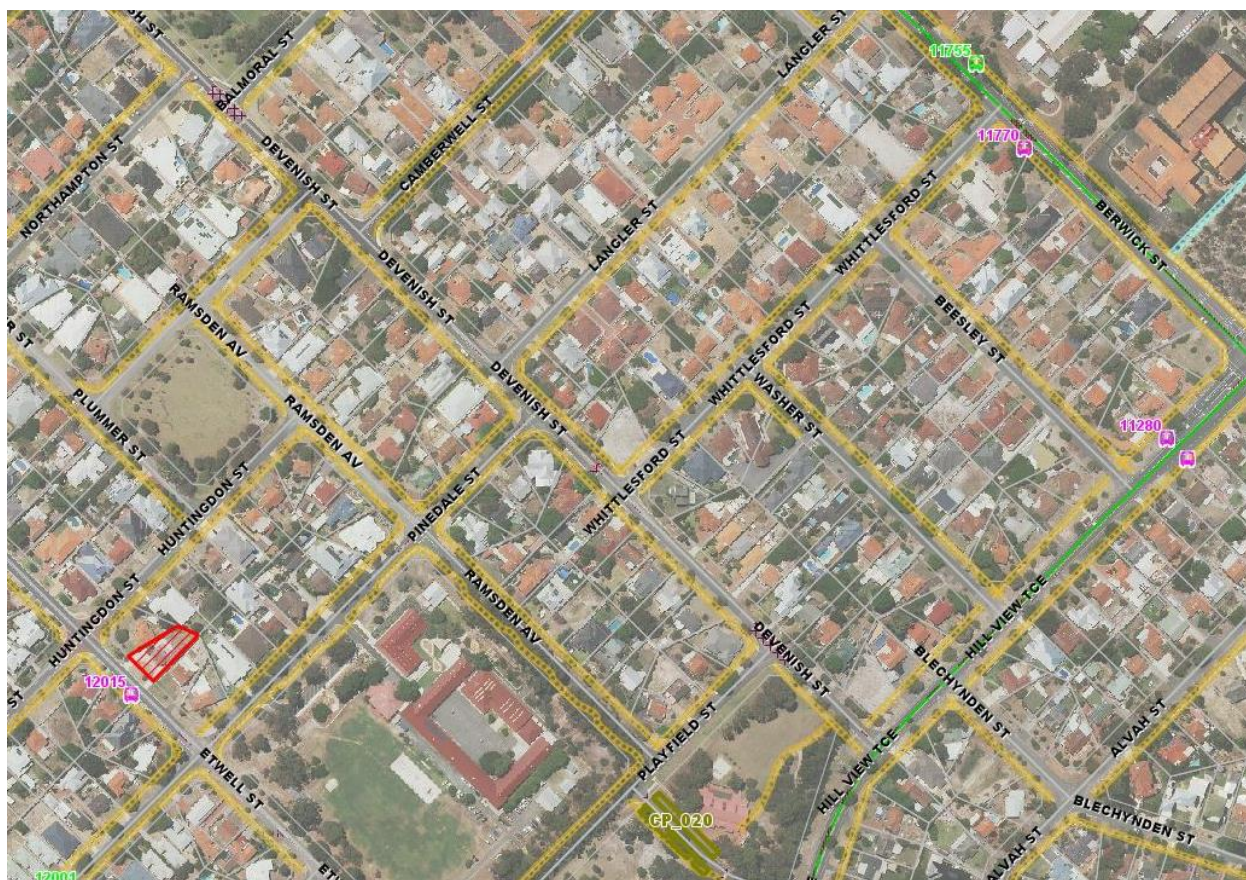
- temporarily by two or more persons; or*
- permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school."*

**Site Context**

The existing single storey building on the subject site is approved as a 'Single House' and has vehicle parking for four (4) car parking bays in tandem, which are accessed from two (2) vehicle crossovers from Etwell Street.

The surrounding sites are largely residential in nature and comprise of single storey dwellings and associated outbuildings. The subject site is approximately 400 metres from Hill View Terrace and 600 metres from Berwick Street, which are both District Distributor Roads.

Figure 1 below shows the subject site (highlighted in red) and the surrounding locality.



### Proposed Development

The proposed use of the building, as per the submitted drawing, details the following:

- Floor Plan - Three (3) Bedrooms, a Living Room, a Dining Room, a Kitchen, Utility Room and Two (2) Bathrooms; and
- Site Plan – Two (2) vehicular crossovers accessed from Etwell Street to the site, sufficient for four (4) cars to be parked in a tandem configuration.

The information submitted by the applicant in support of the proposal includes the following (see Appendix 3):

- The proposal is to cater for groups of between 4-6 people, or families.
- With a minimum of two (2) days stay, the proposed use encourages longer stay bookings;
- Family groups are targeted for the site with facilities to accommodate their needs, e.g. enclosed garden, cooking facilities and comfortable bedrooms, at a maximum occupancy of six (6) persons;
- All advertising and bookings are made online;
- A registration form will be made available to guests to complete upon check-in and include the terms and conditions of the stay. These include : the number of persons residing not exceeding the number at the time of booking; no visitors or noise after 10pm; no parties or large gatherings; illegal or inappropriate behaviour may result in instant eviction;

- The property is managed by the owners who live nearby. Their contact details will be provided to neighbours to ensure any issue can be addressed immediately;
- A copy of the house rules is provided to all guests which include noise restrictions and prohibition of any large gatherings or parties;
- Parking arrangements for four (4) car bays on site;
- Health and safety details, including security, hygiene and compliance requirements; and
- Community members can contact the owners 24/7 should any issues arise. The owners will investigate the complaint and respond as soon as possible or within 24 hours.

### Legal Compliance:

#### Relevant General Provisions of Town Planning Scheme No. 1

In assessing and determining this application, Council is to have regard to the following general provisions of the Scheme:

- Statement of Intent contained in Precinct Plan P12 'East Victoria Park'.
- Clause 67 'Matters to be considered by local government' of the *Planning and Development (Local Planning Schemes) Regulations 2015* (referred to as LPS Regulations);

In this instance it is considered that the following items are relevant matters that the Council must have regard to :

- (g) *any local planning policy for the Scheme area;*
- (m) *the compatability of the development with its setting;*
- (n) *the amenity of the locality; and*
- (y) *any submissions received on the application.*

#### Compliance with Development Requirements

- TPS 1 Scheme Text and Precinct Plan P12;
- Local Planning Policy 3 'Non-Residential Uses in or Adjacent to Residential Areas' (LPP 3);
- Local Planning Policy 23 'Parking' (LPP 23); and
- Local Planning Policy 31 'Specialised Forms of Accommodation other than Dwellings' (LPP 31).

The following is a summary of compliance with key development requirements:

Relevant Provision	Requirement	Proposed	Compliance
Precinct Plan P12 'East Victoria Park Precinct': Statement of Intent	<i>"Specialised forms of accommodation and a limited number of non-residential uses, to serve the needs of the local population, may be permitted in these areas."</i>	The proposed short term accommodation, being a specialised form of accommodation, is capable of being approved subject to the exercise of discretion by the Council, and noting that the proposal complies with provisions contained in relevant policies, discussed in this report.	Complies

Precinct Plan P12 'East Victoria Park Precinct': Land Use Permissibility	Residential Building, an AA (Discretionary) Use	The scale of the proposed Residential Building, with three (3) bedrooms is considered to be of a scale that is comparable to other dwellings in the neighbourhood.	Complies
LPP3 Clause 3(a)	The proposed non-residential use will not cause undue conflict through the generation of traffic and parking or the emission of noise or any other form of pollution which may be undesirable in residential areas	The four (4) on-site existing parking bays and the traffic generated is considered to be in keeping with that of a residential area. Noise generated at the proposed accommodation is intended to be controlled by a registration form and Management Plan that guests and visitors will be required to abide by.	Complies
LPP31 Clause 2.2.1 Location	A list of preferred locations include a location within 400 metres of a train station or high frequency bus route stop	Located within 400 metres of a high frequency bus route stop on Hill View Terrace. In addition, there is a bus stop located directly opposite the subject site on Etwell Street.	Complies
LPP31 Clause 2.2.2.1 Design of Existing Building	A maximum of six (6) rooms designed for and/or capable of use as bedrooms; and The existing building is approved by the Council as a Single House or Grouped Dwelling	Within the existing Single House, three (3) Bedrooms are provided in addition to a Lounge, a Family Room, an Activity Room, and a Meals Room on the single storey building is proposed.	Complies



LPP31 Clause 2.2.4 Car Parking	One (1) car bay for every bedroom or one (1) for every three (3) beds provided whichever is the greater ie. 3 bays required;  All resident, guest, staff or visitor car parking to be contained on site. No consideration given to parking of vehicles on-street or on Council verge areas.	Four (4) on-site car bays.	Complies
LPP31 Clause 2.2.4.3 Tandem Car Parking	Only permitted for an accommodation for six (6) or less persons	A maximum of six (6) guests are proposed.	Complies
LPP31 Clause 2.2.5 Signage on Residential Zoned Land	A maximum of only one sign on the site not exceeding 0.2m <sup>2</sup> in area, and incorporated into a front fence, wall, structure or building identifying the name and address of the accommodation	No signage is proposed to be displayed on site.	Complies
LPP31 Part 3 – Management and Operation	Management Plan to include proposed measures to control of noise and other disturbances, complaints, use and ongoing maintenance, security and antisocial behaviour	The Management Plan submitted by the applicant is lacking in detail in some respects and should be amended to address additional items.	Further detail required

Based upon the above assessment, the proposed use complies with the requirements identified in the Precinct Plan and relevant Local Planning Policies.

### **Submissions:**

#### Community Consultation:

In accordance with Council's Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP37), the proposal was the subject of community consultation for a period of 14 days, which occurred from 18 April 2018 to 4 May 2018, with letters being sent to owners and occupiers of surrounding properties.

During the advertising period, two (2) submissions expressing concerns in relation to the proposed development were received by the Council as outlined below:

<b>CONSULTATION SUBMISSIONS</b>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<b><i>Submission 1 – Submission from owner/occupier of property in Huntingdon Street</i></b>	
<ul style="list-style-type: none"> <li>I assumed that approval was granted as the premises has been used for this purpose.</li> <li>The noise levels (from partying and verbal disagreements) have occasionally been unacceptably loud and extended late into the night.</li> <li>The use would create a precedent that does not accord with the demographic of the area characterised by young families, primary schools, students and nursing homes.</li> </ul>	<p><b>Submitter's comments are noted.</b></p> <ul style="list-style-type: none"> <li>The premises was being used for short-stay accommodation without approval. The use has now ceased awaiting the outcome of this application.</li> <li>Noise generated by people in a social gathering and discussing issues is not uncommon with general residential living. However it is accepted that ongoing and regular noise disturbance could adversely affect the amenity of a property. The applicant proposes restrictions to minimise any noise disturbance. Any noise resulting from the use is required to comply with the relevant noise regulations.</li> <li>The zoning table of Town Planning Scheme No. 1 identifies a 'Residential Building' land use as being an 'AA' (discretionary) use on 'Residential' zoned land, such as the subject site. While the occupants of the building will be transient, it is not considered that this would necessarily have an adverse impact.</li> </ul>
<b><i>Submission 2 – Submission from owner/occupier of property in Etwell Street</i></b>	
<p>Objection:</p> <ul style="list-style-type: none"> <li>Concerned with the erosion of residential character and loss of long term residents.</li> <li>Management plan should include procedures for no adverse impact from guests onto the amenity of the surrounding area, which should be legally binding. Approval for a temporary two (2) year period suggested</li> <li>No management of the four (4) vehicle parking on site</li> </ul>	<p><b>Submitter's comments are noted.</b></p> <ul style="list-style-type: none"> <li>The discretionary land is use capable of being approved, subject to an assessment of the proposed development to ensure adjoining properties are not adversely impacted.</li> <li>It is agreed that an amended Management Plan should be submitted included stronger controls on the expected behaviour of guests and visitors.</li> <li>The Management Plan and site plan confirms four (4) available on-site car parking bays for guests</li> </ul>

<p>and vehicles should not park on lawn or garden areas.</p> <ul style="list-style-type: none"> <li>Noise management should state that noise be ceased after 10pm 7 days a week and externally powered sound systems/PA systems should be prohibited at all times. The Management Plan should state explicitly that parties and loud music are prohibited.</li> <li>It is considered that a responsible adult (over 18 years of age) should be on site at all times and no unauthorised people are permitted to stay overnight. Tenants are not to host events, functions or parties of any description while they are present on the property. Any events should be terminated immediately by the property managers and rental agreements to be terminated without refund and all bond monies held should be forfeit.</li> <li>The Management Plan makes no reference to rubbish disposal. If not addressed appropriately there could be littering and smells arising.</li> <li>It is considered that the Management Plan should require that "All arrivals are required to check in before 10pm" as this would limit potential impacts on neighbours.</li> </ul>	<p>and visitors however there is no controls for guests to park on-site and not on the verge or garden.</p> <ul style="list-style-type: none"> <li>The proposed registration form states that no parties are allowed and there is to be no noise after 10pm. However this needs to be specifically stated in an amended Management Plan.</li> <li>The proposed registration form addresses the matter of no additional guests, however this needs to be stated in an amended Management Plan.</li> <li>The owners of the subject property, who live in close proximity to the subject site intends to manage the rubbish and provide cleaning of the premises. This needs to be addressed in an amended Management Plan.</li> <li>Agreed that this should be addressed in an amended Management Plan.</li> <li>Additionally, the maximum limit of six (6) guests that will be permitted to reside at the subject property will adequately address this matter. A condition of the proposed development approval will require the subject property to be used for a maximum of six (6) guests at any given time.</li> </ul>
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<ul style="list-style-type: none"> <li>The applicant states that the maximum occupancy rate is 6 people but it does not clearly state that the 6 people are from a single group booking. Multiple room bookings on a separate basis are considered to be of higher risk of anti-social behaviour and non-compliance with the 'Management Plan', which should be subject to a condition that i) there shall be no more than 6 persons on site at any one time; and ii) the whole property is to be rented as one booking only with no bedrooms or other areas of the house to be rented on an individual basis.</li> <li>The Management Plan doesn't bind the owner/operator to any consequences should there be ongoing complaints and management issues. The Management Plan is not specific enough on the matter of termination.</li> </ul>	<ul style="list-style-type: none"> <li>It is unlikely that there will be separate bookings as this would require the sharing of facilities ie. kitchen, laundry, bathrooms etc, however this can be restricted by way of an amendment to the Management Plan.</li> <li>The submitted registration form outlines that termination could occur in certain situations including parties or loud noise, or inappropriate behaviour. However the Management Plan should be amended to include this and be clearer on the matter.</li> </ul>
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### Internal Referrals

The application was referred to relevant internal Services Areas for review and comments as per the table below:

Service Area	Comments
Environmental Health	No objections. Standard Advice Notes requested.

### **Policy Implications:**

Nil

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
Non-compliance with the Management Plan and conditions of approval may result in complaints from adjoining property owners	Moderate	Possible	Moderate	The recommendation that the development approval be granted for a period of 12 months will allow for reconsideration of a possible extension in light of any potential complaints that may be received by the Council along with supporting evidence.
The applicant / owner has a right of review to the State Administrative Tribunal (SAT) in relation to any conditions of approval, or if the application was refused by the Council.	Moderate	Likely	High	Ensure that Council is provided with information to make a sound recommendation based upon relevant planning considerations including the Scheme and applicable Local Planning Policies.

**Strategic Plan Implications:**Environment:

EN1 – Land Use Planning that puts people first in Urban Design, allows for different housing options for people with different housing needs and enhances the Town's character.

**Financial Implications:**

Should the applicant be aggrieved by the Council's decision they have a right of review to the State Administrative Tribunal. If the applicant were to exercise this right, then there may be financial implications for the Town in terms of representation to defend Council's decision.

**Sustainability Assessment:**External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Any issues relating to noise emissions will need to comply with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

**COMMENT:**

Town Planning Scheme No. 1 requires the exercise of discretion when considering the appropriateness of the proposed 'Residential Building (Short Term Accommodation)' use on a 'Residential' zoned lot, taking into consideration the amenity impact on the neighbouring properties.

The proposed use of the property for short-term accommodation is consistent with the Statement of Intent under the TPS 1 Precinct Plan that "*Specialised forms of accommodation and a limited number of non-residential uses, to serve the needs of the local population, may be permitted in these areas*".

As outlined above, the proposal is also consistent with Local Planning Policy 31 with respect to most criteria including locational requirements, on-site parking etc.

In terms of the appropriateness of the use and potential amenity impacts, the applicant in their correspondence dated received 28 March 2018, includes various information including a Management Plan, a standard registration form and a Complaint Management Form. The standard registration form, which would be signed by guests at the time of booking outlines some information regarding the expected behaviour of guests, however not only is the information limited but it is not contained with the actual Management Plan.

While the property owners intentions to manage any amenity impacts are understood, and Council Officers are of the view that the issues can be appropriately managed, a number of concerns have been raised by adjoining neighbours in relation to information within the submitted Management Plan. Council Officers agree additional information and/or an amended Management Plan should be submitted specifically addressing the following:

- Include a Code of Conduct for both guests and their visitors, including :
  - General expected behaviour;
  - No parties or loud music at any time;
  - No noise after 10pm; and
  - Advising the Manager of any disputes or complaints with neighbours immediately.
- Parking of vehicles to on-site within the driveway and not either on the front lawn/garden, or on the street verge;
- Waste disposal;
- Check-in times to be no later than 10pm at any time;
- The number of occupants not exceeding the number of guests approved at the time of booking;

- There being a maximum of six (6) occupants and a maximum of one (1) booking for the property at a time;
- Any complaints to be investigated within 2 hours;
- The owner keeping a Complaints Register, recording complaints received and action taken, which is to be available for viewing by Council Officers upon request;
- The owner keeping an Occupancy Register recording the details of all occupants, arrival and departure dates etc, which is to be available for viewing by Council Officers upon request;
- The final Management Plan being provided to all neighbours;
- Occupants to comply with the Management Plan and Code of Conduct at all times, and that failure to do so may result in termination and forfeiting of any monies paid; and
- A commitment from the owner to terminate a booking where significant breaches occur.

It is considered that these matters can be addressed through recommended conditions of approval.

It should also be noted that the outdoor living area for the dwelling is reasonably separated from the adjoining residential properties in which case any noise impact is not likely to be significant.

It is acknowledged that the dwelling could otherwise be occupied by up to six (6) unrelated people on a permanent basis (ie. for periods of six (6) months or more), and that this would constitute a 'dwelling' and be permitted. However in this case the use is for temporary accommodation, and therefore the amenity and social impacts can be relatively different.

Having regard to the above and the improved management measures recommended to be put in place, it is recommended that the application be conditionally approved. Consistent with previous approvals for short-term accommodation, it is recommended that the initial approval be for a 12 month period. This will allow for a review of the use and any resulting amenity impacts to be reviewed after 12 months, in order to determine whether or not to grant a further approval.

### **CONCLUSION:**

In view of the above, the application for Change of Use to Residential Building (Short Term Accommodation) is supported, and it is recommended that Council approve the application for a 12 month trial period, subject to conditions.

### **RECOMMENDATION/S:**

1. **In accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application submitted by Ms H Day and Mr M Keane (DA Ref: 5.2018.214.1(2)) for Change of Use from 'Single House' to 'Residential Building (Short Term Accommodation)' at 86 (Lot 248) Etwell Street, East Victoria Park as indicated on the plans dated received 28 March 2018, be Approved subject to the following conditions:**

- 1.1 Prior to the commencement of the approved use, an amended Management Plan is to be submitted to the satisfaction of the Town, including additional measures and commitments to ensure no adverse amenity impacts on the adjoining properties.
- 1.2 This approval is valid for a period of 12 months only until 12 June 2018, after which time the permitted use of the premises shall revert to a Single House unless further development approval is obtained. Prior to or upon the expiry of this temporary approval, the owner/applicant must cease the development or submit a fresh application for development approval to continue the use.
- 1.3 A maximum of three (3) rooms in the building are to be available for use as bedrooms at any one time, with no more than six (6) occupants at any one time, and no more than one (1) booking for the property at a time.
- 1.4 A minimum of three (3) on-site car parking bays being available for use by guests and visitors at all times.
- 1.5 All resident, guest, staff or visitor car parking associated with the Residential Building (Short Term Accommodation) shall be contained on site. No consideration will be given to the parking of vehicles on-street or on Council verge areas.
- 1.6 A maximum of only one (1) sign on the site not exceeding 0.2m<sup>2</sup> in area, and incorporated into a front fence, wall, structure or building that identifies the name and address of the Short Term Accommodation is permitted.
- 1.7 Sound levels created are not to exceed the provisions of the *Environmental Protection (Noise) Regulations 1997*.
- 1.8 The property, including the building surrounds and all garden areas, are to be kept in a clean, tidy and well-maintained state of repair at all times to the satisfaction of the Town.

#### **Advice to Applicant**

- 1.9 In relation to condition 1.1, as a minimum those matters listed in the Officer's report should be addressed in the amended Management Plan.
- 1.10 Should the applicant be aggrieved by this decision a right of appeal may exist under the provisions of the Town Planning Scheme or the Metropolitan Region Scheme and the applicant may apply for review of the determination of Council by the State Administration Tribunal within 28 days of the date of this decision.

- 1.11 The applicant/owner should refer to the Requirements of Other Council Business Units, enclosed with this development approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.**
  - 1.12 This approval is for the use of the building as a Residential Building (Short Stay Accommodation) only. Any alternative use of the premises will require the submission of an application to Council for a change of use.**
  - 1.13 Any amendments or modifications to the approved drawings or documents forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.**
- 2. Those persons who lodged a submission regarding the application be advised of Council's decision.**







### 11.4 No. 4-10 (Lot 4) Hayman Road and No. 145-165 (Lot 5) Hillview Terrace, Bentley – Masterplan for Rowethorpe Village

<b>File Reference:</b>	PLA/6/38
<b>Appendices:</b>	1. Part A - Rowethorpe Village Masterplan 2. Part B – Background Analysis 3. Part C – Technical Appendices
<b>Landowner:</b> <b>Applicant:</b>	Uniting Church Homes Chaney Architecture
<b>Application Date:</b> <b>MRS Zoning:</b> <b>TPS Zoning:</b> <b>TPS Precinct:</b>	24 November 2017 Urban Special Use 'Residential and Special Facilities' Precinct P13 'Curtin'

<b>Date:</b>	29 May 2018
<b>Reporting Officer:</b>	C. McClure
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Simple Majority
<b>Executive Summary:</b> <b>Recommendation – Approval of the Masterplan</b> <ul style="list-style-type: none"> <li>Rowethorpe Village is located at No. 4-10 (Lot 4) Hayman Road and No. 145-165 (Lot 5) Hillview Terrace, Bentley.</li> <li>A Masterplan has been submitted to Council which guides the long term strategic direction for the future planning and development of the Rowethorpe Village and is designed to be used in the assessment of development applications.</li> <li>The Masterplan arranges the village into six precincts, and provides objectives and development requirements for each precinct.</li> <li>The proposal was subject to community consultation for 28 days with four (4) submissions being received.</li> <li>It is considered that the Masterplan contains excellent design principles to guide the future development of the site and achieve high quality design outcomes.</li> <li>It is recommended that Council approve the Masterplan and accompanying reports for Rowethorpe Village prepared by Chaney Architects dated received 15 December 2017 and 22 May 2018.</li> </ul>	

#### **TABLED ITEMS:**

Nil

#### **BACKGROUND:**

Council approved a Masterplan for Rowethorpe Village prepared by Roberts Day Town Planning and Design at its Meeting on the 28 September 2004. This document guided the future partial redevelopment of the site over an 8 to 10 year time frame.

The Design Review Committee (DRC) met with the applicant and their consultants on three occasions prior to the submission of a new Masterplan. The preliminary concept was initially appraised on the 10 October 2016 and was determined to be of a high standard with sound urban design principles. Feedback provided at this stage was with respect to legibility and



way finding and to provide further details of construction management and staging. The connection between Bentley Park and Rowethorpe were also highlighted as being important elements which should be addressed. The DRC also suggested that some building typologies and a parking strategy should be provided.

The DRC met again on 1 November 2017 to review the progressed Masterplan. The applicants advised the Committee that after a consultation period with residents that the Bowling club and amenities were to remain in the northern location of the site. The feedback regarding the access and site legibility was generally positive. However, the DRC expressed concerns regarding the 7 to 8 storey buildings proposed on the Hillview Terrace boundary. The applicant agreed this should be revisited as well as giving further consideration to parking and drainage. At the final meeting to consider the Masterplan in late December 2017, the revised height plan was discussed including the appropriateness of the 6 level buildings proposed along the Hillview Terrace/Marquis Street interface as well as the 7 to 8 storeys building in the north-western corner which adjoins single storey development which was identified as potentially having transitional problems. A landscaping plan showing the existing and proposed landscaping was recommended to be provided as well as some indicative building typologies.

#### **DETAILS:**

Rowethorpe Village is located at No. 4-10 (Lot 4) Hayman Road and No. 145-165 (Lot 5) Hillview Terrace, Bentley. The site comprises land bounded by Hayman Road to the southwest, Marquis Street to the southeast, Hill View Terrace to the east, Adie Court to the northwest and the Bentley Park aged care complex to the north.

The Masterplan guides the long term strategic direction for the future planning and development of the Rowethorpe Village and is designed to be used in the assessment of development applications. Development that is consistent with the Masterplan will be 'deemed to comply' and provide certainty to Juniper and its community regarding the future planning and development of the Village.

The Masterplan provides for the eventual replacement of the majority of existing buildings and infrastructure over a 30 year time frame. The indicative ultimate yield of the Masterplan is compliant with the R40 density of the site as per the following:

<b>Land Use</b>	<b>Current Yield</b>	<b>Masterplan Yield</b>
Residential care beds	257	284
Independent living units	210	555
Community and commercial floor space (m)	N/A	6, 600

No minimum or maximum development yields are prescribed in order to maintain flexibility at the development application stage.

The Masterplan arranges the village into six precincts (see image below), and provides objective and development requirements for each precinct.



Figure 10: Rowethorpe Village Masterplan - Annotated

## 2.4 PRECINCTS

The Masterplan is arranged into the following precincts:

- i. Village Centre
- ii. Residential Care Precinct
- iii. Villa Precinct - West
- iv. Villa Precinct - Central
- v. Apartment Precinct - West
- vi. Apartment Precinct - East

These precincts are indicated in the Precinct Plan, refer to Figure 12.



Figure 12: Rowethorpe Village Precinct Plan

### Village Centre

The village centre will accommodate a range of functions and amenities such as a new community and activity centre including a diversity of uses such as: administration, café/restaurant, retail, gallery and multi-function and flexible hall spaces. The new site entry road will provide a clear link from Hayman Road. The delivery of the Village Centre concept and elements will be preceded by earlier development stages including independent living units and residential care facilities. Buildings in this precinct will be designed as low rise (typically 1 to 2 storeys) and have regards to the objectives of the precinct which include creating a centre of consolidated community activities and an active village hub.

### Residential Care Precinct

The village currently contains four (4) residential care facilities, two (2) of which are earmarked for redevelopment. The residential care precinct is adjacent to the village centre which contains administrative, community, retail and recreation facilities and will provide the opportunity to consolidate and expand residential care facilities.

Residential care facilities are proposed to a height of two (2) to three (3) storeys for residential and high care wings and up to four (4) storeys for the administrative wing.

### Villa Precinct – West

This precinct contains single level independent living units constructed between 2001 and 2005. These dwellings are proposed to be retained over the medium to long term and upgraded as required. New apartment buildings are to be positioned and oriented to minimise the overlooking of existing residential villas and incorporate landscape buffers between new and existing accommodation.

### Villa Precinct – Central

This precinct is characterised by existing terrace style and single two level units which are proposed for retention and upgrading as required. The central community building and units are to be removed to facilitate the long term strategy to develop a new east/west site linkage for pedestrians and gophers and to complete the extension of Jenkins Avenue as the major pedestrian and part vehicle link across the site. This is proposed to occur late in the development staging of the site.

### Apartment Precinct – West

This area has been identified for the redevelopment for independent living units comprising:

- low rise apartments (up to three levels) serviced by a lift access and oriented with apartment facing north south and;
- mid rise (minimum of three levels plus podium car parking up to maximum heights of six to eight levels). The residential building type is proposed to be generally oriented east-west.

Car parking will be provided in at grade carports located adjacent to the apartment building. This precinct will also accommodate a new recreation hub, including a bowling green and clubhouse facility.

### Apartment Precinct – East

It is recognised by both the applicant and Council's Urban Planning Unit that the north-east corner of the Village has a poor interface with the Bentley Park site with the access road linking the Village with Hill View Terrace being narrow with poor surveillance. Redevelopment in this precinct will include improved pathways, frontage relationship and extensions of the proposed and pedestrian network. Similarly to Apartment Precinct – West this area will comprise :

- Low rise apartments (up to three levels) serviced by a lift access and oriented with apartment facing north south.
- Midrise (minimum of three levels plus podium car parking up to maximum heights of six to eight levels). The residential building type is proposed to be generally oriented east-west.

The site is proposed to be redeveloped in six stages as indicated in the Masterplan report.

Key features of the Masterplan include:

- Accessibility – partial reorganisation of the internal street network for easier navigation including dedicated pedestrian and gopher pathways.
- Neighbourhood links – improved linkages to the adjacent Bentley Park with Tranby Way consolidated as the formal and primary entry point. Jenkins Avenue retained as a secondary entry point from Hayman Road and improved vehicular and pedestrian access from Hillview Terrace to the east.
- Community Services and Facilities – The provision of two activity centres with the main village centre containing a range of community facilities and services located closely to the independent living and residential care accommodation. The second activity hub in the northwest corner of the site including the bowling green, clubhouse, new chapel and landscaped facility.
- Creation of shared landscape spaces and amenities as part of the higher density apartment types envisaged by the Masterplan.

### **Legal Compliance:**

Under the Town of Victoria Park Town Planning Scheme No. 1 the subject site is zoned Special Use – Residential and Special Facilities and is located within the Curtin Precinct (Precinct 13).

Relevant provisions of the Precinct Plan which apply, include:

*“The area shall continue to house specialised uses that serve the metropolitan region and be consolidated as an area for aged persons accommodation and ancillary uses. Ancillary uses may include recreational facilities, hospital care and consulting rooms, local shops and restaurants.”*

*“The uses permitted are residential accommodation for aged persons (and uses ancillary to this primary use and to the care of aged persons) and specialised public services.”*

The Masterplan has no statutory effect under the *Planning and Development (Local Planning Schemes) Regulations 2015* or the Town of Victoria Park Town Planning Scheme No. 1.

However, as per clause 67(zb) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Masterplan is a relevant consideration for future development applications at Rowethorpe. It should be noted that nothing in the Masterplan binds the Town or any other authority in the consideration of applications for development approval. As discussed, the purpose of this document is to provide some guidance to Juniper, residents and Council as to the future planning and redevelopment of the Village.

### **Submissions:**

#### Community Consultation:

Consultation was carried out for a period 28 days including:

- Advertisement in the Southern Gazette newspaper for the extent of the consultation period.
- Three signs erected on the site on the Hayman Road, Marquis/Hill View Terrace and Adie Court frontages.
- Letters to adjoining owners and occupiers including the City of Canning as the adjoining local government area.
- Masterplan documents available to view and an opportunity to make online submission on the Town's consultation hub 'Your Thoughts' website for the extent of the consultation period.

During the consultation, four (4) submissions were received as outlined below.

<b>CONSULTATION SUBMISSIONS</b>	
<i>Submission from owner/occupants of property in Hillview Terrace, Bentley</i>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<ul style="list-style-type: none"> <li>• Traffic: ensure that there is adequate consideration given to traffic flow and road width.</li> <li>• No flash flooding - ensure proper drainage to cater for increased water usage and possibility for flash flooding.</li> <li>• Apartment height of apartment should be monitored</li> <li>• Proper pest control especially mice/rats, cockroaches, snakes.</li> </ul>	<ul style="list-style-type: none"> <li>• The applicant has provided a traffic and transport report which concludes that the cumulative impact of the proposed development on the subject site can be accommodated within the existing road structure.</li> <li>• Drainage has been accounted for in the Masterplan in terms of the provision of soakwells. Furthermore, storm water and drainage will be assessed as part of planning and building assessment for individual developments.</li> <li>• The indicative height plan has been reviewed and the proposed heights are considered appropriate.</li> <li>• There is a requirement for pests such as mice to be adequately baited prior to demolition of buildings. However, more general pest control is the responsibility of the developer and site manager/residents.</li> </ul>

<i>Submission from owner/occupants of property in Hillview Terrace, St James</i>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<ul style="list-style-type: none"> <li>I have concerns for the above possible development due to the effect a 4 to 7 storey building would have on our quality of life.</li> <li>I strongly believe that the interface with adjoining/opposite single storey residential residents is not appropriate due to its height.</li> <li>Our privacy will be greatly affected as we would be greatly overlooked in areas of our property where my young children play and swim and I believe some of the balconies would allow residents to look directly into our living room.</li> <li>I also believe that in our case the afternoon/evening sun would be blocked out by the building from the afternoon onwards and we would not enjoy it as we do now by doing such things as sitting outside with a glass of wine in hand watching the children play.</li> <li>Please do not go ahead with any development opposite me that would be higher than two storeys.</li> </ul>	<ul style="list-style-type: none"> <li>The building in this location is proposed to be four (4) storeys as per the indicative building heights plan in the Masterplan. The heights permitted under TPS No.1 are as per a recession plane which stipulates a maximum 6 metre height at a 6 metre setback and a 15 metre height at the 15 metre setback line. A 4 storey building would generally be 12 metres assuming a standard 3 metre floor to ceiling height per storey. The 4 storey height earmarked in this location is considered appropriate given the heights permitted by the precinct plan. A condition of approval is recommended that the building heights plan should be amended with the building height stepped back from the boundary to address the impact of height on the adjoining lower level development. A detailed height assessment will need to take place as part of any future development application submitted which will include application of the building recession plan which requires the setback of buildings from the Hillview Terrace interface.</li> <li>In terms of privacy and overshadowing this will be subject to assessment as part of any future development application submitted.</li> </ul>
<i>Submission from owner/occupants of property in Hillview Terrace, Bentley</i>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<ul style="list-style-type: none"> <li>As an owner of a house immediately opposite the proposed "Apartments East Precinct Hub ", I am concerned that the 4 storey proposed block of units will over shadow and therefore restrict the afternoon sun from our homes and gardens, furthermore, they will be overlooking our properties on Hill View Terrace which would make this a privacy issue.</li> </ul>	<ul style="list-style-type: none"> <li>Privacy and overshadowing will be subject to assessment as part of any future development application submitted. However, given the manner in which solar access is assessed and the site orientation a building in this location is likely to comply with the requirements of the R-Codes.</li> </ul>

<ul style="list-style-type: none"> <li>Looking at it from the point of view of the elderly, who would be living in these units, they would be looking down on a busy road with heavy traffic, which, during peak hours can cause a great deal of noise and car pollution for the elderly residents.</li> <li>Would you please give some consideration to your building plans by moving the proposed 4 storey buildings back further to the west which will avoid having to build on Hill View Terrace.</li> </ul>	<ul style="list-style-type: none"> <li>The building layout and residential amendment will be subject to assessment as part of any future development application submitted.</li> <li>The matter of building heights to Hill View Terrace is responded to above.</li> </ul>
<i>Submission from Swan Care Group</i>	
<b>Comments Received</b>	<b>Officer's Comments</b>
<ul style="list-style-type: none"> <li>SwanCare Group is generally supportive of the master plan with the following comments:</li> <li>Setbacks, overlooking and overshadowing of new high rise buildings on surrounding buildings and properties should be closely considered with each development application.</li> <li>The master plan refers to connection points with SwanCare. We are more than happy to liaise with Juniper on this and look for points of integration where possible. SwanCare's Bentley Park master plan to be submitted this year will continue to reference existing connection points.</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> <li>These elements will be subject to assessment as part of any future development application submitted.</li> <li>Noted. Improving the integration with the Swancare village to the north of the site has been identified as an objective of the Masterplan</li> </ul>

**Policy Implications:**

Nil

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
If the Masterplan is not approved, there will be strategic implications for the site as future development applications will have to be considered on an ad-hoc basis with no context as to how the site will be redeveloped.	Moderate	Likely	High	Approve the Masterplan.

**Strategic Plan Implications:**

Environment:

EN1 – Land use planning that puts people first in Urban Design, allows for different housing options for people with different housing needs and enhances the Town's character.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Nil

**Sustainability Assessment:**

External Economic Implications:

Nil

Social Issues:

The Rowethorpe Village provides for a variety of community services and facilities to residents as well as an increase in the provision of aged care and dependent dwellings for the community to access.

Cultural Issues:

Nil

Environmental Issues:

Nil



**COMMENT:**

The purpose of the Masterplan is to guide the long term growth the site and to be used in the assessment of planning applications for development of Rowethorpe Village.

The key elements are discussed as follows:

Landscaping

The site is currently well vegetated with a mixture of native and non-native plants which has been identified as a valuable attribute of the site. The mature tree canopies provide shade and green relief however, feedback provided to the applicant as part of the pre-lodgement DRC meetings is that further planning needs to occur in terms of existing landscaping that could potentially be retained. This is recognised in the Masterplan document as the requirement for a whole-of-site landscape masterplan that establishes a plant and material palette, a defined streetscape character hierarchy, and defines key spaces and functions. The Masterplan also indicates that maximising retention of mature trees and shrubs such as relocation etc is a requirement for future development.

Following feedback from the DRC process and Council Officers, the applicant has provided a subsequent statement in the landscape section of the Masterplan that acknowledges that a whole-of-landscape approach should be developed which identifies examples of existing landscaping which might be considered worthy of retention and will be investigated further at development application stage.

The narrowness of the verge along Hayman Road needs to be considered with respect to landscaping retention. The applicant has responded to this, noting that Hayman Road will be developed in stages 2B, 3 and 4, in 8, 10 and 10 or more years respectively. As such a more detailed landscape strategy for the Hayman Road interface will be provided at the first stage of development along Hayman Road, i.e. Stage 2B to inform future development and landscaping along this road with existing tree planting on Hayman Road being retained.

The use of existing and additional landscaping is also important and will assist in reducing the perceived building height on the perimeter of the site which is discussed in more detail in the 'Height' section of the report.

Key Spaces and Connection

The site is currently difficult to navigate with the east and west sides of the site disconnected with no obvious pedestrian or vehicle links. The Masterplan aims to establish an identifiable 'centre' of the site which is the Village Centre. The other key spaces which will have a network of open spaces provided for at each stage of the development include: the native garden, recreation hub (including bowling green) and the reflection gardens.

External Connectivity

The site has a number of perimeter boundaries on road frontages with two major access points. There is limited integration between Bentley Park village to the north.

The applicant has provided a traffic and transport report included as part of the Technical Appendices submitted which outlines the traffic and transport implication for the Masterplan. The Rowethorpe village will be directly influenced by the new Bentley-Curtin hub with various road and transportation modifications occurring in implementing the University's Greater Master Plan.

The major external connectivity works proposed include (see image below) :

- Provide integration between Rowethorpe and Bentley park village.
- Create clear links to Hayman Road and Curtin University
- Create a hierarchy of site access points and establish the major entry off Tranby Way.
- New western deceleration lane at the Tranby Way entry.
- New integrated eastern deceleration lane at Tranby Way as part of the proposed dual carriageway works for Hayman Road.
- Develop a clear site entry to Hill view Terrace.

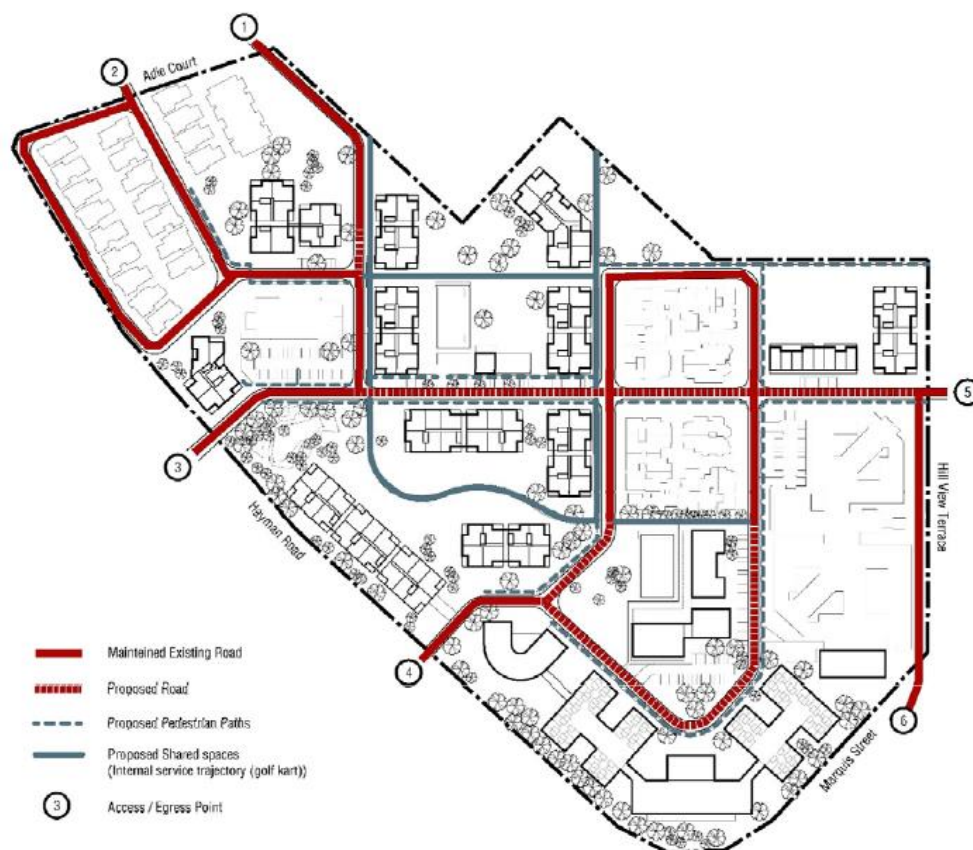


Figure 1 – Proposed Master Plan Analysis

- Point 1 - to / from Adie Court via Centenary Drive (existing road within development site);
- Point 2- to / from Adie Court via Fraser Grove (existing road within development site);
- Point 3 - to / from Hayman Road via Jenkins Avenue (existing road within development site);
- Point 4 - to / from Hayman Road via Tranby Way (existing road within development site);
- Point 5 - to / from Hill View Terrace via proposed road within development site which currently accesses a car park and will be form the new proposed east west link through the site.
- Point 6 - Parking area accessed from Marquis Street.

The traffic and transport report concludes that the cumulative impact of the proposed development on the subject site can be accommodated within the existing road structure.

Council's Street Operations Engineering Unit have reviewed the traffic and transport report and are generally supportive of the road and traffic arrangement proposed. The proposed deceleration lane into the site is considered an improvement to safety however, access from the Hayman Road frontage may be impacted by the proposed future dual carriage way upgrade of Hayman Road. Similarly, the upgrade of the access road off Hillview Terrace to form the new east-west link across the site will be subject to further intersection analysis at later stages of the development and may result in access being restricted to a left in left out arrangement dependent on the data provided and/or traffic conditions occurring.

#### Access & Movement

As discussed, the site is currently lacking in clear navigation lengths with inconsistent road orientation often terminating without clear sightlines. Pedestrian paths are adjacent to roads however in many instances pedestrian and gophers use the road pavements. The Masterplan aims to:

- Establish a hierarchy of movement systems major road network for cars and a minor road network for residents and a separate road network for gophers and pedestrians.
- Simplify road alignments into a north/south system.
- Improve east west links and prevent rat running through the site.

Council's Urban Planning Unit and the DRC consider the access and legibility improvements to be a positive element of the Masterplan.

#### Car parking

One (1) car parking bay per independent living unit is proposed to be provided. No maximum parking rate has been applied to the Village to provide a degree of flexibility in parking arrangements. Minimum rates of car parking for other uses are to be provided in accordance with the Town's Parking Policy.

The car parking on site is to be provided for and planned in a variety of arrangements including:

- Basement/semi- basement parking to multi storey residential buildings.
- Investigate opportunities for integration of basement car parking
- Basement staff parking to residential care facilities
- On grade/car port parking to two level dwellings and visitor parking
- On grade parking located in shaded southern areas.

The applicant has provided some indicative parking numbers included in the traffic and transport report. In some cases such as the community facilities and commercial/mix uses the parking numbers have been proposed on the basis that there is some reciprocal use occurring with the justification being that residents who are utilising these facilities have parking already provided for within residential dwellings.

Land Use	Proposed	Unit/Yield	Total
Independent Living Units	1 parking space per dwelling	540 ILUs	540
Residential Care Facility	1 for every 40m <sup>2</sup> of net administrative/office floor area and consulting/treatment areas	300m <sup>2</sup>	8
	1 for every 3 beds	284 residents	95
Community Facilities	1 for every 4.5m <sup>2</sup> of NFA	3,320m <sup>2</sup> GFA 1,992m <sup>2</sup> NLA	442 (221)
Commercial/Mixed Uses	1 for every 40m <sup>2</sup> of NFA	3,350m <sup>2</sup> GFA 2, 010m <sup>2</sup> GFA	50 (25)
Total			1135 (889)

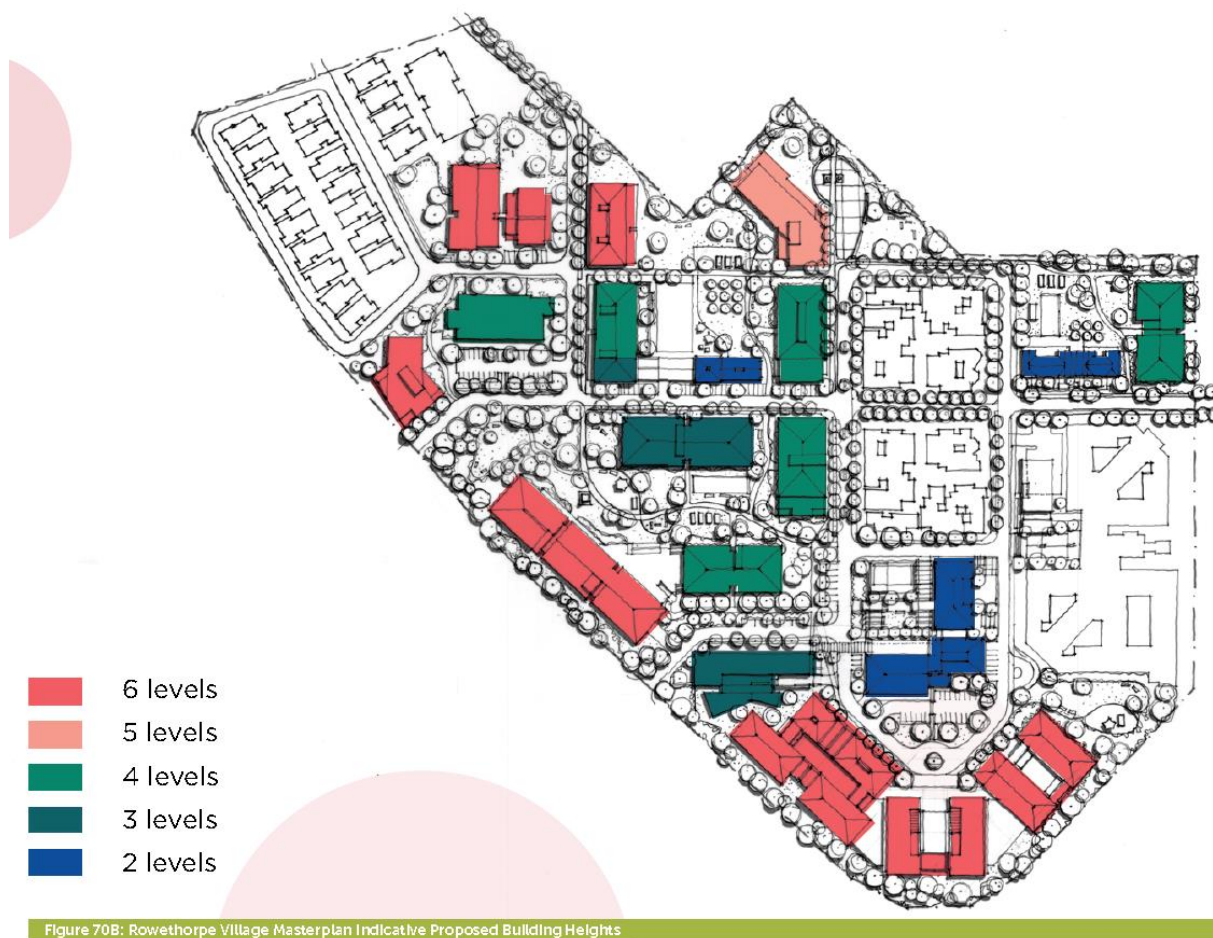
It should be noted that there have been assumptions made about the Net Lettable Area and Gross Floor Areas proposed. Given that the document is a Masterplan with no specific building plans showing floor areas and car parking areas being proposed at this stage a more detailed assessment of parking numbers provided will occur as part of future development applications.

#### Built Form & Height

The site is characterised by existing lower scale residential building types including single storey villas, one and two storey hostels and apartments.

There was discussion and feedback from the DRC and Council's Urban Planning Unit regarding the building form and height. Specifically, there have been several amendments to the proposed height plan with key changes during the pre-lodgement stage including limiting the heights of building along the Hillview Terrace/Marquis Street frontage. There was also feedback given to the applicant that the building heights should be stepped back from the boundary to address the impact of height on the adjoining lower level development.

After further assessment of the plan and consideration by the applicant, an amended heights plan has been submitted (see image below). This amended plan includes a reduction in the 7 to 8 level building adjacent to the single storey development in the north west of the site to 6 levels.



The applicant has also responded to the recommendation by the DRC and Council's Urban Planning Unit for stepping and articulation to be incorporated by including a statement in the Masterplan documents 'Built Form' section acknowledging *'some stepping or form of articulation of the building form is required for building on the periphery of the site'*.

However, the applicant will still be required to amend the building height plan further to show how stepping and articulation for the taller buildings on the periphery of the site will be incorporated to assist in reducing the impact of the building bulk and scale and in the transition of these taller buildings which interface with lower level and single storey development.

In terms of the built form there were no indicative building typologies provided as part of the Masterplan however, the plan and document does indicate that double loaded corridor arrangements are proposed. The applicant has been advised by the DRC that this building form is generally not supported due to the poor amenity outcomes for residents including limited opportunity for sunlight penetration and ventilation. The applicants have addressed these concerns through east-west orientation to minimise overshadowing and ensure double loaded apartments deliver access to sunlight to all apartments. Lower scale apartment buildings are generally two storeys and are to orient north/south to minimise south facing apartments. Finally, the shaded areas to the south of new building will be utilised for parking and other infrastructure uses.

### Service & Infrastructure

The plan provides for some upgrade of infrastructure necessary to service the staged redevelopment of the site. This includes, provision of water connection points, replacement gas pipes, provision of fire pump and tanks within the first stage of the development, drainage, upgrading power and identifying the need for a strategy and staging plan for the upgrade of sewer infrastructure

### Staging

Feedback given in relation to earlier versions of the Masterplan was that the Staging plan was lacking in detail. The submitted version of the plan has been updated to include a more comprehensive staging plan including details of each stage and the trigger or requirement outlined as preceding each stage.

In general the progression Masterplan will depend on:

- Future demand for new Residential care and independent living units.
- The capacity to incrementally draw down residential numbers on redevelopment sites.
- The need and demand for a redeveloped village centre
- Management arrangements to maintain existing operations, services and facilities during the construction of replacement facilities.

### Status of the Masterplan

As described above, the Masterplan has no statutory effect under the *Planning and Development (Local Planning Schemes) Regulations 2015* or the Town of Victoria Park Town Planning Scheme No. 1. It is intended to be a document outlining the development aspirations of the landowner and guiding the progressive redevelopment of the site in a coordinated and holistic manner.

While not a statutory document, as per clause 67(zb) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Masterplan is a relevant consideration for future development applications at Rowethorpe. While nothing in the Masterplan binds the Town or any other authority in the consideration of applications for development approval, it is required to be considered along with statutory instruments such as the Town Planning Scheme No. 1, applicable Local Planning Policies and the Residential Design Codes. The Masterplan provides guidance as to the acceptable built form outcomes both generally, and importantly where discretion is being sought from the statutory instruments.

In assessing the new Masterplan, Council Officers sought feedback from the applicant on the potential adoption of the Masterplan as part of a Local Planning Policy which would give the Masterplan statutory weight. However feedback from the applicant is that this is not favoured as Juniper wish to retain control of the Masterplan given the evolving nature of aged care facilities.

In view of the above, and in particular that under deemed clause 67(zb) the Masterplan will be a relevant matter for Council to consider as part of any development application, it is not considered necessary that the Masterplan be adopted as a Local Planning Policy.

**CONCLUSION:**

The Masterplan will guide long term strategic growth at Rowethorpe Village and provide residents, the community and Council with guidance with regards to future development. The Masterplan arranges Rowethorpe village into six precincts and provides objectives and development requirements for each precinct. The development typologies indicated by the Masterplan are largely compliant with the development requirements of Precinct P13 'Curtin', TPS 1 and R-Codes. It is recommended that Council accept the Masterplan and accompanying reports and approve it as a basis for the consideration of future development proposals at Rowethorpe Village.

**RECOMMENDATION/S:**

1. **Council accepts the Materplan and accompanying reports for Rowethorpe Village prepared by Chaney Architects dated received 15 December 2017 and 22 May 2018 subject to the following matters being modified to the satisfaction of the Manager Development Services in a consolidated version of the Final Masterplan:**
  - 1.1 **The height plan submitted to be amended further to include details of building height stepping for buildings located on the periphery of the site.**
2. **Council acknowledges that the Final Masterplan forms a basis for the assessment of future development applications for the site, with any increase in the number of units within each stage and/or any significant changes to the Masterplan layout requiring consideration and approval of the Council.**
3. **Those persons who lodged a submission on the Rowethorpe Village Masterplan be advised of the Council's decision.**







## 11.5 Final Approval of Amendment No. 79 to Town Planning Scheme No. 1 relating to Lots 9 and 9525 Victoria Park Drive, Burswood

<b>File Reference:</b>	PLA/7/79 PLA/6/24
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. WAPC Structure Plan Amendment approval notification letter dated 28 September 2017;</li> <li>2. WAPC Approved Amendment to Burswood Lakes Structure Plan;</li> <li>3. Amendment 79 Scheme Report;</li> <li>4. Schedule of Submissions.</li> </ol>
<b>Attachments:</b>	No
<b>Date:</b>	23 May 2018
<b>Reporting Officer:</b>	C. McClure
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Simple Majority
<b>Executive Summary:</b> <b>Recommendation – Council resolve to adopt proposed Amendment No. 79 to Town Planning Scheme No. 1 without modifications and forward Amendment No. 79 to the Western Australian Planning Commission (WAPC) for final approval.</b> <ul style="list-style-type: none"> <li>• An Amendment to Town Planning Scheme No. 1 (TPS1) is proposed in relation to the built form and land use provisions relating to Lots 9 and 9525 Victoria Park Drive, Burswood.</li> <li>• The Scheme Amendment proposes to modify TPS1 to be consistent with the amendment to the Burswood Lakes Structure Plan approved by the WAPC on 12 September 2017, being for the potential development of one 16-storey tower on Lot 9525 and two towers (25 storeys and 10 storeys) on Lot 9, and enable the discretionary approval of Hotel and Serviced Apartments uses on the sites.</li> <li>• Council resolved at its meeting on 12 December 2017 to initiate the requested Amendment (Amendment 79).</li> <li>• The Scheme Amendment was advertised for 60 days. During the advertising period 31 submissions were received.</li> <li>• Whilst Council's administration and Elected Members previously opposed the now approved changes to the Burswood Lakes Structure Plan, in view of the WAPC's approval of the Structure Plan Amendment it is considered unreasonable to oppose the associated Scheme Amendment request.</li> <li>• It is recommended that Council grants Final Approval to Amendment No. 79 to Town Planning Scheme No. 1 with no modifications.</li> </ul>	

### TABLED ITEMS:

Nil

### BACKGROUND:

#### Burswood Lakes Structure Plan

An application to amend the Burswood Lakes Structure Plan to vary the provisions applying to Lots 9 and 9525 Victoria Park Drive, Burswood was received in February 2016 from the planning consultant acting on behalf of the owner of the two (2) lots. The purpose of the

amendment was to facilitate a significant increase in the development beyond that provided for the two sites under the approved Structure Plan. The proposed changes for Lot 9 included provisions for 353 dwellings with a 75 metre height maximum and plot ratio of 4:1 and Lot 9525 for 208 units/hotel rooms with a 51 metre height maximum and plot ratio of 2.3:1

At the Ordinary Meeting of the Council held on 8 November 2016, Council resolved to not support the application and recommend its refusal by the WAPC.

In September 2017, the Statutory Planning Committee of the WAPC resolved to endorse the recommendation of Officers from the Department of Planning, which recommended that the proposed amendment to the Burswood Lakes Structure Plan be approved subject to a number of modifications, but otherwise allowing for the increased density, building height and plot ratio proposed.

#### Amendment 79

Amendment No. 79 was received by Council on 12 October 2017 and is required to modify development standards that currently exist in TPS 1 in order to effect the amendment to the Burswood Lakes Structure Plan in relation to the lots. The Council at its Ordinary Meeting held on 12 December 2017 resolved to initiate the amendment to Town Planning Scheme No. 1 as follows:

1. Council resolve pursuant to Section 75 of the Planning and Development Act 2005 to initiate an Amendment (Amendment No. 79) to the Town of Victoria Park Town Planning Scheme No. 1 in order to amend the Burswood Precinct Plan P2 (Sheet B) as follows:

- 1.1 Amending the 'Use Area' table for the Special Use Zone and related Footnotes in the following manner:

- 1.1.1 Deleting existing Footnote 1;

- 1.1.2 Amending the notation to the 'AA' (discretionary) land use permissibility for 'Shop' from 'AA<sup>1</sup>' to 'AA<sup>3,4</sup>';

- 1.1.3 Amending the land use permissibility for the uses of 'Hotel' and 'Serviced Apartment' from 'X' prohibited uses to 'AA' (discretionary) uses, with notations 1 and 2 respectfully, as follows:

Use Class	Use Area Residential R-1C
Hotel, Motel, Tavern	AA <sup>1</sup> /X
Lodging House, Serviced Apartment	X/AA <sup>2</sup>

- 1.1.4 Inserting the following Footnotes 1 to 4, corresponding to notations 1 to 4 to the 'AA' (discretionary) uses listed within the 'Use Area' table:

1. *The 'Discretionary Use' notation applies only to the use of 'Hotel' on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.*
  2. *The 'Discretionary Use' notation applies only to the use of 'Serviced Apartment' on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.*
  3. *The maximum net leasable area of retail floor space for 'Shop' within the Special Use Zone, excluding Lots 9 and 25, shall not exceed 2,000m<sup>2</sup>.*
  4. *The maximum net leasable area of retail floor space for 'Shop' on Lots 9 and 25 within the Special Use Zone shall not exceed a combined area of 2,400m<sup>2</sup>, with a maximum single tenancy size of 400m<sup>2</sup> retail net leasable area.'*
- 1.2 *Modifying the minimum communal open space requirement for Lot 9 from '16 m<sup>2</sup>' to 'Nil';*
  - 1.3 *Modifying the maximum plot ratio requirement for Lot 9 from '1.36' to '4', and for Lot 25 from '0.27' to '2.3';*
  - 1.4 *Modifying the minimum site area per dwelling requirement for Lot 9 from '100' to '18', and for Lot 25 from '110' to '24';*
  - 1.5 *Modifying the maximum building height requirement for Lot 9 from '6' storeys and '21' metres maximum to '24' storeys and '75' metres maximum; and*
  - 1.6 *Modifying the maximum building height requirement for Lot 25 from '5' storeys and '17.5' metres to '16' storeys and '51' metres;*

**DETAILS:**Local Planning Scheme Amendment Details:

The applicant requests amendments to the TPS1 Burswood Precinct Plan P2 (Sheet B), in relation to the permitted density, building height, plot ratio and land use permissibility controls applicable to the development of lots within the Burswood Lakes Structure Plan Area.

The TPS1 Precinct Plan P2 (Sheet B) 'Burswood' defines a number of statutory planning controls relating to land use permissibility, dwelling density, building setbacks, plot ratio, building height, open space and other controls, consistent with the built form controls outlined within the Burswood Lakes Structure Plan.

The WAPC's approval of the application to amend the Burswood Lakes Structure Plan, has resulted in the need to also amend the TPS1 Burswood Precinct Plan P2 (Sheet B), as the provisions applying to Lots 9 and 9525 under the TPS1 Precinct Plan are now inconsistent with the approved amendment to the Burswood Lakes Structure Plan.

The requested Scheme Amendment application seeks the following changes to the TPS1 Precinct Plan P2 (Sheet B) 'Burswood'.

- Lot 9:**

	Existing Provision	Proposed Provision
Open Space (m <sup>2</sup> )	16	Nil
Maximum Plot Ratio	1.36	4
Minimum Site Area per Dwelling (m <sup>2</sup> )	100m <sup>2</sup>	18m <sup>2</sup>
Maximum storeys	6 storeys	24 storeys
Maximum height	21 metres	75 metres

- Lot 9525 (Lot 25):**

	Existing Provision	Proposed Provision
Open Space (m <sup>2</sup> )	Nil	Nil (no change)
Maximum Plot Ratio	0.27	2.3
Minimum Site Area per Dwelling (m <sup>2</sup> )	110m <sup>2</sup>	24 m <sup>2</sup>
Maximum storeys	5 storeys	16 storeys
Maximum height (m)	17.5 metres	51 metres
'Hotel' Use	'X' (Prohibited use)	'AA' (Discretionary use)
'Serviced Apartments' Use	'X' (Prohibited use)	'AA' (Discretionary use)

#### Land Use Permissibility Changes

It is proposed to amend the "Use Area" table for the Special Use Zone under TPS1 Precinct Plan P2 (Sheet B) and the related Footnotes to effect the above land use permissibility changes for Lot 9525 and allow for the development of Hotel and/or Serviced Apartments uses on this site.

The approved Structure Plan amendment also includes the provision of up to 2,400m<sup>2</sup> of retail floor area across the two sites, with no single tenancy exceeding 400m<sup>2</sup> of retail net leasable area.

Precinct Plan P2 (Sheet B) currently has a single footnote to the "Use Area" table for the Special Use Zone, stating the following in respect to the use of 'Shop':

"Footnotes:

1. *The maximum net leasable area of retail floor space for 'Shop' within the Special Use Zone shall not exceed 2,000m<sup>2</sup>"*

Accordingly, it is proposed to amend the “Use Area” table and related footnotes as follows:

Use Class	Use Area Residential R-IC
Hotel, Motel, Tavern	AA <sup>1</sup> /X
Lodging House, Serviced Apartment	X/AA <sup>2</sup>
Shop	AA <sup>3,4</sup>

Footnotes:

1. The ‘Discretionary Use’ notation applies only to the use of ‘Hotel’ on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.
2. The ‘Discretionary Use’ notation applies only to the use of ‘Serviced Apartment’ on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.
3. The maximum net leasable area of retail floor space for ‘Shop’ within the Special Use Zone, excluding Lots 9 and 25, shall not exceed 2,000m<sup>2</sup>.
4. The maximum net leasable area of retail floor space for ‘Shop’ on Lots 9 and 25 within the Special Use Zone shall not exceed a combined area of 2,400m<sup>2</sup>, with a maximum single tenancy size of 400m<sup>2</sup> retail net leasable area.

A letter from the Environmental Protection Authority (EPA) was received by Council on 11 January 2018 advising that the Scheme Amendment was not to be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and that it was not necessary to provide any advice or recommendation on Amendment 79.

Amendment No. 79 was subsequently advertised for a period of 60 days in accordance with the requirements for a complex Scheme Amendment. The public advertising period commenced on the 6 March and concluded on 8 May 2018. This is further discussed below.

### **Legal Compliance:**

#### Relevant General Provisions of *Planning and Development Act 2005*

- Part 5 ‘Local planning schemes’;
- Clause 75 ‘Amending schemes’;
- Division 3 ‘Relevant considerations in preparation or amendment of local planning scheme’; and
- Division 4 ‘Advertisement and approval’.

An amendment to a Town Planning Scheme must be undertaken in accordance with the provisions set out in Part 5 'Local planning schemes' of the *Planning and Development Act 2005*. After Council has resolved to initiate an amendment to the Scheme, the amendment process includes a public consultation period of 42 days, advertisement in a newspaper circulating within the district, a sign on site and letters to surrounding owners and occupiers. The Council then considers any submissions received and determines whether to adopt the proposed amendment or recommend to the WAPC that the proposed amendment be modified or abandoned.

The Hon. Minister for Planning, Lands and Heritage is ultimately responsible for determining the Scheme Amendment.

### **Submissions:**

#### Consultation:

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, referral letters were sent to a number of Government and servicing agencies for comment and the proposal was the subject of community consultation for 60 days. A total of 31 submissions were received. Appendix 4 contains a Schedule of Submissions received and the Officer's response.

### **Policy Implications:**

Nil

### **Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
If Council refuses to support the Scheme Amendment to be consistent with the Structure Plan, it is likely that the Minister may approve the amendment in any case.	Moderate	Possible	Moderate	Avoid causing unnecessary delay to the Scheme Amendment process and determine to finally adopt Amendment No. 79 to TPS1 as recommended.

The Scheme Amendment is not approved.	Moderate	Unlikely	Low	If the Scheme Amendment is not approved, the proposed density and building heights could still be approved as part of development application, having regard to the approved Structure Plan. Refusal of the Scheme Amendment would however not allow for the uses of Hotel or Serviced Apartment on the lots.
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**Strategic Plan Implications:**

Environment:

EN1 – Land use planning that puts people first in Urban Design, allows for different housing options for people with different housing needs and enhances the Town's character.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Nil

**Sustainability Assessment:**

External Economic Implications:

The proposed Scheme Amendment will facilitate the potential development of the sites as envisaged in the approved amendment to the Burswood Lakes Structure Plan. The development of the site may increase pressure for structure planning for Burswood Station West to occur and encourage further planning and investment by the State Government, Crown and other stakeholders to consider redevelopment of the former Burswood Dome site and improvements to the Burswood Train Station and pedestrian movements/links throughout the area.

Social Issues:

If the development of the sites does proceed, it may increase the level of pedestrian activity, surveillance and use of Burswood Train Station by users and occupants of the developments on these sites. This has potential to positively impact and reduce the level of antisocial behaviour that is known to occur in and around the Burswood Train Station.

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

During the consultation period 31 submissions were received. Of these, 11 were non-objections and general comments from Government or servicing agencies, one (1) was a supporting submission and 19 were objections from members of the public.

It is acknowledged that the majority of the community who engaged in the consultation process are generally not supportive of the Scheme Amendment. This was evident also during advertising of the application to amend the Burswood Lakes Structure Plan and many of the objections received reflect the same or similar issues to those raised during the Structure Plan consultation process. The matters raised in the submissions have similar common themes of car parking and traffic concerns, density and scale of the development, amenity and lifestyle impacts, and property values.

Despite Council not being supportive of the Structure Plan amendment, as discussed in the initiation report to Council, it is considered likely that the WAPC would consider the Scheme Amendment favourably given the WAPC's approval of the application to amend the Burswood Lakes Structure Plan.

The WAPC's previous decision to approve an amendment to the Burswood Lakes Structure Plan and an increase in density, building height and plot ratio must be respected. Given the Scheme Amendment seeks to ensure consistency between the Structure Plan and TPS 1, Council Officers are of the view that the appropriate action is to support the finalisation of the Scheme Amendment.

There are no changes recommended to the Scheme Amendment from that advertised for public comments.

#### **CONCLUSION:**

It is recommended that Council resolve to adopt Amendment 79 to the Town of Victoria Park Town Planning Scheme No. 1 for final approval with no modifications in order to effect the approved changes to the Burswood Lakes Structure Plan in relation to the development of Lots 9 and 9525 Victoria Park Drive, Burswood.

#### **RECOMMENDATION/S:**

1. **Council resolve pursuant to Section 75 of the *Planning and Development Act 2005* to adopt Amendment No. 79 to the Town of Victoria Park Town Planning Scheme No. 1 in order to amend Precinct Plan P2 (Sheet B) 'Burswood' as follows:**

- 1.1 **Amending the 'Use Area' table for the Special Use Zone and related Footnotes in the following manner:**

- 1.1.1 **Deleting existing Footnote 1;**

- 1.1.2 **Amending the notation to the 'AA' (discretionary) land use permissibility for 'Shop' from 'AA<sup>1</sup>' to 'AA<sup>3,4</sup>;**

- 1.1.3 **Amending the land use permissibility for the uses of 'Hotel' and 'Serviced Apartment' from 'X' prohibited uses to 'AA' (discretionary) uses, with notations 1 and 2 respectfully, as follows:**



Use Class	Use Area Residential R-IC
Hotel, Motel, Tavern	AA <sup>1</sup> /X
Lodging House, Serviced Apartment	X/AA <sup>2</sup>

- 1.1.4 Inserting the following Footnotes 1 to 4, corresponding to notations 1 to 4 to the 'AA' (discretionary) uses listed within the 'Use Area' table:

- “1. The 'Discretionary Use' notation applies only to the use of 'Hotel' on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.
2. The 'Discretionary Use' notation applies only to the use of 'Serviced Apartment' on Lot 25 (also known as Lot 9525) Victoria Park Drive, Burswood within the Special Use Zone.
3. The maximum net leasable area of retail floor space for 'Shop' within the Special Use Zone, excluding Lots 9 and 25, shall not exceed 2,000m<sup>2</sup>.
4. The maximum net leasable area of retail floor space for 'Shop' on Lots 9 and 25 within the Special Use Zone shall not exceed a combined area of 2,400m<sup>2</sup>, with a maximum single tenancy size of 400m<sup>2</sup> retail net leasable area.”

- 1.2 Modifying the minimum communal open space requirement for Lot 9 from '16 m<sup>2</sup>' to 'Nil';
- 1.3 Modifying the maximum plot ratio requirement for Lot 9 from '1.36' to '4', and for Lot 25 from '0.27' to '2.3';
- 1.4 Modifying the minimum site area per dwelling requirement for Lot 9 from '100' to '18', and for Lot 25 from '110' to '24';
- 1.5 Modifying the maximum building height requirement for Lot 9 from '6' storeys and '21' metres maximum to '24' storeys and '75' metres maximum; and
- 1.6 Modifying the maximum building height requirement for Lot 25 from '5' storeys and '17.5' metres to '16' storeys and '51' metres;

2. The Chief Executive Officer and Mayor be authorised to execute the Town Planning Scheme No. 1 Amendment No. 79 documents and to have the Common Seal affixed.

3. **Amendment No. 79 be forwarded to the Western Australian Planning Commission for final approval.**
4. **Those persons who lodged a submission regarding the application be advised of Council's decision.**



## 11.6 Legal Advice in relation to JDAP approval of development at No. 232 (Lot 310) Orrong Road, Carlisle

<b>File Reference:</b>	PR19788~02
<b>Appendices:</b>	No
<b>Attachments:</b>	No

<b>Date:</b>	29 May 2018
<b>Reporting Officer:</b>	R. Cruickshank
<b>Responsible Officer:</b>	R. Cruickshank
<b>Voting Requirement:</b>	Simple Majority

**Executive Summary:**

**Recommendation – Council notes the legal advice dated 22 May 2018 and resolve to take no further action**

- The Metro Central Joint Development Assessment Panel (JDAP) approved the development application for a Convenience Store and Fast Food Outlet on the subject site at its meeting held on 18 April 2018.
- The JDAP decision was contrary to the recommendation of Council, Council Officers and significant community opposition to the development.
- At the Ordinary Council Meeting on 8 May 2018, Council considered a Notice of Motion from Cr R Potter, and resolved to seek legal advice about challenging the JDAP's decision.
- Legal advice has now been received and has been provided to Elected Members by way of a confidential memorandum.
- The legal advice concludes that there is no reasonable prospect of successfully challenging the JDAP decision.
- In view of the legal advice received, it is recommended that the advice be noted and that Council take no further action.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

At its meeting on 18 April 2018 the JDAP approved the development application for a Convenience Store and Fast Food Outlet at No. 232 Orrong Road, Carlisle.

At the Ordinary Council Meeting on 8 May 2018, Council considered a Notice of Motion from Cr R Potter and resolved as follows :

1. *To approve the CEO to obtain legal advice about challenging the decision of the Metro Central Joint Development Assessment Panel made on 18 April 2018 to approve DAP Application Reference DAP/16/01157 for the development of Lot 310 Orrong Road, Carlisle;*

2. *The legal advice is to include:*
  - a. *the process for challenging the decision;*
  - b. *whether there are grounds for challenging the decision;*
  - c. *the prospects of success; and*
  - d. *an estimate of the legal costs of challenging the decision, including costs payable by the Town of Victoria Park if a challenge was unsuccessful.*
3. *To approve the allocation of up to \$10,000 for the costs of obtaining the legal advice.*
4. *That a further report be presented to the June 2018 Ordinary Council Meeting."*

**DETAILS:**

In accordance with the Council resolution, legal advice has now been obtained. A copy of the legal advice in full has been provided to Elected Members by way of a confidential memorandum.

The legal advice concludes that there is no reasonable prospect of successfully challenging the JDAP decision.

**Policy Implications:**

Nil

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
Application to the Supreme Court and an unsuccessful outcome	Major	Likely	High	No Supreme Court action.
Community disappointment that Council did not challenge the decision	Minor	Possible	Moderate	While there may be disappointment, the legal advice indicates there is no reasonable prospect of success.

**Strategic Plan Implications:**

Civic Leadership

CI10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

**Financial Implications:**

The cost of the legal advice received has been covered from the existing budget. Challenging the JDAP's decision through the Supreme Court will involve significant expenditure that is not allocated in the budget.

**Sustainability Assessment:**External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

While acknowledging the significant community opposition to the proposed development expressed both pre and post the JDAP decision, as well as the decision being contrary to the recommendation of the Council and Council Officers, the legal advice concludes that there is no reasonable prospect of successfully challenging the JDAP decision.

**RECOMMENDATION/S:**

**Council notes the legal advice dated 22 May 2018 and resolve to take no further action in relation to the JDAP's decision of 18 April 2018 to approve a Convenience Store and Fast Food Outlet at No. 232 (Lot 310) Orrong Road, Carlisle.**

## **12 CHIEF OPERATIONS OFFICER REPORTS**

Reports from the Chief Operations Officer, can be found under the Committee Reports heading at Item 14.

## **13 CHIEF FINANCIAL OFFICER REPORTS**

Reports from the Chief Financial Officer, can be found under the Committee Reports heading at Item 14.



## 14 COMMITTEE REPORTS

### FINANCE AND AUDIT COMMITTEE

#### 14.1 Recommendation from the Finance and Audit Committee - Schedule of accounts for 30 April 2018

<b>File Reference:</b>	FIN/11/0001~09
<b>Appendices:</b>	Yes
<b>Attachments:</b>	No

<b>Date:</b>	11 May 2018
<b>Reporting Officer:</b>	A. Thampoe
<b>Responsible Officer:</b>	N. Cain
<b>Voting Requirement:</b>	Simple majority
<b>Executive Summary:</b> <b>Recommendation - That Council, acknowledges the schedule of accounts paid for the month ended 30 April 2018.</b> <ul style="list-style-type: none"> <li>The accounts paid for 30 April 2018 as included in the appendices.</li> <li>Direct lodgement of payroll payments to the personal bank accounts of employees are also included.</li> </ul>	

#### TABLED ITEMS:

Nil

#### BACKGROUND:

Council has delegated to the Chief Executive Officer the authority to make payments from the Municipal and Trust funds in accordance with the *Local Government (Financial Management) Regulations 1996*.

Under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal fund or the Trust fund, each payment from the Municipal fund or the Trust fund is to be noted on a list compiled for each month showing:

- a) The payee's name;
- b) The amount of the payment;
- c) The date of the payment; and
- d) Sufficient information to identify the transaction.

That list should then be presented at the next Ordinary Meeting of the Council following the preparation of the list, and recorded in the minutes of the meeting at which it is presented.

**DETAILS:**

The list of accounts paid in accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* is contained within the Appendices, and is summarised as thus –

Fund	Reference	Amounts
<b>Municipal Account</b>		
Automatic Cheques Drawn	608334 - 608350	200,356
Creditors – EFT Payments		3,717,548
Payroll		1,534,911
Bank Fees		10,461
Corporate MasterCard		6,957
		<b>5,470,233</b>
<b>Trust Account</b>		
Automatic Cheques Drawn	3558 - 3566	14,175
		<b>14,175</b>

**Legal Compliance:**

*Section 6.10 (d) of the Local Government Act 1995 refers, ie.-*

*6.10. Financial management regulations*

*Regulations may provide for —*

- (d) the general management of, and the authorisation of payments out of —*
- (i) the municipal fund; and*
  - (ii) the trust fund,*
- of a local government.*

*Regulation 13(1), (3) & (4) of the Local Government (Financial Management) Regulations 1996 refers, ie.-*

*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 —*
- (a) the payee's name;*
  - (b) the amount of the payment;*
  - (c) the date of the payment; and*
  - (d) sufficient information to identify the transaction.*
- (3) A list prepared under subregulation (1) is to be —*
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) recorded in the minutes of that meeting.*

**Policy Implications:**

Nil

**Risk Management Considerations:**

Three risks have been identified as outlined.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Compliance:</b> Council not accepting Schedule of Accounts	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
<b>Financial Impact:</b> Misstatement or significant error in Schedule of Accounts	Major	Unlikely	Moderate	Daily and monthly reconciliations. Internal and external audits.
<b>Financial Impact:</b> Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls. Internal audits. Segregation of duties

**Strategic Plan Implications:**

CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.

CL 10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Nil

**Sustainability Assessment:**

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

All accounts paid have been duly incurred and authorised for payment as per approved purchasing and payment procedures and it is therefore recommended that the Committee recommend to the Council to accept and confirm the payments, as included in the appendices.

In anticipation that the Committee will ask questions about the schedule of accounts, please note that these questions and answers will be included in the appropriate Elected Members Briefing Session agenda and Ordinary Council Meeting agenda.

**FURTHER COMMENT:**

The members of the Finance and Audit Committee discussed sought further information on a number of payments made in April 2018. The following list represents the questions and answers associated with the request for further information.

Please provide additional information regarding the following payments:

- APN Outdoor Pty Ltd - Advertising Services - \$3,105.53  
*This is for twelve weeks of bus advertising for the 'Eat, Ride 'n' Enjoy' campaign, which aims to promote local business patronage on event days at Optus Stadium.*
- Australia Post - Postage Services - \$1,284.88  
*This is for mail charges for the month ending 31 March 2018. Larger than usual postage costs were incurred this month, largely due to the distribution of Life in the Park.*
- Belmont Netball Association Inc. - Donation-Community - \$450.00  
*This is for Kidsport vouchers for children of the Town of Victoria Park district that play sport (not necessarily within the district). This is an initiative of the State Government. Please note, the standard description for this creditor has been updated to more accurately reflect the payment.*
- Cadgroup Australia Pty Ltd - Software and IT Solutions - \$10,884.50  
*This is for the annual licence renewal for Autocad, which is engineering design software.*
- Culture Counts (Australia) Pty Ltd - Community Engagement Services - \$1,650.00.  
*This particular payment is for a single licence to be used by the Victoria Park Centre for the Arts for the Culture Counts software. This financial year the Town has spent \$3,300 with Culture Counts (Australia).*
- Curtin University of Technology - Training Services - \$6,490.00  
*This payment is in relation to two invoices:*
  - \$2,200 – Program partnership for 2018 Arts Season; and
  - \$4,290 – Country Immersion Training for the Community Development Service Area.*Training Services was the chosen standard description in order to account for the higher valued invoice.*

- Harold Hawthorne Senior Citizens Centre - Subsidy - \$35,915.46  
*This payment is for the quarterly operational subsidy provided to the Centre (\$32,309) for the period of April 2018 to June 2018 and a rate refund of \$3,606 due to the application of a recent rate exemption.*
- Asphaltech - Road Construction Materials - \$520,137.24  
*This payment is in relation to two invoices:*
  - \$213,183 – Works and material supplies for the resurfacing of Somerset Street between Shepperton Road and Bank Street; and
  - \$306,954 – Works and material supplies for the resurfacing of Albany highway between Duncan Street and Teddington Road.
- Landscaping expenses - \$798,499.28 (total)  
*Landscaping expenses, included in this payment summary, are inclusive of the following payments:*
  - \$531,610 - Beaver Tree Services – Being for the contracted tree pruning and street watering program;
  - \$41,235 – Greenacres Turf Group – Being for turf renewal at Carlisle Reserve and Raphael Park;
  - \$52,922 – LD Group – Being for part-payment of the upgrade of GO Edwards Park;
  - \$91,410 – Lochness – Being for contracted street verge and reserve mowing; and
  - \$34,813 – Realmstudios Pty Ltd – Being for design and concept services of the Lathlain Park Community Area. Please note, the standard description for this creditor has been updated to more accurately reflect the payment.
- City of Wanneroo – Rates - \$12,794.57  
*This payment is for the Town's share of rates for the Mindarie Regional Council and Tamala Park Regional Council operations, which is shared amongst other participating Councils. The Town's share is one-twelfth of the total amount owing.*
- Climate Change Response Institute - Environmental Services - \$15,400  
*This payment was for an environmental energy audit conducted within the administration building computer server room.*
- IPWEA - Training Services - \$5,601.30 (total)  
*This payment was for two invoices:*
  - \$2,915.00 – Asset Management Planning training; and
  - \$3,795.00 – Multi-Council (AUS and NZ) Parks Benchmarking Group information session and subscription renewal.
- Jackson McDonald - Legal Services - \$8,054  
*This payment is for legal advice in relation to recreation reserve usage.*
- Landgate - Local Government Services - \$5,948.54  
*This is for land enquiry fees, Gross Rental Valuation listings and data collection services.*

- McLeods - Legal Services (total) - \$9,056.36  
*This payment is for legal advice in relation to:*
  - \$1,108 – Planning matters;
  - \$3,635 – Parking prosecutions;
  - \$2,695 – Land sale contract advice; and
  - \$1,619 – Planning prosecution.
- Parallax Productions - Community Art - \$21,607.50  
*This payment is for maintenance and cleaning of public art located within the district.*
- SAI Global - Membership & Subscription - \$7,408.82  
*This is for the annual membership to SAI Global documentation services (International and Australian Standards) and associated licences.*
- Sherwood Flooring - Equipment Supply & Repair - \$51,897.89  
*This is for the recent upgrade and resurfacing of sports courts at Leisurelife.*
- Talis Consultants - Noise Monitoring - \$4,395.60  
*This payment is for noise monitoring and measurement services on the Burswood Peninsula.*
- The Scout Association - Sign Installation & Supply - \$1,100  
*This payment is an operational contribution to cover the cost of signage replacement and installation following recent upgrades to the Scout Hall.*
- WALGA - Local Government Services - \$515  
*This payment is for Infrastructure Asset Management training and Elected Member training. The standard description is entered in order to cover the variety of services provided by WALGA, which covers a variety of local government services (including training).*
- Vic Park Raiders Junior Football - Kidsport - \$3,945  
*This is for Kidsport vouchers for children of the Town of Victoria Park district that play sport. This is an initiative of the State Government.*
- Why are the payments for Grant - CCTV Partnership Program for different amounts?  
*The maximum CCTV grant is \$750. This grant is provided based on the total project cost for the ratepayer e.g. if eligible project costs amount to \$2,000, the maximum provided is \$750. The payments not in line with this amount, in this payment schedule, are:*
  - \$950.00 – \$750 for CCTV Grant program and \$200 Security Incentive Scheme rebate; and
  - \$625.00 – The CCTV system project cost was \$1,250.00. The ratepayer received half this cost as the grant.

- Are the payments made to Belmont Junior Football & Belmont Park Tennis Association, and RDA Oakford for the Kidsport program. Is this covered by FIN7, another policy or the terms of the Kidsport Program? Why are payments made to clubs outside the Town of Victoria Park?  
*The KidSport program is not covered by the Town's FIN7 Policy. KidSport program funding comes from the State Government for children aged five to 18 years to participate in community sport. The child applies for KidSport program funding in the Council they live in, not the area of the club they play for. The club they play for can be outside of the Town. All individual recipients of Kidsport funding reside in the Town of Victoria Park.*
- Does the \$450 payment made to Belmont Netball Association as a community donation fall within the FIN7 Policy? If so, the amount appears to fall within Group A (\$500) however, the criteria for Group A requires the community group to providing a service specifically dedicated to assisting residents of TOVP. In this case, what is the criteria for determining that Belmont Netball Association, a club outside TOVP, provides services dedicated to assisting residents of the TOVP?  
*This is for Kidsport vouchers for children of the Town of Victoria Park district that play sport (not necessarily within the district). This is an initiative of the State Government. Please note, the standard description for this creditor has been updated to more accurately reflect the payment.*
- What strategic services are we paying PMY for?  
*The payment is the Town's contribution towards a joint initiative between the Town of Victoria Park, Crown Perth, Burswood Park Board, The Camfield and VenuesWest/VenuesLive, regarding the development of strategic and collaborative management of the Burswood Peninsula, including digital activation and marketing.*
- What is the funding/expense arrangement for Culture Counts —is it an annual licensing fee and do we pass any costs on to other groups?  
*Culture Counts is a \$1,500 (ex GST) annual licencing fee. The Town holds two licences. One licence is used for internal use and one is currently used by the Victoria Park Centre for the Arts. The Town does not currently pass any costs onto other groups.*
- Can you please provide some commentary as to why amounts seem to vary for security incentive payments, CCTV payments and the Street Meet 'n' Greet grants?  
*The CCTV Partnership Program available funding is half the total cost of the CCTV project up to \$750. This amount was selected after testing the market and desktop research determined this would cover anywhere from one half to one quarter (depending on the complexity of the CCTV system) of the cost of a system. Payments are normally \$750, however in the event that someone installs a CCTV system that ends up to be less than \$1500 total cost, they will receive a lesser amount.*

*Security Incentive Scheme payments are based off this table,*

<b>Item/Device</b>	<b>Rebate</b>	<b>Rebate + Discount for Pensioner Concession, Health Care or WA Senior Card holders only</b>
<i>Home intruder alarm</i>	<i>\$200</i>	<i>\$250</i>
<i>Door deadlocks (per lock)</i>	<i>\$30</i>	<i>\$50</i>
<i>Keyed window locks (per lock)</i>	<i>\$25</i>	<i>\$30</i>
<i>Security sensor light</i>	<i>\$40</i>	<i>\$55</i>
<i>Security screen door (per door)</i>	<i>\$70</i>	<i>\$110</i>
<i>Security window screen (per window)</i>	<i>\$35</i>	<i>\$50</i>
<i>Maximum home security rebate</i>	<i>\$200</i>	<i>\$250</i>

*Payments vary as applicants often apply for different combinations of items. The maximum payments are usually either \$200 or \$250 depending if the applicant has a valid card to claim the higher amount.*

*Street Meet 'n' Greet funding is available in two streams. The first is \$200 and is for a Neighbourhood Get Together, and the second is \$1,200 and is for a Street Celebration. These are maximum amounts and in the event an applicant hosts their event and the total cost comes to less than this amount, the Town only provides funding for that lesser amount.*

#### **RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:**

**Pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996 (as amended)*, Council confirm:**

- 1. The accounts paid for 30 April 2018 as included in the appendices; and**
- 2. Direct lodgement of payroll payments to the personal bank accounts of employees.**



## 14.2 Recommendation from the Finance and Audit Committee - Financial statements for the month ending 30 April 2018

<b>File Reference:</b>	FIN/11/0001~09
<b>Appendices:</b>	No
<b>Attachments:</b>	Yes

<b>Date:</b>	11 May 2018
<b>Reporting Officer:</b>	A. Thampoe
<b>Responsible Officer:</b>	N. Cain
<b>Voting Requirement:</b>	Simple majority

### Executive Summary:

**Recommendation - That Council, accepts the Financial Activity Statement Report – 30 April 2018 as attached to and forming part of this report.**

- The Financial Activity Statement Report is presented for the month ending 30 April 2018. The report complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*.

### TABLED ITEMS:

Nil

### BACKGROUND:

Each month officers are required to prepare monthly financial reports, covering prescribed information, and present these to Council for acceptance.

### DETAILS:

Presented is the Financial Activity Statement Report – 30 April 2018.

#### Revenue

Operating Revenue and Non-Operating Revenue – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

#### Expense

Operating Expense, Capital Expense and Non-Operating Expense – Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment has been provided.

For the purposes of explaining each material variance, a three-part approach has been applied. The parts are –

1. Period Variation

Relates specifically to the value of the variance between the Budget and Actual figures for the period of the Report.

2. Primary Reason(s)  
Explains the primary reason(s) for the period variance. Minor contributing factors are not reported.
3. End-of-Year Budget Impact  
Forecasts the likely financial impact on the end-of-year financial position. It is important to note that figures in this part are 'indicative only' at the time of reporting, for circumstances may subsequently change prior to the end of the financial year.

**Legal Compliance:**

Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996* states –

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
  - (b) *budget estimates to the end of the month to which the statement relates;*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

Section 6.8 of the *Local Government Act 1995* (Expenditure from municipal fund not included in annual budget) states –

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*; or*
  - (c) *is authorised in advance by the Mayor or president in an emergency.*

*\* Absolute majority required.*

- (1a) *In subsection (1) —*  
*additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
  - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

**Policy Implications:**

Nil

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Financial Impact:</b> Council not accepting budget amendment recommendation	Moderate	Unlikely	Moderate	Provide reasoning and detailed explanations to Council to enable informed decision making.
<b>Compliance:</b> Financial statement not complying with the requirements of the <i>Local Government (Financial Management) Regulations 1996</i>	Moderate	Unlikely	Moderate	Internal review of monthly Financial activity statement.  External audits of monthly financial statements.

<b>Financial impact:</b> Misstatement or significant error in financial statements	Major	Unlikely	Moderate	Daily and monthly reconciliations.  Internal and external audits.
<b>Financial Impact:</b> Fraud and illegal acts	Catastrophic	Rare	Moderate	Stringent internal controls.  Internal audits. Segregation of duties.

**Strategic Plan Implications:**

CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.

CL 10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

**Financial Implications:**Internal Budget:

The Statement of Financial Activity, as contained in the body of the Financial Activity Statement Report, refers and explains.

Total Asset Management:

Nil

**Sustainability Assessment:**External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

It is recommended that the Financial Activity Statement Report – 30 April 2018 be accepted.

**FURTHER COMMENT:**

The members of the Finance and Audit Committee sought clarification on the following items:

- Are the increased costs for acoustic consultants due to noise monitoring on the Burswood Peninsula? Were this anticipated?  
*These costs relate to reactive noise monitoring on the Burswood Peninsula.*
- There is a large amount of fund in the community art reserve fund that doesn't look to be decreasing. Can the Council move these funds and repurpose them elsewhere?  
*Yes, Council can transfer these funds from reserve however, there is a formal process that needs to be followed that includes advertising.*
- Why was the upgrade to the administration building security card entry control \$13,000 over budget?  
*The project had a change of scope to include the installation of additional cameras and a card reader in the lift for authorised access to basement. Additional swipe cards were also purchased.*
- The Leisurelife entrance and signage renewal is already over budget but is only at 50% completion. How much over budget are we expected to be at 100% completion?  
*The Town's Wi-Fi was continually denying the digital message board access therefore point-to-point access was installed. There is no further expenditure expected. The report will be updated to reflect project completion.*
- The upgrade to the Victoria Park Carlisle Bowling Club is showing as 75% completed but has been reported as complete in other reports. Why is this? Does the final payment still need to be paid?  
*Yes, the project work is complete awaiting final invoices.*
- Why is the installation of LED lighting in the McCallum Park toilet block showing as complete, with a \$2,000 budget still remaining and \$0 spent?  
*The installation of LED lighting was not required as the toilet block already has it. The project is reported as complete as funds will not be spent.*
- Why are cash holdings slightly higher than previous months?  
*When we are not expending large amounts of money, this happens. This is particularly the case when capital works program items are not being completed.*
- The budget for the resurfacing of Somerset Street from Shepperton Road to Bank Street is \$200,000 and showing as not yet completed. Why have we spent \$248,000 before completion?  
*These works are over budget due to a change in scope to include a painted median, trees and islands. These were not included in the original scope of work.*

The Finance and Audit Committee also requested that commentary regarding transferring funds for works at Higgins Park Tennis Club be removed from the report, following the withdrawal of item 8.9 – Higgins Park Court Resurfacing Project – Unsuccessful Grant.

**CONCLUSION:**

The Financial Activity Statement Report – 30 April, complies with the requirements of Regulation 34 (Financial activity statement report) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that the Financial Activity Statement Report – 30 April be accepted.

**RECOMMENDATION/S FROM FINANCE AND AUDIT COMMITTEE:**

That Council, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, accepts the Financial Activity Statement Report – 30 April 2018 as attached to, and forming part of, this report, with the following amendments:

1. Remove reference to the unsuccessful grant funding for Higgins Park Tennis Club; and
2. Update headers of the report to reflect the correct reporting month.



## ***Financial Activity Statement Report***

*For the month ended 30 April 2018*



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## Statement of Financial Activity Variances

### Material Variances Defined

For the purposes of reporting the material variances in the Statement of Financial Activity (by Business Unit) (as contained in this document), the following indicators, as resolved, have been applied –

#### Revenues (Operating and Non-Operating)

Business Unit material variances will be identified where, for the period being reviewed, the actual varies to budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment will be provided.

#### Expenses (Operating, Capital and Non-Operating)

Business Unit material variances will be identified where, for the period being reviewed, the actual varies to budget by an amount of (+) or (-) \$25,000 and, in these instances, an explanatory comment will be provided.

Before commenting on each of the specific material variances identified it is important to note that, whilst many accounts will influence the overall variance, only those accounts within the affected Business Unit that significantly contribute to the variance will be highlighted.

For the purposes of explaining each variance, a multi-part approach has been taken. The parts are –

1. Period Variation – Relates specifically to the value of the variance between the Budget and Actual figures for the period being reviewed.
2. Primary Reason – Explains the primary reasons for the period variance. As the review is aimed at a higher level analysis, only major contributing factors are reported.
3. Budget Impact – Forecasts the likely \$ impact on the year end surplus or deficit position. It is important to note that values in this part are indicative only at the time of reporting, for circumstances may subsequently change.

### Material Variances Explained

The Financial statements are presented based on the new organisational structure

As shown in the in the Statement of Financial Activity (contained within this document), the following variances have been identified -

#### Revenue

##### Chief Executive Officer

No material variance to report

Community Planning

- **Environmental Health**

- The period variation is favourable to period budget by \$29,487.
- The variation predominantly relates to higher than anticipated income received from Noise approval monitoring fees and Food business fees.
- The impact on the year end position is estimated to be an increase in revenue of \$15,000.

Finance

- **Aqualife**

- The period variation is unfavourable to period budget by \$35,306.
- The variation predominantly relates to lower than anticipated fees received from Recreational swimming. The shortfall in revenue is slightly offset by the higher than anticipated revenue received from Health and Fitness fees.
- The impact on the year end position is estimated to be a reduction in revenue of \$20,000.

Operations

- **Street Operations**

- The period variation is favourable to period budget by \$38,749.
- The variation predominantly relates to the final grant claim for two capital projects which were greater than budgeted for. The grants relate to Bishopsgate Street and Roberts Road Upgrade and Oat Street and Star Street upgrade. The positive variance is reduced by budget timing variances related to Hill View Terrace and Oat Street upgrade and Roberts Road and Orrong Road Intersection upgrade projects. These projects are staged over two financial years and therefore the associated grants for the second stage of the project will only be received next financial year.
- The impact on the year end position is estimated to be an increase in revenue of \$75,000.

**Operating Expense**Chief Executive Office

- **Communication and Engagement**

- The period variation is favourable to period budget by \$51,835.
- The variation predominantly relates to vacancies within the area.
- The impact on the year end position is estimated to be a reduction in expenditure of \$40,000.

Community Planning

- **Economic Development**

- The period variation is favourable to period budget by \$32,509.
- The variation predominantly relates to vacancies within the area.
- The impact on the year end position is estimated to be a reduction in expenditure of \$50,000.

- **Environmental Health**

- The period variation is unfavourable to period budget by \$33,242.
- The variation predominantly relates to higher than anticipated costs related to acoustic consultants who were engaged to assist with noise monitoring.
- The impact on the year end position is estimated to be an increase in expenditure of \$20,000.

- **Place Management**

- The period variation is favourable to period budget by \$64,000.
- The variation predominantly relates to vacancies within the area.
- The impact on the year end position is estimated to be a reduction in expenditure of \$70,000.

Finance

- **Information Systems**

- The period variation is favourable to period budget by \$220,796.
- The variation is predominantly due to a delay in supplier invoices. These invoices have been followed up by the respective officers.
- The impact on the year end position is estimated to be nil as this is a budget timing variance.

- **Leisurelife**

- The period variation is favourable to period budget by \$61,642.
- The variation predominantly relates to vacancies and rostering changes within the area.
- The impact on the year end position is estimated to be a reduction in expenditure of \$50,000.

- **Parking**

- The period variation is favourable to period budget by \$54,107.
- The variation predominantly relates to vacancies within the area and lower than anticipated consultancy cost to perform a review of paid parking to meet the objectives of the Corporate Business Plan.
- The impact on the year end position is estimated to be a reduction in expenditure of \$50,000.

Operations

- **Asset Planning**

- The period variation is favourable to period budget by \$257,664.
- The variation predominantly relates to savings made in maintenance works and costs savings made renewing furniture and equipment for Aqualife and Leisurelife. The variance also includes a \$160,000 budget timing variance relating to the Lathlain Precinct Redevelopment Project. This project is currently underway and is expected to continue through to the following financial year.
- The impact on the year end position is estimated to be a reduction in expenditure of \$70,000.

- **Street Improvement**

- The period variation is favourable to period budget by \$57,023.
- The variation is predominantly due to lower than anticipated expenditure relating issues associated with drainage / sumps and their investigations which have been minimum this financial year, thus budget being underspent.
- The impact on the year end position is estimated to be a reduction in expenditure of \$30,000.

- **Street Operations**

- The period variation is favourable to period budget by \$276,684.
- The variation predominantly relates to lower than anticipated costs relating to footpath and drainage maintenance. There is also a budget timing variance relating to invoices that are yet to be received and paid.
- The impact on the year end position is estimated to be a reduction in expenditure of \$90,000.

**Capital Expense**Chief Executive Office

No material variance to report.

Community Planning

No material variance to report.

Finance

No material variance to report.

## Operations

### • **Asset Planning**

- The period variation is favourable to period budget by \$761,379.
- The variation predominantly relates to delays in capital projects. Four major capital projects are currently progressing through the tender process. Works will commence towards the end of the financial year.
- The impact on the year end position is estimated to be a reduction in expenditure of \$500,000. Funds that are not spent will be carried forward to the next financial year.

### • **Parks**

- The period variation is favourable to period budget by \$1,149,076.
- The variation relates to delays and budget timing of capital projects. The most significant project being the new Lathlain Park with a total budget of \$1,500,000. This project is likely to be carried forward to the next financial year. McCallum Park foreshore river wall project funds will be carried forward to secure an opportunity for additional external funding towards the park upgrade.
- The impact on the year end position is estimated to be a reduction in expenditure of \$1,000,000. Funds that are not spent will be carried forward to the next financial year.

### • **Street Operations**

- The period variation is favourable to period budget by \$796,949.
- The variation relates to delays and budget timing of capital projects. Physical works for some projects have been completed, with invoices yet to be received. Upgrade to Hill View Terrace and Oats Street Intersection project and the Roberts Road and Orrong Road intersection project will be carried forward to the next financial year as they are staged over two years. Works on Bolton Avenue has been deferred until end of April.
- The impact on the year end position is estimated to be a reduction in expenditure of \$600,000. Funds that are not spent will be carried forward to the next financial year.

### **Non-Operating Revenue**

No material variance to report

### **Non-Operating Expenses**

No material variance to report

### **Proposed Budget Amendments**

No budget amendments to report

### **Accounting Notes**

#### **Significant Accounting Policies**

The significant accounting policies that have been adopted in the preparation of this document are:

#### **(a) Basis of Preparation**

The document has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations.

The document has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this document.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

**(c) 2017- 2018 Actual Balances**

Balances shown in this document as 2017 - 2018 Actual are subject to final adjustments.

**(d) Rounding Off Figures**

All figures shown in this document, other than a rate in the dollar, are rounded to the nearest dollar.

**(e) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

**(f) Superannuation**

The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

**(g) Goods and Services Tax**

Revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables in the statement of financial position are stated inclusive of applicable GST. The net amount of GST recoverable from, or payable to, the ATO is included with receivables on payables in the statement of financial position. Cash flows are presented on a Gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**(h) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and that are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are shown as short term borrowings in current liabilities.

**(i) Trade and Other Receivables**

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

**(j) Inventories**General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Revenue arising from the sale of property is recognised as at the time of signing an unconditional contract of sale. Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

**(k) Fixed Assets**

Each class of fixed asset is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost, or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Council and the cost of the item can be measured reliably. All other repairs and maintenance are recognised as expenses in the period in which they are incurred.

Revaluation

Certain asset classes may be re-valued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes, where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity; all other decreases are recognised in profit or loss. Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the re-valued amount of the asset.

Those assets carried at a re-valued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be re-valued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

#### Land Under Roads

In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government. Council has elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16 (a) (i) prohibits local governments from recognising such land as an asset. In respect of land under roads acquired on or after 1 August 2008, as detailed above, Local Government (Financial Management) Regulation 16 (a) (i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4 (2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail. Consequently, any land under roads acquired on or after 1 September 2008 is not included as an asset of the Council.

#### Depreciation of Non-Current Assets

All non-current assets having a limited useful life (excluding freehold land) are systematically depreciated over their useful lives in a manner that reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use. Depreciation is recognised on a straight-line basis, using rates that are reviewed each reporting period. Major depreciation periods are:

Buildings	40 years
Furniture and Equipment	5 – 10 years
Plant and Machinery	2 – 10 years
Sealed Roads	- Clearing and Earthworks - Construction and Road Base - Original Surface / Major Resurface
	Not depreciated 5 – 80 years 5 – 80 years
Drainage	5 – 80 years
Pathways	5 – 80 years
Parks and Reserves	5 – 80 years

Asset residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount. Gains and losses on disposals are determined by comparing proceeds with the carrying amount. When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained earnings.

#### Capitalisation Threshold

Expenditure on capital items under \$2,000 is not individually capitalised. Rather, it is recorded on an Asset Low Value Pool listing.



**(I) Financial Instruments**Initial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method or cost. Fair value represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

Amortised cost is calculated as:

- a. the amount in which the financial asset or financial liability is measured at initial recognition;
- b. less principal repayments;
- c. plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method; and
- d. less any reduction for impairment.

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

Financial assets at fair value through profit and loss

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Held-to-maturity investments are included in current assets where they are expected to mature

within 12 months after the end of the reporting period. All other investments are classified as non-current. They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

#### Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain, or loss, pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other financial assets are classified as non-current.

#### Financial liabilities

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

#### Impairment

At the end of each reporting period, the Council assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in profit or loss. Any cumulative decline in fair value is reclassified to profit or loss at this point.

#### Derecognition

Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

#### **(m) Impairment**

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired. Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116). For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset. At the time of adopting the Annual Budget, it was not possible to estimate the amount of impairment losses (if any) as at 30 June 2018. In any event, an impairment loss is a non-cash transaction and consequently, has no impact on the Annual Budget.

**(n) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

**(o) Employee Benefits**

Provision is made for the Council's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may not satisfy vesting requirements. Those cash flows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cash flows.

**(p) Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

**(q) Provisions**

Provisions are recognised when:

- a. The Council has a present legal or constructive obligation as a result of past events;
- b. for which it is probable that an outflow of economic benefits will result; and
- c. that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**(r) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next

12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on the Council's intentions to release for sale.

**(s) Comparative Figures**

Where required, comparative figures have been adjusted to conform to changes in presentation for the current reporting period.

**(t) Budget Comparative Figures**

Unless otherwise stated, the Budget comparative figures shown in this Budget document relate to the original Budget estimate for the relevant item of disclosure.

**Service Unit Definitions**

The Town operations, as disclosed in this report, encompass the following service-oriented Business Units –

**Chief Executive Office**Chief Executive Office

The Chief Executive Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Chief Executive Office functional area.

Communications and Engagement

Communications and Engagement manages the brand and reputation of the Town. This is achieved through developing clear and accessible messaging, consulting with the community, delivering key messages through various channels and working to reach the appropriate audiences through strategically executed marketing, engagement and communication planning..

Customer Relations

Customer Relations manages the Customer Service Contact Centre, which is the first point of contact for the organisation, and monitors performance against the Town's Customer Service Charter.

Leadership and Governance

The Leadership and Governance Service Area is committed to responsibly managing the Town on behalf of the residents and ratepayers of the District through collaboration, knowledge-sharing and good governance.

Human Resources

Human Resources is responsible for the development and implementation of occupational health and safety compliance, staff development, employee relations, recruitment and payroll services of the Town.

**Community Planning**Building Services

Building Services provide services to ensure buildings are safe, liveable, accessible and sustainable, and meet statutory requirements.

Community Development

The Community Development team's vision is an empowered Victoria Park, which will be achieved through the mission of community capacity building.

Community Planning Office

The Community Planning Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Community Planning functional area.

Digital Hub

The Digital Hub provides free digital literacy and online training for the local community, not-for-profit organisations and local business operators.

Economic Development

Economic Development seeks to increase the economic growth of the district through fostering business attraction and retention, tourism, marketing, community initiatives and creating robust relationships.

Environmental Health

Environmental Health seeks to promote good standards of public health via the many hospitality outlets in the area and the community in general.

General Compliance

The General Compliance Area liaise with and direct property owners and developers to ensure built-form building and planning requirements are adhered to at all times.

Healthy Community

The Healthy Community team connect people to services, resources, information, facilities, and experiences that enhance their physical and social health and wellbeing.

Library Services

Library Services plays a pivotal role in providing our community with access to resources, knowledge and technology in a safe, nurturing environment.

Place Management

The Place Management Service Area implements programs, that are suitable for the particular targeted section of the community, to improve places within the District or, where the community is satisfied with the standard of operation, to maintain the already attained standard.

Strategic Town Planning

Strategic Town Planning develops strategies for the future growth of the Town, with the aims of creating a vibrant community and improving the quality of life for residents.

Urban Planning

Urban Planning assesses applications for development approval and subdivision, provides advice to the community and ensures land is appropriately used and developed.

**Finance**Aqualife

The Aqualife Centre aims to improve community health and wellbeing; and to provide a safe and welcoming environment for the community to meet and socialise, primarily through aquatic recreation.

Budgeting

The Budgeting Area includes the administration of non-cash expenditure and revenue associated with local government accounting requirements, including profit and loss and depreciation.

Corporate Funds

The Corporate Funds are includes the management of loans, reserve fund transfers, restricted and trust funds, rate revenue and corporate grants funding.

Finance Office

The Finance Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Finance functional area.

Financial Services

The key role of Financial Services is to manage and control the Town's finances in a sound and prudent manner.

Information Systems

Information Systems assists the Town in operating efficiently with the smooth running of essential business computer programs and systems.

Leisurelife

The Leisurelife Centre aims to improve community health and wellbeing, and to provide a safe and welcoming environment for the community to meet and socialise, primarily through active recreation.

Parking

The Parking Management section guides future parking initiatives within the Town, ensuring equitable access for everyone, whilst also monitoring existing parking areas and ensuring a safer community.

Rangers

Ranger Services offer a 24 hours-a-day / 7 days-a-week service to help ensure community safety in the areas of Dog and Cat management and Local Law enforcement.

**Operations**Asset Planning

Asset Planning provides services to manage and maintain Council facilities and their related assets.

Environment

The Environment Area is committed to preserving and enhancing natural areas and recognises not only the ecological benefits of protecting natural assets, but also the social and recreational benefits as well.

Fleet Services

Fleet Services oversees the various items of light fleet, heavy fleet and plant and equipment.

Operations Office

The Operations Office leads and supports the transformation of the organisation into a customer-focused, culturally constructive, legislatively compliant, sector-leading entity, with a primary focus on the Service Areas within the Operations functional area.

Parks and Reserves

The Parks and Reserves Section delivers high quality horticultural works to parks, reserves and streetscapes.

Project Management

Project Management assists in improving the standards of project management and project delivery, and delivers nominated projects on behalf of the Town.

Street Improvement

Street Improvement provides engineering advice, design, planning, and road safety initiatives.

Street Operations

Street Operations ensure the maintenance and renewal of roads, pathways, drainage and associated assets.

Waste

Waste Management implements waste collection, minimisation and disposal in a sustainable manner.



**Statement of Financial Activity**  
For the period 1 July 2017 to 30 April 2018

Particulars	Material Variance		Revised Budget	30 April 2018	
				Year-to-Date Budget	Year-to-Date Actual
	\$	%	\$	\$	\$
<b>Revenue</b>					
<b>Chief Executive Office</b>			<b>5,500</b>	<b>3,600</b>	<b>3,806</b>
Chief Executive Office			500	0	1,402
Communications and Engagement			1,000	800	320
Customer Relations			0	0	0
Human Resources			3,000	2,800	677
Leadership and Governance			1,000	0	1,407
<b>Community Planning</b>			<b>1,460,500</b>	<b>1,204,890</b>	<b>1,265,906</b>
Building Services			333,000	292,900	287,555
Community Development			405,000	281,600	300,828
Community Planning Office			1,000	400	1,717
Digital Hub			1,500	1,000	479
Economic Development			0	0	0
Environmental Health	29,487	▲	286,000	258,400	287,887
General Compliance			0	0	6,075
Healthy Community			30,500	24,400	22,274
Library Services			33,500	30,290	26,523
Place Management			0	0	0
Strategic Town Planning			500	500	146
Urban Planning			369,500	315,400	332,421
<b>Finance</b>			<b>54,177,326</b>	<b>52,275,436</b>	<b>52,338,698</b>
Aqualife	35,306	▼	2,300,000	1,944,110	1,908,804
Budgeting			4,000	1,000	22,941
Corporate Funds			46,045,826	45,351,250	45,365,728
Finance Office			1,000	800	1,201
Financial Services			747,500	734,960	749,196
Information Systems			13,000	10,800	1,643
Leisurelife			2,209,500	1,868,016	1,881,489
Parking			2,735,500	2,263,000	2,282,524
Ranger services			121,000	101,500	125,172
<b>Operations</b>			<b>7,010,000</b>	<b>6,112,404</b>	<b>6,156,117</b>
Asset Planning			258,500	210,700	190,028
Environment			0	0	0
Fleet Services			10,000	0	19,052
Operations Office			2,802,500	2,794,800	2,774,696
Parks and Reserves			257,000	49,200	38,218
Project Management			850,000	850,000	858,329
Street Improvement			47,500	23,726	46,576
Street Operations	38,749	▲	1,978,000	1,413,578	1,452,327
Waste Services			806,500	770,400	776,889
<b>Total Revenue</b>			<b>62,653,326</b>	<b>59,596,330</b>	<b>59,764,527</b>





**Statement of Financial Activity**  
For the period 1 July 2017 to 30 April 2018

Particulars	Material Variance		30 April 2018		
			Revised Budget	Year-to-Date Budget	Year-to-Date Actual
	\$	%	\$	\$	\$
<b>Operating Expense</b>					
<b>Chief Executive Office</b>			<b>(4,405,000)</b>	<b>(3,423,295)</b>	<b>(3,348,193)</b>
Chief Executive Office			(1,063,500)	(871,440)	(853,917)
Communications and Engagement	51,835	▼ 8%	(769,500)	(632,825)	(580,990)
Customer Relations			(821,000)	(646,700)	(635,986)
Human Resources			(1,107,000)	(674,170)	(662,960)
Leadership and Governance			(644,000)	(598,160)	(614,341)
<b>Community Planning</b>			<b>(8,504,000)</b>	<b>(6,365,920)</b>	<b>(6,232,455)</b>
Building Services			(531,500)	(438,510)	(422,305)
Community Development			(2,065,000)	(1,553,550)	(1,529,947)
Community Planning Office			(1,368,000)	(971,510)	(950,041)
Digital Hub			(170,500)	(138,130)	(113,145)
Economic Development	32,509	▼ 23%	(193,000)	(140,080)	(107,571)
Environmental Health	33,242	▲ 6%	(648,500)	(524,180)	(557,422)
General Compliance			(158,500)	(126,800)	(149,435)
Healthy Community			(238,500)	(197,290)	(214,019)
Library Services			(1,179,000)	(987,190)	(993,740)
Place Management	64,000	▼ 100%	(154,000)	(64,000)	0
Strategic Town Planning			(761,500)	(410,410)	(395,194)
Urban Planning			(1,036,000)	(814,270)	(799,634)
<b>Finance</b>			<b>(21,134,000)</b>	<b>(18,659,035)</b>	<b>(18,300,109)</b>
Aqualife			(2,824,500)	(2,286,099)	(2,266,423)
Budgeting			(7,461,000)	(7,959,320)	(7,978,206)
Corporate Funds			(530,500)	(365,120)	(353,747)
Finance Office			(719,500)	(602,080)	(624,994)
Financial Services			(1,128,000)	(860,810)	(849,724)
Information Systems	220,796	▼ 11%	(2,819,000)	(1,967,510)	(1,746,714)
Leisurelife	61,642	▼ 3%	(2,758,500)	(2,220,366)	(2,158,724)
Parking	54,107	▼ 3%	(2,050,000)	(1,714,870)	(1,660,763)
Ranger services			(843,000)	(682,860)	(660,814)
<b>Operations</b>			<b>(22,880,000)</b>	<b>(18,582,551)</b>	<b>(17,981,850)</b>
Asset Planning	257,664	▼ 9%	(3,766,000)	(2,800,580)	(2,542,916)
Environment			(108,500)	(73,600)	(98,338)
Fleet Services			0	(7,290)	(6,890)
Operations Office			(3,583,000)	(3,451,210)	(3,464,484)
Parks and Reserves			(4,427,000)	(3,613,120)	(3,604,333)
Project Management			(1,014,500)	(703,530)	(685,730)
Street Improvement	57,023	▼ 6%	(1,298,500)	(979,801)	(922,778)
Street Operations	276,684	▼ 12%	(2,629,500)	(2,314,440)	(2,037,756)
Waste Services			(6,053,000)	(4,638,980)	(4,618,622)
<b>Total Operating Expense</b>			<b>(56,923,000)</b>	<b>(47,030,801)</b>	<b>(45,862,606)</b>



**Statement of Financial Activity**  
For the period 1 July 2017 to 30 April 2018

Particulars	Material Variance		30 April 2018		
			Revised Budget	Year-to-Date Budget	Year-to-Date Actual
	\$	%	\$	\$	\$
<b>Capital Expense</b>					
<b>Chief Executive Office</b>			0	0	0
Chief Executive Office			0	0	0
Communications and Engage			0	0	0
Customer Relations			0	0	0
Human Resources			0	0	0
Leadership and Governance			0	0	0
<b>Community Planning</b>			(20,000)	(20,000)	(7,070)
Building Services			0	0	0
Community Development			(20,000)	(20,000)	(7,070)
Community Planning Office			0	0	0
Digital Hub			0	0	0
Economic Development			0	0	0
Environmental Health			0	0	0
General Compliance			0	0	0
Healthy Community			0	0	0
Library Services			0	0	0
Place Management			0	0	0
Strategic Town Planning			0	0	0
Urban Planning			0	0	0
<b>Finance</b>			(1,335,000)	(404,900)	(428,166)
Aqualife			(23,000)	(23,000)	(8,091)
Budgeting			0	0	0
Business Development			0	0	0
Corporate Funds			0	0	0
Finance Office			0	0	0
Financial Services			0	0	0
Information Systems			(945,000)	(268,700)	(291,375)
Leisurelife			0	0	0
Parking			(367,000)	(113,200)	(128,700)
Ranger services			0	0	0
<b>Operations</b>			(14,526,700)	(8,940,552)	(6,198,813)
Asset Planning	761,379	▼ 30%	(3,687,500)	(2,507,600)	(1,746,221)
Environment			0	0	0
Fleet Services			(1,019,200)	(533,500)	(523,364)
Operations Office			0	0	0
Parks and Reserves	1,149,076	▼ 75%	(3,786,000)	(1,522,000)	(372,924)
Project Management			(74,000)	(24,200)	0
Street Improvement			0	0	0
Street Operations	796,949	▼ 18%	(5,949,000)	(4,353,252)	(3,556,303)
Waste Services			(11,000)	0	0
<b>Total Capital Expense</b>			(15,881,700)	(9,365,452)	(6,634,048)



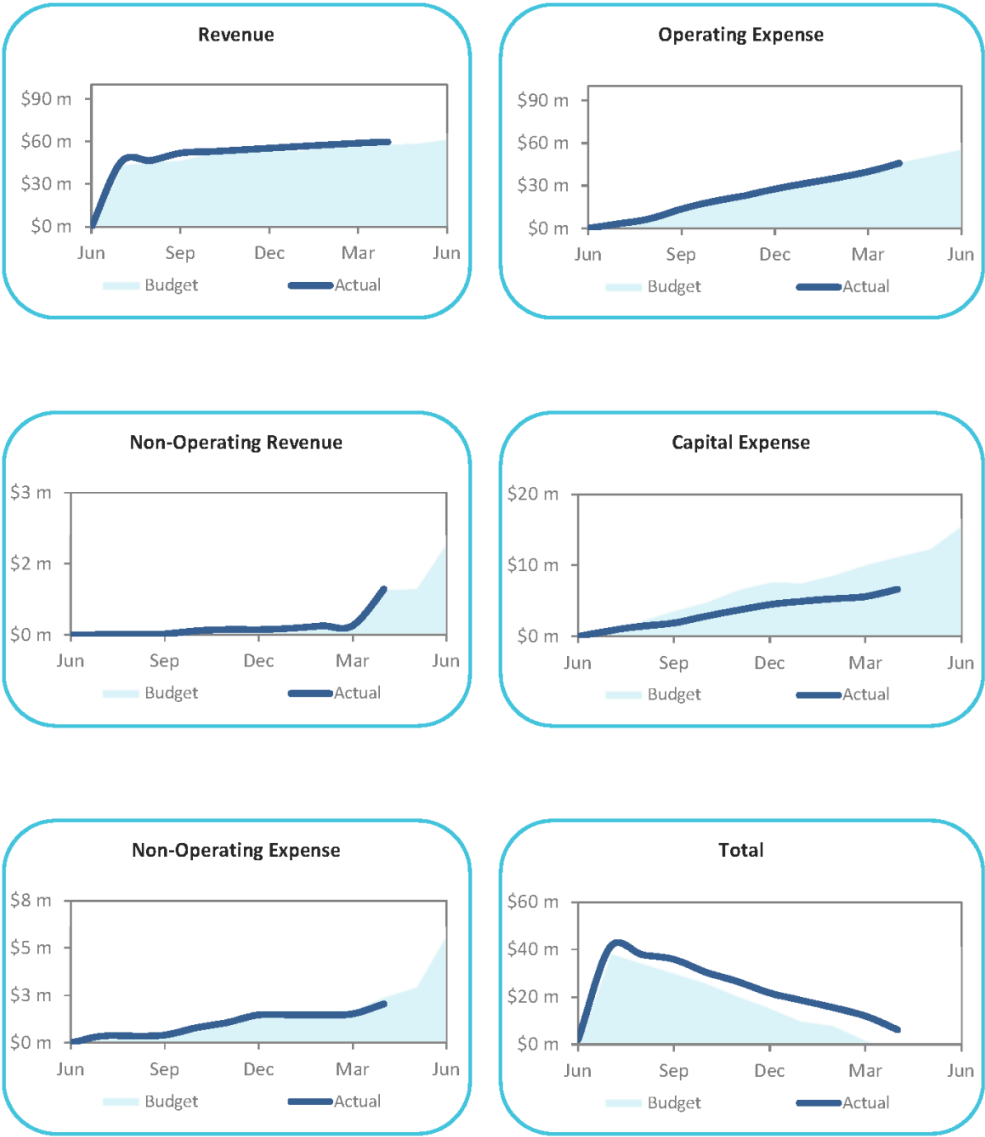
*Statement of Financial Activity*  
For the period 1 July 2017 to 30 April 2018

			30 April 2018		
		Material Variance	Revised Budget	Year-to-Date Budget	Year-to-Date Actual
Particulars	\$	%	\$	\$	\$
<u>Non-Operating Revenue</u>					
Finance			1,700,000	750,000	750,000
Corporate Funds			1,700,000	750,000	750,000
Operations			301,500	200,000	213,747
Fleet Services			301,500	200,000	213,747
Total Non-Operating Revenue			2,001,500	950,000	963,747
<u>Non-Operating Expense</u>					
Finance			(5,868,000)	(2,050,000)	(2,056,404)
Corporate Funds			(5,868,000)	(2,050,000)	(2,056,404)
Total Non-Operating Expense			(5,868,000)	(2,050,000)	(2,056,404)
<u>Non-Cash Items Adjustments</u>					
Profit and Loss			26,500	22,140	680,472
Depreciation			7,780,500	6,294,520	7,687,494
Total Non-Cash Items Adjustments			7,807,000	6,316,660	8,367,965
Suspense Items Yet To Be Applied				0	323,808
Opening Surplus / (Deficit)			6,210,874	6,210,874	6,210,874
Closing Surplus / (Deficit)			0	14,627,611	21,077,863



Statement of Financial Activity  
For the period 1 July 2017 to 30 April 2018

Graphical Representation





*Net Current Funding Position  
For the period 1 July 2017 to 30 April 2018*

Particulars	Brought Forward 1 July \$	2017-2018 Revised Budget \$	Year To Date Actual \$
<b>Current Assets</b>			
Cash - Unrestricted	10,533,455	4,080,896	23,827,990
Cash - Reserves / Restricted	24,441,643	25,249,343	24,536,187
Receivables and Accruals	4,532,901	2,000,000	4,225,432
Inventories	6,978	10,000	6,978
Land Held for Sale	0	509,104	0
	<b>39,514,977</b>	<b>31,849,343</b>	<b>52,596,587</b>
<b>Less Current Liabilities</b>			
Payables and Provisions	(8,862,461)	(6,600,000)	(6,982,537)
	<b>(8,862,461)</b>	<b>(6,600,000)</b>	<b>(6,982,537)</b>
<b>Net Current Asset Position</b>	<b>30,652,516</b>	<b>25,249,343</b>	<b>45,614,050</b>
<b>Less</b>			
Cash - Reserves / Restricted	(24,441,643)	(25,249,343)	(24,536,187)
<b>Estimated Surplus / (Deficiency) Carried Forward</b>	<b>6,210,873</b>	<b>-</b>	<b>21,077,863</b>



*Cash and Cash Investments*  
For the month ended 30 April 2018

Cash and Investments Analysis

	Amount Invested \$	Interest Rate %	Term (Days)	Maturity Date	Projected Earnings \$	Percentage of Portfolio
<b>Cash - Unrestricted</b>						
<b>Bankwest</b>	<b>2,000,000</b>				<b>7,562</b>	<b>4%</b>
4697954	2,000,000	2.30	60	00:00:00	7,562	
<b>CBA</b>	<b>11,818,985</b>				<b>15,318</b>	<b>24%</b>
At Call	11,818,985	Variable	11am	Daily	15,318	
<b>NAB</b>	<b>5,000,000</b>				<b>24,551</b>	<b>10%</b>
10520454	3,000,000	2.40	60	00:00:00	11,836	
10520451	2,000,000	2.55	91	00:00:00	12,715	
<b>BOQ</b>	<b>5,000,000</b>				<b>65,671</b>	<b>10%</b>
28579	5,000,000	2.55	188	00:00:00	65,671	
<b>Total Cash - Unrestricted</b>	<b>23,818,985</b>				<b>113,102</b>	<b>39%</b>
<b>Cash - Restricted</b>						
<b>CBA</b>	<b>5,536,187</b>				<b>170</b>	<b>11%</b>
At Call	5,536,187	Variable	11am	Daily	170	
<b>Bankwest</b>	<b>3,000,000</b>				<b>11,342</b>	<b>6%</b>
	3,000,000	2.30	60	00:00:00	11,342	
<b>NAB</b>	<b>6,000,000</b>				<b>87,703</b>	<b>12%</b>
97-887-7369	3,000,000	2.50	334	00:00:00	68,630	
10520450	3,000,000	2.55	91	00:00:00	19,073	
<b>BOQ</b>	<b>10,000,000</b>				<b>224,129</b>	<b>21%</b>
026499	7,000,000	2.60	336	00:00:00	167,540	
027704	3,000,000	2.55	270	00:00:00	56,589	
<b>Total Cash - Restricted</b>	<b>24,536,187</b>				<b>323,344</b>	<b>51%</b>
<b>Total Cash - Invested</b>	<b>48,355,172</b>				<b>436,446</b>	<b>95%</b>
<b>Cash on Hand</b>	<b>9,005</b>					
<b>Total Cash</b>	<b>48,364,177</b>					



**Cash and Cash Investments**  
For the month ended 30 April 2018

Cash and Investments Analysis

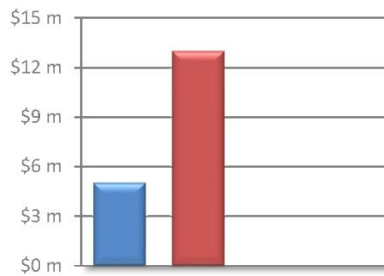
Portfolio Diversity

Institution	%
Bankwest	10
BOQ	31
CBA	36
ME Bank	0
Suncorp	0
NAB	23
	100

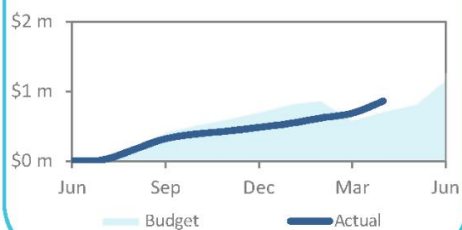


Investment Maturity Timing

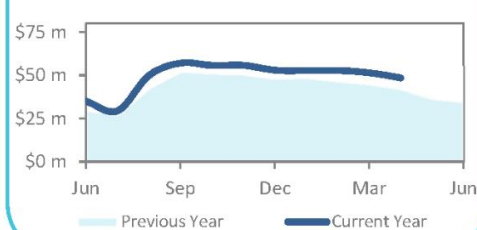
Maturity	\$
Up to 30 days	5,000,000
31 - 60 days	13,000,000
61 - 90 days	0
90+ days	0
	18,000,000



Interest Earnings



Total Cash Holdings

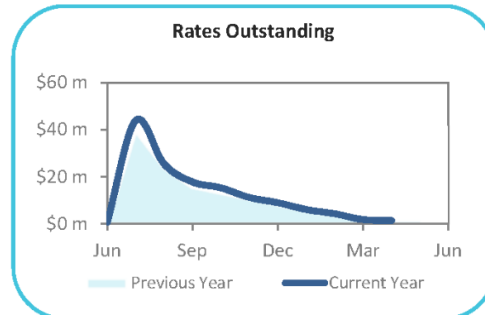




*Receivables (Rates and Sundry Debtors)  
For the month ended 30 April 2018*

**Rates Outstanding (Not Including Deferrals or Associated Fees and Charges)**

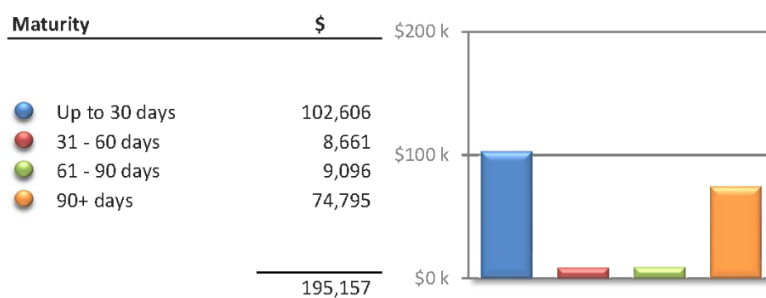
	<b>Total</b>
Balance from Previous Year	821,508
Rates Levied - Initial	0
Rates Levied - Interims	44,259,346
<b>Total Rates Collectable</b>	<b>45,080,853</b>
Current Rates Collected To Date	43,651,809
<b>Current Rates Outstanding</b>	<b>1,429,044</b>
<b>% Rates Outstanding</b>	<b>3.2%</b>



**Sundry Debtors**

Type	Total	30 Days	60 Days	90 Days	90+ Days
Grants and Subsidies	10,550	-	2,000	8,550	-
Property Rent	69,146	20,388	-	70	48,688
Aqualife Fees	10,735	10,319	-	315	101
Leisurelife Fees	9,629	8,612	367	-	650
Community Life Fees	20,677	20,677	-	-	(0)
Health Fees	5,420	2,312	1,372	160	1,576
Other Fees and Charges	53,624	36,418	-	-	17,206
Long Service Leave From Councils	-	-	-	-	-
Building and Planning Application Fees	15,377	3,880	4,922	-	6,575
<b>Total Sundry Debtors</b>	<b>195,157</b>	<b>102,606</b>	<b>8,661</b>	<b>9,096</b>	<b>74,795</b>

**Sundry Debtor Aged Analysis**







*Grants and Contributions  
For the month ended 30 April 2018*

**Grants and Contributions**

Details	Original Budget	Revised Budget	Receipt Status	
	\$	\$	Invoiced	Remaining
Corporate Funds				
Federal Assistance	750,000	350,000	261,923	88,078
Federal Local Road	330,000	175,000	129,890	45,110
Lifelong Learning				
Book Council Grants - Local History	2,000	1,000	-	1,000
State Government Grants - Lifelong	2,000	2,000	2,500	-
State Government Grants - Adult Programs	2,000	1,000	-	1,000
Book Council Grants - Young People Services	3,600	2,000	-	2,000
Neighbourhood Enrichment				
Federal Gov Grants Access Inclusion & Seniors	4,500	-	-	-
Sponsorship Creative Arts	4,500	2,500	-	2,500
State Government Grants Cultural Engagement	20,000	2,500	-	2,500
State Government Grants Families and Youth	50,000	-	-	-
Lotterywest Grants Events and Volunteers	20,000	-	-	-
Sponsorship Events and Volunteers	14,000	16,000	4,950	11,050
State Gov Grants Neighbourhood Enrichment	4,500	35,000	10,000	25,000
State Gov Grants Information and Donations	4,500	-	-	-
Crime Prevention Grants Safer Neighbourhoods	20,000	-	-	-
Parks				
State Government Grant - Recreational	200,000	200,000	-	200,000
Street Operations				
MRWA Direct Road Grants	62,400	47,500	47,552	-
Street Lighting Subsidy	1,000	31,000	-	31,000
MRRG Road Rehabilitation Grants	180,000	233,500	153,280	80,220
MRWA Black Spot Grants	675,000	598,000	385,606	212,394
MRWA Other Grants	280,000	270,000	178,879	91,121
Transport Authority Grants	90,000	125,000	25,000	100,000
Transport Grants	285,700	330,500	326,162	4,338
State Government Grant	70,000	145,000	75,000	70,000
<b>Total Cash Deposits</b>	<b>3,075,700</b>	<b>2,567,500</b>	<b>1,600,742</b>	<b>967,310</b>



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### Reserve Funds Descriptions

The purposes for which funds have been set aside by Council, in Reserve Funds, are outlined below -

#### Building Renewal

*To be used to fund renewal projects associated with Council's Building assets.*

#### Community Art

*To be used to fund the purchase and placement of art for the Council and Community.*

#### Drainage Renewal

*To be used to fund renewal projects associated with Council's Drainage infrastructure.*

#### Edward Millen Site

*To be used to assist in improving and / or maintaining the Edward Millen site, including the associated grounds.*

#### Furniture and Equipment Renewal

*To be used to fund renewal projects associated with Council's Furniture and Equipment assets.*

#### Future Fund

*To assist in funding projects and property purchases that diversify Council's revenue streams.*

#### Future Projects

*To assist in funding 'new' and 'upgrade' capital projects, with funding primarily derived from the sale of land assets.*

#### Harold Hawthorne - Carlisle Memorial

*To be used to provide funds to assist in conducting future Spring Garden Competitions.*

#### Information Technology Renewal

*To be used to fund renewal projects associated with Council's information technology assets.  
significant insurance claims.*

#### Insurance Risk Reserve

*To be used for the purpose of meeting the difference between premiums and claims in the event of any  
significant insurance claims.*

#### Other Infrastructure Renewal

*To be used to fund renewal projects associated with Council's Other infrastructure.*

#### Parks Renewal

*To be used to fund renewal projects associated with Council's Parks infrastructure.*

#### Pathways Renewal

*To be used to fund renewal projects associated with Council's Pathways infrastructure*

#### Plant and Machinery Renewal

*To be used to assist in the acquisition and replacement of the Town's Plant and Machinery.*



*Reserve Funds  
For the month ended 30 April 2018*

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**Renewable Energy**

*To assist in investigating and funding renewable energy projects within the District.*

**Roads Renewal**

*To be used to fund renewal projects associated with Council's Roads Infrastructure*

**Underground Power**

*To assist in the funding of projects associated with the installation of underground power and associated landscaping.*

**Waste Management**

*To assist in the funding of waste management and waste minimisation strategies*



*Reserve Funds*  
*For the month ended 30 April 2018*

Reserve Funds Transactions

	Annual Opening Balance \$	Transfer to Reserve \$	Transfer from Reserve \$	30 April 2018 Balance Actual \$	Balance Budget \$	Annual Revised Budget \$
Building Renewal	400,466	1,549	-	402,015	400,466	418,266
Community Art	641,043	2,480	-	643,523	641,043	690,043
Drainage Renewal	172,720	667	-	173,387	172,720	225,920
Edward Millen Site	1,356,878	5,248	-	1,362,126	1,356,878	1,458,678
Furniture and Equip Renewal	558,907	2,162	-	561,069	558,907	599,907
Future Fund	12,332,193	47,704	-	12,379,897	12,332,193	13,658,793
Future Projects	1,798,878	6,959	-	1,805,837	1,798,878	450,178
Harold Hawthorn - Carlisle	126,430	490	-	126,920	126,430	148,630
Information Technology Ren	358,400	1,386	-	359,786	358,400	665,400
Insurance Risk Reserve	367,830	1,423	-	369,253	367,830	397,230
Other Infrastructure Renewal	574,443	2,221	-	576,664	574,443	615,443
Parks Renewal	261,025	1,010	-	262,035	261,025	46,225
Pathways Renewal	367,397	1,422	-	368,819	367,397	420,397
Plant and Machinery	235,342	911	-	236,253	235,342	269,342
Renewable Energy	220,980	854	-	221,834	220,980	75,380
Roads Renewal	788,737	3,050	-	791,787	788,737	882,337
Underground Power	2,962,799	11,460	-	2,974,259	2,962,799	3,241,999
Waste Management	917,175	3,548	-	920,723	917,175	985,175
	<b>24,441,643</b>	<b>94,544</b>	<b>-</b>	<b>24,536,187</b>	<b>24,441,643</b>	<b>25,249,343</b>



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**Capital Items**

The following pages summarise the progress of the Capital Items.

For the purposes of these pages, the following indicators have been used -

**Item Timing**

This relates to how the item is tracking time-wise and is displayed using the following indicators -

	Behind
	On-Track
	In-Front

**Budget Status**

This relates to how the item is costing against the Revised Budget and is displayed using the following indicators -

	Over budget
	On budget
	Under budget

**Completion Stage**

This relates to where the item is currently, in terms of completion, and is displayed using the following indicators -

	Not commenced
	Commenced
	Half-way completed
	Nearing completion
	Completed



**Capital Items Progress**  
For the month ended 30 April 2018

**Capital Items**

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Buildings</b>			<b>3,457,500</b>	<b>1,656,373</b>
<b>New - Buildings</b>				
Aqualife - Energy Efficiency Initiatives	□	■ ■ □ □	100,000	58,895
Leisurelife - Energy Efficiency Initiatives	□	■ ■ □ □	100,000	35,902
Community Facility - Zone 6 - Lathlain Precinct	□	■ ■ ■ □	30,000	8,707
<b>Upgrade - Buildings</b>				
Administration Centre - Security Card Entry Control	⊠	■ ■ ■ ■	60,000	73,926
Lifelong Learning - Library Entrance Upgrade	□	□ □ □ □	95,000	0
Leisurelife - Emergency Management Switchboard	□	■ ■ ■ ■	5,000	0
Administration Centre - Accessibility	□	■ ■ □ □	70,000	18,978
Leisurelife - Reception and Cafe Area	□	■ ■ ■ □	20,000	10,745
Police and Citizens Youth Centre - Switchboard	□	■ ■ ■ ■	15,000	11,691
Upgrade Lot 61 Lathlain Place - Zone 8 - Lathlain Precinct	□	■ ■ ■ ■	3,000	1,000
<b>Renewal - Buildings</b>				
Aqualife Centre - Pool Deck Floor (Stage 1)	□	■ ■ ■ ■	140,000	131,670
Air Conditioning System - Council Administration	□	■ ■ ■ ■	810,000	798,521
Shepperton Road Underpass - Retiling	⊠	■ ■ ■ ■	18,000	18,040
Aqualife Centre - Renew Leisure Pool - Water feature	□	■ ■ ■ ■	36,000	35,950
Aqualife Centre - Replacement of Boilers	⊠	■ ■ ■ ■	97,500	99,246
Aqualife Centre - Renew Spa Plant Room, Filter and Pipes	□	■ ■ ■ ■	17,000	0
Aqualife Centre - Tiling of 50m Swimming Pool	□	■ ■ ■ □	16,000	2,738
Aqualife Centre - Renewal Circulation and Chemical Pump	⊠	■ ■ ■ ■	5,000	7,897
6 Kent Street - Accessibility and Internal Renewal	□	■ □ □ □	230,000	7,153
8 Kent Street - Accessibility and Internal Renewal	□	■ □ □ □	200,000	6,370
Administration Centre - Fire Panel Replacement	□	■ □ □ □	65,000	4,750
Aqualife Centre - Chemical Shed	□	■ ■ ■ □	20,000	4,500
Aqualife Centre - Window Tinting	□	■ ■ ■ ■	8,000	7,825
Archer Street Toilets - LED Lighting	□	■ ■ ■ ■	2,000	1,144
Balbuk Reserve Toilets - LED Lighting	□	■ ■ ■ ■	2,000	0
Carlisle Reserve Clubrooms - Flooring Replacement	□	■ ■ ■ ■	19,000	18,010
Depot Rear Shed - Roof and Cladding Replacement	□	■ ■ □ □	180,000	954
GO Edwards Park Toilets (1) - LED Lighting	□	■ ■ ■ ■	2,000	1,685
GO Edwards Park Toilets (2) - LED Lighting	□	■ ■ ■ ■	2,000	1,796
Higgins Park Tennis Club - Kitchen	□	■ □ □ □	40,000	0
Hubert Street Carpark Toilets - LED Lighting	□	■ ■ ■ ■	2,000	1,444
John Macmillan Park Toilets - Lighting and accessibility	□	■ □ □ □	125,000	4,755
Leisurelife - Commercial Kitchen Flooring	□	■ ■ ■ ■	8,000	7,862



**Capital Items Progress**  
For the month ended 30 April 2018

### Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Renewal - Buildings (continued)</b>				
Leisurelife - Court Flooring	<input type="checkbox"/>	■■■■	95,000	63,049
Leisurelife - Courts Lighting	<input type="checkbox"/>	■■■■	28,000	25,097
Leisurelife - Emergency Exit Doors	<input type="checkbox"/>	■■■■	24,000	18,700
Leisurelife - Entrance and Signage Renewal	<input checked="" type="checkbox"/>	■■■■	25,000	25,298
Leisurelife - Gym Flooring	<input type="checkbox"/>	□□□□	65,000	0
Leisurelife - Roofing	<input type="checkbox"/>	■■■■	9,000	8,225
Leisurelife - Squash Courts (3 and 4)	<input type="checkbox"/>	■■■■	65,000	58,180
Leisurelife - Toilets and Change Rooms	<input type="checkbox"/>	■■■□	170,000	7,237
Library - Facility Lighting	<input type="checkbox"/>	■■■■	50,000	44,665
Library - Fire Panel Replacement	<input type="checkbox"/>	■■■□	35,000	5,000
Library - Public Area Carpets	<input type="checkbox"/>	■■□□	100,000	10,365
McCallum Park Toilets - LED Lighting	<input type="checkbox"/>	■■■■	2,000	0
Read Park Toilets - LED Lighting	<input type="checkbox"/>	■■■■	2,000	1,519
Taylor Street Reserve Toilets	<input type="checkbox"/>	■■□□	190,000	4,393
Victoria Park Carlisle Bowling Club - Toilets	<input type="checkbox"/>	■■■□	55,000	2,492

<b>Plant and Machinery</b>	<b>1,019,200</b>	<b>523,364</b>
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#### New

Plant - Electric Bikes	<input type="checkbox"/>	■■■□	17,200	6,336
Plant - Street Operations - High Pressure Cleaner and Trai	<input type="checkbox"/>	■■■■	12,000	11,694

#### Renewal - Plant and Machinery

Purchase Major Plant - Light Truck Parks (160VPK - Plant	<input type="checkbox"/>	■■■■	103,500	103,216
Purchase Major Plant - Mower Slasher Parks (147VPK Plai	<input type="checkbox"/>	■■■■	28,000	27,974
Purchase Major Plant - Mowing Trailer Parks (158VPK - Pl	<input type="checkbox"/>	■■■■	24,000	23,940
Minor Plant Renewal - Low Value Pool - Parks	<input type="checkbox"/>	■■■□	11,000	4,817
Minor Plant Renewal - Street Improvement	<input type="checkbox"/>	■■■■	10,500	9,353
Minor Plant Renewal - Workshop Pressor (Replacing CVR#	<input type="checkbox"/>	■■□□	10,000	0
Fleet - Aqualife - 1EMT367 (Plant 365)	<input type="checkbox"/>	■■■■	22,500	22,241
Fleet - Asset Management - 179VPK (Plant 385)	<input type="checkbox"/>	■■■■	25,000	24,986
Fleet - Building Services - 113VPK (Plant 368)	<input type="checkbox"/>	■■■■	22,500	22,448
Fleet - Business Life Administration - 106VPK (Plant 369)	<input type="checkbox"/>	■■■■	33,000	32,736
Fleet - Community Life Administration - 110VPK (Plant 371)	<input type="checkbox"/>	■■■■	32,000	31,188
Fleet - Community Life Administration - 166VPK (Plant 379)	<input type="checkbox"/>	■■■□	35,000	0
Fleet - Environmental Health - 116VPK (Plant 372)	<input type="checkbox"/>	■■■■	21,000	20,838
Fleet - Leisurelife - 112VPK (Plant 364)	<input type="checkbox"/>	■■■■	22,000	21,947
Fleet - Lifelong Learning - 164VPK (Plant 386)	<input checked="" type="checkbox"/>	■■■■	25,000	25,352
Fleet - Ranger Services - 183VPK (Plant 366)	<input type="checkbox"/>	■■□□	40,000	183
Fleet - Renew Life Administration - 111VPK (Plant 360)	<input type="checkbox"/>	■■■□	35,000	183
Fleet - Street Improvement - 128VPK (Plant 384)	<input type="checkbox"/>	■■■□	25,000	183
Fleet - Urban Planning - 108VPK (Plant 377)	<input type="checkbox"/>	■■■■	25,000	24,911



**Capital Items Progress**  
For the month ended 30 April 2018

**Capital Items**

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Renewal - Plant and Machinery (continued)</b>				
Plant - Street Operations - High Pressure Cleaner (239)	<input type="checkbox"/>	■■■■■	5,000	4,413
Plant - Street Operations - High Pressure Cleaner (332)	<input type="checkbox"/>	■■■■■	5,000	4,371
Truck - Street Operations - 131VPK (44)	<input type="checkbox"/>	■■■□	105,000	183
Truck - Street Operations - 145VPK (43)	<input type="checkbox"/>	■■■□	150,000	183
Utility (Fleet) - Parks - 130VPK (283)	<input type="checkbox"/>	■■■□	40,000	36,988
Utility (Fleet) - Parks - 148VPK (329)	<input type="checkbox"/>	■■■□	30,000	0
Utility (Fleet) - Street Operations - 135VPK (287)	<input type="checkbox"/>	■■■■■	30,000	29,168
Utility (Fleet) - Street Operations - 141VPK (296)	<input type="checkbox"/>	■■■□	45,000	0
Utility (Fleet) - Street Operations - 144VPK (297)	<input checked="" type="checkbox"/>	■■■□	30,000	33,530
<b>Furniture and Equipment</b>			<b>296,000</b>	<b>97,939</b>
<b>New - Furniture and Equipment</b>				
Licence Plate recognition devices and equipment - Parking	<input type="checkbox"/>	■■■□	9,000	0
Hardware, software and cabling - Parking Initiative	<input type="checkbox"/>	■■■□	23,000	0
Edward Millen - Low Value Pool	<input type="checkbox"/>	■■■■■	6,500	6,486
VICPARK LED - Illuminated Lights	<input type="checkbox"/>	■■■■■	4,500	4,300
<b>Renewal - Furniture and Equipment</b>				
Renew Furniture & Equipment - Depot - Low Value Pool	<input type="checkbox"/>	■■■□	6,000	2,270
Renew Minor Plant - Bins	<input type="checkbox"/>	■■■□	11,000	0
Renew Furniture - Administration Centre - Low Value Pool	<input type="checkbox"/>	■■■□	22,000	14,660
Parking Management Office - Office Furniture	<input type="checkbox"/>	■■■□	5,000	0
Renew Furniture & Equipment - Aqualife - Low Value Pool	<input type="checkbox"/>	■■■□	10,000	2,278
Renewal - Furniture & Equipment - Aqualife Cafe	<input type="checkbox"/>	■■■□	5,000	0
Renewal - Equipment - Aqualife - Pool Scrubber	<input checked="" type="checkbox"/>	■■■■■	8,000	8,091
Aqualife - Crèche Furniture	<input type="checkbox"/>	■■■□	4,000	0
Aqualife - Gymnasium Equipment (Assorted)	<input type="checkbox"/>	■■■□	20,000	7,078
Aqualife - Pool Equipment	<input type="checkbox"/>	■■■□	40,000	9,801
Renewal - Equipment - Leisurelife- Gym Equipment	<input type="checkbox"/>	■■■□	20,000	5,059
Leisurelife - Court Floor Cleaner	<input type="checkbox"/>	■■■■■	20,000	17,146
Leisurelife - Bingo Furniture	<input type="checkbox"/>	■■■■■	7,000	6,889
Leisurelife - Sports Equipment	<input type="checkbox"/>	■■■□	23,000	2,637
Renewal - Furniture & Equipment - Leisurelife Cafe	<input type="checkbox"/>	■■■□	5,000	2,944
Renew Furniture & Equipment - Leisurelife - Low Value Pool	<input type="checkbox"/>	■■■□	15,000	4,433
Renew Furniture & Equipment - Lifelong Learning - Low Value Pool	<input type="checkbox"/>	■■■□	15,000	650
Renew Furniture & Equipment - Digital Hub - Low Value Pool	<input checked="" type="checkbox"/>	■■■■■	2,000	3,218
TAPP - Aqualife - Access and Inclusion Pool Hoist	<input type="checkbox"/>	■■■□	12,000	0
TAPP - Aqualife - Disability Floatation devices	<input type="checkbox"/>	■■■□	3,000	0





*Capital Items Progress*  
*For the month ended 30 April 2018*

### Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Information Technology</b>			<b>945,000</b>	<b>291,375</b>
<b>New - Information Technology</b>				
TAPP - Lighten Up - Mobile App Software	<input type="checkbox"/>	□□□□	5,000	0
Library - RFID Self-Service System	<input type="checkbox"/>	■□□□	90,000	0
New - Software - Mobile Health	<input type="checkbox"/>	□□□□	100,000	0
New - Software - Client engagement	<input checked="" type="checkbox"/>	■□□■	8,000	13,235
New - Noise Monitoring Device - Environmental Health	<input checked="" type="checkbox"/>	■□□□	25,000	27,114
Handheld Enforcement devices and associated equipment	<input type="checkbox"/>	■□□□	12,000	0
<b>Renewal - Information Technology</b>				
Hardware - Mobile Computing Devices	<input type="checkbox"/>	■□□■	65,000	64,176
Network - Wi-Fi Network	<input type="checkbox"/>	■□□■	47,000	46,991
Systems - Website, Intranet and Client Portal	<input type="checkbox"/>	■□□□	85,000	0
<b>Renewal - Information Technology</b>				
Depot Communications System (Hardware)	<input type="checkbox"/>	■□□■	5,000	4,997
Network Storage (Hardware)	<input type="checkbox"/>	■□□■	38,000	37,033
Bookings Management System (Software)	<input type="checkbox"/>	■□□□	50,000	0
Development Application System (Software)	<input type="checkbox"/>	■□□□	110,000	43,660
Email Archival System (Software)	<input type="checkbox"/>	■□□□	30,000	29,728
Leisure Facilities Management System (Software)	<input type="checkbox"/>	■□□□	95,000	0
Library Management System (Software)	<input type="checkbox"/>	■□□□	95,000	0
Records Management System (Software)	<input type="checkbox"/>	□□□□	60,000	0
System Security (Software)	<input type="checkbox"/>	■□□■	25,000	24,440
<b>Roads</b>			<b>3,744,500</b>	<b>2,360,947</b>
<b>New - Roads</b>				
New - Albany Highway - Pedestrian Crossing Safety Measure	<input checked="" type="checkbox"/>	■□□■	43,500	48,914
New - Alday Street - Lane Channelisation	<input type="checkbox"/>	■□□■	68,000	67,609
New - Enfield Street - Traffic Calming	<input type="checkbox"/>	■□□■	89,000	84,738
Gallipoli Street - Egham Road to Enfield Street - Traffic Calming	<input type="checkbox"/>	■□□□	25,000	1,820
Gallipoli Street - Egham Road to Howick Street - Traffic Calming	<input type="checkbox"/>	■□□□	25,000	1,820
Goddard Street - Egham Road to Howick Street - Traffic Calming	<input type="checkbox"/>	■□□□	25,000	0
Goddard Street - Midgley Street to Cookham Road - Traffic Calming	<input type="checkbox"/>	■□□□	25,000	0
Hill View Terrace - Cycle Lane Extension and Ramps	<input type="checkbox"/>	■□□□	15,000	0
McCartney Crescent - Goddard Street to Roberts Road - Traffic Calming	<input type="checkbox"/>	■□□□	60,000	8,104
Saleham Street - Goddard Street to Gallipoli Street - Traffic Calming	<input type="checkbox"/>	■□□□	55,000	2,116
Star Street - Intersection Safety Works at Briggs Street	<input type="checkbox"/>	■□□□	15,000	6,268



*Capital Items Progress*  
*For the month ended 30 April 2018*

**Capital Items**

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Renewal - Roads</b>				
Albany Highway - Duncan Street to Teddington Road	<input type="checkbox"/>	■ ■ ■ ■ □	330,000	317,893
Asteroid Way - Star Street to Mercury Street	<input checked="" type="checkbox"/>	■ ■ ■ ■ ■	120,000	120,272
Bank Street - Oats Street to Milford Street	<input checked="" type="checkbox"/>	■ ■ ■ ■ ■	86,000	91,436
Berwick Street - Sussex Street to Basinghall Street	<input checked="" type="checkbox"/>	■ ■ ■ ■ ■	150,000	162,048
Bishopsgate Street - Oats Street to Mercury Street	<input type="checkbox"/>	■ ■ ■ ■ ■	49,000	48,880
Bolton Avenue - Glenn Place to Path (Northbound)	<input type="checkbox"/>	■ ■ ■ ■ □	151,500	6,405
Bolton Avenue - Glenn Place to Path (Southbound)	<input type="checkbox"/>	■ ■ ■ ■ □	104,000	116
Cookham Street - Gallipoli Street to Goddard Street	<input type="checkbox"/>	■ ■ ■ ■ ■	112,000	111,815
Goddard Street - Saleham Street to Bishopsgate Street	<input type="checkbox"/>	■ ■ ■ ■ ■	103,000	102,425
Raleigh Street - Mercury Street to Lion Street	<input type="checkbox"/>	■ ■ ■ ■ ■	130,000	113,069
Somerset Street - Shepperton Road to Bank Street	<input checked="" type="checkbox"/>	■ ■ ■ ■ □	200,000	248,196
Swansea Street (West) - Dane Street to Cul-de-sac	<input checked="" type="checkbox"/>	■ ■ ■ ■ ■	178,000	178,876
<b>Upgrade - Roads</b>				
Upgrade Hillview & Berwick Intersection Stage 2	<input type="checkbox"/>	■ ■ ■ ■ □	18,000	1,177
Upgrade - McCartney Crescent	<input type="checkbox"/>	■ □ □ □ □	22,500	0
Traffic Management Initiative - Shepperton Rd and Gresha	<input type="checkbox"/>	■ ■ ■ ■ ■	243,000	210,043
Traffic Management Initiative - Teddington St and Burswo	<input type="checkbox"/>	■ ■ ■ ■ □	204,000	190,887
Upgrade - Bishopsgate and Roberts Road - Pre Deflection:	<input type="checkbox"/>	■ ■ ■ ■ ■	9,000	6,006
Upgrade - Oats Street and Star Street - Pre Deflections	<input checked="" type="checkbox"/>	■ ■ ■ ■ ■	3,500	3,634
Upgrade - Temple Street and Hordern Street - Traffic Islan	<input type="checkbox"/>	■ ■ ■ ■ ■	500	360
Hill View Terrace and Oats Street - Intersection	<input type="checkbox"/>	■ □ □ □ □	180,000	9,875
Roberts Road and Orrong Road - Intersection	<input type="checkbox"/>	■ □ □ □ □	220,000	0
Rutland Avenue - Oats Street to Welshpool Road	<input type="checkbox"/>	■ ■ ■ □ □	450,000	464
Temple Street and Hordern Street - Intersection	<input type="checkbox"/>	■ ■ ■ ■ ■	135,000	133,613
Upgrade - Great Eastern Highway and Craig Street - Inters	<input type="checkbox"/>	■ ■ ■ ■ ■	100,000	82,066
<b>Drainage</b>			<b>552,000</b>	<b>215,590</b>
<b>New - Drainage</b>				
Drainage - Camarvon Street	<input type="checkbox"/>	■ ■ ■ ■ ■	63,000	62,294
Drainage - Harris Street and Appleton Street - Stage 1	<input type="checkbox"/>	■ ■ ■ ■ □	64,500	17,786
Drainage - Northampton Street	<input type="checkbox"/>	■ ■ ■ ■ □	50,000	18,628
Lake View Terrace Drainage - To be constructed as part of	<input type="checkbox"/>	■ □ □ □ □	20,000	0
<b>Renewal - Drainage</b>				
Intersection Improvements - Hillview Terrace	<input type="checkbox"/>	■ ■ ■ ■ □	87,500	12,887
Right Of Ways - Various Locations	<input type="checkbox"/>	■ ■ ■ ■ □	45,000	14
Pipe Renewal- Various Locations	<input type="checkbox"/>	■ ■ ■ ■ □	45,000	17,199
Pit Renewal- Various Locations	<input type="checkbox"/>	■ ■ ■ ■ □	80,000	38,477
Sump Renewal- Various Locations	<input type="checkbox"/>	■ ■ ■ ■ ■	37,000	36,596
<b>Upgrade</b>				
Albany Highway - Hotspot 1 Drainage Master Plan	<input type="checkbox"/>	■ ■ ■ □ □	60,000	11,709



*Capital Items Progress*  
*For the month ended 30 April 2018*

### Capital Items

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Pathways</b>				
			<b>432,500</b>	<b>219,258</b>
<b>New - Pathways</b>				
Bolton Avenue - Carpark to Main Entrance	✗	■ ■ ■ ■	26,000	26,180
Brodie Hall Drive - Turner Avenue to Hayman Road	□	■ ■ ■ ■	42,500	42,360
Rutland Avenue P2P - Stage 2	□	■ ■ □ □	20,000	448
Rutland Avenue Safe Active Street	□	■ ■ □ □	25,000	3,887
Victoria Park Drive - Footpath Extension	□	■ □ □ □	50,000	0
<b>Renewal - Pathways</b>				
Berwick Street - Bush Street to Boundary Road (East)	□	■ □ □ □	40,000	0
Berwick Street - Bush Street to Boundary Road (West)	□	■ ■ ■ ■	59,000	58,720
Forward Street - Welshpool Road to Swansea Street (East)	□	■ ■ ■ ■	14,000	7,378
Pathway - Lathlain Precinct Redevelopment (Zone 2)	□	□ □ □ □	75,000	0
Mars Street - Oats Street to Cohn Street	□	■ ■ ■ ■	24,000	23,968
Mint Street - Carnarvon Street to Shepperton Road	□	■ ■ ■ ■	14,000	13,800
Oats Street - Hubert Street to Albany Highway	□	■ ■ ■ ■	12,000	11,610
Star Street - Briggs Street to President Street	□	■ ■ ■ ■	21,000	20,999
Star Street - Cohn Street to Briggs Street	□	■ ■ ■ ■	10,000	9,908
<b>Parks</b>				
			<b>3,786,000</b>	<b>372,924</b>
<b>New - Parks</b>				
George Street Reserve Revegetation	□	■ ■ ■ □	80,000	32,041
Park Furniture and Equipment - Burswood Peninsula	□	■ ■ ■ □	75,000	688
Kensington Bushland - Jirdarup Signage	□	■ ■ ■ □	30,000	2,697
Manners Reserve - Shade Sails	□	■ ■ ■ ■	25,000	16,159
New - Tree Plan- Tree Planting	□	■ ■ ■ □	35,000	8,273
Renew - Park Lighting - Poles and Floodlighting	□	■ ■ ■ ■	20,000	7,500
Lathlain Park - New	□	■ □ □ □	1,500,000	31,473
Peninsula to Park - Landscaping	□	■ □ □ □	200,000	3,340
Emergency Works - Water Tank installation	□	■ ■ ■ ■	50,000	43,950
<b>Renewal - Parks</b>				
Fletcher Park - Playground	□	■ □ □ □	60,000	0
Fraser Park - Playground	□	■ □ □ □	50,000	80
GO Edwards Park - Redevelopment	□	■ ■ ■ □	590,000	72,060
Harold Rossiter Park - Irrigation	□	■ ■ ■ □	160,000	89,180
Manners Reserve - Furniture	□	■ ■ ■ □	5,000	0
Park Signage - Various Locations	□	■ ■ ■ □	50,000	950
Renew - McCallum Park (Foreshore River Wall)	□	■ □ □ □	341,000	20,901
Renewal - Tree Plan - Tree Planting	□	■ ■ ■ □	75,000	3,084
Victoria Park Community Centre - Playground	□	■ □ □ □	20,000	1,035



*Capital Items Progress*  
*For the month ended 30 April 2018*

**Capital Items**

Particulars	Budget Status	Completion Stage	Revised Budget \$	Year-to-Date Actual \$
<b>Upgrade - Parks</b>				
Upgrade - Entry Statements - Landscaping	<input type="checkbox"/>	■□□□	80,000	1,200
Upgrade - Higgins Park Tennis Club - Court Modifications	<input type="checkbox"/>	□□□□	300,000	0
Upgrade - Rayment Park	<input type="checkbox"/>	■□□□	40,000	38,312
<b>Other Assets</b>			<b>1,575,000</b>	<b>891,593</b>
<b>New - Other Assets</b>				
New - Lathlain Primary School / Rayment Park Carpark	<input type="checkbox"/>	■□□□	27,500	27,433
Car Parks - Harvey Street ACROD bays	<input type="checkbox"/>	■□□□	7,500	7,253
New Street Lighting - Purchase and Installation	<input type="checkbox"/>	■□□□	66,000	10,432
Purchase and Installation of parking meters	<input type="checkbox"/>	■□□□	75,000	0
Signage - Parking Plan Works	<input type="checkbox"/>	■□□□	130,000	0
New - Street Furniture - Various Locations	<input type="checkbox"/>	■□□□	35,000	8,071
Street Lighting - Safety Improvement at Various Locations	<input type="checkbox"/>	■□□□	25,000	5,370
Visual Art	<input type="checkbox"/>	■□□□	20,000	7,070
Burswood Peninsula Way Finding - Signs and Line marking	<input type="checkbox"/>	■□□□	50,000	0
<b>Renewal - Other Assets</b>				
Right of Way 51	<input type="checkbox"/>	■□□□	500,000	476,475
Street Furniture - Bus Shelters at Various Locations	<input type="checkbox"/>	■□□□	47,000	46,462
Street Lighting - Albany Highway and Laneways	<input type="checkbox"/>	■□□□	40,000	0
Car Parks - Carlisle Reserve	<input type="checkbox"/>	■□□□	100,000	1,000
Lighting - St James East Victoria Park - Safer Communities	<input type="checkbox"/>	■□□□	75,000	0
<b>Upgrade - Other Assets</b>				
Upgrade - Right of Way 31a & 31b	<input type="checkbox"/>	■□□□	23,000	22,701
Upgrade - Right of Way 45	<input type="checkbox"/>	■□□□	14,000	13,758
Right of Way 14 - Access Upgrade	<input type="checkbox"/>	■□□□	170,000	132,521
Tap and Go - Parking Meter Upgrade	<input type="checkbox"/>	■□□□	130,000	128,700
Street Lighting - Community Safety Projects	<input type="checkbox"/>	■□□□	40,000	4,347
<b>Land</b>			<b>74,000</b>	<b>-</b>
<b>Upgrade</b>				
Land - Upgrade: 25 Boundary Road Subdivision	<input type="checkbox"/>	□□□□	74,000	0

### 14.3 Recommendation from the Finance and Audit Committee - Fees and Charges – Effective from 1 July 2018

<b>File Reference:</b>	FIN/5/65
<b>Appendices:</b>	Yes
<b>Attachments:</b>	No

<b>Date:</b>	21 May 2018
<b>Reporting Officer:</b>	A. Thampoe
<b>Responsible Officer:</b>	N. Cain
<b>Voting Requirement:</b>	Absolute majority

**Executive Summary:**

**Recommendation – That Council, pursuant to Section 6.16 of the *Local Government Act 1995*, amends the current fees and charges and imposes the fees and charges as contained within the Appendices, effective from 1 July 2018.**

- As the 2018-2019 Annual Budget will not be adopted until after 30 June 2018, the current fees and charges need to be amended and updated with the proposed 2018-2019 Schedule of Fees and Charges effective from 1 July 2018.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

It is planned that the adoption of the 2018-2019 Annual Budget will not occur until after 30 June 2018. The adoption of the annual budget is traditionally the mechanism by which Council sets and adopts fees and charges. A period of time will therefore occur where the new Schedule of Fees and Charges will not be in effect. This item allows for the early adoption of the proposed fees and charges for the 2018-2019 financial year and will, in effect, amend and replace the current fees and charges with the proposed fees and charges applicable for the commencement of the 2018-2019 financial year.

**DETAILS:**

A detailed analysis has been conducted on the fees and charges levied by Council. Officers, in reviewing the applicable fees and charges, have taken into consideration –

- a) the cost to provide the service or goods;
- b) the importance of the service or goods to the community; and
- c) the price at which the service or goods could be provided by an alternative provider.

The proposed Schedule of Fees and Charges are contained within the Appendices.

**Legal Compliance:**

Section 6.16 of the *Local Government Act 1995 (as amended)* (Imposition of Fees and Charges) states –

- (1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

**Policy Implications:**

Nil

**Risk management considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Compliance:</b> Council not approving the fees and charges	Moderate	Possible	Moderate	Provide Elected Members the opportunity to review appropriateness of proposed fee schedule, prior to requesting approval.
<b>Financial Impact:</b> Council facilities not generating full revenue potential.	Moderate	Possible	Moderate	Conduct a review of the current fees and charges for appropriateness and validity and propose new based on review.

**Strategic Plan Implications:**

CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.

**Financial Implications:**Internal Budget

Fees and charges encompass approximately 18% of the operating funds required to operate Council activities. Due to the fact that the fees and charges are, in effect, being set outside the normal process of adoption via the annual budget, which will also need to occur, a period of local public notice is required. This will have a minor cost and two week timeframe associated with it. At the end of that period, the amended new fees and charges will apply.

Total Asset Management:

Nil

**Sustainability Assessment:**

The fees and charges have been amended so as to consider the cost impact of providing those goods and services. This extends across the social, economic, environmental and governance assessment areas.

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

An early adoption of fees and charges can be met through the application of Section 6.16 of the *Local Government Act 1995 (as amended)*. As the 2018-2019 Annual Budget will not be adopted until after 30 June 2018, the current fees and charges are requested to be amended and updated with the proposed 2018-2019 Schedule of Fees and Charges effective from 1 July 2018.

**FURTHER COMMENT:**

The members of the Finance and Audit Committee sought clarification on the following items:

- Why have some fees have increased from \$0.00 in the previous year to a higher amount?  
These are new fees and charges for the 2018-2019 financial year.

- Non-off peak times are mentioned as a condition for court hire. What are non-off peak times? Is that the same as peak?  
Yes, the description of the condition will be changed to “peak”.
- The netball team fee for junior sports has increased by \$2.00 for this financial year. Why has this increased when the fees haven’t been increased for any other sports?  
The netball program is now at capacity. We have not increased the fee for other sports in an effort to try and attract more teams.
- There is a fee for Parties – 25 to 25 children. Is this an error?  
This is an error and should be 25 to 36. This will be corrected.
- Are the fees for illegal signage per sign, regardless for how long the sign is erected?  
Yes, the fee is per item and does not take into consideration the length of time it has been erected for.
- Is it likely that we will find ourselves in the position where impounded trolleys will not be collected again, due to companies having to pay impound fees?  
The Town is reviewing the impound fees. Changes may be made for adoption as part of the 2018/2019 annual budget.
- Why do we charge impound and pound fees for livestock and cattle when people are not allowed to own these in the Town?  
There are instances of livestock being brought in to the Town, released and abandoned. The fee is required if and when this happens.

**CONCLUSION:**

The Schedule of Fees and Charges (as proposed) have taken into consideration all requirements as set forth by legislation, are considered fair and reasonable, and will assist in the continued delivery and operation of Council services and activities.

**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:**

**That the Finance and Audit Committee recommends to Council that, pursuant to Section 6.16 of the *Local Government Act 1995*, amends the current fees and charges and imposes the fees and charges, as contained within the Appendices, effective from 1 July 2018.**

**(Absolute majority required)**



## 14.4 Recommendation from the Finance and Audit Committee - Memorandum of Understanding – Town of Victoria Park and Shire of Morawa

<b>File Reference:</b>	GOV/1/0001~02
<b>Appendices:</b>	No
<b>Attachments:</b>	Yes

<b>Date:</b>	14 May 2018
<b>Reporting Officer:</b>	R. Fishwick
<b>Responsible Officer:</b>	A. Vuleta
<b>Voting Requirement:</b>	Simple Majority

### Executive Summary:

**Recommendation – That Council endorses the Memorandum of Understanding (MOU) between the Town of Victoria Park and the Shire of Morawa.**

- An opportunity exists to recognise the importance of an effective working relationship between the Town of Victoria Park (the Town) and the Shire of Morawa (the Shire);
- The Shire at its Council meeting held on 17 May 2018 endorsed the MOU;
- The working relationship can benefit both local governments; and
- It is recommended that a MOU between the two Local Governments be endorsed.

### TABLED ITEMS:

Nil

### BACKGROUND:

There exists an opportunity between the Town and the Shire to recognise the importance of an effective and meaningful working relationship for the benefit of both local government's sustainability and the wellbeing of their respective communities.

The prospect of placing a high value on mutual cooperation and to provide assistance to each other on issues of common interest and which may affect one or both local governments is an exciting visionary outlook for the industry in Western Australia.

### DETAILS:

In order to establish rules and guidelines in relation to formalising the relationship a MOU has been drafted by the Town's Principal Governance Advisor which outlines the following six (6) Principles:

#### Principles:

- Principle A: Embrace opportunity and strive for best practice;
- Principle B: Attract and retain quality staff and develop career opportunities;
- Principle C: Working together to foster engaged communities;
- Principle D: Increase local government capacity and improve community outcomes;
- Principle E: Reduce local government bureaucracy and streamline systems; and
- Principle F: Deliver open and transparent communication.

This MOU will enable each party to seek assistance from the other party to carry out their statutory obligations pursuant to the various laws, acts and regulations that are applicable to local government in order to provide excellent service delivery to their respective communities and enhance economic development and sustainability.

#### **Legal Compliance:**

There are no provisions in the *Local Government Act 1995* dealing with Local Governments entering into a MOU with each other.

This MOU is not a legal document or a formal instrument of contract. There is no legal recourse from the application or otherwise of MOU.

#### **Policy Implications:**

Nil

#### **Risk Management Considerations:**

If the Town enters into a MOU with the Shire the risk of either party not adhering to the conditions is low.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Compliance.</b> No noticeable or regulatory impact.	Low.	Likely.	Low.	This MOU becomes effective upon signature by the authorised officials from each party and will remain in effect until modified or terminated by either one of the parties.

#### **Strategic Plan Implications:**

CL10 Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

#### **Financial Implications:**

##### Internal Budget:

This MOU is not a commitment of one party providing funds to the other party.

##### Total Asset Management:

Nil

#### **Sustainability Assessment:**

##### External Economic Implications:

Nil

##### Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

This MOU sets forth the terms and conditions between the Town and the Shire to recognise the importance of an effective and meaningful working relationship for the benefit of both local government's sustainability and the wellbeing of their respective communities.

**CONCLUSION:**

The intent of the MOU is to provide a transparent and mutually agreed framework to assist with the ongoing relationship and communication between the parties. It is seen as a visionary approach between local governments to assist each other and share knowledge and the experience of their staff resources.

The Council of the Shire of Morawa at its meeting held on 17 May 2018 endorsed the MOU without any amendments.

**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:****That Council:**

1. **Endorses the Memorandum of Understanding (the MOU) between the Town of Victoria Park (the Town) and the Shire of Morawa (the Shire) attached to and forming part of this report;**
2. **Gives approval for the Mayor and the Chief Executive Officer to execute the MOU between the Town and the Shire attached to and forming part of this report.**
3. **Requests that the administration produce an annual report on the effectiveness, adherence (or any modifications to) and outcomes of the working relationship as outlined in the terms of this MOU.**

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**Memorandum of Understanding**

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## Memorandum of Understanding

Town of Victoria Park

and

Shire of Morawa

**1. Parties to the Memorandum of Understanding (the MOU):**

- (a) The Town of Victoria Park (the **Town**); and
- (b) The Shire of Morawa (the **Shire**).

**2. Intent:**

This MOU sets forth the terms and understanding between the Town and the Shire to recognise the importance of an effective and meaningful working relationship for the benefit of both local government's sustainability and the wellbeing of their respective communities.

The parties place a high value on mutual cooperation and to provide assistance to each other on issues of common interest and which may affect one or both of the parties.

**3. Principles:**

- Principle A: Embrace opportunity and strive for best practice;
- Principle B: Attract and retain quality staff and develop career opportunities;
- Principle C: Working together to foster engaged communities;
- Principle D: Increase local government capacity and improve community outcomes;
- Principle E: Reduce local government bureaucracy and streamline systems; and
- Principle F: Deliver open and transparent communication.

**4. Purpose:**

This MOU will enable each party to seek assistance from the other party to carry out their statutory obligations pursuant to the various laws, acts and regulations that are applicable to local government in order to provide excellent service delivery to their respective communities and enhance economic development and sustainability.

- (a) This assistance will be limited to providing advice only which may require employees from one of the parties to communicate by telephone, email or by a visit to the local government district of the other party.
- (b) Notwithstanding sub-clause 4.(a), payment at cost for the provision of a local government service supplied by one of the parties to the other party or for the service of an employee of one of the parties seconded to assist the other party may be mutually agreed by the respective Chief Executive Officers (the **CEO**) of each party.

The purpose of the MOU will be accomplished by one party undertaking the provision of local government services to the other party which is not limited to the following activities:

- (a) Financial management advice and assistance;
- (b) Economic development advice and assistance;
- (c) Statutory town planning advice and assistance;
- (d) Community development and social services advice and assistance;
- (e) Civil engineering technical advice and assistance;
- (f) Asset and facility management advice and assistance;
- (g) Governance advice and assistance;
- (h) Regulatory compliance advice and assistance with such matters as noise control, environmental health, waste disposal, animal control, bush fire control; parking of vehicles and other compliance services performed by local government rangers.

**5. Reporting**

A record by each party shall be maintained in order to undertake an annual evaluation of the effectiveness and adherence to the MOU which is to be a subject of a report from the respective CEO of each party to the council of the party where he or she is employed.

**6. Funding**

This MOU is not a commitment of one party providing funds to the other party.

**7. Not a legal document or contract**

This MOU cannot be implied as, or applied as a legal document or formal instrument of contract. The parties acknowledge and agree that no legal recourse can be sought from the application or otherwise of this document. The intent is to provide a transparent and mutually agreed framework to assist with the ongoing relationship and communication between the parties.

**8. Duration**

This MOU is at-will and may be modified by mutual consent of authorised officials from each party being the:

- (a) Mayor of the Town of Victoria Park;
- (b) CEO of the Town of Victoria Park;
- (c) Shire President of the Shire of Morawa; and
- (d) CEO of the Shire of Morawa.

This MOU shall become effective upon signature by the authorised officials from each party being the:

- (a) Mayor of the Town of Victoria Park;
- (b) CEO of the Town of Victoria Park;
- (c) Shire President of the Shire of Morawa; and
- (d) CEO of the Shire of Morawa.

and will remain in effect until modified or terminated by either one of the parties. In the absence of mutual agreement by the authorised official from either party being the:

- (a) CEO of the Town of Victoria Park; or
- (b) CEO of the Shire of Morawa.

This MOU shall end on \_\_\_\_\_ [insert Day, Month & Year].

**9. Contact Information****Town of Victoria Park**

**CEO:** Anthony Vuleta  
**Address:** 99 Shepperton Road, Victoria Park WA 6100  
**Postal address:** Locked Bag 437, Victoria Park WA 6979  
**Telephone:** 08 9311 8111  
**Fax:** 08 9311 8181  
**E-mail:** admin@vicpark.wa.gov.au

**Shire of Morawa**

**CEO:** Chris Linnell  
**Address:** 26 Winfield Street, Morawa WA 6623  
**Postal address:** PO Box 14, Morawa WA 6623  
**Telephone:** 08 9971 1204  
**Fax:** 08 9971 1284  
**E-mail:** admin@morawa.wa.gov.au

**10. Execution of the MOU**

On this \_\_\_\_\_ [insert Day & Month] 2018 the duly responsible signatories representing the parties hereby endorse and give effect to this Memorandum of Understanding.

\_\_\_\_\_  
Mayor  
Trevor Vaughan  
Town of Victoria Park

\_\_\_\_\_  
Anthony Vuleta  
Chief Executive Officer  
Town of Victoria Park

\_\_\_\_\_  
Shire President  
Karen Chappel  
Shire of Morawa

\_\_\_\_\_  
Chris Linnell  
Chief Executive Officer  
Shire of Morawa



## 14.5 Recommendation from the Finance and Audit Committee - WALGA 2018 Annual General Meeting – Appointment of Delegates

<b>File Reference:</b>	COR/9/10
<b>Appendices:</b>	No
<b>Attachments:</b>	Yes

<b>Date:</b>	9 May 2018
<b>Reporting Officer:</b>	R. Fishwick
<b>Responsible Officer:</b>	A. Vuleta
<b>Voting Requirement:</b>	Simple majority

**Executive Summary:**

**Recommendation – That Council appoints voting delegates for the 2018 Annual General Meeting of the Western Australian Local Government Association (WALGA) to be held on Wednesday 1 August 2018.**

- The WALGA Annual General Meeting is to be held on Wednesday 1 August 2018;
- The Town can nominate two Elected Members as voting delegates; and
- Consideration be given to nominating voting and proxy delegates.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

The Annual General Meeting of WALGA is traditionally held during the WA Local Government Convention at the Perth Convention and Exhibition Centre. The majority of local governments in the State have representatives attending.

The 2018 WALGA Annual General Meeting will be held on Wednesday 1 August 2018.

**DETAILS:**

Voting delegates

In order to participate in voting on matters received at the Annual General Meeting, each member Council must register its voting delegates by 2 July 2018. Pursuant to the WALGA constitution, all member Councils are entitled to be represented by two voting delegates. Voting delegates may be either Elected Members or serving officers. Proxy voting is available where the Council's appointed representatives are unable to attend.

The Council at its Special Council Meeting held on 23 October 2017, appointed the following Elected Members to represent the Town on the WALGA South Eastern Metropolitan Zone:

**Members**

Cr Bronwyn Ife  
Cr Brian Oliver

**Deputies**

Cr Karen Vernon (first alternative member).  
Cr Ronhhda Potter (second alternative member).

Cr Brian Oliver also represents the WALGA South Eastern Metropolitan Zone on the State Council of WALGA.

**Legal Compliance:**

There are no provisions in the *Local Government Act 1995* dealing with the WALGA Annual General Meeting (AGM). The AGM is governed by WALGA's constitution.

**Policy Implications:**

Policy "EM5 Conference Expenses – Elected Members" states inter alia that:

"The Mayor shall be entitled to attend the Annual Western Australian Local Government Association (WALGA) conference.

The two (2) Elected Members representing the Town on the South Eastern Metropolitan Zone of WALGA shall be entitled to attend the Annual WALGA conference."

There is no policy dealing with nominating voting and proxy delegates to represent the Town at the WALGA Annual General Meeting.

**Risk Management Considerations:**

If the Town does not submit its voting members, it will not be able to vote on the matters to be debated as part of the Annual General Meeting of WALGA.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Compliance.</b> No noticeable or regulatory impact.	Low.	Likely.	Low.	Council nominates two Elected Members as voting delegates to represent the Town at WALGA's AGM.

**Strategic Plan Implications:**

CL10 Legislative responsibilities are resourced and managed appropriately, diligently and equitably.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Nil

**Sustainability Assessment:**

External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil



Environmental Issues:

Nil

**COMMENT:**

The South Eastern Metropolitan Zone Committee of WALGA, consisting of two Elected Member representatives from each of the Cities of Armadale, Canning, Gosnells, South Perth and the Town of Victoria Park is the main link the Town has in considering matters relating to WALGA activities. The South Eastern Metropolitan Zone is entitled to three members on WALGA's State Council and as mentioned previously, Cr Brian Oliver has been appointed as a WALGA State Councillor.

**CONCLUSION:**

It is considered prudent to designate two voting delegates for the 2018 Annual General Meeting of WALGA to ensure the Town is represented and is able to vote on matters affecting the Town and the broader local government sector, noting that Crs Ife and Oliver represent the Town on WALGA's South Eastern Metropolitan Zone.

**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:**

That Council nominates:

1. Two voting delegates being Mayor Trevor Vaughan and Deputy Mayor Vicki Potter for the 2018 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 1 August 2018 at the Perth Convention and Exhibition Centre; and
2. Two proxy voting delegates being Cr Brian Oliver and Cr Bronwyn Ife for the 2018 Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 1 August 2018 at the Perth Convention and Exhibition Centre in the event that Council's appointed representatives in clause 1. above are unable to attend.

## 14.6 Recommendation from Finance and Audit Committee – Endorsement of Taylor Reserve and McCallum Park River Edge Detailed Design

<b>File Reference:</b>	GOR/15/0013~07; ENV/10/0001
<b>Appendices:</b>	Yes
<b>Attachments:</b>	No

<b>Date:</b>	18 May 2018
<b>Reporting Officer:</b>	B. Nock
<b>Responsible Officer:</b>	B. Killigrew
<b>Voting Requirement:</b>	Absolute Majority

### **Executive Summary:**

**Recommendation – That Council endorses the Taylor Reserve and McCallum Park River Edge Detailed Design and accepts the Department of Biodiversity, Conservation and Attractions' Riverbank funding for the 2018/2019 financial year totalling \$304,000 for Stage 1 River Edge Works for McCallum Park and Taylor Reserve.**

- The Town, in consultation with the community, State Government agencies and other stakeholders, developed the Taylor Reserve and McCallum Park Concept Design which was endorsed by Council in March 2018.
- Building on the Concept Design, the Town has progressed the next element of the design project, which is the detailed design for the river edge treatment.
- It is recommended that Council endorses the Taylor Reserve and McCallum Park River Edge Detailed Design and supports the commencement of Stage 1 river edge works in 2018/19.
- In May 2018 the Town developed a potential Collaborative Arrangement with the Department of Biodiversity, Conservation and Attractions for the implementation of Stage 1 river edge works.
- Within the proposed Collaborative Arrangement, the Town has received confirmation that the Department of Biodiversity, Conservation and Attraction will match the municipal funded amount for the Taylor Reserve and McCallum Park River Edge project. The available budget remaining for this project this financial year is \$304,000.
- It is recommended that Council accepts the Department of Biodiversity, Conservation and Attractions grant funding of \$304,000 and increases the capital expenditure for this project in 2018-19 to a total of \$608,000 by carrying forward the existing 2017-18 budget of \$304,000 and allocating another \$304,000 within the 2018-2019 Budget as a new capital works initiative.

### **TABLED ITEMS:**

Nil.

### **BACKGROUND:**

The Town of Victoria Park's connection to the river by land places a special need on management of water quality, vegetation, fauna and physical access to the foreshore, to enhance community benefit.

In 2015, the Town of Victoria Park ('the Town') developed a Foreshore Access and Management Plan, which provided a framework to take a coordinated and consistent approach to foreshore management in the Town. It aims to improve the environmental, recreational and aesthetic amenity of the asset, as well as improve accessibility for the community.

McCallum Park/Taylor Reserve is identified as a priority management site, according to the Swan River Trust (2008) *Swan and Canning Rivers Foreshore Assessment and Management Strategy – Riverbanks and Shorelines* ('FAMS').

After successfully obtaining \$32,750 assistance funding through the Department of Biodiversity, Conservation and Attractions' (DBCA) Riverbank Grants Scheme and entering into an associated Collaborative Arrangement, and working in accordance with the Town's Foreshore Access and Management Plan, the Town progressed design for one of our major foreshore areas, Taylor Reserve and McCallum Park Concept Plan.

More specifically, the design project comprised two components:

1. Conceptual design of the entire site (Concept Plan); and
2. Detailed design for the river edge treatments.

Following significant community consultation and subsequent revisions of the Concept Plan, in March 2018 it was endorsed by Council.

Building on the Concept Plan, the Town has since progressed the next element of the design project, which is detailed design for the river edge treatments.

#### **DETAILS:**

The remediation and environmental enhancement of the river edge detailed design is a key outcome, providing good opportunities for public education and interaction with the river.

The cycle and footpath network provide access to the river edge and a barrier between the grassed areas and areas where native re-vegetation is occurring. Importantly the upgrade of the edge has allowed the design to enable user interaction with the river environment.

River edge treatments include the following:

- Native edge – gentle grading to the river edge and reintroduction of native plantings and treatments. To ensure erosion is not an issue these areas will include boulders to the river edge to stop wave action eroding the edging;
- Seating nodes and pause points – there are several areas that have been selected as reflective and passive gathering spaces within the areas adjacent the river. These areas provide opportunity for users to reflect within a more intimate setting. Educational and interpretive signage is proposed within these areas to describe the history of the site (indigenous and European), and provide information on the native flora and fauna. Selected areas within the planting zones allow informal access to the river edge over cap rock boulders.

Provided at the end of Taylor Street is a pedestrian gathering node. This will be installed as a headland as part of the initial works with decking installed at a later date. The viewing platform look toward Harrison Island with the city in the background and provides a unique gathering space. As part of the longer-term plan for the site, this nodes is identified as a potential food and beverage venue coupled with a jetty and potential Transperth Ferry stop opening up access to the overall site by ferry traffic. Feature seating in these areas draws on the themes and forms within the South Perth upgrades, strengthening the parks connection to the greater river area; and

- The beach and headlands – the beach and headland areas form part of the Activity Hub and provide direct universal access to the river. However, the beach will form part of a later stage.

Details of Stage 1 river edge works are detailed in the Attachment forming part of this report.

### Future Implementation

The detailed design for the river edge provide the basis for on-ground works, according to best practice principles. It also provides a mechanism for the Town to seek potential funding partners to enable on-ground implementation.

Pending Council endorsement of the river edge detailed design, a potential Collaborative Arrangement has been established between the Town and the DBCA. This Collaborative Arrangement states that the DBCA will match the municipal funded amount for the Taylor Reserve and McCallum Park River Edge project. The budget remaining for this project is \$304,000.

This will include necessary site environmental investigations, followed by implementation of the Stage 1.

The proposed works schedule is detailed below:

Milestone	Completion date
Apply for DBCA approval	31 August 2018
Aboriginal consultation and apply for S18 approval	30 September 2018
Environmental investigations (ASS, contaminants)	30 September 2018
Construction preliminaries including construction tender	30 November 2018
Demolish and dispose of existing river wall to extents required for construction	31 December 2018
Natural Edge Section A Regrade foreshore interface, supply & place geotextile or coir, supply and place limestone armour rock. Including toe, crowning and landscaping rock.	31 March 2019
Planting, including mulch & fertiliser	30 April 2019

The proposed Collaborative Arrangement is detailed in the Attachment that forms part of this report.

The Town is seeking Council endorsement of the Taylor Reserve and McCallum Park River Edge Detailed Design; approval of the Collaborative Arrangement with DBCA and support for the commencement Stage 1 river edge works.

The Town is also seeking that Council accepts the DBCA grant funding of \$304,000 and increases the capital expenditure to a total of \$608,000 by carrying forward the existing budget and allocating \$304,000 within the 2018-2019 Budget as a new capital initiative to reflect the Municipal funded amount and grant funded amount for this project.

**Legal Compliance:**

Nil

**Policy Implications:**

Nil

**Risk management considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<p>As the river edge treatment are developed, some of the elements may necessitate some alteration and therefore may differ from what is outlined in the Detailed Design.</p> <p>The consequence is that the final works may not match all expectations, which may cause some community concern.</p>	Medium	Likely	High	Community will be consulted during the works process, in an effort not only to keep everyone informed, but also to ensure that all concerns are understood and addressed.

With the time taken to commence the river edge treatments, there is a risk that the community may become disengaged and lose ownership.	High	Low	Medium	Community will be kept informed of the works process.  DBCA support funding will be sought annually to supplement the Town's contribution to maximise the staged works that that can be achieved.
Inadequate progress	High	Low	Medium	Regular meetings between the Town, DBCA and the works contractor will be used to monitor activity and ensure adequate project progress against project schedule.

### Strategic Plan Implications:

At the time of commencing this project, the existing Town of Victoria Park Strategic Community Plan identified the need to develop a Foreshore Access and Management Plan under the key action area Provision of high standard parks and natural areas that are safe, clean and attractive, namely:

#### Town Greening Plan

Including the Foreshore Access and Management Plan, McCallum Park Master Plan including Taylor St Café/Restaurant, GO Edwards Park Concept Plan.

In 2017, under the Town's new Strategic Community Plan 2017 – 2032, the subsequent McCallum Park Foreshore Design project aligns with the following Mission statements:

- Social: To promote sustainable, connected, safe and diverse places for everyone.
  - Strategic Outcomes S1 (A Healthy Community); S3 (An empowered community with a sense of pride, safety and belonging).
- Economic: To promote sustainable, diverse, resilient and prosperous places for everyone.
  - Strategic Outcomes EC1 (A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship); EC 2 (A clean, safe and accessible place to visit).

- Environment: To promote sustainable, connected, safe and diverse places for everyone.
  - Strategic Outcomes EN6 (Appropriate, inviting and sustainable green spaces for everyone that are well maintained and managed); EN7 (Increased vegetation and tree canopy).

### **Financial Implications:**

#### Internal Budget:

Under the proposed Collaborative Arrangement with the DBCA, implementation of the Taylor Reserve and McCallum Park Stage 1 river edge treatments will require the following contributions:

<b>Funding Partner</b>	<b>Contributing amount</b>
Department of Biodiversity Conservation and Attractions grant funding	<b>\$304,000</b>
Town of Victoria Park	<b>\$304,000</b>

Should Council approve of the Stage 1 works and the grant funding from DBCA, the Town's contribution of \$304,000 is under existing project Work Order 1741 McCallum Park Foreshore Riverwall. Currently the Town has \$318,281 under this Work Order.

For the DBCA grant contribution, \$304,000 will be allocated as revenue to the Work Order 1741.

#### Total Asset Management:

The development of the river edge detailed design will help guide asset management decisions relating to the river foreshore along McCallum Park/Taylor Reserve and prevent/limit interim expenditure of failing infrastructure.

During the summer months, the revegetation works will require watering during the first two years of establishment. Under existing street tree and revegetation watering services, this is typically over a 14 week period each year.

Current pricing per watering is \$709.13/1,000 sq. meters.

Under these estimates, the cost annually would equate to \$19,855.64, or \$39,711.28 over the two year establishment period.

It is anticipated that weeding will be undertaken as part of existing maintenance by the Parks team.

The limestone armour rock will not require any ongoing maintenance.

### **Sustainability Assessment:**

#### External Economic Implications:

Nil

#### Social Issues:

The Town's connection to the river by land places a special need on management of water quality, vegetation, fauna and physical access to the foreshore, to enhance community benefit.

In accordance with the Town's *Foreshore Access and Management Plan*, the McCallum Park and Taylor Reserve River Edge Detailed Design, together with the greater site Concept Plan), together with Stage 1 river edge works will ensure that the foreshore asset is enhanced environmentally, aesthetically and with regards to community access and enjoyment.

The Town needs to be cognisant of existing users of the river, such as the WA Water Ski Association and Disabled Water Ski Club. These clubs are key user groups and, acknowledging this, the Town has engaged with these clubs during the design process and will continue to do so going forward into river edge works.

Cultural Issues:

The Taylor Reserve and McCallum Park Stage 1 works provides Opportunity for the Town's community to connect with its river.

Environmental Issues:

The remediation and environmental enhancement of the river edge detailed design is a key outcome, providing good opportunities for public education and interaction with the river.

River edge treatment will focus on the need for river access, coupled with shoreline stabilisation and habitat creation for wildlife. This includes:

- Repair or replacement of river walls where erosion has caused damage to the bank and existing infrastructure;
- Reintroduction of native plantings and treatments. Fringing vegetation including dense sedge plantings where possible in front of walling; and
- Continuity with upstream (Burswood) and downstream (South Perth) foreshores.

**COMMENT:**

For the future implementation of the Taylor Reserve and McCallum Park detailed design, it is anticipated that support funding will be sought through the DBCA's Riverbank funding program.

Detailed costings for on-ground project implementation are yet to be obtained.

**CONCLUSION:**

With the completion of the Taylor Reserve and McCallum Park Conceptual Design and the River Edge Detailed Design and with Council's support, the Town can commence the stage 1 works on the river edge. This will address priority shoreline stabilisation and foreshore access issues which have been identified as one of the major infrastructure renewal projects of the Town.



**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:****That Council:**

- 1. Endorses the Taylor Reserve and McCallum Park River Edge Detailed Design, as contained within the Appendices, that forms part of this report;**
- 2. Approves the commencement of Stage 1 River Edge Works for McCallum Park and Taylor Reserve and McCallum Park;**
- 3. Accepts the Department of Biodiversity, Conservation and Attractions' Riverbank funding for the 2018/2019 financial year totalling \$304,000 for Stage 1 River Edge Works for McCallum Park and Taylor Reserve;**
- 4. By an Absolute Majority, pursuant to Section 6.8 of the *Local Government Act 1995* authorises the reallocation of \$304,000 in the Work Order number WO 1741 of the current financial year to a new Work Order number which will be created next financial year.**

**(Absolute Majority required)**

## 14.7 Recommendation from the Finance and Audit Committee - Land Asset Optimisation Strategy - 12 Lathlain Place, Lathlain Divestment

<b>File Reference:</b>	CUP/10/0001
<b>Appendices:</b>	No
<b>Attachments:</b>	Yes

<b>Date:</b>	23 May 2018
<b>Reporting Officer:</b>	J. Morellini
<b>Responsible Officer:</b>	B. Killigrew
<b>Voting Requirement:</b>	Simple majority

### Executive Summary:

**Recommendation – That Council authorise the sale of lot 59, 12 Lathlain Place, Lathlain, to Palmgate Nominees Pt Ltd for consideration of \$1,100,000 plus GST.**

- A valuation by a licensed valuer was procured for Lot 59 12 Lathlain Place, Lathlain. With the resulting highest offer being above valuation.
- In accordance with section 3.58 of the *Local Government Act 1995* for private treaty sale, the Town commenced a formal marketing campaign to invite offers, with a submission period.
- A business case for 12 Lathlain Place, Lathlain was completed in line with Council Policy GEN7 Strategic Management of Land and Property Asset and with reference to the Land Asset Optimisation Strategy September 2013, Council's Strategic Community Plan and Long Term Financial Plan.
- The business case was approved by Council on the 10<sup>th</sup> October 2017 with recommendation to divest 12 Lathlain Place.

### TABLED ITEMS:

Nil

### BACKGROUND:

At its Ordinary Meeting held 10 October 2017, Council approved, pursuant to Section 3.58 of the *Local Government Act 1995* to commence the process for the divestment of Lot 59, 12 Lathlain Place, Lathlain.

The Land Asset Optimisation Strategy is a priority project for the Town of Victoria Park that will deliver revenue diversification and act as a catalyst for regeneration or redevelopment of the Town's land assets.

A Land Asset Optimisation Strategy Project Plan was received and endorsed by the Finance and Audit Committee in March 2017. The Project Plan highlighted the main priority projects with 12 Lathlain Place, Lathlain being included on that list.

A Business Case for 12 Lathlain was developed for Council to consider, which systematically addressed the strategic objectives of the Land Asset Optimisation Strategy. The Business Case explored development, joint ventures, community facilities, re-investment of funds and / or disposal potential for the subject property 12 Lathlain Place. The recommendation to

sell the property aligned with the Land Asset Optimisation Strategy's strategic intent, which is to utilise the Town's existing land and property assets to create an alternate revenue stream for the Town, thus promoting financial diversification and sustainability.

The Council endorsed the recommendation of the Business Case to divest and undertake a formal marketing and sales campaign in line with section 3.58 of the *Local Government Act*.

### DETAILS:

Lot 59 (No. 12) Lathlain Place, Lathlain is a 1098m<sup>2</sup> vacant corner lot zoned Residential R40 in the Town of Victoria Park Town Planning Scheme No.1 and is owned in fee simple by the Town of Victoria Park. The subject site is located in the suburb of Lathlain, which is approximately 5km from the Perth Central Business District.

### Site Details



Land Area	1098m <sup>2</sup>
Dimensions	<p>Regular shaped corner site, with a curved truncation and the following dimensions:</p> <ul style="list-style-type: none"> <li>▪ Lathlain Place Frontage – 18.1m</li> <li>▪ Curved truncation – 15.82m</li> <li>▪ Howick Street Frontage – 30.25m</li> <li>▪ Rear/NE – 26.57m</li> <li>▪ Side/S – 40.23m</li> </ul>
Access	<ul style="list-style-type: none"> <li>▪ Dual frontage to Lathlain Place and Howick Street.</li> <li>▪ Vehicular access from Howick Street.</li> </ul>
Contours	The site is level and ready to build.

**Title Details**

Plan/Diagram	6215
Vol / Folio	1763 / 469
Registered Owner	Town of Victoria Park
Encumbrances	Nil.

**Town Planning**

Local Authority	Town of Victoria Park
Zoning	Residential R40
Plot Ratio	0.6
Permitted Uses	<ul style="list-style-type: none"> <li>▪ Home Office</li> <li>▪ Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling</li> </ul>
Development Approvals	Nil.

**Existing**

Improvements	Vacant land.
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**Legal Compliance:**

Any disposition of Council owned land, either by lease or sale, has to be carried out in accordance with Section 3.58 of the *Local Government Act 1995*, which states:

*“3.58. Disposing of property*

*(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

*(a) it gives local public notice of the proposed disposition —*

*(i) describing the property concerned;*

*(ii) giving details of the proposed disposition; and*

*(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

*and*

*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

*(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include:*

*(a) the names of all other parties concerned;*

*(b) the consideration to be received by the local government for the disposition; and*

*(c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.”*

The requirements for Local Public Notice are contained in Section 1.7 of the *Local Government Act 1995* as follows:

*“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;*
- (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.”*

The sales process undertaken for 12 Lathlain Place included the following marketing campaign:

- Press release – free editorial coverage with aerial photo;
- Press advertising x 2 – The West Australian (broad based);
- Press advertising – The Southern Gazette (local publication);
- LinkedIn distribution;
- 10” x 8” signboard installed;
- Information memorandum – see attached;
- Mass E-Brochure distribution;
- Direct targeting;
- Offer document; and
- Multiple website representation – see below links.

This property was represented on all the most dominant websites featuring land and development sites as shown below:

- Realestate.com 1 ... <https://www.realestate.com.au/property-residential+land-wa-lathlain-202069290>;
- Realestate.com 2 ... <https://www.realestate.com.au/property/12-lathlain-pl-lathlain-wa-6100>;
- Commercialrealestate.com ... <https://www.commercialrealestate.com.au/property/12-lathlain-place-lathlain-wa-6100-2014274958>; and
- Realcommercial.com ... <https://www.realcommercial.com.au/property-land+development-wa-lathlain-502761106>.

A local public notice was provided in the West Australian on 2 May 2018 with the submission period closing 17 May 2018. Submissions from the community have been received and are attached to and forming part of this report with the corresponding response.

A specific sales contract with outcome controls was developed for the 12 Lathlain Place. These controls were developed to discourage land banking and to achieve an outcome on the land in due time. Without contractual controls the opportunity existed for a buyer to build single storey villas, this would have been an inappropriate use of this specific land holding. A two storey requirement was created as a condition of sale.

The main specific contractual controls were as follows:

1. No single storey development can be undertaken; and
2. Development Application (DA) to be lodged within 9 months of settlement ; and
3. Substantial Commencement of development within 24 months; and
4. Practical Completion of the development within 36 months.

### **Policy Implications:**

At its Ordinary Meeting held 8 October 2013, Council resolved:

1. *The Land Asset Optimisation Strategy dated September 2013 prepared on behalf of the Town of Victoria Park by Hester Property Solutions Pty Ltd be acknowledged; and*
2. *Any proposal in respect to Council owned or controlled property will be considered by Council on a case by case basis, with reference to the Land Asset Optimisation Strategy September 2013, Council's Strategic Community Plan and Long Term Financial Plan.*

The development of the 12 Lathlain Place, Lathlain business case was undertaken in line with Council Policy GEN7 Strategic Management of Land and Property Assets.

### **Risk Management Considerations:**

The risk identification and categorisation below relies on the Town's Risk Assessment and Acceptance Criteria.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Community and Political</b>				
Negative community support for the sale.	High	Possible	Major	Community response and engagement process/Sale to conform to Section 3.58 of the <i>Local Government Act 1995</i> .
<b>Planning and Environmental</b>				
Purchaser not adhering to council planning and environment requirements.	Moderate	Unlikely	Moderate	Council enforcement of policy/Officer to enforce Council planning and environmental requirements.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
Development of Villas and not Apartments	Moderate	Possible	Moderate	Contractual requirement/Engage a legal practitioner to provide advice on contractual ability to have the purchaser deliver apartments.
<b>Environmental Impact and Sustainability</b>				
Contamination	Low	Possible	Low	Council process/Enforcement of Council contamination requirements.
Non sustainable development outcome	Moderate	Possible	Moderate	BCA sustainability requirements/Council building approvals process.
<b>Financial and Economic</b>				
Forecasted Sales revenue not achieved	Moderate	Unlikely	Low	Procure Valuation if not in line with Business Case findings opportunity to re asses/Procurement of independent Valuation.

**Strategic Plan Implications:**

The Land Asset Optimisation Strategy and the divestment of 12 Lathlain Place aligns with strategic outcomes EN1, CL3, CL6 and CL8 in the Strategic Community Plan.

EN1 – Land use planning that puts people first in urban design, allows for different housing options for people with different housing needs and enhances the town's character.

CL3 – Well thought out and managed projects that are delivered successfully.

CL6 – Finances are managed appropriately sustainably and transparently for the benefit of the community.

CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision-making.

**Financial Implications:**Internal Budget:

Sale of Lot 59, 12 Lathlain Place, Lathlain will provide revenue of \$1,100,000 ex GST to the Town. The proceeds of the sale will be placed into the Land Asset Optimisation reserve fund.

**Total Asset Management:**

The subject site will no longer require maintenance by the Town if sold.

**Sustainability Assessment:****External Economic Implications:**

The proposed sale of 12 Lathlain Place, Lathlain will result in an initial cash injected for the Town available for potential reinvestment.

The site is also able to accommodate up to 10 new rate paying residential properties, generating additional ongoing revenue of approximately \$13,000 per annum for the Town.

**Social Issues:**

12 Lathan Place, Lathlain is currently a vacant allotment.

**Cultural Issues:**

Nil

**Environmental Issues:**

Nil

**COMMENT:**

The sale process undertaken to deliver the Council endorsed recommendation of the Business Case was in line with Section 3.58 of the *Local Government Act 1995* and had independent legal oversight. A public notice was provide and a public submission period was open from 2 May 2018 to 17 May 2018.

**Submissions received:**

During the Public Notice period, 12 submissions were received. These are contained within this report with a response provided.

This report is seeking approval for the Mayor and Chief Executive Officer to be authorised to execute the contract of sale between the Town of Victoria Park and Palmgate Nominees Pty Ltd.

**ADDITIONAL COMMENTS**

The Town has also contracted restrictions on disposal and has the option to re-purchase the land unencumbered for the purchase price less any costs.

**CONCLUSION:**

It is recommended that Council authorise the sale of Lot 59, 12 Lathlain Place, Lathlain by private treaty to Palmgate Nominees Pty Ltd.



**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:**

- 1. That Council authorises the sale of lot 59, 12 Lathlain Place, Lathlain, to Palmgate Nominees Pt Ltd for consideration of \$1,100,000 plus GST subject to:**
  - 1.1 Conditions of the sale:**
    - 1.1.1 No single storey development can be undertaken; and**
    - 1.1.2 Development Application (DA) to be lodged within 9 months of settlement ; and**
    - 1.1.3 Substantial Commencement of development within 24 months; and**
    - 1.1.4 Practical Completion of the development within 36 months.**
- 2 All proceeds from the sale of Lot 59, 12 Lathlain Place, Lathlain, be placed in the Land Asset Reserve Fund.**
- 3 The Mayor and the Chief Executive Officer be authorised to execute all necessary documentation to effect the sale of Lot 59, 12 Lathlain Place, Lathlain, to Palmgate Nominees Pty Ltd.**

Attachment 1: Submissions received						
Date of contribution	Full name	What is your interest in this matter? (select all that apply)	What is your interest in this matter?	What is your position in relation to the proposal?	Please provide any comments or concerns you wish to raise in the box below	Officer response
May 03 18 09:41:07 am	Jenny Beer	Property owner-occupier, Local resident (non-property owner)		I do not wish to state a position, however I have some comments or concerns I wish to raise	Lathlain Place has become the hub of our community. With community centre, scouts hall, Rayment Park, 2 cafes, hairdresser and shop on the strip, there is opportunity to continue this development of our community by including some form of fresh provisions/delicatessen store, in particular as Carlisle IGA will be shutting down. I would like to see the zoning of this area changed to included options for a convenience store of this nature or to include another shop space, restaurant or even small bar. This is something I believe our Lathlain Community would love to have and I request you consider these ideas moving forward.	The land use requested is commercial and is not an approved use under residential zoning.

May 17 18 02:59:16 pm	Luana Lisandro	Property owner- occupier		I object to the proposal	<p>Dear Mr Vuleta,</p> <p>RE: Proposed Sale of Lot 59, 12 Lathlain Place WA 6100</p> <p>As a resident, I wish to raise the following areas of concern in relation to the proposed sale of 12 Lathlain Place, LATHLAIN WA 6100:</p> <p>1. The Town has stated on 'Your Thoughts' that the minimum and maximum heights of the proposed built form for 12 Lathlain Place will be two storeys. This will have a direct impact on the 54 PV Solar Panels and Solar Generation at the Keith Hayes Community Centre adjacent at 6 Lathlain Place as well the building's hot water system which would be severely overshadowed by an adjoining two storey development. The PV Solar Panels and System was installed at the Keith Hayes Community Centre after much advocacy work by Cr Keith Hayes and is a significant investment by the Town to create an energy</p>	<p>1. No, there was no specific consideration to solar access for the Keith Hayes Community building as part of the land sale process for No. 12 Lathlain Place. The two storey height limit applicable to No. 12 Lathlain Place has been in place for some time, and well before approval of the Keith Hayes Community Building. The Residential Design Codes (R-Codes) do contain deemed-to-comply provisions limiting the extent to which a proposed development can overshadow an adjoining property (ie. a maximum percentage of the adjoining lot). If a development meets this deemed-to-comply provision then the development is</p>
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					<p>efficient building, and if 12 Lathlain Place remains a minimum and maximum height of two storeys then it would impact on future return on this investment to the Town and as well as impact the tenants at 6 Lathlain Place.</p> <p>The Town should seek to address overshadowing by ensuring the development is a single storey development so it is in keeping with the predominately R20 single storey character of Lathlain and surrounding commercial nature of the businesses located at Lathlain Place.</p> <p>2. Historically, 12 Lathlain Place was zoned 'Civic/Community Use' and the rezoning to R40 residential occurred around the beginning of 2013. This rezoning was undertaken as the community group stakeholders (playgroup/toy library/scouts) were to be relocated into Lathlain Park. Prior to this rezoning the land at 2 to 12 Lathlain Place was zoned "Civic Community Use" for many years. Lathlain Place was intended to be a civic centre and heart of Lathlain and 2 to 12 for</p>	<p>compliant. However if a development exceeds the deemed-to-comply provision, then the proposal needs to be assessed against the design principles contained in the R-Codes, which includes consideration of shadowing of solar collectors.</p> <p>2. Whilst rezoning was premised upon the relocation of the community groups to Lathlain Park, and while that has not occurred, most of the community Groups have now been re-housed within the new Community Building, and an alternative use such as residential is considered appropriate . 3. Is it not a valid reason to withhold a process to wait for something in draft such as the Design WA guidelines. The R codes already provide for solar/over shadowing. 4. The</p>
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					<p>community use. After the rezoning to R40 in early 2013, the West Coast Eagles (WCE) entered into negotiations with the Town for the Land Transaction Deal for Lathlain Park in December of 2013 this necessitated changes that required the community stakeholders to remain at Lathlain Place allowing for a second oval and administration building to be built for the WCE at Lathlain Park. Again, Cr Keith Hayes presented a private motion to rescind the relocation of the community groups onto Lathlain Park and back to Lathlain Place. Therefore, the rezoning of 2 to 12 Lathlain Place should not have occurred and 2 to 12 Lathlain Place should have remained for civic community use.</p> <p>3. As Design WA is drafting new guidelines and new R-Codes are being reviewed. Hence, the Town should wait on any sale of 12 Lathlain Place to allow for future applications and developments of this site to be guided by these changes as well as formulating its own "Solar Access Policy".</p>	<p>sale was above valuation and a strong value in the current market. 5. This will be assessed when the Development Application is lodged. 6. This will be assessed when the Development Application is lodged. G4</p>
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					<p>4. Current market values are depressed and hence any sale would not maximise a return for the Town. Therefore, the Town should wait until there is the potential for an increased price on the sale.</p> <p>5. According to the Town Planning Scheme No. 1 Lathlain Precinct P7 Map it states the following:</p> <p>“Single houses with some ‘infill’ housing will occupy the majority of this precinct, in line with the R-codes R20 standards. The retention of structurally sound housing and the promotion of selective redevelopment in line with existing styles.”</p> <p>A potential 10 unit residential development is not in keeping with the predominate R20 character of Lathlain.</p> <p>In the P7 Residential Development Standards it states:</p> <p>“Priority will be given to ensuring that new development, particularly at higher densities,</p>	
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					<p>does not result in the undue loss of privacy or amenity for existing residents.”</p> <p>Given the council is prescribing a two storey development at 12 Lathlain Place this will directly impact on the amenity and privacy of adjoining property owners. Again, solar access is an amenity which will be impacted specifically at 6 Lathlain Place as well as privacy of those using the common area playground.</p> <p>6. Also, a residential R40 development with possibly 10 units at 12 Lathlain Place will further impact on the parking at Lathlain Place and surrounding streets.</p> <p>Therefore, I urge the council and councillors to consider these issues and reject the proposed sale of 12 Lathlain Place until these issues can be addressed. Hence, I object to the proposed sale of 12 Lathlain Place, LATHLAIN WA 6100.</p> <p>Yours sincerely, Ms Luana Lisandro</p>	
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May 03 18 02:19:01 pm	Michael Gottschalk	Other (please specify):	Run a business in the ToVP and would like to have this facility nearby for our staff to use	I support the proposal	Keenly encourage development as proposed. According to Facebook, a Studio 64 facility is under consideration. If it is anything like the facility that they run in South Perth, it will be a wonderful asset for the Lathlain precinct region	No Development Application has been lodged as yet.
May 04 18 08:57:54 pm	Bevan Clark	Property owner (different residential address)		I object to the proposal	This was zoned for community use, the same as the scout hall. This is a loss to the community. I can't quite work out how it is in the community's interest to sell the community assets for more residential housing. All you need is one group of myopic council management and councillors for the community assets to be sold forever. As a community member and ratepayer I do not want the Council to re-zone and sell the community's assets for any amount of money.	This is a position not a question. Noted.
May 16 18 08:57:56 pm	Adam Limbert	Local resident (non-property owner)		I do not wish to state a position, however I have some comments or concerns I wish to raise	With the loss of the IGA in Carlisle, there are no small deli's or supermarkets in Lathlain. I would prefer to see this land used as a deli, small shop or cafe, or something that will add to the surrounding commercial strip. There are a lot of daycare centres around already. Not sure we need another right next to a playgroup.	No Development Application has been lodged as yet.



May 02 18 12:20:30 pm	Elise Keeley	Property owner (different residential address)		I do not wish to state a position, however I have some comments or concerns I wish to raise	I would like an IGA or other service here which will benefit the community.	This is not an allowable use under the current zoning.
May 03 18 01:52:01 pm	Paul Fiore	Other (please specify):	Studio 64 user	I support the proposal	I often have lunch in Lathlain place as I work in Burswood. I currently use Studio 64 in South Perth, it would be great to have another one around the corner.	No Development Application has been lodged as yet.
May 06 18 10:33:33 pm	Keith Hayes	Property owner-occupier		I support the proposal	<p>To have received an offer for purchase which is above the valuation of the land is favourably unexpected in this economic climate, subsequently I would support unconditionally accepting the offer as presented.</p> <p>I propose that the funds received from the sale should be placed in the future projects reserve. These funds should the be used to advance construction work within zone 2 and 2 x of the Lathlain precinct redevelopment.</p>	Noted.

May 17 18 02:02:50 pm	Breanna Young	Property owner-occupier, Other (please specify):	President, Lathlain Playgroup, tenant in Keith Hayes Community Centre	I do not wish to state a position, however I have some comments or concerns I wish to raise	<p>I am aware there have been plans to have high rise residential buildings as part of the Lathlain redevelopment precinct. We respect the Town's position as part of its Land Asset Optimisation Program to maximise revenue for the Town. A residential development is not ideal to neighbour a playgroup but we accept this is the zoning and the authority of the Council to act accordingly.</p> <p>We would like the following to be considered as part of the proposed plan, noting it is difficult to make a complete submission without any specific detail of the intention for the property.</p> <p>To provide an overview of the Lathlain Playgroup, we make significant use of the Keith Hayes Community Centre, with ten sessions per week of up to 15 families in each session, and children's parties and other playgroup events held on some weekends. We typically have approximately 100-120 families each year. We feel we make a significant contribution to the vibrancy and utilisation of the Lathlain Precinct. We operate</p>	Note your existing use of the adjoining council owned property. Approval will be managed through normal Council processes for any Development Application which will address parking, over shadowing, and adjoining owner consent. Your other questions relate to specific use of your property which you can contact the Town to talk directly about.
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					<p>completely by volunteers from our membership base.</p> <p>Any development of two storeys will presumably overlook our outdoor area which is used by children from 0-5 years of age. Our children make noise, and this is an essential part of their play and engagement with the space. If the proposed residential development takes place, we would like residents to be made aware that our playgroup is next door and we would hope that we are not restricted in our use of our facility including the outdoor area. We would find it difficult to restrict the noise our children make during the day.</p> <p>We are extremely grateful for the Town of Victoria Park and the Council's support of our Playgroup in developing the Keith Hayes Community Centre. As often happens at the time of planning and the reality of building and costs, some of our initial hopes for our space did not eventuate. Our outdoor area does not include some of the elements that we previously had, such as swings and other playground equipment and</p>	
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					<p>appropriate shade cover. Our playgroup has a proposal to invest our savings and make use of other fundraising /grant opportunities to add these elements that are missed by our members and their children. As part of our plan we would like to plant some more trees to create natural shade and other equipment elements for our children to be able to climb. There are some items that require addressing and we are proposing to resolve utilising our resources and support from fundraising initiatives and grant submissions.</p> <p>We have been liaising with Town staff regarding this proposal as we are seeking written approval to proceed. It is extremely important to our membership base that we make the best use of our savings to provide the outdoor environment that will be the most engaging and beneficial for our children. We raise this matter in the hope that our plans for the outdoor area are supported by the Town of Victoria Park and Council and that the proposed development would not have any impact on</p>	
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					<p>our current or future use of the outdoor area.</p> <p>Currently, we are just managing with the parking available. We compete with the school pick up and drop offs and many members try to avoid these times due to the lack of parking. As we have small children who are at an age where crossing roads is a significant risk, accessing parking in front of the Keith Hayes Building is important to our members. We would like any residential development to have its own parking. We expect that visitors would create additional parking needs and if there is some way to increase the public parking available that would be appreciated.</p> <p>We also understand that a two-storey development would likely impact the effectiveness of solar panels on our roof. The cost of electricity has increased significantly for us in the Keith Hayes Community Centre. We do not currently receive benefit from the solar panels directly, although we think that any potential loss in efficiency of the solar panels is undesirable.</p>	
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					<p>We would appreciate consideration of some of the revenue from the sale of the land to be reinvested into the Lathlain Precinct. From our Playgroup perspective, we would like to see more energy efficient lighting installed in the Keith Hayes Building, which we feel of long term benefit for the tenants and the Town who are responsible for the communal areas.</p> <p>We do feel that having a residential development next door is undesirable from the perspective that we anticipate feeling 'crowded' in by the development and the issues of parking. We would like to understand more about the future Town's plans for Lathlain Place to reassure us that there is a commitment to retain the Keith Hayes Community Building for community use especially as we are proposing to invest significant funds in play equipment and shade for the outdoor area. We also make use of the Scout's area (as they do our outdoor space) so we would not wish to see any further loss of open space for our groups to</p>	
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					<p>access.</p> <p>Thank you for providing an opportunity to provide comment on the proposal. We would like to request that the Lathlain Playgroup Committee is involved more directly in the consultation process regarding any proposed development of the site. If possible, this contact would be preferred via email to enable us to receive and respond to any communication in a timely manner. I can be contacted via email <a href="mailto:lathlainplaygroup.president@gmail.com">lathlainplaygroup.president@gmail.com</a>.</p>	
May 16 18 08:30:23 pm	Natalie Limbert	Property owner-occupier		I object to the proposal	This land should be sold for the development of a local supermarket such as an IGA.	This is not an allowable use under the current zoning.

					That is what this local community needs in this location. A supermarket will attract business to Lathlain Place to support the existing businesses and fill a gap where it currently exists in this area.	
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## 14.8 Recommendation from the Finance and Audit Committee - TVP/17/08 IT consultancy and support services

<b>File Reference:</b>	TVP/17/08
<b>Appendices:</b>	No
<b>Attachments:</b>	No

<b>Date:</b>	9 March 2018
<b>Reporting Officer:</b>	G. Patrick
<b>Responsible Officer:</b>	N. Cain
<b>Voting Requirement:</b>	Simple majority

### **Executive Summary:**

**Recommendation – That Council award panel tender TVP17/08 for IT consultancy and support services to Veev Group Pty Ltd and Data#3 Ltd, for a period from date of acceptance to 30 June 2019, with the option to extend by two, one year extension periods.**

- A tender was called for suitable providers to deliver:
  - IT service desk functions;
  - IT consultancy functions; and
  - expertise and knowledge in coordination and implementation of projects.
- An evaluation of the three received tender submissions against the prescribed criteria has been completed and it is recommended that Council accepts the tender submissions from Veev Group Pty Ltd and Data#3 Ltd.

### **TABLED ITEMS:**

Nil

### **BACKGROUND:**

The Town is currently looking at implementing / upgrading a number of information and communication technology (ICT) software and hardware systems. Recent software implementations at the Town have demonstrated that the implementation process is greatly enhanced with the assistance of external advisors. Recent evidence of this includes the Town's re-implementation of the recordkeeping system (TRIM) and the preliminary measures required for the upgrade of the Town's library management system and use of radio frequency identification at the library (use of electromagnetic fields to automatically identify and track book stock).

The Town is also working towards achieving a number of the key components of the local government ICT Strategic Framework (which forms part of the legislated Integrated Planning and Reporting Framework). Although the ICT Framework is not a compliance requirement it is a resource that many local governments rely upon to plan for, manage and review their information and technology assets. Although it is proposed that much of this work will be performed "in-house", the use of external agencies to peer review and, potentially, assist in the development of the ICT Framework is likely to provide a better outcome.

And, finally, the Town operates a small service desk team internally to assist with minor ICT issues (including computer relocations and minor fixes). This team is a critical aspect of the

continued functioning of the Town's services (such is the requirement of ICT in today's work environment). The ability to successfully call upon resources to help resolve more technical matters as well as to cover employee leave and busy periods is seen as a proactive step to ensure the Town continues to operate effectively.

With all of the above, no definitive work quantities have been determined. The proposal is that the Town will utilise the services on an "as required" basis only. The benefit of the panel tender is in improved efficiency in the engagement of IT services. The current procurement process takes considerable time each time IT services are engaged. This not only takes valuable staff time (including staff time in other areas aside from IT), the delay in procuring services often results in a drop in service delivery performance standards. It is envisaged that the use of a panel tender arrangement will alleviate this.

#### DETAILS:

Tender TVP/17/08 was advertised in The West Australian newspaper on Saturday 16 September 2017.

The Tender closed at 2pm on Tuesday 3 October 2017. Three compliant submissions were received from:

- Professional PC Support;
- Veev Group Pty Ltd; and
- Data#3 Ltd.

All three submissions met the tender's compliance criteria.

The selection criteria for TVP/17/08 are detailed in the table below:

<p><b>Relevant Experience</b></p> <p>Describe your experience in completing/supplying similar requirements. Respondents must, as a minimum, address the following information in an attachment and label it "<b>Relevant Experience</b>":</p> <ul style="list-style-type: none"> <li>i) Provide details of similar work;</li> <li>ii) Provide scope of the respondent's involvement including details of outcomes;</li> <li>iii) Provide details of issues that arose during IT support and consultancy services provided and how these were managed;</li> <li>iv) Demonstrate competency and proven track record of achieving outcomes; and</li> <li>v) Demonstrate sound judgement and discretion.</li> </ul>	<p>Weighting 40%</p>
<p><b>Strategy and Delivery</b></p> <ul style="list-style-type: none"> <li>i) Strategy in understanding information technology service management, business analysis and project management service delivery strategies; and</li> <li>ii) Technical skills and expertise (CVs to be provided).</li> </ul> <p>Tenderers must address the enquired information in an attachment and label it: "<b>Strategy and Delivery</b>".</p>	<p>Weighting 20%</p>

<b>Current Capability</b> i) Organisation's capacity and capability; ii) Organisation's structure; and iii) Any contingency measures or back up of resources including personnel (where applicable). Tenderers must address the enquired information in an attachment and label it: " <b>Current capability</b> ".	Weighting 20%
<b>Demonstrated Understanding</b> Respondents should detail the process they intend to use to successfully deliver the requirements under 2.2 Scope of Works. Areas that you may wish to cover include, but should not be limited to: i) The most applicable service level agreement; ii) An example project schedule/timeline; iii) The process for the delivery of IT consultancy and support services; iv) Training processes; and v) A demonstrated understanding of the Scope of Work. Supply details and provide an outline of your proposed methodology in an attachment labelled " <b>Demonstrated Understanding</b> ".	Weighting 20%

The assessment of the compliant submissions was undertaken by an assessment panel of three staff comprising of:

- Manager Corporate Services;
- Principal ICT Specialist; and
- Senior Business Systems Analyst.

Their individual scores were evaluated against the compliance and selection criteria. Veev Group Pty Ltd and Data#3 Ltd were assessed to be the most suitable for the panel.

The weighted scores (out of 100) for each of the tenderers are as follows:

- |                            |       |
|----------------------------|-------|
| 1. Professional PC Support | 44.00 |
| 2. Veev Group Pty Ltd      | 80.00 |
| 3. Data#3 Ltd              | 74.67 |

#### **Legal Compliance:**

*Local Government Act 1995 Section 3.57; and*

*Local Government (Functions and General) Regulations 1996 Division 2 Part 4.*

In accordance with Part 4 of the *Local Government (Functions and General) Regulations 1996* ('the Regulations'), tenders shall be invited before the Town enters into a contract for another person to supply goods or services if the consideration under the contract is or is expected to exceed \$150,000.

It is not intended that the use of the tendered services will necessarily exceed the tender threshold limits in any particular year, however should any extensions of the contract be used then it is likely that the threshold will be reached, hence the need for a tender.

**Policy Implications:**

Council policy FIN4 – Purchase of Goods and Services applies. This tender, and the process applied, is in accordance with this policy.

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence Rating</b>	<b>Likelihood Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation / Actions</b>
Major IT projects not completed	Moderate	Moderate	Low	Decrease the speed in the roll-out of major IT projects
Inadequate support levels of IT staff for help desk requests	Moderate	Low	Low	See external resources to aid with cover for help desk

**Strategic Plan Implications:**

CL4 - Provide appropriate information and communications management and technology that is easily accessible, secure, accurate and reliable, in collaboration with our internal and external community.

**Financial Implications:**Internal Budget:

The ICT Services section of the Town maintains a budget for the use of these services. The Panel Tender arrangement is likely to reduce the overall costs experienced by the Town when utilising these services.

If approved, the usage of the successful tenderers will be governed by the available allocation of funds.

Total Asset Management:

Nil

**Sustainability Assessment:**External Economic Implications:

Nil

Social Issues:

Nil

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

The acceptance of these tenders will have a significant impact on the implementation times and quality of IT Service delivery which, ultimately, will have a positive effect on the operations at the Town.

**CONCLUSION:**

Having assessed the tenders, Veev Group Pty Ltd and Data#3 Ltd most suitably met the tender specifications.

The tenderers demonstrated the successful application of similar skills with other local government clients, with particular relevance to the type of IT consultancy and managed services required by the Town. The tenderers have demonstrated their capacity to undertake this consultancy.

The planned projects the panel is expected to be involved in (which do not include any adhoc requirements) include the:

- ICT Hardware and Software Strategic Plan;
- ICT Open Data Strategy;
- ICT Project Management Strategy;
- ICT Quality Management Strategy;
- ICT Risk Management Strategic Plan;
- ICT Service Catalogue; and
- Information Management Framework.

A detailed description of the elements of the ICT Strategic Framework can be found at the following website address -

<https://www.dlgc.wa.gov.au/CommunityInitiatives/Pages/Information-and-Communications-Technology.aspx>

These major projects are in line with the deliverables of the Town's ICT Strategic Plan 2017 – 2022.

**FURTHER COMMENT:**

At the May 2018 Ordinary Council Meeting, Council referred this item back to the Finance and Audit Committee for further consideration.

Accordingly, officers have added the following commentary to assist Elected Members in making a decision regarding this item;

- Financial implications – additional information  
Below is a list of each of the key services, and the maximum estimated annual costs for each;
  1. Managed services (the practice of remotely managing a customer's ICT infrastructure and/or end-user systems, typically on a proactive basis and under a subscription) - \$100,000;

2. Project management (to successfully deliver ICT infrastructure/or end-user systems, as required) - \$150,000; and
3. Business analysis (identifying business needs and determining solutions to business problems) - \$100,000.

It is important to note that these are maximum estimated annual costs, and are dependent on budget availability, and demonstrated need. If in-house resources are suitable at the time then these services will not be utilised.

- Timeframe – additional information

The tender timeframe is for a period from date of acceptance to 30 June 2019, with the option to extend by two, one year extension periods. Below is a list of the key initiatives, listed for budget consideration for the 2018-2019 financial year, where the aforementioned services may be considered for utilisation;

1. Development and costing estimation of the Town's hardware and software strategy;
2. Enhancement and upgrade of the Town's Client Relationship Management system;
3. Development and costing estimation of the Town's Information Management Strategy;
4. Scope and delivery of an asset management software solution for the Town; and
5. Scope and delivery of Microsoft 365 for the Town.

Should the use of the panel tender prove to be effective, items planned for the 2019-2020 financial year where these services may be utilised, include;

1. Development and costing estimation of an ICT Quality Management Strategy;
2. Finalisation of the delivery of an asset management software solution for the Town;
3. Finalisation of the delivery of Microsoft 365 for the Town; and
4. Commencement of the delivery of the Town's Information Management Strategy.

It is also envisaged that, as has occurred for many years in the past, additional ICT initiatives will be identified for delivery and, where required, the panel tender may be utilised.

- Why a panel tender? – additional information

The Western Australian Local Government Association (WALGA) eQuotes system has been used more than 15 times during the past 12 months to assist in delivering ICT services. Each of these times the vendors spend considerable time preparing detailed quotations with only one vendor being successful each time. Each time a quote has been sought, the Town has experienced a diminishing number of responses with many vendors simply not replying to the request for quote.

The Town's Purchasing Policy requires three quotes (for the majority of the services sought for ICT) and officers have often struggled to meet this requirement due to a lack of interest from vendors.

Officers determined that a panel tender would assist in meeting purchasing requirements, as well as exposing the Town to other vendors that may not be on the WALGA eQuotes system.

As it was, despite the tender being advertised on a nationwide tender site, only three tenders were received.

- Why not simply used the WALGA eQuotes system? – additional information  
As mentioned previously, the Town has been experiencing reduced response rates for ICT services through the WALGA eQuotes system. Another factor is that the WALGA eQuotes system does not offer the option to create a panel as it is, in and of itself, a panel already.

**RECOMMENDATION/S FROM THE FINANCE AND AUDIT COMMITTEE:**

**That Council, pursuant to Section 3.57 of the *Local Government Act 1995*, and with reference to Tender TVP/17/08 - IT Consultancy and Support Services, appoint Veev Group Pty Ltd and Data#3 Ltd for a period from 13 June 2018 to 30 June 2019 with the option to extend by a further two, one year extension periods and accept the tenders from Veev Group Pty Ltd and Data#3 Ltd, in accordance with their submitted tenders, Council's contract documentation and budget allocations.**

## COMMUNITY DEVELOPMENT COMMITTEE

### 14.9 Recommendation from the Community Development Committee: Aquatic Facilities Purpose and Standards of Infrastructure Provision at the Aqualife Centre

<b>File Reference:</b>	Rec/13/3
<b>Appendices:</b>	No
<b>Attachments:</b>	Yes

<b>Date:</b>	27 April 2018
<b>Reporting Officer:</b>	K. Winterbourne
<b>Responsible Officer:</b>	L. Ellis
<b>Voting Requirement:</b>	Simple Majority

#### Executive Summary:

**Recommendation:** That the Community Development Committee recommends that Council adopts the purpose and standards of infrastructure provision of the aquatic facilities at the Aqualife Centre

- To enable efficient and informed by decisions by Officers regarding facility and service provision to various aquatic users and groups a determination on the purpose of the aquatic facilities at the Aqualife Centre must be made.
- To guide scoping for any future renewal or repairs and responses to requests for works or equipment upgrades at the Aqualife Centre endorsement of a provision standard is required.

#### TABLED ITEMS:

- Aquatic Sports Strategic Facilities Plan.

#### BACKGROUND:

The Aqualife Centre has been operating since 2007 under direct Town of Victoria Park (the Town) management following a renewal and rebranding of the Somerset Swimming Pool. Annually the facility attracts 400,000 visitations and hosts five (5) aquatic clubs with aquatic bookings exceeding capacity at peak operating periods.

Current facilities include;

- 25metre heated indoor pool,
- 50metre heated outdoor pool,
- Heated Leisure pool;
- Hydrotherapy pool;
- Steam room and spa;
- Gymnasium and Group Fitness Studio;
- Creche;
- Café; and
- Meeting and Club rooms.



The former Department of Sport and Recreation (DSR) (now Department of Local Government, Sport and Cultural Industries) published a report in 2012 titled 'Aquatic Sports Strategic Facilities Plan' (ASSFP) that aims to guide facility provision and development throughout the State making specific references to supporting the growth and facility access of aquatic sports and clubs. The plan identifies the Aqualife Centre as a 'District' facility within the 'Central' region due to the number and size of the water bodies (separate swimming pools) and its geographic location near the centre of the metro area.

Through the Town of Victoria Park's (the Town) Evolve process, community feedback identified the Town's need to undertake an independent review to map strategies to align facility operation with community expectation.

The subsequent review, known as the 'Commercial Viability Project' (CVP) was conducted by an independent consultant through the second half of 2016. It included an examination of facility features and operations, data collation and review, consulting with staff and customer groups, and an analysis of competitors, industry trends, demographics and financials.

**DETAILS:**

Recommendations from the CVP broadly aligned with the Town's strategic outcomes such as optimising efficiency and financial performance and included specific detail relating to improving decision making and accountability for Officers based at the facilities and to more effectively manage aquatic clubs. To enable efficient and informed decisions a determination on the purpose of the aquatic facilities at the Aqualife Centre must be made.

Alongside operational decisions regarding services and facility access is the standard of infrastructure provision. To guide scoping for any future renewal or repairs and responses to requests for works or equipment upgrades at the Aqualife Centre the endorsement of a provision standard is required. The Aqualife centre is currently classified as 'District' facility meeting the criteria outlined in the attachment of having one 50 metre pool plus a second pool with a length of 25 metres. District level facilities are not identified as hosts for regional competitions with their associated equipment requirements such as competition standard timing or starting blocks and spectator viewing.

The ASSFP makes recommendations for facility development within Western Australia region by region. For the central region the report recommends no increases to provision standards to 2031.

**Legal Compliance:**

Nil

**Policy Implications:**

Nil

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
<b>Reputational.</b> Inadequate community access aquatic facility	Minor	Likely	Moderate	Endorsed purpose to protect community access
<b>Financial.</b> Overprovision of aquatic equipment and infrastructure	Major	Possible	High	Infrastructure delivery endorsed at 'District' standard

**Strategic Plan Implications:**

Our vision for the future: The Town of Victoria Park: A dynamic place for everyone.

- We are Perth's most empowered engaged community.
- We are inclusive and connected with a thriving community.

**Strategic Outcomes:**

Social - To promote sustainable, connected, safe and diverse places for everyone.

- S1 A Healthy Community.

Civic Leadership – To show leadership by communicating with, empowering and supporting people in the community.

- CI6 Finances are managed appropriately, sustainably and transparently for the benefit of the community.

**Financial Implications:**

Internal Budget:

Nil

Total Asset Management:

Endorsement of infrastructure provision standards will enable effective and efficient asset management planning and reduce any risks and costs associated with overprovision.

**Sustainability Assessment:**

External Economic Implications:

Endorsement of a 'District' level of facility infrastructure will assist in aligning provision standards to those identified by key stakeholders as required for the growth and sustainability of aquatic sporting clubs within the Town.

Social Issues:

Sustainable sporting Clubs provide a wide range of activities for community members to recreate and socialise in a safe, rewarding and active pursuit.

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

The task of balancing services and space provided to the community, aquatic sporting clubs and commercial groups presents staff with ongoing challenges due to pool capacity limitations and specific program or service needs. To assist the staff in making decisions to meet the various needs an endorsed purpose is required.

In determining the purpose outlined in the recommendations the Town's strategic outcomes were considered in the context of aquatic facilities at the Aqualife Centre.

- S1 – A Healthy Community
  - 1.1 - The aquatic facilities are in place to facilitate positive health outcomes through maximum Community utilisation.
  - 1.3 Clubs and commercial groups and will be supported where and as often as possible without negatively impacting community access or amenity and in-line with the purpose and standard of provision.
- Cl6 – Finances are managed appropriately, sustainability and transparently for the benefit of the Community.
  - 1.2 Operate the facility in a cost-effective manner

Due to the intensive use and ageing structure of the outdoor 50 metre pool at Aqualife it is likely works will be required in coming years. The endorsement of a provision standard, in tandem with a clear purpose will allow staff to effectively manage asset renewal to meet agreed standards that are aligned with strategic direction from the Department of Local Government, Sport and Cultural Industries. Risks associated with overprovision or overspecifying can be effectively mitigated ensuring a cost-effective and appropriate standard.

**CONCLUSION:**

The intent of defining the purpose and standards of provision of the aquatic facilities at the Aqualife Centre is to guide staff decision making regarding club, community and commercial requests for space or support and in ensuring that capital works via either renewal or repair align with Council's determination of provision standards as per the ASSFP.

**RECOMMENDATION/S FROM THE COMMUNITY DEVELOPMENT COMMITTEE:**

1. That Council endorseS the purpose of the aquatic facilities at the Aqualife Centre as:
  - 1.1 To facilitate positive health outcomes through maximum utilisation;
  - 1.2 Operate the facility in a cost-effective manner; and
  - 1.3 Support clubs and commercial operations without negatively impacting community access or amenity.

2. The Council endorses aquatic infrastructure provision standards at 'District' level as shown in 'Table 10 Facilities Classifications and Descriptions' attached to and forming part of this report.

**Table 10 Facilities Classifications and Descriptions**

	Pool Requirements	Additional Infrastructure Requirements
<b>State/National/International</b>	Facility must have two or more 50 metre pools (minimum one indoor pool) of relevant competition standard for each of the aquatic sports.	The facility must provide access to the appropriate dry land training facilities for each sport. The facility must have adequate spectator amenities for competitions such as car parking and aquatics related infrastructure.
<b>Regional</b>	Regional facilities must have a minimum of two 50 metre pools, one with deep water to accommodate water polo competition and diving (1 and 3 metre springboard)  OR  One 50 metre pool, one 25 metre pool and a pool capable of accommodating water polo and diving activities (1 and 3 metre springboard).	Either option must also have a minimum of one indoor pool, be capable of hosting regional competitions with adequate spectator facilities.
<b>District</b>	The facility requires a minimum of one 50 metre pool, plus a second pool with a minimum length of 25 metres.	The facility must be capable of supporting water polo or diving (1 metre and 3 metre springboard) local competitions.
<b>Neighbourhood</b>	The facility will either have a 50 metre or 25 metre pool with leisure water.	

## FUTURE PLANNING COMMITTEE

### 14.10 Recommendation from the Future Planning Committee: Draft Public Open Space Strategy Project Plan

<b>File Reference:</b>	PLA/6/27
<b>Appendices:</b>	Draft Public Open Space Strategy Project Plan
<b>Attachments</b>	No

<b>Date:</b>	7 May 2018
<b>Reporting Officer:</b>	S. O'Sullivan
<b>Responsible Officer:</b>	N. Martin Goode
<b>Voting Requirement:</b>	Simple Majority

#### Executive Summary:

**Recommendation – The Future Planning Committee recommends that Council endorses the draft Public Open Space Strategy Project Plan as contained in the Appendices and procures a suitable consultant as per delegation to undertake the applicable components of the Plan's scope of works.**

- Public Open Space is an important component of a healthy community and the Town requires a strategic approach to plan for its future provision and use through the preparation of a Public Open Space Strategy.
- A Project Plan has been prepared to outline the scope of work involved in the preparation of a Public Open Space Strategy.
- It will be recommended that the Project Plan be endorsed to guide the Strategy's preparation, including the stakeholder engagement and Council consideration processes, and as a basis for documentation required to procure a suitable consultant to execute the Plan's scope of work.

#### TABLED ITEMS:

Nil

#### BACKGROUND:

A quality public open space (POS) network contributes to the health and wellbeing of communities by:

- Providing locations to undertake sport and recreation pursuits, host community events and an escape from urban environments;
- Accommodating active transport linkages that connect key destinations;
- Providing opportunities for preserving landscape and environmental features and cultural assets; and
- Contributing to environmental and ecological outcomes.

Diverse, competing demands on POS can limit its capacity to meet community needs. The Town has a responsibility, emphasised in the State Government planning framework, to have a sound basis for guiding POS decision-making through the implementation of a POS Strategy.

The Town does not have an overarching strategy to provide direction for the future of its POS. The preparation of a POS strategy presents an opportunity to address this strategic gap and align the objectives set out in the various existing strategies and plans that include POS-related elements.

**DETAILS:**

A draft Project Plan for the preparation of a POS Strategy was presented to the Future Planning Committee (FPC) on 13 December 2017 for initial feedback and affirmation of the proposed project approach. The Committee resolved to receive the draft Project Plan and give further consideration to the following matters:

- The expectations and limit of the role of the FPC in the preparation of the POS Strategy;
- The role of other Council Committees and Councillors; and
- Engagement data validity and target reach.

The draft Project Plan has since been updated and is contained in Appendices.

**FPC Roles and Responsibilities**

The delivery of a POS Strategy is outlined in the FPC's Terms of Reference. The draft Project Plan identifies the points at which the FPC will be involved in the Strategy's development. These include:

- Consideration of the draft Project Plan;
- Review of and feedback on background/understanding work to be completed by the project consultants;
- Review of and feedback on preliminary Strategy options; and
- Review of the draft Strategy for consideration of its suitability to be advertised for public comment.

Points 1 and 4 will involve making a recommendation to an Ordinary Meeting of Council. Points 2 and 3 will involve providing feedback directly to the Project Team.

**Other Committees' and Elected Members' Involvement**

It is not proposed to involve other Council Committees in the preparation of the POS Strategy. The draft Project Plan does however identify the points at which Elected Members who are not on the FPC will be involved in the Strategy's development, these being:

- Consideration at an Ordinary Council Meeting of the proposed endorsement of the draft Project Plan;
- A Councillor Workshop on preliminary Strategy options;
- Consideration at an Ordinary Council Meeting of the suitability of the draft Strategy for public consultation; and
- Consideration at an Ordinary Council Meeting of community and stakeholder feedback from the public consultation process and the adoption of the Strategy.

It is usually the practice to seek Western Australian Planning Commission endorsement of a POS Strategy. The Commission's consideration may necessitate modifications being made, in which case Council's consideration of any required changes will be sought.

**Engagement**

The intended method of engagement on the POS Strategy forms Appendix E of the draft Project Plan. Community-specific engagement will include:

- Project Launch – Inform/Consult level of engagement;
- Workshops – Involve level of engagement;
- ‘Ask the people’ surveys – Consult level of engagement;
- ‘Pop up’ engagement opportunities – Consult level of engagement;
- Results confirmation – Consult level of engagement; and
- Implementation – Inform level of engagement.

### Legal Compliance:

The POS Strategy is not a legally mandated document, however it should align with relevant components of the State and Local planning framework.

### Policy Implications:

The POS Strategy may contain recommendations for certain Council policies to be reviewed.

### Risk management considerations:

A detailed risk assessment has been undertaken as part of the draft project plan. The following risks are considered to have a Major level of risk:

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Staff resourcing is inconsistent and potentially unreliable/insufficient	Major	Likely	High	<ul style="list-style-type: none"> <li>• Support of project director for handover of project to appropriate project manager.</li> <li>• Early identification of staff movement where possible.</li> </ul>

### Strategic Plan Implications:

The engagement process undertaken as part of the development of the Strategic Community Plan captured a number of ‘visions’:

1. Safety and security;
2. Connectivity;
3. Sustainability;
4. Community;
5. Environment;
6. Diversity;
7. Human scale development; and
8. Vibrancy.

The concept of ‘green space’ was clearly at the forefront of community ideology. All eight visions can be applied on some level in preparation of the POS strategy and should be at the forefront of consideration.

The outcomes of the Strategic Community Plan will underpin the direction of the POS Strategy, in particular:

- S1 A healthy community;
- Ec2 A clean, safe and accessible place to visit;
- En5 Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed;
- En6 Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed; and
- En7 – Increased vegetation and tree canopy.

**Financial Implications:**Internal Budget:

Funds have been set aside within the operational budgets of the Community Planning and Operations Functional Areas to prepare the POS strategy. The budgeted amount is not included in the draft Project Plan so as not to prejudice the consultant procurement process.

A consultant will be engaged following a request for quotation process, with the appointment to be made under delegation of or in consultation with the Chief Executive Officer.

Total Asset Management:

Nil.

**Sustainability Assessment:**External Economic Implications:

Nil.

Social Issues:

Community engagement needs to be robust and appropriate.

Cultural Issues:

POS provision is topical in the community. The Project Plan accounts for this.

Environmental Issues:

The vision, mission and strategic outcomes of the Strategic Community Plan form the foundation of all actions of the Town, underpinned community desire to create a cleaner, healthier and more resilient built and natural environment.

**COMMENT:**

The draft POS Strategy Project Plan provides opportunity for the Town to properly plan for and the ongoing management of POS.

The ambition of the draft Project Plan is to create a forward thinking, comprehensive and innovative POS strategy that will meet the needs and reasonable desires of the Town and community. It is worth noting that expectation surrounding the outputs and outcomes of this project are high and this will need to be managed and communicated clearly.



**CONCLUSION:**

It will be recommended that the draft POS Strategy Project Plan be endorsed and the process to procure a suitable consultant to undertake the Plan's scope of works commence.

**RECOMMENDATION FROM THE FUTURE PLANNING COMMITTEE:**

That Council endorses the draft Public Open Space Strategy Project Plan as contained in the Appendices and procures a suitable consultant as per delegation to undertake the Plan's scope of works.

**ECONOMIC DEVELOPMENT COMMITTEE****14.11 Recommendation from the Economic Development Committee: Embargo Bar**

<b>File Reference:</b>	PAR/18/23
<b>Appendices:</b>	No
<b>Attachments:</b>	No

<b>Date:</b>	12 April 2018
<b>Reporting Officer:</b>	M. Owens
<b>Responsible Officer:</b>	N. Martin Goode
<b>Voting Requirement:</b>	Simple Majority

**Executive Summary:****Recommendation – The Economic Development Committee receives the report.**

- Embargo Bar is a pop up event that operates for brief periods of time around the Perth metro area, run by The Event Mill.
- Between 07/01/18 and 14/03/18 Embargo Bar was set up in the Town on the McCallum Park foreshore.
- The Town received a variety of feedback on the event from the local community, visitors, and other stakeholders.
- This summary report has been written to inform the Economic Development Committee.

**TABLED ITEMS:**

Nil

**BACKGROUND:**

The Town provides event space on its parks and reserves under RENC1 Recreation Reserves – Hire, adopted at Council Meeting 1 July 1994. Administration has used this policy as the basis for all of its activities relating to hiring parks and reserves under the remit of the Town. Operational procedures that are used to hire these spaces are in alignment with the procedure detailed within policy RENC1.

McCallum Park and Taylor Reserve are popular event spaces. Located on the Swan River foreshore these spaces are sought after to host events due to the size of the space, accessibility, infrastructure, nearby amenities, and views of the river and the City. McCallum Park and Taylor Reserve hosts 107 events per year, including large scale events with regional to national reach including Perth Garden Festival, Perth 4WD and Adventure Show, The Million Paws Walk and Ride to Conquer Cancer. The Town has previously approved long term bookings at McCallum and Taylor Reserve in the past, with Events Perth setting up an event space to run private Christmas and End of Year functions for a variety of organisations between 25 November 2015 and 20 December 2015, with 17 functions being held during this period.

“Pop-Up” bars and entertainment spaces have existed in the global marketplace for some time, recently growing rapidly in popularity in Australia and Western Australia (WA) as cities strive to be destinations of choice for entertainment and tourism. The phenomena first gained strength after the significant downturn of the retail industry in early 2010’s leading retailers to explore temporary outlets to increase exposure and revenue without the associated overhead costs.

The WA State Government has confirmed its support for pop-up retail, events, and entertainment spaces, with some conditions. Commentary from the State Government indicates support for existing licenced premises to host small festivals and pop-up event spaces under their existing liquor licence approvals, instead of event companies and non-licenced premises moving into a temporary space for operation. Embargo Bar’s current operating model is to move into temporary event spaces to establish a venue as they do not have a permanent licenced premise in which to operate.

The Town was first contacted by The Event Mill regarding Embargo Bar on 21 August 2017 and with a collaborative effort from the Town, The Event Mill and other agencies, Embargo Bar was operational on a portion of McCallum Park between 11 January 2018 and 11 March 2018.

#### **DETAILS:**

In the lead up an event the Town has certain responsibilities to ensure a safe and compliant event is held on its parks and reserves. The first step of any event is to approve the physical space, location and related logistics. The Event Mill completed the Parks and Reserves Booking Form and submitted the necessary documentation to confirm the event space. Approval to use the space was granted via letter on 11 October 2017, however this approval is for the space only and after it was granted Embargo Bar were required to begin the approval process for the event itself to take place through the Town’s Environmental Health Team and relevant State Government Departments such as Racing, Gaming and Liquor.

While Embargo Bar was operating the Town received a variety of both positive and negative feedback. Most of this feedback was constructive towards the benefits and detractions of this style of event taking place on McCallum Park for a three month period. In total the Town received 13 emails from the community about Embargo, and several phone calls directly to Administration. The main themes related to:

- The Town supporting a pop-up bar with a commercial gain, when local traders are self-reporting to be struggling economically;
- traffic and parking congestion;
- noise complaints when electronic music was played; and
- the long term booking (3 months).

Embargo Bar were responsive to requests from the Town to adjust their operations to reduce their impact on the surrounding residents, often actioning request instantly and on the day the Town contacted them. The major challenges of parking and noise control were both managed easily with proactive actions from Embargo Bar. Parking controllers were implemented on Friday and Saturday nights. Noise levels were constantly monitored by Embargo management and by Town of Victoria Park staff in response to complaints and were adjusted depending on the circumstances of the day.

**Social and Cultural Measurements:**

During the operation of Embargo Bar the Town purchased and began using Culture Counts to start measuring the social impact of services the Town delivers. Culture counts was used at Embargo Bar to measure the:

- atmosphere and vibrancy;
- suitability of the venue location;
- how connected people felt to the community; and
- enthusiasm to participate in a similar event.

Embargo Bar carried out 282 onsite surveys and 402 open public survey (open online surveys). The results of the Culture Counts surveys are tabled below:

<b>Embargo Bar Open Public Survey – 402 total responses</b>		
<i>Dimension</i>	<i>Question</i>	<i>Score out of 100</i>
Atmosphere	I enjoy the atmosphere here	90
Local Impact	It is important for the local area	90
Enthusiasm	I would take part in something like this again	93
Connection	It helped me feel connected to people in the community	86
Events	This is a great location for events	92
Vibe	I enjoy the vibrancy and the people in this place	92

<b>Embargo Bar On Site Survey 23 to 25 March – 102 total responses</b>		
<i>Dimension</i>	<i>Question</i>	<i>Score out of 100</i>
Atmosphere	I enjoy the atmosphere here	92
Local Impact	It is important for the local area	90
Enthusiasm	I would take part in something like this again	91
Connection	It helped me feel connected to people in the community	75
Events	This is a great location for events	87
Vibe	I enjoy the vibrancy and the people in this place	89

<b>Embargo Bar On Site Survey 30 March to 1 April – 180 total responses</b>		
<i>Dimension</i>	<i>Question</i>	<i>Score out of 100</i>
Atmosphere	I enjoy the atmosphere here	84
Local Impact	It is important for the local area	83
Enthusiasm	I would take part in something like this again	87
Connection	It helped me feel connected to people in the community	71
Events	This is a great location for events	79
Vibe	I enjoy the vibrancy and the people in this place	83

Embargo Bar have reported approximately 4,500 adult attendees per week, plus numerous families with children on top of that number, with some weekends bringing in larger crowds such as the Australia Day weekend. As captured through the Culture Counts surveys, the feedback they received on site and online was extremely positive.

**Legal Compliance:**

During the operation of Embargo Bar the Town received a letter regarding the Deed of a portion of land of McCallum Park, and the conditions of the Deed when the land was transferred from the Crown to the Town's responsibility. The Town sought legal advice in relation to the Deed, and had adjusted its booking approval process to include contacting the Department of Planning, Lands and Heritage in regards to future McCallum Park and Taylor Reserve events.

The Town is waiting to receive an official response from the Minister for Lands regarding the operation of Embargo Bar or similar commercial operations on parks and reserves. Current policy direction from the State Government is still in development via amendments to the Liquor Licencing Act and various other pieces of legislation to allow easier access to pop-up options for established Licence Premises.

**Policy Implications:**

REC N1 Recreation Reserves - Hire enables the administration to hire parks and reserves and details a procedure that the administration must follow when doing so.

REC N2 Events on Parks and Reserves – Notification to Local Residents instructs the Administration to inform the local community when an event will take place.

**Risk Management Considerations:**

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
Financial Impact, Service Interruption, Compliance, Reputation.  <b>Risk:</b> Commercial events are not able to be approved on Taylor Reserve or McCallum Park.  <b>Consequence:</b> The ability of the Town to meet its strategic community plan outcomes would be reduced. Loss of over	Major (4)	Possible (3)	High (12)	Administration has modified its park and reserve booking process to confirm bookings on Taylor Reserve and McCallum Park are legally compliant.  The Town will continue working with local businesses and the community to deliver safe and compliant events to mitigate any damage to the Town's reputation.  No mitigation possible for financial loss, if the bookings don't proceed then the Town will lose the revenue.

<b>Risk &amp; Consequence</b>	<b>Consequence + Rating</b>	<b>Likelihood = Rating</b>	<b>Overall Risk Analysis</b>	<b>Mitigation/Actions</b>
\$100,000 revenue annually. Damage to Towns reputation.				
<b>Compliance</b>  <b>Risk:</b> Possibility that commercial events on Town Parks and Reserves are not compliant with relevant Local, State and Federal legislation.  <b>Consequence:</b> Community outrage and complaints. Potential legal action over noise. Potential fines or investigations if negligent in the Towns responsibilities.	Major (4)	Unlikely (2)	Moderate (8)	The Administration works cross functionally across teams on a regular basis to ensure all events and activities are compliant with relevant legislation within the Town's remit.  The Parks and Reserves Booking Form, and Public Event Application Form both request all relevant information from event organisers to approve and ensure their event is safe and compliant.

**Strategic Plan Implications:**

A dynamic place for everyone

- We are Perth's premier place for entertainment and entrepreneurship.

Economic

Ec1 – A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.

**Financial Implications:**Internal Budget:

The Town received \$32,867.50 revenue from the Embargo Bar booking.

Total Asset Management:

Nil

**Sustainability Assessment:**External Economic Implications:

Pop-up events have the potential to increase revenue and market reach of local businesses who are willing to run a pop-up space on a Town park or reserve. Commentary from the State Government that supports existing Licenced Premises to operate a pop-up event or space under their existing licence will increase their revenue potential.

Social Issues:

Activating and utilising the Town's parks and reserves for public events open to everyone is a key service to address the social outcomes listed in the Strategic Community Plan.

Cultural Issues:

Nil

Environmental Issues:

Nil

**COMMENT:**

The Town is fortunate to be responsible for public open space of such high quality as Taylor Reserve and McCallum Park. As developments and urban infill consume more space to meet the needs of the growing population, the foreshore space will become more unique and valuable to the community. Utilising this space with events, pop-up venues, concerts, and various other activations can lead to positive outcomes for the Town, community and visitors to the area, whilst also raising revenue.

**CONCLUSION:**

This report has been prepared for the information of the Economic Development Committee. It summarises the process the Town implemented to approve both the Park booking, and the Public Event to allow Embargo Bar to operate on a portion of McCallum Park for a three month period.

**RECOMMENDATION/S FROM THE ECONOMIC DEVELOPMENT COMMITTEE:**

That Council:

1. **Receives the report dealing with the Embargo bar.**
2. **Requests the Administration investigates strategies and formats for future activation of public space within the Town and report back to the Economic Development Committee.**

**15 APPLICATIONS FOR LEAVE OF ABSENCE**

Mayor Trevor Vaughan – 17 August 2018 to 31 August 2018 inclusive.

**16 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****17 QUESTIONS FROM MEMBERS WITHOUT NOTICE****18 NEW BUSINESS OF AN URGENT NATURE****19 PUBLIC QUESTION TIME****20 PUBLIC STATEMENT TIME****21 MEETING CLOSED TO PUBLIC****21.1 Matters for Which the Meeting May be Closed**

- 21.1.1 Recommendation from the Finance and Audit Committee: Mindarie  
Regional Council – Deed of Guarantee for Resource Recovery  
Facility – *Confidential Item*

**21.2 Public Reading of Resolutions That May be Made Public****22 CLOSURE**





**DECLARATION OF  
FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT  
IMPARTIALITY**

**TO: CHIEF EXECUTIVE OFFICER  
TOWN OF VICTORIA PARK**

<b>Name &amp; Position</b>	
<b>Meeting Date</b>	
<b>Item No/Subject</b>	
<b>Nature of Interest</b>	Financial Interest* Proximity Interest* Interest that may affect impartiality* <span style="float: right;"><i>(*Delete where not applicable)</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the Local Government Act 1995 states that:

“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed”.